

ESTTA Tracking number: **ESTTA723525**

Filing date: **01/29/2016**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Advanced Total Marketing Systems, Inc.		
Entity	Corporation	Citizenship	Panama
Address	Samuel Lewis Avenue, P.O. Box 4881 Panamá 5, PANAMA		

Attorney information	Maristella Collazo-Soto Ferraiuoli LLC 221 PONCE DE LEON AVE., 5TH FLOOR San Juan, PR 00917 UNITED STATES mcollazo@ferraiuoli.com Phone:7877667000		
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Registration Subject to Cancellation

Registration No	4884095	Registration date	01/12/2016
Registrant	RNJ holdings Corp 3050 nw 40th st miami, FL 33142 UNITED STATES		

Goods/Services Subject to Cancellation

Class 029. First Use: 2014/06/11 First Use In Commerce: 2014/06/11 All goods and services in the class are cancelled, namely: Fried plantain; Fruit-based snack food

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Related Proceedings	92062829, 91225215, 91224622, 92062499
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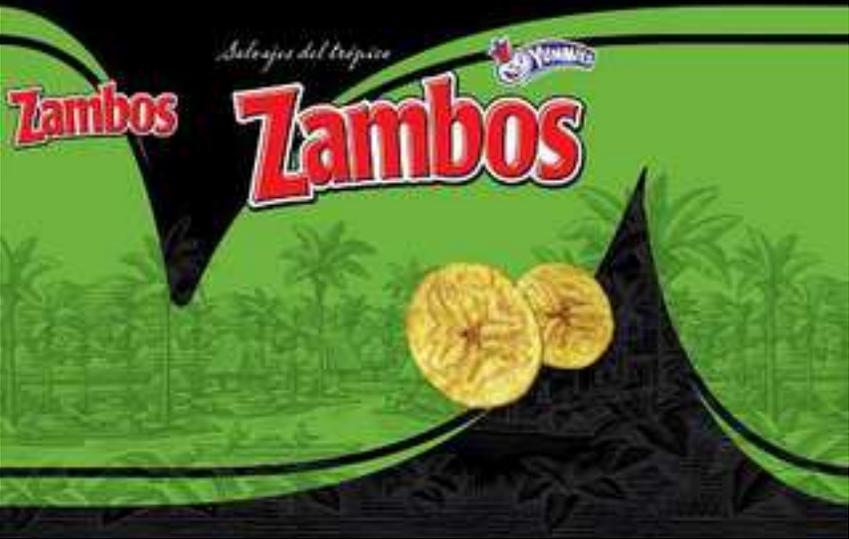
Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	4811387	Application Date	11/13/2014
Registration Date	09/15/2015	Foreign Priority Date	NONE
Word Mark	SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES		

Design Mark	
Description of Mark	<p>The mark consists of a rectangular background in green and brown swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in white; images of plantain chips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue background; and a white smiley face with blue features and a red tongue wearing a red, white, and blue open crown.</p>
Goods/Services	<p>Class 029. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Fried plantain; Plantain chips</p>

U.S. Registration No.	4811389	Application Date	11/13/2014
Registration Date	09/15/2015	Foreign Priority Date	NONE

Word Mark SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES

Design Mark	
Description of Mark	<p>The mark consists of a rectangular background in green and black swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in white; images of plantain chips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue back-</p>

	ground; and a white smiley face with blue features and a redtongue wearing a red, white, and blue open crown.
Goods/Services	Class 029. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Fried plantain; Plantain chips

U.S. Registration No.	4811390	Application Date	11/13/2014
Registration Date	09/15/2015	Foreign Priority Date	NONE

Word Mark	ZAMBOS SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES
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Description of Mark	The mark consists of a rectangular background in green and red swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in white; images of plantainchips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue background; and a white smiley face with blue features and a red tongue wearing a red, white, and blue open crown.
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Goods/Services	Class 029. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Fried plantain; Plantain chips
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U.S. Registration No.	4811388	Application Date	11/13/2014
Registration Date	09/15/2015	Foreign Priority Date	NONE

Word Mark	SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES
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Design Mark			
Description of Mark	<p>The mark consists of a rectangular background in dark and light green swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in white; images of plantain chips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue background; and a white smiley face with blue features and a red tongue wearing a red, white, and blue open crown.</p>		
Goods/Services	<p>Class 029. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Fried plantain; Plantain chips</p>		

U.S. Application No.	86453618	Application Date	11/13/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES		
Design Mark			
Description of Mark	<p>The mark consists of a rectangular background in green and orange swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in blue; images of plantain chips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue background; and a white smiley face with blue features and a red tongue wearing a red, white, and blue open crown.</p>		

	a red, white, and blue open crown.
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Fried plantain; Plantain chips

U.S. Registration No.	2643142	Application Date	03/17/1998
Registration Date	10/29/2002	Foreign Priority Date	NONE
Word Mark	ZAMBOS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1983/00/00 First Use In Commerce: 1999/03/00 plantain chips		

U.S. Application No.	86779673	Application Date	10/06/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ZAMBOS		
Design Mark			
Description of Mark	The mark consists of the stylized red text "ZAMBOS" surrounded by a white shadow which is outlined by a black border.		
Goods/Services	Class 029. First use: First Use: 2008/05/01 First Use In Commerce: 2008/05/01 Fried plantain; Plantain chips		

Attachments	86453629#TMSN.png(bytes) 86453674#TMSN.png(bytes) 86453689#TMSN.png(bytes) 86453662#TMSN.png(bytes) 86453618#TMSN.png(bytes) 86779673#TMSN.png(bytes) Petition to Cancel Registration of Gembos Maduritos- Reg No 4884095- 01 28 2015.pdf(480916 bytes) Exhibit 1- A- Reg. No. 4811389 - FINAL.pdf(2521825 bytes) Exhibit 1- B- Reg. No. 4811390 - FINAL.pdf(2536658 bytes) Exhibit 1- C- Reg. No. 4811388 - FINAL.pdf(2529169 bytes) Exhibit 1- D- Reg. No. 4811387 - FINAL.pdf(2537548 bytes) Exhibit 2- Zambos Word Mark - FINAL.pdf(97078 bytes) Exhibit 3- Zambos Logo Application - FINAL.pdf(148698 bytes) Exhibit 4- Gembos Registration - FINAL.pdf(2072267 bytes) Exhibit 5 - Twitter - FINAL.pdf(2292983 bytes) Exhibit 6 - Importa Culturas - FINAL.pdf(522846 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 USPS Express Mail Post Office to Addressee on this date.

