

ESTTA Tracking number: **ESTTA732110**

Filing date: **03/08/2016**

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

Proceeding	91226394
Party	Defendant The Coca-Cola Company
Correspondence Address	ANDREA E BATES BATES & BATES LLC 1890 MARIETTA BLVD NW ATLANTA, GA 30318-2803 UNITED STATES abates@bates-bates.com, kcox@bates-bates.com
Submission	Other Motions/Papers
Filer's Name	Diane Reed
Filer's e-mail	efiling@knobbe.com
Signature	/Diane Reed/
Date	03/08/2016
Attachments	2016-03-08 Applicant's Notice of Substitution of Parties - EBLLC.360M.pdf(566414 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Sazerac Company, Inc.,

Opposer,

v.

The Coca-Cola Company,

Applicant.

)
) Opposition No.: 91226394
)

)
) Serial No.: 85/949,314
)



)
) Mark:
)
)
)
)
)
)
)

APPLICANT’S NOTICE OF SUBSTITUTION OF PARTIES

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Please take notice that per the Notices of Recordation filed and attached hereto, Energy Beverages LLC, a Delaware limited liability company, will be substituted as the Applicant in the above case from The Coca-Cola Company. The Coca-Cola Company has assigned its Application Serial No. 85/949,314 to Monster Beverage Corporation, a Delaware corporation, which subsequently assigned Application Serial No. 85/949,314 to Energy Beverages LLC. The assignments occurred prior to the commencement of this proceeding. The following attorneys will appear as counsel of record for Energy Beverages LLC in Opposition No. 91226394 and respectfully request that they be provided with copies of any further correspondence, notices, pleadings, filings and other matters entered in this case.

Steven J. Nataupsky
Diane M. Reed
Paul J. Famiglietti
Diana E. Wade
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
(949) 760-0404
efiling@knobbe.com

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP



Dated: March 8, 2016

By: _____

Steven J. Nataupsky
Diane M. Reed
Paul J. Famiglietti
Diana E. Wade
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
(949) 760-0404
efiling@knobbe.com
Attorneys for Opposer,
ENERGY BEVERAGES LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing APPLICANT'S NOTICE OF SUBSTITUTION OF PARTIES has been served on Opposer's Attorney of record by mailing said copy on March 8, 2016, via First Class Mail to:

Thomas M. Hadid
Cooley LLP
1299 Pennsylvania Ave NW, Suite 700
Washington, DC 20004



Jennifer Brown
Trademark Paralegal

22747178



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 13, 2016

PTAS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET, 14TH FLOOR
ATTN: DIANE REED
IRVINE, CA 92614

900348739

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT RECORDATION BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE ASSIGNMENT RECORDATION BRANCH AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT RECORDATION BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/29/2015

REEL/FRAME: 5697/0877
NUMBER OF PAGES: 8

BRIEF: ASSIGNS THE ENTIRE INTEREST

DOCKET NUMBER: HANBEV.327GEN

ASSIGNOR:

THE COCA-COLA COMPANY

DOC DATE: 06/12/2015
CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

ASSIGNEE:

MONSTER BEVERAGE CORPORATION

CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

1 MONSTER WAY
CORONA, CALIFORNIA 92879

SERIAL NUMBER: 76562208
REGISTRATION NUMBER: 2957843
MARK: FULL THROTTLE
DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 11/14/2003
REGISTRATION DATE: 05/31/2005

SERIAL NUMBER: 77114222
REGISTRATION NUMBER: 3395574
MARK: FULL THROTTLE MOTHER
DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 02/23/2007
REGISTRATION DATE: 03/11/2008

SERIAL NUMBER: 77185930	FILING DATE: 05/21/2007
REGISTRATION NUMBER: 3388052	REGISTRATION DATE: 02/26/2008
MARK: ENERGY FOR THE GOOD LIFE	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 77402902	FILING DATE: 02/21/2008
REGISTRATION NUMBER: 3588658	REGISTRATION DATE: 03/10/2009
MARK: GO FULL THROTTLE OR GO HOME	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 77407685	FILING DATE: 02/27/2008
REGISTRATION NUMBER: 3670270	REGISTRATION DATE: 08/18/2009
MARK: FULL THROTTLE ORIGINAL ENERGY DRINK	
DRAWING TYPE: AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S) / LETTER(S) /NUMBER(S)	
SERIAL NUMBER: 77413618	FILING DATE: 03/05/2008
REGISTRATION NUMBER:	REGISTRATION DATE:
MARK: FULL THROTTLE ZERO	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 77630936	FILING DATE: 12/11/2008
REGISTRATION NUMBER: 3759921	REGISTRATION DATE: 03/16/2010
MARK: NOS	
DRAWING TYPE: AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S) / LETTER(S) /NUMBER(S)	
SERIAL NUMBER: 77816268	FILING DATE: 08/31/2009
REGISTRATION NUMBER: 3955417	REGISTRATION DATE: 05/03/2011
MARK: NO-CHOKE MIXTURE	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 77921159	FILING DATE: 01/27/2010
REGISTRATION NUMBER: 3948893	REGISTRATION DATE: 04/19/2011
MARK: RELENTLESS	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 77957741	FILING DATE: 03/12/2010
REGISTRATION NUMBER:	REGISTRATION DATE:
MARK: HUMAN HORSEPOWER	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 78546643	FILING DATE: 01/12/2005
REGISTRATION NUMBER: 3184641	REGISTRATION DATE: 12/12/2006
MARK: NOS	
DRAWING TYPE: STANDARD CHARACTER MARK	
SERIAL NUMBER: 78546646	FILING DATE: 01/12/2005
REGISTRATION NUMBER: 3188054	REGISTRATION DATE: 12/19/2006
MARK: NOS	
DRAWING TYPE: AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S) / LETTER(S) /NUMBER(S)	
SERIAL NUMBER: 85085883	FILING DATE: 07/15/2010
REGISTRATION NUMBER: 3995112	REGISTRATION DATE: 07/12/2011
MARK: CHARGED	
DRAWING TYPE: STANDARD CHARACTER MARK	

