

ESTTA Tracking number: **ESTTA728964**

Filing date: **02/23/2016**

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	Bayer HealthCare LLC
Granted to Date of previous extension	02/24/2016
Address	100 Bayer Boulevard Whippany, NJ 07981 UNITED STATES
Attorney information	Vanessa A. Ignacio, Esq. Lowenstein Sandler LLP 65 Livingston Avenue Roseland, NJ 07068 UNITED STATES Istrademark@lowenstein.com Phone:973-597-2500

Applicant Information

Application No	86705299	Publication date	10/27/2015
Opposition Filing Date	02/23/2016	Opposition Period Ends	02/24/2016
Applicant	DigestSource, LLC 3838 Tamiami Trail North, Suite 310 Naples, FL 34103 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 005. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Dietary and nutritional supplements; Dietary fiber for treating constipation; Dietary fiber to aid digestion; Dietary supplements; Digestives for pharmaceutical purposes; Enzyme dietary supplements; Enzyme food supplements; Enzymes for medical purposes; Multi-vitamin preparations; Nutritional supplement for eliminating toxins from the body; Nutritional supplement for eliminating toxins from the intestinal tract; Nutritional supplements; Nutritional supplements for digestion; Nutritional supplements, namely, probiotic compositions; Probiotic supplements</p>
<p>Class 044. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing information about dietary supplements and nutrition; Providing information in the field of nutrition; Providing information in the fields of health and wellness; Providing information, news and commentary in the field of nutrition, health and wellness</p>

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Dilution by blurring	Trademark Act section 43(c)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3120379	Application Date	08/05/2005
Registration Date	07/25/2006	Foreign Priority Date	NONE
Word Mark	MIRALAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1996/04/23 First Use In Commerce: 1996/05/16 laxatives		

U.S. Registration No.	3412356	Application Date	02/02/2007
Registration Date	04/15/2008	Foreign Priority Date	NONE
Word Mark	MIRALAX		
Design Mark			
Description of Mark	The mark consists of the word "MIRALAX" with two sets of swirly lines on each side of the word along with a shield on the top right corner.		

Goods/Services	Class 005. First use: First Use: 2007/02/19 First Use In Commerce: 2007/02/19 Laxatives		
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U.S. Registration No.	3735254	Application Date	06/05/2009
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Registration Date	01/05/2010	Foreign Priority Date	NONE
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Word Mark	MIRALAX		
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Design Mark			
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Description of Mark	<p>The mark consists of a packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word, "MIRALAX", is in purple, and across the white circular shape. There are two sets of purple/pink and gray swirly lines on each side of the word, "MIRALAX". There is a gray/white shield at the upper right portion of the white circular shape.</p>		
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Goods/Services	Class 005. First use: First Use: 2009/07/08 First Use In Commerce: 2009/07/08 Laxatives		
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U.S. Registration No.	3735255	Application Date	06/05/2009
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Registration Date	01/05/2010	Foreign Priority Date	NONE
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Word Mark	MIRALAX		
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Design Mark			
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Description of Mark	<p>The mark consists of a packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word, "MIRALAX", is in purple, and across the white circular shape. There are two sets of purple/pink and gray swirly lines on each side of the word, "MIRALAX". There is a gray/white shield at the upper right portion of the white circular shape.</p>		
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Goods/Services	Class 005. First use: First Use: 2009/06/03 First Use In Commerce: 2009/06/03		
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	Laxatives		
U.S. Registration No.	4426594	Application Date	10/05/2012
Registration Date	10/29/2013	Foreign Priority Date	NONE
Word Mark	MIRALAX		
Design Mark			
Description of Mark	<p>The mark consists of a packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word "MIRALAX" is in purple, and across the white circular shape. There is a gray arced line above and below the word "MIRALAX". There is a pink dot with a white outer edge at the lower left of the white circular shape.</p>		
Goods/Services	<p>Class 005. First use: First Use: 2013/01/15 First Use In Commerce: 2013/01/15 Laxatives</p>		