Signature	/s/ Maristella Collazo-Soto
Name	Maristella Collazo-Soto
Date	01/29/2016

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

ADVANCED TOTAL MARKETING
SYSTEMS, INC., *a Panama Corporation*

Petitioner,

v.

RNJ HOLDINGS CORP. *a Florida
Corporation*

Registrant.

CANCELLATION NO. _____

In the matter of:

Registration No. 4884095

Trademark: GEMBOS

Registration Date: January 12, 2016

International Class: 029

US Classes: 046

Hon. Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION TO CANCEL

Petitioner Advanced Total Marketing Systems, Inc., a Panamanian corporation with a business address in Comosa Bank building, First Floor, Samuel Lewis Avenue, P.O. Box 4881, Panamá 5, Panamá (“Petitioner” or “ATMS”), believes that it will be damaged by the continued registration of the mark subject of Registration No. 4884095 (the “Gembos Registration” or the “Junior Trade Dress”) owned by RNJ Holdings Corp. (“RNJ”) and hereby petitions to cancel the same pursuant to Sections 2(d) and 14(3) of the Lanham Act of 1946, 15 U.S.C.A. § 1052(d) and 1064(3), respectively.

As grounds therefore, Petitioner alleges, states and prays as follows:

1. ATMS and/or its predecessors in interest have been selling and/or distributing plantain chips under the "ZAMBOS" brand in commerce within the United States for more than fifteen (15) years.

2. ATMS owns all title and interest over USPTO Registration Nos. 4811389, 4811390, 4811388, 4811387 and US Trademark Application 86453618, all attached hereto as Exhibit 1 (the "Senior Trade Dresses"). The priority rights for the Zambos Trade Dresses date back to June 1, 2011. *Id.*

3. The Junior Trade Dress is described as "an overall rectangular shape with the white words "CRUNCHY FRESH!" outlined in black with a partial light green leaf with dark green lining behind the word "CRUNCHY" on an irregularly shaped medium brown background with light brown outlines of leaves; below is the word "GEMBOS" in red and outlined in white and black; below are the white words "TAJADITAS DE PLATANO" and "MADURITOS"; a white line appears below these words and the white words "PLANTAIN CHIPS" and "SWEET" are below the line; to the right is a stylized depiction of three plantain chips in yellow; the words "GEMBOS" and "TAJADITAS DE PLATANO" and "MADURITOS" and the white line and "PLANTAIN CHIPS" and "SWEET" and the depiction of the plantain chips are all on an irregularly shaped background that consists of light green with outlines of dark green leaves; below is an irregular medium brown shape that has outlines of light brown stems and leaves that completes the rectangle and has a light green band with dark green lines running from the mid-section to the right. *See* the Gembos Registration. The colors light brown, medium brown, white, red, black, yellow, light green and dark green are claimed as a feature of the Gembos Registration. *Id.* The Junior Trade Dress, as depicted in the specimen submitted by RNJ in support of the Registration, is shown below:



4. The Junior Trade Dress is a blatant copy of one of the Senior Trade Dresses, specifically, Registered Trademark No. 4811387 (hereinafter, individually, the “Original Trade Dress”), which is described as a “rectangular background in green and brown swirl designs featuring palm leaves, other leaves, palm trees, a river, mountains, working farmers, and houses; the word "ZAMBOS" twice displayed in red bold letters outlined in white and black; the words "SALVAJES DEL TROPICO" in white; images of plantain chips in the colors yellow, brown and black; the word "YUMMIES" in white with a red dot on a blue banner with a red, white, and blue background; and a white smiley face with blue features and a red tongue wearing a red, white, and blue open crown.” The colors green, red, white, blue, yellow, brown, and black are claimed as a feature of the Original Trade Dress, which specimen is depicted below¹:

¹ Please note that the specimen shown below and submitted in support of the registration of the Original Trade Dress depicts both the front and the back side of the Zambos package. Conversely, the specimen submitted by RNJ with the Gembos Registration and shown above, only reveals the front side of the package.



5. For illustration purposes, following is a side by side comparison of the actual packages of Gembo and Zambos as placed in commerce:

ATMS' PACKAGE WITH THE ORIGINAL TRADE DRESS	RNJ'S PACKAGE COPYING THE ORIGINAL TRADE DRESS
 A photograph of a Zambos product package. The package is primarily green and brown, featuring the Zambos logo in red and white. Text on the package includes "Sabores del trópico", "YUMMIES", "TAJADITAS DE PLÁTANO CON CHICHARRÓN DEL RANCHO", "PLANTAIN CHIPS WITH DEL RANCHO PORK RINDS", and "MANUFACTURED BY PLANTAIN PRODUCTS, INC. WITH CHICHARRÓN DE CORDERO".	 A photograph of a Gembo product package. The package is primarily green and brown, featuring the Gembo logo in red and white. Text on the package includes "Crunchy Fresh!", "AJADITAS & PLÁTANO MURITOS", "PLANTAIN CHIPS SWEET", and "Cont. neto 150g. Net Wt. 5.29oz".

6. Moreover, subsumed within the parties' respective packages and trade dresses one can find their respective logos and word marks, which are also virtually indistinguishable from each other.

7. Specifically, ATMS holds title to United States Patents and Trademark Office Registration No. 2643142 for the word mark "ZAMBOS" (the "Registered Word Mark") attached hereto as Exhibit 2.

8. As it transpires from the record of the Registered Trade Mark, ATMS has priority rights over the Registered Word Mark since January 26, 1999, and as such, it is incontestable pursuant to 15 USC 1065. The Registered Word Mark is registered under International Class 29 and US Class 46 and is used in commerce to identify one of ATMS' core business lines: plantain chips. *See* the Registered Word Mark.

9. Similarly, since May 1, 2008, ATMS has been using the Zambos logo, which consists of a composite trademark bearing the Registered Word Mark, and which is the subject of U.S. Application Serial No. 86779673 (the "Zambos Logo") attached hereto as Exhibit 3.

10. The Zambos Logo consists of the Registered Word Mark, "ZAMBOS", with various design elements including letters in sans serif red font, surrounded by a white shadow with black borders. The Zambos Logo is slightly angled upward, from left to right, as shown below:



11. The Zambos Logo is one of the several distinctive elements that assemble the Original Trade Dress and the remaining Senior Trade Dresses.

