

ESTTA Tracking number: **ESTTA699359**

Filing date: **09/30/2015**

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 parties oppose registration of the indicated application.

Opposers Information

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| Name | Sequel Naturals Ltd. |
| Granted to Date of previous extension | 09/30/2015 |
| Address | 101 - 3001 Wayburne Drive Burnaby, BC V5G 4W3 CANADA |

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| Name | Sequel Naturals, Inc. |
| Granted to Date of previous extension | 09/30/2015 |
| Address | 1124 Fir Avenue #178 Blaine, WA 98230 UNITED STATES |

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| Attorney information | Erik M. Pelton Erik M. Pelton & Associates, PLLC PO Box 100637 Arlington, VA 22210 UNITED STATES uspto@tm4smallbiz.com Phone:703-525-8009 |
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Applicant Information

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|------------------------|--|------------------------|------------|
| Application No | 86437583 | Publication date | 06/02/2015 |
| Opposition Filing Date | 09/30/2015 | Opposition Period Ends | 09/30/2015 |
| Applicant | Vega Coffee, Inc. 300 East 46th Street New York, NY 10017 UNITED STATES | | |

Goods/Services Affected by Opposition

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| Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Coffee; Coffee beans |
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Grounds for Opposition

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

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| U.S. Registration No. | 3622434 | Application Date | 10/04/2008 |
| Registration Date | 05/19/2009 | Foreign Priority Date | NONE |
| Word Mark | VEGA | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 3939840 | Application Date | 03/22/2010 |
| Registration Date | 04/05/2011 | Foreign Priority Date | NONE |
| Word Mark | VEGA | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 029. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils | | |

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| U.S. Registration No. | 3939841 | Application Date | 03/22/2010 |
| Registration Date | 04/05/2011 | Foreign Priority Date | NONE |
| Word Mark | VEGA | | |

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| Design Mark |  |
| Description of Mark | The mark consists of a swirling design above the word "VEGA" in a futuristic font. |
| Goods/Services | Class 029. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils |

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| U.S. Registration No. | 4342649 | Application Date | 10/18/2012 |
| Registration Date | 05/28/2013 | Foreign Priority Date | 10/17/2012 |
| Word Mark | VEGA SPORT | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 2009/12/31 First Use In Commerce: 2009/12/31 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, mineral supplements, vitamin supplements, vitamins, dietary and nutritional supplement drink mixes, nutritional and dietary supplements formed and packaged as bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bar; nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements to prepare and en- | | |

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| | ergize for athletic workouts, for sustaining and providing endurance during athletic workouts and to recover and replenish from athletic workouts |
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| U.S. Registration No. | 4779880 | Application Date | 10/17/2013 |
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|-------------------|------------|-----------------------|------------|
| Registration Date | 07/28/2015 | Foreign Priority Date | 10/03/2013 |
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| Word Mark | VEGA SPORT PREPARE SUSTAIN RECOVER | | |
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| Description of Mark | The mark consists of the words "VEGA SPORT" with a leaf design on the letter "V", beneath are three small rectangles with the wording "PREPARE", "SUSTAIN" and "RECOVER". |
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| Goods/Services | Class 005. First use: First Use: 2012/12/00 First Use In Commerce: 2012/12/00 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form |
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| U.S. Application No. | 85548276 | Application Date | 02/21/2012 |
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|-------------------|------|-----------------------|------------|
| Registration Date | NONE | Foreign Priority Date | 02/03/2012 |
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|-----------|----------|--|--|
| Word Mark | VEGA ONE | | |
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| Design Mark | VEGA ONE |
| Description of Mark | NONE |
| Goods/Services | <p>Class 005. First use: First Use: 0 First Use In Commerce: 0 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0 Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0 Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes</p> |

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| U.S. Application No. | 85548349 | Application Date | 02/21/2012 |
| Registration Date | NONE | Foreign Priority Date | 02/03/2012 |
| Word Mark | VEGA | | |
| Design Mark | VEGA | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 0 First Use In Commerce: 0 Nutritional, dietary and food supplements for general health and well-being an- | | |

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| | <p>dto enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes</p> |
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| U.S. Application No. | 85548454 | Application Date | 02/21/2012 |
| Registration Date | NONE | Foreign Priority Date | 02/03/2012 |
| Word Mark | VEGA | | |
| Design Mark | | | |
| Description of Mark | The mark consists of the word "VEGA" with a leaf design on the "V". | | |
| Goods/Services | <p>Class 005. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes</p> | | |

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| U.S. Application No. | 86094544 | Application Date | 10/17/2013 |
| Registration Date | NONE | Foreign Priority Date | 10/03/2013 |
| Word Mark | VEGA ONE | | |

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| Design Mark |  |
| Description of Mark | The mark consists of the words "VEGA ONE" with leaves and vine designs to the right and a rectangle carrier beneath the wording. |
| Goods/Services | <p>Class 005. First use: First Use: 2012/03/00 First Use In Commerce: 2012/03/00 (Based on Use in Commerce) (Based on 44(d) Priority Application) Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, protein powders for human consumption for use as a food additive for general health and to enhance physical and mental performance, hempprotein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds; (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Nut and seed based snack bars; edible oil blends derived from seeds; edible sacha inchi seed oils; sacha inchi seed butters; processed sacha inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings; nut and seed based milk beverages for use as milk substitute; sacha inchi seed based milks for use as milk substitute</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional beverage flavorings and food flavorings; food flavorings derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sacha inchi candies</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Energy drinks; smoothies; smoothie mixes; sports drinks</p> |

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| Attachments | 77585688#TMSN.png(bytes) 77965026#TMSN.png(bytes) 77965049#TMSN.png(bytes) 85757902#TMSN.png(bytes) 86094570#TMSN.png(bytes) 85548276#TMSN.png(bytes) 85548349#TMSN.png(bytes) 86094544#TMSN.png(bytes) 2015-09-30 VEGA COFFEE - Notice of Oposition - FINAL.pdf(541104 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 | /ErikMPelton/ |
| Name | Erik M. Pelton |
| Date | 09/30/2015 |

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

Sequel Naturals Ltd., and
Sequel Naturals, Inc.,
Opposers,

v.

Vega Coffee, Inc.,
Applicant.

Opposition No. _____

Application Serial No. 86/437,583
Published on June 2, 2015

Mark:

Vega Coffee

NOTICE OF OPPOSITION

In the matter of U.S. Trademark Application Serial No. 86/437,583 (“the Application”) for registration of the mark VEGA COFFEE in standard characters (the “Applied-for Mark”) filed October 28, 2014, by Vega Coffee, Inc. (“Applicant”) and published for opposition in the Official Gazette of June 2, 2015, Sequel Naturals Ltd. and Sequel Naturals, Inc. (together, “Opposers”) believe that they would each be damaged by such registration and hereby oppose the registration of the Applied-for Mark pursuant to 15 USC § 1063 and 37 CFR § 2.104.

As grounds for opposition, Opposers allege that:

1. Opposer Sequel Naturals Ltd. is a Canadian limited company with a principal place of business at #101 – 3001 Wayburne Drive, Burnaby, BC V5G 4W3 Canada.
2. Opposer Sequel Naturals, Inc. is a Washington corporation with a principal place of business at 1124 Fir Ave, 178, Blaine, WA 98230.
3. Opposer Sequel Naturals, Inc. is the wholly owned subsidiary of Opposer Sequel Naturals Ltd.
4. Since at least 2004, Opposers have been and are now using the mark VEGA, both in standard characters and with a design element, both as a single term and combined with other

terms including VEGA ONE and VEGA SPORT (collectively, “Opposers’ Marks”), in interstate commerce in the United States in connection with nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels; sachas inchi seeds; snack bars; and related products.

5. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 3,622,434 for the mark VEGA in standard characters for use in connection with “nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels” in International Class 5, which was issued on May 19, 2009.

6. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 3,939,840 for the mark VEGA in standard characters for use in connection with “Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils” in International Class 29, which was issued on April 5, 2011.

7. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No.



3,939,841 for the mark  for use in connection with “Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils” in International Class 29, which was issued on April 5, 2011.

8. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 4,342,649 for the mark VEGA SPORT in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, mineral supplements, vitamin supplements, vitamins, dietary and nutritional supplement drink mixes, nutritional and dietary supplements formed and packaged as bars, nutritional supplement energy bars and

nutritional supplement in the nature of a nutrient-dense, protein-based food bar; nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements to prepare and energize for athletic workouts, for sustaining and providing endurance during athletic workouts and to recover and replenish from athletic workouts” in International Class 5, which was issued May 28, 2013.

9. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial

No. 85/548,454 for the mark  for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, protein powders for human consumption for use as a food additive, hemp protein, mineral supplements, vitamin supplements, vitamins and meal replacements namely drink mixes, meal replacement bars, powders, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Energy bars derived from nuts and seeds, oil blends derived from seeds, sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and nut and seed milk beverages and sacha inchi seeds” in International Class 29; “Cookies, crackers, crisps, granola, puddings, ready to eat cereals, sacha inchi candies, snack bars derived from nuts and seeds, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs” in International Class 30; and “Energy drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.

10. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial No. 85/548,349 for the mark VEGA in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, hemp protein, mineral

supplements, vitamin supplements and vitamins; Protein powders for human consumption for use as a food additive and meal replacements namely drink mixes, meal replacement bars, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and sacha inchi seeds; Energy bars derived from nuts and seeds, oil blends derived from seeds and nut and seed milk beverages” in International Class 29; “Sacha inchi candies, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs; Cookies, crackers, crisps, granola, puddings and ready to eat cereals” in International Class 30; and “Energy drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.

11. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial No. 85/548,276 for the mark VEGA ONE in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, protein powders for human consumption for use as a food additive, hemp protein, mineral supplements, vitamin supplements, vitamins and meal replacements namely drink mixes, meal replacement bars, powders, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Energy bars derived from nuts and seeds, oil blends derived from seeds, sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and nut and seed milk beverages and sacha inchi seeds” in International Class 29; “Cookies, crackers, crisps, granola, puddings, ready to eat cereals, sacha inchi candies, snack bars derived from nuts and seeds, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs” in International Class 30; and “Energy

drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.

12. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial



No. 86/094,544 for the mark  for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance namely, protein powders for human consumption for use as a food additive for general health and nutrition, hemp protein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds...Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders” in International Class 5; “Nut and seed based snack bars; edible oil blends derived from seeds; edible sacha inchi seed oils; sacha inchi seed butters; processed sacha inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings” in International Class 29; “Nutritional beverage and food flavorings; food flavourings and fortifications derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sacha inchi candies” in International Class 30; and “Energy drinks; smoothies; smoothie mixes; sport drinks; sacha inchi seed milks; nut and seed milk beverages” in International Class 32; which was filed on October 17, 2013.

13. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No.



4,779,880 for the mark  for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form” in International Class 5; which was issued on July 2, 2015.

14. Opposers attach true and correct copies of the status and ownership information from the USPTO’s Trademark Status and Document Retrieval (TSDR) database, captured on September 30, 2015, for Registration Nos. 3,622,434; 3,939,840; 3,939,841; 4,342,649; and 4,779,880 (“Opposers’ Registrations”); and for pending Application Serial Nos. 85/548,276; 85/548,349; 85/548,454; and 86/094,544; (“Opposers’ Applications”).

15. Opposers’ Marks are highly distinctive in connection with Opposer’s goods.

16. Opposers’ goods offered in connection with Opposers’ Marks have received widespread use and recognition throughout the United States and elsewhere.

17. Opposers are the owners of extensive common law rights in Opposers' Marks due to use of the marks for many years in connection with Opposers' goods and services.

18. Opposers have continuously used Opposers' Marks since at least 2004, and the marks have not been abandoned.

19. As a result of Opposers' substantial time and effort devoted to advertising and promoting their goods and services in connection with Opposers' Marks, Opposers have developed exceedingly valuable goodwill with respect to Opposers' Marks.

20. Through extensive use, promotion and advertising of Opposers' Mark, Opposers' Marks have become well known or famous for Opposers' goods since a date prior to the filing date of Applicant's application.

21. Through extensive use, promotion and advertising of Opposers' Mark, Opposers' Marks have become well known or famous for Opposers' goods since a date prior to Applicant's first use of the VEGA COFFEE mark in commerce.

22. On information and belief, Applicant Vega Coffee, Inc., is a Delaware corporation located at 300 East 46th Street, Apt. 9H, New York, NY 10017.

23. On October 28, 2014, Applicant filed Application Serial No. 86/437,583 seeking registration of the mark VEGA COFFEE in standard characters for "coffee; coffee beans" in International Class 30.

24. The Applied-for Mark was published for opposition on June 2, 2015.

25. On April 17, 2015, Applicant filed a "response to office action" with the USPTO accepting a disclaimer of the word "COFFEE."

26. Opposers' first use of Opposers' Marks in commerce in connection with Opposers' goods preceded any use by Applicant of the Applied-for Mark in commerce.

27. The Applied-for Mark and Opposers' Marks are similar in sound, appearance, and meaning.
28. The Applied-for Mark is confusingly similar to Opposers' Marks.
29. Applicant's goods and Opposers' goods are both in the field of food and beverages.
30. Applicant's goods and Opposers' goods are related, similar, or overlapping.
31. Applicant's goods and Opposers' goods are likely to be marketed and/or sold together.
32. Applicant's goods and Opposers' goods are likely to be used together.
33. The channels of trade of Applicant's goods and Opposers' goods are related or overlapping.
34. On information and belief, the goods of Opposers and Applicant are offered or may be offered in similar channels of trade and/or to similar consumers.
35. On information and belief, sales of Applicant's goods and Opposers' goods are not sophisticated purchases.
36. To the extent that Applicant's goods do not directly overlap Opposers' goods, they are very similar and/or natural product expansions for Opposers.
37. Opposers have not consented to Applicant's use or registration of the Applied-for Mark in connection with Applicant's goods.
38. As a result of the confusing similarity between Opposers' Marks and the Applied-for Mark, the similar nature of the relevant goods and/or services, and the similar or identical channels of trade and classes of purchasers, registration of the Applied-for Mark in connection

with Applicant's goods is likely to deceive purchasers, cause confusion, or cause mistake as to the source or sponsorship of such goods and services.

39. Consumers familiar with Opposers' Marks are likely to mistakenly believe that the goods and services offered in connection with the Applied-for Mark are sponsored, authorized, associated with, or otherwise approved by Opposers because the proposed mark closely resembles Opposers' Marks. Deficiencies or faults in the quality of Applicant's goods are likely to reflect negatively upon, tarnish, and seriously injure the reputation that Opposers have established for goods and services provided under Opposers' Marks. This confusion is likely to result in loss of revenues to Opposers and damage to Opposers' reputation.