Attachments	<p>78686831#TMSN.png(bytes) 77097551#TMSN.png(bytes) 77753735#TMSN.png(bytes) 77753736#TMSN.png(bytes) 85746766#TMSN.png(bytes) Notice of Opposition against DigestSource re MYRA.pdf(997533 bytes)</p>
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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	/Vanessa A. Ignacio/
Name	Vanessa A. Ignacio, Esq.
Date	02/23/2016

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

BAYER HEALTHCARE LLC,
Opposer,

v.

DIGESTSOURCE, LLC,
Applicant.

Opposition No. _____

Mark: MYRA

Application Serial No. 86/705,299

Filed: July 27, 2015

Published: October 27, 2015

NOTICE OF OPPOSITION

Bayer HealthCare LLC (“Opposer”), a Delaware limited liability company having an office at 100 Bayer Boulevard, Whippany, NJ 07981, believes it will be damaged by registration of the mark MYRA as shown in Application Serial No. 86/705,299 for goods and services in International Classes 5 and 44 and files this opposition pursuant to 37 C.F.R. § 2.104.

As grounds for opposition, it is alleged that:

1. Opposer and its predecessors-in-interest have for many years been engaged in the manufacture, distribution, advertising, and sale of products in the digestive health field, including laxatives.

2. Opposer, through its predecessors-in-interest, has used the MIRALAX mark in interstate commerce in the United States in connection with laxatives and related products since at least as early as May 1996.

3. Opposer is the owner of numerous federally registered and common law trademarks incorporating the MIRALAX mark both in standard characters and with design elements (collectively, the “MIRALAX Marks”), including:

Mark	Reg. No.	Reg. Date	Goods/Services
MIRALAX	3,120,379	July 25, 2005	Laxatives, in International Class 5
	3,412,356	April 15, 2008	Laxatives, in International Class 5
	3,735,254	January 5, 2010	Laxatives, in International Class 5
	3,735,255	January 5, 2010	Laxatives, in International Class 5
	4,426,594	October 29, 2013	Laxatives, in International Class 5

4. Opposer's Registration Nos. 3,120,379 and 3,412,356 are incontestable pursuant to 15 U.S.C. § 1065.

5. Printouts of the Trademark Status and Document Retrieval Service (TSDR) database and Assignment database for the registrations of the MIRALAX Marks are attached as Exhibit A.

6. Opposer's MIRALAX Marks are highly distinctive in connection with Opposer's goods.

7. By virtue of the promotional and advertising activities of Opposer and its predecessors-in-interest, Opposer has gained for its MIRALAX Marks a valuable reputation and goodwill and has created, in the minds of consumers, an exclusive association between MIRALAX and its goods in the digestive health field.

8. Upon information and belief, DigestSource, LLC (“Applicant”) is a Delaware limited liability company having an office at 800 N. State Street, Dover DE 19901.

9. Applicant applied to register its proposed MYRA mark on July 27, 2015, based on a bona fide intention to use the mark in commerce under 15 U.S.C. § 1051(b), for “Dietary and nutritional supplements; Dietary fiber for treating constipation; Dietary fiber to aid digestion; Dietary supplements; Digestives for pharmaceutical purposes; Enzyme dietary supplements; Enzyme food supplements; Enzymes for medical purposes; Multi-vitamin preparations; Nutritional supplement for eliminating toxins from the body; Nutritional supplement for eliminating toxins from the intestinal tract; Nutritional supplements; Nutritional supplements for digestion; Nutritional supplements, namely, probiotic compositions; Probiotic supplements” in International Class 5, and for “Providing information about dietary supplements and nutrition; Providing information in the field of nutrition; Providing information in the fields of health and wellness; Providing information, news and commentary in the field of nutrition, health and wellness” in International Class 44.

