

ESTTA Tracking number: **ESTTA855787**

Filing date: **11/01/2017**

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	RDA Enthusiast Brands, LLC
Granted to Date of previous extension	11/01/2017
Address	1610 N 2nd Street Suite 102 Milwaukee, WI 53212 UNITED STATES

Attorney information	Johanna M. Wilbert Quarles & Brady LLP 411 E. Wisconsin Ave Suite 2400 Milwaukee, WI 53202 UNITED STATES Email: johanna.wilbert@quarles.com, marta.levine@quarles.com, docketwi@quarles.com, deena.hocker@quarles.com Phone: 414-277-5000
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Applicant Information

Application No	87438339	Publication date	07/04/2017
Opposition Filing Date	11/01/2017	Opposition Period Ends	11/01/2017
Applicant	Frank Brunckhorst Co., L.L.C. 24 Rock Street Brooklyn, NY 11206 UNITED STATES		

Goods/Services Affected by Opposition

Class 029. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cheese; Processed meat

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.	2002133	Application Date	06/21/1994
Registration Date	09/24/1996	Foreign Priority Date	NONE
Word Mark	TASTE OF HOME		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 1992/12/00 First Use In Commerce: 1992/12/00 magazine on cooking

U.S. Registration No.	2113908	Application Date	10/04/1996
Registration Date	11/18/1997	Foreign Priority Date	NONE
Word Mark	TASTE OF HOME		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1996/09/01 First Use In Commerce: 1996/09/01 [calendars and] a series of books on cooking		

U.S. Registration No.	2955195	Application Date	08/12/1999
Registration Date	05/24/2005	Foreign Priority Date	NONE
Word Mark	TASTE OF HOME		
Design Mark	<p>TASTE OF HOME</p>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1999/08/31 First Use In Commerce: 1999/08/31 Educational services, namely, conducting culinary courses and distributing course materials in connection therewith		

U.S. Registration No.	4743201	Application Date	10/02/2014
Registration Date	05/26/2015	Foreign Priority Date	NONE
Word Mark	TASTE OF HOME		

Design Mark	<h1>TASTE OF HOME</h1>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2014/10/01 First Use In Commerce: 2014/10/01 Educational services, namely, providing on-line instruction in the field of food and cooking		

U.S. Registration No.	5242853	Application Date	07/14/2016
Registration Date	07/11/2017	Foreign Priority Date	NONE
Word Mark	TASTE OF HOME LIVE		
Design Mark	<h1>TASTE OF HOME LIVE</h1>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2017/04/18 First Use In Commerce: 2017/04/18 Educational services, namely, conducting courses in the field of cooking and distribution of course material in connection therewith		

Attachments	75774879#TMSN.png(bytes) 86412630#TMSN.png(bytes) 87103865#TMSN.png(bytes) Notice of Opposition - THE TASTE OF HOME Ser. No. 87438339.pdf(97250 bytes) Ex. A - Registration Certificates.pdf(175808 bytes) Ex. B - Assignments.pdf(171620 bytes)
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Signature	/Johanna M. Wilbert/
Name	Johanna M. Wilbert
Date	11/01/2017

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

In the Matter of Application Serial No. 87/438,339: THE TASTE OF HOME
Published for Opposition July 4, 2017

RDA ENTHUSIAST BRANDS, LLC,

Opposer,

v.

Opposition No. _____

FRANK BRUNCKHORST CO., L.L.C.,

Applicant.

NOTICE OF OPPOSITION

Opposer, RDA Enthusiast Brands, LLC (“RDA” or “Opposer”), a Delaware limited liability company believes it is or will be damaged by the registration of Application Serial No. 87/438,339 for the trademark THE TASTE OF HOME and hereby opposes registration of THE TASTE OF HOME trademark.

As grounds for opposition, it is alleged that:

1. RDA is a Delaware limited liability company with its principal place of business at 1610 North 2nd Street, Suite 102, Milwaukee, Wisconsin 53212.
2. Applicant Frank Brunckhorst Co., L.L.C. (“Applicant”) is a New York limited liability company with a registered address of 24 Rock Street, Brooklyn, New York 11206.
3. Since at least as early as 1992, RDA and its predecessors in interest has offered the well-known cooking magazine under RDA’s TASTE OF HOME family of trademarks.

