

ESTTA Tracking number: **ESTTA841539**

Filing date: **08/24/2017**

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

Proceeding	87147187
Applicant	Plasencia 1865, LLC
Applied for Mark	P
Correspondence Address	STEWART L GITLER WELSH FLAXMAN & GITLER LLC 2000 DUKE STREET SUITE 100 ALEXANDRIA, VA 22314 UNITED STATES Email: mail@iplawsolutions.com, gitler@iplawsolutions.com
Submission	Appeal Brief
Attachments	WFG-7390 Final Appeal Brief.pdf(354657 bytes) Exhibit A.compressed.pdf(566708 bytes) Perdomo adv.pdf(67644 bytes) Plasencia Advcompressed.pdf(343231 bytes)
Filer's Name	Stewart L Gitler
Filer's email	mail@iplawsolutions.com, gitler@iplawsolutions.com
Signature	/Stewart L Gitler/
Date	08/24/2017









APPEAL BRIEF

Applicant contends that U.S. Trademark Registration No. 2,775,007 (“007 Registration”) cited by the Examining Attorney is an inherently weak mark and entitled only to a very narrow scope of protection as applied to cigars. Therefore, after analyzing all the third party concurrent uses, and the sophistication of the buyers purchasing high end cigars, there can be no likelihood of confusion as to the source of Applicant’s goods and the goods of the Cited Mark .

In support of this position, Applicant submits and resubmits numerous third party U.S. Trademark registrations and third party uses in interstate commerce which incorporate the dominant feature of the mark, the letter “P”.

At least a dozen third party uses of the letter “P” alone or in combination with other letters for cigars is present and coexisting in the marketplace without any actual confusion. Cigar buyers are sophisticated and know their brands intimately and in view of such they are not likely to believe that another seller’s product that uses a similar letter connotation would emanate from the same source.

Applicant previously submitted eleven (11) issued third party U.S. Trademark registrations that contain the letter “P” for cigars and tobacco and related goods in International Class 034. Many of these registrations include cigars.

Reg. Number	Mark	Goods	Registrant
0676,553		Pipes	Kapp & Peterson Ltd.
1,662,705		snuff and snuff dispensers	Alois Poschl GmbH&CO. KG
2,074,940		cigars	Paul Garmirian, Inc.
2,912,128		cigars	Nick's Cigar Co. Perdomo
3,060,474	P1	cigars	Chiusano, Michael J.
3,876,299	E.P.CARILLO	cigars	EPC IP Co, LLC
4,030,648		cig. Cases	Pegatron Corp.
4,681,578	P	ecigs...	Gysland, David
4,925,878		cartomizers,...	BHJ Associates
5,053,575		cigars,...	Premium Tobacco FZ LLC
5,161,785		filter tips	Freese, Louis

Additionally, the term P is used extensively in the cigar industry, in interstate commerce, as a cigar type identifier which is exemplified by its use in the

common cigar terminology “SERIE P”, or “SERIES P”. (copies of cigar brands from a search of the internet using the terminology are enclosed in Exhibit A)

1. Patoro cigars-Serie “P”

2. Tatuaje cigars Series P

ARGUMENT

Applicant’s “P” mark, and the mark in the ‘007 Registration, are distinguishable visually. In addition, they have different underlying meanings and commercial impressions. Applicant’s mark is short for “Plasencia” and as is common in the cigar industry, the stylized “P” is almost always used together with the “Plasencia” name. The “P” in the ‘007 Registration is short for “Perdomo”, and its use is almost always in close association with the Perdomo brand. These substantial distinctions are readily apparent to sophisticated cigar consumers who know these distinct brands and the marks that represent them. This and due to the inherent weakness of the “P” mark, coupled with the vast number of third parties using and registering similar P marks for cigars, or cigar related products in International class 034, leads to a conclusion that there does not exist a likelihood of confusion in the marketplace.

It is well known that cigar smokers are highly selective and intimately know the cigar manufacturers, the countries where the products are grown and the cigars sold thereby.