12. Like the rest of the elements of the Original Trade Dress, RNJ's Application incorporates the "Gembos Logo", which is virtually identical to the Zambos Logo. The Gembos Logo consists of the word "Gembos" in sans serif red font letters surrounded by a white shadow with black borders. Like the Zambos Logo, the Gembos Logo is slightly angled upward, from left to right, as shown below:



13. The Gembos Logo is the subject of Registration No. 4694971. *See* Exhibit 4. Registration No. 4694971 is currently pending for cancellation under Proceeding No. 92062829 before the Trademark Trial and Appeal Board, based on the same grounds discussed herein.

14. A simple side by side comparison of the Zambos Logo against the Gembos Logo reveals an identical commercial impression between the two of them:

ZAMBOS' LOGO



GEMBOS' LOGO



15. Below is a list of similarities and differences between both packages, the Original Trade Dress and the Junior Trade Dress (including their respective logos) which demonstrate that they are virtually identical:

[SPACE INTENTIONALLY LEFT IN BLANK]

INFRINGED TRADE DRESS NO. 3			
ATMS' PACKAGE	RNJ'S PACKAGE	SIMILARITIES	DIFFERENCES
		<ol style="list-style-type: none"> 1. Brand name sound (Zambos/Gembos) 2. Both logos in red font 3. Both logos in virtually identical sans-serif font 4. Both logos surrounded by white shadows 5. Both white shadows covered by black lines 6. Light brown background of the package 7. Big leaf traversing the package from side to side 8. Same color (green) of the big leaf 9. Same angle (from lower end side to upper right side) and proportion/size of the big green leaf 10. Similar size/configuration of the exposed portions of the light brown background at the top and bottom of the package 11. Placement of product slogan (upper left side) 12. Color of product slogan (white) 13. Both are plantain chips 14. Same product descriptions in Spanish (partial) (Tajaditas de Plátano) 15. Same product descriptions in English (partial) (Plantain Chips) 16. Placement of product descriptions in Spanish on top of product descriptions in English 17. Identical colors in the product descriptions in Spanish 18. Similar fonts in the product description in Spanish 19. White lines dividing the product descriptions in Spanish from the product descriptions in English 20. Identical colors in the product description in English 	<ol style="list-style-type: none"> 1. First two letters in the brand name (Za/Ge) 2. Slogans (Salvajes del trópico/Crunchy fresh!) 3. Zambos bears its house mark “Yummies” 4. Different flavors of the plantain chips- With Del Rancho Pork Rinds (Zambos) v. Sweet (Gembo) 5. Zambos depicts one chip and one pork rind whereas Gembo depicts three plantain chips 6. Zambos repeats the product description in smaller letters at the bottom of the package while Gembo does not.

INFRINGED TRADE DRESS NO. 3			
ATMS' PACKAGE	RNJ'S PACKAGE	SIMILARITIES	DIFFERENCES
		21. Similar fonts in the product description in English 22. Placement of product descriptions (Spanish and English) in lower left side of the package 23. Yellowish plantain chips 24. Placement of the plantain chips (lower right side of the package) 25. Plantain chips placed to the right of the product descriptions	

16. Except for color and other minimum differences, the Junior Trade Dress also resembles and infringes upon the remaining Senior Trade Dresses, as it transpires from the images below (Registered Trademark No. 4811389 and 4811390, left and right, respectively):



17. There is no issue as to priority of use here. Petitioner's rights, which date back to January 26, 1999 as to the Registered Word Mark, to May 1, 2008 as to the Zambos Logo, and to June 1, 2011 as to the Zambos Trade Dresses (collectively, "Petitioner's Mark"), are superior and long prior in time to those of RNJ, which claims to have begun to use the Junior Trade Dress in March 8, 2014; that is, some fifteen years after Petitioner began using the Registered Word Mark in

commerce in the United States, six (6) years after Petitioner's date of first use for the Zambos Logo and three (3) years after Petitioner's date of first use for the Zambos Trade Dresses.

18. The Original Trade Dress and the Junior Trade Dress are also registered and/or used for the exact same line of products: plantain chips.

19. In view of the identical commercial impression of the parties' respective marks and the identical nature of their respective goods, the Junior Trade Dress conflicts with the Original Trade Dress which was previously registered and used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive the public.

20. Customers have confused and are likely to continue confusing the goods of RNJ advertised and promoted under the Junior Trade Dress as emanating from or associated to Petitioner with the potential of diverting sales in favor of RNJ.

21. As a matter of fact, several customers have identified that Gembos is a copy of Zambos. *See Exhibit 5.* Several other customers have passed Gembos as Zambos. *See Exhibit 6.*

22. This sort of confusion among customers will likely result in loss of sales for Petitioner. Similarly, any defect, objection or fault found in RNJ's goods marketed under the Junior Trade Dress would necessarily reflect upon and seriously injure and/or dilute the reputation which Petitioner has established for its goods.

23. Petitioner will also be seriously injured if RNJ is permitted to have its certificate of registration remain on record, to the extent that it may obstruct the pending registration of the Zambos Logo and any other related application that Petitioner may file in the future.

24. RNJ, if permitted to retain registration of the Junior Trade Dress, will retain the illegitimately acquired *prima facie* exclusive right to the mark therein for the goods listed thereto, with the potential of inflicting annoyance and harassment upon Petitioner in selling its

goods and services. The continued existence of US Registration No. 4884095 casts a cloud upon Petitioner's right to continue to use, register and expand the use of its trademark rights, all to the great injury of Petitioner.

WHEREFORE, Petitioner prays that Registered Trademark No. 4884095 be cancelled in its entirety.

In accordance with 37 CFR §2.6 (a)(16), the Commissioner is authorized to charge the Petition filing fee in the amount of \$300 and any other fees due to counsel's Deposit Account No. 505829.

RESPECTFULLY SUBMITTED.

Dated: January 29th, 2016.

