

ESTTA Tracking number: **ESTTA700499**

Filing date: **10/06/2015**

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

Notice of Opposition

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

Opposer Information

Name	Fuente Marketing Ltd.
Granted to Date of previous extension	10/14/2015
Address	Salt Mills Plaza Unit 48c Grace Bay Road Providenciales, 00000 TURKS AND CAICOS ISLANDS
Attorney information	Virginia L. Carron Finnegan 901 New York Avenue NW Washington, GA 20001-4413 UNITED STATES virginia.carron@finnegan.com Phone:4046536452

Applicant Information

Application No	85910351	Publication date	06/16/2015
Opposition Filing Date	10/06/2015	Opposition Period Ends	10/14/2015
Applicant	JABER DIANKOV, S.R.L. 7549 WEST 99TH STREET BRIDGEVIEW, IL 60455 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hookah tobacco

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

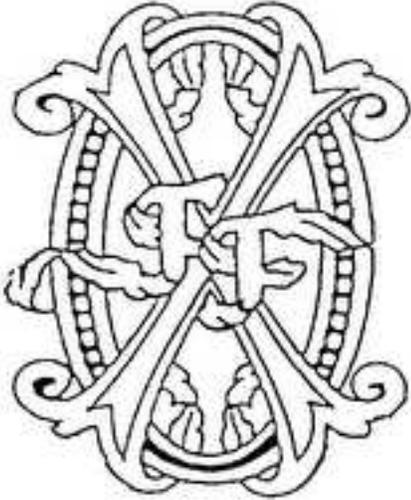
Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3254146	Application Date	12/01/2004
Registration Date	06/19/2007	Foreign Priority Date	NONE
Word Mark	X		

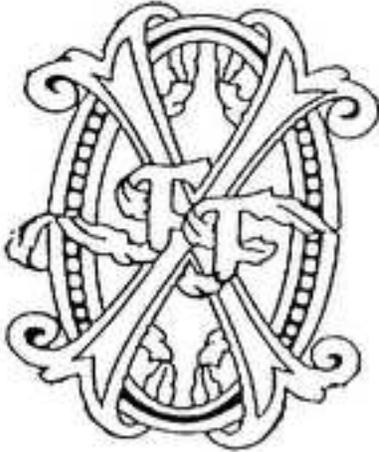
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2006/09/08 First Use In Commerce: 2006/09/08 Cigars		

U.S. Registration No.	3285314	Application Date	12/14/2006
Registration Date	08/28/2007	Foreign Priority Date	NONE
Word Mark	X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2006/11/01 First Use In Commerce: 2006/11/01 Ashtrays, not of precious metal; Cigar cutters; [Cigar humidifiers; Cigar tubes;] Lighters not of precious metal [; Matches]		

U.S. Registration No.	2536633	Application Date	07/25/2001
Registration Date	02/05/2002	Foreign Priority Date	NONE
Word Mark	X		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 034. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Smoker's articles; ashtrays not made of precious metal; [cigar cutters;] cigar protectors; humidors; lighters not made of precious metal; and matches

U.S. Registration No.	2347248	Application Date	07/13/1999
Registration Date	05/02/2000	Foreign Priority Date	NONE

Word Mark	X
Design Mark	
Description of Mark	The mark consists, in part, of stylized representation of the letter X.

Goods/Services	Class 034. First use: First Use: 1995/11/18 First Use In Commerce: 1995/11/18 Cigars		
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U.S. Registration No.	3065482	Application Date	12/01/2004
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Registration Date	03/07/2006	Foreign Priority Date	NONE
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Word Mark	XXX		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 034. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 Cigars		
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U.S. Registration No.	2397955	Application Date	11/30/1999
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Registration Date	10/24/2000	Foreign Priority Date	NONE
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Word Mark	X TO THE THIRD POWER		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 034. First use: First Use: 1998/12/00 First Use In Commerce: 1998/12/00 Cigars		
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U.S. Registration No.	3191113	Application Date	12/20/2004
Registration Date	01/02/2007	Foreign Priority Date	NONE
Word Mark	SERIEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1999/05/30 First Use In Commerce: 1999/05/30 Cigars		

