

ESTTA Tracking number: **ESTTA725692**

Filing date: **02/08/2016**

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	PHILIP MORRIS USA INC.		
Entity	Corporation	Citizenship	Virginia
Address	6601 West Broad Street Richmond, VA 23230 UNITED STATES		

Attorney information	Ann K. Ford DLA Piper LLP (US) 500 8th Street, NW Washington, DC 20004 UNITED STATES ann.ford@dlapiper.com, thomas.zutic@dlapiper.com, john.nading@dlapiper.com, ashley.joyce@dlapiper.com, dctrade- marks@dlapiper.com Phone:202-799-4000
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### Registrations Subject to Cancellation

Registration No	3172861	Registration date	11/21/2006
Registrant	IP SERVICES INTERNATIONAL, INC. c/o DOUGLAS A. FRYMER Irwindale, CA 91706 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 034. First Use: 2005/01/15 First Use In Commerce: 2005/01/15 All goods and services in the class are cancelled, namely: Cigarettes and smoking tobacco
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### Grounds for Cancellation

Abandonment	Trademark Act section 14		
Registration No	3140971	Registration date	09/12/2006
Registrant	IP Services International, Inc. c/o Douglas A. Frymer Irwindale, CA 91706 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 034. First Use: 2002/06/00 First Use In Commerce: 2004/12/00 All goods and services in the class are cancelled, namely: CIGARETTES AND SMOKING TOBACCO
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### Grounds for Cancellation

Abandonment	Trademark Act section 14		
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Registration No	4218677	Registration date	10/02/2012
Registrant	IP Services International, Inc. 41st Street, Bella Vista Ipasa Building, Panama City, PANAMA		

### Goods/Services Subject to Cancellation

Class 034. First Use: 1995/12/31 First Use In Commerce: 1996/12/31 All goods and services in the class are cancelled, namely: Cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars
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### Grounds for Cancellation

Abandonment	Trademark Act section 14		
Registration No	4261884	Registration date	12/18/2012
Registrant	IP Services International, Inc. 41st Street, Bella Vista Ipasa Building, Panama City, PANAMA		

### Goods/Services Subject to Cancellation

Class 034. First Use: 2011/02/15 First Use In Commerce: 2012/07/15 All goods and services in the class are cancelled, namely: Cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars
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### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(47926 bytes ) Segment 001 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(1337907 bytes ) Segment 002 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(3235320 bytes ) Segment 003 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(4202621 bytes ) Segment 004 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(4558108 bytes ) Segment 005 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(4759445 bytes ) Segment 006 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(65259 bytes ) Segment 007 of Petition for Cancellation of Reg. Nos. 3172861 3140971 4218677 and 4261884.pdf(1309222 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Ann K. Ford/
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Name	Ann K. Ford
Date	02/08/2016

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

In the matter of Trademark  
Registration No. 3172861  
Mark: CROSSROADS & Design  
Filed: February 28, 2005  
Registered: November 21, 2006

In the matter of Trademark  
Registration No. 3140971  
Mark: NYC CLASSIC & Design  
Filed: April 25, 2005  
Registered: September 12, 2006

In the matter of Trademark  
Registration No. 4218677  
Mark: CARPE DIEM & Design  
Filed: February 15, 2011  
Registered: October 2, 2012

In the matter of Trademark  
Registration No. 4261884  
Mark: CARPE DIEM & Design  
Filed: February 15, 2011  
Registered: December 18, 2012

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PHILIP MORRIS USA INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. _____
	)	
IP SERVICES INTERNATIONAL, INC.,	)	
	)	
Registrant.	)	

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**PETITION FOR CANCELLATION**

Petitioner Philip Morris USA Inc. (“Petitioner”) believes that it is and will be damaged by the continued presence on the Principal Register of the following four Registrations owned by IP Services International, Inc. (“Registrant”):

A. Registration No. 3172861 for the trademark CROSSROADS & Design registered in connection with “cigarettes and smoking tobacco” in International Class 34 (“CROSSROADS & Design Mark”), as shown here:



B. Registration No. 3140971 for the trademark NYC CLASSIC & Design registered in connection with “cigarettes and smoking tobacco” in International Class 34 (“NYC CLASSIC & Design Mark”), as shown here:



C. Registration No. 4218677 for the trademark CARPE DIEM & Design registered in connection with “cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars” in International Class 34 (“CARPE DIEM & Design Mark”), as shown here:



D. Registration No. 4261884 for the trademark CARPE DIEM & Design registered in connection with “cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars” in International Class 34 (“Second CARPE DIEM & Design Mark”), as shown here:



(The CROSSROADS & Design Mark, NYC CLASSIC & Design Mark, CARPE DIEM & Design Mark, and Second CARPE DIEM & Design Mark, collectively, hereinafter, the “IP Services Marks” or “Registrations.”)

Petitioner hereby petitions to cancel said Registrations under the provisions of Section 14 of the Trademark Act of 1946 (“Lanham Act”), 15 U.S.C. §1064.

As grounds for the Cancellation, Petitioner alleges the following:

1. Petitioner is a Virginia corporation with a principal place of business at 6601 West Broad Street, Richmond, Virginia 23230.

2. Since 1883, Petitioner and its predecessors-in-interest have manufactured, marketed, and sold cigarettes, including the famous MARLBORO brand cigarettes in the United States. Petitioner is the largest cigarette company in the United States, with total cigarette shipment volume in the United States of approximately 125.4 billion units in 2014. Petitioner has obtained numerous federal trademark registrations with the United States Patent and Trademark Office (“USPTO”) for its trademarks and brands, and has invested substantial time, effort, and money in advertising and promoting its brands.

3. In connection with the MARLBORO brand, Petitioner uses in interstate commerce and owns the famous and distinctive Roof Design Trademarks (the “Roof Design Trademarks”), including numerous United States trademark registrations for tobacco products, namely, cigarettes, smokeless tobacco, and snus. The Roof Design Trademark is, essentially, a solid rectangle with a triangular cut-out, such that the bottom of the form is an inverted v-like “roof.” Since at least as early as 1954, Petitioner and its predecessors-in-interest have continuously used the Roof Design Trademarks in interstate commerce, which have become famous and iconic.

4. Petitioner owns at least 23 United States trademark registrations for the Roof Design Trademarks for tobacco products, namely, cigarettes, smokeless tobacco, and snus, in International Class 34, with a date of first use at least as early as 1954. A representative list of Petitioner’s Roof Design Trademark Registrations in the USPTO on the Principal Register include United States Trademark Registration Nos. 854007, 938510, 1038989, 1039413, 1544782, 1651628, 3289673, 3407884, 3407885, 3430525, 3430526, 3533467, 3533463, 3533466, 3533419, 3697044, 3695121, 3695118, 3695125, 3760578, 3787000, 3786999, and 4170978. Attached hereto as **Exhibit A** and made part of the record are true and correct copies of the United States Certificates of Registration and TESS print-outs for the aforementioned U.S. Trademark Registrations, as well as a Change of Name document, filed on or around February 12, 2003, with the USPTO.

5. At the time of filing this Petition for Cancellation, Petitioner believes that future applications it will file for the Roof Design Trademarks may be subject to refusal based on a claim of likelihood of confusion with the IP Services Marks, even though Petitioner predates Registrant with use of the Roof Design Trademarks.

6. Upon information and belief, Registrant is a Panama corporation having an address at “c/o” Douglas A. Frymer, 4981 Irwindale Avenue, Suite 100, Irwindale, California 91706 and 41st Street, Bella Vista Ipasa Building, Panama City, Panama.

7. On February 28, 2005, Registrant filed an application under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a), with the USPTO for registration of the CROSSROADS & Design Mark, with an alleged date of first use and first use in commerce of January 15, 2005. That application was assigned Serial No. 76632345. The CROSSROADS & Design Mark registered on the Principal Register on November 21, 2006 as Registration No. 3172861.

8. On April 25, 2005, Registrant filed an application under 15 U.S.C. § 1051(a) with the USPTO for registration of the NYC CLASSIC & Design Mark, with an alleged date of first use of June 30, 2002 and an alleged date of first use in commerce of December 31, 2004. That application was assigned Serial No. 76636811. The NYC CLASSIC & Design Mark registered on the Principal Register on September 12, 2006 as Registration No. 3140971.

9. On February 15, 2011, Registrant filed an intent-to-use application under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b), with the USPTO for registration of the CARPE DIEM & Design Mark, with an alleged date of first use of December 31, 1995 and an alleged date of first use in commerce of December 31, 1996. That application was assigned Serial No. 85243277. The CARPE DIEM & Design Mark registered on the Principal Register on October 2, 2012 as Registration No. 4218677.

10. On or around August 2, 2012, Registrant filed a Statement of Use and specimen for the CARPE DIEM & Design Mark, which specimen was not acceptable. Attached hereto as **Exhibit B** is a true and correct copy of the specimen for the CARPE DIEM & Design Mark. Specifically, the specimen included the prominent language “NYC PREMIUM,” and “FILTER

CIGARETTES,” “MENTHOL HIGH AIR FILTER BOX,” and “20 CLASS A CIGARETTES,” none of which is depicted in the CARPE DIEM & Design Mark as applied for and allowed. As such, the specimen does not show Registrant using in commerce the CARPE DIEM & Design Mark as applied for and, as a result, the Statement of Use should have not have been accepted and no registration should have issued.

11. On February 15, 2011, Registrant filed an intent-to-use application under 15 U.S.C. § 1051(b) with the USPTO for registration of the Second CARPE DIEM & Design Mark, with an alleged date of first use of February 15, 2011 and an alleged date of first use in commerce of July 15, 2012. That application was assigned Serial No. 85243276. The Second CARPE DIEM & Design Mark registered on the Principal Register on December 18, 2012 as Registration No. 4261884.

12. On or around August 1, 2012, Registrant filed a Statement of Use and specimen for the Second CARPE DIEM & Design Mark. On August 21, 2012, the Examiner rejected the specimen as “not acceptable because it consists of advertising material for goods.” On or around October 17, 2012, Registrant filed a substitute specimen for the Second CARPE DIEM & Design Mark, which specimen was also not acceptable. Attached hereto as **Exhibit C** is a true and correct copy of the substitute specimen for the Second CARPE DIEM & Design Mark. Specifically, the specimen included the prominent language “NYC CLASSIC” and “FILTER CIGARETTES,” none of which is depicted in the Second CARPE DIEM & Design Mark as applied for and allowed. Further, the design depicted in the substitute specimen is elongated vertically and thus not reflective of the applied for mark. As such, the substitute specimen does not show Registrant using in commerce the Second CARPE DIEM & Design Mark as applied

for and, as a result, the Statement of Use should not have been accepted and no registration should have issued.

13. Petitioner files this Petition for Cancellation because, upon information and belief and as set forth below, Registrant has abandoned and is no longer using the IP Services Marks as depicted in the Registrations.

14. Petitioner is concerned that the Registrations may interfere with applications and registrations it may seek in the future for the Roof Design Trademarks and, therefore, Petitioner will be damaged by the continued presence of the Registrations on the Principal Register.

**ABANDONMENT**  
**SECTIONS 14 & 45 OF THE LANHAM ACT, 15 U.S.C. §§ 1064 & 1127**

15. Petitioner re-alleges the allegations contained in Paragraphs 1 through 14 of this Petition for Cancellation.

16. Upon information and belief, Registrant is not using the IP Services Marks, as depicted in the Registrations, for “cigarettes and smoking tobacco” and “cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars”, respectively, in the United States.

17. Upon information and belief, Registrant has not used the IP Services Marks, as depicted in the Registrations, for “cigarettes and smoking tobacco” and “cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars”, respectively, in the United States for at least three consecutive years.

18. Upon information and belief, Registrant has no intent to resume use of the IP Services Marks, as depicted in the Registrations, for “cigarettes and smoking tobacco” and “cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars”, respectively, in the United States.

19. Intent not to resume may be inferred from circumstances. Nonuse for three consecutive years is *prima facie* evidence of abandonment. 15 U.S.C. § 1127.

20. Registrant has abandoned the IP Services Marks, as depicted in the Registrations, within the meaning of Section 45 of the Lanham Act, 15 U.S.C. § 1127, because of Registrant's non-use of the IP Services Marks for "cigarettes and smoking tobacco" and "cigarettes; smoking tobacco; chewing tobacco; loose leaf tobacco; cigars", respectively, in the United States with no intent to resume use of the marks.