FERRAIUOLI LLC
221 Plaza, 5th Floor
221 Ponce de León Avenue
San Juan, PR 00917
Tel.: 787.766.7000
Fax: 787.766.7001

By: /s/Maristella Collazo-Soto
Maristella Collazo-Soto
mcollazo@ferraiuoli.com

/s/Germán Corcino Medina
Germán Corcino Medina
gcorcino@ferraiuoli.com

Attorneys for Petitioner Advanced Total
Marketing Systems, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and complete copy of the foregoing Petition to Cancel was served upon RNJ, by forwarding the same via certified mail to RNJ Holdings Corp., 3050 NW 40th St., Miami, FLORIDA 33142 and to its attorney of record at:

JULIET ALCOBA
ALCOBA LAW GROUP, P.A.
3399 NW 72 AVENUE 211
MIAMI, FLORIDA 33122
UNITED STATES

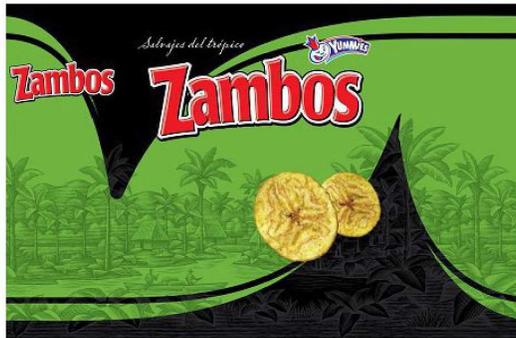
In San Juan, Puerto Rico, this 29th day of January 2016.

By: /s/Maristella Collazo-Soto
Maristella Collazo-Soto
mcollazo@ferraiuoli.com

EXHIBIT 1 A

United States of America

United States Patent and Trademark Office



Reg. No. 4,811,389

Registered Sep. 15, 2015

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

ADVANCED TOTAL MARKETING SYSTEMS, INC. (PANAMA CORPORATION)
SAMUEL LEWIS AVENUE, P.O. BOX 4881
COMOSA BANK BUILDING, FIRST FLOOR
PANAMA CITY 5, PANAMA

FOR: FRIED PLANTAIN; PLANTAIN CHIPS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-23-2010; IN COMMERCE 8-23-2010.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TROPICO" AND DESIGN OF PLANTAIN CHIPS, APART FROM THE MARK AS SHOWN.

THE COLOR(S) GREEN, RED, WHITE, BLUE, YELLOW, BROWN, AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

THE MARK CONSISTS OF A RECTANGULAR BACKGROUND IN GREEN AND BLACK SWIRL DESIGNS FEATURING PALM LEAVES, OTHER LEAVES, PALM TREES, A RIVER, MOUNTAINS, WORKING FARMERS, AND HOUSES; THE WORD "ZAMBOS" TWICE DISPLAYED IN RED BOLD LETTERS OUTLINED IN WHITE AND BLACK; THE WORDS "SALVAJES DEL TROPICO" IN WHITE; IMAGES OF PLANTAIN CHIPS IN THE COLORS YELLOW, BROWN AND BLACK; THE WORD "YUMMIES" IN WHITE WITH A RED DOT ON A BLUE BANNER WITH A RED, WHITE, AND BLUE BACKGROUND; AND A WHITE SMILEY FACE WITH BLUE FEATURES AND A RED TONGUE WEARING A RED, WHITE, AND BLUE OPEN CROWN.

THE ENGLISH TRANSLATION OF "SALVAJES DEL TROPICO" IN THE MARK IS "TROPICAL WILD".

SER. NO. 86-453,674, FILED 11-13-2014.

DAVID C. REIHNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

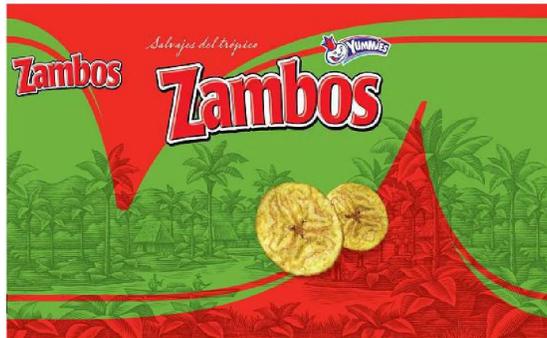
NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 1 B

United States of America

United States Patent and Trademark Office



Reg. No. 4,811,390

Registered Sep. 15, 2015

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

ADVANCED TOTAL MARKETING SYSTEMS, INC. (PANAMA CORPORATION)
SAMUEL LEWIS AVENUE, P.O. BOX 4881
COMOSA BANK BUILDING, FIRST FLOOR
PANAMA CITY 5, PANAMA

FOR: FRIED PLANTAIN; PLANTAIN CHIPS, IN CLASS 29 (U.S. CL. 46).

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THE COLOR(S) GREEN, RED, WHITE, BLUE, YELLOW, BROWN, AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

THE MARK CONSISTS OF A RECTANGULAR BACKGROUND IN GREEN AND RED SWIRL DESIGNS FEATURING PALM LEAVES, OTHER LEAVES, PALM TREES, A RIVER, MOUNTAINS, WORKING FARMERS, AND HOUSES; THE WORD "ZAMBOS" TWICE DISPLAYED IN RED BOLD LETTERS OUTLINED IN WHITE AND BLACK; THE WORDS "SALVAJES DEL TROPICO" IN WHITE; IMAGES OF PLANTAIN CHIPS IN THE COLORS YELLOW, BROWN AND BLACK; THE WORD "YUMMIES" IN WHITE WITH A RED DOT ON A BLUE BANNER WITH A RED, WHITE, AND BLUE BACKGROUND; AND A WHITE SMILEY FACE WITH BLUE FEATURES AND A RED TONGUE WEARING A RED, WHITE, AND BLUE OPEN CROWN.

THE ENGLISH TRANSLATION OF "SALVAJES DEL TROPICO" IN THE MARK IS "TROPICAL WILD".

SER. NO. 86-453,689, FILED 11-13-2014.

DAVID C. REIHNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

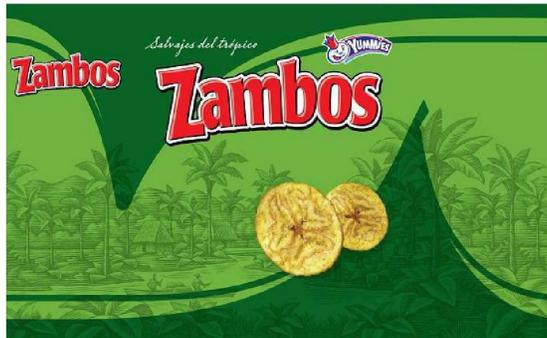
NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 1 C

United States of America

United States Patent and Trademark Office



Reg. No. 4,811,388

Registered Sep. 15, 2015

Int. Cl.: 29

TRADEMARK

PRINCIPAL REGISTER

ADVANCED TOTAL MARKETING SYSTEMS, INC. (PANAMA CORPORATION)
SAMUEL LEWIS AVENUE, P.O. BOX 4881
COMOSA BANK BUILDING, FIRST FLOOR
PANAMA CITY 5, PANAMA

FOR: FRIED PLANTAIN; PLANTAIN CHIPS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-23-2010; IN COMMERCE 8-23-2010.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TROPICO" AND DESIGN OF PLANTAIN CHIPS, APART FROM THE MARK AS SHOWN.