U.S. Registration No.	3171080	Application Date	10/31/2005
Registration Date	11/14/2006	Foreign Priority Date	NONE
Word Mark	RISING X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2005/10/18 First Use In Commerce: 2005/10/18 Cigars; [smoker's articles, namely, cigar humidifiers, ashtrays not made of precious metal; cigar cutters; cigar protectors, namely, glass cigar tubes used to-protect cigars and cigar cases not of precious metal; lighters not made of pre-		

	cious metal; and matches]
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U.S. Registration No.	1989060	Application Date	07/15/1994
Registration Date	07/23/1996	Foreign Priority Date	NONE
Word Mark	FUENTE FUENTE OPUS "X"		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1995/09/28 First Use In Commerce: 1995/09/28 cigars		

U.S. Registration No.	2495579	Application Date	11/24/1999
Registration Date	10/09/2001	Foreign Priority Date	NONE
Word Mark	FUENTE OPUSX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1999/09/00 First Use In Commerce: 1999/09/00 CIGAR AND CIGARETTE LIGHTERS OF NON-PRECIOUS METAL		

U.S. Registration No.	2256200	Application Date	12/06/1995
Registration Date	06/29/1999	Foreign Priority Date	NONE
Word Mark	FUENTE OPUS X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1995/11/18 First Use In Commerce: 1995/11/18 cigars		

U.S. Registration	2364801	Application Date	03/07/1996
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No.			
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	FUENTE OPUS X FF		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1998/10/00 First Use In Commerce: 1998/11/00 [ashtrays not made of precious metals;cigar cutters,] cigar protectors, humidors, [lighters not made of precious metal and matches]		

U.S. Registration No.	2618671	Application Date	07/13/1999
Registration Date	09/10/2002	Foreign Priority Date	NONE
Word Mark	FORBIDDENX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2001/05/11 First Use In Commerce: 2001/05/11 Cigars		

U.S. Registration No.	3229975	Application Date	08/16/2006
Registration Date	04/17/2007	Foreign Priority Date	NONE
Word Mark	FORBIDDEN X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2002/11/15 First Use In Commerce: 2002/11/15 Cigars; [smoker's articles, namely, cigar humidifiers, ashtrays not made of pre-		

	cious metal; cigar cutters; cigar protectors; lighters not made of precious metal; and matches]
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U.S. Registration No.	3258403	Application Date	08/16/2006
Registration Date	07/03/2007	Foreign Priority Date	NONE
Word Mark	FUENTE FORBIDDEN X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2001/05/11 First Use In Commerce: 2001/05/11 Cigars; smoker's articles, namely, cigar humidifiers, ashtrays not made of precious metal; cigar cutters; cigar protectors; lighters not made of precious metal; and matches		

U.S. Registration No.	3229664	Application Date	06/12/2006
Registration Date	04/17/2007	Foreign Priority Date	NONE
Word Mark	FUENTE FUENTE FORBIDDEN X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2002/11/15 First Use In Commerce: 2002/11/15 Cigars; smoker's articles, namely, cigar humidifiers, ashtrays not made of precious metal; cigar cutters; cigar protectors; lighters not made of precious metal; and matches		

U.S. Registration No.	3259989	Application Date	12/01/2004
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Registration Date	07/10/2007	Foreign Priority Date	NONE
Word Mark	PERFECXION X		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 Cigars		

Attachments	78524998#TMSN.png(bytes) 77064649#TMSN.png(bytes) 76290310#TMSN.png(bytes) 75749265#TMSN.png(bytes) 78525491#TMSN.png(bytes) 75859380#TMSN.png(bytes) 78535250#TMSN.png(bytes) 78743747#TMSN.png(bytes) 75857912#TMSN.png(bytes) 75030336#TMSN.png(bytes) 75069035#TMSN.png(bytes) 78953507#TMSN.png(bytes) 78953618#TMSN.png(bytes) 78906059#TMSN.png(bytes) 78525498#TMSN.png(bytes) 06 Oct 15 NOO PINEAPPLE X App. No. 85910351.pdf(148353 bytes) Exhibit A PINEAPPLE X NOO.pdf(507963 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	/Virginia L. Carron/
Name	Virginia L. Carron
Date	10/06/2015

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

<p>FUENTE MARKETING LTD.</p> <p>Opposer,</p> <p>v.</p> <p>Jaber Diankov, S.R.L.</p> <p>Applicant.</p>	<p>Opposition No. _____</p> <p>Mark: PINEAPPLE X Serial No.: 85910351 Filed: April 22, 2013</p>
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NOTICE OF OPPOSITION

Opposer, Fuente Marketing Ltd. ("Opposer" or "Fuente"), a corporation organized and existing under the laws of the Turks & Caicos Islands, believes that it is being damaged and will be damaged, by registration of the mark PINEAPPLE X shown in Serial No. 85910351 and, therefore, oppose the same. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Fuente's own acts and upon information and belief as to other matters:

Opposer and its X Marks

1. Opposer, Fuente Marketing Ltd. ("Fuente Marketing") is a corporation of the Turks & Caicos Islands having a place of business at Salt Mills Plaza, Unit 48c, Grace Bay Road, Providenciales, Turks & Caicos Islands.

