

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87412097
LAW OFFICE ASSIGNED	LAW OFFICE 117
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87412097/large
LITERAL ELEMENT	YOUNG'S
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
<p>In the Final Office Action dated February 21, 2018, the Examining Attorney maintained refusal of registration based on U.S. Registration No. 4241447, with respect to Classes 29 and 30 only. In light of the amendment and the comments set forth below, Applicant respectfully requests that the Examining Attorney remove the 2(d) refusal.</p> <p>The Examining Attorney also requested amendments to the identification of goods. Accordingly, Applicant has amended the goods as suggested by the Examining Attorney or in accordance with the U.S. Acceptable Identification of Goods and Services Manual.</p> <p><u>THERE IS NO LIKELIHOOD OF CONFUSION BETWEEN APPLICANT'S AMENDED GOODS AND THE GOODS IN THE CITED REGISTRATION</u></p> <p><u>Comparison Of The Goods</u></p> <p>Registrant's goods are mixes for making breadings and for making batters. Applicant's goods have been amended to distance them from the registered goods to ensure that applicant's goods are not related to, or complementary with, the registered goods.</p> <p>Specifically, applicant's amended goods now consist of meals, appetizers and prepared meals. The Examining Attorney asserts that the evidence shows how registrant's goods are complementary in use with applicant's goods, such as meat, poultry, and fish, because breadings products are used to coat meats, poultry, and fish. However, Applicant has specifically deleted these goods from its application.</p> <p>Applicant's goods are meals, appetizers and prepared meals. Thus, Applicant's foods are ready for use whereas registrant's goods is used in the preparation of foods. It is impossible to use applicant's goods together with registrant's goods.</p> <p>There is no per se rule for refusal to register because two marks are to be used or are used in connection with goods which are in the same class.</p> <p>More particularly, even if the respective goods can be categorized as "food" that does not mean that there is a likelihood of confusion between them.</p> <p><u>The Evidence</u></p> <p>To support the rejection on this basis, the Examining Attorney relies upon the previous evidence as well as additional evidence that allegedly offer the goods at issue under the same name.</p> <p>More particularly, the final Office Action recites as follows:</p> <p>The Internet evidence attached to the previous Office Action shows third-parties offering the goods at issue under the same name. For example:</p> <ul style="list-style-type: none">• http://www.hodgsonmill.com/ (manufactures and sells bread mixes, as well as flour, pasta, cereals, and potato products, such as potato starch, under the same name);• http://www.bobsredmill.com/ (manufactures and sells bread mixes, as well as flour, cereals, nut-based products, such as nut flour, and potato-based products, such as potato flour, starch, flakes and bread mix, under the same name);	

- <http://swanywhiteflour.com/our-products> (manufactures and sells bread mixes, as well as flour, under the same name); and
- <http://www.kingarthurflour.com/> (manufactures and sells bread mixes, as well as flour, nut-based products such as nut flour, and potato based products, such as potato flour, under the same name).

Applicant notes that "bread mixes" is not listed in Applicant's amended goods. All the evidence relied upon here is based upon bread mixes and that evidence shows bread mixes are used for making bread. None of the goods listed in Applicant's application, as now amended, or the registered goods are used for, or have any relationship to, mixes for making bread.

The final Office Action also recites that the examining attorney has attached additional evidence in the final Office Action showing third parties providing applicant's and registrant's goods under the same name. For example:

1. <https://www.mccormick.com/zatarains/products> (produces and sells breading mixes, rice and pasta meals, spices and sauces, under the same name);
2. <https://www.tonychachere.com/> (produces and sells breading mixes in the nature of fish fry mixes, sandwich sauces, spices, and rice meals, under the same name);
3. <http://www.ajinomoto.com.ph/> (produces and sells breading mixes and sauces, under the same name);
4. <http://www.coloneljimsbread.com/> (produces and sells breading mixes and potato products in the nature of mashed potato mixes, under the same name);
5. <https://store.louisianafishfry.com/> (produces and sells breading mixes, batter mixes, sauces, spices, and rice meals, under the same name);
6. <https://www.hodgsonmill.com/> (produces and sells breading mixes, flour, pasta, rice meals, and mixes for making desserts, under the same name);
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8. <http://www.shorelunch.com/> (produces and sells breading and batter mixes, and soup mixes, under the same name);
9. <https://dixielily.com/> (produces and sells breading mixes and soup mixes under the same name); and
10. <https://www.progresso.com/> (produces and sells breading mixes in the nature of bread crumbs, and soups, under the same name).

Applicant has amended its goods to be in the nature of prepared meals, such as those consisting primarily of meat, fish, poultry and vegetables and the like. Accordingly, the evidence relating to spices, sauces, desserts, cereals, soups and the like do not show a connection between registrant's and applicant's goods.

Further, the Examining Attorney's reliance on this evidence as allegedly showing that third parties offer the goods at issue under the same name are provided through the same trade channels and used by the same classes of consumers in the same field of use is unsupported by the evidence.

THE WEAK NATURE OF THE CITED MARK AND THE CO-EXISTENCE OF THE CITED MARK AND THIRD-PARTY MARKS AND USES SUPPORTS A FINDING OF NO LIKELIHOOD OF CONSUMER CONFUSION

Applicant submits that the cited mark is weak and should be afforded narrow rights due to the presence of numerous other marks for similar goods that have been allowed or registered. Section 1207.01(d)(iii) of the T.M.E.P. explains that "[t]hird-party registrations may be relevant to show that the mark or a portion of the mark is . . . so commonly used that the public will look to other elements to distinguish the source of the goods or services." In a similar vein, T.M.E.P. § 1207.01(d)(x) provides that "[i]f the examining attorney finds registrations that appear to be owned by more than one registrant, he or she should consider the extent to which dilution may indicate that there is no likelihood of confusion."

Applicant notes that in addition to the registration cited by the Examining Attorney, a quick search of the Patent and Trademark Office's ("PTO") records revealed the following marks for (using the same logic as applied by the Examining Attorney in this case) "related goods":

1. U.S. Registration No. 5438415 for the mark YOUNG LIVING in Class 30;
2. U.S. Registration No. 5161154 for the mark YOUNG LIVING in Class 30;
3. U.S. Registration No. 5269298 for the mark OLIVE YOUNG in Class 30;
4. U.S. Registration No. 5084971 for the mark YOUNG SCENT in Classes 30 and 32;
5. U.S. Registration No. 4592776 for the mark YOUNG MOUNTAIN TEA in Class 30;
6. U.S. Registration No. 4144034 for the mark YOUNG'S BARBECUE SAUSE in Class 30
7. U.S. Registration No. 3634063 for the mark YOUNG PLANTATIONS in Classes 29 and 30;
8. U.S. Allowed Serial No. 86/514564 for the mark YOUNG AT HEART in Classes 29 and 30; and
9. U.S. Registration No. 4654139 for the mark THE YOUNG AMERICAN in Class 30;

Printouts of the specifics of these registrations and allowed application downloaded from the USPTOs online database are attached hereto as Exhibit 1 and made of record.

