

ESTTA Tracking number: **ESTTA759848**

Filing date: **07/21/2016**

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 parties oppose registration of the indicated application.

Opposers Information

Name	Red & White Foundation, the Bank of America, N.A., as trustee		
Entity	Trust	Citizenship	Illinois
Address	231 S. LaSalle Street Chicago, IL 60697 UNITED STATES		

Name	The Federated Group, Inc.		
Entity	Corporation	Citizenship	Illinois
Address	3025 West Salt Creek Lane Arlington Heights, IL 60005 UNITED STATES		

Attorney information	Joseph T. Nabor Fitch, Even, Tabin & Flannery, LLP 120 S. LaSalle Street Chicago, IL 60603-3402 UNITED STATES trademark@fitcheven.com Phone:3125777000		
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Applicant Information

Application No	85886064	Publication date	06/21/2016
Opposition Filing Date	07/21/2016	Opposition Period Ends	07/21/2016
Applicant	Vapor Associates L.L.C. 7321 Eaglegate Street Las Vegas, NV 89131 UNITED STATES		

Goods/Services Affected by Opposition


Class 030. First Use: 2009/11/01 First Use In Commerce: 2009/11/01 All goods and services in the class are opposed, namely: Chemical flavorings in liquid form used to refill electronic cigarette cartridges
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Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	203957	Application Date	03/11/1925
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Registration Date	09/29/1925	Foreign Priority Date	NONE
Word Mark	RED AND WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U046 (International Class 001, 005, 029, 030, 031, 032). First use: First Use: 1910/01/01 First Use In Commerce: 1910/01/01 WHEAT FLOUR, MACARONI, FOOD-FLAVORING EXTRACTS, EGG NOODLES, COCOA, CATCHUP, PEANUT BUTTER, CANNED FRUITS-NAMELY, APPLES APRICOTS, [BLACKBERRIES, BLACK RASPBERRIES, BLUEBERRIES,] CHERRIES, [LOGANBERRIES,] PEACHES, PEARS, [RED RASPBERRIES;] CANNED VEGETABLES-NAMELY, BEETS, [RHUBARB,] CORN, LIMA BEANS, PEAS, [REFUGEE BEANS, SUCCOTACH,] TOMATOES, WAXBEANS; COFFEE		

U.S. Registration No.	719835	Application Date	05/05/1960
Registration Date	08/15/1961	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1931/00/00 First Use In Commerce: 1931/00/00 Bleach		

U.S. Registration No.	720012	Application Date	05/05/1960
Registration Date	08/15/1961	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1931/00/00 First Use In Commerce: 1931/00/00 Paper Towels, Facial Tissues, Toilet Paper, [Waxed Paper]and Napkins		

U.S. Registration No.	720117	Application Date	05/05/1960
Registration Date	08/15/1961	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 003. First use: First Use: 1931/00/00 First Use In Commerce: 1931/00/00 Household Detergent


U.S. Registration No.	728904	Application Date	05/05/1960
Registration Date	03/20/1962	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U046 (International Class 029, 030, 032). First use: First Use: 1910/01/01 First Use In Commerce: 1910/01/01 Wheat Flour, Macaroni, Food Flavoring Extracts, Egg Noodles, Cocoa, Catsup, Peanut Butter, Canned Fruits, Canned Vegetables, Fats, Shortening and Cooking Oils of Vegetable Origin, Baking Mixtures-Namely, Pie Crust Mix, Pancake Mix, Buckwheat Mix and Biscuit Mix, Food Flavoring Syrup, Olives, Pickles, Un-popped Popcorn, Rice, Vinegar, Canned Fish, Canned Soup, Canned Meat, Canned Fruit Juices and Fruit Nectar, Condimental and Other Sauces, Condiments-Namely, Tomato Paste, Prepared Mustard, Mayonnaise Dressing and Seasoning Salts, Spices, Dried Fruits, Dehydrated Vegetables and Edible Herbs, Salad Dressing, Gelatine Dessert Powders, Candy, Tea, Butter, Fresh Eggs, Cheese, Ice Cream, Frozen Meat Pie Dinners, Frozen Fruits, Frozen Vegetables and Frozen Fruit Juices		

