

ESTTA Tracking number: **ESTTA758003**

Filing date: **07/13/2016**

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	Quest Nutrition, LLC		
Entity	Limited Liability Company	Citizenship	California
Address	2233 E. El Segundo Boulevard El Segundo, CA 90245 UNITED STATES		

Attorney information	Michael Adams Rutan & Tucker, LLP 611 Anton Boulevard Suite 1400 Costa Mesa, CA 92626 UNITED STATES madams@rutan.com, lhulley@rutan.com, scook@rutan.com Phone:(714) 641-5100
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### Applicant Information

Application No	86667606	Publication date	06/14/2016
Opposition Filing Date	07/13/2016	Opposition Period Ends	07/14/2016
Applicants	<p>Carl Sanko 4824 Denaro Drive Las Vegas, NV 89135 UNITED STATES</p> <p>Steve McCowan 4824 Denaro Drive Las Vegas, NV 89135 UNITED STATES</p> <p>Dannion Brinkley www.hempnationmagazine.com Las Vegas, NV 89135 UNITED STATES</p>		


### Goods/Services Affected by Opposition


Class 005. First Use: 2015/06/10 First Use In Commerce: 2015/06/10  
All goods and services in the class are opposed, namely: Dietary and nutritional supplements containing industrial hemp


### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4591303	Application Date	06/20/2013
Registration Date	08/26/2014	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Dietary supplement, namely, nutrient-dense, protein-based snack bars Class 030. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Shirataki based dried and wet noodles		

U.S. Registration No.	4768690	Application Date	11/23/2014
Registration Date	07/07/2015	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate Class 029. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Vegetable and potato based chips and snacks; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars Class 030. First use: First Use: 2014/07/01 First Use In Commerce: 2014/07/25 Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks		

U.S. Registration No.	4939775	Application Date	07/09/2015
Registration Date	04/19/2016	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	The mark consists of the word "quest" with the "e" replaced by three parallel lines.		
Goods/Services	<p>Class 005. First use: First Use: 2008/08/01 First Use In Commerce: 2009/04/24 Dietary supplement, namely, nutrient-dense, protein-based snack bars; Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate</p> <p>Class 029. First use: First Use: 2008/08/01 First Use In Commerce: 2009/04/24 Vegetable and potato based chips and snacks which contain protein; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars</p> <p>Class 030. First use: First Use: 2012/08/05 First Use In Commerce: 2012/09/20 Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks</p>		

Attachments	85965950#TMSN.png( bytes ) 86462416#TMSN.png( bytes ) 86688842#TMSN.png( bytes ) CANNAQUEST Notice of Opposition.pdf(411943 bytes )
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### Certificate of Service

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

Signature	/s/ Michael Adams
Name	Michael Adams
Date	07/13/2016

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

Quest Nutrition, LLC,

Opposer,

v.

Dannion Brinkley, Steve McCowan and  
Carl Sanko,

Applicants.

Opposition No. TO BE ASSIGNED

Serial No.: 86667606

Mark: CANNAQUEST

**NOTICE OF OPPOSITION**

Opposer, Quest Nutrition, LLC, a California limited liability company having a place of business at 2233 E. El Segundo Boulevard, El Segundo, California 90245 (hereinafter "Opposer") believes that it will be damaged by registration of the mark CANNAQUEST, shown in U.S. Application Serial No. 86667606 (the "Application"), filed by Dannion Brinkley, Steve McCowan and Carl Sanko ("Applicants") and hereby opposes the same.

As grounds for the Opposition, it is alleged that:

1. Opposer is now and for many years past has been engaged in the manufacture, marketing and sale of dietary and nutritional supplements.
2. For many years and since at least as early as August 1, 2008, Opposer adopted and has used the trademark QUEST on and in connection with its goods.
3. For many years, Opposer has drawn upon the goodwill and public recognition of its QUEST marks by adopting and using these marks to signify its high quality goods.
4. Opposer's QUEST marks have been conspicuously applied to and used in conjunction with Opposer's goods, and said goods so marked have been extensively distributed, advertised, promoted and sold in interstate commerce in the United States.
5. Opposer has widely and extensively advertised and promoted its goods such that the public and trade recognize that these products emanate from one source, *i.e.*, Quest Nutrition, LLC.

6. By virtue of Opposer's extensive advertising, promotion, and sales of its goods under its QUEST marks, the public and trade have come to rely upon Opposer's QUEST marks to identify Opposer's superior products and distinguish them from the products of others. The QUEST marks have come to represent an extremely valuable goodwill belonging exclusively to Opposer.

