

ESTTA Tracking number: **ESTTA890413**

Filing date: **04/17/2018**

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	Jemie B.V.
Granted to Date of previous extension	04/18/2018
Address	Beneluxweg 37 Oosterhout, NL4904SJ NETHERLANDS

Attorney information	Jonathan S. Jennings Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP 200 South Wacker Drive Suite 2900 Chicago, IL 60606 UNITED STATES Email: jsj@pattishall.com, jmk@pattishall.com, docket@pattishall.com
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Applicant Information

Application No	87567614	Publication date	12/19/2017
Opposition Filing Date	04/17/2018	Opposition Period Ends	04/18/2018
Applicant	Cann-Care Company 417 MACE BLVD, J236 417 MACE BLVD, J236 Davis, CA 95618 UNITED STATES		

Goods/Services Affected by Opposition


Class 005. First Use: 2016/06/01 First Use In Commerce: 2016/12/01
All goods and services in the class are opposed, namely: Biocides, germicides, bactericides, virucides, fungicides, insecticides, pesticides and herbicides

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.	5129939	Application Date	09/02/2015
Registration Date	01/24/2017	Foreign Priority Date	NONE
Word Mark	CANNA		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 001. First use: First Use: 1993/00/00 First Use In Commerce: 2002/06/25 Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations</p> <p>Class 005. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algacides</p>

U.S. Registration No.	5038951	Application Date	05/26/2015
Registration Date	09/13/2016	Foreign Priority Date	NONE

Word Mark	CANNA
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Design Mark	
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Description of Mark	The mark consists of the word "CANNA" underlined.
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Goods/Services	<p>Class 001. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations</p> <p>Class 005. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Crop protection preparations, namely, fungicides and pesticides</p>
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U.S. Registration No.	5399941	Application Date	04/03/2017
Registration Date	02/13/2018	Foreign Priority Date	NONE

Word Mark	CANNABOOST
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Design Mark	<h1>CANNABOOST</h1>		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2007/11/23 First Use In Commerce: 2007/11/23 Plant growth stimulators		

U.S. Registration No.	5399942	Application Date	04/03/2017
Registration Date	02/13/2018	Foreign Priority Date	NONE
Word Mark	CANNA START		
Design Mark	<h1>CANNA START</h1>		
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2011/07/04 First Use In Commerce: 2011/07/04 Plant growth nutrients		

U.S. Registration No.	5389880	Application Date	04/03/2017
Registration Date	01/30/2018	Foreign Priority Date	NONE
Word Mark	CANNAZYM		
Design Mark	<h1>CANNAZYM</h1>		

Description of Mark	NONE
Goods/Services	Class 001. First use: First Use: 2003/09/22 First Use In Commerce: 2003/09/22 Enzymes used to promote plant growth

Attachments	86745098#TMSN.png(bytes) 86640828#TMSN.png(bytes) 87395831#TMSN.png(bytes) 87395839#TMSN.png(bytes) 87395826#TMSN.png(bytes) Notice of Opposition CANN-CARE.pdf(108448 bytes) Exhibit A CANN-CARE Notice of Opposition.pdf(529782 bytes)
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Signature	/Jason Koransky/
Name	Jason Koransky
Date	04/17/2018

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

In re Application Serial No. 87/567,614 — CANN-CARE

JEMIE B.V.,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
CANN-CARE COMPANY,)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Jemie B.V. (“Opposer”), a Netherlands limited liability company located at Beneluxweg 37, 4904 SJ, Oosterhout, NL4904SJ, Netherlands, believes it will be damaged by registration of the mark CANN-CARE shown in Application Serial No. 87/567,614 (the “Opposed Mark”) by Cann-Care Company (“Applicant”), and hereby opposes the same.

The grounds for the opposition are as follows:

1. Opposer is a world leader in providing goods and services in the horticulture field, including products and services relating to cocoponics, hydroponics, and potting mixes.
2. Long prior to Applicant’s application for the Opposed Mark, Opposer through its licensee adopted and began to use in the United States the name and mark CANNA in connection with the aforementioned goods and services. In addition to being sold under the CANNA mark, these goods and services are also sold and offered under other CANNA-formative trade names and marks, including CANNA CONTINENTAL, CANNAZYM, CANNABOOST, CANNA START, and CANNATALK. (Opposer’s CANNA name and mark are referred to collectively as the “CANNA Name and Mark”.)

3. Opposer owns United States Trademark Registration No. 5,129,939 for CANNA for the following goods:

- **Class 1:** Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations.
- **Class 5:** Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algacides.

4. Opposer also owns United States Trademark Registration No. 5,038,951 for

CANNA for the following goods:

- **Class 1:** Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations.
- **Class 5:** Crop protection preparations, namely, fungicides and pesticides.

5. Opposer owns United States Trademark Registration No. 5,399,941 for the mark CANNABOOST in Class 1 for “Plant growth stimulators.”

