

ESTTA Tracking number: **ESTTA679796**

Filing date: **06/24/2015**

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 party opposes registration of the indicated application.

Opposer Information

Name	Reynolds Innovations Inc.		
Entity	Corporation	Citizenship	North Carolina
Address	401 North Main Street Winston-Salem, NC 27102 UNITED STATES		

Attorney information	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 West Fourth Street Winston-Salem, NC 27101 UNITED STATES wbryner@ktslaw.com, hhenderson@ktslaw.com, jburns@ktslaw.com, tmadmin@ktslaw.com Phone:336-607-7300		
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Applicant Information

Application No	86325230	Publication date	06/02/2015
Opposition Filing Date	06/24/2015	Opposition Period Ends	07/02/2015
Applicant	NU MARK LLC 6603 W. BROAD STREET RICHMOND, VA 23230 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Tobacco products, namely, electronic cigarettes, electronic cigars, electronic cigarillos, smokeless electronic cigarettes, cigars, and cigarillo vaporizer pipes, and tobacco-derived nicotine pieces for use in the mouth; carrying cases and containers for electronic cigarettes, electronic cigars, electronic cigarillos, smokeless electronic cigarettes, cigars, and cigarillo vaporizer pipes

Applicant Information

Application No	86325231	Publication date	06/02/2015
Opposition Filing Date	06/24/2015	Opposition Period Ends	07/02/2015
Applicant	NU MARK LLC 6603 W. BROAD STREET RICHMOND, VA 23230 UNITED STATES		

Goods/Services Affected by Opposition

Class 030. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Cartridges sold filled with liquid comprised of flavorings for electronic cigarettes, electronic cigars, electronic cigarillos, e-vapor devices, and vaporizers

Grounds for Opposition

The mark is merely descriptive

Trademark Act section 2(e)(1)

Attachments

Consolidated Notice of Opposition.pdf(926434 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	/William M. Bryner/
Name	William M. Bryner
Date	06/24/2015

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

REYNOLDS INNOVATIONS INC.,)	
)	In the matter of Application
Opposer,)	Serial Nos. 86/325,230 and 86/325,231
)	
)	Mark: MOVE FORWARD WITH
)	FLAVOR
)	
v.)	Opposition No. _____
)	
NU MARK, LLC (successor-in-interest)	
to Green Smoke, LLC))	
)	
Applicant.)	

CONSOLIDATED NOTICE OF OPPOSITION

Reynolds Innovations, Inc. (“Opposer”), a North Carolina corporation having its principal place of business at 401 North Main Street, Winston-Salem, North Carolina 27102, believes that it will be damaged by the registration of the trademark MOVE FORWARD WITH FLAVOR in Classes 30 and 34 as shown in the above-identified applications (the “Applications”) filed by Green Smoke, LLC and subsequently assigned to Nu Mark, LLC (“Applicant”), and thereby opposes the same.

As grounds for the opposition, Opposer alleges the following:

I. FACTS COMMON TO ALL CLAIMS

1. Opposer – through its affiliates, its licensees, its predecessors-in-interest, and its predecessors-in-interests’ respective affiliates and licensees – has been and is engaged in the manufacture, distribution, and sale of electronic cigarettes and tobacco products. Opposer’s affiliates and licensees, including but not limited to R.J. Reynolds Tobacco Company, shall be referred to collectively as “Reynolds.”

2. Many of Reynolds’s tobacco products, and its electronic cigarette products, are manufactured, distributed and sold in competition with the products identified in the Applications.


3. Reynolds has frequently used the descriptive term “flavor” in connection with advertising and promoting its tobacco products, and has contemplated use of the descriptive term “flavor” (or a variant of “flavor”) in connection with advertising and promoting its electronic cigarette products and to highlight the flavorful characteristics of its products.

4. One of the primary considerations in selecting electronic cigarettes, is whether or not the product will provide a satisfying taste or flavor. This is particularly true for potential purchasers who are considering electronic cigarettes as an alternative to traditional tobacco products.

5. For this reason, other companies in the electronic cigarette industry also use and have used the term “flavor” to promote their electronic cigarettes and related products.