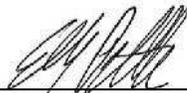
40. By reason of Opposers' use of Opposers' Marks prior to Applicant's use and/or application for the confusingly similar Applied-for Mark, Opposers have rights superior to those of Applicant and standing to oppose registration of the Applied-for Mark.

41. For the foregoing reasons, the registration sought by Applicant is contrary to Section 2(d) of the Lanham Act and other provision of the Trademark Act, and Opposers would be damaged thereby.

WHEREFORE, Opposers pray that Application Serial No. 86/437,583 for the mark VEGA COFFEE be refused registration, and that this Opposition be sustained in favor of Opposers.

Respectfully submitted for Opposers,

Dated: September 30, 2015

By: 
Erik M. Pelton, Esq.
Attorney for Opposers

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Arlington, Virginia 22210
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Email: uspto@tm4smallbiz.com

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

Sequel Naturals Ltd., and
Sequel Naturals, Inc.,
Opposers,

v.

Vega Coffee, Inc.,
Applicant.

Opposition No. _____

Application Serial No. 86/437,583
Published on June 2, 2015

Mark:

Vega Coffee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Notice of Opposition* has been served on the following by mailing said copy on September 30, 2015, via First Class Mail, postage prepaid, to counsel of record and correspondence Applicant at:

Matthew J. Kuykendall
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050

with a copy to Applicant at:

Vega Coffee, Inc.
300 East 46th Street, Apt. 9H
New York, NEW YORK 10017

By: _____



Erik M. Pelton, Esq.

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Mark: VEGA SPORT PREPARE SUSTAIN RECOVER



US Serial Number: 86094570
Application Filing Date: Oct. 17, 2013
US Registration Number: 4779880
Registration Date: Jul. 28, 2015
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 28, 2015
Publication Date: May 12, 2015

Mark Information

Mark Literal Elements: VEGA SPORT PREPARE SUSTAIN RECOVER
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 the words "VEGA SPORT" with a leaf design on the letter "V", beneath are three small rectangles with the wording "PREPARE", "SUSTAIN" and "RECOVER".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "SPORT"
Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
26.09.28 - Miscellaneous designs with overall square shape; Square shapes (miscellaneous overall shape)
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434, 3939840 and others

Foreign Information

Priority Claimed: Yes
Foreign Application Number: 1,646,304
Foreign Application Filing Date: Oct. 03, 2013
Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form

International Class(es): 005 - Primary Class
Class Status: ACTIVE

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

Basis: 1(a)

First Use: Dec. 2012

Use in Commerce: Dec. 2012

Basis Information (Case Level)

| | | | | | |
|-----------------|-----|---------------------|-----|--------------|----|
| Filed Use: | Yes | Currently Use: | Yes | Amended Use: | No |
| Filed ITU: | No | Currently ITU: | No | Amended ITU: | No |
| Filed 44D: | Yes | 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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 WAYBURNE DRIVE
BURNABY, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Trisha A. Doré
Docket Number: 70633-0110
Attorney Primary Email Address: docketing@accuprotrm.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRISHA A. DORÉ
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: 604-661-9292
Fax: 604-688-3830
Correspondent e-mail: docketing@accuprotrm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark W. Hendricksen

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jul. 28, 2015 | REGISTERED-PRINCIPAL REGISTER | |
| May 12, 2015 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| May 12, 2015 | PUBLISHED FOR OPPOSITION | |
| Apr. 22, 2015 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Apr. 04, 2015 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70633 |
| Apr. 02, 2015 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 29, 2015 | TEAS/EMAIL CORRESPONDENCE ENTERED | 70633 |
| Jan. 29, 2015 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 70633 |
| Jan. 20, 2015 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jul. 22, 2014 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jul. 22, 2014 | NON-FINAL ACTION E-MAILED | 6325 |
| Jul. 22, 2014 | NON-FINAL ACTION WRITTEN | 78305 |
| May 22, 2014 | TEAS/EMAIL CORRESPONDENCE ENTERED | 70633 |
| May 22, 2014 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 70633 |
| May 13, 2014 | ASSIGNED TO LIE | 70633 |
| Apr. 29, 2014 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |

| | | |
|---------------|--|-------|
| Feb. 19, 2014 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION WRITTEN | 78305 |
| Jan. 31, 2014 | ASSIGNED TO EXAMINER | 78305 |
| Oct. 25, 2013 | NOTICE OF DESIGN SEARCH CODE E-MAILED | |
| Oct. 24, 2013 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Oct. 21, 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: Jul. 28, 2015

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

Entry

| Number | History Text | Date | Due Date |
|--------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|------------------------------|--------------------------|---------------------|
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION RESPONSE DUE 30 DAYS (DUE DATE) | Apr 23, 2015 | |

| | | | |
|----|---------------------------------|--------------|--------------|
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Current Owner(s) Information

Owner Name: SEQUEL NATURALS LTD.

Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD

Docket Number: 70633-0094

Attorney Primary Email Address: docketing@accuprotm.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA

Phone: (604) 661-9292

Fax: (604) 688-3830

Correspondent e-mail: docketing@accuprotm.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Phone: (509) 624-4276

Fax: (509) 838-3424

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| May 28, 2013 | REGISTERED-PRINCIPAL REGISTER | |
| Mar. 12, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Mar. 12, 2013 | PUBLISHED FOR OPPOSITION | |
| Feb. 20, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Feb. 06, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70468 |
| Feb. 05, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 29, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 70468 |
| Jan. 29, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 70468 |
| Jan. 17, 2013 | ASSIGNED TO LIE | 70468 |
| Jan. 14, 2013 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Dec. 20, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Dec. 20, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Dec. 20, 2012 | NON-FINAL ACTION WRITTEN | 73712 |
| Dec. 15, 2012 | ASSIGNED TO EXAMINER | 73712 |
| Oct. 23, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Oct. 22, 2012 | 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 28, 2013

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

| Associated marks | | | |
|------------------|------------------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:07:25 EDT

Mark: VEGA



US Serial Number: 77965049 **Application Filing Date:** Mar. 22, 2010
US Registration Number: 3939841 **Registration Date:** Apr. 05, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 05, 2011
Publication Date: Jan. 18, 2011

Mark Information

Mark Literal Elements: VEGA
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 a swirling design above the word "VEGA" in a futuristic font.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.01.26 - Coils; Swirls; Spirals

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434

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: Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2004

Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.

Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton

Attorney Primary Email Address: uspto@tm4smallbiz.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637
ARLINGTON, VIRGINIA 22210-3637
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Aug. 08, 2012 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Apr. 05, 2011 | REGISTERED-PRINCIPAL REGISTER | |
| Jan. 18, 2011 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Jan. 18, 2011 | PUBLISHED FOR OPPOSITION | |
| Dec. 16, 2010 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70884 |
| Dec. 14, 2010 | ASSIGNED TO LIE | 70884 |
| Nov. 22, 2010 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Nov. 22, 2010 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Nov. 22, 2010 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Nov. 22, 2010 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jun. 22, 2010 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 22, 2010 | NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 22, 2010 | NON-FINAL ACTION WRITTEN | 81899 |
| Jun. 22, 2010 | ASSIGNED TO EXAMINER | 81899 |
| Mar. 27, 2010 | NOTICE OF DESIGN SEARCH CODE MAILED | |
| Mar. 26, 2010 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Mar. 25, 2010 | 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: Apr. 05, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#) Execution Date: Jun. 22, 2012
 Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)
 Legal Entity Type: CORPORATION State or Country Where Organized: CANADA
 Address: 101-3001 WAYBURNE DRIVE
 BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON
 Correspondent Address: PO BOX 100637
 ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON
 Domestic Representative Address: P.O. BOX 100637
 ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91221495](#) Filing Date: Apr 14, 2015
 Status: Pending Status Date: Apr 14, 2015
 Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.
 Correspondent Address: KATHLEEN A SKINNER
 BEESON SKINNER BEVERLY LLP
 1 KAISER PLZ STE 750
 OAKLAND CA , 94612
 UNITED STATES
 Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.
 Correspondent Address: ERIK M PELTON
 ERIK M PELTON & ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES
 Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
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| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | | | |

VEGA ONE

Published For Opposition

[86094544](#)

VEGA SPORT PREPARE SUSTAIN RECOVER

Registered

[86094570](#)

[4779880](#)

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|------------------------------|--------------------------|---------------------|
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |

| | | | |
|----|--|--------------|--------------|
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|--------------------------|---------------------|
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |

| | | |
|----|---|--------------|
| 11 | SUSPENDED | Jan 07, 2014 |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 |
| 13 | SUSPENDED | Mar 05, 2014 |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 |
| 15 | SUSPENDED | May 29, 2014 |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 |
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 |

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|-------------------------|
| VEGALITE | Abandoned - After Inter-Partes Decision | 77462872 | 3571780 |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---------------|--------------|----------|
| 1 | FILED AND FEE | Oct 15, 2012 | |

| | | | |
|----|--|--------------|--------------|
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 15, 2012 | Nov 24, 2012 |
| 3 | PENDING, INSTITUTED | Oct 15, 2012 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Nov 16, 2012 | |
| 5 | EXTENSION OF TIME GRANTED | Nov 16, 2012 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Jan 23, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Jan 23, 2013 | |
| 8 | STIP FOR EXT | Mar 27, 2013 | |
| 9 | EXTENSION OF TIME GRANTED | Apr 22, 2013 | |
| 10 | STIP FOR EXT | May 13, 2013 | |
| 11 | EXTENSION OF TIME GRANTED | May 13, 2013 | |
| 12 | P MOT FOR EXT W/ CONSENT | Jun 24, 2013 | |
| 13 | EXTENSION OF TIME GRANTED | Jun 24, 2013 | |
| 14 | P MOT FOR EXT W/ CONSENT | Jul 22, 2013 | |
| 15 | EXTENSION OF TIME GRANTED | Jul 22, 2013 | |
| 16 | W/DRAW OF APPLICATION | Aug 21, 2013 | |
| 17 | BD DECISION: SUSTAINED | Sep 23, 2013 | |
| 18 | TERMINATED | Sep 23, 2013 | |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | |

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--------------|------|----------|
|--------------|--------------|------|----------|

| | | | |
|----|--|--------------|--------------|
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 | |
| 12 | SUSPENDED | Oct 08, 2013 | |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 | |
| 14 | SUSPENDED | Dec 09, 2013 | |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 | |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 | |
| 17 | TERMINATED | Jan 23, 2014 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:07:11 EDT

Mark: VEGA

VEGA

US Serial Number: 77965026
US Registration Number: 3939840
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 05, 2011
Publication Date: Jan. 18, 2011

Application Filing Date: Mar. 22, 2010
Registration Date: Apr. 05, 2011

Mark Information

Mark Literal Elements: VEGA
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: 3571780, 3622434

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: Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils

International Class(es): 029 - Primary Class
U.S Class(es): 046

Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 2004
Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.
Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA

Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton
Attorney Primary Email: uspto@tm4smallbiz.com
Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637
ARLINGTON, VIRGINIA 22210-3637
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Aug. 08, 2012 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| Apr. 05, 2011 | REGISTERED-PRINCIPAL REGISTER | |
| Jan. 18, 2011 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Jan. 18, 2011 | PUBLISHED FOR OPPOSITION | |
| Dec. 16, 2010 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70884 |
| Dec. 14, 2010 | ASSIGNED TO LIE | 70884 |
| Nov. 22, 2010 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Nov. 22, 2010 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Nov. 22, 2010 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Nov. 22, 2010 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jun. 22, 2010 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 22, 2010 | NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 22, 2010 | NON-FINAL ACTION WRITTEN | 81899 |
| Jun. 22, 2010 | ASSIGNED TO EXAMINER | 81899 |
| Mar. 26, 2010 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Mar. 25, 2010 | 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: Apr. 05, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON

Correspondent Address: PO BOX 100637
ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON

Domestic Representative Address: P.O. BOX 100637
ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |

Type of Proceeding: OppositionProceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|------|------------------------------|--------------------------|---------------------|
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: OppositionProceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|--------------------------|---------------------|
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |
| 11 | SUSPENDED | Jan 07, 2014 | |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 | |
| 13 | SUSPENDED | Mar 05, 2014 | |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 | |
| 15 | SUSPENDED | May 29, 2014 | |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 | |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 | |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 | |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 | |

| | | |
|----|---|--------------|
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 |

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| VEGALITE | Abandoned - After Inter-Partes Decision | 85493361 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Oct 15, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 15, 2012 | Nov 24, 2012 |
| 3 | PENDING, INSTITUTED | Oct 15, 2012 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Nov 16, 2012 | |
| 5 | EXTENSION OF TIME GRANTED | Nov 16, 2012 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Jan 23, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Jan 23, 2013 | |
| 8 | STIP FOR EXT | Mar 27, 2013 | |
| 9 | EXTENSION OF TIME GRANTED | Apr 22, 2013 | |
| 10 | STIP FOR EXT | May 13, 2013 | |

| | | |
|----|---------------------------|--------------|
| 11 | EXTENSION OF TIME GRANTED | May 13, 2013 |
| 12 | P MOT FOR EXT W/ CONSENT | Jun 24, 2013 |
| 13 | EXTENSION OF TIME GRANTED | Jun 24, 2013 |
| 14 | P MOT FOR EXT W/ CONSENT | Jul 22, 2013 |
| 15 | EXTENSION OF TIME GRANTED | Jul 22, 2013 |
| 16 | W/DRAW OF APPLICATION | Aug 21, 2013 |
| 17 | BD DECISION: SUSTAINED | Sep 23, 2013 |
| 18 | TERMINATED | Sep 23, 2013 |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | |

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |

| | | |
|----|--|--------------|
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 |
| 12 | SUSPENDED | Oct 08, 2013 |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 |
| 14 | SUSPENDED | Dec 09, 2013 |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 |
| 17 | TERMINATED | Jan 23, 2014 |

Generated on: This page was generated by TSDR on 2015-09-30 16:06:41 EDT

Mark: VEGA

VEGA

US Serial Number: 77585688
Application Filing Date: Oct. 04, 2008
US Registration Number: 3622434
Registration Date: May 19, 2009
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Jul. 24, 2014
Publication Date: Mar. 03, 2009

Mark Information

Mark Literal Elements: VEGA
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

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: nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2004

Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.
Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton
Attorney Primary Email Address: uspto@tm4smallbiz.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637

ARLINGTON, VIRGINIA 22210
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jul. 24, 2014 | NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED | |
| Jul. 24, 2014 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 70131 |
| Jul. 24, 2014 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 70131 |
| Jul. 08, 2014 | TEAS SECTION 8 & 15 RECEIVED | |
| Aug. 08, 2012 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP | |
| May 19, 2009 | REGISTERED-PRINCIPAL REGISTER | |
| Mar. 03, 2009 | PUBLISHED FOR OPPOSITION | |
| Feb. 11, 2009 | NOTICE OF PUBLICATION | |
| Jan. 26, 2009 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70468 |
| Jan. 26, 2009 | ASSIGNED TO LIE | 70468 |
| Jan. 13, 2009 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jan. 02, 2009 | ASSIGNED TO EXAMINER | 78305 |
| Oct. 08, 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 114