U.S. Registration No.	1028823	Application Date	03/18/1974
Registration Date	12/30/1975	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1970/05/00 First Use In Commerce: 1970/05/00 SUGAR		

U.S. Registration No.	1265469	Application Date	06/08/1981
Registration Date	01/31/1984	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1971/05/27 First Use In Commerce: 1971/05/27 Hair Shampoo Class 005. First use: First Use: 1965/00/00 First Use In Commerce: 1965/00/00 Hydrogen Peroxide, Rubbing Alcohol and Cosmetic Puffs Class 029. First use: First Use: 1925/00/00 First Use In Commerce: 1925/00/00 [Pork and Beans, Blueberry Preserves,] Margarine, and Dairy Products Exclud-		

	ing Ice Cream, Ice Milk and Frozen Yogurt Class 030. First use: First Use: 1980/01/00 First Use In Commerce: 1980/01/00 Breakfast Cereal Class 031. First use: First Use: 1960/01/01 First Use In Commerce: 1960/01/01 [Cat Food and Dog Food] Class 032. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 Canned Vegetable Juice
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U.S. Registration No.	1267565	Application Date	04/14/1982
Registration Date	02/21/1984	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1972/00/00 First Use In Commerce: 1972/00/00 [Baby Powder, Baby Oil and Skin Care Lotion] Class 005. First use: First Use: 1970/00/00 First Use In Commerce: 1970/00/00 [Air Freshener] Class 029. First use: First Use: 1970/00/00 First Use In Commerce: 1970/00/00 [Vegetable Based Non-Dairy Whipped Topping and Frozen Turkey] Class 030. First use: First Use: 1972/00/00 First Use In Commerce: 1972/00/00 [Frozen Waffles,] Snack Crackers, Pasta [and Refrigerated Biscuits]		

U.S. Registration No.	4282506	Application Date	06/12/2012
Registration Date	01/29/2013	Foreign Priority Date	NONE
Word Mark	RED & WHITE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2000/01/00 First Use In Commerce: 2000/01/00 Trash bags; Plastic food storage bags for household use		

Attachments	71210835#TMSN.png(bytes) 85649786#TMSN.png(bytes) 139260.pdf(475499 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	/Joseph T. Nabor/
Name	Joseph T. Nabor
Date	07/21/2016

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

Red & White Foundation,)	
The Federated Group, Inc.,)	
	Opposers,)	
v.)	} Opposition No.
Vapor Associates L.L.C.)	
	Applicant.)	
<hr style="width: 35%; margin-left: 0;"/>)	
Serial No.	85/886064)	
Filed:	March 25, 2013)	
Mark:	RED & WHITE TOBACCO)	
Published:	June 21, 2016)	

NOTICE OF OPPOSITION

Red & White Foundation, a Trust, organized under the laws of Illinois, having a principal place of business located at Chicago IL (hereinafter referred to as “Red & White”), and The Federated Group, Inc., an Illinois corporation, having a principal place of business at 3025 West Salt Creek Lane, Arlington Heights, IL 60005 (hereinafter referred to as “Federated”) believe, individually and together, that they will be damaged by the registration of the RED & WHITE TOBACCO mark, namely, Application No. 85/886064 filed by Vapor Associates, L.L.C., identified as a Limited Liability Company of Nevada with an address of 7321 Eaglegate Street, Las Vegas, Nevada 89131 (hereinafter referred to as “Applicant”) and hereby oppose the same upon the following grounds:

COUNT I: LIKELIHOOD OF CONFUSION

1. Red & White is the owner of the RED & WHITE trademark in connection with retail grocery store services, food products, beverages and household products based on its use and use by its predecessors in interest beginning at least as early as 1910, long before the Applicant can make any claim to its RED & WHITE TOBACCO mark.
2. Federated is and has been the exclusive licensee of Red & White for the RED & WHITE trademark, beginning long before the Applicant can make any claim to its RED & WHITE TOBACCO mark.