THE COLOR(S) GREEN, RED, WHITE, BLUE, YELLOW, BROWN, AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

THE MARK CONSISTS OF A RECTANGULAR BACKGROUND IN DARK AND LIGHT GREEN SWIRL DESIGNS FEATURING PALM LEAVES, OTHER LEAVES, PALM TREES, A RIVER, MOUNTAINS, WORKING FARMERS, AND HOUSES; THE WORD "ZAMBOS" TWICE DISPLAYED IN RED BOLD LETTERS OUTLINED IN WHITE AND BLACK; THE WORDS "SALVAJES DEL TROPICO" IN WHITE; IMAGES OF PLANTAIN CHIPS IN THE COLORS YELLOW, BROWN AND BLACK; THE WORD "YUMMIES" IN WHITE WITH A RED DOT ON A BLUE BANNER WITH A RED, WHITE, AND BLUE BACKGROUND; AND A WHITE SMILEY FACE WITH BLUE FEATURES AND A RED TONGUE WEARING A RED, WHITE, AND BLUE OPEN CROWN.

THE ENGLISH TRANSLATION OF "SALVAJES DEL TROPICO" IN THE MARK IS "TROPICAL WILD".

SER. NO. 86-453,662, FILED 11-13-2014.

DAVID C. REIHNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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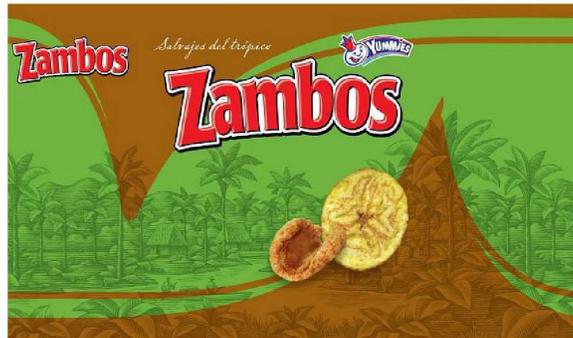
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EXHIBIT 1 D

United States of America

United States Patent and Trademark Office



Reg. No. 4,811,387

Registered Sep. 15, 2015

Int. Cl.: 29

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SAMUEL LEWIS AVENUE, P.O. BOX 4881
COMOSA BANK BUILDING, FIRST FLOOR
PANAMA CITY 5, PANAMA

FOR: FRIED PLANTAIN; PLANTAIN CHIPS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 8-23-2010; IN COMMERCE 8-23-2010.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TROPICO" AND DESIGN OF PLANTAIN CHIPS, APART FROM THE MARK AS SHOWN.

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THE ENGLISH TRANSLATION OF "SALVAJES DEL TROPICO" IN THE MARK IS "TROPICAL WILD".

SER. NO. 86-453,629, FILED 11-13-2014.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

DAVID C. REIHNER, EXAMINING ATTORNEY

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EXHIBIT 2

Generated on: This page was generated by TSDR on 2015-10-29 17:52:30 EDT

Mark: ZAMBOS

US Serial Number: 75451562

Application Filing Date: Mar. 17, 1998

US Registration Number: 2643142

Registration Date: Oct. 29, 2002

Register: Principal

Mark Type: Trademark

Status: A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Oct. 27, 2015

Publication Date: Jan. 26, 1999

Notice of Allowance Date: Apr. 20, 1999

Mark Information

Mark Literal Elements: ZAMBOS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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: plantain chips

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: 1983

Use in Commerce: Mar. 1999

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: ADVANCED TOTAL MARKETING SYSTEMS, INC.

Owner Address: COMOSA BANK BUILDING, P.O. BOX 4881
SAMUEL LEWIS AVENUE
PANAMA CITY 5 PANAMA 0

Legal Entity Type: CORPORATION

State or Country Where Organized: PANAMA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maristella Collazo-Soto

Attorney Primary Email trademarksmc@ferraiuoli.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: MARISTELLA COLLAZO-SOTO
FERRAIUOLI LLC
221 PONCE DE LEON AVENUE
5TH FLOOR
SAN JUAN, PUERTO RICO UNITED STATES 00917

Phone: 787-766-7000

Fax: 787-766-7001

Correspondent e-mail: trademarksmc@ferraiuoli.com

Correspondent e-mail Yes
Authorized:

Domestic Representative

Domestic Representative Name: /Arturo Perez-Guerrero/

Phone: 787 722-3446

Fax: 787 998-7474

Domestic Representative e-mail: arturo@perezguerrero.com

Domestic Representative e-mail Yes
Authorized:

Prosecution History

Date	Description	Proceeding Number
Oct. 27, 2015	CANCELLATION INSTITUTED NO. 999999	62499
Jun. 05, 2015	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 24, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Nov. 24, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Nov. 21, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Oct. 29, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 26, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Jan. 13, 2009	ASSIGNED TO PARALEGAL	66607
Jan. 11, 2009	TEAS SECTION 8 & 15 RECEIVED	
Jan. 11, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 11, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 12, 2008	CASE FILE IN TICRS	
Oct. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Aug. 15, 2002	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 15, 2002	ASSIGNED TO EXAMINER	73730
Aug. 14, 2002	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 20, 2002	USE AMENDMENT FILED	
Sep. 24, 2001	EXTENSION 5 GRANTED	
Sep. 07, 2001	EXTENSION 5 FILED	
May 03, 2001	EXTENSION 4 GRANTED	
Apr. 18, 2001	EXTENSION 4 FILED	
Sep. 01, 2000	EXTENSION 3 GRANTED	
Jul. 14, 2000	EXTENSION 3 FILED	
Jun. 04, 2000	EXTENSION 2 GRANTED	
Apr. 11, 2000	EXTENSION 2 FILED	
Oct. 25, 1999	EXTENSION 1 GRANTED	
Sep. 29, 1999	EXTENSION 1 FILED	
Apr. 20, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 26, 1999	PUBLISHED FOR OPPOSITION	
Dec. 26, 1998	NOTICE OF PUBLICATION	
Nov. 16, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	