Moreover, Applicant's and Registrant's customers are highly discriminating purchasers that carefully select the cigars based on the type of tobacco and type of leaf product that the cigar uses in its manufacture. This distinction further prevents any likelihood of confusion between the respective marks.

A. The Cited Mark is Only Entitled to a Narrow Scope of Protection, and Therefore Minor Distinctions With Other Marks Avoid Any Likelihood of Confusion

The Cited Mark is inherently weak and highly diluted. It has long been held that where a mark is inherently weak, or where a mark is heavily diluted, the mark is only entitled to a narrow scope of protection, and therefore, minor differences with other marks will obviate any likelihood of confusion. See, e.g., *In re Central Soya Company, Inc.*, 220 U.S.P.Q. 914, 916 (TTAB 1984) (merely descriptive and weak designations are entitled to a narrower scope of protection than an entirely arbitrary or coined word); *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 396 F.3d 1369, 73 U.S.P.Q.2d 1689 (Fed. Cir. 2005) (evidence of third party use of similar marks for similar services “is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection”).

The Trademark and Trial Appeals Board (“TAB”) has previously grappled with the analysis of two somewhat similar marks like the ones at issue here, and have in similar circumstances found no likelihood of confusion. In *Carefirst of Maryland, Inc. v. FirstHealth of the Carolinas, Inc.*, the TTAB analyzed the likelihood of confusion between the marks CAREFIRST and FIRSTCAROLINACARE, both for the provision of healthcare-related services. *Carefirst of Maryland, Inc. v. FirstHealth of the Carolinas, Inc.*, 77 U.S.P.Q.2d 1492 (TTAB 2005).

In addition to the traditional sight, sound and meaning analysis, the TTAB placed significant emphasis on the weakness of the major components of both marks, namely, ‘CARE’ and ‘FIRST.’ In comparing the CAREFIRST and FIRSTCAROLINACARE marks, the TTAB noted that the major components of each mark, ‘CARE’ and ‘FIRST’ are widely used by those in the healthcare industry. As to the ‘CARE’ component of the marks, the TTAB specifically noted that “[o]ne can hardly adopt a more highly descriptive/generic term in the healthcare field than ‘CARE.’” *Id.* at 1510. The mark components are used so extensively within the healthcare field that it was “reasonable to conclude that consumers have become conditioned to recognize that many entities in the field use such terms.” *Id.* The TTAB held that, in such an instance, consumers are able

to distinguish between entities using similar marks based on small distinctions between the marks. *Id.* (citing *G.H. Mumm & Cie v. Desnoes & Geddes Ltd.*, 917 F.2d 1292, 16 U.S.P.Q.2d 1635 (Fed. Cir. 1990); and *General Mills Inc. v. Health Valley Foods*, 24 U.S.P.Q.2d 1270, 1277-1278 (TTAB 1992)). The TTAB emphasized that the weakness of the marks at issue was a significant factor that must be given great weight when analyzing the more traditional likelihood of confusion factors.

The bottom line is that consumers, at one time or another, have been exposed to a variety of uses of “care” and “first” marks in the healthcare field. The mark CAREFIRST is highly suggestive on its face, and the third-party usage only confirms this. No matter how hard Opposer has tried to diminish this DuPont factor, the unassailable fact remains that Opposer’s mark is just one of several “Care” and “First” marks in a crowded field. *Carefirst*, 77 U.S.P.Q.2d at 1510. A federal district court performed a similar analysis in finding no likelihood of confusion between the nearly identical marks CAREFIRST and FIRST CARE. In *Carefirst of Maryland, Inc. v. First Care, P.C.*, the court analyzed the likelihood of confusion between the marks CAREFIRST and FIRST CARE, again both for healthcare services, for even more similar marks than those at issue in the Board’s prior-referenced *Carefirst* decision. 73 U.S.P.Q.2d 1833 (E.D.Va. 2004).

The Court explained that “[n]umerous users of a mark strongly indicates a weak mark.” Id.