2. Opposer, via its licensee Fuente Cigar Ltd. ("Fuente Cigar"), uses numerous federally registered trademarks in commerce in the United States in association with cigars and other smoker's articles, as well as other goods.

3. Fuente Cigar is one of the largest family-owned and family-run premium hand-made cigar companies in the world. Four generations of the Fuente family have labored to produce the finest cigars and to make the company internationally renowned for their cigars.

4. Since the mid-1900s, Fuente Marketing and/or its licensee Fuente Cigar (collectively "Fuente") have continuously produced and sold high-quality cigars under the trade name and trademark FUENTE. In addition, Fuente has over the years used many trademarks, including marks which feature the mark X as well as other associated brands to identify the source of Fuente's high-quality cigars. In recent years, Fuente's cigars have enjoyed unprecedented popularity. Independent surveys show that Fuente's brands are both the best-selling and the hottest (most sought after) cigars in the cigar market.

5. Since at least as early as 1995, Fuente has exclusively used nationwide its trademarks featuring the mark X in association with cigars, cigar related goods, and smoker's articles.

6. Fuente is the owner of many federally registered and common law trademarks for numerous trademarks incorporating the mark X in association with cigars, smokers' articles and smoker's articles. For example, Fuente Marketing is the exclusive owner of the following registrations all of which feature the mark X:

- a. U.S. Trademark Registration No. 3,254,146 for the mark X in International Class 34,
- b. U.S. Trademark Registration No. 3,285,314 for the mark X in International Class 34,

- c. U.S. Trademark Registration 2,536,633 for the X Design in International Class 34,
- d. U.S. Trademark Registration 2,347,248 for the X Design in International Class 34,
- e. U.S. Trademark Registration No. 3,065,482 for the mark XXX in International Class 34,
- f. U.S. Trademark Registration 2,397,955 for the X TO THE THIRD POWER in International Class 34,
- g. U.S. Trademark Registration No. 3,191,113 for the mark SERIEX in International Class 34,
- h. U.S. Trademark Registration No. 3,171,080 for the mark RISING X in International Class 34,
- i. U.S. Trademark Registration No. 1,989,060 for the mark FUENTE FUENTE OPUS X in International Class 34,
- j. U.S. Registration 2,495,579 for the mark FUENTE OPUSX in International Class 34,
- k. U.S. Trademark Registration No. 2,256,200 for the mark FUENTE FUENTE OPUS X & Design in International Class 34,
- l. U.S. Registration 2,364,801 for the mark FUENTE OPUS X FF & Design in International Class 34,
- m. U.S. Registration 2,618,671 for the mark FORBIDDENX in International Class 34,
- n. U.S. Registration 3,229,975 for the mark FORBIDDEN X in International Class 34,
- o. U.S. Registration 3,258,403 for the mark FUENTE FORBIDDEN X Design in International Class 34,
- p. U.S. Registration 3,229,664 for the mark FUENTE FUENTE FORBIDDEN X in International Class 34, and
- q. U.S. Registration 3,259,989 for the mark PERFECXION X in International Class 34.

The above-referenced marks shall individually and collectively be referred to as the “X Marks”. Copies of each of these U.S. Trademark Registrations are attached hereto as Exhibit A.

7. Fuente has used its X Marks in U.S. commerce for the goods identified in each registration since at least as early the dates set forth therein.

8. The above registrations are valid and subsisting, and all of the above-listed registrations are incontestable.

9. FUENTE FUENTE OPUS X cigars are one of the most important and high profile products in the cigar industry. All FUENTE FUENTE OPUSX cigars are sold in association with the X mark. The FUENTE FUENTE OPUS X trademark and each of the associated X Marks, that are used in association with the FUENTE FUENTE OPUS X trademark and cigars, are some of the most widely known and famous trademarks in the cigar industry.