Nov. 03, 1998	EXAMINER'S AMENDMENT MAILED	
Sep. 17, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 27, 1998	NON-FINAL ACTION MAILED	
Jul. 24, 1998	ASSIGNED TO EXAMINER	73726
Jul. 21, 1998	ASSIGNED TO EXAMINER	73714

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 29, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 24, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Corporacion Cressida S.A. de C.V.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3222/0138](#)

Pages: 3

Date Recorded: Jan. 06, 2006

Supporting Documents: [assignment-tm-3222-0138.pdf](#)

Assignor

Name: [CORPORACION CRESSIDA S.A. DE C.V.](#)

Execution Date: Oct. 28, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: HONDURAS

Assignee

Name: [ADVANCED TOTAL MARKETING SYSTEMS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: PANAMA

Address: SAMUEL LEWIS AVENUE, P.O. BOX 4881
COMOSA BANK BUILDING, FIRST FLOOR
PANAMA CITY 5, PANAMA 0

Correspondent

Correspondent Name: KEITH BARRITT

Correspondent Address: 1425 K STREET, N.W., SUITE 1100
WASHINGTON, DC 20005

Domestic Representative

Domestic Representative Name: KEITH BARRITT

Domestic Representative Address: 1425 K STREET, N.W., SUITE 1100
WASHINGTON, DC 20005

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92062499](#)

Filing Date: Oct 20, 2015

Status: Pending

Status Date: Oct 20, 2015

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Advanced Total Marketing Systems, Inc.

Correspondent Address: MARISTELLA COLLAZO-SOTO

FERRAIUOLI LLC
221 PONCE DE LEON AVENUE , 5TH FLOOR
SAN JUAN PR UNITED STATES , 00917

Correspondent e-mail: trademarksmc@ferraiuoli.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZAMBOS	Cancellation Pending	75451562	2643142
SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES	Cancellation Pending	86453629	4811387
SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES	Cancellation Pending	86453662	4811388
SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES	Cancellation Pending	86453674	4811389
ZAMBOS SALVAJES DEL TROPICO ZAMBOS ZAMBOS YUMMIES	Cancellation Pending	86453689	4811390

Plaintiff(s)

Name: Dariela Hortencia Vasquez Abadia o/b/o Dayana Abadia, Larry Avila o/b/o Alejandro D. Avila, Jose Miguel Feliz o/b/o Jayden Feliz, Kenya Mencias o/b/o Kenya Mencias

Correspondent Address: JULIET ALCOBA
ALCOBA LAW GROUP PA
3399 NW 72 AVENUE, #211
MIAMI FL UNITED STATES , 33122

Correspondent e-mail: jalcoba@miamipatents.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 20, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 27, 2015	Dec 06, 2015
3	PENDING, INSTITUTED	Oct 27, 2015	

EXHIBIT 3

Generated on: This page was generated by TSDR on 2015-10-29 17:53:58 EDT

Mark: ZAMBOS



US Serial Number: 86779673
Application Filing Date: Oct. 06, 2015
Filed as TEAS Plus: Yes
Currently TEAS Plus: Yes
Register: Principal
Mark Type: Trademark
Status: New application will be assigned to an examining attorney approximately 3 months after filing date.
Status Date: Oct. 09, 2015

Mark Information

Mark Literal Elements: ZAMBOS
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Description of Mark: The mark consists of the stylized red text "ZAMBOS" surrounded by a white shadow which is outlined by a black border.
Color Drawing: Yes
Color(s) Claimed: The color(s) red, white and black is/are claimed as a feature of the mark.

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Fried plantain; Plantain chips
International Class(es): 029 - Primary Class
U.S Class(es): 046
Class Status: ACTIVE
Basis: 1(a)
First Use: May 01, 2008
Use in Commerce: May 01, 2008

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: Advanced Total Marketing Systems, Inc.
Owner Address: Samuel Lewis Avenue, P.O. Box 4881
Comosa Bank Building, First Floor
Panama City 5 PANAMA
Legal Entity Type: CORPORATION
State or Country Where Organized: PANAMA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Maristella Collazo-Soto
Attorney Primary Email Address: trademarks@ferraiuoli.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARISTELLA COLLAZO-SOTO
FERRAIUOLI LLC
221 PONCE DE LEON AVE., 5TH FLOOR
SAN JUAN, PUERTO RICO UNITED STATES 00917

Phone: 787-766-7000

Fax: 787-766-7001

Correspondent e-mail: trademarksmc@ferraiuoli.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 09, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 09, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: NEW APPLICATION PROCESSING

Date in Location: Oct. 09, 2015

EXHIBIT 4

United States of America

United States Patent and Trademark Office

Gembos

Reg. No. 4,694,971

RNJ HOLDINGS CORP (FLORIDA CORPORATION)
3050 NW 40TH ST
MIAMI, FL 33142

Registered Mar. 3, 2015

Int. Cl.: 29

FOR: FRIED PLANTAIN; FRUIT-BASED SNACK FOOD, IN CLASS 29 (U.S. CL. 46).

TRADEMARK

FIRST USE 3-8-2014; IN COMMERCE 6-11-2014.

PRINCIPAL REGISTER

THE MARK CONSISTS OF THE WORD "GEMBOS" IN BOLD RED LETTERS OUTLINED BY A WHITE BORDER AND THE WHITE BORDER OUTLINED BY A THIN BLACK BORDER.

THE COLOR(S) RED, WHITE, AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE WORDING "GEMBOS" HAS NO MEANING IN A FOREIGN LANGUAGE.

SER. NO. 86-310,795, FILED 6-16-2014.

JOHN DALIER, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

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***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 5

¿Eres nuevo en Twitter?