10. Opposer has used its MIRALAX Marks long prior to Applicant’s application filing date of July 27, 2015.

11. Applicant’s proposed MYRA mark is similar in sound, appearance, meaning and commercial impression to Opposer’s MIRALAX Marks.

12. Applicant's proposed MYRA mark is confusingly similar to Opposer's MIRALAX Marks.
13. Upon information and belief, Applicant's proposed mark is intended to be used for goods and services which are identical, similar, related and/or overlapping to the goods with which Opposer has used and registered its MIRALAX Marks.
14. Upon information and belief, Applicant's goods and services and Opposer's goods are likely to be offered in similar channels of trade to the same class of consumers.
15. Upon information and belief, the conditions under which and consumers to whom sales are made will be similar.
16. The MIRA- formative in the digestive health field is closely associated with the Opposer.
17. Applicant's goods and services are of the type that are within Opposer's normal and logical zone of expansion, to the extent that Applicant's goods and services do not directly overlap with Opposer's goods.
18. Opposer is also owner of application Serial No. 86/476,045, filed December 10, 2014, for the MIRAFIBER mark for "Laxatives, dietary supplements, dietary fiber to aid digestion, dietary fiber for supporting regularity," in International Class 5.
19. Opposer's MIRALAX Marks are distinctive and famous throughout the United States, and the MIRALAX Marks became famous prior to the filing of Applicant's application.
20. Applicant's use and application to register its proposed MYRA mark is without Opposer's consent or permission.
21. In view of the similarities of Applicant's proposed MYRA mark with Opposer's MIRALAX Marks, the similarities of the Applicant's goods and services and Opposer's goods,

and the similar or identical channels of trade and purchasers, registration of Applicant's proposed MYRA mark is likely to cause confusion, or to cause mistake, or to deceive.

22. Purchasers are likely to believe that Applicant's goods and services offered under Applicant's mark are sponsored, endorsed, or approved by Opposer, or are in some way affiliated, connected or associated with Opposer and the goods offered under Opposer's MIRALAX Marks.

23. Applicant's proposed MYRA mark is likely to cause dilution by blurring and dilution by tarnishment of Opposer's MIRALAX Marks and lessen the capacity of Opposer's MIRALAX Marks to distinguish and identify Opposer's goods from those of others.

WHEREFORE, for the foregoing reasons, Opposer believes it will be damaged by registration of Applicant's application for its proposed MYRA mark and requests that registration is refused and this opposition is sustained.

Please charge our Deposit Account No. 501358 for the \$600.00 official filing fee. Any additional fees in connection with this opposition may also be charged to this account, and any overpayment may be credited to this account.

Respectfully submitted,

Dated: February 23, 2016

LOWENSTEIN SANDLER LLP

By: Vanessa A. Ignacio
Vanessa A. Ignacio, Esq.
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597-2500
E-mail: LStrademark@lowenstein.com

ATTORNEYS FOR BAYER HEALTHCARE LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Opposition was served to Applicant's counsel of record at the correspondence address of record, this 23rd day of February, 2016, by sending same via First Class Mail, postage prepaid to:

Jennifer L. Whitelaw
WHITELAW LEGAL GROUP
3838 Tamiami Trail North, Suite 310
Naples, FL 34103

By: Vanessa A. Ignacio
Vanessa A. Ignacio, Esq.

EXHIBIT A

Intermittent TSDR Problems

TSDR is currently experiencing intermittent technical difficulties and users may be unable to access documents. The problem is being addressed by staff at the USPTO. We sincerely apologize for any inconvenience this may cause.

STATUS **DOCUMENTS** **MAINTENANCE**

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Mark: MIRALAX

MIRALAX

US Serial Number: 78686831

Application Filing Date: Aug. 05, 2005

US Registration Number: 3120379

Registration Date: Jul. 25, 2006

Register: Principal

Mark Type: Trademark

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

Status Date: Sep. 22, 2011

Publication Date: May 02, 2006

Mark Information

Mark Literal Elements: MIRALAX

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 [2441520](#), [2443323](#), [2982512](#) and others
Registrations:

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: laxatives

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 23, 1996

Use in Commerce: May 16, 1996

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: BAYER CONSUMER CARE HOLDINGS LLC

Owner Address: 100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY UNITED STATES 07981

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vanessa A. Ignacio, Esq.

