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Filing date: 05/31/2016

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	Dr Pepper/Seven Up, Inc.
Granted to Date of previous ex- tension	06/29/2016
Address	5301 Legacy Drive Plano, TX 75024 UNITED STATES

Attorney informa-	Barbara A. Solomon	
tion	Fross Zelnick Lehrman & Zissu, P.C.	
	866 United Nations Plaza	
	New York, NY 10017	
	UNITED STATES	
	bsolomon@fzlz.com, eweiss@fzlz.com Phone:212-813-5900	

Applicant Information

Application No	86772944	Publication date	03/01/2016
Opposition Filing Date	05/31/2016	Opposition Peri- od Ends	06/29/2016
Applicant	PDB Sports, Ltd. 13655 Broncos Parkway Englewood, CO 80112 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: shirts, caps and sweatshirts

Class 041. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Education and entertainment services in the nature of professional football games and exhibitions; providing sports and entertainment information via a global computer network or a commercial on-linecomputer service or by cable, satellite, television and radio; arranging and conducting athletic competitions, namely, professional football games and exhibitions; football fan club services; entertainment services, namely, musical and dance performances provided during intervals at sports events; educational services, namely, physical education programs; production of radio and television programs; live shows featuring football games, football exhibitions, and football competitions, live shows featuring music anddance performances, organizing sportingand cultural events featuring football

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)	
Dilution by blurring	Trademark Act Sections 2 and 43(c)	

Other	Common law rights
	g

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4514934	Application Date	01/14/2011
Registration Date	04/15/2014	Foreign Priority Date	NONE
Word Mark	ORANGE CRUSH		-
Design Mark	ORANGE CRUSH		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Us	e: 2013/08/09 First U	lse In Commerce: 2013/08/09
	Concentrates and syrups for	making non-alcoholic	c beverages

U.S. Registration No.	187791	Application Date	12/12/1921
Registration Date	08/12/1924	Foreign Priority Date	NONE
Word Mark	CRUSH		
Design Mark	CRUSH		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1915/00/00 First Use In Commerce: 1915/00/00		
	Non-Alcoholic, Maltless Beverages and Concentrates and Compounds for Mak- ing theSame		

U.S. Registration No.	2418265	Application Date	02/08/1999
Registration Date	01/02/2001	Foreign Priority Date	NONE
Word Mark	CRUSH		

Design Mark	aren	
Description of Mark	NONE	
Goods/Services	Class 032. First use: First Use: 1999/06/01 First Use In Commerce: 1999/06/01 soft drinks and concentrates for makingthe same	

U.S. Registration No.	2536979	Application Date	10/22/1998
Registration Date	02/05/2002	Foreign Priority Date	NONE
Word Mark	CRUSH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1999/09/00 First Use In Commerce: 1999/09/00 confectionery, namely, soft candies		

U.S. Registration No.	2895772	Application Date	10/16/2003
Registration Date	10/19/2004	Foreign Priority Date	NONE
Word Mark	CRUSH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1999/10/31 First Use In Commerce: 1999/10/31 CONFECTIONERY, NAMELY CANDY		

U.S. Registration No.	3209282	Application Date	07/12/2006
Registration Date	02/13/2007	Foreign Priority Date	NONE
Word Mark	CRUSH	-	

C	S	
NONE		
		se In Commerce: 1981/08/10
3289137	Application Date	01/12/2006
09/04/2007	Foreign Priority Date	NONE
CRUSH	ł	•
	Class 003. First use: Cosmetic products, n 3289137 09/04/2007	Class 003. First use: First Use: 1981/08/10 First U Cosmetic products, namely lip balm and lip gloss 3289137 Application Date 09/04/2007 Foreign Priority Date CRUSH

Goods/Services	Class 030. First use: First Use: 2006/02/28 First Use In Commerce: 2006/02/28			
	Frozen novelties, namely, frozen confections			
	-			
U.S. Registration No.	2418266	Application Date	02/08/1999	
Registration Date	01/02/2001	Foreign Priority Date	NONE	
Word Mark	CRUSH			
Design Mark	NONE			
Description of Mark				
Goods/Services	Class 032. First use: First Use soft drinks and concentrates f		lse In Commerce: 1999/06/01	
L		or maningule same		

Attachments	85218189#TMSN.png(bytes) 71156594#TMSN.png(bytes) 75639221#TMSN.png(bytes) 78928155#TMSN.png(bytes) 78978696#TMSN.png(bytes) 75629222#TMSN.png(bytes)
	75639222#TMSN.png(bytes) Notice of Opposition.pdf(2721851 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	/Barbara A. Solomon/
Name	Barbara A. Solomon
Date	05/31/2016

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

In the Matter of Application Serial No. 86/772, Mark: ORANGE CRUSH Filed: September 29, 2015 Published in the <i>Official Gazette</i> on March 1, 2		
	X	
DR PEPPER/SEVEN UP, INC.,	1	
Opposer,	:	NOTICE OF OPPOSITION
- against -	Ĭ	NOTICE OF OTTOSITION
PDB SPORTS, LTD. d/b/a	:	
DENVER BRONCOS FOOTBALL CLUB	:	
Applicant.	:	
	x	

Commissioner for Trademarks P.O. Box 1451 Alexandria, VA 22313-1451

BOX TTAB - FEE

Opposer Dr Pepper/Seven Up, Inc. ("Opposer"), a company organized and existing under the laws of the State of Delaware, with its principal place of business at 5301 Legacy Drive, Plano, Texas 75024, believes that it would be damaged by the issuance of a registration of the trademark ORANGE CRUSH, applied for in intent-to-use application Serial No. 86/772,944 for "shirts, caps and sweatshirts" in International Class 25 and "education and entertainment services in the nature of professional football games and exhibitions; providing sports and entertainment information via a global computer network or a commercial on-line computer service or by cable, satellite, television and radio; arranging and conducting athletic competitions, namely, professional football games and exhibitions; football fan club services; entertainment services, namely, musical and dance performances provided during intervals at sports events; educational services, namely, physical education programs; production of radio and television programs; live shows featuring football games, football exhibitions, and football competitions, live shows featuring music and dance performances, organizing sporting and cultural events featuring football" in International Class 41 and therefore opposes the same. As grounds for the opposition, Opposer, by its attorneys Fross Zelnick Lehrman & Zissu, P.C., alleges as follows:

1. Since at least as early as 1916 and continuing through the present, Opposer, through its predecessors in interest, has used the marks ORANGE CRUSH and CRUSH (collectively, the "CRUSH Marks") for beverage products.

2. The sale and marketing of CRUSH beverages has continued without interruption through the present day. CRUSH soda has been a fixture in the United States for almost a century, and has even been immortalized in paintings by Norman Rockwell. The product has also appeared on a July 14, 2014 segment of the *Colbert Report* on Comedy Central, in the *Teenage Mutant Ninja Turtles 2* movie, and in the movie *Joe Versus the Volcano*.

3. CRUSH brand beverages are sold in 85% of all grocery, convenience, mass/dollar stores. Millions of bottles and cans of CRUSH-branded beverages have been distributed in the United States with sales in the millions of dollars. Opposer and its predecessors-in-interest have been using the CRUSH Marks on beverages continuously for a period commencing long prior to any date on which Applicant can rely up to the current date.

4. CRUSH brand beverages are advertised on the local, regional and national level. Opposer also has run national and local promotions, including promoting the movie *Teenage Mutant Ninja Turtles 1* on its packaging, and participates in partner programs that account for thousands of ads and displays that prominently feature Opposer's marks.

5. Today, CRUSH soda is one of the top-selling flavored sodas in the United States with annual sales of 150 million units. CRUSH soda is sold to over 13 million households in the U.S. ORANGE CRUSH accounts for the largest share of the CRUSH sales and is the most iconic flavor in the CRUSH line.

6. Due to the extreme popularity of CRUSH-branded products, there have been significant opportunities for Opposer to expand its use of the CRUSH Marks. In addition to using the CRUSH Marks in connection with beverages, Opposer uses the CRUSH marks on candy and confectionery which products are sold nationwide. Further, Opposer has licensed the CRUSH Marks for use in connection with flavored lip balm, confectionary, lottery tickets, beverageware, loungewear, headwear, and t-shirts, among other goods. As a result of the use of the CRUSH Marks on such goods, Opposer has acquired common law rights in the CRUSH Marks on the listed goods and other commonly licensed products are likely to believe the goods come from or are licensed by Opposer. Opposer's use of the CRUSH Marks on such goods and its establishment of rights in the CRUSH Marks predates the application filing date.

7. Opposer is the owner by assignments recorded in May, 2006 of numerous U.S. trademark registrations for the CRUSH Marks including, but not limited to:

Mark	Registration No./Registration Date	First Use Date	Class and Goods
ORANGE CRUSH	4,514,934 4/15/14	August 9, 2013	IC 32: concentrates and syrups for making non- alcoholic beverages

	CRUSH	187,791 8/12/24	1915	IC 32: non-alcoholic, maltless beverages and concentrates and compounds for making the same
*	CRUSH (Stylized)	2,418,265 1/2/01	June 1, 1999	IC 32: soft drinks and concentrates for making the same
*	CRUSH	2,536,979 2/5/02	September, 1999	IC 30: Confectionery, namely soft candies
*	CRUSH	2,895,772 10/19/04	October 31, 1999	IC 30: confectionery, namely candy
*	CRUSH (Stylized)	3,209,282 2/13/07	August 10, 1981	IC 3: Cosmetic products, namely lip balm and lip gloss
*	CRUSH (Stylized)	3,289,137 9/4/07	February 28, 2006	IC 30: frozen confections
*	CRUSH and Design	2,418,266 1/2/01	June 1, 1999	IC 32: soft drinks and concentrates for making the same

All of the registrations set forth above are valid, subsisting and in full force and effect, all serve as *prima facie* evidence of the validity of the marks shown and of Opposer's exclusive right to use the marks on the goods identified, 15 U.S.C. § 1057(b); all establish that Opposer's rights in the CRUSH Marks are long-prior to any rights on which Applicant can rely; and all serve to place Applicant on notice of Opposer's rights. In addition, those marked with an asterisk are incontestable and are conclusive evidence of Opposer's exclusive right to use the mark identified on the goods specified therein pursuant to Sections 7 and 33 of the Lanham Act, 15 U.S.C.

§1057, 115(b). Printouts of the listed marks from the United States Patent and Trademark Office's online database are attached as <u>Exhibit A</u> and made of record in this Opposition.

8. Through the years of use and advertising of CRUSH and as a result of the expenditure of significant resources by Opposer and its predecessors to promote CRUSH products, Opposer through its predecessors has established strong common law rights in the CRUSH Marks in addition to its rights flowing from its federal registrations. The CRUSH Marks have come to be associated uniquely with Opposer, represent enormous goodwill of Opposer and identify and distinguish goods manufactured, approved of or licensed by Opposer from those of others.

9. As a result of the long use, registration and renown of the CRUSH Marks, Opposer's CRUSH Marks are entitled to an extremely broad scope of protection.

10. As found by the Trademark Trial and Appeal Board in *Dr Pepper/Seven Up, Inc. v. Crush Global*, Opposition No. 91/180742, decided December 13, 2010, Opposer's CRUSH mark has "achieved a degree of recognition and strength in the market" and "is therefore entitled to a broader scope of protection than might be accorded a less distinctive mark." Since that decision, the strength of our client's CRUSH mark has only increased due to expanded sales and distribution of its goods.

Upon information and belief, Applicant is a Colorado limited partnership
 composed of Bowlen Sports, Inc., an Arizona company. Applicant does business as the Denver
 Broncos Football Club. Applicant is located at 13655 Broncos Parkway, Englewood, Colorado
 80112.

On September 29, 2015, Applicant filed intent-to-use application Serial No.
 86/772,944 to register ORANGE CRUSH for "shirts, caps and sweatshirts" in International Class

25 and "education and entertainment services in the nature of professional football games and exhibitions; providing sports and entertainment information via a global computer network or a commercial on-line computer service or by cable, satellite, television and radio; arranging and conducting athletic competitions, namely, professional football games and exhibitions; football fan club services; entertainment services, namely, musical and dance performances provided during intervals at sports events; educational services, namely, physical education programs; production of radio and television programs; live shows featuring football games, football exhibitions, and football competitions, live shows featuring music and dance performances, organizing sporting and cultural events featuring football" in International Class 41.

13. As a matter of law, as a result of Opposer's existing federal trademark registrations, Applicant was deemed to be on constructive notice of Opposer's rights in the CRUSH Marks at the time it filed its application.

14. Upon information and belief, Applicant was on actual notice of Opposer's or its predecessors' prior rights in and to the CRUSH Marks based on Opposer's and its predecessors' extensive use of the CRUSH Marks for almost 90 years.

15. Also placing Applicant on actual notice of Opposer's rights in the CRUSH Marks is Applicant's prior association with Opposer's ORANGE CRUSH brand which included receiving shipments of ORANGE CRUSH soda when the Broncos went to the Super Bowl after the 1977 season and the use of photographs of members of the Denver Broncos on original ORANGE CRUSH cans.

16. Actual notice of Opposer's mark is also shown by the fact that players on the Denver Broncos team have endorsed Opposer's ORANGE CRUSH product.

17. The filing date of the application, and the only date on which Applicant can rely, is decades after the use, registration and acquisition of rights in the CRUSH Marks by Opposer or its predecessors-in-interest and decades after Applicant knew of Opposer's mark. Opposer's rights in its CRUSH Marks are prior and superior to any trademark rights Applicant may claim in the mark ORANGE CRUSH.

18. Applicant's mark is identical to Opposer's prior used and registered ORANGE CRUSH trademark and incorporates in its entirety Opposer's CRUSH mark.

19. Registration of Applicant's mark is inconsistent with Opposer's prior rights in its CRUSH and ORANGE CRUSH marks, is inconsistent with Opposer's statutory grant of exclusivity of use of the registered CRUSH Marks, and would destroy Opposer's investment and goodwill in its CRUSH and ORANGE CRUSH marks.

FIRST CLAIM FOR RELIEF UNDER SECTION 2(d)

20. Opposer repeats and re-alleges each and every allegation contained in paragraphs1 through 19 as if fully set forth herein.

21. The CRUSH Marks are associated exclusively with Opposer and its predecessorsin-interest and have been used continuously and registered by Opposer or its predecessors since a date long prior to any date on which Applicant can rely.

22. Applicant's mark ORANGE CRUSH is identical to Opposer's prior registered and prior used ORANGE CRUSH marks and otherwise incorporates Opposer's CRUSH mark.

23. The application herein opposed is not limited with respect to channels of trade or consumers for goods or services to be provided by Applicant under the ORANGE CRUSH mark. As a matter of law, Applicant's goods and services to be provided under the ORANGE CRUSH mark will be deemed to be available and provided to all customers and through all channels of

trade that are customary for such goods and services. These channels of trade and customers overlap with those consumers who are familiar with Opposer's CRUSH Marks and through which Opposer or its licensees sell Opposer's CRUSH and ORANGE CRUSH branded products.

24. Applicant seeks to register its mark for goods in International Class 25 that are identical to goods long provided by Opposer through licensees. Opposer has established common law rights in its marks by virtue of such use.

25. Given Opposer's licensing of the ORANGE CRUSH and CRUSH marks for use on a wide variety of goods, including clothing, and the fact that consumers recognize that trademarks are licensed for a broad array of goods, consumers are likely to believe that Applicant's goods and services are licensed by Opposer or otherwise believe that there is some type of relationship between Applicant and Opposer.