6. A number of third parties have filed applications for goods related to electronic cigarettes and have affirmatively disclaimed any rights in the term “flavor” apart from the mark as shown, including the following:

Citation	Owner Name	Goods and Services
AMERIVAPE FLAVOR DROPS AMERIVAPE FLAVOR DROPS App. No. 86624325	AMERIVAPE INC.	INT. CL. 34 ELECTRONIC CIGARETTES; SMOKING ACCESSORIES, NAMELY, ELECTRONIC SMOKING PIPES, HERBS FOR SMOKING, SMOKING PIPES, SMOKING PIPE CLEANERS, SMOKING PIPE RACKS, SMOKING TOBACCO, SMOKING URNS; ELECTRONIC CIGARETTE LIQUID COMPRISED OF FLAVORINGS IN LIQUID FORM USED TO REFILL ELECTRONIC CIGARETTE CARTRIDGES
TRIBECA SMOOTH TOBACCO FLAVOR	NICOPURE LABS, LLC	INT. CL. 34 ELECTRONIC CIGARETTE LIQUID (E-LIQUID) COMPRISED OF PROPYLENE GLYCOL

Citation	Owner Name	Goods and Services
 <p>App. No. 86516517</p>		
<p>FRONTIER OF FLAVOR</p> <p>FRONTIER OF FLAVOR</p> <p>App. No. 86496849</p>	<p>JOY FLAVOR TECHNOLOGY, INC.</p>	<p>INT. CL. 9 ELECTRONIC CIGARETTE BATTERIES; CHARGERS FOR BATTERIES; POWER ADAPTERS FOR USE IN CARS</p> <p>INT. CL. 34 ELECTRONIC CIGARETTES; CIGARETTES CONTAINING TOBACCO SUBSTITUTES NOT FOR MEDICAL PURPOSES; TOBACCO; SMOKELESS CIGARETTE VAPORIZER PIPE; HOOKAHS; ELECTRONIC HOOKAHS; SHISHAS IN THE NATURE OF HOOKAHS; ELECTRONIC SHISHAS IN THE NATURE OF ELECTRONIC HOOKAHS; ELECTRONIC CIGARS; CARTOMIZERS, NAMELY, COMBINATION ELECTRONIC CIGARETTE REFILL CARTRIDGES SOLD EMPTY; ATOMIZERS SOLD AS A COMPONENT OF ELECTRONIC CIGARETTES; TOBACCO SUBSTITUTES; MATCHES; LIGHTERS FOR SMOKERS; SMOKING PAPERS, NAMELY, ABSORBENT PAPER FOR TOBACCO PIPES, AND CIGARETTE ROLLING PAPERS; TOBACCO FILTERS; SMOKER'S ARTICLES, NAMELY, FILTER TUBES; ELECTRONIC CIGARETTE, ELECTRONIC CIGAR, CIGARETTE, AND CIGAR CARRYING CASES; ELECTRIC ORAL VAPORIZERS FOR SMOKING PURPOSES; ELECTRONIC CIGARETTE LIQUID (E-LIQUID) COMPRISED OF FLAVORINGS IN LIQUID FORM USED TO REFILL ELECTRONIC CIGARETTE CARTRIDGES; CARTRIDGES AND REFILL CARTRIDGES SOLD FILLED WITH CHEMICAL FLAVORINGS IN LIQUID FORM FOR ELECTRONIC CIGARETTES</p>
<p>CAROLINA FLAVOR</p> <p>CAROLINA FLAVOR</p> <p>App. No. 86147871</p> <p>Reg. No. 4549522</p>	<p>CAROLINA FLAVOR, INC.</p>	<p>INT. CL. 30 CHEMICAL FLAVORINGS IN LIQUID FORM USED TO FILL AND REFILL ELECTRONIC CIGARETTE CARTRIDGES</p> <p>INT. CL. 34 ELECTRONIC CIGARETTES</p>
<p>J JOY FLAVOR</p>	<p>JOY FLAVOR TECHNOLOGY, INC.</p>	<p>INT. CL. 9 ELECTRONIC CIGARETTE BATTERIES; CHARGERS FOR BATTERIES;</p>