21. Since Registrant has abandoned the IP Services Marks, as depicted in the Registrations, the Registrations are subject to cancellation under Section 14 of the Lanham Act, 15 U.S.C. § 1064.

By virtue of the foregoing, Petitioner believes that it is now and will be damaged by the continued presence on the Principal Register of Registration Nos. 3172861, 3140971, 4218677, and 4261884 for the IP Services Marks. If Registrant is permitted to maintain the Registrations and retain such rights as conferred under the Principal Register of the Lanham Act, Registrant will retain unlawful gain and advantage to which Registrant is not entitled under the Lanham Act, to the detriment and harm of Petitioner.

WHEREFORE, Petitioner believes and avers that it is being, and will continue to be, damaged by Registration Nos. 3172861, 3140971, 4218677, and 4261884 for the IP Services Marks, and respectfully requests that Registration Nos. 3172861, 3140971, 4218677, and 4261884 be cancelled and that this Petition for Cancellation be sustained in favor of Petitioner.

Petitioner hereby appoints Ann K. Ford, a member of the Bar of the District of Columbia, Thomas E. Zutic, a member of the Bar of the District of Columbia, John M. Nading, a member of the Bar of the District of Columbia, Eunice R. Chung, a member of the Bar of the District of

Columbia, David M. Kramer, a member of the Bar of the District of Columbia, Ashley H. Joyce, a member of the Bar of the District of Columbia, and all of the law firm of DLA Piper LLP (US), 500 8th Street, NW, Washington, DC 20004, telephone number (202) 799-4000, to transact all business in the USPTO in connection with this Cancellation Proceeding and hereby revokes all previous powers of attorney herein.

Please address all correspondence to:

Ann K. Ford, Esq.  
DLA Piper LLP (US)  
500 8th Street, NW  
Washington, DC 20004  
*dctrademarks@dlapiper.com*

The filing fee for this Cancellation in the amount of \$1,200.00 is hereby electronically transferred with the submission of the Petition for Cancellation.

The undersigned, registered agent for Petitioner herein, states that she is authorized to prosecute this Cancellation, that she has read and signed the foregoing Petition for Cancellation and knows the contents thereof, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of this Cancellation and any decision resulting therefrom.

Dated: February 8, 2016

Respectfully submitted,

**DLA PIPER LLP (US)**

By: /s/ Ann K. Ford  
Ann K. Ford  
Thomas E. Zutic  
John M. Nading  
Ashley H. Joyce  
500 8th Street, NW  
Washington, D.C. 20004  
Tel. 202-799-4000  
Fax 202-799-5000

*Attorneys for Petitioner  
Philip Morris USA Inc.*

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **PETITION FOR CANCELLATION** was served via U.S. First Class Mail, postage prepaid, and properly addressed to Registrant:

IP Services International, Inc.  
c/o Douglas A. Frymer  
4981 Irwindale Avenue, Suite 100  
Irwindale, California 91706

IP Services International, Inc.  
41st Street  
Bella Vista Ipasa Building  
Panama City, Panama

Marc E. Hankin  
Hankin Patent Law, A.P.C.  
11414 Thurston Circle  
Los Angeles, California 90049

this 8th day of February, 2016.

/s/ Ann K. Ford  
Ann K. Ford  
*Attorney for Petitioner*

**EXHIBIT A**

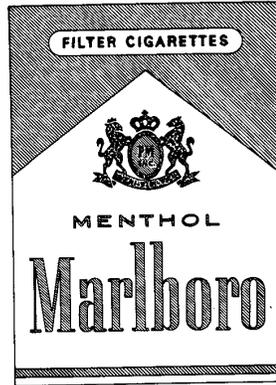
Int. Cl.: 34

Prior U.S. Cl.: 17

United States Patent and Trademark Office  
Renewal

Reg. No. 854,007  
Registered Aug. 6, 1968  
OG Date Jan. 3, 1989

TRADEMARK  
PRINCIPAL REGISTER



PHILIP MORRIS INCORPORATED (VIR-  
GINIA CORPORATION)  
100 PARK AVE.  
NEW YORK, NY 10017

OWNER OF U.S. REG. NOS. 68,502,  
632,881 AND OTHERS.

APPLICANT DISCLAIMS THE  
WORDS "FILTER CIGARETTES" AND  
"MENTHOL" AS WELL AS THE DIS-  
CLAIMER OF THE REPRESENTATION  
OF A PACKAGE AS SUCH.

THE DRAWING IS LINED FOR THE  
COLORS GREEN AND GOLD AND  
CLAIMED AS A FEATURE OF THE  
MARK.

THE LATIN WORDS "VENI-VIDI-  
VICI" MAY BE TRANSLATED AS "I  
CAME-I SAW-I CONQUERED."

FOR: CIGARETTES, IN CLASS 17  
(INT. CL. 34).

FIRST USE 2-4-1966; IN COMMERCE  
2-4-1966.

SER. NO. 241,508, FILED 3-21-1966.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Jan. 3, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS



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**Word Mark** MARLBORO MENTHOL FILTER CIGARETTES VENI-VIDI-VICI PM INC.  
**Translations** THE LATIN WORDS "VENI-VIDI-VICI" MAY BE TRANSLATED AS "I CAME-I SAW-I CONQUERED."  
**Goods and Services** IC 034. US 017. G & S: CIGARETTES. FIRST USE: 19660204. USED IN ANOTHER FORM 1883 IN ANOTHER FORM. FIRST USE IN COMMERCE: 19660204  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design** 03.01.02 - Lion insignia (heraldic lion)  
**Search Code** 19.07.03 - Boxes, cigarette  
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
**Serial Number** 72241508  
**Filing Date** March 21, 1966  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Registration Number** 0854007  
**Registration Date** August 6, 1968  
**Owner** (REGISTRANT) PHILIP MORRIS INCORPORATED CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
 (LAST LISTED OWNER) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
**Assignment** ASSIGNMENT RECORDED

**Recorded****Attorney of Record** Robyn Ettricks**Prior Registrations** 0068502;0632881;AND OTHERS**Disclaimer** APPLICANT DISCLAIMS THE WORDS "FILTER CIGARETTES" AND "MENTHOL" AS WELL AS THE DISCLAIMER OF THE REPRESENTATION OF A PACKAGE AS SUCH.**Description of Mark** THE DRAWING IS LINED FOR THE COLORS GREEN AND GOLD AND CLAIMED AS A FEATURE OF THE MARK.**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECTION 8(10-YR) 20080731.**Renewal** 2ND RENEWAL 20080731**Live/Dead Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[| HOME](#) [| SITE INDEX](#) [| SEARCH](#) [| eBUSINESS](#) [| HELP](#) [| PRIVACY POLICY](#)

# United States Patent Office

938,510  
Registered July 25, 1972

## PRINCIPAL REGISTER Trademark

Ser. No. 387,884, filed Mar. 30, 1971



Philip Morris Incorporated (Virginia corporation)  
100 Park Ave.  
New York, N.Y. 10017

For: CIGARETTES, in CLASS 17 (INT. CL. 34).  
First use 1883; in commerce 1883.  
Applicant disclaims the words "Filter Cigarettes" apart  
from the mark as shown.  
The drawing is lined to indicate the colors red and gold  
and these colors are used and claimed as a feature of the  
mark.  
Owner of Reg. Nos. 68,502, 854,007, and others.



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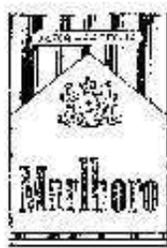
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**Word Mark** MARLBOROFILTER CIGARETTES  
**Goods and Services** IC 034. US 017. G & S: CIGARETTES. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19540000  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 03.05.01 - Horses  
 03.05.26 - Costumed horses, donkeys, zebras  
 04.05.25 - Other mythological or legendary animals  
 19.07.03 - Boxes, cigarette  
 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon  
**Serial Number** 72387884  
**Filing Date** March 30, 1971  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 0938510  
**Registration Date** July 25, 1972  
**Owner** (REGISTRANT) PHILIP MORRIS INCORPORATED CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
 (LAST LISTED OWNER) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 23230

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0854007;AND OTHERS

**Disclaimer** APPLICANT DISCLAIMS THE WORDS "FILTER CIGARETTES" APART FROM THE MARK AS SHOWN.

**Description of Mark** THE DRAWING IS LINED TO INDICATE THE COLORS RED AND GOLD AND THESE COLORS ARE USED AND CLAIMED AS A FEATURE OF THE MARK.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120802.

**Renewal** 3RD RENEWAL 20120802

**Live/Dead Indicator** LIVE

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Int. Cl.: 34

Prior U.S. Cl.: 17

United States Patent Office

Reg. No. 1,038,989

Registered May 4, 1976

**TRADEMARK**  
Principal Register



Philip Morris Incorporated (Virginia corporation)  
100 Park Ave.  
New York, N.Y. 10017

For: CIGARETTES, in CLASS 17 (INT. CL. 34).

First use not later than Sept. 2, 1971; in commerce not later than Sept. 2, 1971.

The word "Lights" is expressly disclaimed apart from the mark in its entirety. Without waiving its common law rights thereto, applicant disclaims exclusive right to the phrases "Filter Cigarettes" and "Lowered Tar and Nicotine" apart from the mark as shown.

The words "Veni-Vidi-Vici" are Latin and mean "I came, I saw, I conquered."

The drawing is lined for the color gold.

Owner of Reg. Nos. 68,502, 848,109, and others.

Ser. No. 430,003, filed July 17, 1972.



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**Word Mark** MARLBORO LIGHTS FILTER CIGARETTES LOWERED TAR & NICOTINE VENI VIDI VICI  
**Translations** THE WORDS "VENI-VIDI-VICI" ARE LATIN AND MEAN "I CAME, I SAW, I CONQUERED."  
**Goods and Services** IC 034. US 017. G & S: CIGARETTES. FIRST USE: 19710902. FIRST USE IN COMMERCE: 19710902  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design** 03.01.02 - Lion insignia (heraldic lion)  
**Search Code** 19.07.03 - Boxes, cigarette  
 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon  
 26.15.21 - Polygons that are completely or partially shaded  
**Serial Number** 72430003  
**Filing Date** July 17, 1972  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Registration Number** 1038989  
**Registration Date** May 4, 1976  
**Owner** (REGISTRANT) PHILIP MORRIS INCORPORATED CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0848109;AND OTHERS

**Disclaimer** THE WORD "LIGHTS" IS EXPRESSLY DISCLAIMED APART FROM THE MARK IN ITS ENTIRETY. WITHOUT WAIVING ITS COMMON LAW RIGHTS THERETO, APPLICANT DISCLAIMS EXCLUSIVE RIGHT TO THE PHRASES "FILTER CIGARETTES" AND "LOWERED TAR AND NICOTINE" APART FROM THE MARK AS SHOWN.

**Description of Mark** THE DRAWING IS LINED FOR THE COLOR GOLD.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060708.

**Renewal** 2ND RENEWAL 20060708

**Live/Dead Indicator** LIVE

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Int. Cl.: 34

Prior U.S. Cl.: 17

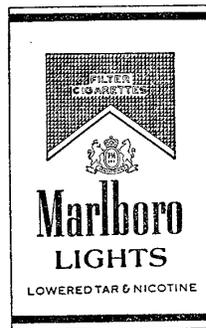
United States Patent Office

Reg. No. 1,039,413

Registered May 11, 1976

**TRADEMARK**

Principal Register



Philip Morris Incorporated (Virginia corporation)  
100 Park Ave.  
New York, N.Y. 10017

For: CIGARETTES, in CLASS 17 (INT. CL. 34).  
First use not later than Sept. 2, 1971; in commerce not later than Sept. 2, 1971.  
The word "Lights" is expressly disclaimed apart from the mark in its entirety.  
The words "Veni-Vidi-Vici" are Latin and mean "I came, I saw, I conquered."  
Owner of Reg. Nos. 68,502, 760,533, and others.

Ser. No. 430,002, filed July 17, 1972.



