

ESTTA Tracking number: **ESTTA955015**

Filing date: **02/19/2019**

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	Abita Brewing Co., L.L.C.
Granted to Date of previous extension	02/17/2019
Address	P.O. Box 1510 Abita Springs, LA 70420 UNITED STATES

Attorney information	Raymond G. Areaux (#33,643) Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC 1100 Poydras Street, Suite 3100 New Orleans, LA 70163 UNITED STATES areaux@carverdarden.com (504) 585-3803
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Applicant Information

Application No	87656666	Publication date	08/21/2018
Opposition Filing Date	02/19/2019	Opposition Period Ends	02/17/2019
Applicant	New Terrain Brewing Company Ltd. 16401 Table Mountain Pkwy Golden, CO 80403 UNITED STATES		

Goods/Services Affected by Opposition

Class 032. First Use: 2017/03/30 First Use In Commerce: 2017/03/30 All goods and services in the class are opposed, namely: Beer

Grounds for Opposition

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

U.S. Registration No.	2282464	Application Date	05/21/1997
Registration Date	10/05/1999	Foreign Priority Date	NONE
Word Mark	PURPLE HAZE		

Design Mark	PURPLE HAZE
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 1994/11/25 First Use In Commerce: 1995/01/09 beer, [ale,] lager [, malt liquor]

Attachments	75295710#TMSN.png(bytes) Notice of Opposition.21807.pdf(141787 bytes)
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Signature	/Theodore S. Owers III/
Name	Raymond G. Areaux (#33,643)
Date	02/19/2019

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

Abita Brewing Co., L.L.C.
Opposer

v.

New Terrain Brewing Company, Ltd.
Applicant

* Opposition No.: *to be assigned*
*
* Serial No. 87/656,666
*
* Proposed Mark: GOLDEN HAZE
*
*
*

NOTICE OF OPPOSITION

Abita Brewing Co. L.L.C., a limited liability company organized under the laws of Louisiana, whose address is Post Office Box 1510, Abita Springs, Louisiana, 70420, believes that it will be damaged by the grant of a registration to New Terrain Brewing Company Ltd. for the term GOLDEN HAZE as set forth in Application Serial No. 87/656,666 and hereby opposes the same.

As grounds for opposition, Opposer alleges as follows:

1. Applicant seeks to register the term GOLDEN HAZE, in standard characters, in International Class 032 for goods identified as “Beer,” as evidenced by the filing of trademark application Serial No. 87/656,666 (“the ‘666 Application”) on October 23, 2017 and the publication for opposition of the ‘666 Application on August 21, 2018.

2. Opposer is the owner of U.S. Registration No. 2,282,464 of the trademark PURPLE HAZE, in standard characters, for “beer, lager” issued on October 5, 1999 (“the ‘464 Registration”). The ‘464 Registration claims a date of first use at least as early as November 25, 1994 and a date of first use in commerce at least as early as January 9, 1995. The ‘464 Registration was renewed in 2009, was renewed a second time in 2018, and remains in full force

and effect today. A true copy of a current printout from the electronic database records of the USPTO for the '464 Registration is attached as Exhibit A.

3. Opposer owns and has continuously used its PURPLE HAZE trademark in connection with the goods described herein since long before the October 23, 2017 filing date of the '666 Application and long before the March 30, 2017 date of first use claimed in the '666 Application.

4. By virtue of the substantially exclusive and continuous delivery of the goods described herein under the PURPLE HAZE trademark, persons familiar with such goods have come to recognize the PURPLE HAZE trademark as an indication of a unique brand of goods. Consequently, Opposer has established valuable good will in its PURPLE HAZE trademark.

5. By virtue of its substantially exclusive and continuous use of its PURPLE HAZE trademark in connection with the goods described herein, Opposer has acquired and is the sole owner of common law, state statutory, and other trademark, service mark, trade name, and related rights to its PURPLE HAZE trademark.

6. Applicant's goods identified in the '666 Application in connection with the term GOLDEN HAZE are identical to the goods recited in the '464 Registration and are sold, distributed or provided, or likely to be sold, distributed or provided, through the same or commercially related channels of trade to the same or overlapping classes of purchasers, consumers or users.

7. Persons familiar with Opposer's goods marketed under its PURPLE HAZE trademark, upon seeing advertisements for Applicant's goods sold, distributed or provided under the highly similar term GOLDEN HAZE, would be likely to believe, and would be justified in so believing, that such goods originated from Opposer or were produced in association, connection

or affiliation with, or under sponsorship, approval or authorization by, Opposer. Thus, the term GOLDEN HAZE, as used in connection with Applicant's goods, would lead persons familiar with Opposer's PURPLE HAZE trademark to believe that Applicant's goods are provided or originated by, sold or distributed in association, connection or affiliation with, or under sponsorship, approval, authorization or license from Opposer.