Citation	Owner Name	Goods and Services
 <p>Joy Flavor App. No. 86056289</p>		<p>POWER ADAPTERS FOR CARS INT. CL. 11 ELECTRONIC VAPORIZER INT. CL. 30 ELECTRONIC CIGARETTE LIQUID (E-LIQUID) COMPRISED OF FLAVORINGS IN LIQUID FORM USED TO REFILL ELECTRONIC CIGARETTE CARTRIDGES; CARTRIDGES AND REFILL CARTRIDGES SOLD FILLED WITH CHEMICAL FLAVORINGS IN LIQUID FORM FOR ELECTRONIC CIGARETTES INT. CL. 34 ELECTRONIC CIGARETTES; CIGARETTES CONTAINING TOBACCO SUBSTITUTES NOT FOR MEDICAL PURPOSES; TOBACCO; SMOKELESS CIGARETTE VAPORIZER PIPE; HOOKAHS; ELECTRONIC HOOKAHS; SHISHAS IN THE NATURE OF HOOKAHS; ELECTRONIC SHISHAS IN THE NATURE OF ELECTRONIC HOOKAHS; ELECTRONIC CIGARS; CARTOMIZERS, NAMELY, COMBINATION ELECTRONIC CIGARETTE REFILL CARTRIDGES SOLD EMPTY; ATOMIZERS SOLD AS A COMPONENT OF ELECTRONIC CIGARETTES; TOBACCO SUBSTITUTES; MATCHES; LIGHTERS FOR SMOKERS; SMOKING PAPERS, NAMELY, ABSORBENT PAPER FOR TOBACCO PIPES, AND CIGARETTE ROLLING PAPERS; TOBACCO FILTERS; SMOKER'S ARTICLES, NAMELY, FILTER TUBES; ELECTRONIC CIGARETTE, ELECTRONIC CIGAR, CIGARETTE, AND CIGAR CARRYING CASES</p>
<p>VAPORFLAVOR DE KANG Cross References: VAPOR FLAVOR DE KANG VAPORFLAVOR 德康 App. No. 85950869 Reg. No. 4534760</p>	<p>YUNNAN CHANGNING DEKANG BIOTECHNOLOGY CO., LTD (China)</p>	<p>INT. CL. 34 CHEWING TOBACCO; CIGARETTE FILTERS; CIGARETTE HOLDERS; CIGARETTE HOLDERS NOT OF PRECIOUS METAL; CIGARETTES; CIGARETTES CONTAINING TOBACCO SUBSTITUTES NOT FOR MEDICAL PURPOSES; CIGARILLOS; CIGARS; ELECTRONIC CIGARETTES; HERBS FOR SMOKING; TOBACCO</p>
<p>FLAVOR VAPES FV  <p>Flavor Vapes App. No. 85836587 Reg. No. 4480019</p> </p>	<p>UTVG EUROPE HOLDING B.V. (Netherlands)</p>	<p>INT. CL. 34 ELECTRICAL CIGARETTES, ELECTRICAL CIGARS, ELECTRICAL SMOKING PIPES; SMOKING SIMULATORS, NAMELY, ELECTRONIC CIGARETTES, CIGARS AND PIPES WITHOUT TOBACCO, NOT FOR MEDICAL PURPOSES, FOR USE AS AN ALTERNATIVE TO TRADITIONAL CIGARETTES; CASES SPECIALLY ADAPTED FOR ELECTRICAL AND ELECTRONIC CIGARETTES, CIGARS, AND SMOKING PIPES; ASHTRAYS; LIGHTERS FOR SMOKERS; MATCHES</p>

Citation	Owner Name	Goods and Services
REAL FREEDOM. REAL FLAVOR. REAL FREEDOM. REAL FLAVOR. App. No. 85421849 Reg. No. 4258766	STARFIRE CIGS, INC.	INT. CL. 34 ELECTRONIC CIGARETTES

True and correct copies of the TSDR pages for these prior applications and registrations are attached as **Exhibit 1**.

II. FIRST CLAIM

OPPOSITION TO APPLICANT’S MOVE FORWARD WITH FLAVOR APPLICATION (SER. NO. 86/325,230)

7. Opposer hereby incorporates by reference the allegations contained in the foregoing paragraphs, as if fully set forth herein.