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**Word Mark** MARLBORO LIGHTS FILTER CIGARETTES LOWERED TAR & NICOTINE VENI VEDI VICI PM

**Translations** THE WORDS "VENI-VIDI-VICI" ARE LATIN AND MEAN "I CAME, I SAW, I CONQUERED."

**Goods and Services** IC 034. US 017. G & S: CIGARETTES. FIRST USE: 19710902. FIRST USE IN COMMERCE: 19710902

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 03.01.02 - Lion insignia (heraldic lion)  
19.07.03 - Boxes, cigarette  
24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon  
26.15.21 - Polygons that are completely or partially shaded

**Serial Number** 72430002

**Filing Date** July 17, 1972

**Current Basis** 1A

**Original Filing Basis** 1A

**Registration Number** 1039413

**Registration Date** May 11, 1976

**Owner** (REGISTRANT) PHILIP MORRIS INCORPORATED CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
  
(LAST LISTED OWNER) PHILIP MOFFIS USA INC. CORPORATION VIRGINIA 6601 West Broad Street RICHMONS VIRGINIA 23230

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0760533;AND OTHERS

**Disclaimer** THE WORD "LIGHTS" IS EXPRESSLY DISCLAIMED APART FROM THE MARK IN ITS ENTIRETY.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060708.

**Renewal** 2ND RENEWAL 20060708

**Live/Dead Indicator** LIVE

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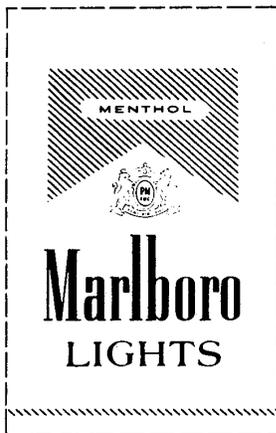
Int. Cl.: 34

Prior U.S. Cl.: 17

Reg. No. 1,544,782

United States Patent and Trademark Office Registered June 20, 1989

TRADEMARK  
PRINCIPAL REGISTER



PHILIP MORRIS INCORPORATED (VIRGINIA CORPORATION)  
100 PARK AVENUE  
NEW YORK, NY 10017

FOR: CIGARETTES, IN CLASS 34 (U.S. CL. 17).

FIRST USE 3-2-1987; IN COMMERCE 8-3-1987.

OWNER OF U.S. REG. NOS. 68,502, 1,189,524 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIGHTS", "MENTHOL" AND "INC.", APART FROM THE MARK AS SHOWN.

THE LINING IN THE DRAWING REPRESENTS THE COLOR GREEN, THE WORD "MENTHOL" IS IN GREEN AND THE CREST IS IN GOLD WITH THE INNER OVAL PORTION IN RED AND COLOR IS CLAIMED AS A FEATURE OF THE MARK.

THE DOTTED LINES ON THE DRAWING ARE NOT PART OF THE MARK AND SERVE ONLY TO SHOW THE POSITION OF THE MARK ON THE GOODS.

SER. NO. 689,962, FILED 10-16-1987.

ROGER KATZ, EXAMINING ATTORNEY



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**Word Mark** MARLBORO LIGHTS MENTHOL PM INC  
**Goods and Services** IC 034. US 017. G & S: CIGARETTES. FIRST USE: 19870302. FIRST USE IN COMMERCE: 19870803  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 19.07.03 - Boxes, cigarette  
**Serial Number** 73689962  
**Filing Date** October 16, 1987  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** March 28, 1989  
**Registration Number** **1544782**  
**Registration Date** June 20, 1989  
**Owner** (REGISTRANT) PHILIP MORRIS INCORPORATED CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603  
 (LAST LISTED OWNER) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 23230

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0632881;0854007;1038989;1039412;1039413;1189524;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIGHTS", "MENTHOL" AND "INC." APART FROM THE MARK AS SHOWN

**Description of Mark** THE DOTTED LINES ON THE DRAWING ARE NOT PART OF THE MARK AND SERVE ONLY TO SHOW THE POSITION OF THE MARK ON THE GOODS. THE LINING IN THE DRAWING REPRESENTS THE COLOR GREEN, THE WORD "MENTHOL" IS IN GREEN AND THE CREST IS IN GOLD WITH THE INNER OVAL PORTION IN RED AND COLOR IS CLAIMED AS A FEATURE OF THE MARK.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090604.

**Renewal** 1ST RENEWAL 20090604

**Live/Dead Indicator** LIVE

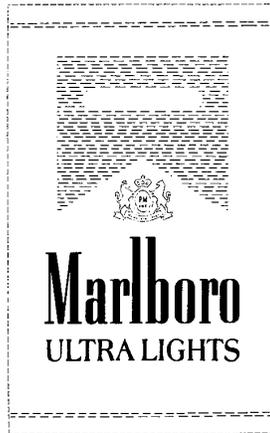
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Int. Cl.: 34

Prior U.S. Cl.: 17

**United States Patent and Trademark Office** **Reg. No. 1,651,628**  
Registered July 23, 1991

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS INCORPORATED (VIRGINIA CORPORATION)  
100 PARK AVENUE  
NEW YORK, NY 10017

FOR: CIGARETTES, IN CLASS 34 (U.S. CL. 17).

FIRST USE 10-2-1989; IN COMMERCE 10-2-1989.

OWNER OF U.S. REG. NOS. 68,502, 1,544,782 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ULTRA LIGHTS", APART FROM THE MARK AS SHOWN.

THE DRAWING IS LINED FOR THE COLOR SILVER.

THE ENTIRE CREST DESIGN IS GOLD WITH THE EXCEPTION OF THE INNER CIRCLE WHICH IS RED WHEREIN THE WORD PM INC. APPEARS. PM INC. AND THE LATIN WORDS VENI, VIDI, VICI ARE WHITE. THE DOTTED LINES SURROUNDING THE MARK ARE USED TO SHOW THE POSITION OF THE MARK ON THE GOODS, AND NO CLAIM IS MADE THERETO.

THE ENGLISH TRANSLATION OF THE WORDS "VENI, VIDI, VICI" IN THE MARK IS "I CAME, I SAW, I CONQUERED."

SER. NO. 74-075,799, FILED 7-2-1990.

LISA L. KNIGHT, EXAMINING ATTORNEY



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## Record 1 out of 1

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**Word Mark** MARLBORO FILTER CIGARETTES PM USA 20 CLASS A CIGARETTES  
**Goods and Services** IC 034. US 017. G & S: cigarettes. FIRST USE: 19891002. FIRST USE IN COMMERCE: 19891002  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 19.07.03 - Boxes, cigarette  
**Serial Number** 74075799  
**Filing Date** July 2, 1990  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** April 30, 1991  
**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 1651628  
**Registration Date** July 23, 1991  
**Owner** (REGISTRANT) Philip Morris Incorporated CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603

(LAST LISTED OWNER) PHILIP MORRIS USA INC. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 232616603

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0632881;0854007;0880337;0938510;0956042;1038989;1039412;1039413;1189524;1544782;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FILTER CIGARETTES" " USA" "20 CLASS A CIGARETTES" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) silver, dark silver, gold, red, white, and black is/are claimed as a feature of the mark. The mark consists of a silver roof design with dark silver stippling located at the top of the design. Within the roof is a white oval with a with the words FILTER CIGARETTES in silver. A gold crest with a red oval center with the words PM USA in white is located directly under the middle of the silver roof design. The word MARLBORO in black is located in the lower portion of the design directly above the words 20 CLASS A CIGARETTES in gold. There is a silver line located at the top and bottom of the design. The background of the design is white.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20110927.

**Renewal** 2ND RENEWAL 20110927

**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

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

**United States Patent and Trademark Office**

**Reg. No. 3,289,673**

**Registered Sep. 11, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

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

FIRST USE 2-12-2007; IN COMMERCE 2-12-2007.

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA AND MENTHOL AND SMOOTH", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A ROOF DESIGN LOCATED AT THE TOP OF THE DESIGN. WITHIN THE ROOF IS AN OVAL WITH A LINING WITH THE WORD MENTHOL WITHIN THE OVAL. A CREST WITH AN OVAL CENTER WITH THE WORDS PM USA LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORDS MARLBORO SMOOTH ARE LOCATED IN THE LOWER PORTION OF THE DESIGN DIRECTLY ABOVE THE WORDS UNIQUELY RICH & SMOOTH. THERE IS A LINE LOCATED AT THE BOTTOM OF THE DESIGN.

SER. NO. 77-049,118, FILED 11-21-2006.

ROBIN CHOSID, EXAMINING ATTORNEY



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**Word Mark** MENTHOL PM USA MARLBORO SMOOTH UNIQUELY RICH & SMOOTH  
**Goods and Services** IC 034. US 002 008 009 017. G & S: Cigarettes. FIRST USE: 20070212. FIRST USE IN COMMERCE: 20070212  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 03.01.02 - Lion insignia (heraldic lion)  
 07.07.03 - Roofs, dwelling or building  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 25.01.25 - Borders, ornamental; Other framework and ornamental borders  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.26 - Oblongs as carriers for words, letters or designs  
**Trademark Search Facility Classification Code** ANI-MAMM Mammalia; accurate depiction of warm-blooded animals except for human beings  
 ART-10.01 Tobacco; smoker's materials; matches  
 BLDG-AND-SCEN A type of building or a type of scenery  
 LETS-2 PM Two letters or combinations of multiples of two letters  
 LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark  
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks  
 SHAPES-BAR-BANDS Designs with bar, bands or lines  
 SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper  
**Serial Number** 77049118  
**Filing Date** November 21, 2006  
**Current Basis** 1A  
**Original Filing** 1B

**Basis**

**Published for Opposition** June 26, 2007

**Registration Number** 3289673

**Registration Date** September 11, 2007

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0632881;0938510;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA and MENTHOL and SMOOTH"  
APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a roof design located at the top of the design. Within the roof is an oval with a lining with the word MENTHOL within the oval. A crest with an oval center with the words PM USA located directly under the middle of the roof design. The words MARLBORO SMOOTH are located in the lower portion of the design directly above the words UNIQUELY RICH & SMOOTH. There is a line located at the bottom of the design.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

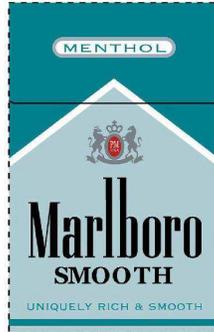
**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 3,407,884**

**Registered Apr. 8, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)

6601 WEST BROAD STREET  
RICHMOND, VA 23230

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

FIRST USE 2-12-2007; IN COMMERCE 2-12-2007.

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" AND "MENTHOL" AND "SMOOTH", APART FROM THE MARK AS SHOWN.

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

THE MARK CONSISTS OF A DARK TEAL ROOF DESIGN LOCATED AT THE TOP OF THE DESIGN. WITHIN THE DARK TEAL ROOF IS A WHITE OVAL WITH A SILVER LINING WITH THE WORD MENTHOL IN DARK TEAL. THERE IS A WHITE LINE SEPARATING THE DARK TEAL ROOF DESIGN FROM THE LIGHT BLUE BACKGROUND. A SILVER CREST WITH A RED OVAL CENTER WITH THE WORDS PM USA IN WHITE LOCATED DIRECTLY UNDER THE MIDDLE OF THE DARK TEAL ROOF DESIGN. THE WORDS MARLBORO SMOOTH IN BLACK ARE LOCATED IN THE LOWER PORTION OF THE DESIGN DIRECTLY ABOVE THE WORDS UNIQUELY RICH & SMOOTH IN DARK TEAL. THERE IS A DARK TEAL LINE LOCATED AT THE BOTTOM OF THE DESIGN. THE BACKGROUND OF THE DESIGN IS LIGHT BLUE.

SER. NO. 77-049,095, FILED 11-21-2006.

ROBIN CHOSID, EXAMINING ATTORNEY



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#### Word Mark

MENTHOL PM USA MARLBORO SMOOTH UNIQUELY RICH & SMOOTH

#### Goods and Services

IC 034. US 002 008 009 017. G & S: Cigarettes. FIRST USE: 20070212. FIRST USE IN COMMERCE: 20070212

#### Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

#### Design Search Code

03.01.02 - Lion insignia (heraldic lion)  
 07.07.03 - Roofs, dwelling or building  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 25.01.25 - Borders, ornamental; Other framework and ornamental borders  
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.26 - Oblongs as carriers for words, letters or designs

#### Trademark Search Facility Classification Code

ART-19.07 Small containers  
 ART-24.09 Flags, banners  
 ART-24.11 Crowns  
 ART-25.01 Framework  
 BLDG-AND-SCEN A type of building or a type of scenery  
 GROT-ANI Exaggerated depiction of an animal  
 LETS-2 PM Two letters or combinations of multiples of two letters  
 LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark  
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-MISC Miscellaneous shaped designs

SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper

**Serial Number** 77049095  
**Filing Date** November 21, 2006  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** January 22, 2008  
**Registration Number** **3407884**  
**Registration Date** April 8, 2008  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
 Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0068502;0632881;0938510;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" AND "MENTHOL" AND "SMOOTH" APART FROM THE MARK AS SHOWN  
**Description of Mark** The color(s) teal, light blue, silver, white, black, and red is/are claimed as a feature of the mark. The mark consists of a dark teal roof design located at the top of the design. Within the dark teal roof is a white oval with a silver lining with the word MENTHOL in dark teal. There is a white line separating the dark teal roof design from the light blue background. A silver crest with a red oval center with the words PM USA in white located directly under the middle of the dark teal roof design. The words MARLBORO SMOOTH in black are located in the lower portion of the design directly above the words UNIQUELY RICH & SMOOTH in dark teal. There is a dark teal line located at the bottom of the design. The background of the design is light blue.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

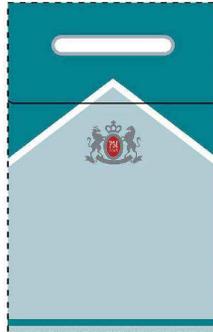
**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 3,407,885**

Registered Apr. 8, 2008

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

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

FIRST USE 2-12-2007; IN COMMERCE 2-12-2007.