Date in Location: Jul. 24, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 101-3001 WAYBURN DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON

Correspondent Address: PO BOX 100637

ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON
Domestic Representative Address: P.O. BOX 100637
ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 6

Type of Proceeding: Opposition

Proceeding Number: [91221495](#) **Filing Date:** Apr 14, 2015
Status: Pending **Status Date:** Apr 14, 2015
Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.
Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES
Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.
Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES
Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: OppositionProceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATESCorrespondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|------|------------------------------|--------------------------|---------------------|
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATESCorrespondent e-mail: uspto@tm4smallbiz.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: OppositionProceeding Number: [91212220](#)

Filing Date: Aug 28, 2013

Status: Terminated

Status Date: Feb 05, 2014

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Pure Life Veganix LLC

Correspondent Address: LOUIS J HOFFMAN
LOUIS J HOFFMAN PC
14301 N 87TH ST, STE 312
SCOTTSDALE AZ , 85260-3691
UNITED STATES

Correspondent e-mail: donald@valuablepatents.com; shaelyn@valu

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--------------------|--------------------------|-------------------------|
| VEGAMATRIX | Registered | 85788544 | 4632945 |

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK PELTON & ASSOCIATES PLLC
P.O. BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--|--------------------------|-------------------------|
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Aug 28, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Aug 29, 2013 | Oct 08, 2013 |
| 3 | PENDING, INSTITUTED | Aug 29, 2013 | |
| 4 | P MOT TO AMEND PLEADING/AMENDED PLEADING | Sep 11, 2013 | |
| 5 | ANSWER | Oct 08, 2013 | |
| 6 | W/DRAW OF OPPOSITION | Feb 04, 2014 | |
| 7 | BD DECISION: DISMISSED W/ PREJ | Feb 05, 2014 | |
| 8 | TERMINATED | Feb 05, 2014 | |

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|--------------------------|---------------------|
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210

UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |
| 11 | SUSPENDED | Jan 07, 2014 | |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 | |
| 13 | SUSPENDED | Mar 05, 2014 | |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 | |
| 15 | SUSPENDED | May 29, 2014 | |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 | |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 | |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 | |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 | |
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 | |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 | |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 | |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 | |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 | |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 | |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC

25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

| Associated marks | | | |
|------------------|--------------------|---------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |

VEGALITE Abandoned - After Inter-Partes Decision [85493361](#)

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--------------------|---------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |

| | | | |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Oct 15, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 15, 2012 | Nov 24, 2012 |
| 3 | PENDING, INSTITUTED | Oct 15, 2012 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Nov 16, 2012 | |
| 5 | EXTENSION OF TIME GRANTED | Nov 16, 2012 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Jan 23, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Jan 23, 2013 | |
| 8 | STIP FOR EXT | Mar 27, 2013 | |
| 9 | EXTENSION OF TIME GRANTED | Apr 22, 2013 | |
| 10 | STIP FOR EXT | May 13, 2013 | |
| 11 | EXTENSION OF TIME GRANTED | May 13, 2013 | |
| 12 | P MOT FOR EXT W/ CONSENT | Jun 24, 2013 | |
| 13 | EXTENSION OF TIME GRANTED | Jun 24, 2013 | |
| 14 | P MOT FOR EXT W/ CONSENT | Jul 22, 2013 | |
| 15 | EXTENSION OF TIME GRANTED | Jul 22, 2013 | |
| 16 | W/DRAW OF APPLICATION | Aug 21, 2013 | |
| 17 | BD DECISION: SUSTAINED | Sep 23, 2013 | |
| 18 | TERMINATED | Sep 23, 2013 | |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500

SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

| Associated marks | | | |
|------------------|---|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | |
| Plaintiff(s) | | | |

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 | |
| 12 | SUSPENDED | Oct 08, 2013 | |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 | |
| 14 | SUSPENDED | Dec 09, 2013 | |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 | |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 | |
| 17 | TERMINATED | Jan 23, 2014 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:11:10 EDT

Mark: VEGA ONE



US Serial Number: 86094544

Application Filing Date: Oct. 17, 2013

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Aug. 25, 2015

Publication Date: Aug. 25, 2015

Mark Information

Mark Literal Elements: VEGA ONE

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 the words "VEGA ONE" with leaves and vine designs to the right and a rectangle carrier beneath the wording.

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

Design Search Code(s): 05.01.04 - Vines
05.03.25 - Leaf, single; Other leaves
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434, 3939840, 4342649

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,646,303

Foreign Application Filing Date: Oct. 03, 2013

Foreign Application/Registration Country: CANADA

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: (Based on Use in Commerce) (Based on 44(d) Priority Application) Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, protein powders for human consumption for use as a food additive for general health and to enhance physical and mental performance, hemp protein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds; (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a) 1(b)

First Use: Mar. 2012

Use in Commerce: Mar. 2012

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Nut and seed based snack bars; edible oil blends derived from seeds; edible sachu inchi seed oils; sachu inchi seed butters; processed sachu inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings; nut and seed based milk beverages for use as milk substitute; sachu inchi seed based milks for use as milk substitute

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional beverage flavorings and food flavorings; food flavorings derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sachu inchi candies

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Energy drinks; smoothies; smoothie mixes; sports drinks

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: Yes

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: SEQUEL NATURALS LTD.

Owner Address: 101 - 3001 WAYBURNE DRIVE
BURNABY, BC V5G4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: TRISHA A. DORÉ

Docket Number: 70633-0109

Attorney Primary Email Address: docketing@accuprotm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRISHA A. DORÉ
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA

Phone: 604-661-9292

Fax: 604-688-3830

Correspondent e-mail: docketing@accuprotm.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark W. Hendricksen

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Aug. 25, 2015 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Aug. 25, 2015 | PUBLISHED FOR OPPOSITION | |
| Aug. 05, 2015 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |

| | | |
|---------------|--|-------|
| Jul. 21, 2015 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70997 |
| Jul. 10, 2015 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Jul. 10, 2015 | EXAMINER'S AMENDMENT ENTERED | 88888 |
| Jul. 10, 2015 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jul. 10, 2015 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jul. 10, 2015 | EXAMINERS AMENDMENT -WRITTEN | 78305 |
| Jul. 07, 2015 | PREVIOUS ALLOWANCE COUNT WITHDRAWN | |
| Jun. 16, 2015 | WITHDRAWN FROM PUB - OG REVIEW QUERY | 99910 |
| Jun. 01, 2015 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70997 |
| May 28, 2015 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Apr. 09, 2015 | TEAS/EMAIL CORRESPONDENCE ENTERED | 70997 |
| Apr. 09, 2015 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 70997 |
| Apr. 08, 2015 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Nov. 25, 2014 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Nov. 25, 2014 | NON-FINAL ACTION E-MAILED | 6325 |
| Nov. 25, 2014 | NON-FINAL ACTION WRITTEN | 78305 |
| Oct. 07, 2014 | EXAMINER'S AMENDMENT ENTERED | 70997 |
| Oct. 07, 2014 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Oct. 07, 2014 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Oct. 07, 2014 | EXAMINERS AMENDMENT -WRITTEN | 78305 |
| Aug. 27, 2014 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 26, 2014 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 26, 2014 | TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED | |
| Aug. 14, 2014 | NOTIFICATION OF LETTER OF SUSPENSION E-MAILED | 6332 |
| Aug. 14, 2014 | LETTER OF SUSPENSION E-MAILED | 6332 |
| Aug. 14, 2014 | SUSPENSION LETTER WRITTEN | 78305 |
| Jul. 21, 2014 | TEAS/EMAIL CORRESPONDENCE ENTERED | 70997 |
| Jul. 21, 2014 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 70997 |
| Jul. 14, 2014 | ASSIGNED TO LIE | 70997 |
| Jul. 07, 2014 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Feb. 19, 2014 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION WRITTEN | 78305 |
| Feb. 19, 2014 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION E-MAILED | 6325 |
| Feb. 19, 2014 | NON-FINAL ACTION WRITTEN | 78305 |
| Jan. 31, 2014 | ASSIGNED TO EXAMINER | 78305 |
| Oct. 25, 2013 | NOTICE OF DESIGN SEARCH CODE E-MAILED | |
| Oct. 24, 2013 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Oct. 21, 2013 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