10. Based upon Fuente's many years of effort and multi-million dollar investment, the FUENTE FUENTE OPUS X cigar brand is extraordinarily sought after among cigar aficionados. The FUENTE FUENTE OPUS X cigar, which was introduced to market in 1995, was described by *Forbes* magazine as "a 100% Dominican cigar that Castro himself would envy." It has been consistently ranked in the 90's (on a scale of up to 100) by the *Cigar Insider* and *Cigar Aficionado*, two prominent cigar publications, and has received the highest rating of any Dominican cigar ever made. In 2005, the FUENTE FUENTE OPUS X cigar was named "The Best Cigar of the Year" by *Cigar Aficionado* and in 2007 it was ranked second best. To date, Fuente's FUENTE FUENTE OPUSX cigars continue to be consistently ranked among the best in the world. As a result, the FUENTE FUENTE OPUS X cigar and trademarks are amongst the most famous in the cigar industry.

11. Fuente is the owner of all rights in the FUENTE FUENTE OPUS X trademark for cigars and the X Marks listed above, and is the exclusive owner of each of the federal registrations thereto. The X Marks are widely recognized as indicating premium hand-rolled cigars manufactured and sold by Fuente.

12. Cigars bearing the X Marks are marketed and sold, and have been continuously marketed and sold, in interstate commerce throughout the United States since at least as early as 1995.

13. Demand for Fuente's cigars bearing the X Marks, particularly the FUENTE FUENTE OPUS X cigars far exceeds supply, which are hundreds of thousands of cigars per year. Due to the popularity of the cigar, it is not uncommon for FUENTE FUENTE OPUS X cigars to sell for more than the suggested retail price.

14. Many millions of dollars' worth of cigars and smoker's articles bearing the X Marks have been sold in the U.S. since 1995.

15. Substantial amounts of money have been spent advertising and promoting Fuente's cigars sold in association with the X Marks in the United States since 1995.

16. Fuente's cigars bearing the X Marks, including the FUENTE FUENTE OPUS X cigar have been widely advertised and promoted in the U.S. in many forms of media including radio, DVDs, documentary films, all forms of printed publications and the Internet on behalf of Fuente and by many others through unsolicited media coverage.

17. Fuente's cigars bearing the X Marks have been the subject of extensive media coverage, including in *Tobacconist Magazine* and *Cigar Aficionado*, as well as in such general publications as *Forbes Magazine*, *The Wall Street Journal*, *The Robb*

Report, Black Enterprise, Maxim, Playboy, Selecta, Wine Spectator, Esquire and other publications.

18. FUENTE FUENTE OPUSX cigars also have received extensive attention on the Internet, including interactive discussions on *Cigar Aficionado's* World Wide Web page.

19. Fuente's cigars bearing the X Marks have been regularly and extensively promoted throughout the U.S. Fuente's cigars bearing the X Marks have been promoted through cigar industry-wide trade shows and events such as "Big Smokes", which are held every year and attract thousands of cigar aficionados and consumers. In addition, because the Fuente's cigars bearing the X Marks are so famous and in such high demand, they are the subject of numerous charity events and auctions across the U.S.

20. By reason of the advertisement and promotion of cigars bearing the X Marks unsolicited media coverage, customer word-of-mouth, and sales of the cigars bearing the X Marks have become some of the most famous and distinctive marks in the cigar industry, and were recognized, long prior to the filing date of Applicant's application and continue to be recognized and relied upon by the trade and the public as identifying Fuente and Fuente's products and as distinguishing them from others and the goods of others.

21. By reason of the advertisement and promotion of the various X branded cigars, unsolicited media coverage, customer word-of-mouth, and sales of Fuente's cigar lines in association with the Fuente X Marks the purchasing public and the cigar industry recognized, long prior to the filing date of Applicant's application, and continue

to recognize that the common characteristic X is indicative of the common origin of Fuente's cigars.

22. Each and every one of the Fuente marks incorporating and featuring the letter X, including, but not limited to X, the X Design marks, FUENTE FUENTE OPUS X, the FUENTE FUENTE OPUS X cigar band design, FORBIDDEN X, X TO THE THIRD POWER, SERIEX, the FORBIDDEN X Design, PERFECXION X and XXX, constitutes a member of the family of marks based upon and recognized, at least in part, by the letter "X" and are identified by the public and the cigar industry exclusively with Fuente and its high quality cigars and related products.

23. As result of the unsolicited media coverage, customer word-of-mouth, sales, and the advertisement and promotion of its family of X Marks, Fuente has established tremendous goodwill, selling power and fame in and to its family of X Marks.