8. On July 1, 2014, Smoke Green, LLC filed an intent-to-use application to register the MOVE FORWARD WITH FLAVOR Mark for “tobacco products, namely, electronic cigarettes, electronic cigars, electronic cigarillos, smokeless electronic cigarettes, cigars, and cigarillo vaporizer pipes, and tobacco-derived nicotine pieces for use in the mouth; carrying cases and containers for electronic cigarettes, electronic cigars, electronic cigarillos, smokeless electronic cigarettes, cigars, and cigarillo vaporizer pipes” in International Class 34. Such application was assigned U.S. Trademark App. Ser. No. 86/325230 (the “‘230 Application”). Rights in the MOVE FORWARD WITH FLAVOR Mark and the ‘230 Application were subsequently assigned to Applicant. Applicant has not been required to disclaim exclusive rights in the word “flavor” apart from the MOVE FORWARD WITH FLAVOR Mark as shown in the ‘230 Application.

9. On information and belief, Applicant intends to use, or has used, the MOVE FORWARD WITH FLAVOR Mark in connection with advertising and promoting electronic cigarettes based on the products' taste or flavor.

10. When used on or in connection with electronic cigarettes and other related products, the word "flavor," as it appears in the MOVE FORWARD WITH FLAVOR Mark as shown in the '230 Application, is merely descriptive within the meaning of 15 U.S.C. § 1052(e)(1).

11. Registration of the MOVE FORWARD WITH FLAVOR Mark, without a disclaimer of exclusive rights in the descriptive term "flavor" apart from the MOVE FORWARD WITH FLAVOR Mark as shown in the '230 Application, would be inconsistent with Reynolds's equal right to use the descriptive term "flavor" in connection with promoting its electronic cigarettes and related products.

12. If the registration sought by Applicant through the '230 Application is granted, Owner would obtain certain statutory rights, including *prima facie* rights to the exclusive use of the MOVE FORWARD WITH FLAVOR Mark, including the incorporated term "flavor," to the damage of Opposer.

13. Registration of the MOVE FORWARD WITH FLAVOR Mark, as shown in the '230 Application, without a disclaimer of exclusive rights in the term "flavor" should be refused pursuant to 15 U.S.C. §§ 1052(e)(1) and 1056(a).

III. SECOND CLAIM

OPPOSITION TO OWNER'S MOVE FORWARD WITH FLAVOR APPLICATION (SER. NO. 86/325,231)

14. Opposer hereby incorporates by reference the allegations contained in the foregoing paragraphs, as if fully set forth herein.

15. On July 1, 2014, Smoke Green, LLC filed an intent-to-use application to register the mark MOVE FORWARD FOR FLAVOR (the “MOVE FORWARD FOR FLAVOR” Mark) for “cartridges sold filled with liquid comprised of flavorings for electronic cigarettes, electronic cigars, electronic cigarillos, e-vapor devices and vaporizers,” in International Class 34. Such application was assigned U.S. Trademark App. Ser. No. 86/325,231 (the “‘231 Application”). Rights in the MOVE FORWARD WITH FLAVOR Mark and the ‘231 Application were subsequently assigned to Applicant. Applicant has not been required to disclaim exclusive rights in the word “flavor” apart from the MOVE FORWARD WITH FLAVOR Mark as shown in the ‘231 Application.

16. On information and belief, Applicant intends to use, or has used, the MOVE FORWARD WITH FLAVOR Mark in connection with advertising and promoting a line of liquid nicotine products based on the products’ taste or flavor. Indeed, the goods description acknowledges that the cartridges sold under the MOVE FORWARD WITH FLAVOR Mark contain “liquid *comprised of flavorings*” for such various electronic tobacco products.

17. When used on or in connection with cartridges of flavorings for electronic cigarettes and other related products, the word “flavor” is merely descriptive within the meaning of 15 U.S.C. § 1052(e)(1).

18. Registration of the MOVE FORWARD WITH FLAVOR Mark, without a disclaimer of exclusive rights in the descriptive term “flavor” apart from the MOVE FORWARD WITH FLAVOR Mark as shown in the ‘231 Application, would be inconsistent with Reynolds’s equal right to use the descriptive term “flavor” in connection with promoting its electronic cigarette and related products.