6. Opposer owns United States Trademark Registration No. 5,399,942 for the mark CANNA START in Class 1 for “Plant growth nutrients.”

7. Opposer owns United States Trademark Registration No. 5,389,880 for the mark CANNAZYM in Class 1 for “Enzymes used to promote plant growth.”

Copies of the TESS status pages and registration certificates for Registration Nos. 5,129,939, 5,038,951, 5,399,941, 5,399,942, and 5,389,880 are attached as Exhibit A.

8. Opposer has sold an extensive amount of goods and services in connection with the CANNA Name and Mark.

9. Opposer has engaged in extensive advertising and promotion of goods and services in connection with the CANNA Name and Mark.

10. Well prior to the filing date of the Opposed Mark and by virtue of the aforesaid extensive sales, advertising, and promotion of goods and services, Opposer has built up and now owns a most valuable goodwill and reputation symbolized by its CANNA Name and Mark.

11. On August 14, 2017, Applicant filed an application to register the mark CANN-CARE, Serial No. 87/567,614, for “Biocides, germicides, bactericides, virucides, fungicides, insecticides, pesticides and herbicides” in Class 5.

12. Upon information and belief, Applicant has no basis for claiming rights in the CANN-CARE mark for the goods covered by the application to register the Opposed Mark prior to the alleged date of first use in commerce of December 1, 2016, in the application for the Opposed Mark.

13. Applicant’s application to register the Opposed Mark is without Opposer’s consent.

14. Applicant’s application to register the Opposed Mark and alleged use of the Opposed Mark are likely to result in confusion, mistake, or deception with Opposer’s CANNA Name and Mark and related goods and services, or in the belief that Applicant or its goods are in some way connected with, licensed, or approved by Opposer, or that Opposer is a sponsor, business partner of, or otherwise affiliated with Applicant.

15. Accordingly, registration by Applicant of the Opposed Mark would damage Opposer.

WHEREFORE, Opposer prays that its opposition be sustained and registration of the Opposed Mark be refused.

Opposer submits the requisite filing fee of \$400 for the opposition. Please debit any deficiency or credit any overpayment to Account No. 16-0650. Please address all correspondence to Jonathan S. Jennings, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, 200 South Wacker Drive, Suite 2900, Chicago, Illinois 60606.

Dated: April 17, 2018

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON LLP

By: s/Jason Koransky/
Jonathan S. Jennings
Jason Koransky
200 South Wacker Drive, Suite 2900
Chicago, Illinois 60606
(312) 554-8000

Attorneys for Jemie B.V.

EXHIBIT A

Generated on: This page was generated by TSDR on 2018-04-17 10:49:06 EDT

Mark: CANNA

CANNA

US Serial Number: 86745098

Application Filing Date: Sep. 02, 2015

US Registration Number: 5129939

Registration Date: Jan. 24, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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: Jan. 24, 2017

Publication Date: Mar. 01, 2016

Notice of Allowance Date: Oct. 25, 2016

Mark Information

Mark Literal Elements: CANNA

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: 3964488

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: Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algaecides

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1993

Use in Commerce: Sep. 2003

For: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: 1993

Use in Commerce: Jun. 25, 2002

Basis Information (Case Level)

Filed Use: Yes	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	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Jemie B.V.
Owner Address: Beneluxweg 37
Oosterhout NETHERLANDS NL4904SJ
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country: NETHERLANDS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan S. Jennings
Docket Number: 2926-000-000
Attorney Primary Email Address: JSJ@pattishall.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JONATHAN S. JENNINGS
Pattishall McAuliffe Newbury Hilliard & Geraldts
200 S Wacker Dr Ste 2900
Chicago, ILLINOIS UNITED STATES 60606-5896
Phone: (312) 554-8000
Fax: (312) 554-8015
Correspondent e-mail: JSJ@pattishall.com JMK@pattishall.com kep@pattishall.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jonathan S. Jennings
Phone: (312) 554-8000
Fax: (312) 554-8015
Domestic Representative e-mail: JSJ@pattishall.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jan. 24, 2017	REGISTERED-PRINCIPAL REGISTER	
Dec. 23, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 22, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 30, 2016	STATEMENT OF USE PROCESSING COMPLETE	66230
Nov. 09, 2016	USE AMENDMENT FILED	66230
Nov. 28, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Nov. 09, 2016	TEAS STATEMENT OF USE RECEIVED	
Oct. 25, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 13, 2016	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 16, 2016	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 01, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	

Mar. 01, 2016	PUBLISHED FOR OPPOSITION	
Feb. 10, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 30, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 11, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 09, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 09, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 16, 2015	NON-FINAL ACTION E-MAILED	6325
Oct. 16, 2015	NON-FINAL ACTION WRITTEN	72008
Oct. 09, 2015	ASSIGNED TO EXAMINER	72008
Sep. 29, 2015	TEAS VOLUNTARY AMENDMENT RECEIVED	
Sep. 16, 2015	ASSIGNED TO EXAMINER	68110
Sep. 16, 2015	ASSIGNED TO EXAMINER	72008
Sep. 05, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 05, 2015	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:** Dec. 22, 2016