26. The likelihood that consumers will believe there is an association between Opposer and Applicant as a result of Applicant's use of Opposer's identical ORANGE CRUSH mark is furthered by the fact that companies, including beverage companies, are often sponsors of sporting events, sports teams, and of sports leagues, including the NFL. Opposer itself has sponsored a broad range of professional sports teams including professional hockey, baseball, football and basketball teams; college football games and bowls; and USA Baseball and USA gymnastics, among others.

27. By virtue of the use of the CRUSH Marks by Opposer, its predecessors and its licensees, the goodwill associated with Opposer's CRUSH Marks, the registrations owned by Opposer for the CRUSH Marks, the fame of the CRUSH Marks, the prior relationship between the Parties, and consumer recognition of beverage companies sponsoring sporting events and teams, registration by Applicant of ORANGE CRUSH for the goods and services identified in

Application S.N. 86/772,944 is likely to create the erroneous impression that Applicant's goods and services originate from, come from or are otherwise associated with Opposer or that Applicant's use of ORANGE CRUSH is licensed by, or its products and services are endorsed or in some way connected with Opposer or that there otherwise is an association between the Parties in violation of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d).

28. By reason of the foregoing, Opposer is likely to be harmed by registration of Application S.N. 86/772,944 for the mark ORANGE CRUSH.

SECOND CLAIM FOR RELIEF UNDER SECTION 2(f)

29. Opposer repeats and re-alleges each and every allegation contained in Paragraphs1 through 19 as if fully set forth herein.

30. Opposer's ORANGE CRUSH and CRUSH marks are inherently distinctive, have been used for nearly 90 years in connection with goods sold and advertised nationally, have become well-known among consumers, and are the subject of numerous U.S. federal trademark registrations as identified above, including an incontestable federal trademark registration. As a result, the ORANGE CRUSH mark and CRUSH marks are famous marks under the Lanham Act.

31. Applicant's application to register ORANGE CRUSH was filed long after Opposer had been using its ORANGE CRUSH and CRUSH marks nationally, long after Opposer had been selling and advertising its product nationally, long after Opposer had generated significant sales of goods under the ORANGE CRUSH and CRUSH marks nationally and long after Opposer's ORANGE CRUSH and CRUSH marks had become widely recognized by the general consuming public as a designation of source of goods of Opposer.

32. Given the renown of Opposer's ORANGE CRUSH and CRUSH marks,

Applicant's registration and use of a mark that is identical to Opposer's ORANGE CRUSH mark is likely to dilute the distinctive quality of Opposer's marks and lessen Opposer's ability to identify and distinguish its goods from those of others.

33. Registration of the mark ORANGE CRUSH by Applicant is likely to dilute
Opposer's ORANGE CRUSH and CRUSH marks in violation of Section 2(f) of the Latham Act,
15 U.S.C. Section 1052(f).

34. By reason of the foregoing, Opposer is likely to be harmed by registration of Application Serial No. 86/772,944 for the mark ORANGE CRUSH

WHEREFORE, it is respectfully requested that this opposition be sustained and that the registration sought by Applicant in Application S.N. 86/772,944 be denied.

Opposer authorizes the opposition fee in the amount of \$600.00 to oppose in two classes to be debited from Opposer's attorneys' Deposit Account No. 23-0825-0576900.

Dated: New York, New York May <u>3</u>/, 2016

FROSS ZELNICK LEHRMAN & ZISSIL BC

Barbara A. Solomon Emily Weiss 866 United Nations Plaza New York, New York 10017 (212) 813-5900

Attorneys for Opposer Dr Pepper/Seven Up, Inc.

EXHIBIT A

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Mark: ORANGE CRUSH

ORANGE CRUSH

US Serial Number:	85218189	Application Filing Jan. 14, 2011 Date:
US Registration Number:	4514934	Registration Date: Apr. 15, 2014
Register:	Principal	
Mark Type:	Trademark	
TM5 Common S Descri		LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.
Status:	Registered. The registration	date is used to determine when post-registration maintenance documents are due.
Status Date:	Apr. 15, 2014	
Publication Date:	May 31, 2011	Notice of Jul. 26, 2011 Allowance Date:
		Mark Information
Mark Literal Elements:	ORANGE CRUSH	
Standard Character Claim:	Yes. The mark consists of s	tandard characters without claim to any particular font style, size, or color,
Mark Drawing Type:	4 - STANDARD CHARACT	ER MARK
Disclaimer:	"ORANGE"	
		Related Properties Information
Claimed Ownership of US Registrations:	0187791, 2418265, 241826	6 and others
		Goods and Services
Note: The following sy	mbols indicate that the regist	rant/owner has amended the goods/services:
Double		ervices; goods/services not claimed in a Section 15 affidavit of incontestability; and) wording in the goods/services.
For:	Concentrates and syrups fo	r making non-alcoholic beverages
International Class(es):	032 - Primary Class	U.S Class(es): 045, 046, 048
	ACTIVE	
Class Status:		
Class Status: Basis:	1(a)	
Basis:	1(a) Aug. 09, 2013	Use in Commerce: Aug. 09, 2013

Filed Use:NoFiled ITU:YesFiled 44D:NoFiled 44E:No

Currently Use: Yes Currently ITU: No Currently 44D: No Currently 44E: No

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

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Dr Pepper/Seven Up, Inc.

EXTENSION 1 GRANTED

Jan. 18, 2012

Owner Address: 5301 Legacy Drive IP - Legal Dept. Plano, TEXAS UNITED STATES 75024

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

Attornev/Correspondence Information

	Attorney/Correspondence Information	
	Attorney of Record	
Attorney N	Name: Arthur Swanson	
Attorney Pri Email Add	rimary <u>keshia.martin@dpsg.com</u> dress: Attorney Email Yes Authorized:	
	Correspondent	
	ndent Arthur Swanson dress: Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS UNITED STATES 75024-3109	
Pł	hone: 9726738955	
	lent e- <u>keshia.martin@dpsg.com</u> art.swanson@dpsg.com mail: Correspondent e- Yes mail Authorized:	
	Domestic Representative - Not Found	
	Prosecution History	
Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 15, 2014	REGISTERED-PRINCIPAL REGISTER	
Mar. 08, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 07, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	69712
Mar. 05, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 04, 2014	STATEMENT OF USE PROCESSING COMPLETE	66154
Jan. 27, 2014	USE AMENDMENT FILED	66154
Jan. 27, 2014	TEAS STATEMENT OF USE RECEIVED	
Jul. 27, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 26, 2013	EXTENSION 4 GRANTED	66154
Jul. 25, 2013	EXTENSION 4 FILED	66154
Jul. 25, 2013	TEAS EXTENSION RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
⁻ eb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 25, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
lan. 24, 2013	EXTENSION 3 GRANTED	66154
Jan. 17, 2013	EXTENSION 3 FILED	66154
lan. 17, 2013	TEAS EXTENSION RECEIVED	
Aug. 11, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 10, 2012	EXTENSION 2 GRANTED	66154
Jul. 25, 2012	EXTENSION 2 FILED	66154
Aug. 09, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jul. 25, 2012	TEAS EXTENSION RECEIVED	
Jan. 20, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	

Jan. 18, 2012 EXTENSION 1 FILED 98765 Jan. 18, 2012 TEAS EXTENSION RECEIVED 98765	
Jan. 10, 2012 TEAS EXTENSION RECEIVED	
Jul. 26, 2011 NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 31, 2011 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 31, 2011 PUBLISHED FOR OPPOSITION	
Apr. 26, 2011 LAW OFFICE PUBLICATION REVIEW COMPLETED 69712	
Apr. 22, 2011 ASSIGNED TO LIE 69712	
Apr. 07, 2011 APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 07, 2011 EXAMINER'S AMENDMENT ENTERED 88888	
Apr. 07, 2011 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED 6328	
Apr. 07, 2011 EXAMINERS AMENDMENT E-MAILED 6328	
Apr. 07, 2011 EXAMINERS AMENDMENT -WRITTEN 80813	
Apr. 06, 2011 ASSIGNED TO EXAMINER 80813	
Jan. 20, 2011 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 18, 2011 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: Mar. 07, 2014

Proceedings

Summary

Number of 1

Proceedings:				
	Туре	of Proceeding: Opposition		
Proceeding Number:	<u>91218211</u>	Filing Date: Sep 05, 2014		
Status:	Terminated	Status Date: Nov 18, 2014		
Interlocutory Attorney:	ROBERT COGGINS			
		Defendant		
Name:	Napa Smith Holdings, LLC			
	KEATON OSBORNE BRADLEY ARANT BOULT CUMMII 1600 DIVISION ST STE 700 NASHVILLE TN UNITED STATES ,			
Correspondent e- mail:	kosborne@babc.com;snaples@bab	<u>bc.com</u>		
Associated marks				
Mark		Application Status	Serial Number	Registration Number
GIANT CRUSH		Abandoned - After Inter-Partes Decision	86207320	
		Plaintiff(s)		
Name:	Dr Pepper/Seven Up, Inc.			
Correspondent Address:	PAMELA B HUFF COX SMITH MATTHEWS INCORP 112 EAST PECAN STREET, SUITI SAN ANTONIO TX UNITED STATE	E 1800		
Correspondent e- mail:	ipdocket@coxsmith.com			
Associated marks				
Mark		Application Status	Serial Number	Registration Number
RUSH		Renewed	71156594	<u>187791</u>
			73592383	1424931

Er	ntry Number	History Text		Date		Due Date	
			Prosecution History				
GRAF	PE CRUSH		Registered		<u>85218193</u>	<u>4514936</u>	
STRA	WBERRY CRUSH		Registered		85218192	4514935	
ORAN	NGE CRUSH		Registered		<u>85218189</u>	<u>4514934</u>	
CRUS	SH		Registered		85615496	4355263	
CRUS	SH		Registered		77602920	<u>3974989</u>	
CRUS	SH		Section 8 and 15 - Accepted and Acknowledged		78978696	<u>3289137</u>	
CRUS	SH		Section 8 and 15 - Accepted and Acknowledged		78928155	3209282	
CRUS	SH		Renewed		<u>78314308</u>	2895772	
CRUS	SH		Renewed		75576146	<u>2536979</u>	
CRUS	SH		Renewed		75639222	2418266	
CRUS	SH		Renewed		75639221	2418265	

Entry Number	History lext	Date	Due Date
1	FILED AND FEE	Sep 05, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 05, 2014	Oct 15, 2014
3	PENDING, INSTITUTED	Sep 05, 2014	
4	P MOT FOR DEFAULT JUDGMENT	Oct 17, 2014	
5	BD DECISION: SUSTAINED	Nov 18, 2014	
6	TERMINATED	Nov 18, 2014	

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Mark Literal CRUSH Elements: Standard Character No Claim:

Mark Drawing 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Type:

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: CONFECTIONERY, NAMELY CANDY

International 030 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 31, 1999

Use in Commerce: Oct. 31, 1999

U.S Class(es): 046

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Owner Address: 5301 LEGACY DRIVE Legal Department - IP PLANO, TEXAS UNITED STATES 75024

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Arthur Swanson

Attorney Primary <u>keshia.martin@dpsg.com</u> Email Address: Attorney Email Yes Authorized:

Correspondent

Correspondent Name/Address:	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS UNITED STATES 75024-3109
Phone:	9726736028

Correspondent e- <u>keshia.martin@dpsg.com</u> art.swanson@dpsg.com mail: Correspondent e- Yes mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 29, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Oct. 29, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Oct. 29, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Oct. 29, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Oct. 14, 2014	TEAS SECTION 8 & 9 RECEIVED	
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 29, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Oct. 29, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Oct. 19, 2010	TEAS SECTION 8 & 15 RECEIVED	
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 16, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 16, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 19, 2004	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 2004	PUBLISHED FOR OPPOSITION	
Jul. 12, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 07, 2004	NOTICE OF PUBLICATION	
Jun. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 13, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 13, 2004	ASSIGNED TO EXAMINER	68788
	Maintenance Filings on Post Desistuation Information	

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Oct. 19, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 29, 2014

Assignment Abstract Of Title Information

Summary			
otal Assignments:	1	Registrant:	Cadbury Beverages B.V.
	Assignme	ent 1 of 1	
Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	3307/0771	Pages:	26
Date Recorded:	May 12, 2006		
Supporting Documents:	assignment-tm-3307-0771.pdf		
		Assignor	
Name:	CADBURY BEVERAGES B.V.	Execution Date:	Nov. 30, 2005
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS
		Assignee	
Name:	DR PEPPER/SEVEN UP, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
Address:	5301 LEGACY DRIVE PLANO, TEXAS 75024		
		Correspondent	
Correspondent Name:	DANIEL CHUNG, ESQ.		
	900 KING STREET - CADBURY SCHWEPPES RYE BROOK, NY 10573	c Representative - Not Fo	
		roceedings	
Summary			
Number of Proceedings:			
	Type of Proceed		
Proceeding Number:	<u>91218211</u>		Sep 05, 2014
Status:	Terminated	Status Date:	Nov 18, 2014
Interlocutory Attorney:	ROBERT COGGINS		
		Defendant	
Name:	Napa Smith Holdings, LLC		
	KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS LLP 1600 DIVISION ST STE 700 NASHVILLE TN UNITED STATES , 37203-2771		
Correspondent e- mail:	kosborne@babc.com;snaples@babc.com		

Mark	Application Status		Serial Number	Registration
GIANT CRUSH	Abandoned - After Inter-Partes Decision		86207320	
	Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.			
	PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205			
Correspondent e- mail:	ipdocket@coxsmith.com			
Associated marks				
Mark	Application Status		Se <mark>rial</mark> Numbe	Registration Number
RUSH	Renewed		71156594	187791
CRUSH	Renewed		73592383	1424931
CRUSH	Renewed		75639221	2418265
RUSH	Renewed		75639222	2418266
RUSH	Renewed		75576146	2536979
RUSH	Renewed		78314308	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledged		78928155	3209282
RUSH	Section 8 and 15 - Accepted and Acknowledged		78978696	3289137
CRUSH	Registered		77602920	3974989
CRUSH	Registered		85615496	4355263
DRANGE CRUSH	Registered		85218189	4514934
STRAWBERRY CRUS	H Registered		<u>85218192</u>	4514935
GRAPE CRUSH	Registered		85218193	4514936
	Prosecution History			
Entry Number	History Text	Date		Due Date
	FILED AND FEE	Sep 05, 201	4	
!	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 05, 201	4	Oct 15, 2014
i	PENDING, INSTITUTED	Sep 05, 201	4	
ļ	P MOT FOR DEFAULT JUDGMENT	Oct 17, 2014		
5	BD DECISION: SUSTAINED	Nov 18, 201		
}	TERMINATED	Nov 18, 201	4	
	Type of Proceeding: Opposition			
Proceeding Number:				
Status:	Terminated Status Date: Dec 09, 2010			
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
	Defendant			
Name:	Krush Global Limited			
	WILLIAM C. WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42nd STREET, SUITE 820 NEW YORK NY UNITED STATES, 10165			

mail:

Associated marks

 Mark
 Application Status
 Serial Number
 Registration Number

 CRUSSH
 Abandoned - After Inter-Partes Decision
 79033050

 Plaintiff(s)
 Plaintiff(s)

Name: Dr Pepper/Seven Up, Inc.