Applicant and its PINEAPPLE X Mark

24. Applicant, Jaber Diankov, S.R.L. ("Applicant") is a corporation of the Dominican Republic with a principal place of business listed in its applications as 7549 West 99th Street, Bridgeview, IL 60455. Upon information and belief the correct address is 7285 West 87th Street, Bridgeview, IL 60455.

25. Applicant filed Application Serial No. 85/910,351 on April 22, 2013, for the mark PINEAPPLE X ("Applicant's Mark") for "hookah tobacco" in International Class 34, under Section 1(b) of the Trademark Act.

26. To date, Applicant has not filed an amendment alleging use of the PINEAPPLE X mark for the listed goods.

27. Upon information and belief, Applicant has not, as of the filing date of this Notice of Opposition, used the mark PINEAPPLE X in association with the listed goods.

Likelihood of Confusion, 15 U.S.C. § 1052(d)

28. Fuente repeats and realleges each and every allegation set forth in the paragraphs above.

29. Fuente has continuously used its X Marks in commerce in connection with cigars and smokers' articles since prior to the April 23, 2013, filing date of Applicant's Application Serial No. 85910351 for the PINEAPPLE X mark.

30. The goods of Fuente's X Marks in International Class 34 are cigars and smokers' articles.

31. The goods of Applicant's mark in International Class 1 are hookah tobacco.

32. The goods of Applicant's mark are related to the goods of Fuente's X Marks.

33. The goods of Applicant's application to be sold in association with its PINEAPPLE X mark, are intended to be sold to users of tobacco and/or smokers.

34. The cigars and smokers' articles bearing Fuente's X Marks are also sold to users of tobacco and/or smokers.

35. Both Fuente's X Marks, and Applicant's mark feature a predominant "X".

36. Applicant's PINEAPPLE X mark is similar to Fuente's X Marks.

37. Since well before the filing date of Application No. 85910351, Fuente and its predecessors-in-interest and licensees have used the X Marks in commerce in the United States in connection with the advertising, promotion, and sale of Fuente's Goods.

38. Fuente's pleaded registrations issued well before the filing date of Application No. 85910351.

39. In view of the similarity of the parties' marks and the related nature of the parties' goods, Applicant's mark so resembles Fuente's previously used and registered marks shown above as to be likely to cause confusion, or to cause mistake, or to deceive in violation of Section 2(d), 15 U.S.C. § 1052(d).

Dilution

40. Fuente repeats and realleges each and every allegation set forth in the above paragraphs.

41. Fuente's X Marks became famous well before the filing date of Application No. 85910351.

42. In view of the similarities of the parties' marks and the fame of Fuente's X Marks, Applicant's marks so closely resembles Fuente's famous X Marks as to be likely to dilute the distinctive quality of Fuente's mark, and thus damage Fuente.

43. Applicant's PINEAPPLE X mark will dilute the strength of Fuente's family of X Marks to act as unique indicators of the source of Fuente's cigars and smokers' articles, in that such use will allow Applicant to take advantage of the fame and goodwill which are associated with Fuente's family of X Marks, will enable others to pass off

Applicant's smoker's goods as products of Fuente and will take the hard-earned reputation and goodwill associated with Fuente's family of X Marks out of Fuente's control and make it instead, subject to the quality standards of Applicant, thereby damaging Fuente.

44. The registration of Applicant's PINEAPPLE X mark will lessen the capacity of Fuente's famous and distinctive family of X Marks to distinguish and identify Fuente's goods from those of others, thereby diluting the distinctive quality of its famous and distinctive family of X Marks in violation of 15 U.S.C. § 1125(c).

WHEREFORE, Opposer Fuente believes that it will be damaged by use and registration of the PINEAPPLE X mark shown in Application Serial No. 85910351 and requests that this opposition be sustained and that registration of the mark in Application Serial No. 85910351 for goods in International Class 34 be denied.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 06-0916.

Dated: October 6, 2015

Respectfully submitted,

/Virginia L. Carron/
Virginia L. Carron
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue NW
Washington, D.C. 20001-4413
(404) 653-6452

ATTORNEY FOR OPPOSER FUENTE
MARKETING LTD.