As the PTO did not cite any of the referenced marks, it is evident that the PTO has determined that these marks, Applicant's mark can co-exist with each other. Applicant assumes that the cited registration was examined and approved despite the existence of other YOUNG marks because the PTO believes that a slight variation in the marks and/or the goods is sufficient to preclude a likelihood of confusion.

In fact, the existence of these other YOUNG marks shows that consumers will look to other elements to distinguish the source of the goods and services. T.M.E.P. § 1207.01(d)(iii). See, e.g., *AMF Inc. v. American Leisure Products, Inc.*, 474 F.2d 1403, 1406, 177 U.S.P.Q. 268, 269-70 (C.C.P.A. 1973); *Plus Products v. Star-Kist Foods, Inc.*, 220 U.S.P.Q. 541, 544 (T.T.A.B. 1983); *Loctite Corp. v. Tubbs Cordage Co.*, 175 U.S.P.Q. 663 (T.T.A.B. 1972); *In re Shoe Corp. of American v. The Juvenile Shoe Corp. of America*, 121 U.S.P.Q. 510, 512-13.

Considering the previous stance of the PTO, it seems difficult to reconcile the Examining Attorney's position in this matter. As the Board has stated that the PTO should avoid inconsistent practices, Applicant submits that it should not be singled out and subjected to inconsistent treatment in this case. See, e.g., In re Women's Publishing Co., Inc., 23 U.S.P.Q.2d 1876, 1878 (T.T.A.B. 1992) ("Women's").

As explained in Plus Prods. v. Star-Kist Foods, Inc., 220 U.S.P.Q. 541, 544 (T.T.A.B. 1983), third-party registrations "are competent and admissible to show that the Office has over the years registered numerous marks containing 'PLUS.'" Likewise, given the ubiquitous use of the word YOUNG, the cited registration is only entitled to a narrow scope of protection.

In Plus Products v. Natural Organics, Inc., 204 U.S.P.Q. 773 (T.T.A.B. 1979), the Board found no likelihood of confusion between the marks NATURE'S PLUS and PLUS both for vitamins. In reaching this conclusion, the Board noted that the "PTO has 'historically registered PLUS marks for vitamins to different parties so long as there has been some difference, not necessarily created by a distinctive word, between the marks as a whole."

As the term YOUNG is used and registered by many different parties, it is apparent there is no likelihood of confusion between the cited mark and Applicant's mark. Accordingly, the Section 2(d) refusal should be removed.

Conclusion

In light of the foregoing, Applicant submits that there is no likelihood of confusion between Applicant's mark and the cited mark. Accordingly, Applicant respectfully requests that the Examining Attorney withdraw the Section 2(d) refusal.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_1732271968-20180821221824955971_.UDL.pdf
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DESCRIPTION OF EVIDENCE FILE	printouts from TSDR
GOODS AND/OR SERVICES SECTION (029)(current)	
INTERNATIONAL CLASS	029
DESCRIPTION	
Meat, fish, not live, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and milk products excluding ice cream, ice milk and frozen yogurt; edible oils and fats; frozen foods, namely, frozen fish, frozen seafood, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; frozen entrees consisting of meat, fish, poultry or vegetables; frozen fish; frozen fish; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; frozen vegetables, potato and fruit products; potato crisps; potato chips; potato products in the form of snack foods; preparations consisting principally of dehydrated meat, dehydrated poultry and/or dehydrated vegetables for making instant meals and for making instant snack foods; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables, packaged meals consisting primarily of meat, fish, poultry or vegetables; prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared entrees consisting primarily of seafood; processed nuts, processed nuts and mixtures of processed nuts and dried fruits; meat, fish, not live, sea foods in the nature of seafood, not live, poultry and game; preserved, dried and cooked fruit and vegetables; meat products; non-alcoholic extracts of fruit and/or vegetables for use in prepared meals for food; fruit preserves, vegetable preserves; eggs; milk; cheese; cheese spreads; cheese dips; yogurt, vegetable oils and fats for food; pickles; soups	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (029)(proposed)	
INTERNATIONAL CLASS	029
TRACKED TEXT DESCRIPTION	
Meat, fish, not live, poultry and game ; Meat extracts; preserved, dried and cooked fruits and vegetables; frozen foods, namely, frozen appetizers consisting primarily of meat, fish, poultry or vegetables ; jellies, jams ; frozen entrees consisting primarily of meat, fish, poultry or vegetables ; eggs, milk and milk products excluding ice cream, ice milk and frozen yogurt ; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; edible oils and fats ; frozen vegetables, potato and fruit products, namely, frozen fruits ; frozen foods, namely, frozen fish, frozen seafood, frozen appetizers consisting primarily of meat, fish, poultry or vegetables ; potato chips; frozen entrees consisting of meat, fish, poultry or vegetables ; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables ; frozen fish ; packaged meals consisting primarily of meat, fish, poultry or vegetables ; frozen fish ; prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared entrees consisting primarily of seafood; frozen vegetables, potato and fruit products ; potato crisps; potato products in the form of snack foods; preparations consisting principally of dehydrated meat, dehydrated poultry and/or dehydrated vegetables for making instant meals and for making instant snack foods; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables, packaged meals consisting primarily of meat, fish, poultry or vegetables; processed nuts, processed nuts and mixtures of processed nuts and dried fruits; meat, fish, not live, sea foods in the nature of seafood, not live, poultry and game; preserved, dried and cooked fruit and vegetables; meat products; non-alcoholic extracts of fruit and/or vegetables for use in prepared meals for food; fruit preserves, vegetable preserves; eggs; milk; cheese; cheese spreads; cheese dips; yogurt, vegetable oils and fats for food; pickles; soups	
FINAL DESCRIPTION	
Meat extracts; preserved, dried and cooked fruits and vegetables; frozen foods, namely, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; frozen entrees consisting primarily of meat, fish, poultry or vegetables; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; frozen vegetables, potato and fruit products, namely, frozen fruits; potato chips; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables; packaged meals consisting primarily of meat, fish, poultry or vegetables; prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared entrees consisting primarily of seafood	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (030)(current)	
INTERNATIONAL CLASS	030
DESCRIPTION	

Frozen foods, namely, frozen confections, frozen meals consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta or rice; prepared meals, namely, prepared meals consisting primarily of pasta or rice; instant meals, namely, packaged meals consisting primarily of pasta or rice; snack foods, namely, grain based snack foods, granola based snack foods, wheat based snack foods; snack foods made from flour, cereals and/or farinaceous substances; preparations for making instant meals and instant snack foods, namely, instant noodles, instant rice; preparations consisting principally of noodles, rice, spaghetti or pasta for making instant meals and for making instant snack foods; chutneys, sauces and ketchups; desserts and preparations for making desserts, namely, rice-based pudding desserts, puddings, cakes, cookies, dessert soufflés, pastries, candies, frozen confections; popcorn; coffee, coffee essences and coffee extracts; mixtures of coffee and chicory; chicory and chicory mixtures, all for use for coffee; tea; cocoa; preparations made principally of cocoa; chocolate; chocolate products, namely chocolate confectionery; confectionery made of sugar; candy; sugar; flour; breakfast cereals; pizzas; pasta and pasta products; ice, ice cream, water ices, frozen confections; preparations for making ice cream and/or water ices and/or frozen confections; honey; preparations consisting wholly or substantially wholly of sugar, for use as substitutes for honey; syrup for flavoring food, treacle, molasses; sauces and preparations for making sauces; spices; vinegars; custard powders; salad dressings; dessert mousses; bakery desserts; puddings; fruit sauces; milk products, namely, ice cream, ice milk and frozen yogurt; meat products, namely, meat pies; dairy products, namely, ice cream

FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (030)(proposed)	
INTERNATIONAL CLASS	030
TRACKED TEXT DESCRIPTION	
<p>Frozen foods, namely, frozen confections, frozen meals consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta; prepared meals, namely, prepared meals consisting primarily of pasta or rice; prepared meals, namely, prepared meals consisting primarily of pasta; instant meals, namely, packaged meals consisting primarily of pasta or rice; instant meals, namely, packaged meals consisting primarily of pasta; snack foods, namely, grain based snack foods, granola based snack foods, wheat based snack foods; snack foods made from flour, cereals and/or farinaceous substances; preparations for making instant meals and instant snack foods, namely, instant noodles, instant rice; preparations consisting principally of noodles, rice, spaghetti or pasta for making instant meals and for making instant snack foods; chutneys, sauces and ketchups; desserts and preparations for making desserts, namely, rice-based pudding desserts, puddings, cakes, cookies, dessert soufflés, pastries, candies, frozen confections; popcorn; coffee, coffee essences and coffee extracts; mixtures of coffee and chicory; chicory and chicory mixtures, all for use for coffee; tea; cocoa; preparations made principally of cocoa; chocolate; chocolate products, namely chocolate confectionery; confectionery made of sugar; candy; sugar; flour; breakfast cereals; pizzas; pasta and pasta products; ice, ice cream, water ices, frozen confections; preparations for making ice cream and/or water ices and/or frozen confections; honey; preparations consisting wholly or substantially wholly of sugar, for use as substitutes for honey; syrup for flavoring food, treacle, molasses; sauces and preparations for making sauces; spices; vinegars; custard powders; salad dressings; dessert mousses; bakery desserts; puddings; fruit sauces; milk products, namely, ice cream, ice milk and frozen yogurt; meat products, namely, meat pies; dairy products, namely, ice cream</p>	
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Frozen foods, namely, frozen meals consisting primarily of pasta; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta; prepared meals, namely, prepared meals consisting primarily of pasta; instant meals, namely, packaged meals consisting primarily of pasta	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (043)(no change)	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Andrew H. Simpson/
SIGNATORY'S NAME	Andrew H. Simpson
SIGNATORY'S POSITION	Attorney for Applicant, California bar member
SIGNATORY'S PHONE NUMBER	949-760-0404
DATE SIGNED	08/21/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	

SUBMIT DATE	Tue Aug 21 22:20:16 EDT 2018
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PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **87412097** YOUNG'S(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87412097/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

In the Final Office Action dated February 21, 2018, the Examining Attorney maintained refusal of registration based on U.S. Registration No. 4241447, with respect to Classes 29 and 30 only. In light of the amendment and the comments set forth below, Applicant respectfully requests that the Examining Attorney remove the 2(d) refusal.

The Examining Attorney also requested amendments to the identification of goods. Accordingly, Applicant has amended the goods as suggested by the Examining Attorney or in accordance with the U.S. Acceptable Identification of Goods and Services Manual.

THERE IS NO LIKELIHOOD OF CONFUSION BETWEEN APPLICANT'S AMENDED GOODS AND THE GOODS IN THE CITED REGISTRATION

Comparison Of The Goods

Registrant's goods are mixes for making breadings and for making batters. Applicant's goods have been amended to distance them from the registered goods to ensure that applicant's goods are not related to, or complementary with, the registered goods.

Specifically, applicant's amended goods now consist of meals, appetizers and prepared meals. The Examining Attorney asserts that the evidence shows how registrant's goods are complementary in use with applicant's goods, such as meat, poultry, and fish, because breadings products are used to coat meats, poultry, and fish. However, Applicant has specifically deleted these goods from its application.

Applicant's goods are meals, appetizers and prepared meals. Thus, Applicant's foods are ready for use whereas registrant's goods is used in the preparation of foods. It is impossible to use applicant's goods together with registrant's goods.

There is no per se rule for refusal to register because two marks are to be used or are used in connection with goods which are in the same class.

More particularly, even if the respective goods can be categorized as "food" that does not mean that there is a likelihood of confusion between them.

The Evidence

To support the rejection on this basis, the Examining Attorney relies upon the previous evidence as well as additional evidence that allegedly offer the goods at issue under the same name.

More particularly, the final Office Action recites as follows:

The Internet evidence attached to the previous Office Action shows third-parties offering the goods at issue under the same name. For example:

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- <http://swanywhiteflour.com/our-products> (manufactures and sells bread mixes, as well as flour, under the same name); and
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9. <https://dixielily.com/> (produces and sells breading mixes and soup mixes under the same name); and
10. <https://www.progresso.com/> (produces and sells breading mixes in the nature of bread crumbs, and soups, under the same name).

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9. U.S. Registration No. 4654139 for the mark THE YOUNG AMERICAN in Class 30;

Printouts of the specifics of these registrations and allowed application downloaded from the USPTO’s online database are attached hereto as Exhibit 1 and made of record.

As the PTO did not cite any of the referenced marks, it is evident that the PTO has determined that these marks, Applicant’s mark can co-exist with each other. Applicant assumes that the cited registration was examined and approved despite the existence of other YOUNG marks because the PTO believes that a slight variation in the marks and/or the goods is sufficient to preclude a likelihood of confusion.

In fact, the existence of these other YOUNG marks shows that consumers will look to other elements to distinguish the source of the goods and services. T.M.E.P. § 1207.01(d)(iii). See, e.g., *AMF Inc. v. American Leisure Products, Inc.*, 474 F.2d 1403, 1406, 177 U.S.P.Q. 268, 269-70 (C.C.P.A. 1973); *Plus Products v. Star-Kist Foods, Inc.*, 220 U.S.P.Q. 541, 544 (T.T.A.B. 1983); *Loctite Corp. v. Tubbs Cordage Co.*, 175 U.S.P.Q. 663 (T.T.A.B. 1972); *In re Shoe Corp. of America v. The Juvenile Shoe Corp. of America*, 121 U.S.P.Q. 510, 512-13.

Considering the previous stance of the PTO, it seems difficult to reconcile the Examining Attorney’s position in this matter. As the Board has stated that the PTO should avoid inconsistent practices, Applicant submits that it should not be singled out and subjected to inconsistent

treatment in this case. See, e.g., In re Women's Publishing Co., Inc., 23 U.S.P.Q.2d 1876, 1878 (T.T.A.B. 1992) ("Women's").

