

ESTTA Tracking number: **ESTTA666624**

Filing date: **04/14/2015**

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

Notice of Opposition

Notice is hereby given that the following parties oppose registration of the indicated application.

Opposers Information

Name	Sequel Naturals, Inc.
Granted to Date of previous extension	04/15/2015
Address	1124 FIR AVENUE #178 BLAINE, WA 98230 UNITED STATES

Name	Sequel Naturals Ltd.
Granted to Date of previous extension	04/15/2015
Address	101 - 3001 Wayburne Drive Burnaby, V5G 4W3 CANADA

Attorney information	Erik M. Pelton Erik M. Pelton & Associates, PLLC PO Box 100637 Arlington, VA 22210 UNITED STATES uspto@tm4smallbiz.com Phone:703-525-8009
----------------------	--

Applicant Information

Application No	86311189	Publication date	12/16/2014
Opposition Filing Date	04/14/2015	Opposition Period Ends	04/15/2015
Applicant	Nutrition 53, Inc. 3706 Mt. Diablo Blvd Lafayette, CA 94549 UNITED STATES		

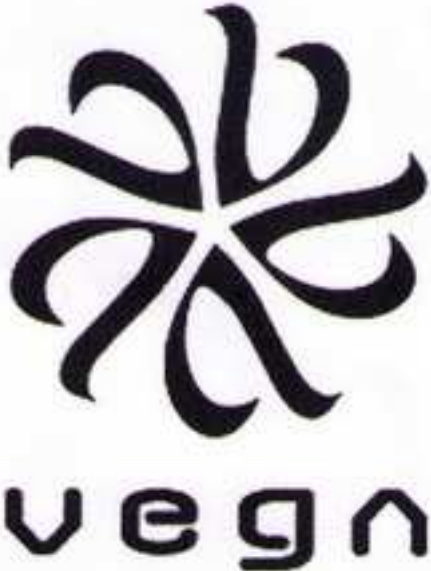

Goods/Services Affected by Opposition

Class 005. First Use: 2013/04/08 First Use In Commerce: 2013/04/08
All goods and services in the class are opposed, namely: Nutritional and dietary supplements; powdered nutritional supplement drink mix; plant-based protein supplement shake; dietary supplement drink mixes; all of the foregoing made with vegan ingredients

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3571780	Application Date	05/01/2008
Registration Date	02/10/2009	Foreign Priority Date	NONE
Word Mark	VEGA		
Design Mark			
Description of Mark	The mark consists of a swirling design above the word "VEGA" in a futuristic font.		
Goods/Services	Class 005. First use: First Use: 2003/05/00 First Use In Commerce: 2003/08/00 nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels		
U.S. Registration No.	3622434	Application Date	10/04/2008
Registration Date	05/19/2009	Foreign Priority Date	NONE
Word Mark	VEGA		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 005. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 nutritional supplements; meal replacement powders, capsules, tablets, oils, li- quids, and gels		
----------------	---	--	--

U.S. Registration No.	3939840	Application Date	03/22/2010
Registration Date	04/05/2011	Foreign Priority Date	NONE

Word Mark	VEGA		
-----------	------	--	--

Design Mark			
-------------	--	--	--

Description of Mark	NONE		
---------------------	------	--	--

Goods/Services	Class 029. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils		
----------------	--	--	--

U.S. Registration No.	3939841	Application Date	03/22/2010
Registration Date	04/05/2011	Foreign Priority Date	NONE

Word Mark	VEGA		
-----------	------	--	--

Design Mark			
-------------	---	--	--

Description of	The mark consists of a swirling design above the word "VEGA" in a futuristic		
----------------	--	--	--

Mark	font.
Goods/Services	Class 029. First use: First Use: 2004/03/00 First Use In Commerce: 2004/08/00 Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils

U.S. Registration No.	4342649	Application Date	10/18/2012
Registration Date	05/28/2013	Foreign Priority Date	10/17/2012

Word Mark	VEGA SPORT
-----------	------------

Design Mark	
-------------	--

Description of Mark	NONE
---------------------	------

Goods/Services	Class 005. First use: First Use: 2009/12/31 First Use In Commerce: 2009/12/31 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, mineral supplements, vitamin supplements, vitamins, dietary and nutritional supplement drink mixes, nutritional and dietary supplements formed and packaged as bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bar; nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements to prepare and energize for athletic workouts, for sustaining and providing endurance during athletic workouts and to recover and replenish from athletic workouts
----------------	---

U.S. Application No.	85548276	Application Date	02/21/2012
Registration Date	NONE	Foreign Priority Date	02/03/2012

Word Mark	VEGA ONE
-----------	----------

Design Mark	
-------------	--

Description of Mark	NONE
---------------------	------

Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0
----------------	---

	<p>Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes</p>
--	--

U.S. Application No.	85548349	Application Date	02/21/2012
Registration Date	NONE	Foreign Priority Date	02/03/2012
Word Mark	VEGA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0</p> <p>Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0</p> <p>Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p>		

	Class 032. First use: First Use: 0 First Use In Commerce: 0 Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes		
--	---	--	--

U.S. Application No.	85548454	Application Date	02/21/2012
Registration Date	NONE	Foreign Priority Date	02/03/2012

Word Mark	VEGA		
-----------	------	--	--





Description of Mark	The mark consists of the word "VEGA" with a leaf design on the "V".		
---------------------	---	--	--

Goods/Services	<p>Class 005. First use: First Use: 0 First Use In Commerce: 0 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0 Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 Nutritional beverage and food flavourings; processed grains and grain-based snack foods</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0 Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes</p>		
----------------	---	--	--

U.S. Application No.	86094544	Application Date	10/17/2013
Registration Date	NONE	Foreign Priority Date	10/03/2013

Word Mark	VEGA ONE		
-----------	----------	--	--

Design Mark	
Description of Mark	<p>The mark consists of the words "VEGA ONE" with leaves and vine designs to the right and a rectangle carrier beneath the wording.</p>
Goods/Services	<p>Class 005. First use: First Use: 2012/03/00 First Use In Commerce: 2012/03/00 (Based on Use in Commerce) (Based on 44(d) Priority Application) Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance namely protein powders for human consumption for use as a food additive for general health and to enhance physical and mental performance, hemp protein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds; (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs</p> <p>Class 029. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Nut and seed based snack bars; edible oil blends derived from seeds; edible sacha inchi seed oils; sacha inchi seed butters; processed sacha inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional beverage flavorings and food flavorings; food flavorings derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sacha inchi candies</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application) (Based on Intent to Use) Energy drinks; smoothies; smoothie mixes; sport drinks; sacha inchi seed milks; nut and seed milk beverages</p>

U.S. Application No.	86094570	Application Date	10/17/2013
Registration Date	NONE	Foreign Priority Date	10/03/2013
Word Mark	VEGA SPORT PREPARE SUSTAIN RECOVER		
Design Mark			
Description of Mark	The mark consists of the words "VEGA SPORT" with a leaf design on the letter "V", beneath are three small rectangles with the wording "PREPARE", "SUSTAIN" and "RECOVER".		
Goods/Services	Class 005. First use: First Use: 2012/12/00 First Use In Commerce: 2012/12/00 Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form		

Attachments	77462872#TMSN.png(bytes) 77585688#TMSN.png(bytes) 77965026#TMSN.png(bytes) 77965049#TMSN.png(bytes) 85757902#TMSN.png(bytes) 85548276#TMSN.png(bytes) 85548349#TMSN.png(bytes) 85548454#TMSN.png(bytes) 86094544#TMSN.png(bytes)
-------------	--

	86094570#TMSN.png(bytes) 2015-04-14 VEGAN1 Notice of Opposition - FINAL with Exhibits.pdf(593876 bytes)
--	---

Certificate of Service

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

Signature	/ErikMPelton/
Name	Erik M. Pelton
Date	04/14/2015

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

Sequel Naturals Ltd., and
Sequel Naturals, Inc.,
Opposers,

v.