Proceedings

Summary

Number of Proceedings: 7

Type of Proceeding: Opposition

Proceeding Number: [91237770](#) **Filing Date:** Nov 13, 2017
Status: Pending **Status Date:** Nov 13, 2017
Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Cannaplex Compliance Management LLC
Correspondent Address: SHABNAM MALEK
BRAND & BRANCH LLP
1714 FRANKLIN ST NO. 100-336
OAKLAND CA UNITED STATES , 94612
Correspondent e-mail: trademarks@brandandbranch.com , amanda@brandandbranch.com , shabnam@brandandbranch.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNAPLEX	Opposition Pending	87016990	
CANNAPLEX	Opposition Pending	87016991	

Plaintiff(s)

Name: Jemie B.V.
Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL UNITED STATES , 60304
Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939

CANNA

Registered

[86640828](#)

[5038951](#)

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 13, 2017	Dec 23, 2017
3	PENDING, INSTITUTED	Nov 13, 2017	
4	STIP FOR EXT	Dec 20, 2017	
5	EXTENSION OF TIME GRANTED	Dec 20, 2017	
6	MOT TO AMEND APPLICATION	Mar 20, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91237122](#)

Filing Date: Oct 10, 2017

Status: Terminated

Status Date: Jan 30, 2018

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Strategic Capital Investment Partners Inc.

Correspondent Address: FRANK L POLITANO
K&L GATES LLP
1 NEWARK CTR FL 10
NEWARK NJ UNITED STATES , 07102-5237

Correspondent e-mail: nwtrademarks@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE CANNASSEUR	Notice of Allowance - Issued	86373816	

Plaintiff(s)

Name: Jamie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD & GERALDSON
200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 10, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 10, 2017	Nov 19, 2017
3	PENDING, INSTITUTED	Oct 10, 2017	
4	NOTICE OF DEFAULT	Nov 29, 2017	
5	BD DECISION: SUSTAINED	Jan 24, 2018	
6	TERMINATED	Jan 30, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91236343](#)

Filing Date: Aug 28, 2017

Status: Terminated

Status Date: Oct 05, 2017

Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: David Blake

Correspondent: STEPHEN B MOSIER

Address: HAYES SOLOWAY PC
4640 E SKYLINE DR
TUCSON AZ UNITED STATES , 85718-1631

Correspondent e-mail: jbarton@hayes-soloway.com , admin@hayes-soloway.com

Mark	Application Status	Serial Number	Registration Number
CANNAESTHETICS	Notice of Allowance - Issued	86708855	

Plaintiff(s)

Name: Jemie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY
HILLIARD & GERALDSON LLP, 200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 28, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 28, 2017	Oct 07, 2017
3	PENDING, INSTITUTED	Aug 28, 2017	
4	MOT TO AMEND APPLICATION	Aug 29, 2017	
5	BD DECISION: DISMISSED	Oct 03, 2017	
6	TERMINATED	Oct 05, 2017	

Type of Proceeding: Opposition

Proceeding Number: [91235845](#) **Filing Date:** Jul 31, 2017
Status: Pending **Status Date:** Jul 31, 2017
Interlocutory Attorney: KATIE W MCKNIGHT

Defendant

Name: CannaTrac Technology, Inc.

Correspondent Address: KOURTNEY A MULCAHY
HINSHAW & CULBERTSON LLP
222 N LASALLE STREET, SUITE 300
CHICAGO IL UNITED STATES , 60601

Correspondent e-mail: trademarks@hinshawlaw.com , kmulcahy@hinshawlaw.com

Mark	Application Status	Serial Number	Registration Number
CANNACARD REWARDS	Opposition Pending	87117105	

Plaintiff(s)

Name: Jemie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
200 SOUTH WACKER DRIVE, SUITE 2900
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Mark	Application Status	Serial Number	Registration Number
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CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951
CANNATALK	Registered	86762679	4986807

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 31, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 31, 2017	Sep 09, 2017
3	PENDING, INSTITUTED	Jul 31, 2017	
4	STIP FOR EXT	Sep 06, 2017	
5	EXTENSION OF TIME GRANTED	Sep 06, 2017	
6	STIP FOR EXT	Nov 01, 2017	
7	EXTENSION OF TIME GRANTED	Nov 01, 2017	
8	STIP FOR EXT	Nov 30, 2017	
9	EXTENSION OF TIME GRANTED	Nov 30, 2017	
10	ANSWER	Jan 17, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91235258](#) **Filing Date:** Jun 27, 2017
Status: Pending **Status Date:** Jun 27, 2017
Interlocutory Attorney: KATIE W MCKNIGHT