8. It is likely that, and Opposer believes that, if Applicant is permitted to register the term GOLDEN HAZE for the goods identified in the '666 Application, confusion of the trade and public would, or likely would, result by reason of Applicant's use of a term highly similar to Opposer's PURPLE HAZE trademark. Such confusion would result in damage and injury to Opposer. Customers, consumers and/or users familiar with Opposer's PURPLE HAZE trademark would be likely to purchase, consume, or otherwise use Applicant's goods, believing them to originate from, be sponsored by, or be under license from Opposer. Any defect, objection, fault, or adverse publicity in connection with Applicant's goods sold, distributed or provided under the term GOLDEN HAZE would necessarily reflect on and seriously injure the reputation that Opposer has established for its PURPLE HAZE trademark.

9. If Applicant is granted a registration for the term GOLDEN HAZE for the goods identified in the '666 Application, it would obtain thereby at least *prima facie* exclusive right to use the term GOLDEN HAZE in connection with such goods. Such registration would be a source of damage and injury to Opposer and Opposer's customers.

10. Considering that the term sought to be registered by Applicant (to-wit: GOLDEN HAZE) is highly similar to Opposer's PURPLE HAZE trademark, and considering that the goods of the respective parties (to-wit: beer) are identical, Applicant's registration of the term GOLDEN HAZE is likely to cause confusion, or to cause mistake or to deceive as to the

affiliation, connection, or association between the parties or as to the origin, sponsorship, or approval by Opposer of the Applicant's goods.

11. In the alternative, the term GOLDEN HAZE, when used in connection with the goods identified in the '666 Application, is merely descriptive of such goods and therefore is not entitled to registration, pursuant to Section 2(e)(1) of the Lanham Act, 15 U.S.C. §1052(e)(1).

12. Prior to the filing of this Notice of Opposition, Opposer and Applicant engaged in discussions that resulted in the development of a draft co-existence agreement between the parties. The parties are continuing to finalize the draft co-existence agreement.

13. The deadline to file this Notice of Opposition is February 17, 2019, which was a Sunday, and Monday, February 18 was a Federal holiday (Washington's Birthday), so under 37 C.F.R. §2.196, the effective deadline is Tuesday, February 19, 2019. Pursuant to 37 C.F.R. §2.102, no further extensions of time to oppose are available. Accordingly, Opposer files the Notice of Opposition to preserve its rights until the co-existence agreement can be finalized and executed by the parties. Upon execution of the co-existence agreement by the parties, Opposer will withdraw this Notice of Opposition.

WHEREFORE, Opposer, Abita Brewing Co. L.L.C., prays that after due proceedings are had, Applicant's application Serial No. 87/656,666 be rejected, that registration of the term GOLDEN HAZE for "beer" be denied and refused, and that this opposition be sustained.

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To the extent any fees are required to file or process these documents, the Commissioner is hereby authorized to charge any and all fees which may be required, or credit any overpayment to, Deposit Account No. 03-0937.

Respectfully submitted,

/Theodore S. Owers III/

RAYMOND G. AREAUX (Reg. #33,643)
EMILY LIPPOLD GUMMER (Reg. #66,917)
J. MATTHEW MILLER III (Reg. #66,178)
THEODORE (TODD) S. OWERS III

*Carver, Darden, Koretzky, Tessier,
Finn, Blossman & Areaux, L.L.C.*

1100 Poydras Street, Suite 3100

New Orleans, Louisiana 70163

Telephone: 504-585-3803

Facsimile: 504-585-3801

E-mail: areaux@carverdarden.com

Attorneys for Opposer, Abita Brewing Co., L.L.C.

4821-0167-0280, v. 1

EXHIBIT A

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Mark: PURPLE HAZE

PURPLE HAZE

US Serial Number: 75295710

Application Filing Date: May 21, 1997

US Registration Number: 2282464

Registration Date: Oct. 05, 1999

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 04, 2018

Publication Date: Jan. 20, 1998

Mark Information

Mark Literal Elements: PURPLE HAZE

Standard Character Claim: No

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

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: beer, [ale,] lager [, malt liquor]

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 25, 1994

Use in Commerce: Jan. 09, 1995

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: Abita Brewing Co., L.L.C.

Owner Address: P.O. Box 1510
Abita Springs, LOUISIANA 70420
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: LOUISIANA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: RAYMOND G. AREAUX

Docket Number: 21.11317

Attorney Primary Email Address: areaux@carverdarden.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: RAYMOND G. AREAUX
CARVER, DARDEN, KORETZKY, & ET AL
1100 Poydras Street, Suite 3100
NEW ORLEANS, LOUISIANA 70163
UNITED STATES