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", APART FROM THE MARK AS SHOWN.

THE COLOR(S) TEAL, LIGHT BLUE, SILVER, WHITE, AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A DARK TEAL ROOF DESIGN LOCATED AT THE TOP OF THE DESIGN. WITHIN THE DARK TEAL ROOF IS A WHITE OVAL WITH A SILVER LINING. THERE IS A WHITE LINE SEPARATING THE DARK TEAL ROOF DESIGN FROM THE LIGHT BLUE BACKGROUND. A SILVER CREST WITH A RED OVAL CENTER LOCATED DIRECTLY UNDER THE MIDDLE OF THE DARK TEAL ROOF DESIGN. THERE IS A DARK TEAL LINE LOCATED AT THE BOTTOM OF THE DESIGN. THE BACKGROUND OF THE DESIGN IS LIGHT BLUE.

SER. NO. 77-049,167, FILED 11-21-2006.

ROBIN CHOSID, EXAMINING ATTORNEY



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**Word Mark**

PM USA

**Goods and Services**

IC 034. US 002 008 009 017. G & S: Cigarettes. FIRST USE: 20070212. FIRST USE IN COMMERCE: 20070212

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code**

03.01.02 - Lion insignia (heraldic lion)  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 25.01.25 - Borders, ornamental; Other framework and ornamental borders  
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.27 - Oblongs not used as carriers for words, letters or designs

**Trademark Search Facility Classification Code**

ANI-MAMM Mammalia; accurate depiction of warm-blooded animals except for human beings  
 ART-19.07 Small containers  
 ART-24.11 Crowns  
 ART-25.01 Framework  
 SHAPES-BAR-BANDS Designs with bar, bands or lines  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals

**Serial Number**

77049167

**Filing Date**

November 21, 2006

**Current Basis**

1A

**Original Filing Basis**

1B

**Published for Opposition** January 22, 2008

**Registration Number** 3407885

**Registration Date** April 8, 2008

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0632881;0938510;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) teal, light blue, silver, white, and red is/are claimed as a feature of the mark. The mark consists of a dark teal roof design located at the top of the design. Within the dark teal roof is a white oval with a silver lining. There is a white line separating the dark teal roof design from the light blue background. A silver crest with a red oval center located directly under the middle of the dark teal roof design. There is a dark teal line located at the bottom of the design. The background of the design is light blue.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

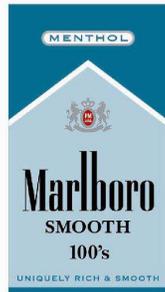
**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 3,430,525**

**Registered May 20, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)

6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 9-10-2007; IN COMMERCE 9-10-2007.

OWNER OF U.S. REG. NOS. 68,502, 3,274,040 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL, SMOOTH 100'S" AND "USA", APART FROM THE MARK AS SHOWN.

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

THE MARK CONSISTS OF DARK TEAL ROOF DESIGN LOCATED AT THE TOP OF THE DESIGN. WITHIN THE DARK TEAL ROOF IS A WHITE OVAL WITH A SILVER LINING WITH THE WORD "MENTHOL" IN DARK TEAL. THERE IS A WHITE LINE SEPARATING THE DARK TEAL ROOF DESIGN FROM THE LIGHT BLUE BACKGROUND. A SILVER CREST WITH A RED OVAL CENTER WITH THE WORDS "PM USA" IN WHITE LOCATED DIRECTLY UNDER THE MIDDLE OF THE DARK TEAL ROOF DESIGN. THE WORDS "MARLBORO SMOOTH 100'S" IN BLACK ARE LOCATED IN THE LOWER PORTION OF THE DESIGN DIRECTLY ABOVE THE WORDS "UNIQUELY RICH & SMOOTH" IN DARK TEAL. THERE IS A DARK TEAL LINE LOCATED AT THE BOTTOM OF THE DESIGN. THE BACKGROUND OF THE DESIGN IS LIGHT BLUE.

SER. NO. 77-275,616, FILED 9-10-2007.

CYNTHIA SLOAN, EXAMINING ATTORNEY



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**Word Mark** MARLBORO SMOOTH 100'S MENTHOL UNIQUELY RICH & SMOOTH PM USA  
**Goods and Services** IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20070910. FIRST USE IN COMMERCE: 20070910  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 03.05.24 - Stylized horses, donkeys, zebras  
 05.03.01 - Tobacco leaves  
 10.01.02 - Cigarettes; Holders, cigarette and cigar  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 26.03.02 - Ovals, plain single line; Plain single line ovals  
 26.15.01 - Polygons as carriers or as single or multiple line borders  
**Trademark Search Facility Classification Code** ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings  
 ART-10.01 Tobacco; smoker's materials; matches  
 ART-19.07 Small containers  
 ART-24.09 Flags, banners  
 LETS-2 PM Two letters or combinations of multiples of two letters  
 LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark  
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks  
 NUM-100 The Numeral 100  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 VEG Plant life such as trees,flowers,fruits,grains,nuts,wreaths,and leaves  
**Serial Number** 77275616  
**Filing Date** September 10, 2007  
**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** March 4, 2008

**Registration Number** 3430525

**Registration Date** May 20, 2008

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Etricks

**Prior Registrations** 0068502;0938510;3274040;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL, SMOOTH 100'S" AND "USA" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) teal, light blue, silver, white, black, and red is/are claimed as a feature of the mark. The mark consists of dark teal roof design located at the top of the design. Within the dark teal roof is a white oval with a silver lining with the word "MENTHOL" in dark teal. There is a white line separating the dark teal roof design from the light blue background. A silver crest with a red oval center with the words "PM USA" in white located directly under the middle of the dark teal roof design. The words "MARLBORO SMOOTH 100's" in black are located in the lower portion of the design directly above the words "UNIQUELY RICH & SMOOTH" in dark teal. There is a dark teal line located at the bottom of the design. The background of the design is light blue.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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Int. Cl.: 34

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

United States Patent and Trademark Office

Reg. No. 3,430,526

Registered May 20, 2008

TRADEMARK  
PRINCIPAL REGISTER



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)

6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 9-10-2007; IN COMMERCE 9-10-2007.

OWNER OF U.S. REG. NOS. 68,502, 3,274,040 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL, SMOOTH 100'S" AND "USA", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A ROOF DESIGN LOCATED AT THE TOP OF THE DESIGN. WITHIN THE ROOF IS AN OVAL WITH A LINING WITH THE WORD "MENTHOL" WITHIN THE OVAL. A CREST WITH AN OVAL CENTER WITH THE WORDS "PM USA" LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORDS "MARLBORO SMOOTH 100'S" ARE LOCATED IN THE LOWER PORTION OF THE DESIGN DIRECTLY ABOVE THE WORDS "UNIQUELY RICH & SMOOTH". THERE IS A LINE LOCATED AT THE BOTTOM OF THE DESIGN.

SER. NO. 77-275,625, FILED 9-10-2007.

CYNTHIA SLOAN, EXAMINING ATTORNEY



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<b>Word Mark</b>	MARLBORO SMOOTH 100'S MENTHOL UNIQUELY RICH & SMOOTH PM USA
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20070910. FIRST USE IN COMMERCE: 20070910
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.05.24 - Stylized horses, donkeys, zebras 19.07.03 - Boxes, cigarette 24.09.07 - Advertising, banners; Banners 24.11.01 - Crowns closed at the top
<b>Trademark Search Facility Classification Code</b>	ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings ART-19.07 Small containers ART-24.09 Flags, banners ART-24.11 Crowns LETS-1 S A single letter, multiples of a single letter or in combination with a design LETS-2 PM Two letters or combinations of multiples of two letters LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks NUM-100 The Numeral 100 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons SHAPES-MISC Miscellaneous shaped designs SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper
<b>Serial Number</b>	77275625
<b>Filing Date</b>	September 10, 2007
<b>Current Basis</b>	1A
<b>Original Filing</b>	1A

**Basis**

**Published for Opposition** March 4, 2008

**Registration Number** 3430526

**Registration Date** May 20, 2008

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0068502;0938510;3274040;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL, SMOOTH 100'S" AND "USA" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a roof design located at the top of the design. Within the roof is an oval with a lining with the word "MENTHOL" within the oval. A crest with an oval center with the words "PM USA" located directly under the middle of the roof design. The words "MARLBORO SMOOTH 100'S" are located in the lower portion of the design directly above the words "UNIQUELY RICH & SMOOTH". There is a line located at the bottom of the design.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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Int. Cl.: 34

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

United States Patent and Trademark Office

Reg. No. 3,533,467

Registered Nov. 18, 2008

TRADEMARK  
PRINCIPAL REGISTER



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)

6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 2-4-2008; IN COMMERCE 2-4-2008.

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", "FILTER CIGARETTES", AND "SEVENTY-TWOS", APART FROM THE MARK AS SHOWN.

THE COLOR(S) BLUE-GRAY, SILVER, LIGHT GRAY, GOLD, RED, BLACK AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RECTANGLE CONTAINING A BLUE-GRAY ROOF DESIGN LOCATED AT THE TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL SILVER OVAL CONTAINING THE WORDS "FILTER CIGARETTES" IN BLUE-GRAY. THERE IS A LIGHT GRAY LINE SEPARATING THE ROOF DESIGN FROM THE SILVER BACKGROUND. A GOLD CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND CONTAINING THE WHITE TEXT "PM USA" INSIDE A RED OVAL CENTER IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORD "MARLBORO" IN BLACK IS LOCATED IN THE LOWER PORTION OF THE RECTANGULAR DESIGN DIRECTLY ABOVE THE WORDS "SEVENTY-TWOS" IN GOLD. THERE IS A BLUE-GRAY HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE RECTANGULAR DESIGN.

SER. NO. 77-370,932, FILED 1-14-2008.

ALYSSA PALADINO, EXAMINING ATTORNEY



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**Word Mark**

MARLBORO SEVENTY-TWOS FILTER CIGARETTES PM USA

**Goods and Services**

IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20080204. FIRST USE IN COMMERCE: 20080204

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code**

03.01.02 - Lion insignia (heraldic lion)  
 03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers  
 07.07.03 - Roofs, dwelling or building  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.26 - Oblongs as carriers for words, letters or designs

**Trademark Search Facility Classification Code**

ANI-MAMM Mammalia; accurate depiction of warm-blooded animals except for human beings  
 ART-07.07 Exteriors and Exterior parts of dwelling  
 ART-19.07 Small containers  
 ART-24.11 Crowns  
 LETS-2 PM Two letters or combinations of multiples of two letters  
 LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark  
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks  
 NUM-26-UP 72 Other Numerals - 26 and Up  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns  
 SHAPES-MISC Miscellaneous shaped designs

SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper

**Serial Number** 77370932  
**Filing Date** January 14, 2008  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** September 2, 2008  
**Registration Number** 3533467  
**Registration Date** November 18, 2008  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
 Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0068502;0632881;0938510;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", "FILTER CIGARETTES", AND "SEVENTY-TWOS" APART FROM THE MARK AS SHOWN  
**Description of Mark** The color(s) blue-gray, silver, light gray, gold, red, black and white is/are claimed as a feature of the mark. The mark consists of a rectangle containing a blue-gray roof design located at the top. Within the roof design is a horizontal silver oval containing the words "FILTER CIGARETTES" in blue-gray. There is a light gray line separating the roof design from the silver background. A gold crest with a horse on either side, a crown on top, a banner below, and containing the white text "PM USA" inside a red oval center is located directly under the middle of the roof design. The word "MARLBORO" in black is located in the lower portion of the rectangular design directly above the words "SEVENTY-TWOS" in gold. There is a blue-gray horizontal line located at the bottom of the rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

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

**United States Patent and Trademark Office**

**Reg. No. 3,533,463**

Registered Nov. 18, 2008

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 2-4-2008; IN COMMERCE 2-4-2008.