Correspondent e- wwright@ipcounselors.com,jdrangel@ipcounselors.com

Correspondent LAURA POPP-ROSENBERG Address: FROSS ZELNICK LEHRMAN & ZISSU, PC 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017

Correspondent e- lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com mail:

Associated marks

Mark	Application Status	Serial Number	Registration Number
CRUSH	Renewed	71156594	<u>187791</u>
ORANGE CRUSH	Expired	72038378	683361
CRUSH	Renewed	73592383	1424931
CRUSH	Renewed	75639221	2418265
CRUSH	Renewed	75576146	2536979
CRUSH	Renewed	78314308	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledged	78928155	3209282
	Prosecution History		

Due Date Date Entry Number **History Text** Nov 12, 2007 FILED AND FEE 1 NOTICE AND TRIAL DATES SENT; ANSWER DUE: Nov 14, 2007 Dec 24, 2007 2 PENDING, INSTITUTED Nov 14, 2007 3 4 P'S MOTION TO CONSOLIDATE Nov 28, 2007 ANSWER Dec 21, 2007 5 PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. Jan 22, 2008 6 STIPULATION FOR AN EXTENSION OF TIME Mar 26, 2008 7 8 STIP PROTEC AGREE Apr 15, 2008 STIP PROTECTIVE AGREEMENT NOTED Apr 29, 2008 9 10 MOTION GRANTED May 15, 2008 STIPULATION FOR AN EXTENSION OF TIME Jul 02, 2008 11 EXTENSION OF TIME GRANTED Jul 02, 2008 12 Nov 07, 2008 P'S MOTION FOR SUMMARY JUDGMENT 13 Nov 07, 2008 14 Confidential Plaintiff's Summary Judgment DECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJ Nov 07, 2008 15 DECLA OF A SPRINGATE IN SUPPORT OF OP'S SJ Nov 08, 2008 16 DECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ Nov 08, 2008 17 PL'S DECLARATION OF ANDREW D. SPRINGATE IN MOTION FOR SUMMARY 18 Nov 08, 2008 JUDGMENT SUSPENDED Nov 19, 2008 19 20 Confidential Defendant's Supporting Evidents/Exhibits Dec 12, 2008 D'S OPPOSITION/RESPONSE TO MOTION Dec 12, 2008 21 DECLARATION OF JAMES LEARMOND AND EXH Dec 12, 2008 22 DECLARATION OF WILLIAM C. WRIGHT AND EXH Dec 12, 2008 23 P'S REPLY IN SUPPORT OF MOTION Jan 02, 2009 24 Jan 02, 2009 Other Motions/Papers 25 PL'S MOT. FOR SUMM. JUDGMENT DENIED Feb 12, 2009 26 STIPULATION FOR AN EXTENSION OF TIME Feb 13 2009 27 EXTENSION OF TIME GRANTED Feb 13, 2009 28 DEF'S OPPOSITION TO OP'S MOTION FOR SJ Mar 17, 2009 29 PLAINTIFF'S NOTICE OF RELIANCE May 15, 2009 30 May 18, 2009 TRIAL DECL OF MARIO ORTIZ 31 TRIAL DECLARATION OF ANDREW SPRINGATE May 21, 2009 32 DECLARATION OF A. SPRINGATE CONF. DOC May 21, 2009 33 P'S NOTICE OF RELIANCE Jun 02, 2009 34 P'S NOTICE OF RELIANCE Jun 02 2009 35 P'S NOTICE OF RELIANCE Jun 02, 2009 36 OPP'S OBJECTIONS TO APPL'S DISC. Jun 25, 2009 37 DECLARATION OF WILLIAM C WRIGHT Jul 15, 2009 38

	Application Status		Serial	Registratio
Associated marks				
Correspondent e- mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com			
	LAURA POPP-RESENBERG FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017			
Name:	Dr Pepper/Seven Up, Inc.			
CRUSSH	Cancelled - Section 18 Plaintiff(s)		79030220	3275548
Mark	Application Status		Number	Number
Associated marks			Serial	Registratio
mail:				
Address:	EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET, SUITE 820 NEW YORK NY UNITED STATES , 10165 wwright@ipcounselors.com , jdrangel@ipcounselors.com			
	Krush Global Limited WILLIAM C WRIGHT			
	Defendant			
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
Status:	Terminated Status Date: Dec 2	23, 2010		
Proceeding Number:		2, 2007		
	Type of Proceeding: Cancellation			
65	TERMINATED	Dec 09, 201		
64	BOARD'S DECISION: SUSTAINED	Sep 13, 201		
63	SUBMITTED ON BRIEF	May 26, 201		
62	Confidential Plaintiff's Rebuttal Brief	Dec 28, 200	9	
61	P'S REBUTTAL BRIEF	Dec 28, 200		
60	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Dec 11, 200		
59	Confidential Brief on Merits for Defendant	Dec 11, 200		
58	Confidential Brief on Merits for Plaintiff	Nov 12, 200		
57	BRIEF ON MERITS FOR PLAINTIFF	Nov 12, 200		
56	OPP'S OBJECTIONS TO APPL'S PROFFERED EVIDENCE	Nov 12, 200		
55	TESTIMONY FOR PLAINTIFF	Nov 10, 200		
53 54	DEPOSITION OF ANDREW SPRINGATE DEP OF JAMES P NEEDHAM	Sep 25, 200 Oct 13, 200		
52		Sep 25, 200		
51		Sep 25, 200		
50		Sep 04, 200		
49	OPP'S REPLY BRIEF	Sep 03, 200		
48		Sep 03, 200		
47	DECLARATION OF A SPRINGATE	Sep 01, 200	19	
46	DECLARATION OF MARIO ORTIZ	Sep 01, 200	19	
45	PLAINTIFF'S NOTICE OF RELIANCE	Sep 01, 200	/9	
44	D'S OPPOSITION/RESPONSE TO MOTION	Aug 20, 200	19	
43	P'S MOTION TO STRIKE	Aug 06, 200	9	
42	SUPPL DECLARATION OF C WRIGHT	Jul 30, 2009)	
41	DEFENDANT'S NOTICE OF RELIANCE	Jul 29, 2009	ð	
40	Confidential Defendant's Notice of Reliance	Jul 29, 2009)	

CRUSH		Renewed		73592383	1424931
CRUSH		Renewed		75639221	2418265
CRUSH		Renewed		75576146	2536979
CRUSH		Renewed		78314308	2895772
CRUSH		Section 8 and 15 - Accepted and Acknowledged		78928155	3209282
CRUSH		Renewed		71156594	187791
		Prosecution History			
Entry Number Hi	story Text		Date		Due Date

-	•		
1	FILED AND FEE	Nov 12, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 16, 2007	Dec 26, 2007
3	PENDING, INSTITUTED	Nov 16, 2007	
4	OPP'S SUBMISSIO OF PROOF OF SERVICE	Nov 19, 2007	
5	P'S MOTION TO CONSOLIDATE	Nov 28, 2007	
6	ANSWER	Dec 21, 2007	
7	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET	Jan 22, 2008	
8	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Feb 12, 2009	
9	SUBMITTED ON BRIEF	Jul 25, 2010	
10	BOARD'S DECISION: GRANTED	Sep 13, 2010	
11	COMMR'S ORDER CANCELLING REGISTRATION	Dec 23, 2010	
12	TERMINATED	Dec 23, 2010	

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Mark: CRUSH

US Serial Number:	75576146	Application Filing Date:	Oct. 22, 1998
US Registration Number:	2536979	Registration Date:	Feb. 05, 2002
Register:	Principal		
Mark Type:	Trademark		
Status:	The registration has been renewed.		
Status Date:	Mar. 05, 2012		
Publication Date:	Sep. 19, 2000	Notice of Allowance Date:	Dec. 12, 2000
	N	lark Information	
Mark Literal Elements:	CRUSH		
Standard Character Claim:	No		
Mark Drawing Type:	1 - TYPESET WORD(S) /LETTER(S) /NUM	BER(S)	
÷		BER(S) Dods and Service	S
Type: Note: The following syn		oods and Service	<u>s</u>

- 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: confectionery, namely, soft candies

International 030 - Primary Class U.S Class(es): 046 Class(es): Class Status: ACTIVE Basis: 1(a) First Use: Sep. 1999 Use in Commerce: Sep. 1999 **Basis Information (Case Level)** Filed Lise: No Amended Use: No. Currently Lise: Yes

*					
Filed No Basis:	No	Currently No Basis:	No		
Filed 66A:	No	Currently 66A:	No		
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed ITU:	Yes	Currently ITU:	No	Amended ITU:	No
Filed Use:	NO	Currently Use:	res	Amended Use:	110

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Owner Address: 5301 LEGACY DRIVE PLANO, TEXAS 75024 UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

	Attorney/Cori	respondence In	formation
		Attorney of Record	
Attorney Name:	Arthur Swanson		
Attorney Primary Email Address:	keshia.martin@dpsg.com	Attorney Email Authorized:	Yes
		Correspondent	
	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS 75024-3109 UNITED STATES		
Phone:	9726738955		
Correspondent e- mail:	keshia.martin@dpsg.comart.swanson@dpsg.co	<u>m</u> Correspondent e- mail Authorized:	Yes
	De	omestic Representative	
Domestic Representative Name:	Daniel Chung, Esq.	Phone:	914-612-4701
Fax:	914-612-6325		
Domestic Representative e- mail:	groupip@cs-americas.com	Domestic Representative e- mail Authorized:	

Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 05, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 05, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Mar. 05, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68335
Mar. 05, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Feb. 03, 2012	TEAS SECTION 8 & 9 RECEIVED	
Apr. 10, 2007	CASE FILE IN TICRS	
Mar. 21, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Mar. 20, 2007	ASSIGNED TO PARALEGAL	70131
Feb. 08, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 08, 2007	TEAS SECTION 8 & 15 RECEIVED	
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 16, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 16, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 12, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 13, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Feb. 05, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 01, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 30, 2001	ASSIGNED TO EXAMINER	73714
Oct. 16, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Oct. 12, 2001	USE AMENDMENT FILED	
Jun. 20, 2001	EXTENSION 1 GRANTED	
Jun. 12, 2001	EXTENSION 1 FILED	
Dec. 12, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 19, 2000	PUBLISHED FOR OPPOSITION	
Aug. 18, 2000	NOTICE OF PUBLICATION	
Jun. 22, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 17, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 27, 1999	LETTER OF SUSPENSION MAILED	
Sep. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 03, 1999	NON-FINAL ACTION MAILED	
Mar. 01, 1999	ASSIGNED TO EXAMINER	73714
Feb. 26, 1999	ASSIGNED TO EXAMINER	74307

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Feb. 05, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Summary

Date in Location: Mar. 05, 2012

Assignment Abstract Of Title Information

Total Assignments:	1	Registrant:	Cadbury Beverages B.V.
		Assignment 1 of 1	
Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	3307/0771	Pages:	26
Date Recorded:	May 12, 2006		
Supporting Documents:	assignment-tm-3307-0771.pdf		
		Assignor	
Name:	CADBURY BEVERAGES B.V.	Execution Date:	Nov. 30, 2005
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS
		Assignee	
Name:	DR PEPPER/SEVEN UP, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE
Address:	5301 LEGACY DRIVE PLANO, TEXAS 75024		
		Correspondent	
Correspondent Name:	DANIEL CHUNG, ESQ.		
	900 KING STREET - CADBURY SC RYE BROOK, NY 10573	HWEPPES	

Proceedings

Summary

Number of 4 Proceedings:

		Proceeding: Opposition			
Proceeding Number:	<u>91218211</u>	Filing Date: Sep 05, 2014			
Status:	Terminated	Status Date: Nov 18, 2014			
Interlocutory Attorney:	ROBERT COGGINS				
		Defendant			
Name:	Napa Smith Holdings, LLC				
	KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS 1600 DIVISION ST STE 700 NASHVILLE TN , 37203-2771 UNITED STATES	S LLP			
Correspondent e- mail:	kosborne@babc.com;snaples@babc.co	<u>)m</u>			
Associated marks					
Mark		Application Status		Serial Number	Registratio Number
GIANT CRUSH		Abandoned - After Inter-Partes Decision		86207320	
		Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.				
	PAMELA B HUFF COX SMITH MATTHEWS INCORPOR/ 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES				
Correspondent e- mail:	ipdocket@coxsmith.com				
Associated marks					
Mark		Application Status		Serial Number	Registratio Number
CRUSH		Renewed		<u>71156594</u>	<u>187791</u>
		Kellewed			
CRUSH		Renewed		73592383	1424931
CRUSH CRUSH				<u>73592383</u> 75639221	<u>1424931</u> 2418265
		Renewed			2
CRUSH		Renewed Renewed		75639221	2418265
CRUSH CRUSH		Renewed Renewed Renewed		75639221 75639222	2418265 2418266
CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed		75639221 75639222 75576146	2418265 2418266 2536979
CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Renewed		75639221 75639222 75576146 78314308	2418265 2418266 2536979 2895772
CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged		75639221 75639222 75576146 78314308 78928155	2418265 2418266 2536979 2895772 3209282
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged		75639221 75639222 75576146 78314308 78928155 78978696	2418265 2418266 2536979 2895772 3209282 3289137
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920	2418265 2418266 2536979 2895772 3209282 3289137 3974989
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH	Н	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH	Н	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85518189	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS	н	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS	H History Text	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS GRAPE CRUSH		Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered		75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218193	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935 4514936
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS GRAPE CRUSH	History Text	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered	Date	75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218193	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935 4514936
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS GRAPE CRUSH Entry Number 1	History Text FILED AND FEE	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered	Date Sep 05, 2014	75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218193	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935 4514936
CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH ORANGE CRUSH STRAWBERRY CRUS GRAPE CRUSH Entry Number 1	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; A	Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered	Date Sep 05, 2014 Sep 05, 2014	75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85518189 85518189 85218192 85218193	2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935 4514936

6	TERMINATED	Nov 18, 2014		
	Type of Proceeding: Opposition			
Proceeding Number:	91180742 Filing Date: Nov 12, 2007			
Status:	Terminated Status Date: Dec 09, 2010			
Interlocutory Attorney:	YONG OH (RICHARD) KIM			
	Defendant			
Name:	Krush Global Limited			
	WILLIAM C. WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42nd STREET, SUITE 820 NEW YORK NY , 10165 UNITED STATES			
Correspondent e- mail:	wwright@ipcounselors.com,jdrangel@ipcounselors.com			
Associated marks				
Mark	Application Status		Serial Number	Registration Number
CRUSSH	Abandoned - After Inter-Partes Decision	7	9033050	
	Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.			
	LAURA POPP-ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU, PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES			
Correspondent e- mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com			
Associated marks				
Mark	Application Status		Serial Number	Registration Number
CRUSH	Renewed	1	1156594	<u>187791</u>
ORANGE CRUSH	Expired	7	2038 <u>378</u>	683361
CRUSH	Renewed	-	3592383	1424931
CRUSH	Renewed	1	5639221	2418265
CRUSH	Renewed		5576146	2536979
CRUSH	Renewed		8314308	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledged		8928155	3209282
	Prosecution History			
Entry Number	History Text	Date		Due Date
1	FILED AND FEE	Nov 12, 2007		
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 2007		Dec 24, 2007
3	PENDING, INSTITUTED	Nov 14, 2007		
4	P'S MOTION TO CONSOLIDATE	Nov 28, 2007		
5	ANSWER	Dec 21, 2007		
5	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET.	Jan 22, 2008		
7	STIPULATION FOR AN EXTENSION OF TIME	Mar 26, 2008		
8	STIP PROTEC AGREE	Apr 15, 2008		
9	STIP PROTECTIVE AGREEMENT NOTED	Apr 29, 2008		
10	MOTION GRANTED	May 15, 2008		
	STIPULATION FOR AN EXTENSION OF TIME	Jul 02, 2008		
11				
	EXTENSION OF TIME GRANTED	Jul 02, 2008		
11 12 13	EXTENSION OF TIME GRANTED P'S MOTION FOR SUMMARY JUDGMENT	Jul 02, 2008 Nov 07, 2008		
12				
12 13	P'S MOTION FOR SUMMARY JUDGMENT	Nov 07, 2008		