3. Based on longstanding, continuous and extensive use of the RED & WHITE mark in commerce, the United States Patent and Trademark Office has issued numerous trademark registrations for the RED & WHITE mark to Red & White covering retail grocery store services, food products, beverages and household products, namely, Registration Nos. 203,957; 719,835; 720,012; 720,117; 728,904; 1,028,823; 1,265,469; 1,267,565 and 4,282,506. Patent and Trademark Office online records of which are attached as Exhibit A (hereinafter the use-based rights in the RED & WHITE mark and registered marks are collectively referred to as the “RED & WHITE Mark”).

4. Red & White is the owner of the active, valid and incontestable Registration No. 203,957 for the RED & WHITE Mark, which the Patent and Trademark Office issued September 29, 1925 and which specifies “wheat flour, macaroni, food-flavoring extracts, egg noodles, cocoa, catchup, peanut butter, canned fruits-namely, apples, apricots, cherries, peaches, pears, canned vegetables-namely, beets, corn, lima beans, peas, tomatoes, wax beans; coffee.”

5. Red & White is the owner of the active, valid and incontestable Registration No. 719,835 for the RED & WHITE Mark, which the Patent and Trademark Office issued August 15, 1961 and which specifies “bleach.”

6. Red & White is the owner of the active, valid and incontestable Registration No. 720,012 for the RED & WHITE Mark, which the Patent and Trademark Office issued August 15, 1961 and which specifies “paper towels, facial tissues, toilet paper, and napkins.”

7. Red & White is the owner of the active, valid and incontestable Registration No. 720,117 for the RED & WHITE Mark, which the Patent and Trademark Office issued August 15, 1961 and which specifies “Household Detergent.”

8. Red & White is the owner of the active, valid and incontestable Registration No. 728,904 for the RED & WHITE Mark, which the Patent and Trademark Office issued March 20, 1962 and which specifies “wheat flour, macaroni, food flavoring extracts, egg noodles, cocoa,

catsup, peanut butter, canned fruits, canned vegetables, fats, shortening and cooking oils of vegetable origin, baking mixtures-namely, pie crust mix, pancake mix, buckwheat mix and biscuit mix, food flavoring syrup, olives, pickles, unpopped popcorn, rice, vinegar, canned fish, canned soup, canned meat, canned fruit juices and fruit nectar, condimental and other sauces, condiments-namely, tomato paste, prepared mustard, mayonnaise dressing and seasoning salts, spices, dried fruits, dehydrated vegetables and edible herbs, salad dressing, gelatine dessert powders, candy, tea, butter, fresh eggs, cheese, ice cream, frozen meat pie dinners, frozen fruits, frozen vegetables and frozen fruit juices.”

9. Red & White is the owner of the active, valid and incontestable Registration No. 1,028,823 for the RED & WHITE Mark, which the Patent and Trademark Office issued December 30, 1975 and which specifies “sugar.”

10. Red & White is the owner of the active, valid and incontestable Registration No. 1,265,469 for the RED & WHITE Mark, which the Patent and Trademark Office issued January 31, 1984 and which specifies “margarine, and dairy products excluding ice cream, ice milk and frozen yogurt, breakfast cereal, and canned vegetable juice.”

11. Red & White is the owner of the active, valid and incontestable Registration No. 1,267,565 for the RED & WHITE Mark, which the Patent and Trademark Office issued February 21, 1984 and which specifies “snack crackers and pasta.”

12. Red & White is the owner of the active, valid and incontestable Registration No. 4,282,506 for the RED & WHITE Mark, which the Patent and Trademark Office issued January 29, 2013 and which specifies “trash bags, plastic food storage bags for household use.”

13. In addition to its use and registration of the word RED & WHITE Mark, Red & White has used the RED & WHITE Design appearing below in connection with its retail grocery store services, food products, beverages and household products (hereinafter referred to the “RED & WHITE Design Mark”).



