

ESTTA Tracking number: **ESTTA687400**

Filing date: **08/03/2015**

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	Severn Peanut Company, Inc.
Granted to Date of previous extension	08/02/2015
Address	413 Main St. Severn, NC 27877 UNITED STATES

Attorney information	Susan Freya Olive Olive & Olive, P.A. 500 Memorial Street Durham, NC 27701 UNITED STATES emailboxTTAB@oliveandolive.com, vjrichardson@oliveandolive.com, solive@oliveandolive.com, jaiken@oliveandolive.com
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Applicant Information

Application No	85909626	Publication date	02/03/2015
Opposition Filing Date	08/03/2015	Opposition Period Ends	08/02/2015
Applicant	MJC CONFECTIONS LLC 251 Andrews Road Mineola, NY 11501 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 029. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Banana chips; Bean-based snack foods; Candied fruit; Candied fruit snacks; Cheese and cracker combinations; Crystallized fruit; Dairy-based snack foods excluding ice cream, ice milk and frozen yogurt; Dried fruit mixes; Dried fruit-based snacks; Dried fruits; Dried truffles; Fruit-based snack food; Potato chips; Potato crisps; Potato puffs; Potato sticks; Potato-based snack foods; Preserved fruits; Preserved truffles; Preserved vegetables; Processed sunflower seeds; Raisins; Soy chips; Soy-based snack foods; Vegetable chips; Vegetable-based snack foods; Whey chips</p>
<p>Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Apple fritters; Apple turnovers; Bagel chips; Bagels; Baked goods, namely, crumbles; Bakery desserts; Bakery goods; Bakery products; Biscotti; Biscuits; Bonbons; Brownies; Bubble gum; Cakes; Candy; Candy bars; Candy coated popcorn; Candy mints; Candy with caramel; Candy with cocoa; Caramel popcorn; Caramels; Cereal bars; Cereal based energy bars; Cereal-based snack foods; Cheese flavored puffed corn snacks; Cheese flavored snacks, namely, cheese curls; Cheese flavored snacks, namely, puffed cheese balls; Cheese-flavored corn snacks; Chewing gum; Chocolate; Chocolate bars; Chocolate candies; Chocolate chips; Chocolate covered cocoa nibs; Chocolate covered cookies; Chocolate covered fruit;</p>

Chocolate covered popcorn; Chocolate covered pretzels; Chocolate covered raisins; Chocolate covered roasted coffee beans; Chocolate truffles; Chocolate-based ready-to-eat food bars; Chocolates and chocolate based ready to eat candies and snacks; Confectioneries, namely, snack foods, namely, chocolate; Confectionery made of sugar; Cookies; Corn chips; Corn curls; Corn-based snack foods; Crackers; Danish; Donuts; Eclairs; Extruded corn snacks; Extruded wheat snacks; Glazed popcorn; Grain-based chips; Grain-based snack foods; Granola; Granola snacks; Granola-based snack bars; Gummy candies; Licorice; Lollipops; Macaroons; Marshmallow; Marzipan; Milk chocolate; Muffins; Multigrain-based snack foods; Pastries; Peppermint candy; Peppermint sweets; Pita chips; Popcorn; Popped popcorn; Pretzels; Processed popcorn; Processed unpopped popcorn; Puffed corn snacks; Puffed rice; Rice-based snack foods; Sesame sticks; Snack foods, namely, chocolate-based snack foods; Snack mix consisting primarily of crackers, pretzels and/or popped popcorn; Spreads consisting primarily of emulsified biscuits or cookies; Steamed buns stuffed with minced meat (niku-manjuh); Steamed corn kernels bits; Sugar-coated hard caramels; Sugarfree chewing gum; Sugarfree sweets; Sugarless candies; Taffy; Tarts; Toffee; Unpopped popcorn; Wheat-based snack foods; Yeast, baking powder and flavourings


Grounds for Opposition


False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Void ab initio for failure to comply with the requirements of Section 1(b) of the Trademark Act (15 USC Â§1051(b))

Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	2133389	Application Date	09/04/1996
Registration Date	01/27/1998	Foreign Priority Date	NONE
Word Mark	HAMPTON FARMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1996/11/18 First Use In Commerce: 1996/11/18 processed nuts		