Attorney Primary Email Address: istrademark@lowenstein.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Vanessa A. Ignacio, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NEW JERSEY UNITED STATES 07068

Phone: 973-597-2500 **Fax:** 973-597-2400

Correspondent e-mail: istrademark@lowenstein.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 10, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 03, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 27, 2016	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 25, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jan. 10, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 10, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 22, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 22, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Sep. 06, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131

Jul. 26, 2011	TEAS SECTION 8 & 15 RECEIVED	
May 18, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 31, 2009	NOTICE OF SUIT	
Apr. 20, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 20, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 20, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 25, 2006	REGISTERED-PRINCIPAL REGISTER	
May 02, 2006	PUBLISHED FOR OPPOSITION	
Apr. 12, 2006	NOTICE OF PUBLICATION	
Mar. 14, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Mar. 03, 2006	ASSIGNED TO LIE	68123
Feb. 28, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 28, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 28, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 28, 2006	EXAMINERS AMENDMENT -WRITTEN	80807
Feb. 24, 2006	ASSIGNED TO EXAMINER	80807
Aug. 11, 2005	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 115

Date in Location: Sep. 22, 2011

Assignment Abstract Of Title Information

Proceedings



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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 5

Serial #: [78686831](#)

Filing Dt: 08/05/2005

Reg #: [3120379](#)

Reg. Dt: 07/25/2006

Registrant: Braintree Laboratories, Inc.

Mark: MIRALAX

Assignment: 1

Reel/Frame: [3447/0654](#)

Recorded: 12/19/2006

Pages: 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BRAINTREE LABORATORIES, INC.](#)

Exec Dt: 10/23/2006

Entity Type: CORPORATION

Citizenship: NONE

Entity Type: CORPORATION

Citizenship: NONE

Assignee: [SCHERING-PLOUGH HEALTHCARE PRODUCTS, INC.](#)

3030 JACKSON AVENUE
MEMPHIS, TENNESSEE 38151

Correspondent: SOPHIE B. ANGER

2000 GALLOPING HILL ROAD
K-6-1 M1030
KENILWORTH, NJ 07033-0530

Assignment: 2

Reel/Frame: [4538/0090](#)

Recorded: 05/10/2011

Pages: 12

Conveyance: CHANGE OF NAME EFFECTIVE APRIL 1, 2011

Assignor: [SCHERING-PLOUGH HEALTHCARE PRODUCTS, INC.](#)

Exec Dt: 03/29/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MSD CONSUMER CARE, INC.](#)

3030 JACKSON AVENUE
MEMPHIS, TENNESSEE 38151

Correspondent: CLARK W. LACKERT

DICKSTEIN SHAPIRO LLP
1633 BROADWAY
NEW YORK, NY 10019-6708

Assignment: 3

Reel/Frame: [5706/0082](#)

Recorded: 01/11/2016

Pages: 12

Conveyance: CHANGE OF NAME

Assignor: [MSD CONSUMER CARE, INC.](#)

Exec Dt: 06/15/2015

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER CONSUMER CARE HOLDINGS LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 4

Reel/Frame: [5715/0650](#)

Recorded: 01/26/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BAYER CONSUMER CARE HOLDINGS LLC](#)

Assignee: [MIRALAX LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 5

Reel/Frame: [5719/0294](#)

Recorded: 01/29/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [MIRALAX LLC](#)

Assignee: [BAYER HEALTHCARE LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

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Web interface last modified: July 25, 2014 v.2.5

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STATUS **DOCUMENTS** **MAINTENANCE**