	Type of Proceeding: Cancellation	20000,2010
65	TERMINATED	Dec 09, 2010
64	BOARD'S DECISION: SUSTAINED	Sep 13, 2010
63	SUBMITTED ON BRIEF	May 26, 2010
62	Confidential Plaintiff's Rebuttal Brief	Dec 28, 2009
61	P'S REBUTTAL BRIEF	Dec 28, 2009
60	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Dec 11, 2009
59	Confidential Brief on Merits for Defendant	Dec 11, 2009
58	Confidential Brief on Merits for Plaintiff	Nov 12, 2009
57	BRIEF ON MERITS FOR PLAINTIFF	Nov 12, 2009
56	OPP'S OBJECTIONS TO APPL'S PROFFERED EVIDENCE	Nov 12, 2009
55	TESTIMONY FOR PLAINTIFF	Nov 10, 2009
54	DEP OF JAMES P NEEDHAM	Oct 13, 2009
53	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
52	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
51	EX'S TO DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
50	STIP TO SUBMISSION OF SUP REBUTTAL	Sep 04, 2009
49	OPP'S REPLY BRIEF	Sep 03, 2009
48	TESTIMONY FOR PLAINTIFF	Sep 03, 2009
47	DECLARATION OF A SPRINGATE	Sep 01, 2009
46	DECLARATION OF MARIO ORTIZ	Sep 01, 2009
45	PLAINTIFF'S NOTICE OF RELIANCE	Sep 01, 2009
44	D'S OPPOSITION/RESPONSE TO MOTION	Aug 20, 2009
43	P'S MOTION TO STRIKE	Aug 06, 2009
42	SUPPL DECLARATION OF C WRIGHT	Jul 30, 2009
41	DEFENDANT'S NOTICE OF RELIANCE	Jul 29, 2009
40	Confidential Defendant's Notice of Reliance	Jul 29, 2009
39	DECLARATION OF JAMES LEARMOND	Jul 22, 2009
38	DECLARATION OF WILLIAM C WRIGHT	Jul 15, 2009
37	OPP'S OBJECTIONS TO APPL'S DISC.	Jun 25, 2009
36	P'S NOTICE OF RELIANCE	Jun 02, 2009
35	P'S NOTICE OF RELIANCE	Jun 02, 2009
34	P'S NOTICE OF RELIANCE	Jun 02, 2009
33	DECLARATION OF A. SPRINGATE CONF. DOC	May 21, 2009
32		May 21, 2009
31		May 18, 2009
30		May 15, 2009
29	DEF'S OPPOSITION TO OP'S MOTION FOR SJ	Mar 17, 2009
28	EXTENSION OF TIME GRANTED	
27	STIPULATION FOR AN EXTENSION OF TIME	Feb 13, 2009 Feb 13, 2009
26	PL'S MOT. FOR SUMM. JUDGMENT DENIED	
25		Feb 12, 2009
24	Other Motions/Papers	Jan 02, 2009
23	P'S REPLY IN SUPPORT OF MOTION	Jan 02, 2009
22	DECLARATION OF VILLIAM C. WRIGHT AND EXH	Dec 12, 2008
	DECLARATION OF JAMES LEARMOND AND EXH	Dec 12, 2008
20	D'S OPPOSITION/RESPONSE TO MOTION	Dec 12, 2008
20	Confidential Defendant's Supporting Evidents/Exhibits	Dec 12, 2008
19	SUSPENDED	Nov 19, 2008
18	PL'S DECLARATION OF ANDREW D. SPRINGATE IN MOTION FOR SUMMARY JUDGMENT	Nov 08, 2008
17	DECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ	Nov 08, 2008

Type of Proceeding: Cancellation

Proceeding 92048446

Number:

Status: Terminated

Interlocutory YONG OH (RICHARD) KIM Attorney: Status Date: Dec 23, 2010

Filing Date: Nov 12, 2007

Defendant

	Defendan	t			
Name:	Krush Global Limited				
Åddress:	WILLIAM C WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET, SUITE 820 NEW YORK NY , 10165 UNITED STATES				
Correspondent e- mail:	wwright@ipcounselors.com , jdrangel@ipcounselors.com				
Associated marks					
Mark	Application State	s		Serial Number	Registration Number
CRUSSH	Cancelled - Section 1	18		<u>79030220</u>	3275548
	Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.				
	LAURA POPP-RESENBERG FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES				
Correspondent e- mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com				
Associated marks					
Mark	Application State	us		Serial Number	Registration Number
ORANGE CRUSH	Expired			72038378	<u>683361</u>
CRUSH	Renewed			73592383	<u>1424931</u>
CRUSH	Renewed			75639221	<u>2418265</u>
CRUSH	Renewed			75576146	2536979
CRUSH	Renewed			<u>78314308</u>	<u>2895772</u>
CRUSH	Section 8 and 15 - A	ccepted and Acknowledged		<u>78928155</u>	3209282
CRUSH	Renewed			71156594	187791
	Prosecution H	listory			
Entry Number	History Text		Date		Due Date
1	FILED AND FEE		Nov 12, 200		
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:		Nov 16, 200		Dec 26, 2007
3	PENDING, INSTITUTED		Nov 16, 200		
4	OPP'S SUBMISSIO OF PROOF OF SERVICE		Nov 19, 200		
5	P'S MOTION TO CONSOLIDATE		Nov 28, 200		
6	ANSWER		Dec 21, 200 Jan 22, 2008		
7	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REM PL'S MOT. FOR SUMM. JUDGMENT DENIED		Feb 12, 2008		
8	SUBMITTED ON BRIEF		Jul 25, 2010		
9	BOARD'S DECISION: GRANTED		Sep 13, 201		
10 11	COMMR'S ORDER CANCELLING REGISTRATION		Dec 23, 201		
12	TERMINATED		Dec 23, 201		
12	Type of Proceeding:	Cancellation			
Proceeding Number:		Filing Date: Sep 03, 1999			
Status:	Terminated	Status Date: Sep 15, 1999			
	ELIZABETH A DUNN				

Name: FAVORITE BRANDS INTERNATIONAL, INC.

Correspondent LAURIE PEARD SOLDER Address: FAVORITE BRANDS INTERNATIONAL, INC. SUITE 400 25 TRI-STATE LINCOLNSHIRE IL , 60069

UNITED STATES

	ONTEDOTATEO			
Associated marks				
Mark		Application Status	Serla Num	
CHERRY CRUSH		Cancelled - Section 18	711388	<u>142656</u>
		Plaintiff(s)		
Name:	CADBURY BEVERAGES B.V.			
	HOWARD B. BARNABY ROBIN, BLECKER & DALEY 330 MADISON AVENUE NEW YORK NY , 10017 UNITED STATES			
Associated marks				
Mark		Application Status	Serial Number	Registration Number
CRUSH		Renewed	75576146	2536979
		Prosecution History		
Entry Number	History Text		Date	Due Date
1	FILED AND FEE		Sep 03, 1999	
2	NOTICE SENT; TRIAL DATES RESE	T; ANSWER DUE	Sep 15, 1999	Oct 25, 1999
3	PENDING, INSTITUTED		Sep 15, 1999	
4	CANCELLATION GRANTED		May 09, 2000	

Jun 01, 2000

5 COMMR'S ORDER CANCELLING REGISTRATION

Generated on: This page was generated by TSDR on 2016-05-31 11:01:47 EDT

Mark: CRUSH



US Serial Number:	75639222
US Registration Number:	2418266
Register:	Principal
Mark Type:	Trademark
Status:	The registration has been renewed,
Status Date:	Feb. 08, 2011

Publication Date: Nov. 23, 1999

Application Filing Feb. 08, 1999 Date: Registration Date: Jan. 02, 2001

Notice of Feb. 15, 2000 Allowance Date:

Mark Information

Mark Literal CRUSH Elements:

Standard Character No Claim:

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

 Type:
 Design Search
 01.15.25 - Light rays; Sand; Coal; Dust; Spilling liquids; Liquids, spilling; Pouring liquids

Code(s): 05.09.03 - Oranges, tangerines and the like; grapefruit 05.09.13 - Fruits (slices or quarters of)

Related Properties Information

Claimed Ownership 0187791, 0683361, 1681367, 1885642, 1939670, 1943854 and others

of US 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: soft drinks and concentrates for making the same

International 032 - Primary Class Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1999

Use in Commerce: Jun. 01, 1999

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

Basis Information (Case Level)

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

Currently 44E: No

Amended 44E: No

Filed 66A: No

Filed No Basis: No

Currently 66A: No Currently No Basis: No

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Owner Address: 5301 LEGACY DRIVE PLANO, TEXAS 75024 UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

Attorney/Correspondence Information

	Att	orney of Record		
Attorney Name:	Arthur Swanson			
Attorney Primary Email Address:	keshia.martin@dpsg.com	Attorney Email Authorized:		
	c	Correspondent		
	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS 75024-3109 UNITED STATES			
Phone:	9726738955			
Correspondent e- mail:	keshia.martin@dpsg.com art.swanson@dpsg.com	Correspondent e- mail Authorized:		
	Domestic Re	epresentative - Not Fo	und	
	Drosoc	ution Histor	V	

Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 08, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Feb. 08, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 08, 2011	AMENDMENT UNDER SECTION 7 - ISSUED	76293
Jan. 27, 2011	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Jan. 03, 2011	POST REGISTRATION ACTION MAILED - SEC. 7	76293
Dec. 30, 2010	TEAS SECTION 8 & 9 RECEIVED	
Dec. 30, 2010	TEAS SECTION 7 REQUEST RECEIVED	
Jan. 27, 2009	NOTICE OF DESIGN SEARCH CODE MAILED	
Aug. 28, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Jul. 25, 2006	CASE FILE IN TICRS	
Jun. 07, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 07, 2006	TEAS SECTION 8 & 15 RECEIVED	
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 16, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 16, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 12, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

May 21, 1999	ASSIGNED TO EXAMINER	76735
May 24, 1999	ASSIGNED TO EXAMINER	73714
Jun. 23, 1999	NON-FINAL ACTION MAILED	
Jul. 09, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 30, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 13, 1999	ASSIGNED TO EXAMINER	73714
Oct. 22, 1999	NOTICE OF PUBLICATION	
Nov. 23, 1999	PUBLISHED FOR OPPOSITION	
Feb. 15, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 08, 2000	USE AMENDMENT FILED	
Aug. 18, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 07, 2000	ASSIGNED TO EXAMINER	73714
Sep. 10, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 02, 2001	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted

Continued Use:

Affidavit of Section 15 - Accepted Incontestability:

Renewal Date: Jan. 02, 2011

Change in Yes Registration:

Amendment to a The drawing is amended to appear as follows: PUBLISH NEW CUT

Registration/Renewal Certificate:

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Apr. 01, 2011

Assignment Abstract Of Title Information

Summarv

Total Assignments:	1	Registrant:	Cadbury Beverages B.V.
		Assignment 1 of 1	
Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	3307/0771	Pages:	26
Date Recorded:	May 12, 2006		
Supporting Documents:	assignment-tm-3307-0771.pdf		
		Assignor	
Name:	CADBURY BEVERAGES B.V.	Execution Date:	Nov. 30, 2005
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS
		Assignee	
Name:	DR PEPPER/SEVEN UP, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
Address:	5301 LEGACY DRIVE PLANO, TEXAS 75024		
		Correspondent	

Correspondent DANIEL CHUNG, ESQ. Name:

Correspondent 900 KING STREET - CADBURY SCHWEPPES Address: RYE BROOK, NY 10573

Domestic Representative - Not Found

Proceedings

Summary

Number of 1

	Type of P	roceeding: Opposition		
Proceeding Number:	<u>91218211</u>	Filing Date: Sep 05, 2014		
Status:	Terminated	Status Date: Nov 18, 2014		
Interlocutory Attorney:	ROBERT COGGINS			
		Defendant		
Name:	Napa Smith Holdings, LLC			
Correspondent Address:	KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS 1600 DIVISION ST STE 700 NASHVILLE TN , 37203-2771 UNITED STATES	S LLP		
Correspondent e- mail:	kosborne@babc.com;snaples@babc.co	<u>m</u>		
Associated marks				
Mark		Application Status	Serial Number	Registration Number
GIANT CRUSH		Abandoned - After Inter-Partes Decision	86207320	
		Plaintiff(s)		
Name:	Dr Pepper/Seven Up, Inc.			
Correspondent Address:	PAMELA B HUFF COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES			
Correspondent Address: Correspondent e- mail:	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com			
Àddress: Correspondent e-	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com			
Åddress: Correspondent e- mail:	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com		Serial Number	Registratio Number
Åddress: Correspondent e- mail: Associated marks Mark	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	300 		
Åddress: Correspondent e- mail: Associated marks Mark SRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status	Number	Number
Åddress: Correspondent e- mail: Associated marks Mark CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status	Number 71156594	Number 187791
Áddress: Correspondent e- mail: Associated marks Mark CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed	Number 71156594 73592383	Number <u>187791</u> <u>1424931</u>
Åddress: Correspondent e- mail: Associated marks Mark RUSH CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed	Number 71156594 73592383 75639221	Number <u>187791</u> <u>1424931</u> <u>2418265</u>
Åddress: Correspondent e- mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222	Number 187791 1424931 2418265 2418266
Åddress: Correspondent e- mail: Associated marks Mark RUSH CRUSH CRUSH CRUSH CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222 75576146	Number <u>187791</u> <u>1424931</u> <u>2418265</u> <u>2418266</u> <u>2536979</u>
Åddress: Correspondent e- mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222 75576146 78314308	Number 187791 1424931 2418265 2418266 2536979 2895772
Åddress: Correspondent e- mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282
Åddress: Correspondent e- mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged	Number 71156594 73592383 75639221 75639222 75576146 78928155 78978696	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137
Åddress: Correspondent e- mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155 78978696 77602920	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989
Åddress: Correspondent e- mail: Associated marks	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496	187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263
Åddress: Correspondent e- mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH	COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 18 SAN ANTONIO TX, 78205 UNITED STATES ipdocket@coxsmith.com	Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496 85218189	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934

FILED AND FEE

Sep 05, 2014

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 05, 2014	Oct 15, 2014
3	PENDING, INSTITUTED	Sep 05, 2014	
4	P MOT FOR DEFAULT JUDGMENT	Oct 17, 2014	
5	BD DECISION: SUSTAINED	Nov 18, 2014	
6	TERMINATED	Nov 18, 2014	

Generated on: This page was generated by TSDR on 2016-05-31 11:02:41 EDT

Mark: CRUSH



US Serial Number: 75639221

US Registration 2418265 Number: Register: Principal Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Dec. 21, 2010

Publication Date: Nov. 16, 1999

Application Filing Feb. 08, 1999 Date: Registration Date: Jan. 02, 2001

Notice of Feb. 15, 2000 Allowance Date:

Mark Information

Mark Literal CRUSH Elements:

Standard Character No Claim:

> Mark Drawing 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM Type:

Related Properties Information

Claimed Ownership 0187791, 0683361, 1681367, 1885642, 1939670, 1943854 and others of US

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: soft drinks and concentrates for making the same

International 032 - Primary Class

Class(es):

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1999

Use in Commerce: Jun. 01, 1999

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

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 Cu	rrently No Basis:	No		

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Owner Address: 5301 LEGACY DRIVE PLANO, TEXAS 75024 UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