In the instant case, the overlapping component is the dilute letter “P” that is short for the name of the cigar type and brand. As previously stated the “P” stands for and is used in close proximity to the brand name PLASENCIA. The cited mark uses “P” in close proximity to and for the brand PERDOMO. The P in the cited mark is non-distinctive in the cigar industry, and one must look at the name of the manufacturer and how the P is used in commerce to ascertain a goods place association. So in essence one must compare PLASENCIA vs. PERDOMO.

Applicant cited eleven (11) third party U.S. Trademark registrations in its initial Office Action response incorporating the letter “P” for tobacco/cigar related goods, demonstrating that the letter “P” is widely used in the field of Registrant’s goods.

The Cited Mark is extremely weak and is, as a matter of law, only entitled to the narrowest of possible protection. This premise must form the foundation, and be a significant part of any analysis assessing the substantial distinctions between Applicant’s “P” mark and the Cited Mark. Applicant respectfully submits that the Examining Attorney’s legal analysis finding a likelihood of confusion is not consistent with this governing legal principle nor is it consistent with the Board’s

precedential authority and the authority from federal district court finding no likelihood of confusion between the CAREFIRST and FIRST CARE marks for healthcare services. Indeed, in light of the foregoing authorities finding no likelihood of confusion between the marks CAREFIRST and FIRST CARE for healthcare services, there is no plausible basis upon which to reach a different conclusion here concerning the indisputably more distinct “P” marks.

In sum, given the enormity of the Cited Mark’s inherent weakness and dilution, which demonstrates that consumers do and will continue to easily distinguish among the notable differences between the Cited Mark and Applicant’s Mark, and the controlling legal authority directly applicable to these marks, there is no likelihood of consumer confusion. See *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 396 F.3d 1369, 1373, 73 U.S.P.Q.2d 1689, 1693 (Fed. Cir. 2005); *Giersch v. Scripps Networks, Inc.*, 90 U.S.P.Q.2d 1020, 1026 (TTAB 2009); *In re Box Solutions Corp.*, 79 U.S.P.Q.2d 1953, 1957-58 (TTAB 2006); *In re Cent. Soya Co.*, 220 U.S.P.Q. 914, 916 (TTAB 1984).

B. The Visual and Commercial Impressions of Applicant’s Mark are Significantly Distinct from the Cited Mark

The ‘007 Registration contains a different distinctive stylization of the letter “P” not appearing in Applicant’s Mark, and is visually distinct from Applicant’s stylized “P” Mark. Without question, the cited mark presents a distinct visual

impression from Applicant's mark. These are not minor differences. They are significant and substantial differences. When these marked differences are coupled with the irrefutable evidence that the cited mark is highly diluted in the tobacco/cigar field, there is no and can be no finding of a likelihood of confusion.

The considerable differences in the overall appearances of the two marks alone support a finding no likelihood of confusion. This is even before one takes into account the weakness and dilution of the cited mark, which compels the TTAB to conclude and find that there is no likelihood of confusion.

B. Consideration of All the Aforementioned Factors Compels a Finding of No Likelihood of Confusion

Considering all of the relevant factors, there can be no likelihood of confusion between Applicant's mark and the cited mark. Indeed, the Board very recently analyzed a set of nearly identical facts between much closer marks and found no likelihood of confusion, allowing the application at issue to proceed to registration. In *In re Hartz Hotel Services*, Applicant Hartz Hotel Services, Inc. ("Hartz") sought to register the mark GRAND HOTELS NYC for 'hotel services.' *In re Hartz Hotel Servs., Inc.*, 102 U.S.P.Q.2d 1150 (TTAB 2012). The Examining Attorney reviewing the application refused registration of the mark on the ground that it was likely to be confused with the registered mark GRAND HOTEL for