Defendant

Name: urban-gro, LLC
Correspondent Address: RACHEL A RICE
 POLSINELLI PC
 1401 LAWRENCE ST SUITE 2300
 DENVER CO UNITED STATES , 80202
Correspondent e-mail: rice@polsinelli.com , uspt@polsinelli.com , greimer@polsinelli.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
OPTI-CANNA	Opposition Pending	87008605	

Plaintiff(s)

Name: Jemie B.V.
Correspondent Address: JASON KORANSKY
 PATTISHALL MCAULIFFE NEWBURY HILLIARD GERALDSON
 200 SOUTH WACKER DRIVE SUITE 2900
 CHICAGO IL UNITED STATES , 60606
Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2017	Aug 06, 2017
3	PENDING, INSTITUTED	Jun 27, 2017	
4	D MOT FOR EXT W/ CONSENT	Aug 03, 2017	
5	EXTENSION OF TIME GRANTED	Aug 04, 2017	
6	D CHANGE OF CORRESP ADDRESS	Sep 19, 2017	
7	D MOT FOR EXT W/ CONSENT	Nov 02, 2017	
8	EXTENSION OF TIME GRANTED	Nov 02, 2017	
9	ANSWER	Dec 04, 2017	

10 STIP TO SUSP PEND SETTLE NEGOTIATIONS Jan 02, 2018
 11 SUSPENDED Jan 02, 2018

Type of Proceeding: Opposition

Proceeding Number: [91233070](#) **Filing Date:** Feb 24, 2017
Status: Terminated **Status Date:** Jan 23, 2018
Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: The Canna Nurse LLC
Correspondent Address: MARK I REICHTHAL
 BRANFMAN LAW GROUP P C
 708 CIVIC CENTER DR
 OCEANSIDE CA UNITED STATES , 92054
Correspondent e-mail: markr@branfman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE CANNA NURSE	Abandoned - After Inter-Partes Decision	86891153	

Plaintiff(s)

Name: Jemie B.V.
Correspondent Address: JASON KORANSKY
 PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
 200 SOUTH WACKER DRIVE, SUITE 2900
 CHICAGO IL UNITED STATES , 60606
Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 24, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2017	Apr 05, 2017
3	PENDING, INSTITUTED	Feb 24, 2017	
4	P MOT FOR EXT W/ CONSENT	Mar 09, 2017	
5	EXTENSION OF TIME GRANTED	Mar 09, 2017	
6	NOTICE OF DEFAULT	Jul 31, 2017	
7	D MOT TO SET ASIDE; EXT TIME TO ANSWER	Aug 21, 2017	
8	PROCEEDINGS RESUMED; DEFAULT SET ASIDE;ANSWER DUE	Sep 15, 2017	
9	STIP TO SUSP PEND SETTLE NEGOTIATIONS	Sep 27, 2017	
10	SUSPENDED	Sep 27, 2017	
11	W/DRAW OF APPLICATION	Jan 15, 2018	
12	BD DECISION: SUSTAINED	Jan 23, 2018	
13	TERMINATED	Jan 23, 2018	

Type of Proceeding: Extension of Time

Proceeding Number: [86745098](#) **Filing Date:** Mar 15, 2016
Status: Terminated **Status Date:** Sep 13, 2016
Interlocutory Attorney:

Defendant

Name: Jemie B.V.
Correspondent JONATHAN S. JENNINGS

Address: Pattishall McAuliffe Newbury Hilliard &
200 S Wacker Dr Ste 2900
Chicago IL , 60606-5896

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939

Potential Opposer(s)

Name: urban-gro, LLC

Correspondent Rachel A. Rice

Address: Modus Law, Ltd.
Suite 2001123 Spruce St.
Boulder CO UNITED STATES , 80302

Correspondent e-mail: rar@moduslaw.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 15, 2016	
2	EXTENSION OF TIME GRANTED	Mar 16, 2016	
3	INCOMING - EXT TIME TO OPPOSE FILED	Apr 30, 2016	
4	EXTENSION OF TIME GRANTED	Apr 30, 2016	
5	INCOMING - EXT TIME TO OPPOSE FILED	Jun 29, 2016	
6	EXTENSION OF TIME GRANTED	Jun 29, 2016	

United States of America

United States Patent and Trademark Office

CANNA

Reg. No. 5,129,939

Registered Jan. 24, 2017

Int. Cl.: 1, 5

Trademark

Principal Register

Jemie B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)
Beneluxweg 37
Oosterhout NETHERLANDS NL4904SJ

CLASS 1: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations

FIRST USE 00-00-1993; IN COMMERCE 6-25-2002

CLASS 5: Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algaecides

FIRST USE 00-00-1993; IN COMMERCE 9-00-2003

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

OWNER OF U.S. REG. NO. 3964488

SER. NO. 86-745,098, FILED 09-02-2015
JEFFREY J LOOK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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Mark: CANNA

CANNA

US Serial Number: 86640828

Application Filing Date: May 26, 2015

US Registration Number: 5038951

Registration Date: Sep. 13, 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: Sep. 13, 2016

Publication Date: Mar. 22, 2016

Mark Information

Mark Literal Elements: CANNA

Standard Character Claim: No

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

Description of Mark: The mark consists of the word "CANNA" underlined.