U.S. Application No.	85970242	Application Date	06/26/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	HAMPTON FARMS		

Design Mark	
Description of Mark	The mark consists of the stylized wordsHAMPTON FARMS partially in front of a circle with a leaf extending off the leftside of the letter "H".
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 processed nuts, nut butters, snack mixes consisting primarily of processed nuts Class 031. First use: First Use: 0 First Use In Commerce: 0 raw nuts

U.S. Application No.	86271611	Application Date	05/05/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	HAMPTON FARMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1996/11/18 First Use In Commerce: 1996/11/18 Processed nuts; shelled nuts; roasted nuts; nut butter spreads; nut-based snackfoods; fruit chips; vegetable chips; dried fruit; dried fruit mixes; dried fruit and nuts; spicy nuts, namely, peanuts, almonds, cashews, and mixed nuts; spicynut mixes consisting of peanuts, almonds, cashews; candied nuts; snack mixes consisting primarily of processed nuts andalso including dried fruit; snack mixesconsisting primarily of processed nuts and also including dried fruit, seeds		

	and toasted corn; snack mixes consisting primarily of processed nuts and also including dried fruit and chocolate; snack mixes consisting primarily of dried fruit- and also including processed nuts; snack mix consisting primarily of sesame sticks and also including dried fruits and processed nuts; snack mix consisting of processed seeds; trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate; processed edamame; processed edible seeds
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U.S. Application No.	86272071	Application Date	05/05/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	HAMPTON FARMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 1997/06/01 First Use In Commerce: 1997/06/01 Raw nuts		

U.S. Application No.	86273077	Application Date	05/06/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	HAMPTON FARMS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1999/08/01 First Use In Commerce: 1999/08/01 Chocolate covered nuts; honey roasted nuts; popcorn snacks, namely, flavor-coated popcorn; popcorn snacks, namely, snack mix consisting primarily of popcorn; peanut brittle; candy		

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	HAMPTON FARMS
Goods/Services	A wide range of nut, candy, and snack products including but not limited to: nuts, including flavored, coated or processed nuts; nut butters; items made with or containing nut butter; chips made with fruits or vegetables; dried fruits and items made with dried fruits; dried vegetables and items made with dried vegetables; snack and/or trail mixes; edible seeds; candy; cotton candy; items made with chocolate; items made with or containing nuts; items made with corn or popcorn. A wide range of services related to nuts and other snack items, including the provision of information about nuts and nut based products, online sales of nuts and other snack items, processing nuts, custom packaging of snack items, provision of nut grinding machines and services, preparation of snack items, selling nuts and items containing nuts, fruits or vegetables, maintain a mailing list related to products and information about products, their ingredients, the company and the industry, and other similar services.

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Design Mark	
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Goods/Services	A wide range of nut, candy, and snack products including but not limited to: nuts, including flavored, coated or processed nuts; nut butters; items made with or containing nut butter; chips made with fruits or vegetables; dried fruits and items made with dried fruits; dried vegetables and items made with dried vegetables; snack and/or trail mixes; edible seeds; candy; cotton candy; items made with chocolate; items made with or containing nuts; items made with corn or popcorn. A wide range of services related to nuts and other snack items, including the provision of information about nuts and nut based products,
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	online sales of nuts and other snack items, processing nuts, custom packaging of snack items, provision of nut grinding machines and services, preparation of snack items, selling nuts and items containing nuts, fruits or vegetables, maintain a mailing list related to products and information about products, their ingredients, the company and the industry, and other similar services.
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	HAMPTON		
Goods/Services	Substantially the same goods and services as HAMPTON FARMS		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	HAMPTON PEANUT COMPANY		
Goods/Services	Substantially the same goods and services as HAMPTON FARMS		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Design Mark			
Goods/Services	Substantially the same goods and services as HAMPTON FARMS		

Related Proceedings	Cancellation No. 92060215
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Attachments	85970242#TMSN.png(bytes) 86271611#TMSN.png(bytes) 86272071#TMSN.png(bytes) 86273077#TMSN.png(bytes) Hampton Farms circle logo1.jpg Hampton Farms banner.jpg 20150803 NOO [Severn].pdf(159278 bytes) 20150803 Exhibits 1-5 to NOO.pdf(581848 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Signature	/SFO/
Name	Susan Freya Olive
Date	08/03/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Trademark Trial and Appeal Board

IN THE MATTER OF Trademark Applications of MJC CONFECTIONS LLC
For Registration of HAMPTON, Serial No. 85909626
Published for Opposition in the Official Gazette on Feb 03, 2015.