Attorney/Correspondence Information

	Atto	mey of Record
Attorney Name:	Arthur Swanson	
Attorney Primary Email Address:	keshia.martin@dpsg.com	Attorney Email Yes Authorized:
	Co	rrespondent
Correspondent Name/Address:	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS 75024-3109 UNITED STATES	
Phone:	9726738955	
Correspondent e- mail:	keshia.martin@dpsg.com art.swanson@dpsg.com	Correspondent e- Yes mail Authorized:
	Domes	ic Representative
Domestic Representative Name:	Daniel Chung, Esq.	Phone: 914-612-4701
Fax:	914-612-6325	
Domestic Representative e- mail:	groupip@cs-americas.com	Domestic Yes Representative e- mail Authorized:

Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 21, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Dec. 21, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 17, 2010	TEAS SECTION 8 & 9 RECEIVED	
Aug. 28, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Jul. 25, 2006	CASE FILE IN TICRS	
Jun. 07, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 07, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 07, 2006	TEAS SECTION 8 & 15 RECEIVED	
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 16, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 16, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 12, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 13, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	

Sep. 10, 2000ALLOWED PRINCIPAL REGISTER - SOU ACCEPTEDSep. 07, 2000ASSIGNED TO EXAMINER73714Aug. 18, 2000STATEMENT OF USE PROCESSING COMPLETE1000000000000000000000000000000000000	Jan. 02, 2001	REGISTERED-PRINCIPAL REGISTER	
Aug. 18, 2000STATEMENT OF USE PROCESSING COMPLETEJun. 08, 2000USE AMENDMENT FILEDFeb. 15, 2000NOA MAILED - SOU REQUIRED FROM APPLICANTNov. 16, 1999PUBLISHED FOR OPPOSITION	Sep. 10, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 08, 2000 USE AMENDMENT FILED Feb. 15, 2000 NOA MAILED - SOU REQUIRED FROM APPLICANT Nov. 16, 1999 PUBLISHED FOR OPPOSITION	Sep. 07, 2000	ASSIGNED TO EXAMINER	73714
Feb. 15, 2000NOA MAILED - SOU REQUIRED FROM APPLICANTNov. 16, 1999PUBLISHED FOR OPPOSITION	Aug. 18, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Nov. 16, 1999 PUBLISHED FOR OPPOSITION	Jun. 08, 2000	USE AMENDMENT FILED	
	Feb. 15, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
	Nov. 16, 1999	PUBLISHED FOR OPPOSITION	
Oct. 13, 1999 NOTICE OF POBLICATION	Oct. 15, 1999	NOTICE OF PUBLICATION	
Jul. 30, 1999 APPROVED FOR PUB - PRINCIPAL REGISTER	Jul. 30, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 09, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE	Jul. 09, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 23, 1999 NON-FINAL ACTION MAILED	Jun. 23, 1999	NON-FINAL ACTION MAILED	
May 24, 1999 ASSIGNED TO EXAMINER 73714	May 24, 1999	ASSIGNED TO EXAMINER	73714
May 21, 1999 ASSIGNED TO EXAMINER 76735	May 21, 1999	ASSIGNED TO EXAMINER	76735

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Jan. 02, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Dec. 21, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Cadbury Beverages B.V.

		Assignment 1 of 1	
Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	3307/0771	Pages:	26
Date Recorded:	May 12, 2006		
Supporting Documents:	assignment-tm-3307-0771.pdf		
		Assignor	
Name:	CADBURY BEVERAGES B.V.	Execution Date:	Nov. 30, 2005
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS
		Assignee	
Name:	DR PEPPER/SEVEN UP, INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE
Address:	5301 LEGACY DRIVE PLANO, TEXAS 75024		
		Correspondent	
Correspondent Name:	DANIEL CHUNG, ESQ.		
	900 KING STREET - CADBURY SC RYE BROOK, NY 10573	HWEPPES	
		Domestic Representative - Not For	und
		Proceedings	

Number of 3 Proceedings:

D		ceeding: Opposition Filing Date: Sep 05, 2014			
Proceeding Number:	<u>91218211</u>	Filing Date: Sep 05, 2014			
Status:	Terminated	Status Date: Nov 18, 2014			
Interlocutory Attorney:	ROBERT COGGINS				
		Defendant			
Name:	Napa Smith Holdings, LLC				
	KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS LL 1600 DIVISION ST STE 700 NASHVILLE TN , 37203-2771 UNITED STATES	P			
Correspondent e- mail:	kosborne@babc.com;snaples@babc.com				
ssociated marks					
Mark		Application Status		Serial Number	Registration Number
BIANT CRUSH		Abandoned - After Inter-Partes Decision	8	36207320	
		Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.				
Correspondent Address:	PAMELA B HUFF COX SMITH MATTHEWS INCORPORATE 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX, 78205 UNITED STATES				
Correspondent e-	ipdocket@coxsmith.com				
mail:					
mail:					
mail:		Application Status		Serial Number	Registratio Number
mail: Associated marks Mark		Application Status Renewed			
mail: Associated marks Mark CRUSH				Number	Number
mail: Associated marks Mark CRUSH CRUSH		Renewed	2	Number 71156594	Number 187791
mail: Associated marks Mark CRUSH CRUSH		Renewed	1	Number 71156594 73592383	Number <u>187791</u> <u>1424931</u>
mail: Associated marks Mark CRUSH CRUSH CRUSH		Renewed Renewed Renewed		Number 71156594 73592383 75639221	Number <u>187791</u> <u>1424931</u> 2418265
mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed		Number 71156594 73592383 75639221 75639222	Number 187791 1424931 2418265 2418266
mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Renewed		Number 71156594 73592383 75639221 75639222 75576146	Number 187791 1424931 2418265 2418266 2536979
mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Renewed		Number 71156594 73592383 75639221 75639222 75576146 78314308	Number 187791 1424931 2418265 2418266 2536979 2895772
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH		Renewed Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged		Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH		Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137
mail: Associated marks Mark CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH		Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH		Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85518189	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Н	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218189	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Н	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85518189	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Н	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218189	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514935
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	H	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered		Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218189 85218192 85218193	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514936
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	H History Text	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered Registered Registered	Date	Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218193	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514934 4514936
mail: Associated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	H History Text FILED AND FEE	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered Registered Registered	Date Sep 05, 2014	Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218192	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514935 4514936
mail: Associated marks Mark CRUSH CR	H History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANS	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered Registered Registered	Date Sep 05, 2014 Sep 05, 2014	Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218192	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514935 4514936
mail: Associated marks Mark CRUSH CR	H History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANS PENDING, INSTITUTED	Renewed Renewed Renewed Renewed Renewed Section 8 and 15 - Accepted and Acknowledged Section 8 and 15 - Accepted and Acknowledged Registered Registered Registered Registered Registered Registered Registered Registered	Date Sep 05, 2014 Sep 05, 2014 Sep 05, 2014	Number 71156594 73592383 75639221 75576146 78314308 78928155 78978696 77602920 85615496 85218189 85218192 85218193	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263 4514935 4514936

Filing Date: Nov 12, 2007

Status:	Terminated Status Date: Dec 09, 2010					
	YONG OH (RICHARD) KIM					
Attorney:						
	Defendant					
Name:	Krush Global Limited					
	WILLIAM C. WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42nd STREET, SUITE 820 NEW YORK NY , 10165 UNITED STATES					
Correspondent e- mail:	wwright@ipcounselors.com,jdrangel@ipcounselors.com					
Associated marks						
Mark	Application Status		Serial Number	Registration Number		
CRUSSH	Abandoned - After Inter-Partes Decision		79033050			
	Plaintiff(s)		g2			
Name	Dr Pepper/Seven Up, Inc.					
	LAURA POPP-ROSENBERG					
	FROSS ZELNICK LEHRMAN & ZISSU, PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES					
Correspondent e- mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com					
Associated marks			0	De #1-441		
Mark	Application Status		Serial Number	Registration Number		
CRUSH	Renewed		71156594	<u>187791</u>		
ORANGE CRUSH	Expired		72038378	<u>683361</u>		
CRUSH	Renewed		73592383	<u>1424931</u>		
CRUSH	Renewed		75639221	<u>2418265</u>		
CRUSH	Renewed		<u>75576146</u>	2536979		
CRUSH	Renewed		78314308	<u>2895772</u>		
CRUSH	Section 8 and 15 - Accepted and Acknowledged		<u>78928155</u>	<u>3209282</u>		
	Prosecution History					
	i loobuluti history					
Entry Number	History Text	Date		Due Date		
Entry Number		Date Nov 12, 20	07	Due Date		
	History Text			Due Date Dec 24, 2007		
1	History Text FILED AND FEE	Nov 12, 20	07			
1 2	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20	07 07 07			
1 2 3	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20 Dec 21, 20	07 07 07 07			
1 2 3 4	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET.	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20 Dec 21, 20 Jan 22, 200	07 07 07 07 08			
1 2 3 4 5	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20	07 07 07 07 08 08			
1 2 3 4 5 6 7 8	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200	07 07 07 07 08 08 08			
1 2 3 4 5 6 7 8 9	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTEC AGREE	Nov 12, 20 Nov 14, 20 Nov 14, 20 Nov 28, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200	07 07 07 08 08 08 08 08			
1 2 3 4 5 6 7 8 9 10	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED	Nov 12, 20 Nov 14, 20 Nov 14, 20 Doc 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 May 15, 200	07 07 07 08 08 08 08 08 08 08			
1 2 3 4 5 6 7 8 9 10 11	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 20 Jul 02, 200	07 07 07 08 08 08 08 08 08 08 08 08			
1 2 3 4 5 6 7 8 9 10 11 12	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200	07 07 07 08 08 08 08 08 08 08 08 08 88 88			
1 2 3 4 5 6 7 8 9 10 11 12 13	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED P'S MOTION FOR SUMMARY JUDGMENT	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200 Nov 07, 20	07 07 07 08 08 08 08 08 08 08 08 8 8 8 8			
1 2 3 4 5 6 7 8 9 10 11 12 13 14	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED P'S MOTION FOR SUMMARY JUDGMENT Confidential Plaintiff's Summary Judgment	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200 Nov 07, 20	07 07 07 08 08 08 08 08 08 08 8 08 08 08			
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED P'S MOTION FOR SUMMARY JUDGMENT Confidential Plaintiff's Summary Judgment DECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJ	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200 Nov 07, 20 Nov 07, 20	07 07 07 08 08 08 08 08 08 8 8 8 8 8 8 8			
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	History TextFILED AND FEENOTICE AND TRIAL DATES SENT; ANSWER DUE:PENDING, INSTITUTEDP'S MOTION TO CONSOLIDATEANSWERPL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET.STIPULATION FOR AN EXTENSION OF TIMESTIP PROTEC AGREESTIP PROTECTIVE AGREEMENT NOTEDMOTION GRANTEDSTIPULATION FOR AN EXTENSION OF TIMEEXTENSION OF TIME GRANTEDP'S MOTION FOR AN EXTENSION OF TIMEEXTENSION OF TIME GRANTEDDECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJDECLA OF A SPRINGATE IN SUPPORT OF OP'S SJ	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 20 Jul 02, 200 Nov 07, 20 Nov 07, 20 Nov 07, 20	07 07 07 08 08 08 08 08 08 8 8 8 8 8 08 08 08 08			
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	History Text FILED AND FEE NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED P'S MOTION TO CONSOLIDATE ANSWER PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET. STIPULATION FOR AN EXTENSION OF TIME STIP PROTEC AGREE STIP PROTECTIVE AGREEMENT NOTED MOTION GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED P'S MOTION FOR SUMMARY JUDGMENT Confidential Plaintiff's Summary Judgment DECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJ DECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ PL'S DECLARATION OF ANDREW D. SPRINGATE IN MOTION FOR SUMMARY	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200 Nov 07, 20 Nov 07, 20	07 07 07 08 08 08 08 08 08 08 08 08 08 08 08 08			
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	History TextFILED AND FEENOTICE AND TRIAL DATES SENT; ANSWER DUE:PENDING, INSTITUTEDP'S MOTION TO CONSOLIDATEANSWERPL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET.STIPULATION FOR AN EXTENSION OF TIMESTIP PROTEC AGREESTIP PROTEC TIVE AGREEMENT NOTEDMOTION GRANTEDSTIPULATION FOR AN EXTENSION OF TIMEEXTENSION OF TIME GRANTEDP'S MOTION FOR SUMMARY JUDGMENTConfidential Plaintiff's Summary JudgmentDECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJDECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ	Nov 12, 20 Nov 14, 20 Nov 14, 20 Dec 21, 20 Jan 22, 200 Mar 26, 20 Apr 15, 200 Apr 29, 200 May 15, 200 Jul 02, 200 Nov 07, 20 Nov 07, 20 Nov 07, 20 Nov 08, 20	07 07 07 08 08 08 08 08 08 08 08 08 08 08 08 08			

	Number.	Status Date: Dec 23, 2010
	Proceeding <u>92048446</u> Number:	Filing Date: Nov 12, 2007
	Type of Pro	oceeding: Cancellation
65	TERMINATED	Dec 09, 2010
64	BOARD'S DECISION: SUSTAINED	Sep 13, 2010
63	SUBMITTED ON BRIEF	May 26, 2010
62	Confidential Plaintiff's Rebuttal Brief	Dec 28, 2009
61	P'S REBUTTAL BRIEF	Dec 28, 2009
60	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Dec 11, 2009
59	Confidential Brief on Merits for Defendant	Dec 11, 2009
58	Confidential Brief on Merits for Plaintiff	Nov 12, 2009
57	BRIEF ON MERITS FOR PLAINTIFF	Nov 12, 2009
56	OPP'S OBJECTIONS TO APPL'S PROFFERED I	
55	TESTIMONY FOR PLAINTIFF	Nov 10, 2009
54	DEP OF JAMES P NEEDHAM	Oct 13, 2009
53	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
52	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
51	EX'S TO DEPOSITION OF ANDREW SPRINGAT	
50	STIP TO SUBMISSION OF SUP REBUTTAL	Sep 04, 2009
49	OPP'S REPLY BRIEF	Sep 03, 2009
48	TESTIMONY FOR PLAINTIFF	Sep 03, 2009
47	DECLARATION OF A SPRINGATE	Sep 01, 2009
46	DECLARATION OF MARIO ORTIZ	Sep 01, 2009
45	PLAINTIFF'S NOTICE OF RELIANCE	Sep 01, 2009
44	D'S OPPOSITION/RESPONSE TO MOTION	Aug 20, 2009
43	P'S MOTION TO STRIKE	Aug 06, 2009
42	SUPPL DECLARATION OF C WRIGHT	Jul 30, 2009
41	DEFENDANT'S NOTICE OF RELIANCE	Jul 29, 2009
40	Confidential Defendant's Notice of Reliance	Jul 29, 2009
39	DECLARATION OF JAMES LEARMOND	Jul 22, 2009
38	DECLARATION OF WILLIAM C WRIGHT	Jul 15, 2009
37	OPP'S OBJECTIONS TO APPL'S DISC.	Jun 25, 2009
36	P'S NOTICE OF RELIANCE	Jun 02, 2009
35	P'S NOTICE OF RELIANCE	Jun 02, 2009
34	P'S NOTICE OF RELIANCE	Jun 02, 2009
33	DECLARATION OF A. SPRINGATE CONF. DOC	May 21, 2009
32	TRIAL DECLARATION OF ANDREW SPRINGAT	
31	TRIAL DECL OF MARIO ORTIZ	May 18, 2009
30	PLAINTIFF'S NOTICE OF RELIANCE	May 15, 2009
29	DEF'S OPPOSITION TO OP'S MOTION FOR SJ	Mar 17, 2009
28	EXTENSION OF TIME GRANTED	Feb 13, 2009
27	STIPULATION FOR AN EXTENSION OF TIME	Feb 13, 2009
26	PL'S MOT. FOR SUMM, JUDGMENT DENIED	Feb 12, 2009
25	Other Motions/Papers	Jan 02, 2009
24	P'S REPLY IN SUPPORT OF MOTION	Jan 02, 2009
23	DECLARATION OF WILLIAM C. WRIGHT AND E	XH Dec 12, 2008
22	DECLARATION OF JAMES LEARMOND AND EX	CH Dec 12, 2008