OWNER OF U.S. REG. NOS. 632,881, 3,289,673 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", "FILTER CIGARETTES", AND "SEVENTY-TWOS", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A RECTANGLE CONTAINING A ROOF DESIGN LOCATED AT THE

TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL OVAL CONTAINING THE WORDS "FILTER CIGARETTES". THERE IS A LINE SEPARATING THE ROOF DESIGN FROM THE BACKGROUND. A CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND CONTAINING THE TEXT "PM USA" INSIDE AN OVAL CENTER IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORD "MARLBORO" IS LOCATED IN THE LOWER PORTION OF THE RECTANGULAR DESIGN DIRECTLY ABOVE THE WORDS "SEVENTY-TWOS". THERE IS A HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE RECTANGULAR DESIGN.

SER. NO. 77-370,719, FILED 1-14-2008.

ALYSSA PALADINO, EXAMINING ATTORNEY



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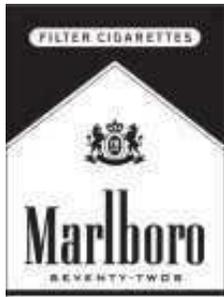
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<b>Word Mark</b>	MARLBORO SEVENTY-TWOS FILTER CIGARETTES PM USA
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20080204. FIRST USE IN COMMERCE: 20080204
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.01.02 - Lion insignia (heraldic lion) 03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers 07.07.03 - Roofs, dwelling or building 19.07.03 - Boxes, cigarette 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon 24.09.07 - Advertising, banners; Banners 24.11.01 - Crowns closed at the top 26.11.26 - Oblongs as carriers for words, letters or designs 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal
<b>Trademark Search Facility Classification Code</b>	ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings ART-07.07 Exteriors and Exterior parts of dwelling ART-19.07 Small containers ART-24.09 Flags, banners ART-24.11 Crowns BLDG-AND-SCEN A type of building or a type of scenery LETS-2 PM Two letters or combinations of multiples of two letters LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks NUM-26-UP 72 Other Numerals - 26 and Up SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and

polygons  
 SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns  
 SHAPES-MISC Miscellaneous shaped designs  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper

**Serial Number** 77370719  
**Filing Date** January 14, 2008  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** September 2, 2008  
**Registration Number** 3533463  
**Registration Date** November 18, 2008  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0632881;0938510;3289673;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", "FILTER CIGARETTES", AND "SEVENTY-TWOS" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a rectangle containing a roof design located at the top. Within the roof design is a horizontal oval containing the words "FILTER CIGARETTES". There is a line separating the roof design from the background. A crest with a horse on either side, a crown on top, a banner below, and containing the text "PM USA" inside an oval center is located directly under the middle of the roof design. The word "MARLBORO" is located in the lower portion of the rectangular design directly above the words "SEVENTY-TWOS". There is a horizontal line located at the bottom of the rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

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

**United States Patent and Trademark Office**

**Reg. No. 3,533,466**

Registered Nov. 18, 2008

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 2-4-2008; IN COMMERCE 2-4-2008.

OWNER OF U.S. REG. NOS. 632,881, 938,510, AND 3,289,673.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", APART FROM THE MARK AS SHOWN.

THE COLOR(S) BLUE-GRAY, SILVER, LIGHT GRAY, GOLD, RED, BLACK AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RECTANGLE CONTAINING A BLUE-GRAY ROOF DESIGN LOCATED AT THE TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL SILVER OVAL. THERE IS A LIGHT GRAY LINE SEPARATING THE ROOF DESIGN FROM THE SILVER BACKGROUND. A GOLD CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND CONTAINING THE WHITE TEXT "PM USA" INSIDE A RED OVAL CENTER IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THERE IS A BLUE-GRAY HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE RECTANGULAR DESIGN.

SER. NO. 77-370,912, FILED 1-14-2008.

ALYSSA PALADINO, EXAMINING ATTORNEY



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<b>Word Mark</b>	PM USA
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20080204. FIRST USE IN COMMERCE: 20080204
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.01.02 - Lion insignia (heraldic lion) 03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers 07.07.03 - Roofs, dwelling or building 19.07.03 - Boxes, cigarette 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon 24.09.07 - Advertising, banners; Banners 24.11.01 - Crowns closed at the top 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric 26.03.21 - Ovals that are completely or partially shaded 26.11.27 - Oblongs not used as carriers for words, letters or designs 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
<b>Trademark Search Facility Classification Code</b>	ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings ART-19.07 Small containers ART-24.09 Flags, banners ART-24.11 Crowns BLDG-AND-SCEN A type of building or a type of scenery LETS-2 PM Two letters or combinations of multiples of two letters LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons

SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns  
 SHAPES-MISC Miscellaneous shaped designs  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals

**Serial Number** 77370912  
**Filing Date** January 14, 2008  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** September 2, 2008  
**Registration Number** 3533466  
**Registration Date** November 18, 2008  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
 Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0632881;0938510;3289673  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" APART FROM THE MARK AS SHOWN  
**Description of Mark** The color(s) blue-gray, silver, light gray, gold, red, black and white is/are claimed as a feature of the mark. The mark consists of a rectangle containing a blue-gray roof design located at the top. Within the roof design is a horizontal silver oval. There is a light gray line separating the roof design from the silver background. A gold crest with a horse on either side, a crown on top, a banner below, and containing the white text "PM USA" inside a red oval center is located directly under the middle of the roof design. There is a blue-gray horizontal line located at the bottom of the rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Int. Cl.: 34**

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

**United States Patent and Trademark Office**

**Reg. No. 3,533,419**

**Registered Nov. 18, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**



PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)

6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 2-12-2007; IN COMMERCE 2-12-2007.

OWNER OF U.S. REG. NOS. 632,881, 3,289,673 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A RECTANGLE CONTAINING A ROOF DESIGN LOCATED AT THE TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL OVAL. THERE IS A LINE SEPARATING THE ROOF DESIGN FROM THE BACKGROUND. A CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND CONTAINING THE TEXT PM USA INSIDE AN OVAL CENTER IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THERE IS A HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE RECTANGULAR DESIGN.

SER. NO. 77-354,685, FILED 12-18-2007.

ALYSSA PALADINO, EXAMINING ATTORNEY



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**Goods and Services**

IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20070212. FIRST USE IN COMMERCE: 20070212

**Mark Drawing Code**

(2) DESIGN ONLY

**Design Search Code**

03.01.02 - Lion insignia (heraldic lion)  
 03.01.24 - Stylized cats, dogs, wolves, foxes, bears, lions, tigers  
 07.07.03 - Roofs, dwelling or building  
 19.07.03 - Boxes, cigarette  
 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.21 - Rectangles that are completely or partially shaded  
 26.11.27 - Oblongs not used as carriers for words, letters or designs  
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

**Trademark Search Facility Classification Code**

ANI-MAMM Mammalia;accuracte depiction of warm-blooded animals except for human beings  
 ART-07.07 Exteriors and Exterior parts of dwelling  
 ART-19.07 Small containers  
 ART-24.09 Flags, banners  
 ART-24.11 Crowns  
 BLDG-AND-SCEN A type of building or a type of scenery  
 GROT-ANI Exaggerated depiction of an animal  
 LETS-2 PM Two letters or combinations of multiples of two letters  
 LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark  
 MYTH Mythological characters such as angels, cupids, fairies, dragons, devils  
 SHAPES-BAR-BANDS Designs with bar, bands or lines

SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons

SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals

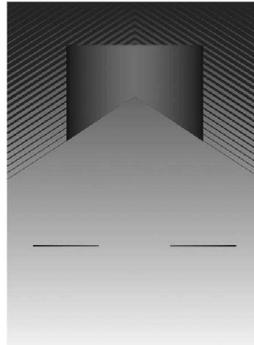
**Serial Number** 77354685  
**Filing Date** December 18, 2007  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** September 2, 2008  
**Registration Number** 3533419  
**Registration Date** November 18, 2008  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0632881;0938510;3289673;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a rectangle containing a roof design located at the top. Within the roof design is a horizontal oval. There is a line separating the roof design from the background. A crest with a horse on either side, a crown on top, a banner below, and containing the text PM USA inside an oval center is located directly under the middle of the roof design. There is a horizontal line located at the bottom of the rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,697,044** PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
Registered Oct. 13, 2009 6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Int. Cl.: 34** FOR: TOBACCO PRODUCTS, NAMELY, SNUS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 1-21-2009; IN COMMERCE 1-21-2009.

**TRADEMARK**  
**PRINCIPAL REGISTER** OWNER OF U.S. REG. NOS. 938,510, 3,542,534, AND OTHERS.

THE MARK CONSISTS OF A GRADATED RECTANGULAR DESIGN WITH DIAGONAL LINES LOCATED IN THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN WHICH MEET IN THE CENTER TO FORM A ROOF DESIGN. THERE IS A GRADATED ROOF DESIGN LOCATED IN THE CENTER OF THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN. THERE ARE HORIZONTAL DASHES LOCATED THE LEFT-HAND AND RIGHT-HAND SIDE OF THE LOWER HALF OF THE GRADATED RECTANGULAR DESIGN.

SN 77-646,602, FILED 1-9-2009.

PRISCILLA MILTON, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office



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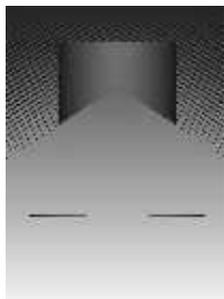
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<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Snus. FIRST USE: 20090121. FIRST USE IN COMMERCE: 20090121
<b>Mark Drawing Code</b>	(2) DESIGN ONLY
<b>Design Search Code</b>	07.07.03 - Roofs, dwelling or building 26.11.03 - Incomplete rectangles; Rectangles (incomplete) 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal
<b>Trademark Search Facility Classification Code</b>	ART-07.07 Exteriors and Exterior parts of dwelling SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
<b>Serial Number</b>	77646602
<b>Filing Date</b>	January 9, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	April 21, 2009
<b>Registration Number</b>	<b>3697044</b>
<b>Registration Date</b>	October 13, 2009
<b>Owner</b>	(REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street

Richmond VIRGINIA 23230

**Attorney of Record**

Robyn Ettricks

**Prior Registrations**

0938510;3542533;3542534;AND OTHERS

**Description of Mark**

Color is not claimed as a feature of the mark. The mark consists of a gradated rectangular design with diagonal lines located in the upper half of the gradated rectangular design which meet in the center to form a roof design. There is a gradated roof design located in the center of the upper half of the gradated rectangular design. There are horizontal dashes located the left-hand and right-hand side of the lower half of the gradated rectangular design.

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Affidavit Text**

SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator**

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,695,121** PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
Registered Oct. 13, 2009 6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Int. Cl.: 34** FOR: TOBACCO PRODUCTS, NAMELY, SNUS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 1-21-2009; IN COMMERCE 1-21-2009.

**TRADEMARK**  
**PRINCIPAL REGISTER** OWNER OF U.S. REG. NOS. 938,510, 3,465,778 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS", "PEPPERMINT" AND "6 SPIT-FREE TOBACCO POUCHES", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A GRADATED RECTANGULAR DESIGN WITH DIAGONAL LINES LOCATED IN THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN WHICH MEET IN THE CENTER TO FORM A ROOF DESIGN. THERE IS A GRADATED ROOF DESIGN LOCATED IN THE CENTER OF THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN. THE WORD "MARLBORO" APPEARS IN THE CENTER OF THE GRADATED RECTANGULAR DESIGN. THE WORD "SNUS" IS LOCATED UNDER THE WORD "MARLBORO". THE WORD "PEPPERMINT", WITH HORIZONTAL DASHES LOCATED BEFORE THE "S" AND AFTER THE "T", IS LOCATED BELOW THE WORD "SNUS". THE WORDS "6 SPIT-FREE TOBACCO POUCHES" ARE LOCATED BELOW THE WORD "PEPPERMINT".

SER. NO. 77-646,616, FILED 1-9-2009.