SERIAL NUMBER: 85191006 FILING DATE: 12/06/2010
REGISTRATION NUMBER: 4127637 REGISTRATION DATE: 04/17/2012
MARK:
DRAWING TYPE: AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)
/NUMBER(S)

SERIAL NUMBER: 85705069 FILING DATE: 08/16/2012
REGISTRATION NUMBER: 4275908 REGISTRATION DATE: 01/15/2013
MARK: CMLX6
DRAWING TYPE: STANDARD CHARACTER MARK

SERIAL NUMBER: 85749167 FILING DATE: 10/09/2012
REGISTRATION NUMBER: REGISTRATION DATE:
MARK: BURN
DRAWING TYPE: STANDARD CHARACTER MARK

SERIAL NUMBER: 85949314 FILING DATE: 06/03/2013
REGISTRATION NUMBER: REGISTRATION DATE:
MARK: BURN FUEL YOUR FIRE
DRAWING TYPE: AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)
/NUMBER(S)

SERIAL NUMBER: 86155956 FILING DATE: 01/02/2014
REGISTRATION NUMBER: REGISTRATION DATE:
MARK: BURN ENERGY DRINK
DRAWING TYPE: STANDARD CHARACTER MARK

SERIAL NUMBER: 86239704 FILING DATE: 04/02/2014
REGISTRATION NUMBER: REGISTRATION DATE:
MARK: YOU ONLY LIVE NOS
DRAWING TYPE: STANDARD CHARACTER MARK

ASSIGNMENT RECORDATION BRANCH
PUBLIC RECORDS DIVISION

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM367311

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL
SEQUENCE:	1

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
THE COCA-COLA COMPANY		06/12/2015	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	MONSTER BEVERAGE CORPORATION
Street Address:	1 Monster Way
City:	Corona
State/Country:	CALIFORNIA
Postal Code:	92879
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 19

Property Type	Number	Word Mark
Serial Number:	85749167	BURN
Serial Number:	86155956	BURN ENERGY DRINK
Serial Number:	85949314	BURN FUEL YOUR FIRE
Registration Number:	3388052	ENERGY FOR THE GOOD LIFE
Registration Number:	3670270	FULL THROTTLE ORIGINAL ENERGY DRINK
Registration Number:	3588658	GO FULL THROTTLE OR GO HOME
Serial Number:	77413618	FULL THROTTLE ZERO
Registration Number:	3955417	NO-CHOKE MIXTURE
Registration Number:	3395574	FULL THROTTLE MOTHER
Registration Number:	2957843	FULL THROTTLE
Registration Number:	3759921	NOS
Serial Number:	86239704	YOU ONLY LIVE NOS
Registration Number:	4275908	CMPLX6
Serial Number:	77957741	HUMAN HORSEPOWER
Registration Number:	3184641	NOS
Registration Number:	3188054	NOS
Registration Number:	3995112	CHARGED
Registration Number:	4127637	

OP \$490.00 85749167



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 13, 2016

PTAS

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NUMBER OF PAGES: 8

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DOCKET NUMBER: EBLLC.327GEN

ASSIGNOR:

MONSTER BEVERAGE CORPORATION
FORMERLY NEW LASER CORPORATION

DOC DATE: 06/12/2015
CITIZENSHIP: DELAWARE
ENTITY: CORPORATION

ASSIGNEE:

ENERGY BEVERAGES LLC

1 MONSTER WAY
CORONA, CALIFORNIA 92879

CITIZENSHIP: DELAWARE
ENTITY: LIMITED LIABILITY COMPANY

SERIAL NUMBER: 76562208
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REGISTRATION NUMBER: 3588658	REGISTRATION DATE: 03/10/2009
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REGISTRATION NUMBER: 3188054	REGISTRATION DATE: 12/19/2006
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DRAWING TYPE: STANDARD CHARACTER MARK

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SEQUENCE:	2

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MONSTER BEVERAGE CORPORATION	FORMERLY New Laser Corporation	06/12/2015	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	ENERGY BEVERAGES LLC
Street Address:	1 Monster Way
City:	Corona
State/Country:	CALIFORNIA
Postal Code:	92879
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

PROPERTY NUMBERS Total: 19

Property Type	Number	Word Mark
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Registration Number:	3588658	GO FULL THROTTLE OR GO HOME
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Registration Number:	2957843	FULL THROTTLE
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Serial Number:	77957741	HUMAN HORSEPOWER
Registration Number:	3184641	NOS
Registration Number:	3188054	NOS
Registration Number:	3995112	CHARGED
Registration Number:	4127637	

OP \$490.00 85749167