| | |
|---|-------------------------------------|
| TM Staff Information | |
| TM Attorney: HINES, REGINA C | Law Office Assigned: LAW OFFICE 114 |
| File Location | |
| Current Location: PUBLICATION AND ISSUE SECTION | Date in Location: Jul. 21, 2015 |

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: OppositionProceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATESCorrespondent e-mail: kskinner@bsblp.com , bsb@bsblp.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATESCorrespondent e-mail: uspto@tm4smallbiz.com**Associated marks**

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: OppositionProceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

| Associated marks | | | |
|------------------|------------------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:10:55 EDT

Mark: VEGA



US Serial Number: 85548454

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: May 29, 2015

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA

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 the word "VEGA" with a leaf design on the "V".

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

Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,643

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: Yes

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: SEQUEL NATURALS LTD.

Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD

Docket Number: 70633-0042

Attorney Primary Email Address: docketing@accuprotm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA

Phone: (604) 661-9292

Fax: (604) 688-3830

Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| May 30, 2015 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| May 29, 2015 | EXTENSION 3 GRANTED | 71034 |
| May 14, 2015 | EXTENSION 3 FILED | 71034 |
| May 14, 2015 | TEAS EXTENSION RECEIVED | |
| Nov. 21, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Nov. 20, 2014 | EXTENSION 2 GRANTED | 71034 |
| Nov. 14, 2014 | EXTENSION 2 FILED | 71034 |
| Nov. 14, 2014 | TEAS EXTENSION RECEIVED | |
| Jun. 06, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED | |
| Jun. 03, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Jun. 02, 2014 | EXTENSION 1 GRANTED | 71034 |
| May 07, 2014 | EXTENSION 1 FILED | 71034 |
| May 29, 2014 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 71034 |
| May 07, 2014 | TEAS EXTENSION RECEIVED | |

| | | |
|---------------|--|-------|
| Nov. 22, 2013 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Nov. 19, 2013 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Sep. 27, 2013 | NOTICE OF PUBLICATION | |
| Sep. 24, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 24, 2013 | PUBLISHED FOR OPPOSITION | |
| Sep. 04, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 19, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 77312 |
| Aug. 16, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 08, 2013 | DATA MODIFICATION COMPLETED | 77312 |
| Aug. 01, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 01, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 01, 2013 | TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED | |
| Jul. 23, 2013 | NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | INQUIRY TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | SUSPENSION INQUIRY WRITTEN | 88575 |
| Jul. 22, 2013 | LIE CHECKED SUSP - TO ATTY FOR ACTION | 77312 |
| Jul. 22, 2013 | ASSIGNED TO LIE | 77312 |
| Jan. 17, 2013 | NOTIFICATION OF LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | SUSPENSION LETTER WRITTEN | 88575 |
| Jan. 17, 2013 | EXAMINER'S AMENDMENT ENTERED | 88888 |
| Jan. 17, 2013 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT -WRITTEN | 88575 |
| Dec. 19, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Dec. 18, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Dec. 18, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jun. 20, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION WRITTEN | 88575 |
| Jun. 01, 2012 | ASSIGNED TO EXAMINER | 88575 |
| Feb. 29, 2012 | NOTICE OF DESIGN SEARCH CODE MAILED | |
| Feb. 28, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 24, 2012 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

| Mark | Application Status | Serial Number | Registration Number |
|--------|--------------------|--------------------------|---------------------|
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Mark | Application Status | Serial Number | Registration Number |
|------------------------------------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

| Mark | Application Status | Serial Number | Registration Number |
|------|------------------------------|--------------------------|---------------------|
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON & ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210-3637
 UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
 FRIEDLAND VINING PA
 1500 SAN REMO AVENUE, SUITE 200
 CORAL GABLES FL , 33146
 UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

| Associated marks | | | |
|------------------|--------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON & ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210

UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |
| 11 | SUSPENDED | Jan 07, 2014 | |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 | |
| 13 | SUSPENDED | Mar 05, 2014 | |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 | |
| 15 | SUSPENDED | May 29, 2014 | |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 | |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 | |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 | |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 | |
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 | |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 | |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 | |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 | |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 | |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 | |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC

170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

| Associated marks | | | |
|------------------|---|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | |

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 | |
| 12 | SUSPENDED | Oct 08, 2013 | |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 | |
| 14 | SUSPENDED | Dec 09, 2013 | |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 | |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 | |
| 17 | TERMINATED | Jan 23, 2014 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:10:33 EDT

Mark: VEGA

VEGA

US Serial Number: 85548349

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Jun. 03, 2015

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA

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: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,651

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

| | | | | | |
|-----------------|-----|---------------------|-----|--------------|----|
| Filed Use: | No | Currently Use: | No | Amended Use: | No |
| Filed ITU: | Yes | Currently ITU: | Yes | Amended ITU: | No |
| Filed 44D: | Yes | 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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0063
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: (604) 661-9292
Fax: (604) 688-3830
Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jun. 04, 2015 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Jun. 03, 2015 | EXTENSION 3 GRANTED | 71034 |
| May 14, 2015 | EXTENSION 3 FILED | 71034 |
| May 14, 2015 | TEAS EXTENSION RECEIVED | |
| Nov. 21, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Nov. 20, 2014 | EXTENSION 2 GRANTED | 71034 |
| Nov. 14, 2014 | EXTENSION 2 FILED | 71034 |
| Nov. 14, 2014 | TEAS EXTENSION RECEIVED | |
| Jun. 06, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED | |
| Jun. 03, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Jun. 02, 2014 | EXTENSION 1 GRANTED | 71034 |
| May 07, 2014 | EXTENSION 1 FILED | 71034 |
| May 29, 2014 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 71034 |
| May 07, 2014 | TEAS EXTENSION RECEIVED | |
| Nov. 22, 2013 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Nov. 19, 2013 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Sep. 27, 2013 | NOTICE OF PUBLICATION | |

| | | |
|---------------|--|-------|
| Sep. 24, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 24, 2013 | PUBLISHED FOR OPPOSITION | |
| Sep. 04, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 21, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70997 |
| Aug. 16, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 08, 2013 | DATA MODIFICATION COMPLETED | 77312 |
| Aug. 01, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 01, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 01, 2013 | TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED | |
| Jul. 23, 2013 | NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | INQUIRY TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | SUSPENSION INQUIRY WRITTEN | 88575 |
| Jul. 22, 2013 | LIE CHECKED SUSP - TO ATTY FOR ACTION | 70997 |
| Jul. 22, 2013 | ASSIGNED TO LIE | 70997 |
| Jan. 17, 2013 | NOTIFICATION OF LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | SUSPENSION LETTER WRITTEN | 88575 |
| Jan. 17, 2013 | EXAMINER'S AMENDMENT ENTERED | 88888 |
| Jan. 17, 2013 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT -WRITTEN | 88575 |
| Dec. 18, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Dec. 18, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Dec. 18, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jun. 20, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION WRITTEN | 88575 |
| Jun. 01, 2012 | ASSIGNED TO EXAMINER | 88575 |
| Feb. 28, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 24, 2012 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
BEESON SKINNER BEVERLY LLP
1 KAISER PLZ STE 750
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

| Associated marks | | | |
|---------------------|--------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGAN1 | Opposition Pending | 86311189 | |
| Plaintiff(s) | | | |