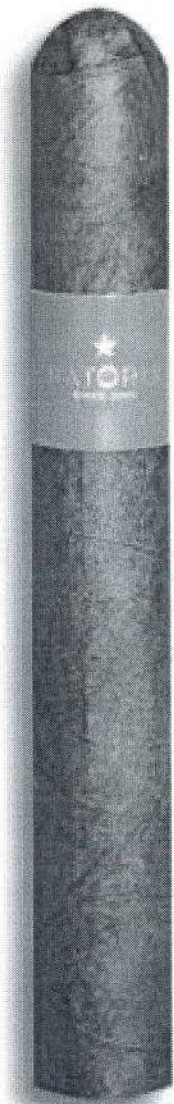
“hotel and restaurant services” – a nearly identical mark as that of applicant, for the same exact services. *Id.* at 1151. On appeal from the Trademark Examiner’s final refusal, the Board noted that the mark cited by the Examiner, GRAND HOTEL, was highly suggestive due to the laudatory nature of the term ‘GRAND.’ *Id.* at 1152. Moreover, the Board noted that Hartz cited seven third party registrations incorporating the phrase ‘GRAND HOTEL’ for hotel related services, and that Hartz had submitted copies of ten (10) websites advertising hotel services that used marks incorporating the phrase ‘GRAND HOTEL’. *Id.* at 1152-1153. Upon considering this evidence, the Board held that there was no likelihood of confusion between Hartz’s mark GRAND HOTELS NYC, and the cited mark GRAND HOTEL. *Id.* at 1153-1155. The Board explained that given the highly suggestive nature of the cited mark, and the existence of numerous third parties using similar marks, both federally registered and in the common law, the cited GRAND HOTEL mark was only due the narrowest of possible protections, and the inclusion of a geographic indicator by Hartz was sufficient to dispel any likelihood of confusion – [V]iewing the marks GRAND HOTEL and GRAND HOTELS NYC in the context of the facts and circumstances presented by the record in this case, we find that the addition of NYC to applicant’s mark is sufficient to render applicant’s mark distinguishable from the mark in the cited registration. In other words, in this case, the strength or weakness of the mark in the cited registration is