Nutrition 53, Inc.,
Applicant.

Opposition No. _____

Application Serial No. 86/311,189
Published on December 16, 2014

Mark:

Vegan1

NOTICE OF OPPOSITION

In the matter of U.S. Trademark Application Serial No. 86/311,189 (“the Application”) for registration of the mark VEGAN1 in standard characters (the “Applied-for Mark”) filed June 16, 2014, by Nutrtrion53, Inc. (“Applicant”) and published for opposition in the Official Gazette of December 16, 2014, Sequel Naturals Ltd. and Sequel Naturals, Inc. (together, “Opposers”) believe that they would each be damaged by such registration and hereby oppose the registration of the Applied-for Mark pursuant to 15 USC § 1063 and 37 CFR § 2.104.

As grounds for opposition, Opposers allege that:


1. Opposer Sequel Naturals Ltd. is a Canadian limited company with a principal place of business at #101 – 3001 Wayburne Drive, Burnaby, BC V5G 4W3 Canada.
2. Opposer Sequel Naturals, Inc. is a Washington corporation with a principal place of business at 1124 Fir Ave, 178, Blaine, WA 98230.
3. Opposer Sequel Naturals, Inc. is the wholly owned subsidiary of Opposer Sequel Naturals Ltd.

4. Since at least 2004, Opposers have been and are now using the mark VEGA, both in standard characters and with a design element, both as a single term and combined with other terms including VEGA ONE and VEGA SPORT (collectively, “Opposers’ Marks”), in interstate commerce in the United States in connection with nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels; sacha inchi seeds; snack bars; and related products.

5. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 3,622,434 for the mark VEGA in standard characters for use in connection with “nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels” in International Class 5, which was issued on May 19, 2009.

6. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No.



3,571,780 for the mark  for use in connection with “nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels” in International Class 5, which was issued on February 10, 2009.

7. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 3,939,840 for the mark VEGA in standard characters for use in connection with “Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils” in International Class 29, which was issued on April 5, 2011.


8. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No.



3,939,841 for the mark  for use in connection with “Nut and seed-based snack bars;

protein based, nutrient-dense snack bars; cooking and edible oils” in International Class 29, which was issued on April 5, 2011.

9. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Registration No. 4,342,649 for the mark VEGA SPORT in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, mineral supplements, vitamin supplements, vitamins, dietary and nutritional supplement drink mixes, nutritional and dietary supplements formed and packaged as bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bar; nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements to prepare and energize for athletic workouts, for sustaining and providing endurance during athletic workouts and to recover and replenish from athletic workouts” in International Class 5, which was issued May 28, 2013.

10. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial No. 85/548,454 for the mark  for use in connection with “Nutritional, dietary

and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, protein powders for human consumption for use as a food additive, hemp protein, mineral supplements, vitamin supplements, vitamins and meal replacements namely drink mixes, meal replacement bars, powders, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Energy bars derived from nuts and seeds, oil blends derived from seeds, sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and nut and seed milk beverages and sacha inchi seeds” in International Class 29; “Cookies, crackers, crisps, granola, puddings, ready to eat

cereals, sacha inchi candies, snack bars derived from nuts and seeds, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs” in International Class 30; and “Energy drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.


11. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial No. 85/548,349 for the mark VEGA in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, hemp protein, mineral supplements, vitamin supplements and vitamins; Protein powders for human consumption for use as a food additive and meal replacements namely drink mixes, meal replacement bars, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and sacha inchi seeds; Energy bars derived from nuts and seeds, oil blends derived from seeds and nut and seed milk beverages” in International Class 29; “Sacha inchi candies, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs; Cookies, crackers, crisps, granola, puddings and ready to eat cereals” in International Class 30; and “Energy drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.

12. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial No. 85/548,276 for the mark VEGA ONE in standard characters for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance, nutritional supplements in gel form, protein powders for human consumption for use as a food additive, hemp protein, mineral supplements, vitamin

supplements, vitamins and meal replacements namely drink mixes, meal replacement bars, powders, ready to drink meal replacement beverages, shake mixes and smoothies” in International Class 5; “Energy bars derived from nuts and seeds, oil blends derived from seeds, sacha inchi protein/fibre powders, sacha inchi seed butters, sacha inchi seed milks and nut and seed milk beverages and sacha inchi seeds” in International Class 29; “Cookies, crackers, crisps, granola, puddings, ready to eat cereals, sacha inchi candies, snack bars derived from nuts and seeds, sacha inchi seed oils, nutritional beverage and food flavourings and beverage and food fortification products derived from nuts, seeds and herbs” in International Class 30; and “Energy drinks, smoothie mixes and sport drinks” in International Class 32; which was filed on February 21, 2012.

13. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial




No. 86/094,544 for the mark  for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance namely, protein powders for human consumption for use as a food additive for general health and nutrition, hemp protein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds...Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders” in International Class 5; “Nut and seed based snack bars; edible oil blends derived

from seeds; edible sacha inchi seed oils; sacha inchi seed butters; processed sacha inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings” in International Class 29; “Nutritional beverage and food flavorings; food flavourings and fortifications derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sacha inchi candies” in International Class 30; and “Energy drinks; smoothies; smoothie mixes; sport drinks; sacha inchi seed milks; nut and seed milk beverages” in International Class 32; which was filed on October 17, 2013.

14. Opposer Sequel Naturals Ltd. is the owner of U.S. Trademark Application Serial



No. 86/094,570 for the mark  for use in connection with “Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form” in International Class 5; which was filed on October 17, 2013.

15. Opposers attach true and correct copies of the status and ownership information from the USPTO's Trademark Status and Document Retrieval (TSDR) database, captured on April 14, 2015, for Registration Nos. 3,571,780; 3,622,434; 3,939,840; 3,939,841; and 4,342,649 ("Opposers' Registrations"); and for pending Application Serial Nos. 85/548,276; 85/548,349; 85/548,454; 86/094,544; and 86/094,570 ("Opposers' Applications").

16. Opposers' Marks are highly distinctive in connection with Opposer's goods.

17. Opposers' goods offered in connection with Opposers' Marks have received widespread use and recognition throughout the United States and elsewhere.

18. Opposers are the owners of extensive common law rights in Opposers' Marks due to use of the marks for many years in connection with Opposers' goods and services.

19. Opposers have continuously used Opposers' Marks since at least 2004, and the marks have not been abandoned.

20. As a result of Opposers' substantial time and effort devoted to advertising and promoting their goods and services in connection with Opposers' Marks, Opposers have developed exceedingly valuable goodwill with respect to Opposers' Marks.

21. Through extensive use, promotion and advertising of Opposers' Mark, Opposers' Marks have become well known or famous for Opposers' goods since a date prior to the filing date of Applicant's application.

22. Through extensive use, promotion and advertising of Opposers' Mark, Opposers' Marks have become well known or famous for Opposers' goods since a date prior to Applicant's first use of the VEGAN1 mark in commerce.

23. On information and belief, Applicant Nutrition 53, Inc., is a California corporation located at 3706 Mt. Diablo Boulevard, Lafayette, California 94549.