Severn Peanut Company, Inc., Plaintiff-Opposer vs MJC Confections LLC, Defendant-Applicant	OPPOSITION TO REGISTRATION OF MARK
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Attorney Reference: SEPC9009

Severn Peanut Company, Inc., a corporation of the State of North Carolina, with a principal place of business and business address at 413 Main Street, Post Office Box 710, Severn, North Carolina 27877, believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes same.

The grounds for opposition are as follows:

1. Opposer is the owner of many marks, including registered and common law marks, predominately comprised of the term HAMPTON, and variants thereof in a variety of designs and fonts, used for nuts, candy, snack foods and related goods and services, including the products listed in the registration and applications hereafter set out, and those common law marks described elsewhere in this pleading, all of which are incorporated herein by reference. All such marks collectively are referred to hereafter as Opposer's Marks. For purposes of the current opposition proceeding, the marks relied upon as Opposer's Marks are those identified in the Notice of Opposition, including those set out in the registrations listed herein and in the exhibits, the

common law marks listed herein and in the exhibits, and those marks listed on the ESTTA Cover Sheet for this pleading.

2. Applicant seeks registration of a word mark consisting only of the word HAMPTON, pursuant to Section 1(b) of the Trademark Act (15 USC §1051(b)) for use in connection with nuts, candy, snack foods and related goods in International Classes 029 and 030. Applicant has not alleged any earlier priority than the filing date of its application. Neither has Applicant sought to limit its applied-for mark in any way beyond the identification of goods. By way of example, there are no limitations as to the appearance of the mark, and there are no limitations as to channels of trade.

3. Opposer's use of Opposer's Marks in commerce on and in connection with nuts, candy, snack foods and related goods, and in connection with the sale of such products and other services related thereto, commenced long prior to the filing date of Applicant's application and any other priority date to which Applicant might be entitled. Use of Opposer's Marks by Opposer in interstate commerce in connection with Opposer's goods and the sale thereof commenced at least as early as 1996 and has continued and expanded continuously since that time. Opposer continues to use Opposer's Marks in commerce in connection with goods and services that are identical and/or substantially similar to those identified in Applicant's application. Opposer is identified by Opposer's Marks in connection with these goods and services.

4. Opposer owns at least the following United States Trademark Registration and pending applications for Opposer's Marks, each of which includes the term HAMPTON or a variant thereof that reminds viewers and customers of Opposer and reinforces the link between Opposer's Marks and Opposer. Each registration was lawfully issued, and is valid and subsisting. Copies of the electronic records provided by the United States Trademark Office for each registration and

application listed below are attached hereto as Exhibits 1 through 5 and are incorporated herein by reference and for purpose of reliance.

Exhibit #	Registration/Application No.	Issue/Filing Date	Mark
1	2,133,389	01/27/1998	HAMPTON FARMS
2	85970242	06/26/2013	HAMPTON FARMS (stylized)
3	86271611	05/05/2014	HAMPTON FARMS
4	86272071	05/05/2014	HAMPTON FARMS
5	86273077	05/06/2014	HAMPTON FARMS

5. Opposer’s provision and promotion of its services and products to the public under Opposer’s Marks for decades has caused the relevant public to strongly associate Opposer’s Marks and the goods and services provided thereunder with Opposer, such association beginning long prior to the filing date of Applicant’s application, prior to any first date of use of Applicant’s mark that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the mark for which registration is sought, and continuing to the present time. Through those efforts, Opposer now has built substantial goodwill in Opposer’s Marks that inures to the benefit of Opposer.

6. Opposer’s long use of HAMPTON has created an identity for Opposer associated with the term HAMPTON. Opposer’s Marks now serve to identify, and as an identity of, Opposer, such identification beginning long prior to the filing date of Applicant’s application, prior to any first date of use of Applicant’s mark that Applicant is entitled to assert, and prior to any other relevant priority date to which Applicant might be entitled with respect to the mark for which registration is sought, and continuing to the present time.