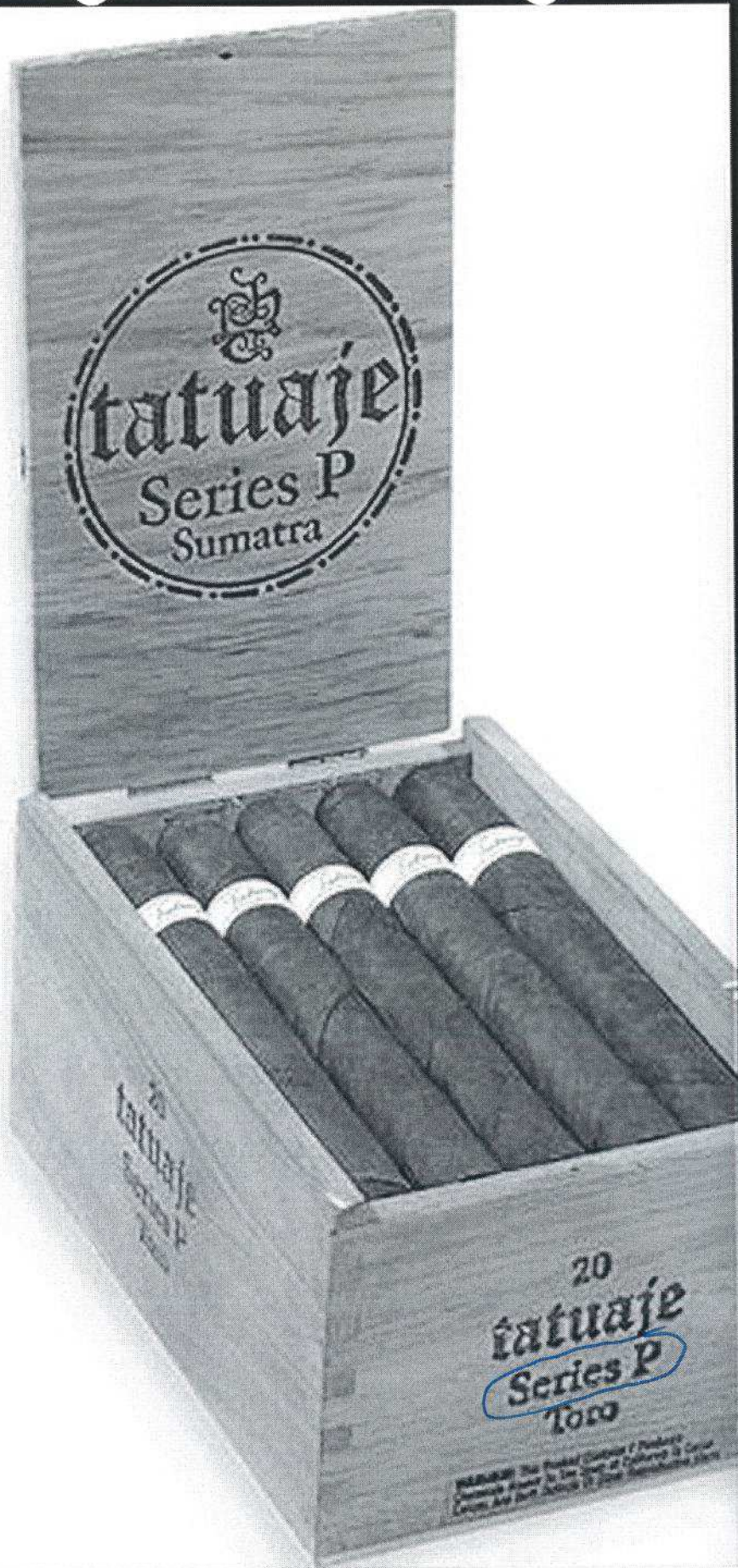
the most important factor. Because of the highly suggestive nature of the mark “Grand Hotel,” the proliferation of registered “Grand Hotel” marks and the unregistered uses of “Grand Hotel” marks, the mark “Grand Hotel,” itself, is entitled to only a very narrow scope of protection or exclusivity of use. Further, because of the highly suggestive nature of GRAND HOTEL and the number of third-party GRAND HOTEL marks, we conclude that consumers are able to distinguish between different GRAND HOTEL marks based on small differences in the marks, including the addition of a geographic term. *Id.* at 1155 (internal citation omitted); see also *In re Dayco Products-Eagle Motive, Inc.*, 9 U.S.P.Q.2d 1910, 1912 (TTAB 1988) (finding no likelihood of confusion between applicant’s mark IMPERIAL for automotive products and registrant’s identical mark for automobiles and structural parts thereof, because “the weakness of the marks involved herein is a significant factor and serves, in this case, to ‘tip the scales’ in favor of a finding of no likelihood of confusion.”); *Sure-Fit Products Co. v. Saltzson Drapery Co.*, 254 F.2d 158, 160, 117 U.S.P.Q. 295, 297 (C.C.P.A. 1958) (“It seems both logical and obvious to us that where a party chooses a trademark which is inherently weak, he will not enjoy the wide latitude of protection afforded the owners of strong trademarks. Where a party uses a weak mark, his competitors may come closer to his mark than would be the case with a strong mark without violating his rights.”) The identical factors are at play in this case. The Cited Mark

is only entitled to the narrowest of possible protections. It is inherently weak because, as the Board has already recognized in prior cases, its composite terms are highly descriptive of services rendered by the Registrant. Additionally, the Cited Mark is severely diluted because numerous third parties use the Cited Mark's "P" component for tobacco/cigar related goods. When looking at the substantial differences between the visual appearance of Applicant's mark and the Cited Mark, one can only come to the conclusion, based on the weakness of the Cited Mark, that consumers can and do easily distinguish between the marks. Consumers are savvy and know that cigars come from certain manufacturers and are made from very specific types of leaves and tobacco. This is particularly true when comparing the marks at issue in Hartz Hotel Servs. case, there the marks were nearly identical, except for the addition of the letter 'S' and a geographical indicator, 'NYC,' to Hartz's mark. In that case, like the case at hand the marks are not confusingly similar.