24. On June 16, 2014, Applicant filed Application Serial No. 86/311,189 seeking registration of the mark VEGAN1 in standard characters for “Nutritional and dietary supplements; powdered nutritional supplement drink mix; plant-based protein supplement shake; dietary supplement drink mixes; all of the foregoing made with vegan ingredients” in International Class 5.

25. The Applied-for Mark was published for opposition on December 16, 2014.

26. Opposers’ first use of Opposers’ Marks, including by not limited to VEGA ONE, in commerce in connection with Opposers’ goods preceded any use by Applicant of the Applied-for Mark in commerce.

27. The Applied-for Mark and Opposers’ Marks, including by not limited to VEGA ONE, are similar in sound, appearance, and meaning.

28. The Applied-for Mark is confusingly similar to Opposers’ Marks, including but not limited to VEGA ONE.

29. Applicant’s goods and Opposers’ goods are both in the field of nutritional supplements and food products.

30. Applicant’s goods and Opposers’ goods are related, similar, or overlapping.

31. Applicant’s goods and Opposers’ goods are likely to be marketed and/or sold together.

32. The channels of trade of Applicant’s goods and Opposers’ goods are related or overlapping.

33. On information and belief, the goods of Opposers and Applicant are offered or may be offered in similar channels of trade and/or to similar consumers.

34. On information and belief, sales of Applicant's goods and Opposers' goods are not sophisticated purchases.

35. To the extent that Applicant's goods do not directly overlap Opposers' goods, they are very similar and/or natural product expansions for Opposers.

36. On information and belief, the packaging and/or trade dress for Applicant's goods is similar to the packaging and/or trade dress for Opposers' goods.

37. On information and belief, Opposers' goods and Applicant's goods are sold by some of the same retailers and/or online retailers including vitaminshoppe.com, drugstore.com, and amazon.com.

38. Opposers have not consented to Applicant's use or registration of the Applied-for Mark in connection with Applicant's goods.

39. As a result of the confusing similarity between Opposers' Marks and the Applied-for Mark, the similar nature of the relevant goods and/or services, and the similar or identical channels of trade and classes of purchasers, registration of the Applied-for Mark in connection with Applicant's goods is likely to deceive purchasers, cause confusion, or cause mistake as to the source or sponsorship of such goods and services.

40. Consumers familiar with Opposers' Marks are likely to mistakenly believe that the goods and services offered in connection with the Applied-for Mark are sponsored, authorized, associated with, or otherwise approved by Opposers because the proposed mark closely resembles Opposers' Marks. Deficiencies or faults in the quality of Applicant's goods are likely to reflect negatively upon, tarnish, and seriously injure the reputation that Opposers have established for goods and services provided under Opposers' Marks. This confusion is likely to result in loss of revenues to Opposers and damage to Opposers' reputation.

41. By reason of Opposers' use of Opposers' Marks prior to Applicant's use and/or application for the confusingly similar Applied-for Mark, Opposers have rights superior to those of Applicant and standing to oppose registration of the Applied-for Mark.

42. For the foregoing reasons, the registration sought by Applicant is contrary to Section 2(d) of the Lanham Act and other provision of the Trademark Act, and Opposers would be damaged thereby.

WHEREFORE, Opposers pray that Application Serial No. 86/311,189 for the mark VEGAN1 be refused registration, and that this Opposition be sustained in favor of Opposers.

Respectfully submitted for Opposers,

Dated: April 14, 2015

By:



Erik M. Pelton, Esq.
Attorney for Opposers

ERIK M. PELTON & ASSOCIATES, PLLC®
PO Box 100637
Arlington, Virginia 22210
Phone: 703.525.8009
Fax: 703.525.8089
Email: uspto@tm4smallbiz.com

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

Sequel Naturals Ltd., and
Sequel Naturals, Inc.,
Opposers,

v.

Nutrition 53, Inc.,
Applicant.

Opposition No. _____

Application Serial No. 86/311,189
Published on December 16, 2014

Mark:

Vegan1

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Notice of Opposition* has been served on the following by mailing said copy on April 14, 2015, via First Class Mail, postage prepaid, to counsel of record and correspondence Applicant at:

KATHLEEN A. SKINNER
BEESON SKINNER BEVERLY, LLP
1 KAISER PLZ STE 750
OAKLAND, CALIFORNIA 94612-3611

with a copy to Applicant at:

Nutrition 53, Inc.
3706 Mt. Diablo Blvd
Lafayette, CALIFORNIA 94549

By:



Erik M. Pelton, Esq.

Generated on: This page was generated by TSDR on 2015-04-14 14:20:16 EDT

Mark: VEGA



US Serial Number: 77462872
US Registration Number: 3571780
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 10, 2009
Publication Date: Nov. 25, 2008

Application Filing Date: May 01, 2008
Registration Date: Feb. 10, 2009

Mark Information

Mark Literal Elements: VEGA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a swirling design above the word "VEGA" in a futuristic fontface.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.01.26 - Coils; Swirls; Spirals

Related Properties Information

International Registration Number: 1061910
International Application(s) /Registration(s) Based on this Property: A0022398/1061910

Foreign Information

Foreign Registration Number: TMA694,942
Foreign Registration Date: Aug. 28, 2007
Foreign Application/Registration Country: CANADA
Foreign Expiration Date: Aug. 28, 2022

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: nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels

International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a) 44(e)

First Use: May 2003
Use in Commerce: Aug. 2003

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: 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: SEQUEL NATURALS LTD.
Owner Address: 101-3001 WAYBURNE DRIVE
 BURNABY, BRITISH COLUMBIA V5G 4W3
 CANADA
Legal Entity Type: CORPORATION **State or Country Where Organized:** CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton
Attorney Primary Email Address: emp@tm4smallbiz.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: ERIK M. PELTON
 ERIK M. PELTON & ASSOCIATES, PLLC
 PO BOX 100637
 ARLINGTON, VIRGINIA 22210-3637
 UNITED STATES
Phone: 703-525-8009 **Fax:** 703-525-8089
Correspondent e-mail: emp@tm4smallbiz.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 10, 2009	REGISTERED-PRINCIPAL REGISTER	
Nov. 25, 2008	PUBLISHED FOR OPPOSITION	
Nov. 05, 2008	NOTICE OF PUBLICATION	
Oct. 23, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Oct. 21, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 17, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Sep. 17, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Sep. 17, 2008	ASSIGNED TO LIE	70997
Sep. 10, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 23, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 23, 2008	NON-FINAL ACTION E-MAILED	6325
Aug. 23, 2008	NON-FINAL ACTION WRITTEN	74307
Aug. 15, 2008	ASSIGNED TO EXAMINER	74307
May 06, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
May 05, 2008	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:** Feb. 10, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)**Assignor**Name: [SEQUEL NATURALS INC.](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

AssigneeName: [SEQUEL NATURALS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3**Correspondent**

Correspondent Name: ERIK M PELTON

Correspondent Address: PO BOX 100637
ARLINGTON, VA 22210**Domestic Representative**

Domestic Representative Name: ERIK M. PELTON

Domestic Representative Address: P.O. BOX 100637
ARLINGTON, VA 22046**Proceedings****Summary**

Number of Proceedings: 4

Type of Proceeding: OppositionProceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATESCorrespondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATESCorrespondent e-mail: uspto@tm4smallbiz.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434

VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91209183](#) **Filing Date:** Jan 30, 2013
Status: Pending **Status Date:** Jan 30, 2013
Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC
Correspondent Address: DAVID K FRIEDLAND
 FRIEDLAND VINING PA
 1500 SAN REMO AVENUE, SUITE 200
 CORAL GABLES FL , 33146
 UNITED STATES
Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.
Correspondent Address: ERIK M PELTON
 ERIK M PELTON & ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES
Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014	
19	EXTENSION OF TIME GRANTED	Nov 06, 2014	
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014	
21	EXTENSION OF TIME GRANTED	Dec 23, 2014	
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	
5	EXTENSION OF TIME GRANTED	Nov 16, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013	
7	EXTENSION OF TIME GRANTED	Jan 23, 2013	
8	STIP FOR EXT	Mar 27, 2013	
9	EXTENSION OF TIME GRANTED	Apr 22, 2013	
10	STIP FOR EXT	May 13, 2013	
11	EXTENSION OF TIME GRANTED	May 13, 2013	
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013	
13	EXTENSION OF TIME GRANTED	Jun 24, 2013	
14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013	
15	EXTENSION OF TIME GRANTED	Jul 22, 2013	
16	W/DRAW OF APPLICATION	Aug 21, 2013	
17	BD DECISION: SUSTAINED	Sep 23, 2013	
18	TERMINATED	Sep 23, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	
14	SUSPENDED	Dec 09, 2013	
15	W/DRAW OF APPLICATION	Jan 04, 2014	
16	BD DECISION: SUSTAINED	Jan 23, 2014	
17	TERMINATED	Jan 23, 2014	

Generated on: This page was generated by TSDR on 2015-04-14 14:20:36 EDT

Mark: VEGA

VEGA

US Serial Number: 77585688
Application Filing Date: Oct. 04, 2008
US Registration Number: 3622434
Registration Date: May 19, 2009
Register: Principal
Mark Type: Trademark
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.
Status Date: Jul. 24, 2014
Publication Date: Mar. 03, 2009

Mark Information

Mark Literal Elements: VEGA
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: nutritional supplements; meal replacement powders, capsules, tablets, oils, liquids, and gels

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2004

Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.
Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton
Attorney Primary Email Address: uspto@tm4smallbiz.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637

ARLINGTON, VIRGINIA 22210
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Jul. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jul. 08, 2014	TEAS SECTION 8 & 15 RECEIVED	
Aug. 08, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 19, 2009	REGISTERED-PRINCIPAL REGISTER	
Mar. 03, 2009	PUBLISHED FOR OPPOSITION	
Feb. 11, 2009	NOTICE OF PUBLICATION	
Jan. 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jan. 26, 2009	ASSIGNED TO LIE	70468
Jan. 13, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 02, 2009	ASSIGNED TO EXAMINER	78305
Oct. 08, 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 114

Date in Location: Jul. 24, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 101-3001 WAYBURN DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON

Correspondent Address: PO BOX 100637

ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON
Domestic Representative Address: P.O. BOX 100637
ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91220173](#) **Filing Date:** Jan 14, 2015
Status: Pending **Status Date:** Jan 14, 2015
Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation
Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES
Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.
Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES
Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDE	Mar 23, 2015	

Type of Proceeding: OppositionProceeding Number: [91212220](#)

Filing Date: Aug 28, 2013

Status: Terminated

Status Date: Feb 05, 2014

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: Pure Life Veganix LLC

Correspondent Address: LOUIS J HOFFMAN
LOUIS J HOFFMAN PC
14301 N 87TH ST, STE 312
SCOTTSDALE AZ , 85260-3691
UNITED STATESCorrespondent e-mail: donald@valuablepatents.com; shaelyn@valu**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGAMATRIX	Registered	85788544	4632945

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK PELTON & ASSOCIATES PLLC
P.O. BOX 100637
ARLINGTON VA , 22210
UNITED STATESCorrespondent e-mail: uspto@tm4smallbiz.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 28, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 29, 2013	Oct 08, 2013
3	PENDING, INSTITUTED	Aug 29, 2013	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 11, 2013	
5	ANSWER	Oct 08, 2013	
6	W/DRAW OF OPPOSITION	Feb 04, 2014	
7	BD DECISION: DISMISSED W/ PREJ	Feb 05, 2014	
8	TERMINATED	Feb 05, 2014	

Type of Proceeding: OppositionProceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATESCorrespondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON & ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014	
19	EXTENSION OF TIME GRANTED	Nov 06, 2014	
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014	
21	EXTENSION OF TIME GRANTED	Dec 23, 2014	
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
 THORNE RESEARCH INC
 25820 HIGHWAY 2 W
 SANDPOINT ID , 83864-7364
 UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	
5	EXTENSION OF TIME GRANTED	Nov 16, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013	
7	EXTENSION OF TIME GRANTED	Jan 23, 2013	
8	STIP FOR EXT	Mar 27, 2013	
9	EXTENSION OF TIME GRANTED	Apr 22, 2013	
10	STIP FOR EXT	May 13, 2013	
11	EXTENSION OF TIME GRANTED	May 13, 2013	
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013	
13	EXTENSION OF TIME GRANTED	Jun 24, 2013	
14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013	
15	EXTENSION OF TIME GRANTED	Jul 22, 2013	
16	W/DRAW OF APPLICATION	Aug 21, 2013	
17	BD DECISION: SUSTAINED	Sep 23, 2013	
18	TERMINATED	Sep 23, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	
14	SUSPENDED	Dec 09, 2013	
15	W/DRAW OF APPLICATION	Jan 04, 2014	
16	BD DECISION: SUSTAINED	Jan 23, 2014	
17	TERMINATED	Jan 23, 2014	

Generated on: This page was generated by TSDR on 2015-04-14 14:20:55 EDT

Mark: VEGA

VEGA

US Serial Number: 77965026
US Registration Number: 3939840
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 05, 2011
Publication Date: Jan. 18, 2011

Application Filing Date: Mar. 22, 2010
Registration Date: Apr. 05, 2011

Mark Information

Mark Literal Elements: VEGA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434

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: Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils

International Class(es): 029 - Primary Class
U.S Class(es): 046

Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 2004
Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.
Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA

Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton
Attorney Primary Email: uspto@tm4smallbiz.com
Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637
ARLINGTON, VIRGINIA 22210-3637
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 16, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Dec. 14, 2010	ASSIGNED TO LIE	70884
Nov. 22, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 22, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 22, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 22, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 22, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 22, 2010	NON-FINAL ACTION E-MAILED	6325
Jun. 22, 2010	NON-FINAL ACTION WRITTEN	81899
Jun. 22, 2010	ASSIGNED TO EXAMINER	81899
Mar. 26, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 25, 2010	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. 05, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON

Correspondent Address: PO BOX 100637
ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON

Domestic Representative Address: P.O. BOX 100637
ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	

Type of Proceeding: Opposition**Proceeding Number:** [91209183](#)**Filing Date:** Jan 30, 2013**Status:** Pending**Status Date:** Jan 30, 2013**Interlocutory Attorney:** MARY CATHERINE FAINT**Defendant****Name:** Vega Produce LLC**Correspondent Address:** DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES**Correspondent e-mail:** dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)**Name:** Sequel Naturals Ltd. and Sequel Naturals, Inc.**Correspondent Address:** ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES**Correspondent e-mail:** uspto@tm4smallbiz.com , erik@erikpelton.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	

18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014
19	EXTENSION OF TIME GRANTED	Nov 06, 2014
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014
21	EXTENSION OF TIME GRANTED	Dec 23, 2014
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	
5	EXTENSION OF TIME GRANTED	Nov 16, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013	
7	EXTENSION OF TIME GRANTED	Jan 23, 2013	
8	STIP FOR EXT	Mar 27, 2013	
9	EXTENSION OF TIME GRANTED	Apr 22, 2013	
10	STIP FOR EXT	May 13, 2013	
11	EXTENSION OF TIME GRANTED	May 13, 2013	
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013	
13	EXTENSION OF TIME GRANTED	Jun 24, 2013	