14. Red & White and Federated have enjoyed continuous and substantial sales of goods and services in connection with the RED & WHITE Mark and RED & WHITE Design Mark beginning long before Applicant can claim any priority in its mark.

15. In its Application No. 85/886064, Applicant seeks registration on the Principal Register for the RED & WHITE TOBACCO mark in connection with “Chemical flavorings in liquid form used to refill electronic cigarette cartridges” in International Class 30 (hereinafter the mark and specifications are referred to collectively as the “Applicant’s RED & WHITE TOBACCO Mark”).

16. During the prosecution of the subject application, Application No 85,658865 for the mark RED & WHITE of Forefront Enterprises, LLC use in connection with “Chemical flavorings in liquid form used to refill electronic cigarette cartridges” was cited as a potential bar to registration.

17. The subject application was suspended pending disposition of the cited application Serial No. 85/658865.

18. Opposers were actively pursuing an Opposition No. 91210125 against cited Application Serial No. 85/658865.

19. As a result of Opposer’s Opposition No. 91210125, the cited Application No. 85/658865 was expressly withdrawn.

20. Upon information and belief, Applicant cannot claim priority in the United States for its RED & WHITE TOBACCO Mark earlier than November 1, 2009, the first use date specified in Application No. 85/886064.
21. By reason of longstanding and extensive marketing, advertising and promotion of goods and services in connection with the RED & WHITE Mark and RED & WHITE Design Mark, and the high quality of those goods, the RED & WHITE Mark and RED & WHITE Design Mark have developed extremely valuable goodwill, are famous and have had a reputation associated and identified with Red & White long before the Applicant can assert any claim in the Applicant's RED & WHITE TOBACCO Mark.
22. On information and belief, Applicant's adoption and use of the Applicant's RED & WHITE TOBACCO Mark has been with actual or constructive knowledge of the prior use of, application for, and registration of the RED & WHITE Mark and prior use of the RED & WHITE Design Mark.
23. Applicant's adoption and use of the Applicant's RED & WHITE TOBACCO Mark has been without the consent or permission of the Opposers.
24. The goods specified in the Applicant's trademark application for the Applicant's RED & WHITE TOBACCO Mark are similar to the goods specified in registrations for the RED & WHITE Mark and provided under the RED & WHITE MARK and the RED & WHITE Design Mark.
25. On information and belief, the Applicant's RED & WHITE TOBACCO Mark in connection with the specified goods are promoted in the same channels of trade, to the same potential purchasers, and use the same advertising media and channels as those in connection with the RED & WHITE Mark and RED & WHITE Design Mark.
26. The Applicant's RED & WHITE TOBACCO Mark is confusingly similar to the RED & WHITE Mark and RED & WHITE Design Mark.

27. If Applicant is granted registration of its RED & WHITE TOBACCO Mark as set forth in Application No. 85/886064, Applicant will thereby obtain the *prima facie* exclusive right to use such mark, and such registration will damage, impair, diminish, and dilute Red & White's goodwill and rights in its RED & WHITE Mark and RED & WHITE Design Mark causing irreparable injury to the Opposers.

28. Applicant's RED & WHITE TOBACCO Mark is likely to cause confusion, mistake, or deception that Applicant's services are those of Red & White or are otherwise endorsed, sponsored, or approved by Red & White, resulting in damage to the Opposers.

COUNT II: FEDERAL TRADEMARK DILUTION

29. The Opposers, individually and together, reallege and incorporate herein the allegations of paragraph nos. 1-28, inclusive.

30. The aforesaid RED & WHITE and RED & WHITE Design Marks are famous and distinctive within the meaning of the Lanham Act, and are entitled to the protection of the anti-dilution provisions of the Lanham Act, including 15 U.S.C. § 1125(c).

31. The Opposers have expended substantial monies in marketing, advertising and promoting its aforesaid marks on its goods and in connection with the recited services.

32. The Opposers have sold goods bearing the aforesaid marks and services in connections with the aforesaid marks in excess of millions of dollars.