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

<p>FUENTE MARKETING LTD.</p> <p>Opposer,</p> <p>v.</p> <p>Jaber Diankov, S.R.L.</p> <p>Applicant.</p>	<p>Opposition No. _____</p> <p>Mark: PINEAPPLE X Serial No.: 85910351 Filed: April 22, 2013</p>
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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing NOTICE OF OPPOSITION was served via first class postage paid U.S. mail, the 6th day of October 2015, upon counsel for Applicant Jaber Diankov, S.R.L. at the following address:

Erik M. Pelton
Erik M. Pelton & Associates, PLLC
PO Box 100637
Arlington, VA 22210-3637

and upon Applicant at the following addresses:

7285 West 87th Street
Bridgeview, IL 60455

and

7549 West 99th Street
Bridgeview, IL 60455

/Virginia L. Carron/

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

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EXHIBIT A TO NOTICE OF OPPOSITION

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9, and 17

United States Patent and Trademark Office

Reg. No. 3,254,146

Registered June 19, 2007

TRADEMARK
PRINCIPAL REGISTER

X

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)

BEAUFORT HOUSE

P.O. BOX 438, ROAD TOWN

TORTOLA, BR.VIRGIN ISLANDS

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 9-8-2006; IN COMMERCE 9-8-2006.

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

OWNER OF U.S. REG. NOS. 2,256,200, 2,536,633, AND OTHERS.

SN 78-524,998, FILED 12-1-2004.

ZACHARY BELLO, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,285,314

Registered Aug. 28, 2007

TRADEMARK
PRINCIPAL REGISTER

X

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)
PALM GROVE HOUSE
P.O. BOX 438, ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

FOR: ASHTRAYS, NOT OF PRECIOUS METAL;
CIGAR CUTTERS; CIGAR HUMIDIFIERS; CIGAR
TUBES; LIGHTERS NOT OF PRECIOUS METAL;
MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-1-2006; IN COMMERCE 11-1-2006.

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

OWNER OF U.S. REG. NOS. 2,256,200, 2,536,633
AND OTHERS.

SER. NO. 77-064,649, FILED 12-14-2006.

ANTHONY RINKER, EXAMINING ATTORNEY

Int. Cl.: 34

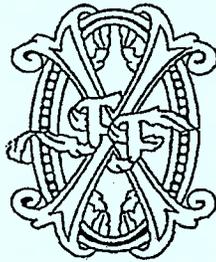
Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,536,633

United States Patent and Trademark Office

Registered Feb. 5, 2002

**TRADEMARK
PRINCIPAL REGISTER**



FUENTE CIGAR LTD. (TURKS/CAICOS IS. CORPORATION)
ZONA FRANCA, APARTADO 69-2
SANTIAGO, DOMINICAN REP

FOR: SMOKER'S ARTICLES; ASHTRAYS NOT MADE OF PRECIOUS METAL; CIGAR CUTTERS; CIGAR PROTECTORS; HUMIDORS; LIGHTERS

NOT MADE OF PRECIOUS METAL; AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 0-0-1999; IN COMMERCE 0-0-1999.

SER. NO. 76-290,310, FILED 7-25-2001.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cl.: 34

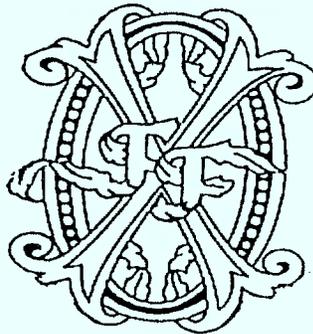
Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,347,248

United States Patent and Trademark Office

Registered May 2, 2000

**TRADEMARK
PRINCIPAL REGISTER**



**FUENTE CIGAR LTD. (TURKS/CAICOS IS.
CORPORATION)
P.O. BOX 69-2
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP**

**FIRST USE 11-18-1995; IN COMMERCE
11-18-1995.**

**THE MARK CONSISTS, IN PART, OF STYL-
IZED REPRESENTATION OF THE LETTER X.**

SER. NO. 75-749,265, FILED 7-13-1999.

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

**FRANCINE GUNTER, EXAMINING ATTOR-
NEY**

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,065,482

Registered Mar. 7, 2006

**TRADEMARK
PRINCIPAL REGISTER**

XXX

FUENTE MARKETING LTD. (BR.VIRGIN IS-
LANDS CORPORATION)
BEAUFORT HOUSE ROAD TOWN
P.O. BOX 438
TORTOLA, BR.VIRGIN ISLANDS

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

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND
17).

SER. NO. 78-525,491, FILED 12-1-2004.

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

JEAN IM, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,397,955

United States Patent and Trademark Office

Registered Oct. 24, 2000

**TRADEMARK
PRINCIPAL REGISTER**

X TO THE THIRD POWER

FUENTE CIGAR LTD. (TURKS/CAICOS IS. COR-
PORATION)
P.O. BOX 69-2
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).
FIRST USE 12-0-1998; IN COMMERCE 12-0-1998.