7. Applicant's mark, rather than pointing to Applicant, when used as Applicant would be entitled to use the mark if registered would point uniquely to Opposer as an entity. That is, the mark sought to be registered is Opposer's identity or "persona," and purchasers are likely to assume that goods bearing the

mark sought to be registered are connected with Opposer. Opposer's excellent and well-known reputation, and the close and long-time association of Opposer's Marks with Opposer are such that a connection with Opposer and Opposer's goods and services is likely to be presumed when the mark Applicant seeks to register is used in connection with the goods identified in the application.

8. The presumption of a connection, as well as a likelihood of confusion, is particularly likely and is enhanced because Applicant seeks to register and use its mark in a substantially unrestricted manner, presumptively in the same channels of trade, presumptively targeted to the same markets, and presumptively colored and otherwise configured and advertised so as to maximize the likelihood that consumers will associate and confuse Applicant's mark, used in connection with Applicant's identified goods, with Opposer and Opposer's goods and services offered under Opposer's Marks.

9. Despite Applicant's claim of right to use the mark it seeks to register, in connection with goods similar or identical to those offered by Opposer, Applicant is not affiliated with, licensed by, or otherwise associated with Opposer. Opposer is not connected with the goods that Applicant provides, offers, or intends to offer under the mark sought to be registered.

10. Nonetheless, Applicant seeks to register a mark incorporating a term that is substantially similar or identical to Opposer's Marks, for goods that are closely related or identical to those with which Opposer's Marks are used.

11. In view of the foregoing and the similarity of Opposer's prior-used and not abandoned Opposer's Marks to Applicant's applied-for mark, the related nature of the goods and services offered by Opposer to the uses identified in Applicant's application, and the related and overlapping channels of commerce, it is alleged that Applicant's mark, as currently applied for, identified, and described, so resembles Opposer's Marks as to be likely to cause confusion and mistake.

12. Moreover, registration and/or use of Applicant's mark as sought in Applicant's application is

likely to interfere with Opposer's use and exploitation of Opposer's Marks, to falsely suggest a connection with Opposer, and to diminish Opposer's rights in Opposer's Marks and the distinctive quality thereof and the goodwill associated therewith which presently inures to the benefit of Opposer.

13. In addition, based upon Opposer's investigation to date, it is alleged that at the time of filing the application and continuing through prosecution of the application, Applicant did not intend to use in commerce the mark sought to be registered, with respect to all of the lengthy list of goods for which Applicant sought registration, yet Applicant filed the application and continued to prosecute it under claim of such intent . The absence of a bona fide intent to engage in all such uses renders the application *void ab initio* for failure to comply with the requirements of Section 1(b) of the Trademark Act (15 USC §1051(b)).

WHEREFORE, Opposer requests that Applicant's application be denied.

This 3rd day of August, 2015.

OLIVE & OLIVE, P.A.
Attorneys for Opposer

/Susan Freya Olive/

Susan Freya Olive

N.C. Bar No. 7252

P. O. Box 2049

Durham, North Carolina 27702

Telephone: (919) 683-5514

Email: emailboxTTAB@oliveandolive.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Notice of Opposition filed herein, together with any and all attachments thereto, has been served upon Applicant by email, as agreed with counsel for Applicant, sent to the email address of Applicant's counsel as follows:

ochernin@mclaughlinstern.com

on this the 3rd day of August, 2015.

(Susan Freya Olive)

Susan Freya Olive
Olive & Olive, P.A.
Attorneys for Opposer

P. O. Box 2049
Durham, North Carolina 27702
Telephone: (919) 683-5514
Email: emailboxTTAB@oliveandolive.com

Exhibit 1:

TSDR website printout of Severn Peanut Company's
Reg. 2,133,389 for HAMPTON FARMS

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
 OLIVE & OLIVE PA
 POST OFFICE BOX 2049
 DURHAM, NORTH CAROLINA 27702-2049
 UNITED STATES