As explained in Plus Prods. v. Star-Kist Foods, Inc., 220 U.S.P.Q. 541, 544 (T.T.A.B. 1983), third-party registrations "are competent and admissible to show that the Office has over the years registered numerous marks containing 'PLUS.'" Likewise, given the ubiquitous use of the word YOUNG, the cited registration is only entitled to a narrow scope of protection.

In Plus Products v. Natural Organics, Inc., 204 U.S.P.Q. 773 (T.T.A.B. 1979), the Board found no likelihood of confusion between the marks NATURE'S PLUS and PLUS both for vitamins. In reaching this conclusion, the Board noted that the "PTO has "historically registered PLUS marks for vitamins to different parties so long as there has been some difference, not necessarily created by a distinctive word, between the marks as a whole.

As the term YOUNG is used and registered by many different parties, it is apparent there is no likelihood of confusion between the cited mark and Applicant's mark. Accordingly, the Section 2(d) refusal should be removed.

Conclusion

In light of the foregoing, Applicant submits that there is no likelihood of confusion between Applicant's mark and the cited mark. Accordingly, Applicant respectfully requests that the Examining Attorney withdraw the Section 2(d) refusal.

EVIDENCE

Evidence in the nature of printouts from TSDR has been attached.

Original PDF file:

[evi_1732271968-20180821221824955971_.UDL.pdf](#)

Converted PDF file(s) (25 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

[Evidence-18](#)

[Evidence-19](#)

[Evidence-20](#)

[Evidence-21](#)

[Evidence-22](#)

[Evidence-23](#)

[Evidence-24](#)

[Evidence-25](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 029 for Meat, fish, not live, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and milk products excluding ice cream, ice milk and frozen yogurt; edible oils and fats; frozen foods, namely, frozen fish, frozen seafood, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; frozen entrees consisting of meat, fish, poultry or vegetables; frozen fish; frozen fish; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; frozen vegetables, potato and fruit products; potato crisps; potato chips; potato products in the form of snack foods; preparations consisting principally of dehydrated meat, dehydrated poultry and/or dehydrated vegetables for making instant meals and for making instant snack foods; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables, packaged meals consisting primarily of meat, fish, poultry or vegetables; prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables,

prepared entrees consisting primarily of seafood; processed nuts, processed nuts and mixtures of processed nuts and dried fruits; meat, fish, not live, sea foods in the nature of seafood, not live, poultry and game; preserved, dried and cooked fruit and vegetables; meat products; non-alcoholic extracts of fruit and/or vegetables for use in prepared meals for food; fruit preserves, vegetable preserves; eggs; milk; cheese; cheese spreads; cheese dips; yogurt, vegetable oils and fats for food; pickles; soups

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~Meat, fish, not live, poultry and game;~~ Meat extracts; preserved, dried and cooked fruits and vegetables; frozen foods, namely, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; jellies, jams; frozen entrees consisting primarily of meat, fish, poultry or vegetables; ~~eggs, milk and milk products excluding ice cream, ice milk and frozen yogurt;~~ chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; edible oils and fats; frozen vegetables, potato and fruit products, namely, frozen fruits; frozen foods, namely, frozen fish, frozen seafood, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; potato chips; ~~frozen entrees consisting of meat, fish, poultry or vegetables;~~ instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables; frozen fish; packaged meals consisting primarily of meat, fish, poultry or vegetables; ~~frozen fish;~~ prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared entrees consisting primarily of seafood; ~~frozen vegetables, potato and fruit products; potato crisps; potato products in the form of snack foods; preparations consisting principally of dehydrated meat, dehydrated poultry and/or dehydrated vegetables for making instant meals and for making instant snack foods; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables, packaged meals consisting primarily of meat, fish, poultry or vegetables; processed nuts, processed nuts and mixtures of processed nuts and dried fruits; meat, fish, not live, sea foods in the nature of seafood, not live, poultry and game; preserved, dried and cooked fruit and vegetables; meat products; non-alcoholic extracts of fruit and/or vegetables for use in prepared meals for food; fruit preserves, vegetable preserves; eggs; milk; cheese; cheese spreads; cheese dips; yogurt, vegetable oils and fats for food; pickles; soups~~

Class 029 for Meat extracts; preserved, dried and cooked fruits and vegetables; frozen foods, namely, frozen appetizers consisting primarily of meat, fish, poultry or vegetables; frozen entrees consisting primarily of meat, fish, poultry or vegetables; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of meat, fish, poultry or vegetables; frozen vegetables, potato and fruit products, namely, frozen fruits; potato chips; instant meals, namely, ready-to-eat meals consisting primarily of meat, fish, poultry or vegetables; packaged meals consisting primarily of meat, fish, poultry or vegetables; prepared meals, namely, prepared entrees consisting primarily of meat, fish, poultry or vegetables, prepared entrees consisting primarily of seafood

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 030 for Frozen foods, namely, frozen confections, frozen meals consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta or rice; prepared meals, namely, prepared meals consisting primarily of pasta or rice; instant meals, namely, packaged meals consisting primarily of pasta or rice; snack foods, namely, grain based snack foods, granola based snack foods, wheat based snack foods; snack foods made from flour, cereals and/or farinaceous substances; preparations for making instant meals and instant snack foods, namely, instant noodles, instant rice; preparations consisting principally of noodles, rice, spaghetti or pasta for making instant meals and for making instant snack foods; chutneys, sauces and ketchups; desserts and preparations for making desserts, namely, rice-based pudding desserts, puddings, cakes, cookies, dessert soufflés, pastries, candies, frozen confections; popcorn; coffee, coffee essences and coffee extracts; mixtures of coffee and chicory; chicory and chicory mixtures, all for use for coffee; tea; cocoa; preparations made principally of cocoa; chocolate; chocolate products, namely chocolate confectionery; confectionery made of sugar; candy; sugar; flour; breakfast cereals; pizzas; pasta and pasta products; ice, ice cream, water ices, frozen confections; preparations for making ice cream and/or water ices and/or frozen confections; honey; preparations consisting wholly or substantially wholly of sugar, for use as substitutes for honey; syrup for flavoring food, treacle, molasses; sauces and preparations for making sauces; spices; vinegars; custard powders;

salad dressings; dessert mousses; bakery desserts; puddings; fruit sauces; milk products, namely, ice cream, ice milk and frozen yogurt; meat products, namely, meat pies; dairy products, namely, ice cream