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Mark: MIRALAX



US Serial Number: 77097551	Application Filing Date: Feb. 02, 2007
US Registration Number: 3412356	Registration Date: Apr. 15, 2008
Filed as TEAS Plus: Yes	Currently TEAS Plus: Yes
Register: Principal	
Mark Type: Trademark	
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.	
Status Date: Aug. 08, 2013	
Publication Date: Jun. 19, 2007	Notice of Allowance Date: Sep. 11, 2007

Mark Information

Mark Literal Elements: MIRALAX
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 "MIRALAX" with two sets of swirly lines on each side of the word along with a shield on the top right corner.
Color Drawing: Yes
Color(s) Claimed: The color(s) purple and grey is/are claimed as a feature of the mark.
Design Search Code(s): 24.01.01 - Shields or crests (plain) with neither a figurative element nor an inscription contained therein or superimposed thereon 26.17.09 - Lines, curved; Curved line(s), band(s) or bar(s); Bands, curved; Bars, curved

Related Properties Information

Claimed Ownership of US [2443323](#), [2982512](#), [3120379](#) and others
Registrations:

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: Laxatives

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 19, 2007

Use in Commerce: Feb. 19, 2007

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BAYER CONSUMER CARE HOLDINGS LLC

Owner Address: 100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY UNITED STATES 07981

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vanessa A. Ignacio, Esq. **Docket Number:** 26003/3347

Attorney Primary Email Address: Istrademark@lowenstein.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Vanessa A. Ignacio, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NEW JERSEY UNITED STATES 07068

Phone: 973-597-2500 **Fax:** 973-597-2400

Correspondent e-mail: Istrademark@lowenstein.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 10, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 03, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 27, 2016		

	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 08, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 08, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15	70131
	ACK.	
Aug. 08, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jul. 24, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jan. 10, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 10, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 18, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 31, 2009	NOTICE OF SUIT	
Apr. 15, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 07, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	70138
Mar. 04, 2008	ASSIGNED TO LIE	70138
Feb. 28, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 30, 2008	STATEMENT OF USE PROCESSING COMPLETE	66154
Jan. 04, 2008	USE AMENDMENT FILED	66154
Jan. 04, 2008	TEAS STATEMENT OF USE RECEIVED	
Sep. 11, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 19, 2007	PUBLISHED FOR OPPOSITION	
May 30, 2007	NOTICE OF PUBLICATION	
May 15, 2007	WITHDRAWN FROM PUB - TQR/NON-ATTY REQUEST	74704
Apr. 10, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	77978
Apr. 06, 2007	ASSIGNED TO LIE	77978
Mar. 15, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2007	ASSIGNED TO EXAMINER	77300
Feb. 07, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 06, 2007	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: TMEG LAW OFFICE 102

Date in Location: Aug. 08, 2013

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Trademark Assignment Abstract of Title

Total Assignments: 4

Serial #: [77097551](#)

Filing Dt: 02/02/2007

Reg #: [3412356](#)

Reg. Dt: 04/15/2008

Registrant: Schering-Plough HealthCare Products, Inc

Mark: MIRALAX

Assignment: 1

Reel/Frame: [4538/0090](#)

Recorded: 05/10/2011

Pages: 12

Conveyance: CHANGE OF NAME EFFECTIVE APRIL 1, 2011

Assignor: [SCHERING-PLOUGH HEALTHCARE PRODUCTS, INC.](#)

Exec Dt: 03/29/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MSD CONSUMER CARE, INC.](#)
3030 JACKSON AVENUE
MEMPHIS, TENNESSEE 38151

Correspondent: CLARK W. LACKERT
DICKSTEIN SHAPIRO LLP
1633 BROADWAY
NEW YORK, NY 10019-6708

Assignment: 2

Reel/Frame: [5706/0082](#)

Recorded: 01/11/2016

Pages: 12

Conveyance: CHANGE OF NAME

Assignor: [MSD CONSUMER CARE, INC.](#)