PRISCILLA MILTON, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office



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<b>Word Mark</b>	MARLBORO SNUS PEPPERMINT 6 SPIT-FREE TOBACCO POUCHES
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, namely, Snus. FIRST USE: 20090121. FIRST USE IN COMMERCE: 20090121
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.11.03 - Incomplete rectangles; Rectangles (incomplete) 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal
<b>Trademark Search Facility Classification Code</b>	ART-07.07 Exteriors and Exterior parts of dwelling ART-20.03 Paper goods; documents NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks NUM-6 The number 6 or the word Six SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons SHAPES-MISC Miscellaneous shaped designs SHAPES-TRIANGLES Triangular shaped designs and marks including incomplete triangles
<b>Serial Number</b>	77646616
<b>Filing Date</b>	January 9, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	July 28, 2009

**Registration Number** 3695121

**Registration Date** October 13, 2009

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0938510;3365560;3465778;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS", "PEPPERMINT" AND "6 SPIT-FREE TOBACCO POUCHES" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a gradated rectangular design with diagonal lines located in the upper half of the gradated rectangular design which meet in the center to form a roof design. There is a gradated roof design located in the center of the upper half of the gradated rectangular design. The word "MARLBORO" appears in the center of the gradated rectangular design. The word "SNUS" is located under the word "MARLBORO". The word "PEPPERMINT", with horizontal dashes located before the "S" and after the "T", is located below the word "SNUS". The words "6 SPIT-FREE TOBACCO POUCHES" are located below the word "PEPPERMINT".

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,695,118** PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
Registered Oct. 13, 2009 6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Int. Cl.: 34** FOR: TOBACCO PRODUCTS, NAMELY, SNUS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 1-21-2009; IN COMMERCE 1-21-2009.

**TRADEMARK**  
**PRINCIPAL REGISTER** OWNER OF U.S. REG. NOS. 3,369,049, 3,542,534 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS" AND "6 SPIT-FREE TOBACCO POUCHES", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A GRADATED RECTANGULAR DESIGN WITH DIAGONAL LINES LOCATED IN THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN WHICH MEET IN THE CENTER TO FORM A ROOF DESIGN. THERE IS A GRADATED ROOF DESIGN LOCATED IN THE CENTER OF THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN. THE WORD "MARLBORO" APPEARS IN THE CENTER OF THE GRADATED RECTANGULAR DESIGN. THE WORD "SNUS" IS LOCATED UNDER THE WORD "MARLBORO". THE WORD "RICH", WITH HORIZONTAL DASHES LOCATED BEFORE THE "S" AND AFTER THE "T", IS LOCATED BELOW THE WORD "SNUS". THE WORDS "6" SPIT-FREE TOBACCO POUCHES" ARE LOCATED BELOW THE WORD "RICH".



SER. NO. 77-646,599, FILED 1-9-2009.

PRISCILLA MILTON, EXAMINING ATTORNEY

*David J. Kyffers*

Director of the United States Patent and Trademark Office



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**Word Mark** MARLBORO SNUS RICH 6 SPIT-FREE TOBACCO POUCHES

**Goods and Services** IC 034. US 002 008 009 017. G & S: Tobacco Products, namely, Snus. FIRST USE: 20090121. FIRST USE IN COMMERCE: 20090121

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 07.07.03 - Roofs, dwelling or building  
26.11.03 - Incomplete rectangles; Rectangles (incomplete)  
26.11.20 - Rectangles inside one another  
26.11.21 - Rectangles that are completely or partially shaded  
26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal  
26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal

**Trademark Search Facility Classification Code** ART-07.07 Exteriors and Exterior parts of dwelling  
ART-19.07 Small containers  
NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks  
NUM-6 The number 6 or the word Six  
SHAPES-BAR-BANDS Designs with bar, bands or lines  
SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
SHAPES-TRIANGLES Triangular shaped designs and marks including incomplete triangles

**Serial Number** 77646599

**Filing Date** January 9, 2009

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** July 28, 2009

**Registration Number** 3695118

**Registration Date** October 13, 2009

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 3369049;3465778;3542534;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS" AND "6 SPIT-FREE TOBACCO POUCHES" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a gradated rectangular design with diagonal lines located in the upper half of the gradated rectangular design which meet in the center to form a roof design. There is a gradated roof design located in the center of the upper half of the gradated rectangular design. The word "MARLBORO" appears in the center of the gradated rectangular design. The word "SNUS" is located under the word "MARLBORO". The word "RICH", with horizontal dashes located before the "S" and after the "T", is located below the word "SNUS". The words "6" SPIT-FREE TOBACCO POUCHES" are located below the word "RICH".

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,695,125** PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
Registered Oct. 13, 2009 6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Int. Cl.: 34** FOR: TOBACCO PRODUCTS, NAMELY, SNUS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 1-21-2009; IN COMMERCE 1-21-2009.

**TRADEMARK**  
**PRINCIPAL REGISTER** OWNER OF U.S. REG. NOS. 938,510, 3,465,778 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS", "SPEARMINT" AND "6 SPIT-FREE TOBACCO POUCHES", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A GRADATED RECTANGULAR DESIGN WITH DIAGONAL LINES LOCATED IN THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN WHICH MEET IN THE CENTER TO FORM A ROOF DESIGN. THERE IS A GRADATED ROOF DESIGN LOCATED IN THE CENTER OF THE UPPER HALF OF THE GRADATED RECTANGULAR DESIGN. THE WORD "MARLBORO" APPEARS IN THE CENTER OF THE GRADATED RECTANGULAR DESIGN. THE WORD "SNUS" IS LOCATED UNDER THE WORD "MARLBORO". THE WORD "SPEARMINT", WITH HORIZONTAL DASHES LOCATED BEFORE THE "S" AND AFTER THE "T", IS LOCATED BELOW THE WORD "SNUS". THE WORDS "6 SPIT-FREE TOBACCO POUCHES" ARE LOCATED BELOW THE WORD "SPEARMINT".



SER. NO. 77-646,656, FILED 1-9-2009.

PRISCILLA MILTON, EXAMINING ATTORNEY

*David J. Kyjnos*

Director of the United States Patent and Trademark Office



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<b>Word Mark</b>	MARLBORO SNUS SPEARMINT 6 SPIT-FREE TOBACCO POUCHES
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, namely, Snus. FIRST USE: 20090121. FIRST USE IN COMMERCE: 20090121
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	07.07.03 - Roofs, dwelling or building 26.11.03 - Incomplete rectangles; Rectangles (incomplete) 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal
<b>Trademark Search Facility Classification Code</b>	ART-07.07 Exteriors and Exterior parts of dwelling NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks NUM-6 The number 6 or the word Six SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
<b>Serial Number</b>	77646656
<b>Filing Date</b>	January 9, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	July 28, 2009
<b>Registration</b>	<b>3695125</b>

**Number****Registration  
Date**

October 13, 2009

**Owner**(REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230**Attorney of  
Record**

Robyn Ettricks

**Prior  
Registrations**

0938510;3365560;3465778;AND OTHERS

**Disclaimer**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SNUS", "SPEARMINT" AND "6 SPIT-FREE TOBACCO POUCHES" APART FROM THE MARK AS SHOWN

**Description of  
Mark**

Color is not claimed as a feature of the mark. The mark consists of a gradated rectangular design with diagonal lines located in the upper half of the gradated rectangular design which meet in the center to form a roof design. There is a gradated roof design located in the center of the upper half of the gradated rectangular design. The word "MARLBORO" appears in the center of the gradated rectangular design. The word "SNUS" is located under the word "MARLBORO". The word "SPEARMINT", with horizontal dashes located before the "S" and after the "T", is located below the word "SNUS". The words "6 SPIT-FREE TOBACCO POUCHES" are located below the word "SPEARMINT".

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Affidavit Text**

SECT 15. SECT 8 (6-YR).

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Indicator**

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,760,578** PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
Registered Mar. 16, 2010 6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Int. Cl.: 34** FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK** FIRST USE 6-17-2009; IN COMMERCE 6-17-2009.  
**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 632,881, 3,533,466 AND OTHERS.

THE COLOR(S) GREEN, DARK GREEN, GOLD, AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A DARK GREEN RECTANGULAR DESIGN CONTAINING A GRADATED GREEN ROOF DESIGN AT THE TOP WITHIN THE ROOF DESIGN IS A HORIZONTAL GOLD OVAL. A GOLD CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND A RED OVAL IN THE CENTER IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THERE IS A GREEN HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE DARK GREEN RECTANGULAR DESIGN.

SER. NO. 77-786,659, FILED 7-22-2009.

ALEXANDER L. POWERS, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office



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**Goods and Services** IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20090617. FIRST USE IN COMMERCE: 20090617  
**Mark Drawing Code** (2) DESIGN ONLY  
**Design Search Code** 03.05.01 - Horses  
 03.05.24 - Stylized horses, donkeys, zebras  
 19.07.03 - Boxes, cigarette  
 24.09.07 - Advertising, banners; Banners  
 24.11.01 - Crowns closed at the top  
 26.03.21 - Ovals that are completely or partially shaded  
 26.11.21 - Rectangles that are completely or partially shaded  
 26.11.27 - Oblongs not used as carriers for words, letters or designs  
 26.15.21 - Polygons that are completely or partially shaded  
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal  
**Trademark Search Facility Classification Code** ART-07.07 Exteriors and Exterior parts of dwelling  
 ART-19.07 Small containers  
 ART-24.09 Flags, banners  
 ART-24.11 Crowns  
 GROT-ANI Exaggerated depiction of an animal  
 SHAPES-BAR-BANDS Designs with bar, bands or lines  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-MISC Miscellaneous shaped designs  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
**Serial Number** 77786659  
**Filing Date** July 22, 2009  
**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** December 29, 2009

**Registration Number** 3760578

**Registration Date** March 16, 2010

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0632881;3533419;3533466;AND OTHERS

**Description of Mark** The color(s) Green, Dark Green, Gold, and Red is/are claimed as a feature of the mark. The mark consists of a dark green rectangular design containing a gradated green roof design at the top. Within the roof design is a horizontal gold oval. A gold crest with a horse on either side, a crown on top, a banner below, and a red oval in the center is located directly under the middle of the roof design. There is a green horizontal line located at the bottom of the dark green rectangular design.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE

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# United States of America

United States Patent and Trademark Office



**Reg. No. 3,787,000**

PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Registered May 11, 2010**

**Int. Cl.: 34**

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 6-17-2009; IN COMMERCE 6-17-2009.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL", "USA", "BLEND", AND "20 CLASS A CIGARETTES", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A RECTANGULAR DESIGN CONTAINING A GRADATED ROOF DESIGN AT THE TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL OVAL CONTAINING THE WORD "MENTHOL". A CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND AN OVAL IN THE CENTER CONTAINING THE WORDS "PM USA" IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORDS "MARLBORO BLEND NO. 54" ARE LOCATED IN THE LOWER PORTION OF THE RECTANGULAR DESIGN DIRECTLY ABOVE THE WORDS "20 CLASS A CIGARETTES". THERE IS A HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE RECTANGULAR DESIGN.



SER. NO. 77-786,665, FILED 7-22-2009.