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

| Defendant | |
|--|--|
| Name: Egaceutical Corporation | |
| Correspondent Address: JAMES P BRODER ROEDER & BRODER LLP 9915 MIRA MESA BLVD, SUITE 300 SAN DIEGO CA , 92037 UNITED STATES | |
| Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com | |

| Associated marks | | | |
|---------------------|------------------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| EGA | Notice of Allowance - Issued | 86265645 | |
| Plaintiff(s) | | | |

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

| Associated marks | | | |
|------------------|--------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

| Associated marks | | | |
|------------------|--------------------|---------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |

| | | | |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|---|--------------|--------------|
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |
| 11 | SUSPENDED | Jan 07, 2014 | |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 | |
| 13 | SUSPENDED | Mar 05, 2014 | |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 | |
| 15 | SUSPENDED | May 29, 2014 | |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 | |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 | |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 | |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 | |
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 | |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 | |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 | |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 | |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 | |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 | |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| VEGALITE | Abandoned - After Inter-Partes Decision | 85493361 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Oct 15, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 15, 2012 | Nov 24, 2012 |
| 3 | PENDING, INSTITUTED | Oct 15, 2012 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Nov 16, 2012 | |
| 5 | EXTENSION OF TIME GRANTED | Nov 16, 2012 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Jan 23, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Jan 23, 2013 | |
| 8 | STIP FOR EXT | Mar 27, 2013 | |
| 9 | EXTENSION OF TIME GRANTED | Apr 22, 2013 | |
| 10 | STIP FOR EXT | May 13, 2013 | |
| 11 | EXTENSION OF TIME GRANTED | May 13, 2013 | |
| 12 | P MOT FOR EXT W/ CONSENT | Jun 24, 2013 | |
| 13 | EXTENSION OF TIME GRANTED | Jun 24, 2013 | |
| 14 | P MOT FOR EXT W/ CONSENT | Jul 22, 2013 | |
| 15 | EXTENSION OF TIME GRANTED | Jul 22, 2013 | |
| 16 | W/DRAW OF APPLICATION | Aug 21, 2013 | |
| 17 | BD DECISION: SUSTAINED | Sep 23, 2013 | |
| 18 | TERMINATED | Sep 23, 2013 | |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

| Mark | Application Status | Serial | Registration |
|------|--------------------|--------|--------------|
|------|--------------------|--------|--------------|

| | | | | |
|----------|---|--------------------------|--------|--------|
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | Number | Number |
|----------|---|--------------------------|--------|--------|

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 | |
| 12 | SUSPENDED | Oct 08, 2013 | |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 | |
| 14 | SUSPENDED | Dec 09, 2013 | |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 | |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 | |
| 17 | TERMINATED | Jan 23, 2014 | |

Generated on: This page was generated by TSDR on 2015-09-30 16:10:13 EDT

Mark: VEGA ONE

VEGA ONE

US Serial Number: 85548276

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: May 29, 2015

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA ONE

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: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,650

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

| | | | | | |
|-----------------|-----|---------------------|-----|--------------|----|
| Filed Use: | No | Currently Use: | No | Amended Use: | No |
| Filed ITU: | Yes | Currently ITU: | Yes | Amended ITU: | No |
| Filed 44D: | Yes | 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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0048
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: (604) 661-9292
Fax: (604) 688-3830
Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| May 30, 2015 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| May 29, 2015 | EXTENSION 3 GRANTED | 71034 |
| May 14, 2015 | EXTENSION 3 FILED | 71034 |
| May 14, 2015 | TEAS EXTENSION RECEIVED | |
| Nov. 21, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Nov. 20, 2014 | EXTENSION 2 GRANTED | 71034 |
| Nov. 14, 2014 | EXTENSION 2 FILED | 71034 |
| Nov. 14, 2014 | TEAS EXTENSION RECEIVED | |
| Jun. 06, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED | |
| Jun. 03, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | |
| Jun. 02, 2014 | EXTENSION 1 GRANTED | 71034 |
| May 07, 2014 | EXTENSION 1 FILED | 71034 |
| May 29, 2014 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 71034 |
| May 07, 2014 | TEAS EXTENSION RECEIVED | |
| Nov. 22, 2013 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Nov. 19, 2013 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| Sep. 27, 2013 | NOTICE OF PUBLICATION | |

| | | |
|---------------|--|-------|
| Sep. 24, 2013 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| Sep. 24, 2013 | PUBLISHED FOR OPPOSITION | |
| Sep. 04, 2013 | NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED | |
| Aug. 21, 2013 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 70997 |
| Aug. 16, 2013 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Aug. 08, 2013 | DATA MODIFICATION COMPLETED | 77312 |
| Aug. 08, 2013 | DATA MODIFICATION COMPLETED | 70997 |
| Aug. 01, 2013 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Aug. 01, 2013 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Aug. 01, 2013 | TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED | |
| Jul. 23, 2013 | NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | INQUIRY TO SUSPENSION E-MAILED | |
| Jul. 23, 2013 | SUSPENSION INQUIRY WRITTEN | 88575 |
| Jul. 22, 2013 | LIE CHECKED SUSP - TO ATTY FOR ACTION | 70997 |
| Jul. 22, 2013 | ASSIGNED TO LIE | 70997 |
| Jan. 17, 2013 | NOTIFICATION OF LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | LETTER OF SUSPENSION E-MAILED | 6332 |
| Jan. 17, 2013 | SUSPENSION LETTER WRITTEN | 88575 |
| Jan. 17, 2013 | EXAMINER'S AMENDMENT ENTERED | 88888 |
| Jan. 17, 2013 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Jan. 17, 2013 | EXAMINERS AMENDMENT -WRITTEN | 88575 |
| Dec. 19, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Dec. 18, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Dec. 18, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jun. 20, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION E-MAILED | 6325 |
| Jun. 20, 2012 | NON-FINAL ACTION WRITTEN | 88575 |
| Jun. 01, 2012 | ASSIGNED TO EXAMINER | 88575 |
| Feb. 28, 2012 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 24, 2012 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91221495](#)

Filing Date: Apr 14, 2015

Status: Pending

Status Date: Apr 14, 2015

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrition 53, Inc.