14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013
15	EXTENSION OF TIME GRANTED	Jul 22, 2013
16	W/DRAW OF APPLICATION	Aug 21, 2013
17	BD DECISION: SUSTAINED	Sep 23, 2013
18	TERMINATED	Sep 23, 2013

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
 JONES WALDO HOLBROOK & MCDONOUGH PC
 170 S MAIN STREET , SUITE 1500
 SALT LAKE CITY UT , 84101 1644
 UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
 ERIK M PELTON ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	

14	SUSPENDED	Dec 09, 2013
15	W/DRAW OF APPLICATION	Jan 04, 2014
16	BD DECISION: SUSTAINED	Jan 23, 2014
17	TERMINATED	Jan 23, 2014

Generated on: This page was generated by TSDR on 2015-04-14 14:21:08 EDT

Mark: VEGA



US Serial Number: 77965049 **Application Filing Date:** Mar. 22, 2010
US Registration Number: 3939841 **Registration Date:** Apr. 05, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Apr. 05, 2011
Publication Date: Jan. 18, 2011

Mark Information

Mark Literal Elements: VEGA
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of a swirling design above the word "VEGA" in a futuristic font.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.01.26 - Coils; Swirls; Spirals

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434

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: Nut and seed-based snack bars; protein based, nutrient-dense snack bars; cooking and edible oils

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2004

Use in Commerce: Aug. 2004

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: SEQUEL NATURALS LTD.

Owner Address: 101-3001 WAYBURNE DRIVE
BURNABY, BRITISH COLUMBIA V5G 4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Erik M. Pelton

Attorney Primary Email Address: uspto@tm4smallbiz.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: ERIK M. PELTON
ERIK M. PELTON & ASSOCIATES, PLLC
PO BOX 100637
ARLINGTON, VIRGINIA 22210-3637
UNITED STATES

Phone: 703-525-8009

Fax: 703-525-8089

Correspondent e-mail: uspto@tm4smallbiz.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 16, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Dec. 14, 2010	ASSIGNED TO LIE	70884
Nov. 22, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 22, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 22, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 22, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 22, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 22, 2010	NON-FINAL ACTION E-MAILED	6325
Jun. 22, 2010	NON-FINAL ACTION WRITTEN	81899
Jun. 22, 2010	ASSIGNED TO EXAMINER	81899
Mar. 27, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 26, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 25, 2010	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. 05, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sequel Naturals, Inc.

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4832/0634](#)

Pages: 6

Date Recorded: Jul. 31, 2012

Supporting Documents: [assignment-tm-4832-0634.pdf](#)

Assignor

Name: [SEQUEL NATURALS INC.](#) Execution Date: Jun. 22, 2012
 Legal Entity Type: CORPORATION State or Country Where Organized: WASHINGTON

Assignee

Name: [SEQUEL NATURALS LTD.](#)
 Legal Entity Type: CORPORATION State or Country Where Organized: CANADA
 Address: 101-3001 WAYBURNE DRIVE
 BURNABY, BRITISH COLUMBIA, CANADA V5G 4W3

Correspondent

Correspondent Name: ERIK M PELTON
 Correspondent Address: PO BOX 100637
 ARLINGTON, VA 22210

Domestic Representative

Domestic Representative Name: ERIK M. PELTON
 Domestic Representative Address: P.O. BOX 100637
 ARLINGTON, VA 22046

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91220173](#) Filing Date: Jan 14, 2015
 Status: Pending Status Date: Jan 14, 2015
 Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation
 Correspondent Address: JAMES P BRODER
 ROEDER & BRODER LLP
 9915 MIRA MESA BLVD, SUITE 300
 SAN DIEGO CA , 92037
 UNITED STATES
 Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.
 Correspondent Address: Erik M. Pelton
 Erik M. Pelton & Associates, PLLC
 P.O. Box 100637
 Arlington VA , 22210
 UNITED STATES
 Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT			

VEGA SPORT

Publication/Issue Review Complete

[86094570](#)

VEGA ONE

Response After Non-Final Action - Entered

[86094544](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS		

8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013
9	SUSPENDED	Nov 10, 2013
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014
11	SUSPENDED	Jan 07, 2014
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014
13	SUSPENDED	Mar 05, 2014
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014
15	SUSPENDED	May 29, 2014
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014
17	EXTENSION OF TIME GRANTED	Sep 09, 2014
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014
19	EXTENSION OF TIME GRANTED	Nov 06, 2014
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014
21	EXTENSION OF TIME GRANTED	Dec 23, 2014
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	

5	EXTENSION OF TIME GRANTED	Nov 16, 2012
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013
7	EXTENSION OF TIME GRANTED	Jan 23, 2013
8	STIP FOR EXT	Mar 27, 2013
9	EXTENSION OF TIME GRANTED	Apr 22, 2013
10	STIP FOR EXT	May 13, 2013
11	EXTENSION OF TIME GRANTED	May 13, 2013
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013
13	EXTENSION OF TIME GRANTED	Jun 24, 2013
14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013
15	EXTENSION OF TIME GRANTED	Jul 22, 2013
16	W/DRAW OF APPLICATION	Aug 21, 2013
17	BD DECISION: SUSTAINED	Sep 23, 2013
18	TERMINATED	Sep 23, 2013

Type of Proceeding: Opposition

Proceeding Number: [91206835](#) **Filing Date:** Sep 04, 2012
Status: Terminated **Status Date:** Jan 23, 2014
Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.
Correspondent Address: BRENT T WINDER
 JONES WALDO HOLBROOK & MCDONOUGH PC
 170 S MAIN STREET , SUITE 1500
 SALT LAKE CITY UT , 84101 1644
 UNITED STATES
Correspondent e-mail: bekins@joneswaldo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.
Correspondent Address: ERIK M PELTON
 ERIK M PELTON ASSOCIATES PLLC
 PO BOX 100637
 ARLINGTON VA , 22210
 UNITED STATES
Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	

5	SUSPENDED	Sep 27, 2012
6	ANSWER	Dec 19, 2012
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013
8	EXTENSION OF TIME GRANTED	Feb 12, 2013
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013
10	SUSPENDED	Jul 10, 2013
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013
12	SUSPENDED	Oct 08, 2013
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013
14	SUSPENDED	Dec 09, 2013
15	W/DRAW OF APPLICATION	Jan 04, 2014
16	BD DECISION: SUSTAINED	Jan 23, 2014
17	TERMINATED	Jan 23, 2014

Generated on: This page was generated by TSDR on 2015-04-14 14:21:41 EDT

Mark: VEGA ONE

VEGA ONE

US Serial Number: 85548276

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 20, 2014

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA ONE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,650

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

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:	Yes	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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0048
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: (604) 661-9292
Fax: (604) 688-3830
Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 20, 2014	EXTENSION 2 GRANTED	71034
Nov. 14, 2014	EXTENSION 2 FILED	71034
Nov. 14, 2014	TEAS EXTENSION RECEIVED	
Jun. 06, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jun. 03, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 02, 2014	EXTENSION 1 GRANTED	71034
May 07, 2014	EXTENSION 1 FILED	71034
May 29, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
May 07, 2014	TEAS EXTENSION RECEIVED	
Nov. 22, 2013	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 19, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2013	NOTICE OF PUBLICATION	
Sep. 24, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 24, 2013	PUBLISHED FOR OPPOSITION	
Sep. 04, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 21, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997