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

Design Search Code(s): 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Underlined words or letters; Overlined words or letters

Related Properties Information

Claimed Ownership of US Registrations: 3964488

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: Crop protection preparations, namely, fungicides and pesticides

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: 1993

Use in Commerce: Sep. 2003

For: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: 1993

Use in Commerce: Sep. 2003

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: Jemie B.V.
Owner Address: Beneluxweg 37, 4904 SJ
Oosterhout NL4904SJ
NETHERLANDS
Legal Entity Type: limited liability company
State or Country Where Organized: NETHERLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan S. Jennings
Attorney Primary Email Address: JSJ@pattishall.com
Docket Number: 2926-000-000
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JONATHAN S. JENNINGS
Pattishall McAuliffe Newbury Hilliard & Geraldts
200 S Wacker Dr Ste 2900
Chicago, ILLINOIS 60606-5896
UNITED STATES
Phone: (312) 554-8000
Fax: (312) 554-8015
Correspondent e-mail: JSJ@pattishall.com kep@pattishall.com DocketMail@pattishall.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jonathan S. Jennings
Phone: (312) 554-8000
Fax: (312) 554-8015
Domestic Representative e-mail: JSJ@pattishall.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Sep. 13, 2016	REGISTERED-PRINCIPAL REGISTER	
Aug. 05, 2016	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Mar. 26, 2016	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 22, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 22, 2016	PUBLISHED FOR OPPOSITION	
Mar. 02, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 05, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 22, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 21, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 21, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 16, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325

Oct. 16, 2015	NON-FINAL ACTION E-MAILED	6325
Oct. 16, 2015	NON-FINAL ACTION WRITTEN	72008
Oct. 08, 2015	ASSIGNED TO EXAMINER	72008
Jun. 02, 2015	ASSIGNED TO EXAMINER	68110
Jun. 02, 2015	ASSIGNED TO EXAMINER	72008
Jun. 02, 2015	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jun. 01, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 29, 2015	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:** Sep. 13, 2016

Proceedings

Summary

Number of Proceedings: 7

Type of Proceeding: Opposition

Proceeding Number: [91237770](#) **Filing Date:** Nov 13, 2017
Status: Pending **Status Date:** Nov 13, 2017
Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Cannaplex Compliance Management LLC

Correspondent Address: SHABNAM MALEK
BRAND & BRANCH LLP
1714 FRANKLIN ST NO. 100-336
OAKLAND CA , 94612
UNITED STATES

Correspondent e-mail: trademarks@brandandbranch.com , amanda@brandandbranch.com , shabnam@brandandbranch.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNAPLEX	Opposition Pending	87016990	
CANNAPLEX	Opposition Pending	87016991	

Plaintiff(s)

Name: Jemie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL , 60304
UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 13, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 13, 2017	Dec 23, 2017
3	PENDING, INSTITUTED	Nov 13, 2017	

4	STIP FOR EXT	Dec 20, 2017
5	EXTENSION OF TIME GRANTED	Dec 20, 2017
6	MOT TO AMEND APPLICATION	Mar 20, 2018

Type of Proceeding: Opposition

Proceeding Number: [91237122](#) **Filing Date:** Oct 10, 2017
Status: Terminated **Status Date:** Jan 30, 2018
Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Strategic Capital Investment Partners Inc.

Correspondent Address: FRANK L POLITANO
K&L GATES LLP
1 NEWARK CTR FL 10
NEWARK NJ , 07102-5237
UNITED STATES

Correspondent e-mail: nwtrademarks@klgates.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE CANNASSEUR	Notice of Allowance - Issued	86373816	

Plaintiff(s)

Name: Jamie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD & GERALDSON
200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 10, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 10, 2017	Nov 19, 2017
3	PENDING, INSTITUTED	Oct 10, 2017	
4	NOTICE OF DEFAULT	Nov 29, 2017	
5	BD DECISION: SUSTAINED	Jan 24, 2018	
6	TERMINATED	Jan 30, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91236343](#) **Filing Date:** Aug 28, 2017
Status: Terminated **Status Date:** Oct 05, 2017
Interlocutory Attorney: ELIZABETH A DUNN

Defendant

Name: David Blake

Correspondent Address: STEPHEN B MOSIER
HAYES SOLOWAY PC
4640 E SKYLINE DR
TUCSON AZ , 85718-1631
UNITED STATES

Correspondent e-mail: jbarton@hayes-soloway.com , admin@hayes-soloway.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CANNAESTHETICS	Notice of Allowance - Issued	86708855	
Plaintiff(s)			

Name: Jemie B.V.