Interlocutory YONG OH (RICHARD) KIM Attorney:

Defendant

Name: Krush Global Limited

Correspondent WILLIAM C WRIGHT

Address: EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET, SUITE 820

NEW YORK NY , 10165 UNITED STATES

Correspondent e- wwright@ipcounselors.com , jdrangel@ipcounselors.com mail:

Associated marks

Associated marks				
Mark	Application Status		Serial Number	Registration Number
CRUSSH	Cancelled - Section 18		79030220	3275548
	Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.			
	LAURA POPP-RESENBERG FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES			
Correspondent e- mail:	lpopp-rosenberg@fziz.com,bsolomon@fziz.com			
Associated marks				
Mark	Application Status		Serial Number	Registration Number
ORANGE CRUSH	Expired		<u>72038378</u>	683361
CRUSH	Renewed		73592383	1424931
CRUSH	Renewed		<u>75639221</u>	2418265
CRUSH	Renewed		<u>75576146</u>	2536979
CRUSH	Renewed		<u>78314308</u>	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledged		<u>78928155</u>	3209282
CRUSH	Renewed		<u>71156594</u>	<u>187791</u>
	Prosecution History			
Entry Number	History Text	Date		Due Date
1	FILED AND FEE	Nov 12, 200	7	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 16, 200	7 [Dec 26, 2007
3	PENDING, INSTITUTED	Nov 16, 200		
4	OPP'S SUBMISSIO OF PROOF OF SERVICE	Nov 19, 200		
5	P'S MOTION TO CONSOLIDATE	Nov 28, 200		
6	ANSWER	Dec 21, 200		
7	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET	Jan 22, 2008		
8	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Feb 12, 200		
9		Jul 25, 2010		
10		Sep 13, 201		
11	COMMR'S ORDER CANCELLING REGISTRATION	Dec 23, 201		
12	TERMINATED	Dec 23, 201	v	

Generated on: This page was generated by TSDR on 2016-05-31 11:03:08 EDT

Mark: CRUSH

CRUSH

US Serial Number: 71156594

US Registration 187791 Number:

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 27, 2013

Mark Information

Mark Literal CRUSH Elements:

Standard Character No

Claim:

Mark Drawing 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Type:

Related Properties Information

Publish Previously Yes Registered Mark:

Previously Aug. 31, 1948 Registered Mark Publication Date:

Goods and Services

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

• Brackets [..] indicate deleted goods/services;

• Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks *..* identify additional (new) wording in the goods/services.

For: Non-Alcoholic, Maltless Beverages and Concentrates and Compounds for Making the Same

Filed U	se. Yes	Currently Use: Yes	Amended U
		Basis Information (Case Le	evel)
First Use:	1915	Use in Commerce: 191	5
Basis:	1(a)		
Class Status:	ACTIVE		
International Class(es):	032	U.S Class(es): 035	- Primary Class

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

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Application Filing Dec. 12, 1921 Date:

Registration Date: Aug. 12, 1924

Owner Address: 5301 LEGACY DRIVE PLANO, TEXAS 75024 UNITED STATES

Legal Entity Type: CORPORATION

-

State or Country DELAWARE Where Organized:

Attorney/Correspondence Information

	8		
	Attor	ney of Record	
Attorney Name:	Arthur Swanson		
Attorney Primary Email Address:	keshia.martin@dpsg.com	Attorney Email Authoriz <mark>e</mark> d:	Yes
	Co	respondent	
Correspondent Name/Address:	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS 75024-3109 UNITED STATES		
Phone:	9726738955		
Correspondent e- mail:	keshia.martin@dpsg.com art.swanson@dpsg.com	Correspondent e- mail Authorized:	Yes
	Domest	c Representative	
Domestic Representative Name:	Daniel Chung, Esq.	Phone:	914-612-4701
Fax:	914-612-6325		
Domestic Representative e- mail:	groupip@cs-americas.com	Domestic Representative e- mail Authorized:	Yes
	Prosecu	tion History	y

Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 27, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 27, 2013	REGISTERED AND RENEWED (FIFTH RENEWAL - 10 YRS)	69471
Aug. 27, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Aug. 13, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	69471
Aug. 27, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Aug. 13, 2013	TEAS SECTION 8 & 9 RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 28, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 04, 2009	REVIEW OF CORRESPONDENCE COMPLETE	61619
Oct. 06, 2008	CASE FILE IN TICRS	
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 16, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 16, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 15, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 15, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 17, 2004	REGISTERED AND RENEWED (FOURTH RENEWAL - 10 YRS)	
Sep. 17, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 09, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 09, 2004	TEAS SECTION 8 & 9 RECEIVED	

Jul. 12, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Jun. 16, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Jul. 13, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Jan. 05, 1990	MISCELLANEOUS PAPER
Aug. 12, 1984	REGISTERED AND RENEWED (THIRD RENEWAL - 20 YRS)
Jan. 04, 1978	AMENDMENT UNDER SECTION 7 - ISSUED

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted Continued Use:

Renewal Date: Aug. 12, 2014

 Amendment to a
 APPLICATION TO AMEND HAVING BEEN MADE BY CRUSH INTERNATIONAL INC., OWNER OF THE REGISTRATION ABOVE

 Registration/Renewal
 IDENTIFIED, THE DRAWING IS AMENDED (SEE BOUND VOLUME FOR AMENDMENT). #SUCH AMENDMENT HAS BEEN

 Certificate:
 ENTERED UPON THE RECORDS OF THE PATENT AND TRADEMARK OFFICE AND SAID ORIGINAL REGISTRATION SHOULD READ AS SO AMENDED.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 27, 2013

Assignment Abstract Of Title Information

Summary			
Fotal Assignments:	6	Registrant:	Orange Crush Company
	Assignmer	it 1 of 6	
Conveyance:	CHANGE OF NAME 19600122		
Reel/Frame:	0065/0714	Pages:	0
Date Recorded:	May 31, 1960		
Supporting Documents:	No Supporting Documents Available		
		Assignor	
Name:	ORANGE-CRUSH COMPANY, INCORPORATED AUG. 16, 1916.	Execution Date:	May 26, 1960
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
		Assignee	
Name:	CRUSH INTERNATIONAL INC.		
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Address:	No Assignee Address Found		
		Correspondent	
Correspondent Name:	CARL S. LLOYD		
	PRUDENTIAL PLAZA CHICAGO, I, ILL.		
	Domestic	Representative - Not Fo	und
<u>8</u>	As	signment 2 of 6	
Conveyance:	CHANGE OF NAME 19600122		
Reel/Frame:	0065/F714	Pages:	6
Date Recorded:	May 31, 1960		
Supporting Documents:	No Supporting Documents Available		
		Assignor	

Name: ORANGE-CRUSH COMPANY

Execution Date: May 26, 1960

Legal Entity Type:	UNKNUWIN	State or Country Where Organized: Assignee	No Place Where Organized Found
Name	CRUSH INTERNATIONAL INC.	nonigino	
Legal Entity Type:	-	State or Country Where Organized:	No Place Where Organized Found
Address:	No Assignee Address Found		
		Correspondent	
Correspondent Name:	CARL S. LLOYD		
	PRUDENTIAL PLAZA CHICAGO 1, ILL.		
	Dome	stic Representative - Not Fo	und
		Assignment 3 of 6	
Conveyance:	ASSIGNS ALL INTEREST, TOGETHER WITH		
Reel/Frame:	0096/0069	Pages:	3
Date Recorded:	Dec. 05, 1962		
Supporting Documents:	No Supporting Documents Available		
		Assignor	
Name:	CRUSH INTERNATIONAL INC.	Execution Date:	
Legal Entity Type:	CORPORATION	State or Country Where Organized:	
		Assignee	
	CRUSH INTERNATIONAL INC.		
Legal Entity Type:		State or Country Where Organized:	
Address:	2201 MAIN ST. EVANSTON, ILLINOIS		
		Correspondent	
Name:	KIRKLAND, ELLIS, ET AL.		
	PRUDENTIAL PLAZA CHICAGO 1, IL		
	Dome	estic Representative - Not Fo	und
Convoyanooi	ASSIGNS THE ENTIRE INTEREST AND THI	Assignment 4 of 6	
_		Pages:	2
Reel/Frame:		r ayes.	. 2
Date Recorded:			
Supporting Documents:	No Supporting Documents Available	Accience	
Nassa		Assignor Execution Date:	ul 01 1985
Name: Legal Entity Type:	CRUSH INTERNATIONAL INC. CORPORATION	State or Country Where Organized:	DELAWARE
		Assignee	
Manter	CRUSH INTERNATIONAL INC.	Assignee	
		State or Country	
Legal Entity Type:		Where Organized:	
Address:	ONE PROCTER & GAMBLE PLAZA CINCINNATI, OHIO	0	
		Correspondent	
Name:	CRUSH INTERNATIONAL INC.		
	ONE PROCTER & GAMBLE PLAZA CINCINNATI, OH 45202		

		Assignment 5 of 6
Conveyance:	ASSIGNS THE ENTIRE INTEREST AN	
Reel/Frame:	0677/0881	Pages: 0
Date Recorded:	Nov. 13, 1989	
Supporting Documents:	No Supporting Documents Available	
		Assignor
Name:	CRUSH INTERNATIONAL INC.	Execution Date: Nov. 06, 1989
Legal Entity Type:	CORPORATION	State or Country OHIO Where Organized:
		Assignee
Name:	CADBURY BEVERAGES B.V.	
Legal Entity Type:	COMPANY	State or Country NETHERLANDS Where Organized:
Address:	17TH FLOOR WORLD TRADE CENTER, "TOWER E 1077 XX AMSTERDAM, NETHERLAN	
		Correspondent
Correspondent Name:	WEISS DAWID FROSS	
	ZELNICK & LEHRMAN, P.C. 633 THIRD AVENUE NEW YORK, NY 10017-6703	
		Domestic Representative - Not Found
		Assignment 6 of 6
-	ASSIGNS THE ENTIRE INTEREST	
Reel/Frame:	3307/0771	Pages: 26
Date Recorded:	May 12, 2006	
Supporting Documents:	assignment-tm-3307-0771.pdf	
		Assignor
	CADBURY BEVERAGES B.V.	Execution Date: Nov. 30, 2005
Legal Entity Type:	CORPORATION	State or Country NETHERLANDS Where Organized:
		Assignee
	DR PEPPER/SEVEN UP, INC.	
Legal Entity Type:		State or Country DELAWARE Where Organized:
Address:	5301 LEGACY DRIVE PLANO, TEXAS 75024	
Correspondent Name:	DANIEL CHUNG, ESQ.	Correspondent
	900 KING STREET - CADBURY SCH RYE BROOK, NY 10573	
		Domestic Representative - Not Found
		Proceedings
Summary		
Number of Proceedings:		
	Type of	Proceeding: Opposition

Status: Terminated

Status Date: Nov 18, 2014

Interlocutory Attorney:	ROBERT COGGINS				
· · · · · · · · · · · · · · · · · · ·		Defendant			
Name:	Napa Smith Holdings, LLC				
	KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS I 1600 DIVISION ST STE 700 NASHVILLE TN , 37203-2771 UNITED STATES	LLP			
Correspondent e- mail:	kosborne@babc.com;snaples@babc.con	2			
ssociated marks					
Mark		Application Status		Serial Number	Registration Number
IANT CRUSH		Abandoned - After Inter-Partes Decision		86207320	
		Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.				
	PAMELA B HUFF COX SMITH MATTHEWS INCORPORA 112 EAST PECAN STREET, SUITE 180 SAN ANTONIO TX, 78205 UNITED STATES				
Correspondent e- mail:	ipdocket@coxsmith.com				
Associated marks					
Mark		Application Status		Serial Number	Registration Number
RUSH		Renewed		<u>71156594</u>	<u>187791</u>
RUSH		Renewed		73592383	<u>1424931</u>
RUSH		Renewed		75639221	2418265
RUSH		Renewed		<u>75639222</u>	2418266
RUSH		Renewed		75576146	2536979
RUSH		Renewed		<u>78314308</u>	<u>2895772</u>
RUSH		Section 8 and 15 - Accepted and Acknowledged		<u>78928155</u>	3209282
RUSH		Section 8 and 15 - Accepted and Acknowledged		<u>78978696</u>	<u>3289137</u>
RUSH		Registered		77602920	3974989
RUSH		Registered		<u>85615496</u>	4355263
DRANGE CRUSH		Registered		85218189	4514934
STRAWBERRY CRUS	Н	Registered		85218192	4514935
GRAPE CRUSH		Registered		85218193	4514936
		Prosecution History			
Entry Number	History Text		Date		Due Date
			Sep 05, 2014		0.445.0044
	NOTICE AND TRIAL DATES SENT; AN	NSWER DUE:	Sep 05, 2014		Oct 15, 2014
			Sep 05, 2014		
			Oct 17, 2014		
5	BD DECISION: SUSTAINED		Nov 18, 2014		
3	TERMINATED	ype of Proceeding: Opposition	Nov 18, 2014	+	
Proceeding		Filing Date: Nov 12, 2007	,		
Number:					
Status:	Terminated	Status Date: Dec 09, 2010)		
Interlocutory Attorney:	YONG OH (RICHARD) KIM				
		Defendant			
Name:	Krush Global Limited				
Correspondent	WILLIAM C. WRIGHT				

Address:	EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42nd STREET, SUITE 820 NEW YORK NY , 10165 UNITED STATES			
Correspondent e- mail:	wwright@ipcounselors.com,jdrangel@ipcounselors.com			
Associated marks				
Mark	Application Status		Serial Number	Registration Number
CRUSSH	Abandoned - After Inter-Partes Decision		79033050	
	Plaintiff(s)			
Name	Dr Pepper/Seven Up, Inc.			
	LAURA POPP-ROSENBERG			
	FROSS ZELNICK LEHRMAN & ZISSU, PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES			
Correspondent e- mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com			
Associated marks				
Mark	Application Status		Serial Number	Registration Number
CRUSH	Renewed		71156594	187791
ORANGE CRUSH	Expired		72038378	683361
CRUSH	Renewed		73592383	1424931
CRUSH	Renewed		75639221	2418265
CRUSH	Renewed		75576146	2536979
CRUSH	Renewed		78314308	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledge	d	78928155	3209282
	Prosecution History			4
Entry Number	History Text	Date		Due Date
1	FILED AND FEE	Nov 12, 200	7	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 14, 200	7	Dec 24, 2007
3	PENDING, INSTITUTED	Nov 14, 200	7	
4	P'S MOTION TO CONSOLIDATE	Nov 28, 200	7	
5	ANSWER	Dec 21, 200	7	
6	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET.	Jan 22, 2008	3	
7	STIPULATION FOR AN EXTENSION OF TIME	Mar 26, 200	8	
8	STIP PROTEC AGREE	Apr 15, 2008		
9		Apr 29, 2008		
10	MOTION GRANTED	May 15, 200		
11		Jul 02, 2008		
12	EXTENSION OF TIME GRANTED	Jul 02, 2008		
13	P'S MOTION FOR SUMMARY JUDGMENT Confidential Plaintiff's Summary Judgment	Nov 07, 200		
14	DECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJ	Nov 07, 200 Nov 07, 200		
15 16	DECLA OF A SPRINGATE IN SUPPORT OF OP'S SJ	Nov 08, 200		
17	DECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ	Nov 08, 200		
18	PL'S DECLARATION OF ANDREW D. SPRINGATE IN MOTION FOR SUMMARY JUDGMENT	Nov 08, 200		
19	SUSPENDED	Nov 19, 200	8	
20	Confidential Defendant's Supporting Evidents/Exhibits	Dec 12, 200		
21	D'S OPPOSITION/RESPONSE TO MOTION	Dec 12, 200	8	
22	DECLARATION OF JAMES LEARMOND AND EXH	Dec 12, 200	8	
23	DECLARATION OF WILLIAM C. WRIGHT AND EXH	Dec 12, 200	8	
24	P'S REPLY IN SUPPORT OF MOTION	Jan 02, 2009	9	
25	Other Motions/Papers	Jan 02, 2009	Э	
		E-1- 40, 000	-	