Regístrate



Busca en Twitter



¿Tienes cuenta? Iniciar sesión



Fashion+Serendipity
@FashSerendipity

+ Seguir

**Imitation is the sincerest form of flattery?
Honduran Plantain chips Zambos vs copy
Gembo?! #SpottedInHouston**

Traducción



12:44 - 10 ene. 2015



Gembos @hip_ennui · 12 mar.
@FashSerendipity Gembos are the best



Link:

<https://www.facebook.com/photo.php?fbid=782442818480123&set=a.129663263758085.2.1088.100001432360696&type=1&theater>

Henry Martinez
December 7, 2014 · 🌐

Copiones queriendo igualar los sambos #gembos vs #sambos



Translation into ENG

Henry Martinez
Copycats, trying to match the Sambos #gembos vs #sambos

Wilson Alvarez: Zambos, pencee..
Gerson Chavarria: Zambos are better
Luis Rodriguez: Hey, they had to be Chinese
Alan Martinez: Lawsuit
Rene LeBoss: Wtf lol
Lizeth Cardenas Hernandez: Zambos is the man. . .

12 Likes 6 Comments

Like Share



Henry Martinez
December 7, 2014 · 🌐

Copiones queriendo igualar los sambos #gembos vs #sambos



12 Likes 6 Comments

Like Share

12 people like this.

Wilson Alvarez Zambos razaaaa... 🙄

December 7, 2014 at 7:46am · Like

Gerson Chavarria Zambos son mejores

December 7, 2014 at 8:47am · Like

Luis Rodriguez Yalla chinos tienen que ser 🙄🙄🙄

December 7, 2014 at 9:16am · Like

Alan Martinez Demanda

December 7, 2014 at 9:44am · Like

Rene LeBoss Wtf lol

December 7, 2014 at 2:34pm · Like

Lizeth Cárdenas Hernández Zambos papá...

December 7, 2014 at 8:49pm · Like · 🌟 1

“Catrachos” meaning: colloquial term for honduran person

Translation into ENG

Who do you think is going to win this Sunday?

#Zambos #Catrachos Or #Takis #mexicans

Link:

<https://www.facebook.com/photo.php?fbid=853771571358526&set=pcb.853772288025121&type=1&theater>



Latiendita Pinedas added 2 new photos.

June 16 · 🌐

Quien Crees que va a ganar este Domingo ?
#Zambos. #Catrachos O #Takis #mexicanos



22 Likes 15 Comments 1 Share

👍 Like ➦ Share

“Catrachos” meaning: colloquial term for honduran person

Link:

<https://www.facebook.com/photo.php?fbid=1569036536665871&set=a.1537909133111945.1073741827.100006786199188&type=1&theater>



Translation into ENG
Ec Rafa...hahaha they are imitating us
THEY WILL NEVER HAVE THE SAME FLAVOR
#CATRACHO PRODUCT #CHEAP IMITATION

Ec Rafa
These are the ORIGINALS
Jessica Martinez Ulloa (SMILEYS)
Estefania Alvarado
Where did you find that?
Ec Rafa
At a Hispanic store in hyattsville



“Catrachos” meaning: colloquial term for honduran person

Link Twitter:

https://twitter.com/hip_ennui

Gemboos TM

Tweets | **Following** 123 | **Followers** 131 | **Favorites** 1,870 | **Photos & videos**

Gemboos (@hip_ennui)
Crystal wizard of the bounceless stupidity. What 500 Teen Drama Character Ave You? & Other Glibly Talks. Loves dogs. Joined November 2009

Tweet | **Retweet** | **Reply** | **Favorite**

Gemboos (@hip_ennui) · Jul 31
Are you a cop sitting across a bar table from two sorority girls? Buy them some Picoso Gemboos and get a taste of chili and lime!

Travel Vibas (@TheWorld...) · Jul 23
Forget to bring Gemboos on your trip? Throw yourself off the roof of your hotel, idiot!

Who to follow · Refresh · View all

- Imael Cala** (@cala) · Followed by Carlos E. Wedel... Follow
- Travel Vibas** (@TheWorld...) · Followed by Male Thoughts... Follow
- Laughing** (@saxxaxaxax) · Followed by Male Thoughts... Follow

Find friends

Link Instagram

http://iconosquare.com/viewer.php#/detail/996588833010010498_666987993

6588833010010498_666987993

gembos

Crunchy Fresh!
Gembos
PICOSO
HANDMADE
SPICY
MILDLY CRISP
100% NATURAL
NO MSG
NO PRESERVATIVES
NO ARTIFICIAL FLAVORS

Yo quiero #zambos. Terminé la bolsa sin haberme dado cuenta del paquete y solo me fui por los colores de la bolsa. Supe que era zambos, pero la bolsa y me doy cuenta que son #gembos que están. Pero si meo, los churros me los como #vendimadecarapalposthincados

39 Jun 23, 2015

isymarilyn
@snacksyummies thanks for answering my message Zambos is already part of our culture and is like having a piece of our land here in the United States. Greetings from DC and let us know if you need anything! :)

Translation into ENG
isymarilyn
#honduranproblems #honduran #catracha #Honduras

dailyhonduras
Wow!!! We did not know there were cheap imitations of the Zambos from @snacksyummies, but translated into English

isymarilyn
@dailyhonduras these are Chinese brands at super markets being managed by them, where at the same time they sell Latino products. That's how they fool you lol