For the foregoing reasons, Applicant respectfully requests that the refusal to register Applicant's mark be reversed, and the Application be approved for publication.

EXHIBIT A





United States Patent Office

676,553
Registered Apr. 7, 1959

PRINCIPAL REGISTER Trademark

Ser. No. 56,142, filed July 28, 1958



Kapp & Peterson Ltd. (British company)
113 St. Stephens Green
Dublin C-2, Ireland

For: PIPES, in CLASS 8.
First use Aug. 15, 1951; in commerce Oct. 11, 1951.

APR 21 1964
COMB. AFF. SEC 8 & 15

Int. Cl.: 34

Prior U.S. Cls.: 8 and 17

United States Patent and Trademark Office

Reg. No. 1,662,705

Registered Oct. 29, 1991

**TRADEMARK
PRINCIPAL REGISTER**



ALOIS POSCHL GMBH & CO. KG (FED REP
GERMANY CORPORATION)
SCHWESTERGASSE 18
8300 LANDSHUT, FED REP GERMANY

FIRST USE 0-0-1948; IN COMMERCE
11-0-1982.

SER. NO. 74-090,327, FILED 8-22-1990.

FOR: SNUFF AND SNUFF DISPENSERS, IN
CLASS 34 (U.S. CLS. 8 AND 17).

MARGARET HOLTHUSEN, EXAMINING AT-
TORNEY

Int. Cl.: 34

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

Reg. No. 2,074,940

United States Patent and Trademark Office

Registered July 1, 1997

**TRADEMARK
PRINCIPAL REGISTER**



PAUL GARMIRIAN, INC. (VIRGINIA CORPORATION)
1218 POTOMAC SCHOOL ROAD, P.O. BOX 6016
MCLEAN, VA 22106

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

FIRST USE 4-0-1991; IN COMMERCE 4-0-1991.

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

THE LINING IS A FEATURE OF THE MARK AND DOES NOT INDICATE COLOR.

"PAUL GARMIRIAN" IDENTIFIES A LIVING INDIVIDUAL WHOSE CONSENT IS OF RECORD.

SER. NO. 74-696,790, FILED 7-3-1995.

ADAM STRIEGEL, EXAMINING ATTORNEY

Int. Cl.: 34

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

United States Patent and Trademark Office

Reg. No. 2,912,128

Registered Dec. 21, 2004

TRADEMARK
PRINCIPAL REGISTER



NICK'S CIGAR COMPANY (FLORIDA CORPORATION), DBA TABACALERA PERDOMO S.A.
5150 NORTHWEST 167TH STREET
MIAMI LAKES, FL 33014

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

FIRST USE 4-1-2000; IN COMMERCE 4-1-2000.

OWNER OF U.S. REG. NOS. 2,489,219, 2,500,189, AND 2,500,190.

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

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

SER. NO. 76-499,885, FILED 3-24-2003.

VIVIAN MICZNIK FIRST, EXAMINING ATTORNEY

Int. Cl.: 34

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

United States Patent and Trademark Office

Reg. No. 3,060,474

Registered Feb. 21, 2006

**TRADEMARK
PRINCIPAL REGISTER**

P1

CHIUSANO, MICHAEL J. (UNITED STATES IN-
DIVIDUAL)
2447 57TH STREET
SARASOTA, FL 34243

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

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

SER. NO. 78-677,878, FILED 7-25-2005.

FIRST USE 5-1-2000; IN COMMERCE 5-1-2000.

JIM RINGLE, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

E.P. Carrillo

Reg. No. 3,876,299

Registered Nov. 16, 2010

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

EPC IP CO, LLC (FLORIDA LIMITED LIABILITY COMPANY)
984 S.W. 1ST STREET
MIAMI, FL 33130

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

FIRST USE 12-2-2009; IN COMMERCE 12-2-2009.

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

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK IDENTIFIES "E. P. CARRILLO", WHOSE CONSENT(S) TO REGISTER IS MADE OF RECORD.

SER. NO. 77-979,403, FILED 5-14-2009.