19. If the registration sought by Applicant through the '231 Application is granted, Applicant would obtain certain statutory rights, including *prima facie* rights to the exclusive use of the MOVE FORWARD WITH FLAVOR Mark, including the incorporated term "flavor," to the damage of Opposer.

20. Registration of the MOVE FORWARD WITH FLAVOR Mark, as shown in the '231 Application, without a disclaimer of exclusive rights in the term "flavor" should be refused pursuant to 15 U.S.C. §§ 1052(e)(1) and 1056(a).

IV. PRAYER FOR RELIEF

WHEREFORE, Opposer believes it will be damaged by the registration of the MOVE FORWARD WITH FLAVOR Mark as shown in the '230 and '231 Applications, and requests that registration of those Marks, without disclaimer of exclusive rights in the word "flavor," be refused pursuant to 15 U.S.C. §§ 1052(e)(1) and 1056(a).

The required fee for instituting this opposition is included herewith. Please charge any deficiency or refund in the filing fee to Deposit Account No. 20-1430.

Please recognize William M. Bryner, Harris W. Henderson, and the law firm of Kilpatrick Townsend & Stockton LLP as attorneys for Opposer in connection with this opposition proceeding. Please address all correspondence regarding this proceeding to William M. Bryner at Kilpatrick Townsend & Stockton LLP, 1001 West Fourth Street, Winston-Salem, NC 27101.

This the 24th day of June, 2015.

Respectfully submitted,

/William M. Bryner/

William M. Bryner

Harris W. Henderson

KILPATRICK TOWNSEND & STOCKTON LLP

1001 West Fourth Street

Winston-Salem, North Carolina 27101

(336) 607-7300

wbryner@kilpatricktownsend.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was served on counsel for Opposer on June 24, 2015 via first class mail to:

Robyn Etricks
601 E Jackson Street
Richmond, VA 23219

/wmb/

Counsel for Opposer

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, June 24, 2015.

/wmb/

Counsel for Opposer

EXHIBIT 1



Trademark Status & Document Retrieval (TSDR) ?

SEARCH	MULTI-SEARCH ?
US Serial No	86624325
Status	Documents

Status results found

STATUS	DOCUMENTS ?	Download ▲	Print Preview
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Mark: AMERIVAPE FLAVOR DROPS

AMERIVAPE FLAVOR DROPS

US Serial Number:	86624325	Application Filing Date:	May 09, 2015
Filed as TEAS RF:	Yes	Currently TEAS RF:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	New application assigned to an examining attorney for examination.		
Status Date:	May 20, 2015		

▼ Mark Information [Expand All](#)

Mark Literal Elements: AMERIVAPE FLAVOR DROPS

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FLAVOR DROPS"

▲ Related Properties Information

▼ 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: Electronic cigarettes; Smoking accessories, namely, electronic smoking pipes, herbs for smoking, smoking pipes, smoking pipe cleaners, smoking pipe racks, smoking tobacco, smoking urns; Electronic cigarette liquid comprised of flavorings in liquid form used to refill electronic cigarette cartridges

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(b)

▼ Basis Information (Case Level)

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

▼ Current Owner(s) Information

Owner Name: Amerivape Inc

Owner Address: 336 Hudson Ave
Troy, NEW YORK 12182
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

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- ▲ [Prosecution History](#)
- ▲ [TM Staff and Location Information](#)
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SEARCH MULTI-SEARCH ?

SERIAL_NO 86624325 Status Documents

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Mark: TRIBECA SMOOTH TOBACCO FLAVOR



US Serial Number:	86516517	Application Filing Date:	Jan. 28, 2015
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Application has been published for opposition. The opposition period begins on the date of publication.		
Status Date:	May 19, 2015		
Publication Date:	May 19, 2015		