SER. NO. 75-859,380, FILED 11-30-1999.

LEIGH CAROLINE CASE, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,191,113

Registered Jan. 2, 2007

**TRADEMARK
PRINCIPAL REGISTER**

SERIEX

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)
BEAUFORT HOUSE P.O. BOX 438 ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

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

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

SER. NO. 78-535,250, FILED 12-20-2004.

FIRST USE 5-30-1999; IN COMMERCE 5-30-1999.

MELVIN AXILBUND, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,171,080

Registered Nov. 14, 2006

TRADEMARK
PRINCIPAL REGISTER

RISING X

FUENTE MARKETING LTD (BR.VIRGIN ISLANDS CORPORATION)
BEAUFORT HOUSE P.O. BOX 438 ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

FOR: CIGARS; SMOKER'S ARTICLES, NAMELY, CIGAR HUMIDIFIERS, ASHTRAYS NOT MADE OF PRECIOUS METAL; CIGAR CUTTERS; CIGAR PROTECTORS, NAMELY, GLASS CIGAR TUBES USED TO PROTECT CIGARS AND CIGAR CASES NOT OF PRECIOUS METAL; LIGHTERS NOT MADE OF PRECIOUS METAL; AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 10-18-2005; IN COMMERCE 10-18-2005.

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

OWNER OF U.S. REG. NOS. 1,989,060, 2,347,248 AND OTHERS.

SER. NO. 78-743,747, FILED 10-31-2005.

LINDA LAVACHE, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9, and 17

United States Patent and Trademark Office

Reg. No. 1,989,060

Registered July 23, 1996

**TRADEMARK
PRINCIPAL REGISTER**

FUENTE FUENTE OPUS "X"

**FUENTE CIGAR, LTD. (TURKS/CAICOS IS.
CORPORATION)
P.O. BOX 69-2
ZONA FRANCA, SANTIAGO, DOMINICAN
REP**

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).**

**FIRST USE 9-28-1995; IN COMMERCE
9-28-1995.
THE ENGLISH TRANSLATION OF THE
WORD "FUENTE" IS "FOUNTAIN".**

SN 74-550,044, FILED 7-15-1994.

**AMOS T. MATTHEWS, JR., EXAMINING AT-
TORNEY**

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 2,495,579

Registered Oct. 9, 2001

**TRADEMARK
PRINCIPAL REGISTER**

FUENTE OPUSX

**FUENTE CIGAR LTD (TURKS/CAICOS IS. COR-
PORATION)
P.O. BOX 69-2
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP**

OWNER OF U.S. REG. NO. 1,989,060.

**THE WORD "FUENTE" IS SPANISH FOR "FOUN-
TAIN".**

**FOR: CIGAR AND CIGARETTE LIGHTERS OF
NON-PRECIOUS METAL, IN CLASS 34 (U.S. CLS. 2,
8, 9 AND 17).**

SER. NO. 75-857,912, FILED 11-24-1999.

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

KAREN K. BUSH, EXAMINING ATTORNEY

Int. Cl.: 34

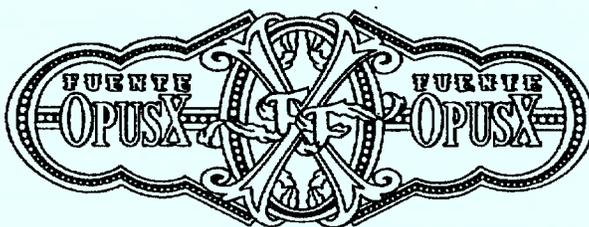
Prior U.S. Cls.: 2, 8, 9 and 17

Reg. No. 2,256,200

United States Patent and Trademark Office

Registered June 29, 1999

**TRADEMARK
PRINCIPAL REGISTER**



FUENTE CIGAR LTD. (TURKS/CAICOS IS.
CORPORATION)
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP

FIRST USE 11-18-1995; IN COMMERCE
11-18-1995.

THE ENGLISH TRANSLATION OF
"FUENTE" IS "FOUNTAIN".

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9
AND 17).