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~Frozen foods, namely, frozen confections, frozen meals consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta or rice; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta; prepared meals, namely, prepared meals consisting primarily of pasta or rice; prepared meals, namely, prepared meals consisting primarily of pasta; instant meals, namely, packaged meals consisting primarily of pasta or rice; instant meals, namely, packaged meals consisting primarily of pasta; snack foods, namely, grain-based snack foods, granola-based snack foods, wheat-based snack foods; snack foods made from flour, cereals and/or farinaceous substances; preparations for making instant meals and instant snack foods, namely, instant noodles, instant rice; preparations consisting principally of noodles, rice, spaghetti or pasta for making instant meals and for making instant snack foods; chutneys, sauces and ketchups; desserts and preparations for making desserts, namely, rice-based pudding desserts, puddings, cakes, cookies, dessert soufflés, pastries, candies; frozen confections; popcorn; coffee, coffee essences and coffee extracts; mixtures of coffee and chicory; chicory and chicory mixtures, all for use for coffee; tea; cocoa; preparations made principally of cocoa; chocolate; chocolate products, namely chocolate confectionery; confectionery made of sugar; candy; sugar; flour; breakfast cereals; pizzas; pasta and pasta products; ice, ice cream, water ices, frozen confections; preparations for making ice cream and/or water ices and/or frozen confections; honey; preparations consisting wholly or substantially wholly of sugar, for use as substitutes for honey; syrup for flavoring food, treacle, molasses; sauces and preparations for making sauces; spices; vinegars; custard powders; salad dressings; dessert mousses; bakery desserts; puddings; fruit sauces; milk products, namely, ice cream, ice milk and frozen yogurt; meat products, namely, meat pies; dairy products, namely, ice cream~~

Class 030 for Frozen foods, namely, frozen meals consisting primarily of pasta; chilled foodstuffs, namely, refrigerated food package combinations consisting primarily of pasta; prepared meals, namely, prepared meals consisting primarily of pasta; instant meals, namely, packaged meals consisting primarily of pasta

Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application: As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Andrew H. Simpson/ Date: 08/21/2018

Signatory's Name: Andrew H. Simpson

Signatory's Position: Attorney for Applicant, California bar member

Signatory's Phone Number: 949-760-0404

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 87412097

Internet Transmission Date: Tue Aug 21 22:20:16 EDT 2018

TEAS Stamp: USPTO/RFR-XXX.XXX.XX.XX-2018082122201630

8420-87412097-610333e9d9b9a346b7387c239c

353d3e79f66e37fda580f55b586f5d789738-N/A

-N/A-20180821221824955971

Generated on: This page was generated by TSDR on 2018-08-21 22:15:30 EDT

Mark: YOUNG LIVING

YOUNG LIVING

US Serial Number: 87686262

Application Filing Date: Nov. 15, 2017

US Registration Number: 5438415

Registration Date: Apr. 03, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Apr. 03, 2018

Publication Date: Jan. 16, 2018

Mark Information

Mark Literal Elements: YOUNG LIVING

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1389672

International Application(s)/Registration(s) Based on this Property: A0072150/1389672

Claimed Ownership of US Registrations: 5161154

Goods and Services

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

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

For: Bread mixes; Chewing gum; Chocolate and chocolates; Dried pasta; Grain-based food bars also containing dried fruit; Granola; Pancake mixes; Pancake syrup; Spices; Tea; Wheat flour; Agave syrup for use as a natural sweetener

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1998

Use in Commerce: Dec. 31, 1998

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently ITU: No
Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended ITU: No
Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Young Living Essential Oils, LC
Owner Address: 3125 Executive Parkway
Lehi, UTAH 84043
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country: UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: YOUNG LIVING ESSENTIAL OILS, LC
YOUNG LIVING ESSENTIAL OILS, LC
3125 EXECUTIVE PARKWAY
LEHI, UTAH 84043
UNITED STATES

Phone: 801-418-8900

Correspondent e-mail: ipdocket@youngliving.com sspeirs@youngliving.com
om.abrande@youngliving.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2018	REGISTERED-PRINCIPAL REGISTER	
Jan. 16, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 16, 2018	PUBLISHED FOR OPPOSITION	
Dec. 27, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 07, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 04, 2017	ASSIGNED TO EXAMINER	78324
Nov. 29, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 18, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 03, 2018

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Mark: YOUNG LIVING

YOUNG LIVING

US Serial Number: 87150387

Application Filing Date: Aug. 25, 2016

US Registration Number: 5161154

Registration Date: Mar. 14, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 14, 2017

Publication Date: Dec. 27, 2016

Mark Information

Mark Literal Elements: YOUNG LIVING

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: Wheat flour; granola; agave syrup for use as a natural sweetener; yacon syrup for use as a natural sweetener; pancake syrup; chewing gum; chocolate and chocolates; oolong tea; dried pasta; pancake mix; bread mixes; spices; grain-based food bars also containing dried fruit

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1998

Use In Commerce: Dec. 31, 1998

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Young Living Essential Oils, LC

Owner Address: 3125 W. Executive Parkway
Lehi, UTAH 84043
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Saul Speirs

Attorney Primary Email Address: ipdocket@youngliving.com

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: SAUL SPEIRS
YOUNG LIVING ESSENTIAL OILS, LC
3125 W. EXECUTIVE PARKWAY
LEHI, UTAH 84043
UNITED STATES

Phone: 801-418-8900

Correspondent e-mail: ipdocket@youngliving.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 14, 2017	REGISTERED-PRINCIPAL REGISTER	
Dec. 27, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 27, 2016	PUBLISHED FOR OPPOSITION	
Dec. 07, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 14, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 14, 2016	ASSIGNED TO EXAMINER	74288
Aug. 30, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 14, 2017

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Opposition

Proceeding Number: [91230011](#)

Filing Date: Sep 12, 2016

Status: Terminated

Status Date: Jan 25, 2017

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Young Life Research Inc.

Correspondent Address: CHRISTOPHER J DAY
LAW OFFICE OF CHRISTOPHER DAY
9977 NORTH 90TH STREET, SUITE 155
SCOTTSDALE AZ , 85258
UNITED STATES

Correspondent e-mail: chris@daylawfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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YOUNG LIFE RESEARCH

Abandoned - After Inter-Partes Decision

[86805724](#)

Plaintiff(s)

Name: Young Living Essential Oils, LC

Correspondent JAMES T BURTON
Address: KIRTON MCCONKIE
36 S STATE STREET, #1900
SALT LAKE CITY UT , 84111
UNITED STATES

Correspondent e-mail: jburton@kmclaw.com , jrupp@kmclaw.com , sglending@kmclaw.com , hills@kmclaw.com , sglending@kmclaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
YOUNG LIVING	Section 8 and 15 - Accepted and Acknowledged	85624312	4222043
YOUNG LIVING	Registered	86205992	4732888
YOUNG LIVING	Registered	87151313	5194887
YOUNG LIVING	Registered	87154441	5161161
YOUNG LIVING	Registered	87150387	5161154

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 12, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 12, 2016	Oct 22, 2016
3	PENDING, INSTITUTED	Sep 12, 2016	
4	NOTICE OF DEFAULT	Nov 10, 2016	
5	BD DECISION: SUSTAINED	Jan 25, 2017	
6	TERMINATED	Jan 25, 2017	

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Mark: OLIVE YOUNG



US Serial Number: 87169728

Application Filing Date: Sep. 13, 2016

US Registration Number: 5269298

Registration Date: Aug. 22, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 22, 2017

Publication Date: Jun. 06, 2017

Mark Information

Mark Literal Elements: OLIVE YOUNG

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the words "OLIVE" and "YOUNG" in black capital letters with a stylized representation of an olive forming the letter "O" in green between the words. Within the green letter "O" is a white oval shape with a small solid red oval shape appearing near the top and representing an olive pit.