Mark Information

Expand All

Mark Literal Elements:	TRIBECA SMOOTH TOBACCO FLAVOR
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 round rectangle with a black stylized background for the upper two-thirds of the Mark with white line separating it from an orange stylized background for the bottom third of the Mark featuring the word "TRIBECA" in white stylized letters and underlined. Below the word "TRIBECA" appears the phrase "SMOOTH TOBACCO FLAVOR" in white stylized letters and also underlined. Below the phrase "SMOOTH TOBACCO FLAVOR" are stylized white swirls against the black portion of the background. To the left of the mark appear several askew bars in colors or orange, maroon, light red, light tan, and black. These bars appear above and below the separation of the black and orange portions of the background.
Color Drawing:	Yes
Color(s) Claimed:	The color(s) Orange, Maroon, Light Red, Light Tan, Black, and White is/are claimed as a feature of the mark.
Disclaimer:	"SMOOTH TOBACCO FLAVOR"
Design Search Code(s):	26.01.26 - Swirls; Spirals; Coils 26.11.21 - Rectangles that are completely or partially shaded 26.11.25 - Rectangles with one or more curved sides 26.17.01 - Lines, straight; Bars, straight; Bands, straight; Straight line(s), band(s) or bar(s) 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s) 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Related Properties Information

International Registration Number:	1244049
International Application(s) /Registration(s) Based on this Property:	A0048290/1244049

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: Electronic cigarette liquid (e-liquid) comprised of propylene glycol

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 24, 2011

Use in Commerce: Mar. 24, 2011

▼ **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: Nicopure Labs, LLC

Owner Address: 5909 NW 18th Dr.
Gainesville, FLORIDA 32653
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: FLORIDA

▲ **Attorney/Correspondence Information**

▲ **Prosecution History**

▲ **TM Staff and Location Information**

▼ **Assignment Abstract Of Title Information - None recorded**

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SERIAL_NO 86624325 Status Documents

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Mark: FRONTIER OF FLAVOR

FRONTIER OF FLAVOR

US Serial Number: 86496849

Application Filing Date: Jan. 06, 2015

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Jun. 16, 2015

Publication Date: Jun. 16, 2015

Mark Information

Expand All

Mark Literal Elements: FRONTIER OF FLAVOR

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FLAVOR" IN INTERNATIONAL CLASS 34

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: Electronic cigarette batteries; chargers for batteries; power adapters for use in cars

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b)

For: Electronic cigarettes; cigarettes containing tobacco substitutes not for medical purposes; tobacco; smokeless cigarette vaporizer pipe; hookahs; electronic hookahs; shishas in the nature of hookahs; electronic shishas in the nature of electronic hookahs; electronic cigars; cartomizers, namely, combination electronic cigarette refill cartridges sold empty; atomizers sold as a component of electronic cigarettes; tobacco substitutes; matches; lighters for smokers; smoking papers, namely, absorbent paper for tobacco pipes, and cigarette rolling papers; tobacco filters; smoker's articles, namely, filter tubes; electronic cigarette, electronic cigar, cigarette, and cigar carrying cases; electric oral vaporizers for smoking purposes; electronic cigarette liquid (e-liquid) comprised of flavorings in liquid form used to refill electronic cigarette cartridges; cartridges and refill cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

Filed No Basis: No

Currently No Basis: No

▼ **Current Owner(s) Information**

Owner Name: Joy Flavor Technology, Inc.

Owner Address: 901 S. Fremont Ave. #128
Alhambra, CALIFORNIA 91803
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

▲ **Attorney/Correspondence Information**

▲ **Prosecution History**

▲ **TM Staff and Location Information**

▼ **Assignment Abstract Of Title Information - None recorded**

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SEARCH	MULTI-SEARCH ?
SERIAL_NO	86624325
Status	Documents

Status results found

STATUS	DOCUMENTS ?	Download ▲	Print Preview
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Mark: CAROLINA FLAVOR

CAROLINA FLAVOR

US Serial Number: 86147871

Application Filing Date: Dec. 19, 2013

US Registration Number: 4549522

Registration Date: Jun. 10, 2014

Register: Supplemental

Mark Type: Trademark

Amended to Principal Register: No

Date Amended to Current Register: Apr. 16, 2014

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

Status Date: Jun. 10, 2014

Mark Information

[Expand All](#)

Mark Literal Elements: CAROLINA FLAVOR

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "FLAVOR"

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: Chemical flavorings in liquid form used to fill and refill electronic cigarette cartridges

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 03, 2013

Use in Commerce: Jan. 03, 2013

For: Electronic cigarettes

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 03, 2013

Use in Commerce: Jan. 03, 2013

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Carolina Flavor, Inc.