33. Opposers possess extremely valuable goodwill in the aforesaid marks by reason of its extensive use, marketing, publicity, advertising and geographic extent of its use and promotion.

34. Applicant filed its RED & WHITE TOBACCO Application after Opposers' aforesaid marks became famous and distinctive.

35. If Applicant is granted registration of its RED & WHITE TOBACCO Mark as set forth in Application No. 85/886064, Applicant will thereby obtain the *prima facie* exclusive right to

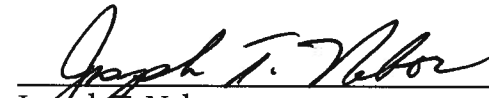
use such mark, and such registration will damage, impair, tarnish, diminish, and dilute the distinctive quality of the RED & WHITE Mark and RED & WHITE Design Mark causing irreparable injury to Opposers.

PRAYER FOR RELIEF

WHEREFORE, the Opposers Red & White and Federated, individually and together, respectfully request that Application No. 85/886064 be rejected; and, that registration of the Applicant's RED & WHITE TOBACCO Mark be refused.

Respectfully submitted,

July 21, 2016



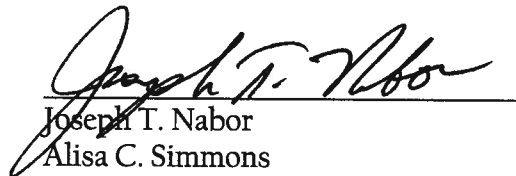
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Chicago, Illinois 60603-3406
Telephone: 312.577.7000
Facsimile: 312.577.7007
Attorney for Opposers

CERTIFICATE OF SERVICE

I, Joseph T. Nabor, Attorney for Opposers, hereby certify that a copy of the foregoing NOTICE OF OPPOSITION was served by first class mail, postage prepaid, upon:

Mr. Richard Gratzinger
Vapor Associates L.L.C.
12585 W. Explorer Drive
Boise, Idaho 83713-1553

on this 21th day of July 2016.



Joseph T. Nabor
Alisa C. Simmons
FITCH EVEN, TABIN & FLANNERY, LLP
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

Attorney for Opposers

741571_1

Exhibit A

Amendment

Registered August 15, 1961

Registration No. 719,835

Bushey & Wright, Inc.

Application to amend having been made by Red and White Foundation, owner of the registration above identified, said registration is hereby amended as follows:

In the statement, column 2, line 1, "LYE AND" is deleted.

Such amendment has been entered upon the records of the Patent and Trademark Office and the said original registration should be read as so amended.

Signed and sealed this 4th day of May 1982.

[SEAL]

Attest:
JANIE COOKSEY,
Attesting Officer.

GERALD J. MOSSINGHOFF,
Commissioner of Patents and Trademarks.

Registered Sept. 29, 1925.

Trade-Mark 203,957

Published, under the Act of 1946, Apr. 13, 1954, by S. M. Flickinger Co. Inc., Buffalo, N. Y., a corporation of New York.

RENEWED

SEP 29 1945

UNITED STATES PATENT OFFICE.

S. M. FLICKINGER CO., INC., OF BUFFALO, NEW YORK.

ACT OF FEBRUARY 20, 1905.

Application filed March 11, 1925. Serial No. 210,835.

**RED
AND
WHITE**

STATEMENT.

To all whom it may concern:

Be it known that S. M. Flickinger Co., Inc., a corporation duly organized under the laws of the State of New York, and located and doing business at No. 75 Perry Street, in the city of Buffalo, county of Erie, State of New York, has heretofore adopted and used the trade-mark shown in the accompanying drawing, for WHEAT FLOUR, MACARONI, FOOD-FLAVORING EXTRACTS, EGG NOODLES, COCOA, CATCHUP, PEANUT BUTTER, CANNED FRUITS—NAMESLY, APPLES, APRICOTS, BLACKBERRIES, BLACK RASPBERRIES, BLUEBERRIES, CHERRIES, LOGANBER-

RIES, PEACHES, PEARS, RED RASPBERRIES; CANNED VEGETABLES—NAMESLY, BEETS, RHUBARB, CORN, LIMA BEANS, PEAS, REFUGEE BEANS, SUCCOTASH, TOMATOES, WAX BEANS; COFFEE—in Class No. 46, Foods and ingredients of foods.