ASMAT KHAN, EXAMINING ATTORNEY

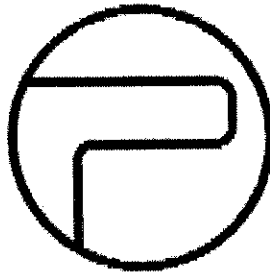


David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,030,648

Registered Sep. 27, 2011

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

PEGATRON CORPORATION (TAIWAN CORPORATION)
5F., NO. 76, LIGONG ST., BEITOU DISTRICT
TAIPEI CITY 112, TAIWAN

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON TAIWAN APPLICATION NO. 099012265,
FILED 3-19-2010, REG. NO. 01435379, DATED 10-16-2010, EXPIRES 10-15-2020.

THE MARK CONSISTS OF A STYLIZED "P" WITHIN A CIRCLE.

SER. NO. 85-004,677, FILED 4-1-2010.

ALYSSA STEEL, EXAMINING ATTORNEY

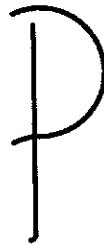


David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,681,578

Registered Feb. 3, 2015

Int. Cl.: 34

TRADEMARK

PRINCIPAL REGISTER

DAVID GYSLAND (UNITED STATES INDIVIDUAL)
1276 STONE RIDGE ROAD
SAUK RAPIDS, MN 56379

FOR: ELECTRONIC CIGARETTES; ELECTRONIC CIGARETTES FOR USE AS AN ALTERNATIVE TO TRADITIONAL CIGARETTES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 2-10-2010; IN COMMERCE 2-10-2010.

THE MARK CONSISTS OF A STYLIZED LETTER "P".

SER. NO. 86-320,273, FILED 6-25-2014.

DAVID GEARHART, EXAMINING ATTORNEY

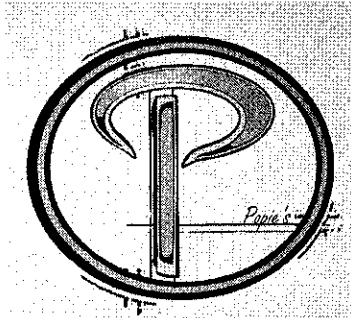


Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,925,878

Registered Mar. 29, 2016

Int. Cls.: 25, 34 and 35

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

BHJ ASSOCIATES (NEW JERSEY CORPORATION), DBA POPIE'S VAPOR LOUNGE
CRISPIN SQUARE 230 N. MAPLE AVE. STE A3
MARLTON, NJ 08053

FOR: POCKET SQUARES; SHORT-SLEEVED OR LONG-SLEEVED T-SHIRTS; T-SHIRTS;
TEE SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-15-2014; IN COMMERCE 1-15-2014.

FOR: CARTOMIZERS, NAMELY, COMBINATION ELECTRONIC CIGARETTE REFILL
CARTRIDGES SOLD EMPTY AND ATOMIZERS, SOLD AS A COMPONENT OF ELECTRONIC
CIGARETTES; CASES FOR ELECTRONIC CIGARETTES AND ELECTRONIC CIGARETTE
ACCESSORIES; ELECTRONIC CIGARETTES FOR USE AS AN ALTERNATIVE TO TRADI-
TIONAL CIGARETTES; ORAL VAPORIZERS FOR SMOKING PURPOSES, IN CLASS 34
(U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 9-15-2014; IN COMMERCE 9-15-2014.