Owner Address: 6600 Spring Garden Drive
Wilmington, NORTH CAROLINA 28403
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

▲ [Attorney/Correspondence Information](#)

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Trademark Status & Document Retrieval (TSDR) ?

Status results found

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Mark: J JOY FLAVOR



US Serial Number: 86056289

Application Filing Date: Sep. 05, 2013

Register: Principal

Mark Type: Trademark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Apr. 28, 2015

Publication Date: Mar. 18, 2014

Notice of Allowance Date: Apr. 28, 2015

▼ **Mark Information**

Expand All

Mark Literal Elements: J JOY FLAVOR

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 stylized letter "J" inside a circle with a dot above the letter "J" and the wording "Joy Flavor" below.

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

Disclaimer: "FLAVOR"

Design Search Code(s): 26.01.13 - Circles, two (not concentric); Two circles
26.01.21 - Circles that are totally or partially shaded.

▼ **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: electronic cigarette batteries; chargers for batteries; power adapters for cars

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b)

For: electronic vaporizer

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(b)

For: electronic cigarette liquid (e-liquid) comprised of flavorings in liquid form used to refill electronic cigarette cartridges; cartridges and refill cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)		
For: electronic cigarettes; cigarettes containing tobacco substitutes not for medical purposes; tobacco; smokeless cigarette vaporizer pipe; hookahs; electronic hookahs; shishas in the nature of hookahs; electronic shishas in the nature of electronic hookahs; electronic cigars; cartomizers, namely, combination electronic cigarette refill cartridges sold empty; atomizers sold as a component of electronic cigarettes; tobacco substitutes; matches; lighters for smokers; smoking papers, namely, absorbent paper for tobacco pipes, and cigarette rolling papers; tobacco filters; smoker's articles, namely, filter tubes; electronic cigarette, electronic cigar, cigarette, and cigar carrying cases		
International Class(es): 034 - Primary Class	U.S Class(es): 002, 008, 009, 017	
Class Status: ACTIVE		
Basis: 1(b)		
▼ Basis Information (Case Level)		
Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	
▼ Current Owner(s) Information		
Owner Name: Joy Flavor Technology, Inc.		
Owner Address: 901 S. Fremont Ave. #128 Alhambra, CALIFORNIA 91803 UNITED STATES		
Legal Entity Type: CORPORATION	State or Country Where Organized: CALIFORNIA	
▲ Attorney/Correspondence Information		
▲ Prosecution History		
▲ TM Staff and Location Information		
▼ Assignment Abstract Of Title Information - None recorded		
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Trademark Status & Document Retrieval (TSDR) ?

SEARCH MULTI-SEARCH ?

SERIAL_NO 86624325 Status Documents

Status results found

STATUS DOCUMENTS ? Download Print Preview

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Mark: VAPORFLAVOR

VAPORFLAVOR 德康

US Serial Number: 85950869

Application Filing Date: Jun. 05, 2013

US Registration Number: 4534760

Registration Date: May 20, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: May 20, 2014

Publication Date: Dec. 03, 2013

Notice of Allowance Date: Jan. 28, 2014

Mark Information

Expand All

Mark Literal Elements: VAPORFLAVOR

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 stylized words "VAPORFLAVOR" with two Chinese characters "DE KANG" after them.

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

Disclaimer: "VAPOR FLAVOR"

Translation: The wording "VAPORFLAVOR" has no meaning in a foreign language.

Transliteration: The non-Latin characters in the mark transliterate to "DE KANG" and this has no meaning in a foreign language.

Design Search Code(s): 28.01.03 - Asian characters; Japanese characters; Chinese characters

Related Properties Information

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: Chewing tobacco; Cigarette filters; Cigarette holders; Cigarette holders not of precious metal; Cigarettes; Cigarettes containing tobacco substitutes not for medical purposes; Cigarillos; Cigars; Electronic cigarettes; Herbs for smoking; Tobacco

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 02, 2009

Use in Commerce: Aug. 15, 2013

Basis Information (Case Level)

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

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: Yunnan Changning Dekang Biotechnology Co., Ltd

Owner Address: No.28 Caochangba ,Tianyuan, Changning
Yunnan Province
CHINA

Legal Entity Type: CORPORATION

State or Country Where Organized: CHINA

▲ Attorney/Correspondence Information

▲ Prosecution History

▲ TM Staff and Location Information

▼ Assignment Abstract Of Title Information - None recorded

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Trademark Status & Document Retrieval (TSDR) ?