Exec Dt: 06/15/2015

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER CONSUMER CARE HOLDINGS LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 3

Reel/Frame: [5715/0650](#)

Recorded: 01/26/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BAYER CONSUMER CARE HOLDINGS LLC](#)

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [MIRALAX LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 4

Reel/Frame: [5719/0294](#)

Recorded: 01/29/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [MIRALAX LLC](#)

Assignee: [BAYER HEALTHCARE LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Search Results as of: 02/22/2016 01:41 PM

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STATUS **DOCUMENTS** **MAINTENANCE**

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Mark: MIRALAX



US Serial Number: 77753735

Application Filing Date: Jun. 05, 2009

US Registration Number: 3735254

Registration Date: Jan. 05, 2010

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 05, 2010

Publication Date: Aug. 04, 2009

Notice of Allowance Date: Oct. 27, 2009

Mark Information

Mark Literal Elements: MIRALAX

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 packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word, "MIRALAX", is in purple, and across the white circular shape. There are two sets of purple/pink and gray swirly lines on each side of the word, "MIRALAX". There is a gray/white shield at the upper right portion of the white circular shape.

Color Drawing: Yes

Color(s) Claimed: The color(s) white, pink, purple, gray is/are claimed as a feature of the mark.

Design Search Code(s): 24.01.01 - Shields or crests (plain) with neither a figurative element nor an inscription contained therein or superimposed thereon
26.01.28 - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference
26.11.21 - Rectangles that are completely or partially shaded
26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Related Properties Information

Claimed Ownership of US [2982512](#), [3120379](#), [3412356](#)

Registrations:

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: Laxatives

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 08, 2009

Use in Commerce: Jul. 08, 2009

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BAYER CONSUMER CARE HOLDINGS LLC

Owner Address: 100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY UNITED STATES 07981

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vanessa A. Ignacio, Esq.

Attorney Primary Email Address: istrademark@lowenstein.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Vanessa A. Ignacio, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NEW JERSEY UNITED STATES 07068

Phone: 973-597-2500 **Fax:** 973-597-2400

Correspondent e-mail: istrademark@lowenstein.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 10, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 03, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 27, 2016	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 10, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 10, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 18, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 05, 2010	REGISTERED-PRINCIPAL REGISTER	
Dec. 02, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884

Dec. 02, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 19, 2009	STATEMENT OF USE PROCESSING COMPLETE	76874
Oct. 30, 2009	USE AMENDMENT FILED	76874
Nov. 19, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Oct. 30, 2009	TEAS STATEMENT OF USE RECEIVED	
Oct. 27, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 04, 2009	PUBLISHED FOR OPPOSITION	
Jul. 15, 2009	NOTICE OF PUBLICATION	
Jun. 30, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jun. 30, 2009	ASSIGNED TO LIE	70884
Jun. 23, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 22, 2009	ASSIGNED TO EXAMINER	81844
Jun. 11, 2009	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Jun. 10, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 09, 2009	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: Dec. 02, 2009

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Trademark Assignment Abstract of Title

Total Assignments: 4

Serial #: [77753735](#)

Filing Dt: 06/05/2009

Reg #: [3735254](#)

Reg. Dt: 01/05/2010

Registrant: Schering-Plough Healthcare Products, Inc

Mark: MIRALAX

Assignment: 1

Reel/Frame: [4538/0090](#)

Recorded: 05/10/2011

Pages: 12

Conveyance: CHANGE OF NAME EFFECTIVE APRIL 1, 2011

Assignor: [SCHERING-PLOUGH HEALTHCARE PRODUCTS, INC.](#)

Exec Dt: 03/29/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MSD CONSUMER CARE, INC.](#)
3030 JACKSON AVENUE
MEMPHIS, TENNESSEE 38151

Correspondent: CLARK W. LACKERT
DICKSTEIN SHAPIRO LLP
1633 BROADWAY
NEW YORK, NY 10019-6708

Assignment: 2

Reel/Frame: [5706/0082](#)