4. RDA and its predecessors has expanded its use of the TASTE OF HOME family of trademarks to include books in the field of food and diet, as well as educational services and online instruction related to cooking classes.

5. RDA is the owner of multiple federal trademark registrations for TASTE OF HOME-nominative trademarks, including U.S. Trademark Registration Nos.:

- a. 2,002,133 (first use date: December 1992) for TASTE OF HOME used in connection with “magazine on cooking” in International Class 16;
- b. 2,113,908 (first use date: September 1, 1996) for TASTE OF HOME used in connection with “a series of books on cooking” in International Class 16;
- c. 2,955,195 (first use date: August 31, 1999) for TASTE OF HOME used in connection with “educational services, namely, conducting culinary courses and distributing course materials in connection therewith” in International Class 41;
- d. 4,743,201 (first use date: October 1, 2014) for TASTE OF HOME used in connection with “educational services, namely, providing on-line instruction in the field of food and cooking” in International Class 41; and
- e. 5,242,853 (first use date: April 18, 2017) for TASTE OF HOME LIVE used in connection with “educational services, namely, conducting courses in the field of cooking and distribution of course material in connection therewith” in International Class 41;

Pursuant to Trademark Rule 2.122(d)(1), Opposer attaches as Exhibits A and B the registration certificates and assignment records showing the current status and title of the above pleaded registrations.

6. Registration Nos. 2,002,133, 2,113,908 and 2,955,195 have become incontestable under 15 U.S.C. §§ 1065 and 1115, and the certificate of registration thereof constitutes “conclusive evidence” of “the validity of the registered mark, of the registrant’s ownership of the mark, and of the registrant’s exclusive right to use the mark[s] in connection with the goods or services specified in the registration.” 15 U.S.C. § 1115.

7. RDA also uses the TASTE OF HOME trademarks in connection with various goods such as spices, and meat and vegetable stock concentrates, which is the subject of pending U.S. Trademark Application Serial No. 87/541,413.

8. RDA has also filed an intent to use application to use the TASTE OF HOME trademarks in connection with various goods including without limitation soups; broths; shelf stable meals; frozen prepared meals consisting primarily of meat, fish, poultry or vegetables; prepared food kits composed of meat, poultry, fish, seafood and/or vegetables, which is the subject of pending U.S. Trademark Application Serial No. 87/448,573.

9. The TASTE OF HOME family of marks have been widely used. As a result of significant investment in and continuous use of its TASTE OF HOME family of marks, RDA has developed substantial goodwill in the family of marks.

10. Applicant seeks to register the trademark THE TASTE OF HOME (App. Ser. No. 87/438,339), for use in connection with “Cheese; Processed meat” as evidenced by publication of the mark in the electronic Official Gazette, dated July 4, 2017.

11. Applicant applied for registration of its mark on May 5, 2017, on an intent to use basis.

12. RDA’s rights in all of its TASTE OF HOME Trademarks are superior to any rights Applicant may have in the trademark THE TASTE OF HOME.

13. Applicant's mark is confusingly similar to RDA's TASTE OF HOME Trademarks.

14. Applicant's mark is similar to RDA's TASTE OF HOME Trademarks in sight, sound, sound, and meaning.

15. Applicant's mark is similar to RDA's TASTE OF HOME Trademarks because the marks are used in connection with substantially similar, if not identical, goods and services.

16. Applicant's registration of THE TASTE OF HOME trademark is likely to cause confusion, mistake, or to deceive the purchasing public. Because Applicant's mark is similar to RDA's TASTE OF HOME Trademarks, it is likely to suggest an affiliation, connection or association of Applicant and Applicant's goods with RDA and RDA's goods, with consequent injury to RDA, the trade and to the public.

17. The registration of Applicant's mark in connection with the goods identified would be in direct conflict with the proper function of a trademark; that is, as a designation of the sole and exclusive origin of goods or services, considering RDA's prior use of and registration of its TASTE OF HOME Trademarks.

18. RDA, as the owner of the valid federal trademark registrations and as the prior user of such marks, will be damaged and irreparably harmed if registration of Applicant's mark, as published, is granted.