Correspondent Address: KATHLEEN A SKINNER
 BEESON SKINNER BEVERLY LLP
 1 KAISER PLZ STE 750
 OAKLAND CA , 94612
 UNITED STATES

Correspondent e-mail: kskinner@bsblp.com , bsb@bsblp.com

| Associated marks | | | |
|------------------|--------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGAN1 | Opposition Pending | 86311189 | |

Plaintiff(s)

Name: Sequel Naturals, Inc., Sequel Naturals Ltd.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA ONE | Published For Opposition | 86094544 | |
| VEGA SPORT PREPARE SUSTAIN RECOVER | Registered | 86094570 | 4779880 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Apr 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Apr 14, 2015 | May 24, 2015 |
| 3 | PENDING, INSTITUTED | Apr 14, 2015 | |
| 4 | STIP FOR EXT | May 21, 2015 | |
| 5 | EXTENSION OF TIME GRANTED | May 21, 2015 | |
| 6 | ANSWER | Jun 23, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Terminated

Status Date: May 13, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

| Associated marks | | | |
|------------------|------------------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| EGA | Notice of Allowance - Issued | 86265645 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210-3637

UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA SPORT | Registered | 85757902 | 4342649 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA SPORT | Registered | 86094570 | 4779880 |
| VEGA ONE | Published For Opposition | 86094544 | |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Jan 14, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Jan 14, 2015 | Feb 23, 2015 |
| 3 | PENDING, INSTITUTED | Jan 14, 2015 | |
| 4 | ANSWER | Feb 19, 2015 | |
| 5 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 23, 2015 | |
| 6 | SUSPENDED | Mar 23, 2015 | |
| 7 | MOT TO AMEND APPLICATION | Apr 23, 2015 | |
| 8 | RESPONSE DUE 30 DAYS (DUE DATE) | May 07, 2015 | Jun 06, 2015 |
| 9 | W/DRAW OF OPPOSITION | May 11, 2015 | |
| 10 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 11 | BD DECISION: DISMISSED W/ PREJ | May 13, 2015 | |
| 12 | TERMINATED | May 13, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

| Associated marks | | | |
|------------------|--------------------|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Opposition Pending | 85663788 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

| Associated marks | | | |
|------------------|--|--|--|
|------------------|--|--|--|

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA | Third Extension - Granted | 85548454 | |

| Prosecution History | | | |
|---------------------|---|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Jan 30, 2013 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Feb 06, 2013 | Mar 18, 2013 |
| 3 | PENDING, INSTITUTED | Feb 06, 2013 | |
| 4 | ANSWER | Mar 14, 2013 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Mar 14, 2013 | |
| 6 | D MOT FOR EXT W/ CONSENT | Sep 09, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Sep 09, 2013 | |
| 8 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Nov 10, 2013 | |
| 9 | SUSPENDED | Nov 10, 2013 | |
| 10 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jan 07, 2014 | |
| 11 | SUSPENDED | Jan 07, 2014 | |
| 12 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Mar 05, 2014 | |
| 13 | SUSPENDED | Mar 05, 2014 | |
| 14 | D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | May 29, 2014 | |
| 15 | SUSPENDED | May 29, 2014 | |
| 16 | P MOT FOR EXT W/ CONSENT | Sep 09, 2014 | |
| 17 | EXTENSION OF TIME GRANTED | Sep 09, 2014 | |
| 18 | P MOT FOR EXT W/ CONSENT | Nov 06, 2014 | |
| 19 | EXTENSION OF TIME GRANTED | Nov 06, 2014 | |
| 20 | D MOT FOR EXT W/ CONSENT | Dec 23, 2014 | |
| 21 | EXTENSION OF TIME GRANTED | Dec 23, 2014 | |
| 22 | D MOT FOR SUMMARY JUDGMENT | Apr 08, 2015 | |
| 23 | SUSP PEND DISP OF OUTSTNDNG MOT | Apr 29, 2015 | |
| 24 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 25 | P OPP/RESP TO MOTION | May 13, 2015 | |
| 26 | D REPLY IN SUPPORT OF MOTION | Jun 02, 2015 | |
| 27 | Confidential Defendant's Supporting Evidents/Exhibits | Jun 02, 2015 | |
| 28 | D MOT FOR SUMMARY JGT DENIED | Sep 28, 2015 | |

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

| Associated marks | | | |
|------------------|---|--------------------------|---------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGALITE | Abandoned - After Inter-Partes Decision | 85493361 | |

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

| Associated marks | | | |
|------------------|--|--------------------------|-------------------------|
| Mark | Application Status | Serial Number | Registration Number |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA ONE | Third Extension - Granted | 85548276 | |
| VEGA | Third Extension - Granted | 85548349 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Oct 15, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Oct 15, 2012 | Nov 24, 2012 |
| 3 | PENDING, INSTITUTED | Oct 15, 2012 | |
| 4 | STIPULATION FOR AN EXTENSION OF TIME | Nov 16, 2012 | |
| 5 | EXTENSION OF TIME GRANTED | Nov 16, 2012 | |
| 6 | STIPULATION FOR AN EXTENSION OF TIME | Jan 23, 2013 | |
| 7 | EXTENSION OF TIME GRANTED | Jan 23, 2013 | |
| 8 | STIP FOR EXT | Mar 27, 2013 | |
| 9 | EXTENSION OF TIME GRANTED | Apr 22, 2013 | |
| 10 | STIP FOR EXT | May 13, 2013 | |
| 11 | EXTENSION OF TIME GRANTED | May 13, 2013 | |
| 12 | P MOT FOR EXT W/ CONSENT | Jun 24, 2013 | |
| 13 | EXTENSION OF TIME GRANTED | Jun 24, 2013 | |
| 14 | P MOT FOR EXT W/ CONSENT | Jul 22, 2013 | |
| 15 | EXTENSION OF TIME GRANTED | Jul 22, 2013 | |
| 16 | W/DRAW OF APPLICATION | Aug 21, 2013 | |
| 17 | BD DECISION: SUSTAINED | Sep 23, 2013 | |
| 18 | TERMINATED | Sep 23, 2013 | |

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

| Associated marks |
|------------------|
|------------------|

| Mark | Application Status | Serial Number | Registration Number |
|----------|---|--------------------------|---------------------|
| VEGAPLEX | Abandoned - After Inter-Partes Decision | 85433517 | |

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|----------|--|--------------------------|-------------------------|
| VEGA | Section 8 and 15 - Accepted and Acknowledged | 77585688 | 3622434 |
| VEGA | Cancelled - Section 8 | 77462872 | 3571780 |
| VEGA | Registered | 77965026 | 3939840 |
| VEGA | Registered | 77965049 | 3939841 |
| VEGA | Third Extension - Granted | 85548454 | |
| VEGA | Third Extension - Granted | 85548349 | |
| VEGA ONE | Third Extension - Granted | 85548276 | |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Sep 04, 2012 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Sep 04, 2012 | Oct 14, 2012 |
| 3 | PENDING, INSTITUTED | Sep 04, 2012 | |
| 4 | D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS | Sep 27, 2012 | |
| 5 | SUSPENDED | Sep 27, 2012 | |
| 6 | ANSWER | Dec 19, 2012 | |
| 7 | D'S MOT FOR EXTEN. OF TIME W/ CONSENT | Feb 08, 2013 | |
| 8 | EXTENSION OF TIME GRANTED | Feb 12, 2013 | |
| 9 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Jul 10, 2013 | |
| 10 | SUSPENDED | Jul 10, 2013 | |
| 11 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Oct 08, 2013 | |
| 12 | SUSPENDED | Oct 08, 2013 | |
| 13 | P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS | Dec 09, 2013 | |
| 14 | SUSPENDED | Dec 09, 2013 | |
| 15 | W/DRAW OF APPLICATION | Jan 04, 2014 | |
| 16 | BD DECISION: SUSTAINED | Jan 23, 2014 | |
| 17 | TERMINATED | Jan 23, 2014 | |