Status results found

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Mark: FLAVOR VAPES FV



US Serial Number: 85836587

Application Filing Date: Jan. 30, 2013

US Registration Number: 4480019

Registration Date: Feb. 11, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 11, 2014

Publication Date: Jul. 16, 2013

Mark Information

Expand All

Mark Literal Elements: FLAVOR VAPES FV

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 "FLAVOR VAPES" in red stylized letters with an interlocking "FV" monogram in red; white represents the background and is not part of the mark..

Color Drawing: Yes

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

Disclaimer: "FLAVOR VAPES"

Design Search Code(s): 26.09.28 - Square shapes (miscellaneous overall shape); Miscellaneous designs with overall square shape

Foreign Information

Foreign Registration Number: 011222106

Foreign Registration Date: Feb. 27, 2013

Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)

Foreign Expiration Date: Sep. 27, 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: Electrical cigarettes, electrical cigars, electrical smoking pipes; smoking simulators, namely, electronic cigarettes, cigars and pipes without tobacco, not for medical purposes, for use as an alternative to traditional cigarettes; cases specially adapted for electrical and electronic cigarettes, cigars, and smoking pipes; ashtrays; lighters for smokers; matches

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 44(e)

▼ **Basis Information (Case Level)**

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

▼ **Current Owner(s) Information**

Owner Name:	UTVG Europe Holding B.V.				
Owner Address:	Waardsedijk-Oost 8 3417 XJ Montfoort NETHERLANDS				
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS		

▲ **Attorney/Correspondence Information**

▲ **Prosecution History**

▲ **TM Staff and Location Information**

▼ **Assignment Abstract Of Title Information - None recorded**

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SEARCH	MULTI-SEARCH ?
SERIAL_NO	86624325
Status	Documents

Status results found

STATUS	DOCUMENTS ?	Download ▲	Print Preview
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Mark: REAL FREEDOM. REAL FLAVOR.

REAL FREEDOM. REAL FLAVOR.

US Serial Number: 85421849

Application Filing Date: Sep. 13, 2011

US Registration Number: 4258766

Registration Date: Dec. 11, 2012

Register: Principal

Mark Type: Trademark

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

Status Date: Dec. 11, 2012

Publication Date: Mar. 13, 2012

Notice of Allowance Date: May 08, 2012

▼ **Mark Information**

Expand All

Mark Literal Elements: REAL FREEDOM. REAL FLAVOR.

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "REAL FLAVOR"

▼ **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: Electronic cigarettes

International Class(es): 034 - Primary Class

U.S Class(es): 002, 008, 009, 017

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 17, 2012

Use in Commerce: Aug. 17, 2012

▼ **Basis Information (Case Level)**

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

▼ **Current Owner(s) Information**

Owner Name: STARFIRE CIGS, INC.

Owner Address: 101 MATTIE M, KELLY BLVD.
DESTIN, FLORIDA 32541
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

▲ **Attorney/Correspondence Information**

▲ **Prosecution History**

▲ **TM Staff and Location Information**

▼ **Assignment Abstract Of Title Information**

Summary

Total Assignments: 1

Registrant: STARFIRE CIGS, INC.

▼ **Assignment 1 of 1**

▼ Expand All

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 4649/0028

Pages: 4

Date Recorded: Oct. 26, 2011

Supporting Documents: [assignment-tm-4649-0028.pdf](#)

Assignor

Name: GREAT AMERICAN PRODUCTS, INC.

Execution Date: Oct. 26, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: STARFIRE CIGS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Address: 101 MATTIE M, KELLY BLVD.
DESTIN, FLORIDA 32541

Correspondent

Correspondent Name: RAKESH M. AMIN

Correspondent Address: 225 N. MICHIGAN AVE.
SUITE 700
CHICAGO, IL 60601

Domestic Representative - Not Found

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