Color Drawing: Yes

Color(s) Claimed: The color(s) black, green, white and red is/are claimed as a feature of the mark.

Design Search Code(s): 05.09.06 - Avocados; Fruits with pits (apricots, peaches, plums, olives and the like)

26.01.02 - Circles, plain single line; Plain single line circles

26.03.21 - Ovals that are completely or partially shaded

27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects

27.03.05 - Objects forming letters or numerals

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

Foreign Information

Foreign Registration Number: 1003065

Foreign Registration Date: Oct. 24, 2013

Foreign Application/Registration Country: KOREA, REPUBLIC OF

Foreign Expiration Date: Oct. 24, 2023

Goods and Services

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

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

For: Processed cereals; Flour for food; Capers; Processed cereal-based food to be used as a breakfast food, snack food or ingredient for making other foods; Baking powder; Malt for food purposes; Confectionery made of sugars or sugar substitutes; Bread; Sugar for food; Rice cakes; Soy sauce and soy bean paste; Food seasoning; Sauces; Spices; Edible salt; Tea; Coffee; Cocoa; Beverages with a tea base; Ice; Meat tenderizers, for household purposes

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: CJ OliveNetworks Co., Ltd.

Owner Address: Twincity 10~14th 366, Hangang-daero
Yongsan-gu, Seoul
KOREA, REPUBLIC OF

Legal Entity Type: CORPORATION

State or Country Where Organized: KOREA, REPUBLIC OF

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark J. Liss

Attorney Primary Email Address: trademark@leydig.com

Docket Number: 726540

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARK J. LISS
LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, 180 N. STETSON AVE
SUITE 4900
CHICAGO, ILLINOIS 60601
UNITED STATES

Phone: 312-616-5600

Fax: 312-616-5700

Correspondent e-mail: trademark@leydig.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark J. Liss

Phone: 312-616-5600

Fax: 312-616-5700

Domestic Representative e-mail: trademark@leydig.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Aug. 22, 2017	REGISTERED-PRINCIPAL REGISTER	
Jun. 06, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 06, 2017	PUBLISHED FOR OPPOSITION	
May 17, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 24, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 21, 2017	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 21, 2017	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 21, 2017	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 21, 2017	EXAMINERS AMENDMENT -WRITTEN	76144
Apr. 13, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 13, 2017	NON-FINAL ACTION E-MAILED	6325

Apr. 13, 2017	NON-FINAL ACTION WRITTEN	76144
Apr. 12, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 12, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 12, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 20, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Dec. 20, 2016	NON-FINAL ACTION E-MAILED	
Dec. 20, 2016	NON-FINAL ACTION WRITTEN	76144
Dec. 19, 2016	ASSIGNED TO EXAMINER	76144
Sep. 17, 2016	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 16, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 16, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 22, 2017

Generated on: This page was generated by TSDR on 2018-08-21 22:16:13 EDT

Mark: YOUNG SCENT



Y O U N G
S C E N T

US Serial Number: 86777804

Application Filing Date: Oct. 05, 2015

US Registration Number: 5084971

Registration Date: Nov. 22, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Nov. 22, 2016

Publication Date: Sep. 06, 2016

Mark Information

Mark Literal Elements: YOUNG SCENT

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "YOUNG SCENT" and design; the wording "YOUNG" is stacked over the term "SCENT" and appears below the design which consists of a stylized flower design comprised of geometric shapes.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 05.05.25 - Daffodils; Iris (flower); Other flowers

Code(s): 26.15.02 - Plain single or multiple line polygons; Polygons (plain, single line)

Goods and Services

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

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

For: Non-alcoholic beverages, namely, vegetable juice, sport drink, soda water, sarsaparilla, citrus fruit pectin flavored beverages, coconut beverages, not being milk substitutes and aloe juice beverages; Non-alcoholic beverages containing fruit juices; Non-alcoholic fruit extracts used in the preparation of beverages; Syrups for making non-alcoholic beverages; Smoothies; Vegetable-fruit juices and smoothies; Soft drinks, namely, sodas; beer; Preparations for making beverages, namely, fruit drinks

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 25, 2015

Use in Commerce: Sep. 30, 2015

For: Vinegar; Flavored vinegar; Fruit flavored vinegar; Flavored balsamic vinegar; Wine vinegar; Edible vinegar; Vinegar-based sauces; Flavorings for beverages, other than essential oils; Extracts used as food flavoring; Condiments, namely, mayonnaise, black vinegar, rice vinegar, prepared horseradish, pickled ginger; condiments, namely, sauces; Tea; Tea-based beverages; Coffee; Coffee-based beverages; Chocolate; Beverages with a chocolate base; Cocoa; Yeast; Ice cream; Honey; Bread; Pastry; Snack food, namely, grain-based snack foods, rice-based snack foods; Sweetmeats, namely, meat-based snack food; Candy; Puddings; Buns; Rice cakes; Oat-based food, namely, oat flakes, oatmeal; Cereal-based snack food; Noodles; Vinegar based drinks; Balsamic vinegar based drinks with fruit flavor; Balsamic vinegar based drinks with herb flavoring

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 25, 2015

Use in Commerce: Sep. 30, 2015

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Yang Sheng Corporation

Owner Address: 68 N. Allen Ave #8
Pasadena, CALIFORNIA UNITED STATES 91106

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joe McKinney Muncy

Docket Number: 5900/0459TUS

Attorney Primary Email Address: mailroom@mg-ip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOE MCKINNEY MUNCY
Muncy Geissler Olds & Lowe P C
4000 Legato Rd Ste 310
Fairfax, VIRGINIA UNITED STATES 22033-2898

Phone: 703-621-7140

Fax: 703-621-7155

Correspondent e-mail: mailroom@mg-ip.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 22, 2016	REGISTERED-PRINCIPAL REGISTER	
Sep. 06, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 06, 2016	PUBLISHED FOR OPPOSITION	
Aug. 17, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 28, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 28, 2016	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 28, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Jul. 28, 2016	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 28, 2016	EXAMINERS AMENDMENT -WRITTEN	76838
Jul. 25, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 25, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 25, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 27, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 27, 2016	NON-FINAL ACTION E-MAILED	6325
Jan. 27, 2016	NON-FINAL ACTION WRITTEN	76838
Jan. 26, 2016	ASSIGNED TO EXAMINER	76838
Oct. 09, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 08, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 08, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 22, 2016

Generated on: This page was generated by TSDR on 2018-08-21 22:16:28 EDT

Mark: YOUNG MOUNTAIN TEA

YOUNG MOUNTAIN TEA

US Serial Number: 86177634

Application Filing Date: Jan. 28, 2014

US Registration Number: 4592776

Registration Date: Aug. 26, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 26, 2014