FOR: ADVERTISING AND MARKETING; COMPUTERIZED ON-LINE RETAIL STORE
SERVICES IN THE FIELD OF VAPOR, E-LIQUID, ELECTRONIC CIGARETTES, PERSONAL
VAPORIZERS, APPAREL, MODS, NAMELY MODIFICATIONS FOR PERSONAL VAPOR-
IZERS AND ELECTRONIC CIGARETTES, E-JUICE; RETAIL SHOPS FEATURING VAPOR,
E-LIQUID, ELECTRONIC CIGARETTES, PERSONAL VAPORIZERS, APPAREL, MODS,
NAMELY MODIFICATIONS FOR PERSONAL VAPORIZERS AND ELECTRONIC CIGAR-
ETTES, E-JUICE; RETAIL STORE SERVICES FEATURING VAPOR, E-LIQUID, ELECTRONIC
CIGARETTES, PERSONAL VAPORIZERS, APPAREL, MODS, NAMELY MODIFICATIONS
FOR PERSONAL VAPORIZERS AND ELECTRONIC CIGARETTES, E-JUICE, IN CLASS 35
(U.S. CLS. 100, 101 AND 102).

FIRST USE 1-15-2014; IN COMMERCE 1-15-2014.

THE MARK CONSISTS OF TWO SHADED CONCENTRIC OVALS. BETWEEN THE INNER
AND OUTER OVALS IS A THIN BAND OF SHADING. INSIDE THE CENTER OF THE INNER
OVAL IS THE STYLIZED IMAGE OF THE LETTER "P" IN OUTLINE AND FILLED IN WITH
SHADING. ON THE LOWER RIGHT OF THE MARK THERE APPEARS THE WORD "POPIE'S"
IN STYLIZED FORM AND UNDERLINED.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Reg. No. 4,925,878 THE WORDING "POPIE'S" HAS NO MEANING IN A FOREIGN LANGUAGE.

SER. NO. 86-634,728, FILED 5-19-2015.

PARKER HOWARD, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

PLATINUM
SEVEN



Reg. No. 5,053,575

Registered Oct. 04, 2016

Int. Cl.: 34

Trademark

Principal Register

Premium Tobacco FZ LLC (UNITED ARAB EMIRATES LIMITED LIABILITY COMPANY), AKA Al Safwa Molasses ,
P.O. Box 31291
Al Jazeera Al Hamra
Ras Al Khaimah UNITED ARAB EMIR.

CLASS 34: Tobacco; smoker's articles, namely, matches and lighters for smokers; cigarettes; cigarillos, cigars; snuff; tobacco pipes; chewing tobacco

OWNER OF EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM) REG. NO. 014560999, DATED 01-11-2016, RENEWED AS REG. NO. 014560999 , EXPIRES 09-14-2025

The mark consists of the phrase "PLATINUM SEVEN" in all capital letters, wherein "PLATINUM" is placed above "SEVEN" and in larger font, and wherein the letter "P" is placed over "PLATINUM" on a dark shield, and wherein a stylized letter "P" is placed within a double-lined square below "SEVEN"; and wherein the numeral "7" is placed within a dark box at the end of the word "SEVEN"; and finally wherein a stylized letter "P" is placed within a double-lined box below the word "SEVEN".

SER. NO. 86-907,171, FILED 02-13-2016
MARGERY ANN TIERNEY, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 5,161,785

Registered Mar. 14, 2017

Int. Cl.: 34

Trademark

Principal Register

Louis Freese (UNITED STATES INDIVIDUAL)
1900 Avenue of the Stars, 25th Floor
c/o King, Holmes, Paterno & Soriano, LLP
Los Angeles, CA 90067

CLASS 34: filter tips

FIRST USE 10-00-2016; IN COMMERCE 10-00-2016

The mark consists of the integrated stylized letters "PFT" with a stylized crown design on top.

SER. NO. 86-642,927, FILED 05-27-2015
LIEF ANDREW MARTIN, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

— INTRODUCING —
PERDOMO
SMALL BATCH
SERIES



Small Batch Series

Perdomo

The time is now. Here I come.

Mastering the night and conquering
journeys. Fairhearted I'm not,
for I make my own rules:
rules the pack-minded will later follow.
Their cement wilderness is my playground,
full of thrills and plenty of riches.
I survey my domain, and the hunt is still on.

Be ready.
For change is a-coming.



CRAFT YOUR OWN STORY WITH THE
SUPERB TASTE OF ALMA FUERTE.



PLASEÑCIA
CIGARS

CRAFTING BOLDNESS
SINCE 1865