7. Opposer has long maintained registrations incorporating the word QUEST for dietary and nutritional supplements in the United States Patent and Trademark Office (the "USPTO") for its goods. Among said registrations owned by Opposer (collectively, Opposer's Marks") are the following:

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Class</u>
QUEST	4591303	August 26, 2014	5, 30
QUEST	4768690	July 7, 2015	5, 29, 30
<b>QUEST</b>	4939775	April 19, 2016	5, 29, 30

8. The registrations for said Opposer's QUEST Marks are valid and subsisting, and are owned by Opposer together with the business and goodwill connected therewith.

9. Copies of the TSDR records for these registrations and applications showing the current status and title are attached hereto as Exhibit A.

#### **Applicant's Trademark Application**

10. Applicant seeks registration of the mark CANNAQUEST ("Applicant's Mark") on the basis of an application filed on June 18, 2015, pursuant to Section 1(a) of the Lanham Act, with a claimed date of first use of June 10, 2015.

11. As published on June 14, 2016, the Application covers "Dietary and nutritional supplements containing industrial hemp" in International Class 5.

#### **CLAIM FOR RELIEF** **Likelihood of Confusion** **Section 2(d) of The Lanham Act; 15 U.S.C. §1052(d)**

12. Opposer hereby incorporates the foregoing paragraphs as fully set forth herein.

13. Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d), prohibits registration on the principal register of a mark that consists of or comprises a mark which so resembles a mark previously used in the United States by another and not abandoned, as to be likely, when used on or in connection with the goods and/or services of the applicant, to cause confusion, or to cause mistake, or to deceive.

14. Upon information and belief, the goods identified in the Application are closely related and/or complementary to the goods offered under Opposer's Marks.

15. Applicant's Mark so resembles Opposer's Marks, as to be likely, when used in connection with Applicant's goods, to cause confusion, to cause mistake, or to deceive.

16. With many years of prior use of Opposer's Marks in Class 5, Opposer is entitled to the exclusive use of its marks in connection with those goods.

17. The Trademark Trial and Appeal Board has authority under 15 U.S.C. § 1068 to refuse to register the Application.

WHEREFORE, Opposer believes and avers that it will be damaged by registration of the Application and prays that the Application be rejected, that no registration be issued to Applicant, and that this Opposition be sustained in favor of Opposer.

Please recognize Michael Adams and the law firm of Rutan & Tucker, LLP, as attorneys for Opposer in this proceeding and address all communications to Mr. Adams at the address below. This Notice of Opposition is being submitted electronically through ESTTA. The required fee is authorized to be charged against the Deposit Account of the Attorney for Opposer.

Dated: July 13, 2016

Respectfully submitted,

/Michael Adams/  
Michael Adams  
Rutan & Tucker, LLP  
611 Anton Boulevard, Suite 1400  
Costa Mesa, California 92626  
(714) 641-5100  
Attorneys for Opposer,  
QUEST NUTRITION, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is one of the attorneys for Opposer Quest Nutrition, LLC in the above-captioned Opposition proceeding and that on the date which appears below, he caused a copy of the foregoing **NOTICE OF OPPOSITION** to be served on the following with the United States Postal Service with fully pre-paid postage by first class mail service:

**Applicant**

Dannion Brinkley  
4824 Denaro Drive  
Las Vegas, Nevada 89135

Steve McCowan  
4824 Denaro Drive  
Las Vegas, Nevada 89135

Carl Sanko  
4824 Denaro Drive  
Las Vegas, Nevada 89135

Dated: July 13, 2016  
Costa Mesa, California

/Michael Adams/  
Michael Adams

**EXHIBIT A**



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Mark: QUEST

Quest

US Serial Number: 85965950

Application Filing Date: Jun. 20, 2013

US Registration Number: 4591303

Registration Date: Aug. 26, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: Aug. 26, 2014

Publication Date: Jan. 07, 2014

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## Mark Information

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Mark Literal Elements: QUEST

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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## Related Properties Information

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International Registration Number: 1197854

International Application(s) /Registration(s) Based on this Property: A0039674/1197854

Claimed Ownership of US Registrations: 3703003, 3703004, 4290313

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## Goods and Services

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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: Dietary supplement, namely, nutrient-dense, protein-based snack bars

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

For: Shirataki based dried and wet noodles

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

## Basis Information (Case Level)

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

## Current Owner(s) Information

**Owner Name:** QUEST NUTRITION, LLC  
**Owner Address:** 2233 E. EL SEGUNDO BOULEVARD  
EL SEGUNDO, CALIFORNIA 90245  
UNITED STATES  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Max J Sprecher

**Attorney Primary Email Address:** [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** MAX J SPRECHER  
LAW OFFICES OF MAX J SPRECHER  
5850 CANOGA AVE FL 4  
WOODLAND HILLS, CALIFORNIA 91367-6554  
UNITED STATES