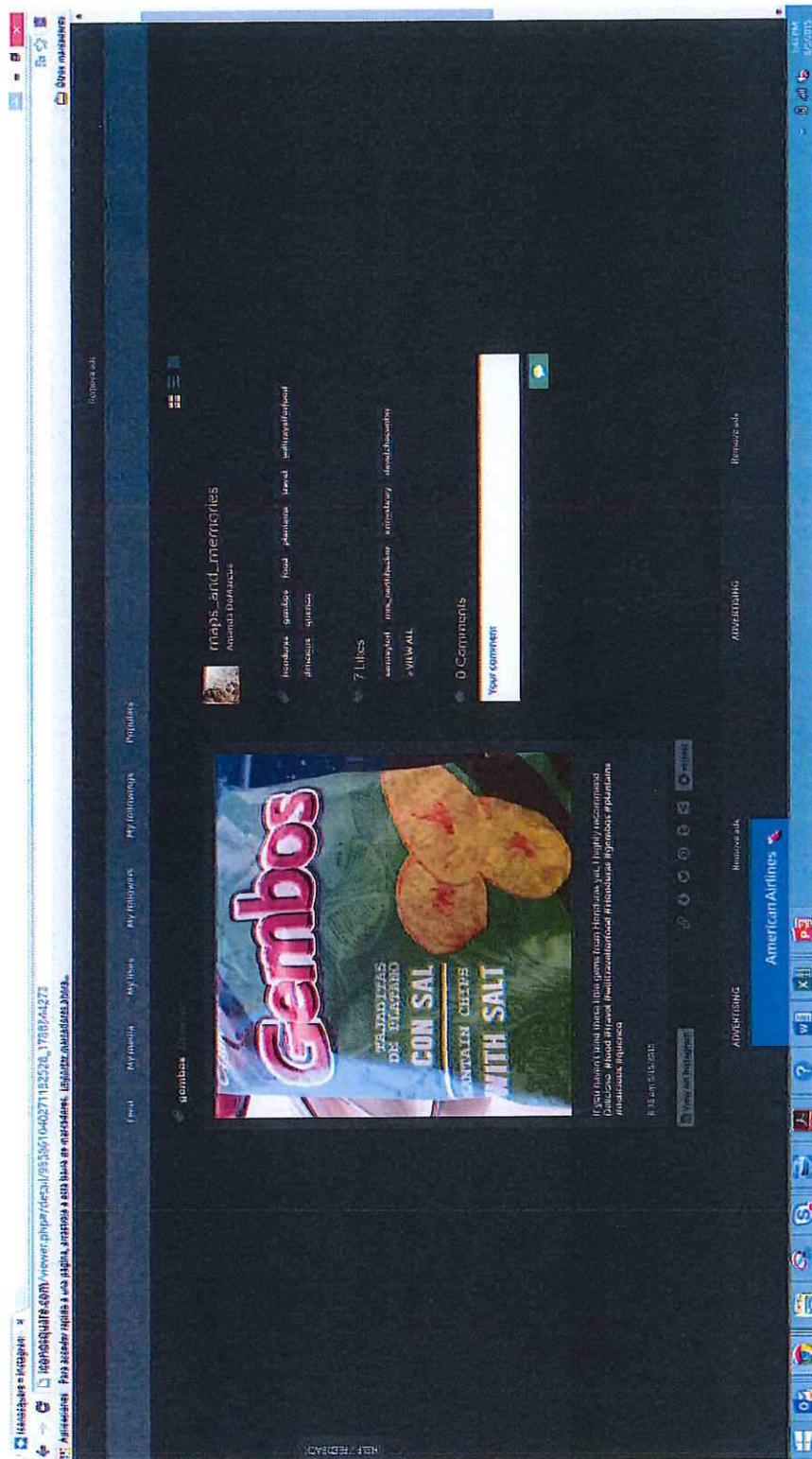
isymarilyn
@dailyhonduras me encantan los zambos en los supermercados. A veces se venden con una luz verde en la parte superior de la bolsa. Yo le apuro a uno lol

10 Likes
5 Comments

“Catrachos” meaning: colloquial term for honduran person

Link Instagram

http://iconosquare.com/viewer.php#/detail/985861040271182528_1788244273



Link Instagram

http://iconosquare.com/viewer.php#/detail/879679782268168601_25773065

zambos 3 años hace

Crunchy Bunch!

Gembos

PICOSO
AUNTAS DE PLATANO
CON CEBOLLA,
LIMON Y SAL

SPICY
PLANTAIN CHIPS
WITH CHILE,
LIME AND SALT

PLANTAIN CHIPS WITH
LIME AND SALT

vyrce Carlos Aguilar

shitsreal fuckit imitation zambos betterbegood

5 Likes

berbie0126 adibers21 rob_kingofthezone maini... > VIEW ALL

3 Comments

snacksyummies
Buuu!!!

vyrce
@snacksyummies they were very bad compared to zambos lol

snacksyummies
@vyrce thats good to know!! Jeje

Your comment

WTF?! #zambos #imitation #shitsreal #fuckit #betterbegood

6:33 am 12/20/2014

arcadesre. Importar mandadores ahora...



Houston
Fashion+Serendipity
twitter · 7 mths ago

imitation is the sincerest form of flattery? Honduran Plantain chips Zambos vs copy I Gambos?
#SpottedInHouston pic.twitter.com/cVYe ...

Link (Other)

<https://www.veooz.com/photos/hIDj7gC.html>

EXHIBIT 6



START

ABOUT US

ONLINE SHOP

CONTACT US

HOW TO BUY

CUSTOMERS AREA



Enlarge image

Gembos tajaditas banana with salt 150g.

The new image of Zambos! Gembos are exquisite banana slices with salt. Snacks to share at any time, anywhere, inimitable taste!

2,15 €

(Price including VAT)

buy



Characteristics

The characteristics of our products

Reference: ZAM003



Si no encuentras lo que buscas ponte en contacto con nosotros

Quick access

CUSTOMERS AREA

WEB MAP

Legal texts

LEGAL WARNING

PRIVACY POLICY

Contact

CONTACT US

Newsletter

Subscribe to our newsletter and receive all our news in your email.

escribe aqui tu email...

send

Importaculturas

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Online shop

OILS

BEVERAGES AND SPIRITS

COFFEE

GUM

CONDIMENTS AND SPICES

Frozen and refrigerated

CANNED

COSMETICS

SWEET AND SALTY

Argentina

Bolivia

Brazil

Chile

Colombia

Ecuador

Honduras

ITALY

Mexico

Paraguay

Peru

Dominican Republic

See all

NOODLES

Link:

<http://www.importaculturas.com/tienda-online/dulces-y-salados/gembos-tajaditas-de-platano-con-sal-150gr-.html>

IMPORTA CULTURAS
EL MUNDO EN TU MANO

Inicio | **Sobre nosotros** | **Tienda online** | **Contactanos** | **Como comprar** | **Zona clientes**

Si no encuentras lo que buscas ponte en contacto con nosotros

Tienda online
ACEITES
BEBIDAS Y LICORES
CAFE
CHICLES
CONDIMENTOS Y ESPECIAS
CONGELADOS Y REFRIGERADOS
CONSERVAS
COSMETICA
DULCES Y SALADOS

Gembos tajaditas de platano con sal 150gr.
La nueva imagen de Zambo's Gembos son unas exquisitas tajaditas de platano con sal. **Gembos salted plantain sliced chips 150gr.**
Zambo's new image! Gembos are exquisite salted plantain slices. They are snacks to share at any time, anywhere, with incomparable taste!
Las características de nuestros productos **2.15 (price with tax included)**
Referencia: **Exp. 1866**
Buy
Features
Our product's features
Reference

Comprar

Acceso rapido
ZONA CUENTAS
MAPA WEB

Textos legales
AVISO LEGAL
POLITICA PRIVACIDAD

Contacto
CONTACTANOS

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escribe aqui tu email... **Enviar**

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