Aug. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 08, 2013	DATA MODIFICATION COMPLETED	77312
Aug. 08, 2013	DATA MODIFICATION COMPLETED	70997
Aug. 01, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 01, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 01, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jul. 23, 2013	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Jul. 23, 2013	INQUIRY TO SUSPENSION E-MAILED	
Jul. 23, 2013	SUSPENSION INQUIRY WRITTEN	88575
Jul. 22, 2013	LIE CHECKED SUSP - TO ATTY FOR ACTION	70997
Jul. 22, 2013	ASSIGNED TO LIE	70997
Jan. 17, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	SUSPENSION LETTER WRITTEN	88575
Jan. 17, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 17, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT -WRITTEN	88575
Dec. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 18, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 18, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION WRITTEN	88575
Jun. 01, 2012	ASSIGNED TO EXAMINER	88575
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)**Name:** Sequel Naturals Ltd., Sequel Naturals, Inc.**Correspondent Address:** Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES**Correspondent e-mail:** uspto@tm4smallbiz.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Type of Proceeding: Opposition**Proceeding Number:** [91209183](#)**Filing Date:** Jan 30, 2013**Status:** Pending**Status Date:** Jan 30, 2013**Interlocutory Attorney:** MARY CATHERINE FAINT**Defendant****Name:** Vega Produce LLC**Correspondent Address:** DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES**Correspondent e-mail:** dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)**Name:** Sequel Naturals Ltd. and Sequel Naturals, Inc.**Correspondent Address:** ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES**Correspondent e-mail:** uspto@tm4smallbiz.com , erik@erikpelton.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014	
19	EXTENSION OF TIME GRANTED	Nov 06, 2014	
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014	
21	EXTENSION OF TIME GRANTED	Dec 23, 2014	
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637

ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	
5	EXTENSION OF TIME GRANTED	Nov 16, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013	
7	EXTENSION OF TIME GRANTED	Jan 23, 2013	
8	STIP FOR EXT	Mar 27, 2013	
9	EXTENSION OF TIME GRANTED	Apr 22, 2013	
10	STIP FOR EXT	May 13, 2013	
11	EXTENSION OF TIME GRANTED	May 13, 2013	
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013	
13	EXTENSION OF TIME GRANTED	Jun 24, 2013	
14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013	
15	EXTENSION OF TIME GRANTED	Jul 22, 2013	
16	W/DRAW OF APPLICATION	Aug 21, 2013	
17	BD DECISION: SUSTAINED	Sep 23, 2013	
18	TERMINATED	Sep 23, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210

UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	
14	SUSPENDED	Dec 09, 2013	
15	W/DRAW OF APPLICATION	Jan 04, 2014	
16	BD DECISION: SUSTAINED	Jan 23, 2014	
17	TERMINATED	Jan 23, 2014	

Generated on: This page was generated by TSDR on 2015-04-14 14:22:16 EDT

Mark: VEGA

VEGA

US Serial Number: 85548349

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 20, 2014

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,651

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sacha inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

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:	Yes	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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0063
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: (604) 661-9292
Fax: (604) 688-3830
Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 20, 2014	EXTENSION 2 GRANTED	71034
Nov. 14, 2014	EXTENSION 2 FILED	71034
Nov. 14, 2014	TEAS EXTENSION RECEIVED	
Jun. 06, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jun. 03, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 02, 2014	EXTENSION 1 GRANTED	71034
May 07, 2014	EXTENSION 1 FILED	71034
May 29, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
May 07, 2014	TEAS EXTENSION RECEIVED	
Nov. 22, 2013	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 19, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2013	NOTICE OF PUBLICATION	
Sep. 24, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 24, 2013	PUBLISHED FOR OPPOSITION	
Sep. 04, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 21, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997

Aug. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 08, 2013	DATA MODIFICATION COMPLETED	77312
Aug. 01, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 01, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 01, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jul. 23, 2013	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Jul. 23, 2013	INQUIRY TO SUSPENSION E-MAILED	
Jul. 23, 2013	SUSPENSION INQUIRY WRITTEN	88575
Jul. 22, 2013	LIE CHECKED SUSP - TO ATTY FOR ACTION	70997
Jul. 22, 2013	ASSIGNED TO LIE	70997
Jan. 17, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	SUSPENSION LETTER WRITTEN	88575
Jan. 17, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 17, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT -WRITTEN	88575
Dec. 18, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 18, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 18, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION WRITTEN	88575
Jun. 01, 2012	ASSIGNED TO EXAMINER	88575
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	
Plaintiff(s)			

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780

VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014	
19	EXTENSION OF TIME GRANTED	Nov 06, 2014	
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014	
21	EXTENSION OF TIME GRANTED	Dec 23, 2014	
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91207492](#)

Filing Date: Oct 15, 2012

Status: Terminated

Status Date: Sep 23, 2013

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Thorne Research, Inc.

Correspondent Address: KIM R PEARSON
THORNE RESEARCH INC
25820 HIGHWAY 2 W
SANDPOINT ID , 83864-7364
UNITED STATES

Correspondent e-mail: KPearson@thorne.com , trademarks@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGALITE	Abandoned - After Inter-Partes Decision	85493361	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: MARK L DONAHEY
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 15, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 15, 2012	Nov 24, 2012
3	PENDING, INSTITUTED	Oct 15, 2012	
4	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2012	
5	EXTENSION OF TIME GRANTED	Nov 16, 2012	
6	STIPULATION FOR AN EXTENSION OF TIME	Jan 23, 2013	
7	EXTENSION OF TIME GRANTED	Jan 23, 2013	
8	STIP FOR EXT	Mar 27, 2013	
9	EXTENSION OF TIME GRANTED	Apr 22, 2013	
10	STIP FOR EXT	May 13, 2013	
11	EXTENSION OF TIME GRANTED	May 13, 2013	
12	P MOT FOR EXT W/ CONSENT	Jun 24, 2013	
13	EXTENSION OF TIME GRANTED	Jun 24, 2013	
14	P MOT FOR EXT W/ CONSENT	Jul 22, 2013	
15	EXTENSION OF TIME GRANTED	Jul 22, 2013	
16	W/DRAW OF APPLICATION	Aug 21, 2013	
17	BD DECISION: SUSTAINED	Sep 23, 2013	
18	TERMINATED	Sep 23, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	

Plaintiff(s)

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	
14	SUSPENDED	Dec 09, 2013	
15	W/DRAW OF APPLICATION	Jan 04, 2014	
16	BD DECISION: SUSTAINED	Jan 23, 2014	
17	TERMINATED	Jan 23, 2014	

Generated on: This page was generated by TSDR on 2015-04-14 14:22:31 EDT

Mark: VEGA



US Serial Number: 85548454

Application Filing Date: Feb. 21, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 20, 2014

Publication Date: Sep. 24, 2013

Notice of Allowance Date: Nov. 19, 2013

Mark Information

Mark Literal Elements: VEGA

Standard Character Claim: No

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

Description of Mark: The mark consists of the word "VEGA" with a leaf design on the "V".