**Phone:** 8189962255

**Fax:** 8189964204

**Correspondent e-mail:** [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 15, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 09, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 09, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 26, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 22, 2014	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jan. 21, 2014	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 07, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 07, 2014	PUBLISHED FOR OPPOSITION	
Dec. 18, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 04, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 03, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 03, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 03, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 03, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 03, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Nov. 26, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 25, 2013	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Oct. 11, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312

Oct. 10, 2013	ASSIGNED TO LIE	77312
Sep. 26, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Sep. 23, 2013	ASSIGNED TO EXAMINER	81096
Jul. 02, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 24, 2013	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 26, 2014

### Assignment Abstract Of Title Information

#### Summary

Total Assignments: 2

Registrant: Quest Nutrition, LLC

#### Assignment 1 of 2

Conveyance: ENTITY CONVERSION

Reel/Frame: 5494/0654

Pages: 6

Date Recorded: Apr. 08, 2015

Supporting Documents: [assignment-tm-5494-0654.pdf](#)

#### Assignor

Name: QUEST NUTRITION, LLC

Execution Date: Mar. 24, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: CALIFORNIA  
Where Organized:

#### Assignee

Name: QUEST NUTRITION, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

Address: 2233 E. EL SEGUNDO BOULEVARD  
EL SEGUNDO, CALIFORNIA 90245

#### Correspondent

Correspondent Name: MAX SPRECHER

Correspondent Address: 5850 CANOGA AVENUE  
4TH FLOOR  
WOODLAND HILLS, CA 91367

Domestic Representative - Not Found

#### Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 5485/0389

Pages: 10

Date Recorded: Mar. 25, 2015

Supporting Documents: [assignment-tm-5485-0389.pdf](#)

#### Assignor

Name: QUEST NUTRITION, LLC

Execution Date: Mar. 25, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

#### Assignee

Name: ONEWEST BANK N.A., AS ADMINISTRATIVE AGENT FOR THE LENDERS

Legal Entity Type: NATIONAL ASSOCIATION

State or Country: UNITED STATES

Where Organized:

Address: 888 EAST WALNUT STREET  
HQ-05-01  
PASADENA, CALIFORNIA 91101

Correspondent

Correspondent Name: VICKIE LEE C/O KATTEN MUCHIN

Correspondent Address: 2029 CENTURY PARK EAST  
SUITE 2600  
LOS ANGELES, CA 90067

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: 85965950

Filing Date: Jan 21, 2014

Status: Terminated

Status Date: Jul 22, 2014

Interlocutory Attorney:

Defendant

Name: Quest Nutrition, LLC

Correspondent Address: MAX J SPRECHER  
LAW OFFICES OF MAX J SPRECHER  
5850 CANOGA AVE FL 4  
WOODLAND HILLS CA , 91367-6554  
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
QUEST	Registered	85965950	4591303

Potential Opposer(s)

Name: Request Foods, Inc.

Correspondent Address: James L. Scott  
Warner Norcross & Judd LLP  
111 LYON STREET NW, 900 FIFTH THIRD CENTER  
GRAND RAPIDS MI , 49503  
UNITED STATES

Correspondent e-mail: trademarks@wnj.com , jscott@wnj.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jan 21, 2014	
2	EXTENSION OF TIME GRANTED	Jan 21, 2014	
3	INCOMING - EXT TIME TO OPPOSE FILED	May 05, 2014	
4	EXTENSION OF TIME GRANTED	May 05, 2014	
5	TERMINATED	Jul 22, 2014	

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Mark: QUEST

Quest

US Serial Number: 86462416

Application Filing Date: Nov. 23, 2014

US Registration Number: 4768690

Registration Date: Jul. 07, 2015

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jul. 07, 2015

Publication Date: Apr. 21, 2015

### Mark Information

Mark Literal Elements: QUEST

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US Registrations: 3703003, 3703004, 4591303 and others

### 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: Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

For: Vegetable and potato based chips and snacks; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

For: Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 2014

Use in Commerce: Jul. 25, 2014

## Basis Information (Case Level)

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

## Current Owner(s) Information

Owner Name: QUEST NUTRITION, LLC

Owner Address: 2233 E. EL SEGUNDO BOULEVERD  
EL SEGUNDO, CALIFORNIA UNITED STATES 91367

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Max J Sprecher

Attorney Primary Email Address: [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: MAX J SPRECHER  
LAW OFFICES OF MAX J SPRECHER  
5850 CANOGA AVE FL 4  
WOODLAND HILLS, CALIFORNIA UNITED STATES 91367-6554