Correspondent JASON KORANSKY
 Address: PATTISHALL MCAULIFFE NEWBURY
 HILLIARD & GERALDSON LLP, 200 SOUTH WACKER DRIVE SUITE 2900
 CHICAGO IL , 60606
 UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 28, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 28, 2017	Oct 07, 2017
3	PENDING, INSTITUTED	Aug 28, 2017	
4	MOT TO AMEND APPLICATION	Aug 29, 2017	
5	BD DECISION: DISMISSED	Oct 03, 2017	
6	TERMINATED	Oct 05, 2017	

Type of Proceeding: Opposition

Proceeding Number: [91235845](#)

Filing Date: Jul 31, 2017

Status: Pending

Status Date: Jul 31, 2017

Interlocutory Attorney: KATIE W MCKNIGHT

Defendant

Name: CannaTrac Technology, Inc.

Correspondent KOURTNEY A MULCAHY
 Address: HINSHAW & CULBERTSON LLP
 222 N LASALLE STREET, SUITE 300
 CHICAGO IL , 60601
 UNITED STATES

Correspondent e-mail: trademarks@hinshawlaw.com , kmulcahy@hinshawlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CANNACARD REWARDS	Opposition Pending	87117105	
Plaintiff(s)			

Name: Jemie B.V.

Correspondent JASON KORANSKY
 Address: PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
 200 SOUTH WACKER DRIVE, SUITE 2900
 CHICAGO IL , 60606
 UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

CANNATALK

Registered

[86762679](#)

[4986807](#)

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 31, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 31, 2017	Sep 09, 2017
3	PENDING, INSTITUTED	Jul 31, 2017	
4	STIP FOR EXT	Sep 06, 2017	
5	EXTENSION OF TIME GRANTED	Sep 06, 2017	
6	STIP FOR EXT	Nov 01, 2017	
7	EXTENSION OF TIME GRANTED	Nov 01, 2017	
8	STIP FOR EXT	Nov 30, 2017	
9	EXTENSION OF TIME GRANTED	Nov 30, 2017	
10	ANSWER	Jan 17, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91235258](#)

Filing Date: Jun 27, 2017

Status: Pending

Status Date: Jun 27, 2017

Interlocutory Attorney: KATIE W MCKNIGHT

Defendant

Name: urban-gro, LLC

Correspondent Address: RACHEL A RICE
POL SINELLI PC
1401 LAWRENCE ST SUITE 2300
DENVER CO , 80202
UNITED STATES

Correspondent e-mail: rice@polsinelli.com , uspt@polsinelli.com , greimer@polsinelli.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
OPTI-CANNA	Opposition Pending	87008605	

Plaintiff(s)

Name: Jamie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD GERALDSON
200 SOUTH WACKER DRIVE SUITE 2900
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2017	Aug 06, 2017
3	PENDING, INSTITUTED	Jun 27, 2017	
4	D MOT FOR EXT W/ CONSENT	Aug 03, 2017	
5	EXTENSION OF TIME GRANTED	Aug 04, 2017	
6	D CHANGE OF CORRESP ADDRESS	Sep 19, 2017	
7	D MOT FOR EXT W/ CONSENT	Nov 02, 2017	
8	EXTENSION OF TIME GRANTED	Nov 02, 2017	
9	ANSWER	Dec 04, 2017	
10	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jan 02, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91233070](#)

Filing Date: Feb 24, 2017

Status: Terminated

Status Date: Jan 23, 2018

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: The Canna Nurse LLC

Correspondent Address: MARK I REICHTHAL
BRANFMAN LAW GROUP P C
708 CIVIC CENTER DR
OCEANSIDE CA , 92054
UNITED STATES

Correspondent e-mail: markr@branfman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE CANNA NURSE	Abandoned - After Inter-Partes Decision	86891153	

Plaintiff(s)

Name: Jemie B.V.

Correspondent Address: JASON KORANSKY
PATTISHALL MCAULIFFE NEWBURY HILLIARD ET AL
200 SOUTH WACKER DRIVE, SUITE 2900
CHICAGO IL , 60606
UNITED STATES

Correspondent e-mail: jmk@pattishall.com , jsj@pattishall.com , docket@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86745098	5129939
CANNA	Registered	86640828	5038951

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 24, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2017	Apr 05, 2017
3	PENDING, INSTITUTED	Feb 24, 2017	
4	P MOT FOR EXT W/ CONSENT	Mar 09, 2017	
5	EXTENSION OF TIME GRANTED	Mar 09, 2017	
6	NOTICE OF DEFAULT	Jul 31, 2017	
7	D MOT TO SET ASIDE; EXT TIME TO ANSWER	Aug 21, 2017	
8	PROCEEDINGS RESUMED; DEFAULT SET ASIDE;ANSWER DUE	Sep 15, 2017	
9	STIP TO SUSP PEND SETTLE NEGOTIATIONS	Sep 27, 2017	
10	SUSPENDED	Sep 27, 2017	
11	W/DRAW OF APPLICATION	Jan 15, 2018	
12	BD DECISION: SUSTAINED	Jan 23, 2018	
13	TERMINATED	Jan 23, 2018	

Type of Proceeding: Extension of Time

Proceeding Number: [86640828](#)

Filing Date: Mar 26, 2016

Status: Terminated

Status Date: Aug 05, 2016

Interlocutory Attorney:

Defendant

Name: Jemie B.V.