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

Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 3622434, 3939840, 3939841 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,562,643

Foreign Application Filing Date: Feb. 03, 2012

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements in gel form; hemp protein dietary supplements; mineral supplements; vitamin supplements; vitamins; ground sacha inchi seed fiber for use as a dietary supplement; dietary supplement drink mixes; protein and nutritional supplement shake mixes; powdered nutritional supplement drink mixes

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed butters; edible sacha inchi seed oils; processed sacha inchi seeds; Energy bars derived from nuts and seeds; edible oil blends derived from seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack foods; sacha inchi seed-based meal replacement bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Nutritional beverage and food flavourings; processed grains and grain-based snack foods

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Sacha inchi seed milks; Energy drinks; smoothies; smoothie mixes; sport drinks; nut and seed milk beverages; ready to drink meal replacement beverages, namely, sachu inchi smoothies and shakes

International Class(es): 032 - Primary Class

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

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:	Yes	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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0042
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: (604) 661-9292
Fax: (604) 688-3830
Correspondent e-mail: docketing@accuprotm.com kellyannecornell@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 20, 2014	EXTENSION 2 GRANTED	71034
Nov. 14, 2014	EXTENSION 2 FILED	71034
Nov. 14, 2014	TEAS EXTENSION RECEIVED	
Jun. 06, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jun. 03, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 02, 2014	EXTENSION 1 GRANTED	71034
May 07, 2014	EXTENSION 1 FILED	71034
May 29, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
May 07, 2014	TEAS EXTENSION RECEIVED	
Nov. 22, 2013	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 19, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2013	NOTICE OF PUBLICATION	
Sep. 24, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Sep. 24, 2013	PUBLISHED FOR OPPOSITION	
Sep. 04, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 19, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Aug. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 08, 2013	DATA MODIFICATION COMPLETED	77312
Aug. 01, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 01, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 01, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jul. 23, 2013	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Jul. 23, 2013	INQUIRY TO SUSPENSION E-MAILED	
Jul. 23, 2013	SUSPENSION INQUIRY WRITTEN	88575
Jul. 22, 2013	LIE CHECKED SUSP - TO ATTY FOR ACTION	77312
Jul. 22, 2013	ASSIGNED TO LIE	77312
Jan. 17, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	LETTER OF SUSPENSION E-MAILED	6332
Jan. 17, 2013	SUSPENSION LETTER WRITTEN	88575
Jan. 17, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 17, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 17, 2013	EXAMINERS AMENDMENT -WRITTEN	88575
Dec. 19, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 18, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 18, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Jun. 20, 2012	NON-FINAL ACTION WRITTEN	88575
Jun. 01, 2012	ASSIGNED TO EXAMINER	88575
Feb. 29, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MITTLER, KEVIN A

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 29, 2014

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91209183](#)

Filing Date: Jan 30, 2013

Status: Pending

Status Date: Jan 30, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Vega Produce LLC

Correspondent Address: DAVID K FRIEDLAND
FRIEDLAND VINING PA
1500 SAN REMO AVENUE, SUITE 200
CORAL GABLES FL , 33146
UNITED STATES

Correspondent e-mail: dkf@friedlandvining.com , jrv@friedlandvining.com , trademarks@friedlandvining.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Opposition Pending	85663788	

Plaintiff(s)

Name: Sequel Naturals Ltd. and Sequel Naturals, Inc.

Correspondent Address: ERIK M PELTON
ERIK M PELTON & ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com , erik@erikpelton.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 30, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2013	Mar 18, 2013
3	PENDING, INSTITUTED	Feb 06, 2013	
4	ANSWER	Mar 14, 2013	
5	D APPEARANCE / POWER OF ATTORNEY	Mar 14, 2013	
6	D MOT FOR EXT W/ CONSENT	Sep 09, 2013	
7	EXTENSION OF TIME GRANTED	Sep 09, 2013	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 10, 2013	
9	SUSPENDED	Nov 10, 2013	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jan 07, 2014	
11	SUSPENDED	Jan 07, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 05, 2014	
13	SUSPENDED	Mar 05, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 29, 2014	
15	SUSPENDED	May 29, 2014	
16	P MOT FOR EXT W/ CONSENT	Sep 09, 2014	
17	EXTENSION OF TIME GRANTED	Sep 09, 2014	
18	P MOT FOR EXT W/ CONSENT	Nov 06, 2014	
19	EXTENSION OF TIME GRANTED	Nov 06, 2014	
20	D MOT FOR EXT W/ CONSENT	Dec 23, 2014	
21	EXTENSION OF TIME GRANTED	Dec 23, 2014	
22	D MOT FOR SUMMARY JUDGMENT	Apr 08, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91206835](#)

Filing Date: Sep 04, 2012

Status: Terminated

Status Date: Jan 23, 2014

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: E. Excel International, Inc.

Correspondent Address: BRENT T WINDER
JONES WALDO HOLBROOK & MCDONOUGH PC
170 S MAIN STREET , SUITE 1500
SALT LAKE CITY UT , 84101 1644
UNITED STATES

Correspondent e-mail: bekins@joneswaldo.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGAPLEX	Abandoned - After Inter-Partes Decision	85433517	
Plaintiff(s)			

Name: SEQUEL NATURALS LTD., SEQUEL NATURALS, INC.

Correspondent Address: ERIK M PELTON
ERIK M PELTON ASSOCIATES PLLC
PO BOX 100637
ARLINGTON VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77462872	3571780
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA	Second Extension - Granted	85548454	
VEGA	Second Extension - Granted	85548349	
VEGA ONE	Second Extension - Granted	85548276	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 04, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 04, 2012	Oct 14, 2012
3	PENDING, INSTITUTED	Sep 04, 2012	
4	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Sep 27, 2012	
5	SUSPENDED	Sep 27, 2012	
6	ANSWER	Dec 19, 2012	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 08, 2013	
8	EXTENSION OF TIME GRANTED	Feb 12, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 10, 2013	
10	SUSPENDED	Jul 10, 2013	
11	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 08, 2013	
12	SUSPENDED	Oct 08, 2013	
13	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 09, 2013	
14	SUSPENDED	Dec 09, 2013	
15	W/DRAW OF APPLICATION	Jan 04, 2014	
16	BD DECISION: SUSTAINED	Jan 23, 2014	
17	TERMINATED	Jan 23, 2014	

Current Owner(s) Information

Owner Name: SEQUEL NATURALS LTD.

Owner Address: 101 - 3001 Wayburne Drive
Burnaby, BC V5G4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MELISSA L. HEYWOOD

Docket Number: 70633-0094

Attorney Primary Email Address: docketing@accuprotm.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: MELISSA L. HEYWOOD
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA

Phone: (604) 661-9292

Fax: (604) 688-3830

Correspondent e-mail: docketing@accuprotm.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: MARK W. HENDRICKSEN

Phone: (509) 624-4276

Fax: (509) 838-3424

Prosecution History

Date	Description	Proceeding Number
May 28, 2013	REGISTERED-PRINCIPAL REGISTER	
Mar. 12, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 12, 2013	PUBLISHED FOR OPPOSITION	
Feb. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Feb. 05, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 29, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70468
Jan. 29, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70468
Jan. 17, 2013	ASSIGNED TO LIE	70468
Jan. 14, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 20, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 20, 2012	NON-FINAL ACTION E-MAILED	6325
Dec. 20, 2012	NON-FINAL ACTION WRITTEN	73712
Dec. 15, 2012	ASSIGNED TO EXAMINER	73712
Oct. 23, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 22, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 28, 2013

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Generated on: This page was generated by TSDR on 2015-04-14 14:22:43 EDT

Mark: VEGA ONE



US Serial Number: 86094544

Application Filing Date: Oct. 17, 2013

Register: Principal

Mark Type: Trademark

Status: Applicant's response to a non-final Office action has been entered. The application is being returned to the examining attorney for further review. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 09, 2015

Mark Information

Mark Literal Elements: VEGA ONE

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 "VEGA ONE" with leaves and vine designs to the right and a rectangle carrier beneath the wording.