Publication Date: Jun. 10, 2014

Mark Information

Mark Literal Elements: YOUNG MOUNTAIN TEA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "TEA"

Goods and Services

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

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

For: Tea

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2013

Use in Commerce: Nov. 24, 2013

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Young Mountain Tea, LLC

Owner Address: P.O. Box 501
Eugene, OREGON 97440

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country OREGON
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent YOUNG MOUNTAIN TEA, LLC
Name/Address: PO BOX 501
EUGENE, OREGON 97440-0501
UNITED STATES

Correspondent e- raj@youngmountaintea.com keith@youngmountai
mail: ntea.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2014	REGISTERED-PRINCIPAL REGISTER	
Jun. 10, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 10, 2014	PUBLISHED FOR OPPOSITION	
May 21, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 02, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 01, 2014	ASSIGNED TO EXAMINER	69965
Feb. 07, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 31, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 26, 2014

Generated on: This page was generated by TSDR on 2018-08-21 22:16:39 EDT

Mark: YOUNG G'S BARBECUE SAUCE

YOUNG G'S BARBECUE SAUCE

US Serial Number: 85275988

Application Filing Date: Mar. 24, 2011

US Registration Number: 4144034

Registration Date: May 15, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Sep. 29, 2017

Publication Date: Aug. 02, 2011

Notice of Allowance Date: Sep. 27, 2011

Mark Information

Mark Literal Elements: YOUNG G'S BARBECUE SAUCE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "BARBECUE SAUCE"

Goods and Services

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

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

For: Barbecue sauce

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 14, 2012

Use in Commerce: Feb. 14, 2012

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Young, Gerald Donnell

Owner Address: 8211 Brookview Dr.
Urbandale, IOWA UNITED STATES 50322

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alan A. Limbach

Docket Number: 125012-33

Attorney Primary tmfilings@dlapiper.com

Attorney Email Yes

Email Address:

Authorized:

Correspondent

Correspondent ALAN A. LIMBACH

Name/Address: DLA PIPER LLP US
2000 UNIVERSITY AVE
EAST PALO ALTO, CALIFORNIA UNITED STATES 94303-2214

Phone: 650.833.2433

Fax: 650.833.2001

Correspondent e-mail: tmfilings@dlapiper.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 29, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 29, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59136
Sep. 29, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	59136
Aug. 28, 2017	TEAS SECTION 8 & 15 RECEIVED	
May 15, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
May 15, 2012	REGISTERED-PRINCIPAL REGISTER	
Apr. 12, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 11, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70629
Mar. 29, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 29, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 28, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Mar. 08, 2012	USE AMENDMENT FILED	76874
Mar. 28, 2012	EXTENSION 1 GRANTED	76874
Mar. 08, 2012	EXTENSION 1 FILED	76874
Mar. 28, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Mar. 08, 2012	TEAS EXTENSION RECEIVED	
Mar. 08, 2012	TEAS STATEMENT OF USE RECEIVED	
Sep. 27, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 02, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 02, 2011	PUBLISHED FOR OPPOSITION	
Jun. 27, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Jun. 24, 2011	ASSIGNED TO LIE	70629
Jun. 22, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 21, 2011	ASSIGNED TO EXAMINER	76507
Mar. 30, 2011	NOTICE OF PSEUDO MARK MAILED	
Mar. 29, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 28, 2011	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted

Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Sep. 29, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Young, Gerald Donnell

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [6159/0839](#)

Pages: 13

Date Recorded: Sep. 23, 2017

Supporting Documents: [assignment-tm-6159-0839.pdf](#)

Assignor

Name: [BELL PLANTATION, INC.](#)

Execution Date: Aug. 31, 2017

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Assignee

Name: [EXWORKS CAPITAL FUND I, L.P.](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country DELAWARE
Where Organized:

Address: 333 WEST WACKER DRIVE, SUITE 1620
CHICAGO, ILLINOIS 60606

Correspondent

Correspondent Name: JULIE E. REITZ, HONIGMAN

Correspondent Address: 39400 WOODWARD AVENUE, SUITE 101
BLOOMFIELD HILLS, MI 48304-5151

Domestic Representative - Not Found

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Mark: YOUNG PLANTATIONS

YOUNG PLANTATIONS

US Serial Number: 77483351

Application Filing Date: May 26, 2008

US Registration Number: 3634063

Registration Date: Jun. 09, 2009

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 15, 2014

Publication Date: Mar. 24, 2009

Mark Information

Mark Literal Elements: YOUNG PLANTATIONS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "PLANTATIONS"

Related Properties Information

Claimed Ownership of US Registrations: 2883759, 2896698

Goods and Services

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

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

For: Chocolate covered pecans

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1994

Use in Commerce: Dec. 31, 1994

For: Processed pecans, candied pecans

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1994

Use in Commerce: Dec. 31, 1994

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: King Ranch IP, LLC

Owner Address: Suite 1300
Wilmington, DELAWARE 19801
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Docket Number: 014262-00037

Correspondent

Correspondent Name/Address: COLE MACKEY,
LOCKE LORD LLP
600 TRAVIS, SUITE 2800
HOUSTON, TEXAS 77002
UNITED STATES

Phone: 713/226-1142

Fax: 713/223-3717

Correspondent e-mail: hoip@lockelord.com cmackey@lockelord.com tev.enbly@lockelord.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 15, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 09, 2018	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 15, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 15, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Jul. 15, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Jun. 18, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 27, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jun. 09, 2009	REGISTERED-PRINCIPAL REGISTER	
Mar. 24, 2009	PUBLISHED FOR OPPOSITION	
Mar. 04, 2009	NOTICE OF PUBLICATION	
Feb. 19, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Feb. 18, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 17, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 16, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 16, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 06, 2009	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Feb. 06, 2009	PRIORITY ACTION E-MAILED	6326
Feb. 06, 2009	PRIORITY ACTION WRITTEN	82429
Jan. 26, 2009	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jan. 05, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 22, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Dec. 22, 2008	ASSIGNED TO LIE	78413
Dec. 12, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 11, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 11, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

Dec. 11, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 10, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 10, 2008	NON-FINAL ACTION E-MAILED	6325
Jul. 10, 2008	NON-FINAL ACTION WRITTEN	82429
Jul. 03, 2008	ASSIGNED TO EXAMINER	82429
May 29, 2008	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Jul. 15, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: King Ranch IP, LLC

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5688/0423](#)

Pages: 6

Date Recorded: Dec. 14, 2015

Supporting Documents: [assignment-tm-5688-0423.pdf](#)

Assignor

Name: [KING RANCH IP, LLC](#)

Execution Date: Nov. 09, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Assignee

Name: [NP YOUNG, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Address: 6175 MAIN STREET
SUITE 450
FRISCO, TEXAS 75034

Correspondent

Correspondent Name: ROBERTA L. CHRISTENSEN

Correspondent Address: 1125 S 103RD STREET
ONE PACIFIC PLACE, SUITE 800
OMAHA, NE 68124