Recorded: 01/11/2016

Pages: 12

Conveyance: CHANGE OF NAME

Assignor: [MSD CONSUMER CARE, INC.](#)

Exec Dt: 06/15/2015

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER CONSUMER CARE HOLDINGS LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 3

Reel/Frame: [5715/0650](#)

Recorded: 01/26/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BAYER CONSUMER CARE HOLDINGS LLC](#)

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [MIRALAX LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 4

Reel/Frame: [5719/0294](#)

Recorded: 01/29/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

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Assignee: [BAYER HEALTHCARE LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

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Mark: MIRALAX



US Serial Number: 77753736

Application Filing Date: Jun. 05, 2009

US Registration Number: 3735255

Registration Date: Jan. 05, 2010

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 05, 2010

Publication Date: Aug. 04, 2009

Notice of Allowance Date: Oct. 27, 2009

Mark Information

Mark Literal Elements: MIRALAX

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 packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word, "MIRALAX", is in purple, and across the white circular shape. There are two sets of purple/pink and gray swirly lines on each side of the word, "MIRALAX". There is a gray/white shield at the upper right portion of the white circular shape.

Color Drawing: Yes

Color(s) Claimed: The color(s) white, pink, purple, gray is/are claimed as a feature of the mark.

Design Search Code(s): 24.01.01 - Shields or crests (plain) with neither a figurative element nor an inscription contained therein or superimposed thereon
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26.11.21 - Rectangles that are completely or partially shaded
26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Related Properties Information

Claimed Ownership of US [2982512](#), [3120379](#), [3412356](#)
Registrations:

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: Laxatives

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 03, 2009

Use in Commerce: Jun. 03, 2009

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BAYER CONSUMER CARE HOLDINGS LLC

Owner Address: 100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY UNITED STATES 07981

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vanessa A. Ignacio, Esq.

Attorney Primary Email Address: Istrademark@lowenstein.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Vanessa A. Ignacio, Esq.
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NEW JERSEY UNITED STATES 07068

Phone: 973-597-2500 Fax: 973-597-2400

Correspondent e-mail: Istrademark@lowenstein.com Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 10, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 03, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
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Oct. 27, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
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Jun. 10, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 09, 2009	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: Dec. 02, 2009

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Trademark Assignment Abstract of Title

Total Assignments: 4Serial #: [77753736](#)

Filing Dt: 06/05/2009

Reg #: [3735255](#)

Reg. Dt: 01/05/2010

Registrant: Schering-Plough Healthcare Products, Inc

Mark: MIRALAX

Assignment: 1Reel/Frame: [4538/0090](#)

Recorded: 05/10/2011

Pages: 12

Conveyance: CHANGE OF NAME EFFECTIVE APRIL 1, 2011

Assignor: [SCHERING-PLOUGH HEALTHCARE PRODUCTS, INC.](#)

Exec Dt: 03/29/2011

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [MSD CONSUMER CARE, INC.](#)3030 JACKSON AVENUE
MEMPHIS, TENNESSEE 38151Correspondent: CLARK W. LACKERT
DICKSTEIN SHAPIRO LLP
1633 BROADWAY
NEW YORK, NY 10019-6708**Assignment: 2**Reel/Frame: [5706/0082](#)

Recorded: 01/11/2016

Pages: 12

Conveyance: CHANGE OF NAME

Assignor: [MSD CONSUMER CARE, INC.](#)

Exec Dt: 06/15/2015

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER CONSUMER CARE HOLDINGS LLC](#)100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205**Assignment: 3**Reel/Frame: [5715/0650](#)

Recorded: 01/26/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BAYER CONSUMER CARE HOLDINGS LLC](#)

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [MIRALAX LLC](#)100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205**Assignment: 4**Reel/Frame: [5719/0294](#)