GEORGE LORENZO, EXAMINING ATTORNEY

*David J. Kyfos*

Director of the United States Patent and Trademark Office



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<b>Word Mark</b>	MENTHOL PM USA MARLBORO BLEND NO. 54 20 CLASS A CIGARETTES
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20090617. FIRST USE IN COMMERCE: 20090617
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.05.01 - Horses 03.05.24 - Stylized horses, donkeys, zebras 19.07.03 - Boxes, cigarette 24.09.07 - Advertising, banners; Banners 24.11.01 - Crowns closed at the top 26.03.21 - Ovals that are completely or partially shaded 26.11.21 - Rectangles that are completely or partially shaded 26.11.26 - Oblongs as carriers for words, letters or designs 26.15.21 - Polygons that are completely or partially shaded 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
<b>Trademark Search Facility Classification Code</b>	ART-07.07 Exteriors and Exterior parts of dwelling ART-19.07 Small containers ART-24.09 Flags, banners ART-24.11 Crowns GROT-ANI Exaggerated depiction of an animal LETS-2 NO-PM Two letters or combinations of multiples of two letters LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks NUM-COMBO Numeral Combinations (More than one number) NUM-20 The number 20 or the word Twenty NUM-26-UP 54 Other Numerals - 26 and Up SHAPES-BAR-BANDS Designs with bar, bands or lines

SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons

SHAPES-MISC Miscellaneous shaped designs

SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals

**Serial Number** 77786665  
**Filing Date** July 22, 2009  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** February 23, 2010  
**Registration Number** 3787000  
**Registration Date** May 11, 2010  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0068502;0632881;0938510;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL", "USA", "BLEND", AND "20 CLASS A CIGARETTES" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a rectangular design containing a gradated roof design at the top. Within the roof design is a horizontal oval containing the word "MENTHOL". A crest with a horse on either side, a crown on top, a banner below, and an oval in the center containing the words "PM USA" is located directly under the middle of the roof design. The words "MARLBORO BLEND NO. 54" are located in the lower portion of the rectangular design directly above the words "20 CLASS A CIGARETTES". There is a horizontal line located at the bottom of the rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**Reg. No. 3,786,999**

PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

**Registered May 11, 2010**

**Int. Cl.: 34**

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

**TRADEMARK**

FIRST USE 6-17-2009; IN COMMERCE 6-17-2009.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 68,502, 938,510 AND OTHERS.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL", "USA", "BLEND", AND "20 CLASS A CIGARETTES", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A DARK GREEN RECTANGULAR DESIGN CONTAINING A GRADATED GREEN ROOF DESIGN AT THE TOP. WITHIN THE ROOF DESIGN IS A HORIZONTAL GOLD OVAL CONTAINING THE WORD "MENTHOL" IN GREEN. A GOLD CREST WITH A HORSE ON EITHER SIDE, A CROWN ON TOP, A BANNER BELOW, AND A RED OVAL IN THE CENTER CONTAINING THE WORDS "PM USA" IN WHITE IS LOCATED DIRECTLY UNDER THE MIDDLE OF THE ROOF DESIGN. THE WORDS "MARLBORO BLEND NO. 54" IN GOLD ARE LOCATED IN THE LOWER PORTION OF THE DARK GREEN RECTANGULAR DESIGN DIRECTLY ABOVE THE WORDS "20 CLASS A CIGARETTES" IN GREEN. THERE IS A GREEN HORIZONTAL LINE LOCATED AT THE BOTTOM OF THE DARK GREEN RECTANGULAR DESIGN.



SER. NO. 77-786,653, FILED 7-22-2009.

GEORGE LORENZO, EXAMINING ATTORNEY

*David J. Kyfos*

Director of the United States Patent and Trademark Office



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<b>Word Mark</b>	MENTHOL PM USA MARLBORO BLEND NO. 54 20 CLASS A CIGARETTES
<b>Goods and Services</b>	IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes. FIRST USE: 20090617. FIRST USE IN COMMERCE: 20090617
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	03.05.01 - Horses 03.05.26 - Costumed horses, donkeys, zebras 19.07.03 - Boxes, cigarette 24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon 24.05.01 - Circular or elliptical seals; Seals, circular or elliptical 24.09.07 - Advertising, banners; Banners 24.11.01 - Crowns closed at the top 24.11.02 - Crowns open at the top 26.11.21 - Rectangles that are completely or partially shaded 26.11.26 - Oblongs as carriers for words, letters or designs 26.15.21 - Polygons that are completely or partially shaded 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
<b>Trademark Search Facility Classification Code</b>	ANI-MAMM Mammalia; accurate depiction of warm-blooded animals except for human beings ART-19.07 Small containers ART-24.09 Flags, banners ART-24.11 Crowns BLDG-AND-SCEN A type of building or a type of scenery LETS-2 PM-NO Two letters or combinations of multiples of two letters LETTER-3-OR-MORE USA Combination of three or more letters as part of the mark NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks NUM-COMBO Numeral Combinations (More than one number)

NUM-20 The number 20 or the word Twenty  
 NUM-26-UP 54 Other Numerals - 26 and Up  
 SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors  
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons  
 SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns  
 SHAPES-MISC Miscellaneous shaped designs  
 SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals  
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper  
 SHAPES-SEALS Round or slightly rounded shape with an emblem embossed on the inside of the circle

**Serial Number** 77786653  
**Filing Date** July 22, 2009  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** February 23, 2010  
**Registration Number** 3786999  
**Registration Date** May 11, 2010  
**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street  
 Richmond VIRGINIA 23230  
**Attorney of Record** Robyn Ettricks  
**Prior Registrations** 0068502;0632881;0938510;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MENTHOL", "USA", "BLEND", AND "20 CLASS A CIGARETTES" APART FROM THE MARK AS SHOWN  
**Description of Mark** The color(s) Green, Dark Green, Gold, Red, and White is/are claimed as a feature of the mark. The mark consists of a dark green rectangular design containing a gradated green roof design at the top. Within the roof design is a horizontal gold oval containing the word "MENTHOL" in green. A gold crest with a horse on either side, a crown on top, a banner below, and a red oval in the center containing the words "PM USA" in white is located directly under the middle of the roof design. The words "MARLBORO BLEND NO. 54" in gold are located in the lower portion of the dark green rectangular design directly above the words "20 CLASS A CIGARETTES" in green. There is a green horizontal line located at the bottom of the dark green rectangular design.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,170,978**

**Registered July 10, 2012**

**Int. Cl.: 34**

**TRADEMARK**

**PRINCIPAL REGISTER**

PHILIP MORRIS USA INC. (VIRGINIA CORPORATION)  
6601 WEST BROAD STREET  
RICHMOND, VA 23230

FOR: TOBACCO PRODUCTS, NAMELY, CIGARETTES, SMOKELESS TOBACCO, AND  
SNUS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 0-0-1954; IN COMMERCE 0-0-1954.

OWNER OF U.S. REG. NOS. 854,007, 3,695,125 AND OTHERS.

THE MARK CONSISTS OF A FIVE-SIDED FIGURE WITH A HORIZONTAL TOP AND TWO  
VERTICAL SIDES WITH TWO UPWARDLY AND INWARDLY SLOPING DIAGONALS.

SER. NO. 85-464,568, FILED 11-4-2011.

ELLEN BURNS, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office



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**Goods and Services** IC 034. US 002 008 009 017. G & S: Tobacco Products, Namely, Cigarettes, Smokeless Tobacco, and Snus. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19540000

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 26.05.02 - Plain single line triangles; Triangles, plain single line  
 26.15.21 - Polygons that are completely or partially shaded  
 26.17.06 - Bands, diagonal; Bars, diagonal; Diagonal line(s), band(s) or bar(s); Lines, diagonal

**Serial Number** 85464568

**Filing Date** November 4, 2011

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** April 24, 2012

**Registration Number** 4170978

**Registration Date** July 10, 2012

**Owner** (REGISTRANT) Philip Morris USA Inc. CORPORATION VIRGINIA 6601 West Broad Street Richmond VIRGINIA 23230

**Attorney of Record** Robyn Ettricks

**Prior Registrations** 0854007;3533467;3695125;AND OTHERS

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of a five-sided figure with a horizontal top and two vertical sides with two upwardly and inwardly sloping diagonals.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

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02-19-2003



102367464

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)  
Tab settings

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 2-12-03  
PHILIP MORRIS INCORPORATED  
 Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-State  
 Other \_\_\_\_\_  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: PHILIP MORRIS USA INC.  
Internal  
Address: \_\_\_\_\_  
Street Address: 120 Park Avenue  
City: New York State: NY Zip: 10017  
 Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Virginia  
 Other \_\_\_\_\_  
If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_  
Execution Date: January 15, 2003

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
See attached  
Additional number(s) attached  Yes  No

B. Trademark Registration No.(s)  
See attached

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Maxine Fryer Haynes  
Internal Address: Altria Corporate Services,  
RA-6N  
Street Address: 800 Westchester Avenue  
City: Rye Brook State: NY Zip: 10573

6. Total number of applications and registrations involved: 280  
7. Total fee (37 CFR 3.41) ..... \$ 7015.00  
 Enclosed  
 Authorized to be charged to deposit account  
8. Deposit account number:  
16-1532  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*  
Maxine Fryer Haynes      [Signature]      February 10, 2003  
Name of Person Signing      Signature      Date  
19

Total number of pages including cover sheet, attachments, and document: 19

Documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

02/14/2003 ECOMER 0000107-16122-763000

<u>TRADEMARK</u>	<u>APPLICAITON ND.</u>
ALL WOMAN	APP. 76/432110
ALWAYS A LADY	PENDING
BASIC LABEL (W/LEAF DESIGN)	APP. 76/436983
CM (INCLINED M W/HORIZDNTAL LI NE)	APP. 76/381504
FILTERSELECT	APP. 76/359753
FULL FLAVOR OUT OF THE CLEAR B LUE	APP. 75/633056
FULL FLAVOR DUT OF THE CLEAR B LUE	APP. 75/633055
GET TOGETHER WITH GREAT TASTE	APP. 76/342162
GREAT TASTE OUT OF THE CLEAR B LUE	APP. 75/636698
GREAT TASTE OUT OF THE CLEAR B LUE	APP. 75/636697
INTERLOCKING HANDS DEVICE	APP. 76/322555
KNOW YOUR MONEY	PENDING
LEAF DESIGN (BASIC)	APP. 76/436984
MARLBORO LIGHTS MENTHOL LABEL	APP. 64133
OPTIONS	APP. 76/322574
PAPER SELECT IN GEARED CIRCLE DESIGN	APP. 75/940902
STATUS TRACKER	APP. 76/324240
TOP CHOICE	APP. 75/707627

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
ACCOMMODATIDN LOGO	1898120
ACCOMMDDATIDN LOGD	1836727
ACCOMMODATIDN LOGO	1647064
ACCORD	1277319
ACCORD LABEL (CITY STREET)	1948826
ACCORD LABEL DESIGN	2388179
ACCORD STYLIZED	2327168
ACTION AGAINST ACCESS	1976903
ALL AMERICAN	675888
ALL AMERICAN VALUE & HEAD OF E AGLE (STICKER) DESIGN	1436617
ALPINE	130
ALPINE	11344
ALPINE	672719
ALPINE LABEL	11965
ALPINE LABEL (CREST VARIATION)	692698
AMBASSADOR	14042
AMIGO	747145
ARIES (DRUMS) LABEL	1894684
ARIZONA	867070
ARIZONA (CACTUS & SUN) LABEL	1687301
B H BENSON & HEOGES CREST DESI GN	520355
BARKING DOG	9527
BASIC	17679
BASIC	1082848

TRADEMARK  
REEL: 002670 FRAME: 0349

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
BASIC (STYLIZED)	1668754
BEAUMONT	753969
BELMDNT	739265
BELMDNT (LOG CABIN) LABEL	1857357
BENSDN & HEDGES	117
BENSDN & HEDGES	1D064
BENSON & HEDGES	428435
BENSON & HEDGES	5497
BENSON & HEDGES BLUES	1563874
BENSDN & HEDGES GOLD LABEL	SR 738424
BENSON & HEDGES LIGHTS GOLD LABEL	1101687
BENSON & HEDGES LIGHTS GREEN LABEL	1100943
BENSON & HEDGES LOWER CENTER PANEL LABEL (INCLUDING 100'S AN	1328867
BENSON & HEDGES SIGNATURE COLLECTION	1556294
BENSON & HEDGES 100'S CREST LABEL	2538103
BENSON & HEDGES 100'S DE LUXE ULTRA LIGHTS LABEL	1269420
BENSON & HEDGES 100'S GOLD LABEL	B521B9
BLACK & WHITE (MARCOVITCH) LABEL	170
BLACK & WHITE (MARCOVITCH) LABEL	SR 815650
BLACK & WHITE LABEL NO. 2 (MID	1228164

TRADEMARK  
REEL: 002670 FRAME: 0350

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
HORIZONTAL STRIPES)	
BLACK & WHITE MARCOVITCH KING SIZE LABEL	867398
BLUE RIDGE	675472
BOND STREET	8301
BDND STREET	344479
BOND STREET LABEL	698859
BRISTOL	1177549
BRISTDL LIGHTS LABEL	1654064
BUCKS	53911
BUCKS	1511197
BUCKS LABEL	1798084
BURLEY USA & DESIGN	2289303
CALIFDRNIA	973249
CALIFDRNIA (BEACH SCENE) LABEL	1693465
CALL FOR PHILIP MDRRIS (& PAGE BDY DESIGN-PLATTER)	173131
CALYPSD	776878
CAMBRIDGE	721531
CAMBRIDGE	959219
CAMBRIDGE DEVICE (FOUR SQUARE DESIGN) W/STYLIZED C & CREST	2632250
CAMBRIDGE LABEL (IN COLDR)	1186086
CAMBRIDGE RED PANEL LABEL	1618988
CITADEL	762598
COLLECTOR'S CHOICE	1693468