Correspondent JONATHAN S JENNINGS
Address: PATTISHAL MCAULIFFE NEWBURY HILLIARD & ET AL
200 S WACKER DR STE 2900
CHICAGO IL , 60606-5896
UNITED STATES

Correspondent e-mail: JSJ@pattishall.com , kep@pattishall.com , DocketMail@pattishall.com , JMK@pattishall.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CANNA	Registered	86640828	5038951

Potential Opposer(s)

Name: urban-gro, LLC

Correspondent RACHEL A RICE
Address: MODUS LAW LTD
1123 SPRUCE ST STE 200
BOULDER CO , 80302
UNITED STATES

Correspondent e-mail: rar@moduslaw.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 26, 2016	
2	EXTENSION OF TIME GRANTED	Mar 26, 2016	
3	INCOMING - EXT TIME TO OPPOSE FILED	May 23, 2016	
4	EXTENSION OF TIME GRANTED	May 23, 2016	
5	TERMINATED	Aug 05, 2016	

United States of America

United States Patent and Trademark Office

CANNA

Reg. No. 5,038,951

Registered Sep. 13, 2016

Int. Cl.: 1, 5

Trademark

Principal Register

Jemie B.V. (NETHERLANDS limited liability company)
Beneluxweg 37, 4904 SJ
Oosterhout NETHERLANDS NL4904SJ

CLASS 1: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations

FIRST USE 00-00-1993; IN COMMERCE 9-00-2003

CLASS 5: Crop protection preparations, namely, fungicides and pesticides

FIRST USE 00-00-1993; IN COMMERCE 9-00-2003

The mark consists of the word "CANNA" underlined.

OWNER OF U.S. REG. NO. 3964488

SER. NO. 86-640,828, FILED 05-26-2015
JEFFREY J LOOK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

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What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

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Mark: CANNABOOST

CANNABOOST

US Serial Number: 87395831

Application Filing Date: Apr. 03, 2017

US Registration Number: 5399941

Registration Date: Feb. 13, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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: Feb. 13, 2018

Publication Date: Nov. 28, 2017

Mark Information

Mark Literal Elements: CANNABOOST

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: 5038951, 5129939

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: Plant growth stimulators

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 23, 2007

Use in Commerce: Nov. 23, 2007

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
Filed No Basis: No

Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: Jemie B.V.
Owner Address: Beneluxweg 37
Oosterhout NETHERLANDS 4904SJ
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: NETHERLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan S. Jennings
Attorney Primary Email Address: JSJ@pattishall.com
Docket Number: 2926-00-003
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JONATHAN S. JENNINGS
PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD & GERALDS
200 SOUTH WACKER DRIVE, SUITE 2900
CHICAGO, ILLINOIS UNITED STATES 60606
Phone: (312) 554-8000
Fax: (312) 554-8015
Correspondent e-mail: JSJ@pattishall.com JMK@pattishall.com kep@pattishall.com ttishall.com docket@pattishall.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jonathan S. Jennings
Phone: (312) 554-8000
Fax: (312) 554-8015
Domestic Representative e-mail: JSJ@pattishall.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2018	REGISTERED-PRINCIPAL REGISTER	
Nov. 28, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 28, 2017	PUBLISHED FOR OPPOSITION	
Nov. 08, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 25, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 24, 2017	ASSIGNED TO EXAMINER	83184
Apr. 18, 2017	ASSIGNED TO EXAMINER	78196
Apr. 07, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2017	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: Feb. 13, 2018

United States of America

United States Patent and Trademark Office

CANNABOOST

Reg. No. 5,399,941

Registered Feb. 13, 2018

Int. Cl.: 1

Trademark

Principal Register

Jemie B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)
Beneluxweg 37
Oosterhout, NETHERLANDS 4904SJ

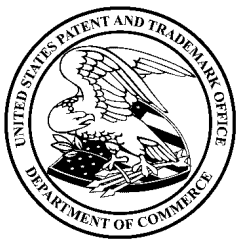
CLASS 1: Plant growth stimulators

FIRST USE 11-23-2007; IN COMMERCE 11-23-2007

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

OWNER OF U.S. REG. NO. 5129939, 5038951

SER. NO. 87-395,831, FILED 04-03-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

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Mark: CANNA START

CANNA START

US Serial Number: 87395839

Application Filing Date: Apr. 03, 2017

US Registration Number: 5399942

Registration Date: Feb. 13, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Feb. 13, 2018

Publication Date: Nov. 28, 2017

Mark Information

Mark Literal Elements: CANNA START

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: 5038951, 5129939

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: Plant growth nutrients

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 04, 2011

Use in Commerce: Jul. 04, 2011

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: Jemie B.V.