WHEREFORE, RDA submits that, in accordance with 15 U.S.C. § 1052(d), Applicant's THE TASTE OF HOME trademark is not entitled to registration, and RDA prays that registration of Applicant's THE TASTE OF HOME mark be denied and this Opposition be sustained.

Dated this 1st day of November, 2017.

/Johanna M. Wilbert /

Marta S. Levine

Johanna M. Wilbert

Quarles & Brady LLP

411 East Wisconsin Avenue

Milwaukee, Wisconsin 53202-4497

Telephone: (414) 277-5000

Facsimile: (414) 978-8675

Email: marta.levine@quarles.com

Email: jwilbert@quarles.com

*Attorneys for Opposer, RDA Enthusiast
Brands, LLC*

EXHIBIT A

Int. Cl.: 16

Prior U.S. Cl.: 38

United States Patent and Trademark Office **Reg. No. 2,002,133**
Registered Sep. 24, 1996

**TRADEMARK
PRINCIPAL REGISTER**

TASTE OF HOME

REIMAN PUBLICATIONS, L.P. (PARTNER-
SHIP)
5400 SOUTH 60TH STREET
GREENDALE, WI 53129

FIRST USE 12-0-1992; IN COMMERCE
12-0-1992.

SER. NO. 74-540,727, FILED 6-21-1994.

FOR: MAGAZINE ON COOKING, IN CLASS
16 (U.S. CL. 38).

SCOTT J. MAJOR, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 2,113,908

United States Patent and Trademark Office

Registered Nov. 18, 1997

**TRADEMARK
PRINCIPAL REGISTER**

TASTE OF HOME

REIMAN PUBLICATIONS, L.P. (PARTNER-
SHIP)
5400 SOUTH 60TH STREET
GREENDALE, WI 53129

FIRST USE 9-1-1996; IN COMMERCE
9-1-1996.
OWNER OF U.S. REG. NOS. 1,847,423, 2,002,133
AND OTHERS.

FOR: CALENDARS AND A SERIES OF
BOOKS ON COOKING, IN CLASS 16 (U.S. CLS.
2, 5, 22, 23, 29, 37, 38 AND 50).

SER. NO. 75-177,264, FILED 10-4-1996.
DOMINICK J. SALEMI, EXAMINING ATTOR-
NEY

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,955,195

Registered May 24, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

TASTE OF HOME

REIMAN MEDIA GROUP, INC. (DELAWARE
CORPORATION)
5400 S. 60TH STREET
GREENDALE, WI 531291404

FOR: EDUCATIONAL SERVICES, NAMELY,
CONDUCTING CULINARY COURSES AND DIS-
TRIBUTING COURSE MATERIALS IN CONNEC-
TION THEREWITH, IN CLASS 41 (U.S. CLS. 100, 101
AND 107).

FIRST USE 8-31-1999; IN COMMERCE 8-31-1999.

OWNER OF U.S. REG. NOS. 1,847,423, 2,113,908,
AND OTHERS.

SN 75-774,879, FILED 8-12-1999.

INGRID C. EULIN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

TASTE OF HOME

Reg. No. 4,743,201

Registered May 26, 2015

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

RDA ENTHUSIAST BRANDS, LLC (DELAWARE LIMITED LIABILITY COMPANY)
SUITE 102
1610 N 2ND STREET
MILWAUKEE, WI 53212

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING ON-LINE INSTRUCTION IN THE FIELD OF FOOD AND COOKING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 10-1-2014; IN COMMERCE 10-1-2014.

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

OWNER OF U.S. REG. NOS. 2,002,133, 2,955,195 AND OTHERS.

SER. NO. 86-412,630, FILED 10-2-2014.