Feb 12, 2009

PL'S MOT. FOR SUMM. JUDGMENT DENIED

26

65	TERMINATED	Dec 09, 2010
64	BOARD'S DECISION: SUSTAINED	Sep 13, 2010
63	SUBMITTED ON BRIEF	May 26, 2010
62	Confidential Plaintiff's Rebuttal Brief	Dec 28, 2009
61	P'S REBUTTAL BRIEF	Dec 28, 2009
59 60	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Dec 11, 2009
58 59	Confidential Brief on Merits for Defendant	Dec 11, 2009
57 58	Confidential Brief on Merits for Plaintiff	Nov 12, 2009
56 57	BRIEF ON MERITS FOR PLAINTIFF	Nov 12, 2009
55 56	OPP'S OBJECTIONS TO APPL'S PROFFERED EVIDENCE	Nov 12, 2009
54	TESTIMONY FOR PLAINTIFF	Nov 10, 2009
53	DEP OF JAMES P NEEDHAM	Oct 13, 2009
52 52	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
51 52	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
	EX'S TO DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
49 50	STIP TO SUBMISSION OF SUP REBUTTAL	Sep 03, 2009
48 49	OPP'S REPLY BRIEF	Sep 03, 2009
47	TESTIMONY FOR PLAINTIFF	Sep 03, 2009
40 47	DECLARATION OF A SPRINGATE	Sep 01, 2009
46	DECLARATION OF MARIO ORTIZ	Sep 01, 2009
44	PLAINTIFF'S NOTICE OF RELIANCE	Sep 01, 2009
43	D'S OPPOSITION/RESPONSE TO MOTION	Aug 20, 2009
43	P'S MOTION TO STRIKE	Aug 06, 2009
42	SUPPL DECLARATION OF C WRIGHT	Jul 30, 2009
40	DEFENDANT'S NOTICE OF RELIANCE	Jul 29, 2009
40	Confidential Defendant's Notice of Reliance	Jul 29, 2009
39	DECLARATION OF JAMES LEARMOND	Jul 22, 2009
38	DECLARATION OF WILLIAM C WRIGHT	Jul 15, 2009
37	OPP'S OBJECTIONS TO APPL'S DISC.	Jun 25, 2009
36	P'S NOTICE OF RELIANCE	Jun 02, 2009
35	P'S NOTICE OF RELIANCE	Jun 02, 2009
34	P'S NOTICE OF RELIANCE	Jun 02, 2009
33	DECLARATION OF A, SPRINGATE CONF. DOC	May 21, 2009
32	TRIAL DECLARATION OF ANDREW SPRINGATE	May 21, 2009
31	TRIAL DECL OF MARIO ORTIZ	May 18, 2009
30	PLAINTIFF'S NOTICE OF RELIANCE	May 15, 2009
29	DEF'S OPPOSITION TO OP'S MOTION FOR SJ	Mar 17, 2009
28	EXTENSION OF TIME GRANTED	Feb 13, 2009
		Eab 13, 2000

Type of Proceeding: Cancellation

7

Status Date: Dec 23, 2010

Interlocutory YONG OH (RICHARD) KIM Attorney:

Proceeding 92048446

Status: Terminated

Number:

Defendant

Name: Krush Global Limited

Correspondent WILLIAM C WRIGHT Address: EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET, SUITE 820 NEW YORK NY , 10165 UNITED STATES

Correspondent e- wwright@ipcounselors.com , jdrangel@ipcounselors.com

Associated marks

mail:

Name:	Dr Pepper/Seven Up, Inc.
	LAURA POPP-RESENBERG FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES
	A REAL PROPERTY AND A REAL

Correspondent e- lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com mail:

Associated marks

Mark	Application Status	Serial Number	Registration Number
ORANGE CRUSH	Expired	72038378	<u>683361</u>
CRUSH	Renewed	73592383	1424931
CRUSH	Renewed	75639221	2418265
CRUSH	Renewed	75576146	2536979
CRUSH	Renewed	78314308	2895772
CRUSH	Section 8 and 15 - Accepted and Acknowledged	78928155	3209282
CRUSH	Renewed	71156594	<u>187791</u>
	Prosecution History		

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 16, 2007	Dec 26, 2007
3	PENDING, INSTITUTED	Nov 16, 2007	
4	OPP'S SUBMISSIO OF PROOF OF SERVICE	Nov 19, 2007	
5	P'S MOTION TO CONSOLIDATE	Nov 28, 2007	
6	ANSWER	Dec 21, 2007	
7	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET	Jan 22, 2008	
8	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Feb 12, 2009	
9	SUBMITTED ON BRIEF	Jul 25, 2010	
10	BOARD'S DECISION: GRANTED	Sep 13, 2010	
11	COMMR'S ORDER CANCELLING REGISTRATION	Dec 23, 2010	
12	TERMINATED	Dec 23, 2010	

		Type of Proceeding: Opposition			
Proceeding Number:	91067500	Filing Date: Mar 28, 19	83		
Status:	Terminated	Status Date: Oct 27, 1983			
Interlocutory Attorney:					
		Defendant			
Name:	ROBERT CORR, D/B/A CORR'S GI	NSENG BEVERA GE COMPANY AND/OR CORR'S	HERBAL BEVERAGE	COMPANY	
Associated marks					
Mark		Application Status		rlal mber	Registration Number
RUSH		Abandoned - After Inter-Partes Decision	73274	495	
		Plaintiff(s)			
Name:	CRUSH INTERNATIONAL INC.				
Associated marks					
Mark		Application Statu	s Serial Number		gistration mber
CRUSH		Renewed	71156594	18779	<u>H</u>
		Prosecution History			

Entry Number	History Text	Date Due Date	e
1	FILED	Mar 28, 1983	
2	PENDING, INSTITUTED	Jul 01, 1983	

3	BOARD'S DECISION: SUSTAINED		Sep 07, 1983	
4	TERMINATED		Oct 27, 1983	
	Type of Pro	oceeding: Opposition		
Proceeding Number:		Filing Date: Apr 02, 1979		
Status:	Terminated	Status Date: Jul 16, 1979		
Interlocutory Attorney:				
		Defendant		
Name:	ROCKY MOUNTAIN EMPIRE SPORTS, INC.			
Associated marks				
Mark		Application Status	Serial Number	Registration Number
			73155165	
		Plaintiff(s)		
Name:	CRUSH INTERNATIONAL INC.			
Associated marks				
Mark		Application Status	Serial Number	Registration Number
CRUSH		Renewed	71156594	187791
	Pro	secution History		
Entry Number	History Text		Date	Due Date
1	FILED		Apr 02, 1979	
2	PENDING, INSTITUTED		Apr 25, 1979	
3	BOARD'S DECISION: SUSTAINED		Jun 05, 1979	
4	TERMINATED		Jul 16, 1979	

Generated on: This page was generated by TSDR on 2016-05-31 11:03:36 EDT Mark: CRUSH



Application Filing Jan. 12, 2006 US Serial Number: 78978696 Date: US Registration 3289137 Registration Date: Sep. 04, 2007 Number: Register: Principal Mark Type: Trademark LIVE/REGISTRATION/Issued and Active TM5 Common Status **Descriptor:** Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jan. 22, 2013

Publication Date: Sep. 19, 2006

The trademark application has been registered with the Office,

Notice of Dec. 12, 2006 Allowance Date:

Mark Information

Mark Literal CRUSH Elements:

Standard Character No Claim:

Mark Drawing 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Type:

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

Related Properties Information

Claimed Ownership 0187791, 1424931, 2418265 and others of US **Registrations:**

Child Of: 78790771

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: Frozen novelties, namely, frozen confections U.S Class(es): 046 International 030 - Primary Class Class(es): Class Status: ACTIVE Basis: 1(a) Use in Commerce: Feb. 28, 2006 First Use: Feb. 28, 2006

Basis Information (Case Level)

Filed No Basis:	No Currently No Basis:	No	
Filed 66A:	No Currently 66A:	No	
Filed 44E:	No Currently 44E:	No Amended 44	E: No
Filed 44D:	No Currently 44D:	No Amended 44	D: No
Filed ITU:	Yes Currently ITU:	No Amended IT	U: No
Filed Use:	No Currently Use:	Yes Amended Us	e: No

Current Owner(s) Information

Owner Name: DR PEPPER/SEVEN UP, INC.

Owner Address: 5301 LEGACY DRIVE

PLANO, TEXAS UNITED STATES 75024

Legal Entity Type: CORPORATION

Email Address:

State or Country DELAWARE Where Organized:

Authorized:

Attorney/Correspondence Information

	Attorney of Record
Attorney Name: Arthur Swanson	
Attorney Primary keshia.martin@dpsg.com	Attorney Email Yes

		Correspondent
Correspondent Name/Address:	Arthur Swanson Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS UNITED STATES 75024-3109	
Phone:	9726738955	
Correspondent e- mail:	keshia.martin@dpsg.com art.swanson@dpsg.com	Correspondent e- Yes mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 22, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 22, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 22, 2013	AMENDMENT UNDER SECTION 7 - ISSUED	76533
Jan. 12, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Dec. 14, 2012	TEAS SECTION 8 & 15 RECEIVED	
Dec. 14, 2012	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 28, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 04, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	78145
Jul. 30, 2007	ASSIGNED TO LIE	78145
Jun. 19, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 18, 2007	STATEMENT OF USE PROCESSING COMPLETE	76873
May 07, 2007	USE AMENDMENT FILED	76873
Jun. 18, 2007	DIVISIONAL PROCESSING COMPLETE	
May 07, 2007	DIVISIONAL REQUEST RECEIVED	
May 07, 2007	PAPER RECEIVED	
Dec. 12, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 19, 2006	PUBLISHED FOR OPPOSITION	

Aug. 30, 2006	NOTICE OF PUBLICATION	
Jul. 27, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77978
Jul. 21, 2006	ASSIGNED TO LIE	77978
Jul. 17, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 11, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 11, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 11, 2006	EXAMINERS AMENDMENT -WRITTEN	81860
Jun. 29, 2006	ASSIGNED TO EXAMINER	81860
May 17, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 18, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted Continued Use: Affidavit of Section 15 - Accepted Incontestability:

Change in Yes

Registration:

Amendment to a The drawing is amended to appear as follows: PUBLISH NEW CUT

Registration/Renewal Certificate:

TM Staff and Location Information

TM Staff Information - None File Location Date in Location: Feb. 28, 2013 Current Location: POST REGISTRATION **Proceedings** Summary Number of 1 Proceedings: **Type of Proceeding: Opposition** Filing Date: Sep 05, 2014 Proceeding 91218211 Number: Status Date: Nov 18, 2014 Status: Terminated Interlocutory ROBERT COGGINS Attorney: Defendant Name: Napa Smith Holdings, LLC Correspondent KEATON OSBORNE Address: BRADLEY ARANT BOULT CUMMINGS LLP 1600 DIVISION ST STE 700 NASHVILLE TN UNITED STATES , 37203-2771 Correspondent e- kosborne@babc.com;snaples@babc.com mail: Associated marks Registration Serial **Application Status** Mark Number Number GIANT CRUSH Abandoned - After Inter-Partes Decision 86207320 Plaintiff(s) Name: Dr Pepper/Seven Up, Inc. Correspondent PAMELA B HUFF Address: COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 Correspondent e- ipdocket@coxsmith.com mail:

Associated marks

Mark		Application Status	Seria Num	
CRUSH		Renewed	711565	<u>94 <u>187791</u></u>
CRUSH		Renewed	735923	83 1424931
CRUSH		Renewed	756392	21 2418265
CRUSH		Renewed	756392	22 2418266
CRUSH		Renewed	755761	<u>46</u> <u>2536979</u>
CRUSH		Renewed	<u>783143</u>	<u>08</u> <u>2895772</u>
CRUSH		Section 8 and 15 - Accepted and Acknowledged	789281	<u>3209282</u>
CRUSH		Section 8 and 15 - Accepted and Acknowledged	789786	<u>96</u> <u>3289137</u>
CRUSH		Registered	776029	20 3974989
CRUSH		Registered	856154	<u>96</u> <u>4355263</u>
ORANGE CRUSH		Registered	852181	<u>89</u> <u>4514934</u>
STRAWBERRY CRUS	H	Registered	852181	92 4514935
GRAPE CRUSH		Registered	852181	<u>93</u> <u>4514936</u>
		Prosecution History		
Entry Number	History Text		Date	Due Date
1	FILED AND FEE		Sep 05, 2014	
2	NOTICE AND TRIAL DATES SEI	NT; ANSWER DUE:	Sep 05, 2014	Oct 15, 2014
3	PENDING, INSTITUTED		Sep 05, 2014	

Oct 17, 2014

Nov 18, 2014

Nov 18, 2014

4 P MOT FOR DEFAULT JUDGMENT
5 BD DECISION: SUSTAINED
6 TERMINATED

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Mark: CRUSH



US Serial Number:	78928155	Application Filing Date:	Jul. 12, 2006
US Registration Number:	3209282	Registration Date:	Feb. 13, 2007
Register:	Principal		
Mark Type:	Trademark		
TM5 Common S		LIVE/REGISTRATION	/Issued and Active
Descri	ptor:	The trademark applica	tion has been registered with the Office.
Status:	A Sections 8 and 15 combined declaration has been a	accepted and acknowle	dged.
Status Date:	Mar. 28, 2012		

Publication Date: Nov. 28, 2006

Mark Information

Mark Literal CRUSH Elements:

Standard Character No Claim:

Mark Drawing 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Туре:

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

Related Properties Information

Claimed Ownership 0187791, 0683361, 2418265, 2418266 and others of US

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: Cosmetic products, namely lip balm and lip gloss

International 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Class(es):

Basis: 1(a)

First Use: Aug. 10, 1981

Use in Commerce: Aug. 10, 1981

Basis Information (Case Level)

Filed Use: Yes Filed ITU: No Currently Use: Yes Currently ITU: No Amended Use: No Amended ITU: No Filed 44D: No

Filed 44E: No

Filed 66A: No

Filed No Basis: No

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

Amended 44D: No Amended 44E: No

0

Current Owner(s) Information

Owner Name: Dr Pepper/Seven Up, Inc.