SER. NO. 75-030,336, FILED 12-6-1995.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cl.: 34

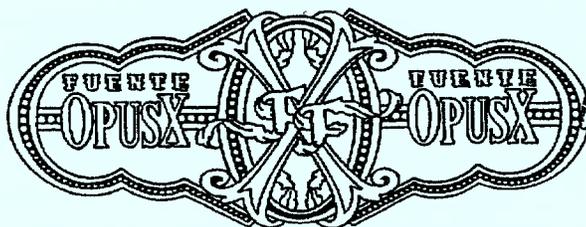
Prior U.S. Cls.: 2, 8, 9, and 17

Reg. No. 2,364,801

United States Patent and Trademark Office

Registered July 4, 2000

**TRADEMARK
PRINCIPAL REGISTER**



**FUENTE CIGAR LTD. (TURKS/CAICOS IS. CORPORATION)
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP**

FOR: ASHTRAYS NOT MADE OF PRECIOUS METALS; CIGAR CUTTERS, CIGAR PROTECTORS, HUMIDORS, LIGHTERS NOT MADE OF PRECIOUS METAL AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**FIRST USE 10-0-1998; IN COMMERCE 11-0-1998.
OWNER OF U.S. REG. NO. 1,989,060.**

THE ENGLISH TRANSLATION OF "FUENTE" IS "FOUNTAIN".

SN 75-069,035, FILED 3-7-1996.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9, and 17

United States Patent and Trademark Office

Reg. No. 2,618,671

Registered Sep. 10, 2002

**TRADEMARK
PRINCIPAL REGISTER**

FORBIDDENX

FUENTE CIGAR LTD. (TURKS/CAICOS IS. COR-
PORATION)
P.O. BOX 69-2
ZONA FRANCA INDUSTRIAL
SANTIAGO, DOMINICAN REP

FIRST USE 5-11-2001; IN COMMERCE 5-11-2001.

SN 75-982,386, FILED 7-13-1999.

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND
17).

CONRAD WONG, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,229,975

Registered Apr. 17, 2007

TRADEMARK
PRINCIPAL REGISTER

FORBIDDEN X

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)
BEAUFORT HOUSE
P.O. BOX 438, ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

FOR: CIGARS; SMOKER'S ARTICLES, NAMELY, CIGAR HUMIDIFIERS, ASHTRAYS NOT MADE OF PRECIOUS METAL; CIGAR CUTTERS; CIGAR PROTECTORS; LIGHTERS NOT MADE OF PRECIOUS METAL; AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-15-2002; IN COMMERCE 11-15-2002.

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

OWNER OF U.S. REG. NOS. 1,989,060, 2,889,398 AND OTHERS.

SER. NO. 78-953,507, FILED 8-16-2006.

KELLY BOULTON, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,258,403

Registered July 3, 2007

TRADEMARK
PRINCIPAL REGISTER



FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)
BEAUFORT HOUSE, P.O. BOX 438, ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

FOR: CIGARS; SMOKER'S ARTICLES, NAMELY, CIGAR HUMIDIFIERS, ASHTRAYS NOT MADE OF PRECIOUS METAL; CIGAR CUTTERS; CIGAR PROTECTORS; LIGHTERS NOT MADE OF PRECIOUS METAL; AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 5-11-2001; IN COMMERCE 5-11-2001.

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS FUENTE AS FOUNTAIN.

SER. NO. 78-953,618, FILED 8-16-2006.

KELLY BOULTON, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,229,664

Registered Apr. 17, 2007

**TRADEMARK
PRINCIPAL REGISTER**

FUENTE FUENTE FORBIDDEN X

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)

BEAUFORT HOUSE, P.O. BOX 438, ROAD TOWN
TORTOLA, BR.VIRGIN ISLANDS

FOR: CIGARS; SMOKER'S ARTICLES, NAMELY, CIGAR HUMIDIFIERS, ASHTRAYS NOT MADE OF PRECIOUS METAL; CIGAR CUTTERS; CIGAR PROTECTORS; LIGHTERS NOT MADE OF PRECIOUS METAL; AND MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-15-2002; IN COMMERCE 11-15-2002.

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

OWNER OF U.S. REG. NOS. 1,989,060, 2,889,398 AND OTHERS.

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS FOUNTAIN.

SER. NO. 78-906,059, FILED 6-12-2006.

KELLY BOULTON, EXAMINING ATTORNEY

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9 and 17

United States Patent and Trademark Office

Reg. No. 3,259,989

Registered July 10, 2007

TRADEMARK
PRINCIPAL REGISTER

PERFECTION X

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)
1300 I STREET, NW
WASHINGTON, DC 200053315

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

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

SER. NO. 78-525,498, FILED 12-1-2004.

LEIGH CAROLINE CASE, EXAMINING ATTORNEY