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Apr. 12, 2007	CASE FILE IN TICRS	
Apr. 09, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60234
Apr. 09, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 20, 2007	ASSIGNED TO PARALEGAL	60234
Feb. 02, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 02, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 27, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 23, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 27, 1998	REGISTERED-PRINCIPAL REGISTER	
Nov. 24, 1997	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 17, 1997	ASSIGNED TO EXAMINER	73714
Nov. 07, 1997	STATEMENT OF USE PROCESSING COMPLETE	
Oct. 14, 1997	USE AMENDMENT FILED	
Sep. 16, 1997	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 24, 1997	PUBLISHED FOR OPPOSITION	
May 23, 1997	NOTICE OF PUBLICATION	
Mar. 31, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 17, 1997	EXAMINER'S AMENDMENT MAILED	
Mar. 13, 1997	ASSIGNED TO EXAMINER	73714

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 27, 2008

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: SCANNING ON DEMAND

Date in Location: Apr. 12, 2007

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: Northampton Peanut Company

Assignment 1 of 1

Conveyance: MERGER

Reel/Frame: [3239/0098](#)

Pages: 5

Date Recorded: Feb. 02, 2006

Supporting Documents: [assignment-tm-3239-0098.pdf](#)

Assignor

Name: [NORTHAMPTON PEANUT COMPANY](#)

Execution Date: Dec. 11, 1996

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Assignee

Name: [SEVERN PEANUT COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Address: MAIN STREET, POST OFFICE BOX 710
SEVERN, NORTH CAROLINA 27877

Correspondent

Correspondent Name: SUSAN FREYA OLIVE

Correspondent Address: 500 MEMORIAL STREET, P.O. BOX 2049
DURHAM, NC 27702-2049

Domestic Representative - Not Found

Exhibit 2:

TSDR website printout of Severn Peanut Company's
Application No. 85970242 for HAMPTON FARMS

Generated on: This page was generated by TSDR on 2014-10-15 19:27:17 EDT

Mark: HAMPTON FARMS



US Serial Number: 85970242

Application Filing Date: Jun. 26, 2013

Register: Principal

Mark Type: Trademark

Status: Suspension check completed. Application remains suspended.

Status Date: Sep. 29, 2014

Mark Information

Mark Literal Elements: HAMPTON FARMS

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 HAMPTON FARMS partially in front of a circle with a leaf extending off the left side of the letter "H".

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

Disclaimer: "FARMS"

Design Search Code(s): 26.01.01 - Circles as carriers or as single line borders

Related Properties Information

Claimed Ownership of US 2133389

Registrations:

Goods and Services

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

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

For: processed nuts, nut butters, snack mixes consisting primarily of processed nuts

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: raw nuts

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Severn Peanut Company, Inc.

Owner Address: P. O. Box 710
Severn, NORTH CAROLINA 27877
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: SEPC0801

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 29, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77312
Sep. 23, 2014	ASSIGNED TO LIE	77312
Mar. 22, 2014	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 22, 2014	LETTER OF SUSPENSION E-MAILED	6332
Mar. 22, 2014	SUSPENSION LETTER WRITTEN	74308
Mar. 06, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 05, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 05, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 09, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 09, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 09, 2013	NON-FINAL ACTION WRITTEN	74308
Oct. 07, 2013	ASSIGNED TO EXAMINER	74308
Jul. 10, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 09, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 03, 2013	TEAS AMENDMENT ENTERED BEFORE ATTORNEY ASSIGNED	88889
Jul. 03, 2013	TEAS VOLUNTARY AMENDMENT RECEIVED	
Jun. 29, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: CARLYLE, SHAUNIA P

Law Office Assigned: LAW OFFICE 110

File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Sep. 29, 2014

Exhibit 3:

TSDR website printout of Severn Peanut Company's
Application No. 86271611 for HAMPTON FARMS