Recorded: 01/29/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [MIRALAX LLC](#)

Assignee: [BAYER HEALTHCARE LLC](#)
100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL
100 BAYER ROAD
PITTSBURGH, PA 15205

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Search Results as of: 02/22/2016 01:43 PM

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STATUS **DOCUMENTS** **MAINTENANCE**

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Mark: MIRALAX



US Serial Number: 85746766	Application Filing Date: Oct. 05, 2012
US Registration Number: 4426594	Registration Date: Oct. 29, 2013
Filed as TEAS Plus: Yes	Currently TEAS Plus: Yes
Register: Principal	
Mark Type: Trademark	
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.	
Status Date: Oct. 29, 2013	
Publication Date: Feb. 26, 2013	Notice of Allowance Date: Apr. 23, 2013

Mark Information

Mark Literal Elements: MIRALAX
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 packaging label band having a purple background with a purple and pink blended circular pattern, and a white circular shape in the middle of the band. The word "MIRALAX" is in purple, and across the white circular shape. There is a gray arced line above and below the word "MIRALAX". There is a pink dot with a white outer edge at the lower left of the white circular shape.
Color Drawing: Yes
Color(s) Claimed: The color(s) white, pink, purple, and gray is/are claimed as a feature of the mark.
Design Search Code(s): 20.03.10 - Alcohol bottle labels; Bottles, labels for alcohol bottles; Labels, alcohol bottles 26.01.02 - Circles, plain single line; Plain single line circles 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals, concentric; Ovals within ovals 26.17.09 - Bands, curved; Curved line(s), band(s) or bar(s); Bars, curved; Lines, curved

Related Properties Information

Claimed Ownership of US [3120379](#), [3735254](#), [3735255](#) and others
Registrations:

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: Laxatives

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 15, 2013

Use in Commerce: Jan. 15, 2013

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: BAYER CONSUMER CARE HOLDINGS LLC

Owner Address: 100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY UNITED STATES 07981

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Vanessa A. Ignacio, Esq. **Docket Number:** 26003.5622

Attorney Primary Email Address: Istrademark@lowenstein.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: VANESSA A. IGNACIO, ESQ.
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVE STE 2
ROSELAND, NEW JERSEY UNITED STATES 07068-1791

Phone: 973.597.2500 **Fax:** 973.597.2400

Correspondent e-mail: Istrademark@lowenstein.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 10, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 03, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
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Feb. 26, 2013	PUBLISHED FOR OPPOSITION	
Feb. 06, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 22, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 16, 2013	ASSIGNED TO EXAMINER	88578
Oct. 13, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 12, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 09, 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: Sep. 25, 2013

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Trademark Assignment Abstract of Title

Total Assignments: 3

Serial #: [85746766](#)

Filing Dt: 10/05/2012

Reg #: [4426594](#)

Reg. Dt: 10/29/2013

Registrant: MSD Consumer Care, Inc.

Mark: MIRALAX

Assignment: 1

Reel/Frame: [5706/0082](#)

Recorded: 01/11/2016

Pages: 12

Conveyance: CHANGE OF NAME

Assignor: [MSD CONSUMER CARE, INC.](#)

Exec Dt: 06/15/2015

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER CONSUMER CARE HOLDINGS LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 2

Reel/Frame: [5715/0650](#)

Recorded: 01/26/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [BAYER CONSUMER CARE HOLDINGS LLC](#)

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [MIRALAX LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

Assignment: 3

Reel/Frame: [5719/0294](#)

Recorded: 01/29/2016

Pages: 8

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [MIRALAX LLC](#)

Exec Dt: 07/01/2015

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [BAYER HEALTHCARE LLC](#)

100 BAYER BOULEVARD
WHIPPANY, NEW JERSEY 07981

Correspondent: JEFFREY M. GITCHEL

100 BAYER ROAD
PITTSBURGH, PA 15205

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Web interface last modified: July 25, 2014 v.2.5

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