The trade mark has been continuously used in its business since January 1, 1910.

The trade-mark is applied or affixed to the goods or to the containers in which the goods are sold, by placing thereon a printed label on which the trade mark is shown.

S. M. FLICKINGER CO., INC.,
By S. M. FLICKINGER,
President.

United States Patent Office

719,835
Registered Aug. 15, 1961

PRINCIPAL REGISTER Trademark

Ser. No. 96,474, filed May 5, 1960

RED & WHITE

Bushey & Wright, Inc. (Illinois corporation)
300 W. Washington St.
Chicago 6, Ill.

For: LYE AND BLEACH, in CLASS 6.
First use during 1931; in commerce during 1931.
Owner of Reg. Nos. 203,957 and 278,207.

Amendment

Registered August 15, 1961

Registration No. 720,012

Bushey & Wright, Inc.

Application to amend having been made by Red & White Foundation, owner of the registration above identified, said registration is hereby amended as follows:

In the statement, column 2, line 2, "WAXED PAPER" is deleted.

Such amendment has been entered upon the records of the Patent and Trademark Office and the said original registration should be read as so amended.

Signed and sealed this 13th day of April 1982.

[SEAL]

Attest:
JANIE COOKSEY,
Attesting Officer.

GERALD J. MOSSINGHOFF,
Commissioner of Patents and Trademarks.

United States Patent Office

720,012
Registered Aug. 15, 1961

PRINCIPAL REGISTER Trademark

Ser. No. 96,471, filed May 5, 1960

RED & WHITE

Bushey & Wright, Inc. (Illinois corporation)
300 W. Washington St.
Chicago 6, Ill.

For: PAPER TOWELS, FACIAL TISSUES, TOILET
PAPER, WAXED PAPER AND NAPKINS, in CLASS
37.

First use during 1931; in commerce during 1931.
Owner of Reg. Nos. 203,957 and 278,207.

United States Patent Office

720,117
Registered Aug. 15, 1961

PRINCIPAL REGISTER Trademark

Ser. No. 96,473, filed May 5, 1960

RED & WHITE

Bushey & Wright, Inc. (Illinois corporation)
300 W. Washington St.
Chicago 6, Ill.

For: HOUSEHOLD DETERGENT, in CLASS 52.
First use during 1931; in commerce during 1931.
Owner of Reg. Nos. 203,957 and 278,207.

PRINCIPAL REGISTER
Trademark

Ser. No. 96,472, filed May 5, 1960

RED & WHITE

Bushey & Wright, Inc. (Illinois corporation)
300 W. Washington St.
Chicago 6, Ill.

For: WHEAT FLOUR, MACARONI, FOOD FLAVORING EXTRACTS, EGG NOODLES, COCOA, CATSUP, PEANUT BUTTER, CANNED FRUITS, CANNED VEGETABLES, FATS, SHORTENING AND COOKING OILS OF VEGETABLE ORIGIN, BAKING MIXTURES—NAMELY, PIE CRUST MIX, PANCAKE MIX, BUCKWHEAT MIX AND BISCUIT MIX, FOOD FLAVORING SYRUP, OLIVES, PICKLES, UNPOPPED POPCORN, RICE, VINEGAR, CANNED FISH, CANNED SOUP, CANNED MEAT,

CANNED FRUIT JUICES AND FRUIT NECTAR, CONDIMENTAL AND OTHER SAUCES, CONDIMENTS—NAMELY, TOMATO PASTE, PREPARED MUSTARD, MAYONNAISE DRESSING AND SEASONING SALTS, SPICES, DRIED FRUITS, DEHYDRATED VEGETABLES AND EDIBLE HERBS, SALAD DRESSING, GELATINE DESSERT POWDERS, CANDY, TEA, BUTTER, FRESH EGGS, CHEESE, ICE CREAM, FROZEN MEAT PIE DINNERS, FROZEN FRUITS, FROZEN VEGETABLES AND FROZEN FRUIT JUICES, in CLASS 46.