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: NOTICE OF GRANT OF SECURITY INTEREST IN TRADEMARKS

Reel/Frame: [6407/0595](#)

Pages: 6

Date Recorded: Aug. 08, 2018

Supporting Documents: [assignment-tm-6407-0595.pdf](#)

Assignor

Name: [NP YOUNG, LLC](#)

Execution Date: Jul. 30, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Assignee**Name:** [AMERICAN AGCREDIT, PCA, AS ADMINISTRATIVE AGENT](#)**Legal Entity Type:** FEDERALLY CHARTERED FARM CREDIT
COOPERATIVE ASSOCIATION**State or Country** UNITED STATES
Where Organized:**Address:** 5560 SOUTH BROADWAY
EUREKA, CALIFORNIA 95503**Correspondent****Correspondent** MOORE & VAN ALLEN PLLC
Name:**Correspondent** 3015 CARRINGTON MILL BOULEVARD
Address: SUITE 400
MORRISVILLE, NC 27560**Domestic Representative - Not Found**

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Mark: YOUNG AT HEART

YOUNG AT HEART

US Serial Number: 86514564

Application Filing Date: Jan. 26, 2015

Register: Principal

Mark Type: Trademark

Status: A fifth request for extension of time to file a Statement of Use has been granted.

Status Date: Mar. 19, 2018

Publication Date: Jul. 21, 2015

Notice of Allowance Date: Sep. 15, 2015

Mark Information

Mark Literal Elements: YOUNG AT HEART

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

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

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

For: Pasta; baked goods, namely, bread, cakes, cookies, pastries, biscuits, crackers, croutons, bagel chips, buns and muffins; breakfast cereals; cereal bars; frozen and packaged entrees consisting primarily of pasta and rice; processed cereals; waffles; tortillas

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Vegetable and soy-based meat substitutes; vegetable and soy-based burger patties; meat substitutes, of either formed or unformed texture; poultry substitutes; frozen or refrigerated entrees consisting primarily of meat substitutes or poultry substitutes or vegetables; meatless soups or stews; soy-based snack foods; coated or breaded vegetable pieces; vegetable-based snack foods

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Food For Life Baking Co., Inc.

Owner Address: 2991 East Doherty
Corona, CALIFORNIA 92879
UNITED STATES

Legal Entity Type: CORPORATION

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Dax Alvarez

Docket Number: 68608

Attorney Primary ipladocket@swlaw.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Dax Alvarez
Name/Address: SNELL & WILMER L.L.P.
400 East Van Buren Street
Suite 1900
Phoenix, ARIZONA 85004-2202
UNITED STATES

Phone: 213.929.2500

Fax: 213.929.2525

Correspondent e- ipladocket@swlaw.com dalvarez@swlaw.com jlpe
mail: terson@swlaw.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 20, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 19, 2018	EXTENSION 5 GRANTED	66230
Mar. 08, 2018	EXTENSION 5 FILED	66230
Mar. 08, 2018	TEAS EXTENSION RECEIVED	
Sep. 07, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 05, 2017	EXTENSION 4 GRANTED	98765
Sep. 05, 2017	EXTENSION 4 FILED	98765
Sep. 05, 2017	TEAS EXTENSION RECEIVED	
Dec. 20, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 16, 2016	EXTENSION 3 GRANTED	98765
Dec. 16, 2016	EXTENSION 3 FILED	98765
Dec. 16, 2016	TEAS EXTENSION RECEIVED	
Sep. 23, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 22, 2016	EXTENSION 2 GRANTED	66230
Sep. 02, 2016	EXTENSION 2 FILED	66230
Sep. 20, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Sep. 02, 2016	TEAS EXTENSION RECEIVED	
Mar. 11, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 09, 2016	EXTENSION 1 GRANTED	98765
Mar. 09, 2016	EXTENSION 1 FILED	98765
Mar. 09, 2016	TEAS EXTENSION RECEIVED	
Sep. 15, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 21, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 21, 2015	PUBLISHED FOR OPPOSITION	
Jul. 01, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 16, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Jun. 16, 2015	ASSIGNED TO LIE	69712
May 28, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 27, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 27, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

May 27, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 04, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 04, 2015	NON-FINAL ACTION E-MAILED	6325
May 04, 2015	NON-FINAL ACTION WRITTEN	69807
May 01, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 01, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 29, 2015	ASSIGNED TO EXAMINER	69807
Feb. 05, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 29, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MULLEN, MARK TIMOTHY

Law Office LAW OFFICE 111
Assigned:

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Sep. 20, 2016

Generated on: This page was generated by TSDR on 2018-08-21 22:17:15 EDT

Mark: THE YOUNG AMERICAN

THE YOUNG AMERICAN

US Serial Number: 86107725

Application Filing Date: Nov. 01, 2013

US Registration Number: 4654139

Registration Date: Dec. 09, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 09, 2014

Publication Date: Feb. 18, 2014

Notice of Allowance Date: Apr. 15, 2014

Mark Information

Mark Literal Elements: THE YOUNG AMERICAN

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "AMERICAN"

Goods and Services

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

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

For: sandwich; sandwich for consumption on or off the premises; combination meal consisting primarily of a sandwich, fried potatoes and soft drink; combination meal consisting primarily of a sandwich, fried potatoes and soft drink for consumption on or off the premises

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 22, 2013

Use in Commerce: May 01, 2014

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: gdc, LLC

Owner Address: 1735 20th Street NW
Washington, DISTRICT OF COLUMBIA 20009
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DISTRICT OF COLUMBIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kevin Oliveira

Docket Number: 80710.00005

Attorney Primary Email Address: kevin.oliveira@ofplaw.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: KEVIN OLIVEIRA
ODIN, FELDMAN & PITTLEMAN, PC
1775 WIEHLE AVE STE 400
RESTON, VIRGINIA 20190-5159
UNITED STATES

Phone: (703) 218-2138

Fax: (703) 218-2160

Correspondent e-mail: kevin.oliveira@ofplaw.com sue.williams@ofplaw.com
[om](#)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 09, 2014	REGISTERED-PRINCIPAL REGISTER	
Nov. 05, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 04, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 29, 2014	STATEMENT OF USE PROCESSING COMPLETE	69302
Oct. 07, 2014	USE AMENDMENT FILED	69302
Oct. 28, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Oct. 07, 2014	TEAS STATEMENT OF USE RECEIVED	
Apr. 15, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 06, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 18, 2014	PUBLISHED FOR OPPOSITION	
Jan. 29, 2014	NOTICE OF PUBLICATION	
Jan. 10, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Jan. 02, 2014	ASSIGNED TO LIE	70138
Dec. 11, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 2013	EXAMINER'S AMENDMENT MAILED	
Dec. 09, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 09, 2013	EXAMINERS AMENDMENT -WRITTEN	88574
Dec. 08, 2013	ASSIGNED TO EXAMINER	88574
Nov. 12, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 05, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 04, 2014