Owner Address: Beneluxweg 37
Oosterhout 4904SJ
NETHERLANDS

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NETHERLANDS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan S. Jennings

Docket Number: 2926-00-0027

Attorney Primary Email Address: JSJ@pattishall.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JONATHAN S. JENNINGS
PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD & GERALDS
200 SOUTH WACKER DRIVE, SUITE 2900
CHICAGO, ILLINOIS 60606
UNITED STATES

Phone: (312) 554-8000

Fax: (312) 554-8015

Correspondent e-mail: JSJ@pattishall.com JMK@pattishall.com kep@pattishall.com ttishall.com docket@pattishall.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jonathan S. Jennings

Phone: (312) 554-8000

Fax: (312) 554-8015

Domestic Representative e-mail: JSJ@pattishall.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2018	REGISTERED-PRINCIPAL REGISTER	
Nov. 28, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 28, 2017	PUBLISHED FOR OPPOSITION	
Nov. 08, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
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Oct. 24, 2017	ASSIGNED TO EXAMINER	83184
Apr. 18, 2017	ASSIGNED TO EXAMINER	83176
Apr. 07, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2017	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: Feb. 13, 2018

United States of America

United States Patent and Trademark Office

CANNA START

Reg. No. 5,399,942

Registered Feb. 13, 2018

Int. Cl.: 1

Trademark

Principal Register

Jemie B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)
Beneluxweg 37
Oosterhout, NETHERLANDS 4904SJ

CLASS 1: Plant growth nutrients

FIRST USE 7-4-2011; IN COMMERCE 7-4-2011

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

OWNER OF U.S. REG. NO. 5129939, 5038951

SER. NO. 87-395,839, FILED 04-03-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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Requirements in the First Ten Years*

What and When to File:

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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Mark: CANNAZYM

CANNAZYM

US Serial Number: 87395826

Application Filing Date: Apr. 03, 2017

US Registration Number: 5389880

Registration Date: Jan. 30, 2018

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: Jan. 30, 2018

Publication Date: Nov. 14, 2017

Mark Information

Mark Literal Elements: CANNAZYM

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: 5038951, 5129939

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: Enzymes used to promote plant growth

International Class(es): 001 - Primary Class

U.S Class(es): 001, 005, 006, 010, 026, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 22, 2003

Use in Commerce: Sep. 22, 2003

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: Jemie B.V.
Owner Address: Beneluxweg 37
Oosterhout 4904SJ
NETHERLANDS
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country NETHERLANDS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan S. Jennings
Attorney Primary Email Address: JSJ@pattishall.com
Docket Number: 2926-00-0026
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JONATHAN S. JENNINGS
PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD & GERALDS
200 SOUTH WACKER DRIVE, SUITE 2900
CHICAGO, ILLINOIS 60606
UNITED STATES
Phone: (312) 554-8000
Fax: (312) 554-8015
Correspondent e-mail: JSJ@pattishall.com JMK@pattishall.com kep@pattishall.com ttishall.com doCKET@pattishall.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jonathan S. Jennings
Phone: (312) 554-8000
Fax: (312) 554-8015
Domestic Representative e-mail: JSJ@pattishall.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Jan. 30, 2018	REGISTERED-PRINCIPAL REGISTER	
Nov. 14, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 14, 2017	PUBLISHED FOR OPPOSITION	
Oct. 25, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 29, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 26, 2017	ASSIGNED TO EXAMINER	82107
Apr. 25, 2017	ASSIGNED TO EXAMINER	76072
Apr. 07, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 06, 2017	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: Jan. 30, 2018

United States of America

United States Patent and Trademark Office

CANNAZYM

Reg. No. 5,389,880

Registered Jan. 30, 2018

Int. Cl.: 1

Trademark

Principal Register

Jemie B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)
Beneluxweg 37
Oosterhout, NETHERLANDS 4904SJ

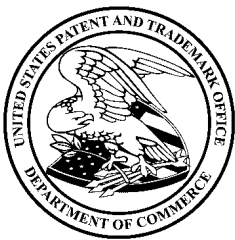
CLASS 1: Enzymes used to promote plant growth

FIRST USE 9-22-2003; IN COMMERCE 9-22-2003

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

OWNER OF U.S. REG. NO. 5129939, 5038951

SER. NO. 87-395,826, FILED 04-03-2017



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

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