First use Jan. 1, 1910; in commerce Jan. 1, 1910.
Owner of Reg. Nos. 203,957 and 278,207.

Int. Cls.: 3, 5, 29, 30, 31 and 32

Prior U.S. Cls.: 18, 44, 46 and 52

United States Patent and Trademark Office

Reg. No. 1,265,469

Registered Jan. 31, 1984

TRADEMARK
Principal Register

RED & WHITE

Red & White Foundation (Illinois charitable trust)
231 S. LaSalle St.
Chicago, Ill. 60690

For: HAIR SHAMPOO, in CLASS 3 (U.S. Cl. 52).

First use May 27, 1971; in commerce May 27, 1971.

For: HYDROGEN PEROXIDE, RUBBING ALCOHOL AND COSMETIC PUFFS, in CLASS 5 (U.S. Cls. 18 and 44).

First use 1965; in commerce 1965.

For: PORK AND BEANS, BLUEBERRY PRESERVES, MARGARINE, AND DAIRY PRODUCTS EXCLUDING ICE CREAM, ICE MILK AND FROZEN YOGURT, in CLASS 29 (U.S. Cl. 46).

First use 1925; in commerce 1925.

For: BREAKFAST CEREAL, in CLASS 30 (U.S. Cl. 46).

First use Jan. 1980; in commerce Jan. 1980.

For: CAT FOOD AND DOG FOOD, in CLASS 31 (U.S. Cl. 46).

First use Jan. 1, 1960; in commerce Jan. 1, 1960.

For: CANNED VEGETABLE JUICE, in CLASS 32 (U.S. Cl. 46).

First use 1960; in commerce 1960.

Owner of U.S. Reg. Nos. 203,957, 1,028,823 and others.

Ser. No. 313,928, filed Jun. 8, 1981.

HENRY S. ZAK, Examining Attorney

Int. Cls.: 3, 5, 29 and 30

Prior U.S. Cls.: 6, 46 and 51

United States Patent and Trademark Office

Reg. No. 1,267,565

Registered Feb. 21, 1984

TRADEMARK
Principal Register

RED & WHITE

Red & White Foundation (Illinois corporation)
231 S. LaSalle St.
Chicago, Ill. 60690

For: BABY POWDER, BABY OIL AND SKIN
CARE LOTION, in CLASS 3 (U.S. Cl. 51).

First use 1972; in commerce 1972.

For: AIR FRESHENER, in CLASS 5 (U.S. Cl.
6).

First use 1970; in commerce 1970.

For: VEGETABLE BASED NON-DAIRY
WHIPPED TOPPING AND FROZEN TURKEY,
in CLASS 29 (U.S. Cl. 46).

First use 1970; in commerce 1970.

For: FROZEN WAFFLES, SNACK CRACK-
ERS, PASTA AND REFRIGERATED BISCUITS,
in CLASS 30 (U.S. Cl. 46).

First use 1972; in commerce 1972.

Owner of U.S. Reg. Nos. 203,957, 720,012,
1,028,823 and others.

Ser. No. 359,779, filed Apr. 14, 1982.

FREDERICK W. MEYERS, Examining Attorney

United States of America

United States Patent and Trademark Office

RED & WHITE

Reg. No. 4,282,506

Registered Jan. 29, 2013

Int. Cl.: 16

TRADEMARK

PRINCIPAL REGISTER

THE TRUSTEES OF THE RED & WHITE FOUNDATION (ILLINOIS TRUST)
231 S. LASALLE STREET
CHICAGO, IL 60697

FOR: TRASH BAGS; PLASTIC FOOD STORAGE BAGS FOR HOUSEHOLD USE, IN CLASS
16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 1-0-2000; IN COMMERCE 1-0-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 719,835, 720,012, AND 720,117.

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Director of the United States Patent and Trademark Office