Owner Address: 5301 Legacy Drive Plano, TEXAS UNITED STATES 75024

Legal Entity Type: CORPORATION

State or Country DELAWARE Where Organized:

Attorney/Correspondence Information

	Attorney/Co	
		Attorney of Record
Attorney	Name: Arthur Swanson	
Attorney Pr Email Ad	rimary <u>keshia.martin@dpsg.com</u> dress:	Attorney Email Yes Authorized:
		Correspondent
	ndent Arthur Swanson dress: Dr Pepper/Seven Up, Inc. 5301 LEGACY DR Legal Department - IP PLANO, TEXAS UNITED STATES 75024-31	09
P	hone: 9726738955	
Correspond	lent e- keshia.martin@dpsg.com art.swanson@dpsg mail:	<u>a.com</u> Correspondent e- Yes mail Authorized:
	Dom	estic Representative - Not Found
	Pro	osecution History
Date	Description	Proceedin Number
eb. 13, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9	E-MAILED
un. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
un. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	0
eb. 28, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
eb. 28, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVE	G
1ar. 28, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-N	<i>I</i> AILED
1ar. 28, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC	C. 15 ACK. 68502
1ar. 28, 2012	CASE ASSIGNED TO POST REGISTRATION PA	RALEGAL 68502
eb. 17, 2012	TEAS SECTION 8 & 15 RECEIVED	
eb. 13, 2007	REGISTERED-PRINCIPAL REGISTER	
lov. 28, 2006	PUBLISHED FOR OPPOSITION	
lov. 08, 2006	NOTICE OF PUBLICATION	
oct. 10, 2006	LAW OFFICE PUBLICATION REVIEW COMPLET	ED 59272
oct. 02, 2006	ASSIGNED TO LIE	59272
ep. 28, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
ep. 21, 2006	EXAMINER'S AMENDMENT ENTERED	88888
ep. 21, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 21, 2006	EXAMINERS AMENDMENT -WRITTEN	81097
Sep. 19, 2006	ASSIGNED TO EXAMINER	81097
ul. 18, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Mar. 28, 2012

Proceedings

Number of Proceedings:			
	Type of Proceeding: Opposition		
Proceeding Number:			
Status:	Terminated Status Date: Nov 18, 2014		
Interlocutory Attorney:	ROBERT COGGINS		
	Defendant		
Name:	Napa Smith Holdings, LLC		
	E KEATON OSBORNE BRADLEY ARANT BOULT CUMMINGS LLP 1600 DIVISION ST STE 700 NASHVILLE TN UNITED STATES , 37203-2771		
Correspondent e- mail:	kosborne@babc.com;snaples@babc.com		
ssociated marks			
Mark	Application Status	Serial Number	Registratio Number
IANT CRUSH	Abandoned - After Inter-Partes Decision	86207320	
	Plaintiff(s)		
	Dr Pepper/Seven Up, Inc.		
Name: Correspondent			
Name: Correspondent Address:	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com		
Name: Correspondent Address: Correspondent e-	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com		
Name: Correspondent Address: Correspondent e- mail:	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com	Serial Number	Registratio Number
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com		
Name: Correspondent Address: Correspondent e- mail: Issociated marks Mark RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com Application Status	Number	Number
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com Application Status Renewed	Number 71156594	<u>187791</u>
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed Renewed	Number 71156594 73592383	Number 187791 1424931
Name: Correspondent Address: Correspondent e- mail:	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221	Number <u>187791</u> <u>1424931</u> <u>2418265</u>
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222	Number 187791 1424931 2418265 2418266
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222 75576146	Number 187791 1424931 2418265 2418266 2536979
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed Renewed	Number 71156594 73592383 75639221 75639222 75576146 78314308	Number 187791 1424931 2418265 2418266 2536979 2895772
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed R	Number 71156594 73592383 75639221 75639222 75576146 78928155 78978696	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137
Name: Correspondent Address: Correspondent e- mail: ssociated marks Mark RUSH RUSH RUSH RUSH RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET , SUITE 1800 SAN ANTONIO TX UNITED STATES , 78205 ipdocket@coxsmith.com Application Status Renewed R	Number 71156594 73592383 75639221 75639222 75576146 78314308 78978696 77602920	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989
Name: Correspondent Address: Correspondent e- mail: Associated marks Mark RUSH RUSH RUSH RUSH	Dr Pepper/Seven Up, Inc. PAMELA B HUFF COX SMITH MATTHEWS INCORPORATED 112 EAST PECAN STREET, SUITE 1800 SAN ANTONIO TX UNITED STATES, 78205 ipdocket@coxsmith.com Application Status Renewed	Number 71156594 73592383 75639221 75639222 75576146 78314308 78928155 78978696 77602920 85615496	Number 187791 1424931 2418265 2418266 2536979 2895772 3209282 3289137 3974989 4355263

	FILED AND FEE		Sep 05, 2014		
2	NOTICE AND TRIAL DATES SENT; ANSWER D	DUE	Sep 05, 2014		Oct 15, 2014
3	PENDING, INSTITUTED		Sep 05, 2014		
4	P MOT FOR DEFAULT JUDGMENT		Oct 17, 2014		
5	BD DECISION: SUSTAINED		Nov 18, 2014		
6	TERMINATED		Nov 18, 2014		
		roceeding: Opposition			
Proceeding Number:		Filing Date: Nov 12, 2007			
Status:	Terminated	Status Date: Dec 09, 2010			
Interlocutory Attorney:	YONG OH (RICHARD) KIM				
		Defendant			
Name:	Krush Global Limited				
	WILLIAM C. WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42nd STREET, SUITE 820 NEW YORK NY UNITED STATES , 10165				
Correspondent e- mail:	wwright@ipcounselors.com,jdrangel@ipcounselor	s.com			
Associated marks					
Mark	Арр	lication Status		Serial Number	Registration Number
CRUSSH	Abando	ned - After Inter-Partes Decision		79033050	
		Plaintiff(s)			
Name:	Dr Pepper/Seven Up, Inc.				
	LAURA POPP-ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU, PC 866 UNITED NATIONS PLAZA				
	NEW YORK NY UNITED STATES , 10017				
Correspondent e- mail:					
•					
mail:	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com	lication Status		Serial Number	Registration Number
mail: Associated marks	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com				
mail: Associated marks Mark	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com App	ed		Number	
mail: Associated marks Mark CRUSH	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew	ed		Number 71156594	Number 187791
mail: Associated marks Mark CRUSH ORANGE CRUSH	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired	ed ed		Number 71156594 72038378	Number <u>187791</u> <u>683361</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired Renew	ed ed ed		Number 71156594 72038378 73592383 75639221	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH	Ipopp-rosenberg@fziz.com,bsolomon@fziz.com App Renew Expired Renew Renew	ed ed ed ed		Number 71156594 72038378 73592383 75639221 75576146	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired Renew Renew Renew Renew Renew	ed ed ed ed		Number 71156594 72038378 73592383 75639221	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u> <u>2895772</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH CRUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired Renew Renew Renew Section	ed ed ed ed ed 8 and 15 - Accepted and Acknowledged		Number 71156594 72038378 73592383 75639221 75576146 78314308	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH CRUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired Renew Renew Renew Renew Section P	ed ed ed ed ed		Number 71156594 72038378 73592383 75639221 75576146 78314308	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u> <u>2895772</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App Renew Expired Renew Renew Renew Renew Section P History Text	ed ed ed ed ed 8 and 15 - Accepted and Acknowledged	Date	Number 71156594 72038378 73592383 75639221 75576146 78314308 78928155	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u> <u>2895772</u> <u>3209282</u>
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH 2RUSH 2RUSH 2RUSH	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com App App Renew Expired Renew R	ed ed ed ed 8 and 15 - Accepted and Acknowledged rosecution History	Date Nov 12, 2007	Number 71156594 72038378 73592383 75639221 75576146 78314308 78928155	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u> <u>2895772</u> <u>3209282</u> Due Date
mail: Associated marks Mark CRUSH ORANGE CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH CRUSH 2 Entry Number 1	Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com	ed ed ed ed 8 and 15 - Accepted and Acknowledged rosecution History	Date Nov 12, 2007 Nov 14, 2007	Number 71156594 72038378 73592383 75639221 75576146 78314308 78928155	Number <u>187791</u> <u>683361</u> <u>1424931</u> <u>2418265</u> <u>2536979</u> <u>2895772</u> <u>3209282</u>
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14	Confidential Plaintiff's Summary Judgment	Nov 07, 2008
15	DECLA OF M ORTIZ IN SUPPORT OF OP'S MOT FOR SJ	Nov 07, 2008
16	DECLA OF A SPRINGATE IN SUPPORT OF OP'S SJ	Nov 08, 2008
17	DECLA OF L POPP-ROSENBERG IN SUPPORT OF OP'S MOTION FOR SJ	Nov 08, 2008
18	PL'S DECLARATION OF ANDREW D. SPRINGATE IN MOTION FOR SUMMARY JUDGMENT	Nov 08, 2008
19	SUSPENDED	Nov 19, 2008
20	Confidential Defendant's Supporting Evidents/Exhibits	Dec 12, 2008
21	D'S OPPOSITION/RESPONSE TO MOTION	Dec 12, 2008
22	DECLARATION OF JAMES LEARMOND AND EXH	Dec 12, 2008
23	DECLARATION OF WILLIAM C. WRIGHT AND EXH	Dec 12, 2008
24	P'S REPLY IN SUPPORT OF MOTION	Jan 02, 2009
25	Other Motions/Papers	Jan 02, 2009
26	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Feb 12, 2009
27	STIPULATION FOR AN EXTENSION OF TIME	Feb 13, 2009
28	EXTENSION OF TIME GRANTED	Feb 13, 2009
29	DEF'S OPPOSITION TO OP'S MOTION FOR SJ	Mar 17, 2009
30	PLAINTIFF'S NOTICE OF RELIANCE	May 15, 2009
31	TRIAL DECL OF MARIO ORTIZ	May 18, 2009
32	TRIAL DECLARATION OF ANDREW SPRINGATE	May 21, 2009
33	DECLARATION OF A. SPRINGATE CONF. DOC	May 21, 2009
34	P'S NOTICE OF RELIANCE	Jun 02, 2009
35	P'S NOTICE OF RELIANCE	Jun 02, 2009
36	P'S NOTICE OF RELIANCE	Jun 02, 2009
37	OPP'S OBJECTIONS TO APPL'S DISC.	Jun 25, 2009
38	DECLARATION OF WILLIAM C WRIGHT	Jul 15, 2009
39	DECLARATION OF JAMES LEARMOND	Jul 22, 2009
40	Confidential Defendant's Notice of Reliance	Jul 29, 2009
41	DEFENDANT'S NOTICE OF RELIANCE	Jul 29, 2009
42	SUPPL DECLARATION OF C WRIGHT	Jul 30, 2009
43	P'S MOTION TO STRIKE	Aug 06, 2009
44	D'S OPPOSITION/RESPONSE TO MOTION	Aug 20, 2009
45	PLAINTIFF'S NOTICE OF RELIANCE	Sep 01, 2009
46	DECLARATION OF MARIO ORTIZ	Sep 01, 2009
47	DECLARATION OF A SPRINGATE	Sep 01, 2009
48	TESTIMONY FOR PLAINTIFF	Sep 03, 2009
49	OPP'S REPLY BRIEF	Sep 03, 2009
50	STIP TO SUBMISSION OF SUP REBUTTAL	Sep 04, 2009
51	EX'S TO DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
52	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
53	DEPOSITION OF ANDREW SPRINGATE	Sep 25, 2009
54	DEP OF JAMES P NEEDHAM	Oct 13, 2009
55	TESTIMONY FOR PLAINTIFF	Nov 10, 2009
56	OPP'S OBJECTIONS TO APPL'S PROFFERED EVIDENCE	Nov 12, 2009
57	BRIEF ON MERITS FOR PLAINTIFF	Nov 12, 2009
58	Confidential Brief on Merits for Plaintiff	Nov 12, 2009
59	Confidential Brief on Merits for Defendant	Dec 11, 2009
60	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Dec 11, 2009
61	P'S REBUTTAL BRIEF	Dec 28, 2009
62	Confidential Plaintiff's Rebuttal Brief	Dec 28, 2009
63	SUBMITTED ON BRIEF	May 26, 2010
64		0 40 0040
65	BOARD'S DECISION: SUSTAINED TERMINATED	Sep 13, 2010

Type of Proceeding: Cancellation

	Terminated Status Date: Dec 23, 2010		
Interlocutory Attorney:	YONG OH (RICHARD) KIM		
	Defendant		
Name:	Krush Global Limited		
	WILLIAM C WRIGHT EPSTEIN DRANGEL BAZERMAN & JAMES, LLP 60 EAST 42ND STREET, SUITE 820 NEW YORK NY UNITED STATES , 10165		
Correspondent e- mail:	wwright@ipcounselors.com , idrangel@ipcounselors.com		
Associated marks			
Mark	Application Status	Serial Number	Registration Number
CRUSSH	Cancelled - Section 18	79030220	3275548
	Plaintiff(s)		
Name:	Dr Pepper/Seven Up, Inc.		
	LAURA POPP-RESENBERG		
Address:	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017		
	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA		
Correspondent e-	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017		
Correspondent e- mail:	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017	Serial Number	Registration Number
Correspondent e- mail: Associated marks	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 <u>lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com</u>		
Correspondent e- mail: Associated marks Mark	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com Application Status	Number	Number
Correspondent e- mail: Associated marks Mark DRANGE CRUSH	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com Application Status Expired	Number 72038378	Number 683361
Correspondent e- mail: Associated marks Mark DRANGE CRUSH CRUSH	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com Application Status Expired Renewed	Number 72038378 73592383	Number 683361 1424931
Correspondent e- mail: Associated marks Mark DRANGE CRUSH CRUSH CRUSH CRUSH	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com Application Status Expired Renewed Renewed	Number 72038378 73592383 75639221	Number 683361 1424931 2418265
Correspondent e- mail: Associated marks Mark DRANGE CRUSH CRUSH CRUSH	FROSS ZELNICK LEHRMAN & ZISSU, P.C. 866 UNITED NATIONS PLAZA NEW YORK NY UNITED STATES , 10017 Ipopp-rosenberg@fziz.com,bsolomon@fziz.com Application Status Expired Renewed Renewed Renewed Renewed	Number 72038378 73592383 75639221 75576146	Number 683361 1424931 2418265 2536979

Prosecu	ution	Histor

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 12, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 16, 2007	Dec 26, 2007
3	PENDING, INSTITUTED	Nov 16, 2007	
4	OPP'S SUBMISSIO OF PROOF OF SERVICE	Nov 19, 2007	
5	P'S MOTION TO CONSOLIDATE	Nov 28, 2007	
6	ANSWER	Dec 21, 2007	
7	PL'S MOTION TO CONSOL. GRANTED, TRAIL DATES REMAIN AS SET	Jan 22, 2008	
8	PL'S MOT, FOR SUMM. JUDGMENT DENIED	Feb 12, 2009	
9	SUBMITTED ON BRIEF	Jul 25, 2010	
10	BOARD'S DECISION: GRANTED	Sep 13, 2010	
11	COMMR'S ORDER CANCELLING REGISTRATION	Dec 23, 2010	
12	TERMINATED	Dec 23, 2010	

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE OF OPPOSITION** was served on this <u>As</u> day of May, 2016 by first-class mail, postage prepaid, on the Applicant by serving the same on the Correspondent of Record as listed in the USPTO records at the following address:

> Anastasia Danias National Football League 345 Park Ave New York, NY 10154-0004

Barbara A. Solomon