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

Design Search Code(s): 05.01.04 - Vines
05.03.25 - Leaf, single; Other leaves
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434, 3939840, 4342649

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,646,303

Foreign Application Filing Date: Oct. 03, 2013

Foreign Application/Registration Country: CANADA

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: (Based on Use in Commerce) (Based on 44(d) Priority Application) Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance namely protein powders for human consumption for use as a food additive for general health and to enhance physical and mental performance, hemp protein dietary supplements, mineral supplements, vitamin supplements and vitamins; nutritional supplement energy bars derived from nuts and seeds; (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form; nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; ground sacha inchi seed fiber for use as a dietary supplement; protein dietary supplements, namely, sacha inchi protein; dietary supplements in the nature of fiber powders; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a) 1(b) 44(d)

First Use: Mar. 2012

Use in Commerce: Mar. 2012

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Nut and seed based snack bars; edible oil blends derived from seeds; edible sacha inchi seed oils; sacha inchi seed butters; processed sacha inchi seeds; nut-based and seed-based snack foods, namely, nut crisps and seed crisps; nut-based and seed-based snack puddings

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Nutritional beverage flavorings and food flavorings; food flavorings derived from nuts, seeds and herbs; cookies; crackers; granola; ready to eat cereals; sacha inchi candies

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: (Based on 44(d) Priority Application) (Based on Intent to Use) Energy drinks; smoothies; smoothie mixes; sport drinks; sacha inchi seed milks; nut and seed milk beverages

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b) 44(d)

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: Yes

Currently 44D: Yes

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: SEQUEL NATURALS LTD.

Owner Address: 101 - 3001 WAYBURNE DRIVE
BURNABY, BC V5G4W3
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: TRISHA A. DORÉ

Docket Number: 70633-0109

Attorney Primary Email Address: docketing@accuprotm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRISHA A. DORÉ
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA

Phone: 604-661-9292

Fax: 604-688-3830

Correspondent e-mail: docketing@accuprotm.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark W. Hendricksen

Prosecution History

Date	Description	Proceeding Number
Apr. 09, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Apr. 09, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Apr. 08, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 25, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325

Nov. 25, 2014	NON-FINAL ACTION E-MAILED	6325
Nov. 25, 2014	NON-FINAL ACTION WRITTEN	78305
Oct. 07, 2014	EXAMINER'S AMENDMENT ENTERED	70997
Oct. 07, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 07, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 07, 2014	EXAMINERS AMENDMENT -WRITTEN	78305
Aug. 27, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 26, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 26, 2014	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Aug. 14, 2014	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Aug. 14, 2014	LETTER OF SUSPENSION E-MAILED	6332
Aug. 14, 2014	SUSPENSION LETTER WRITTEN	78305
Jul. 21, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Jul. 21, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Jul. 14, 2014	ASSIGNED TO LIE	70997
Jul. 07, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION WRITTEN	78305
Feb. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION WRITTEN	78305
Jan. 31, 2014	ASSIGNED TO EXAMINER	78305
Oct. 25, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 24, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: HINES, REGINA C

Law Office Assigned: LAW OFFICE 114

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Apr. 09, 2015

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	
	Plaintiff(s)		

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	
4	ANSWER	Feb 19, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015	
6	SUSPENDED	Mar 23, 2015	

Generated on: This page was generated by TSDR on 2015-04-14 14:22:54 EDT

Mark: VEGA SPORT PREPARE SUSTAIN RECOVER



US Serial Number: 86094570

Application Filing Date: Oct. 17, 2013

Register: Principal

Mark Type: Trademark

Status: Review prior to publication completed.

Status Date: Apr. 04, 2015

Publication Date: May 12, 2015

Mark Information

Mark Literal Elements: VEGA SPORT PREPARE SUSTAIN RECOVER

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 "VEGA SPORT" with a leaf design on the letter "V", beneath are three small rectangles with the wording "PREPARE", "SUSTAIN" and "RECOVER".

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

Disclaimer: "SPORT"

Design Search Code(s): 05.03.25 - Leaf, single; Other leaves
26.09.28 - Miscellaneous designs with overall square shape; Square shapes (miscellaneous overall shape)
27.03.05 - Objects forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 3571780, 3622434, 3939840 and others

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1,646,304

Foreign Application Filing Date: Oct. 03, 2013

Foreign Application/Registration Country: CANADA

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: Nutritional, dietary and food supplements for general health and well-being and to enhance physical and mental performance; nutritional supplements for general health and well-being and to enhance physical and mental performance, namely, mineral supplements, vitamin supplements and vitamins, dietary and nutritional drink mixes for meal replacement, dietary and nutritional drink mixes for enhancing mental and physical performance, and dietary and nutritional drink mixes for general health and well-being; Nutritional and dietary supplements for increasing athletic performance, namely, a three stage system comprised of plant-based nutritional and dietary supplements for athletic workouts; Nutritional and dietary supplements formed and packaged as food bars, nutritional supplement energy bars and nutritional supplement in the nature of a nutrient-dense, protein-based food bars in the nature of meal replacement bars; Nutritional supplements for general health and well-being and to enhance physical and mental performance in gel form

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 2012

Use in Commerce: Dec. 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	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: SEQUEL NATURALS LTD.
Owner Address: 101 - 3001 WAYBURNE DRIVE
BURNABY, BC V5G4W3
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Trisha A. Doré
Attorney Primary Email Address: docketing@accuprotm.com
Docket Number: 70633-0110
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRISHA A. DORÉ
ACCUPRO TRADEMARK SERVICES LLP
702 - 401 WEST GEORGIA STREET
VANCOUVER, BC V6B5A1
CANADA
Phone: 604-661-9292
Fax: 604-688-3830
Correspondent e-mail: docketing@accuprotm.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark W. Hendricksen

Prosecution History

Date	Description	Proceeding Number
Apr. 04, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Apr. 02, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 29, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Jan. 29, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Jan. 20, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 22, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 22, 2014	NON-FINAL ACTION E-MAILED	6325
Jul. 22, 2014	NON-FINAL ACTION WRITTEN	78305
May 22, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
May 22, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
May 13, 2014	ASSIGNED TO LIE	70633
Apr. 29, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Feb. 19, 2014	NON-FINAL ACTION WRITTEN	78305
Jan. 31, 2014	ASSIGNED TO EXAMINER	78305
Oct. 25, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	

Oct. 24, 2013 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM

Oct. 21, 2013 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information

TM Attorney: HINES, REGINA C

Law Office Assigned: LAW OFFICE 114

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 04, 2015

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91220173](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Egaceutical Corporation

Correspondent Address: JAMES P BRODER
ROEDER & BRODER LLP
9915 MIRA MESA BLVD, SUITE 300
SAN DIEGO CA , 92037
UNITED STATES

Correspondent e-mail: jhuizenga@san.rr.com , jbroder@rbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
EGA	Opposition Pending	86265645	

Plaintiff(s)

Name: Sequel Naturals Ltd., Sequel Naturals, Inc.

Correspondent Address: Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington VA , 22210
UNITED STATES

Correspondent e-mail: uspto@tm4smallbiz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VEGA	Registered	77462872	3571780
VEGA	Section 8 and 15 - Accepted and Acknowledged	77585688	3622434
VEGA	Registered	77965026	3939840
VEGA	Registered	77965049	3939841
VEGA SPORT	Registered	85757902	4342649
VEGA ONE	Second Extension - Granted	85548276	
VEGA	Second Extension - Granted	85548349	
VEGA	Second Extension - Granted	85548454	
VEGA SPORT	Publication/Issue Review Complete	86094570	
VEGA ONE	Response After Non-Final Action - Entered	86094544	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 14, 2015	Feb 23, 2015
3	PENDING, INSTITUTED	Jan 14, 2015	

4	ANSWER	Feb 19, 2015
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Mar 23, 2015
6	SUSPENDED	Mar 23, 2015