TRADEMARK  
REEL: 002670 FRAME: 0351

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
COLORADO	867069
COMBO	834977
COMMANDER	695940
CONCORD	755344
CONCORD (WINDING BRIDGE) LABEL	1845218
CONSTITUTION	426456
CRAZY MOUNTAIN RANCH	2649150
DAVE'S LDGO	1932808
DE-NIC	1511198
DERBY	979773
DERBY (HORSES & BARN) LABEL	1841468
DESIGNER ORIGINAL BY MARLBORO	698209
DIFFERENT SMDKES	1951581
DUPLEX	739648
EMBASSY	1573727
EMBASSY LABEL (W/TROMBONE & SA X)	1935566
ENGLISH DVALS	8302
ENGLISH OVALS	509939
ENJOY & DISPOSE PROPERLY LOGO DESIGN	2378853
ENJOY & DISPOSE PROPERLY LOGO DESIGN	2521551
ESPRESSO	1544786
ESPRESSO LABEL (W/KEYBOARD & M AN PLAYING SAX)	1935565
FAIRMONT (CLDCK IN TOWER) LABE	1687300

TRADEMARK  
REEL: 002670 FRAME: 0352

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
L	
FAMOUS VALUE	345299
FAT LEAVES PACKED TIGHT	2000834
FLEETWOOD	509940
FLIP-TOP	19794
FLIP-TOP	717424
FREE	1846915
FREE (HIGHWAY W/CITY SKYLINE) LABEL	1861952
FREEPORT	1515696
FREEPORT (LIGHTHOUSE) LABEL	1693472
GALAXY SHIP DESIGN LABEL	19047
GENERALS	1852038
GETANAS	483053
GRAND MASTER	51076
GT DE LAS AMERICAS	35924
GT MARLBORO DE LAS AMERICAS	35925
IT'S A WOMAN THING	2035852
IT'S A WOMAN THING	2127708
IT'S A WDMAN THING	2134870
IVORY TIPPED (RED BACKGROUND)	509941
LADY MARLBORO	698210
LIMITED EDITION	847815
LONG BEACH (CLOUDS & PLANT) LA BEL	1693473
MARCOVITCH LABEL	196010

TRADEMARK  
REEL: 002670 FRAME: 0353

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
MARK TEN	882739
MARK VII	888931
MARLBORO	105
MARLBORO	7142
MARLBORO	442590
MARLBORO	68502
MARLBORO	826080
MARLBORO	834419
MARLBORO	852045
MARLBORO (& PACKAGE DESIGN)	118
MARLBORO (& PACKAGE DESIGN)	SR 632881
MARLBORO (SCRIPT)	210352
MARLBORO ADVENTURE TEAM	167614
MARLBORO CHUCKWAGON, THE	1025432
MARLBORO COUNTRY	880337
MARLBORO COUNTRY COOKING COFFE E POT DEVICE	2109300
MARLBORO COUNTRY COOKING COFFE E POT DEVICE	2112508
MARLBORO COUNTRY CODKING LDGD	2116423
MARLBORO CDUNTRY COOKING LOGD	2109301
MARLBORO COUNTRY STORE	1028256
MARLBORO ES CLASE APARTE	12937
MARLBORO GREEN LABEL	854007
MARLBORO IN THE GREAT AMERICAN TRADITION	440768

TRADEMARK  
REEL: 002670 FRAME: 0354

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
MARLBORO LABEL	9776
MARLBORO LIGHTS	1039412
MARLBORO LIGHTS GOLD LABEL	1038989
MARLBORO LIGHTS LABEL	READ IN BURMESE
MARLBORO LIGHTS LABEL	READ IN ENGLISH
MARLBORO LIGHTS LABEL	1039413
MARLBORO LIGHTS MENTHOL LABEL	1544782
MARLBORO MUSIC	1928891
MARLBORO RED LABEL	938510
MARLBORO SKI CHALLENGE & SKIER DESIGN	1287359
MARLBORO ULTRA LIGHTS LABEL (S ILVER)	1651628
MARLBORO UNLIMITED	2103967
MARLBORO UNLIMITED	2118301
MARLBORO UNLIMITED	2107692
MARLBORO UNLIMITED	2103968
MARLBORO UNLIMITED	2101970
MARLBORO UNLIHITED	2107693
MARLBORO UNLIMITED	2120279
MARLBORO UNLIMITED	2107691
MEDLEY	1003004
MERIT	19964
MERIT	668906
MERIT GOLD LABEL	20343

TRADEMARK  
REEL: 002670 FRAME: 0355

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
MERIT GOLO LABEL	1045560
MERIT GREEN LABEL	1045559
MERIT LABEL	1045561
MERIT LABEL (NO WRDING)	1045562
MERIT ULTRA LIGHTS BLUE LABEL	1189527
MONTEREY	1384597
MONTEREY (CHARCOAL LINE) LABEL	1737750
MULTIFILTER	13149
MULTIFILTER (& ROPER DESIGN)	10301
MULTIFILTER CIRCLES LABEL	912378
NEVADA	867068
NEW YORKER	674844
NEW YORKER (SKYSCRAPER) LABEL	1709476
NEXT	1533540
NORTHWIND LABEL & POLAR BEAR D ESIGN	1237594
OXFORD	745686
PACIFIC	838223
PAGE BDY DESIGN (STANDING FIGU RE)	752797
PARK DRIVE (CENTER PANEL SKYSC RAPER) LABEL	1693474
PARLIAMENT	94
PARLIAMENT	8613
PARLIAMENT	378340
PARLIAMENT	5169

TRADEMARK  
REEL: 002670 FRAME: 0356

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
PARLIAMENT LABEL	10086
PARLIAMENT LIGHTS TWO TONE DIA GONAL LABEL	1164854
PARLIAHENT TWD TONE DIAGONAL L ABEL	19653
PARLIAMENT TWO-TONE DIAGONAL L ABEL (SOLID PANEL)	2578092
PARLIAMENT 100'S TWO TONE DIAG ONAL LABEL (IN COLOR)	865627
PAXTON	169
PAXTON	12717
PAXTON	84449
PAXTON	762192
PAXTON (STATUE) LABEL	1839070
PHILIP MORRIS	4716
PHILIP MDRRIS	318479
PHILIP MORRIS BLUE LABEL	11802
PHILIP MDRRIS BLUE LABEL	741831
PHILIP MDRRIS BROWN LABEL	5580
PHILIP MORRIS DE LUXE ULTRA LI GHTS LABEL	READ IN ENGLISH
PHILIP MORRIS DE LUXE ULTRA LI GHTS LABEL	READ IN BURMESE
PHILIP MORRIS RED LABEL	17641 VOL 42
PHILIP MDRRIS 100'S GOLD LABEL	843566
PLAYER'S	5849
PLAYER'S	552831
PLAYER'S DESIGN	555064

TRADEMARK  
REEL: 002670 FRAME: 0357

<u>TRADEMARK</u>	<u>CURRENT ND.</u>
PLAYERS LABEL	1294836
PLAYERS LIGHTS LABEL	1384599
PLAZA	847814
PLAZA (STAIRS & TAXI) LABEL	1690878
PLUS	20354
PM INTERNATIONAL LABEL (GREEN)	1010036
PM INTERNATIONAL LABEL (RED)	994452
POCKET PACK	1839128
PREMIUM BUY	2332825
PROFILE	855840
PROFILE (DOUBLE SKYSCRAPER) LABEL	1886700
PUFF ACTIVATED LIGHTER	2367170
RAFFLES	1272094
RAFFLES (BRIDGE) LABEL	1915298
RAFFLES LABEL	READ IN ENGLISH
RAFFLES LABEL	READ IN BURMESE
RAFFLES LABEL	1271009
RIO (GEOMETRIC FIGURE) LABEL	1903776
ROANOKE	733285
ROANOKE LIGHTS LABEL (LAKE SCENE)	2332047
ROY	18203
ROYAL	785487
SARATOGA	12715

TRADEMARK  
REEL: 002670 FRAME: 0358

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
SARATOGA	745687
SARATOGA BROWN LABEL	1031665
SARATOGA LABEL	19934
SEA LORD LABEL	5888
SEVILLE (CELLO & FLUTE) LABEL	1927969
SIENNA LABEL (W/GUITARS)	1935567
SKYLINE	1709481
SPUD	121
SPUD	420722
TAKE THE EDGE OFF	1855273
THE MARLBORO COUNTRY STORE	1213316
TOM JONES	853525
ULTIMA (STYLIZED)	1832866
UNLIMITED ACTION, ADVENTURE, GOOD TIMES	2057397
V AND CREST DESIGN	654359
V DESIGN	662465
VIRGINIA ROUNDS	377139
VIRGINIA SLIMS	894450
VIRGINIA SLIMS	958776
VIRGINIA SLIMS BEIGE LABEL	912375
VIRGINIA SLIMS LABEL	19545
VIRGINIA SLIMS LABEL	912374
VIRGINIA SLIMS LIGHTS LABEL	1227743
VIRGINIA SLIMS LIGHTS 120'S (M ENTMOL) LABEL (EXCLUDING 120'S	1369402

TRADEMARK  
REEL: 002670 FRAME: 0359

<u>TRADEMARK</u>	<u>CURRENT NO.</u>
VIRGINIA SLIMS SUPERSLIMS LABE L (MARBLE STRIPE)	1897685
VIRGINIA SLIMS VS LOGD	1602699
VIRGINIA SLIMS WDRLD CHAMPIONS HIP SERIES & DESIGN	1290474
VISA	879789
VISTA	1602700
VISTA SERIES	1854281
VS LOGO	2175654
WOMAN THING MUSIC	2111345
WOMAN THING MUSIC	2111344
WOMAN THING MUSIC	2151438
XL'S	834599
YOU'VE COME A LDNG WAY, BABY	969043

# Commonwealth of Virginia



## State Corporation Commission

*I Certify the Following from the Records of the Commission:*

The foregoing is a true copy of the certificate of amendment of PHILIP MORRIS USA INC.  
issued January 15, 2003.

Nothing more is hereby certified.



*Signed and Sealed at Richmond on this Date:  
January 30, 2003*

*Joel H. Peck*  
\_\_\_\_\_  
*Joel H. Peck, Clerk of the Commission*

**ARTICLES OF AMENDMENT OF  
THE  
AMENDED AND RESTATED  
ARTICLES OF INCORPORATION  
OF  
PHILIP MORRIS INCORPORATED**

**I.**

The name of the corporation is Philip Morris Incorporated (the "Corporation").

**II.**

The amendment adopted is to change Article I of the Amended and Restated Articles of Incorporation to be and read as follows:

"The name of the Corporation is PHILIP MORRIS USA INC."

**III.**

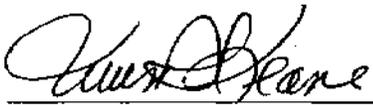
The foregoing amendment was approved by the sole stockholder of the Corporation by consent on January 13, 2003, in accordance with Sections 13.1-657 and 13.1-688.E of the Virginia Stock Corporation Act (the "VSCA").

**IV.**

Pursuant to Section 13.1-606 of the VSCA, the Certificate of Amendment shall become effective at eight o'clock a.m. on January 15, 2003.

The undersigned, Denise F. Keane, Senior Vice President, General Counsel and Secretary of the Corporation, declares that the facts herein stated are true as of January 13, 2003.

Philip Morris Incorporated

By: 

Name: Denise F. Keane

Title: Senior Vice President,  
General Counsel and Secretary

**COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION**

January 15, 2003

The State Corporation Commission has found the accompanying articles submitted on behalf of  
PHILIP MORRIS USA INC. (formerly MORRIS INCORPORATED, PHILIP )  
to comply with the requirements of law, and confirms payment of all related fees.

Therefore, it is ORDERED that this

**CERTIFICATE OF AMENDMENT**

be issued and admitted to record with the articles of amendment in the Office of the Clerk of the  
Commission, effective January 15, 2003, at 08:00 AM.

The corporation is granted the authority conferred on it by law in accordance with the articles,  
subject to the conditions and restrictions imposed by law.

STATE CORPORATION COMMISSION

By



Commissioner

03-01-14-0619  
AMENACPT  
CIS0317

RECORDED: 02/12/2003

TRADEMARK  
REEL: 002670 FRAME: 0363

**EXHIBIT B**

FILTER CIGARETTES



**NYC**

**PREMIUM**

MENTHOL HIGH AIR FILTER  
BOX

20 CLASS A CIGARETTES

**EXHIBIT C**