BRIAN PINO, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office

TASTE OF HOME LIVE

Reg. No. 5,242,853

Registered Jul. 11, 2017

Int. Cl.: 41

Service Mark

Principal Register

RDA Enthusiast Brands, LLC (DELAWARE LIMITED LIABILITY COMPANY)
1610 N 2nd Street
Suite 102
Milwaukee, WI 53212

CLASS 41: Educational services, namely, conducting courses in the field of cooking and distribution of course material in connection therewith

FIRST USE 4-18-2017; IN COMMERCE 4-18-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4743201, 2002133, 2955195

No claim is made to the exclusive right to use the following apart from the mark as shown:
"LIVE"

SER. NO. 87-103,865, FILED 07-14-2016
JEAN H IM, EXAMINING ATTORNEY



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

EXHIBIT B

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	CHANGE OF NAME

CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Reiman Media Group, LLC		11/18/2013	LIMITED LIABILITY COMPANY: DELAWARE

RECEIVING PARTY DATA	
Name:	RDA Enthusiast Brands, LLC
Street Address:	44 South Broadway
Internal Address:	Legal Dept
City:	White Plains
State/Country:	NEW YORK
Postal Code:	10601
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

PROPERTY NUMBERS Total: 35

Property Type	Number	Word Mark
Serial Number:	75173374	BARNS CALENDAR
Serial Number:	75173381	BIRDS & BLOOMS
Serial Number:	74573762	BIRDS & BLOOMS
Serial Number:	75173388	BIRDS & BLOOMS
Serial Number:	85875215	CLUB TASTE OF HOME
Serial Number:	78790953	CONTEST WINNING ANNUAL RECIPES ---
Serial Number:	85136231	COOKING CARING SHARING
Serial Number:	77685496	COOKING CARING SHARING
Serial Number:	75173389	COUNTRY CHURCHES
Serial Number:	75493269	COUNTRY WOMAN
Serial Number:	75135574	----- COWLENDAR
Serial Number:	73279420	FARM & RANCH LIVING
Serial Number:	78972547	FARM & RANCH LIVING

CH \$890.00 75173374

Serial Number:	74668609	LITTLE FARMERS
Serial Number:	74169921	MAXI-MIX
Serial Number:	75135573	___ PIG CALENDAR YOU NEVER SAUSAGE A CAL
Serial Number:	86065172	RDA ENTHUSIAST BRANDS
Serial Number:	74071150	REMINISCE
Serial Number:	74620690	REMINISCE BOOKS
Serial Number:	74540727	TASTE OF HOME
Serial Number:	75774879	TASTE OF HOME
Serial Number:	75177264	TASTE OF HOME
Serial Number:	85424904	TASTE OF HOME
Serial Number:	77331708	TASTE OF HOME
Serial Number:	85339638	TASTE OF HOME
Serial Number:	86090641	TASTE OF HOME
Serial Number:	86061096	TASTE OF HOME
Serial Number:	75343958	TASTE OF HOME
Serial Number:	77131533	TASTE OF HOME COMFORT FOOD DIET
Serial Number:	78755269	TASTE OF HOME SIMPLE & DELICIOUS
Serial Number:	78790950	TASTE OF HOME'S CONTEST WINNING ANNUAL R
Serial Number:	75237537	THE MAGNIFICENT HORSE
Serial Number:	77131534	TIMELESS RECIPES FROM TRUSTED HOME COOKS
Serial Number:	73799574	TOMATO BOOSTER
Serial Number:	75299827	WORLD WIDE COUNTRY TOURS

CORRESPONDENCE DATA

Fax Number: 9148311279
Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.
Phone: 914-244-5206
Email: rdapto@rd.com
Correspondent Name: Mark Sirota
Address Line 1: 44 South Broadway
Address Line 2: Legal Dept
Address Line 4: White Plains, NEW YORK 10601

NAME OF SUBMITTER:	Mark Sirota
Signature:	/Mark Sirota/
Date:	12/06/2013

**STATE OF DELAWARE
CERTIFICATE OF AMENDMENT**

Reiman Media Group, LLC (hereinafter called the "company"), a limited liability company organized and existing under and by virtue of the Limited Liability Company Act of the State of Delaware, does hereby certify:

1. The name of the limited liability company is Reiman Media Group, LLC
2. The Certificate of Formation of the company is hereby amended by striking out Article First thereof and by substituting in lieu of said Article the following new Article First:

First: The name of the limited liability company is RDA Enthusiast Brands, LLC.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on the 18th day of November, A.D. 2013.

By: Andrea Newborn

Name: Andrea Newborn

Title: Senior Vice President, General Counsel & Secretary