Phone: 8189962255

Fax: 8189964204

Correspondent e-mail: [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 07, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 21, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 21, 2015	PUBLISHED FOR OPPOSITION	
Apr. 15, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 01, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 18, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Mar. 16, 2015	ASSIGNED TO LIE	73296
Feb. 24, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 24, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 24, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 24, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 24, 2015	EXAMINERS AMENDMENT -WRITTEN	73706
Feb. 24, 2015	ASSIGNED TO EXAMINER	73706

Dec. 02, 2014 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM  
Nov. 26, 2014 NEW APPLICATION ENTERED IN TRAM

## TM Staff and Location Information

TM Staff Information - None  
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 07, 2015

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 2

Registrant: QUEST NUTRITION, LLC

### Assignment 1 of 2

Conveyance: ENTITY CONVERSION

Reel/Frame: 5494/0654

Pages: 6

Date Recorded: Apr. 08, 2015

Supporting Documents: assignment-tm-5494-0654.pdf

#### Assignor

Name: QUEST NUTRITION, LLC

Execution Date: Mar. 24, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

#### Assignee

Name: QUEST NUTRITION, LLC

State or Country Where Organized: DELAWARE

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 2233 E. EL SEGUNDO BOULEVARD  
EL SEGUNDO, CALIFORNIA 90245

#### Correspondent

Correspondent Name: MAX SPRECHER

Correspondent Address: 5850 CANOGA AVENUE  
4TH FLOOR  
WOODLAND HILLS, CA 91367

#### Domestic Representative - Not Found

### Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 5485/0389

Pages: 10

Date Recorded: Mar. 25, 2015

Supporting Documents: assignment-tm-5485-0389.pdf

#### Assignor

Name: QUEST NUTRITION, LLC

Execution Date: Mar. 25, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

#### Assignee

Name: ONEWEST BANK N.A., AS ADMINISTRATIVE AGENT FOR THE LENDERS

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 888 EAST WALNUT STREET  
HQ-05-01  
PASADENA, CALIFORNIA 91101

#### Correspondent

Correspondent Name: VICKIE LEE C/O KATTEN MUCHIN

Correspondent Address: 2029 CENTURY PARK EAST

Address: SUITE 2600  
LOS ANGELES, CA 90067

Domestic Representative - Not Found



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Mark: QUEST



US Serial Number: 86688842

Application Filing Date: Jul. 09, 2015

US Registration Number: 4939775

Registration Date: Apr. 19, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Apr. 19, 2016

Publication Date: Feb. 02, 2016

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## Mark Information

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Mark Literal Elements: QUEST

Standard Character Claim: No

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

Description of Mark: The mark consists of the word "quest" with the "e" replaced by three parallel lines.

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

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## Related Properties Information

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International Registration Number: 1270732

International Application(s) /Registration(s) Based on this Property: A0051732/1270732

Claimed Ownership of US Registrations: 4591303, 4768690

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## 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: Dietary supplement, namely, nutrient-dense, protein-based snack bars; Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2008

Use in Commerce: Apr. 24, 2009

---

**For:** Vegetable and potato based chips and snacks which contain protein; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 01, 2008

**Use in Commerce:** Apr. 24, 2009

**For:** Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks

**International Class(es):** 030 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 05, 2012

**Use in Commerce:** Sep. 20, 2012

### Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

### Current Owner(s) Information

**Owner Name:** Quest Nutrition, LLC

**Owner Address:** 2233 East El Segundo Blvd.  
El Segundo, CALIFORNIA 902454608  
UNITED STATES

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

**Attorney Name:** Max J Sprecher

**Attorney Primary Email Address:** [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

**Attorney Email Authorized:** Yes

#### Correspondent

**Correspondent Name/Address:** MAX J SPRECHER  
Law Offices Of Max J Sprecher  
5850 Canoga Ave Fl 4  
Woodland Hills, CALIFORNIA 91367-6554  
UNITED STATES

**Phone:** 8189962255

**Fax:** 8189964204

**Correspondent e-mail:** [max@sprecherlaw.com](mailto:max@sprecherlaw.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Apr. 19, 2016	REGISTERED-PRINCIPAL REGISTER	
Feb. 02, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 02, 2016	PUBLISHED FOR OPPOSITION	
Jan. 13, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Nov. 09, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 09, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 09, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 09, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 09, 2015	EXAMINERS AMENDMENT -WRITTEN	83224
Oct. 26, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 26, 2015	NON-FINAL ACTION E-MAILED	6325
Oct. 26, 2015	NON-FINAL ACTION WRITTEN	83224
Oct. 19, 2015	ASSIGNED TO EXAMINER	83224
Jul. 14, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2015	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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TM Staff Information - None

File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Apr. 19, 2016