Generated on: This page was generated by TSDR on 2014-10-15 19:28:03 EDT

Mark: HAMPTON FARMS

HAMPTON FARMS

US Serial Number: 86271611

Application Filing Date: May 05, 2014

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 19, 2014

Mark Information

Mark Literal Elements: HAMPTON FARMS

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: 2133389

Goods and Services

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

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

For: Processed nuts; shelled nuts; roasted nuts; nut butter spreads; nut-based snack foods; fruit chips; vegetable chips; dried fruit; dried fruit mixes; dried fruit and nuts; spicy nuts; spicy nut mixes; candied nuts; snack mixes consisting primarily of processed nuts and also including dried fruit; snack mixes consisting primarily of processed nuts and also including dried fruit, seeds and toasted corn; snack mixes consisting primarily of processed nuts and also including dried fruit and chocolate; snack mixes consisting primarily of dried fruit and also including processed nuts; snack mix consisting primarily of sesame sticks and also including dried fruits and processed nuts; snack mix consisting of processed seeds; trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate; processed edamame; processed edible seeds

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 18, 1996

Use in Commerce: Nov. 18, 1996

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: Severn Peanut Company, Inc.

Owner Address: P. O. Box 710
Severn, NORTH CAROLINA 27877
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive **Docket Number:** SEPC0803
Attorney Primary Email Address: emailboxtm@oliveandolive.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES
Phone: 919 683 5514 **Fax:** 919 688 3781
Correspondent e-mail: emailboxtm@oliveandolive.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Aug. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Aug. 19, 2014	NON-FINAL ACTION WRITTEN	91164
Aug. 19, 2014	ASSIGNED TO EXAMINER	91164
May 16, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 08, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: EISNACH, MICHAEL PATRI **Law Office Assigned:** LAW OFFICE 104

File Location

Current Location: TMEG LAW OFFICE 104 - EXAMINING ATTORNEY ASSIGNED **Date in Location:** Aug. 19, 2014

Exhibit 4:

TSDR website printout of Severn Peanut Company's
Application No. 86272071 for HAMPTON FARMS

Generated on: This page was generated by TSDR on 2014-10-15 19:29:51 EDT

Mark: HAMPTON FARMS

HAMPTON FARMS

US Serial Number: 86272071

Application Filing Date: May 05, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 19, 2014

Mark Information

Mark Literal Elements: HAMPTON FARMS

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: 2133389

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: Raw nuts

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1997

Use in Commerce: Jun. 01, 1997

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: Severn Peanut Company, Inc.

Owner Address: P. O. Box 710
Severn, NORTH CAROLINA 27877
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: SEPC0805

Attorney Primary Email emailboxtm@oliveandolive.com

Attorney Email Yes

Address:

Authorized:

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 19, 2014	NON-FINAL ACTION E-MAILED	6325
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Aug. 19, 2014	ASSIGNED TO EXAMINER	91164
May 16, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 08, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: EISNACH, MICHAEL PATRI

Law Office Assigned: LAW OFFICE 104

File Location

Current Location: TMEG LAW OFFICE 104 - EXAMINING
ATTORNEY ASSIGNED

Date in Location: Aug. 19, 2014

Exhibit 5:

TSDR website printout of Severn Peanut Company's
Application No. 86273077 for HAMPTON FARMS

Generated on: This page was generated by TSDR on 2014-10-15 19:29:06 EDT

Mark: HAMPTON FARMS

HAMPTON FARMS

US Serial Number: 86273077

Application Filing Date: May 06, 2014

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Aug. 19, 2014

Mark Information

Mark Literal Elements: HAMPTON FARMS

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: 2133389

Goods and Services

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

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

For: Chocolate covered nuts; honey roasted nuts; popcorn snacks; peanut brittle; candy

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 1999

Use in Commerce: Aug. 01, 1999

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: Severn Peanut Company, Inc.

Owner Address: P. O. Box 710
Severn, NORTH CAROLINA 27877
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Susan Freya Olive

Docket Number: SEPC0804

Attorney Primary Email Address: emailboxtm@oliveandolive.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SUSAN FREYA OLIVE
OLIVE & OLIVE, P.A.
PO BOX 2049
DURHAM, NORTH CAROLINA 27702-2049
UNITED STATES

Phone: 919 683 5514

Fax: 919 688 3781

Correspondent e-mail: emailboxtm@oliveandolive.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
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Aug. 19, 2014	ASSIGNED TO EXAMINER	91164
May 17, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 09, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: EISNACH, MICHAEL PATRI

Law Office Assigned: LAW OFFICE 104

File Location

Current Location: TMEG LAW OFFICE 104 - EXAMINING
ATTORNEY ASSIGNED

Date in Location: Aug. 19, 2014