Phone: 504-585-3803

Fax: 504-585-3801

Correspondent e-mail: areaux@carverdarden.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 04, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 04, 2018	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75184
Nov. 04, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Nov. 02, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184
Oct. 25, 2018	TEAS SECTION 8 & 9 RECEIVED	
Feb. 03, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Feb. 03, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 03, 2009	ASSIGNED TO PARALEGAL	68973
Jan. 16, 2009	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 16, 2009	TEAS SECTION 8 & 9 RECEIVED	
Sep. 06, 2006	CASE FILE IN TICRS	
Dec. 14, 2004	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 13, 2004	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 13, 2004	TEAS SECTION 8 & 15 RECEIVED	
Oct. 05, 1999	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 1999	OPPOSITION TERMINATED NO. 999999	110258
Aug. 16, 1999	OPPOSITION DISMISSED NO. 999999	110258
May 01, 1998	OPPOSITION INSTITUTED NO. 999999	110258
Feb. 17, 1998	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 20, 1998	PUBLISHED FOR OPPOSITION	
Dec. 19, 1997	NOTICE OF PUBLICATION	
Nov. 18, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 12, 1997	EXAMINER'S AMENDMENT MAILED	
Nov. 05, 1997	ASSIGNED TO EXAMINER	74307

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 05, 2019

TM Staff and Location Information

TM Staff Information - None
File Location

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Abita Brewing Company, Inc.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1858/0215](#)

Pages: 4

Date Recorded: Feb. 19, 1999

Supporting Documents: [assignment-tm-1858-0215.pdf](#)

Assignor

Name: [ABITA BREWING COMPANY, INC.](#)

Execution Date: Feb. 17, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: LOUISIANA

Assignee

Name: [ABITA BREWING CO., L.L.C.](#)

State or Country Where Organized: LOUISIANA

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 21084 HWY. 36
COVINGTON, LOUISIANA 70443

Correspondent

Correspondent Name: CARVER. DARDEN, KORETZKY, TESSIER ET AL

Correspondent Address: RAYMOND G. AREAUX
1100 POYDRAS STREET
ENTERGY CENTRE, STE. 2700
NEW ORLEANS, LA 70163

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [5508/0626](#)

Pages: 8

Date Recorded: May 01, 2015

Supporting Documents: [assignment-tm-5508-0626.pdf](#)

Assignor

Name: [ABITA BREWING CO., L.L.C.](#)

Execution Date: Apr. 30, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: LOUISIANA

Assignee

Name: [GOLUB CAPITAL LLC, AS ADMINISTRATIVE AGENT](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 666 FIFTH AVENUE, 18TH FLOOR
NEW YORK, NEW YORK 10103

Correspondent

Correspondent Name: JACLYN DI GRANDE - PARALEGAL

Correspondent Address: GOLDBERG KOHN LTD.
55 E MONROE ST., SUITE 3300
CHICAGO, IL 60603

Domestic Representative - Not Found

Proceedings

Summary

Number of 4
Proceedings:

Type of Proceeding: Opposition

Proceeding Number: [91203200](#)

Filing Date: Dec 21, 2011

Status: Terminated

Status Date: Nov 26, 2014

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Mother Earth Brewing, LLC

Correspondent Address: DAVID W SAR
BROOKS PIERCE MCLENDON HUMPHREY ET AL
PO BOX 26000
GREENSBORO NC , 27420 6000
UNITED STATES

Correspondent e-mail: DSAR@brookspierce.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUNNY HAZE	Abandoned - After Inter-Partes Decision	85294167	

Plaintiff(s)

Name: Abita Brewing Company, LLC

Correspondent Address: RAYMOND G AREAUX
CARVER DARDEN KORETZKY TESSIER ET AL
1100 POYDRAS STREET, SUITE 3100
NEW ORLEANS LA , 70163
UNITED STATES

Correspondent e-mail: gordy@carverdarden.com , areaux@carverdarden.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE HAZE	REGISTERED AND RENEWED	75295710	2282464
PURPLE HAZE	Section 8 and 15 - Accepted and Acknowledged	77752645	3986281
PURPLE HAZE	Section 8 and 15 - Accepted and Acknowledged	77752657	3986282

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 21, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 31, 2011	Feb 09, 2012
3	PENDING, INSTITUTED	Dec 31, 2011	
4	ANSWER	Feb 07, 2012	
5	P'S MOTION FOR AN EXTENSION OF TIME	Aug 02, 2012	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 17, 2012	
7	EXTENSION OF TIME GRANTED	Aug 27, 2012	
8	STIPULATION FOR AN EXTENSION OF TIME	Sep 14, 2012	
9	EXTENSION OF TIME GRANTED	Sep 14, 2012	
10	STIPULATION FOR AN EXTENSION OF TIME	Oct 22, 2012	
11	EXTENSION OF TIME GRANTED	Oct 22, 2012	
12	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 17, 2013	
13	EXTENSION OF TIME GRANTED	Feb 19, 2013	
14	D MOTION TO ATTEND DEPOS BY TELEPHONE, EXPEDITED RULING	May 20, 2013	
15	P OPP/RESP TO MOTION	May 21, 2013	
16	P OPP/RESP TO MOTION	May 21, 2013	
17	TRIAL DATES REMAIN AS SET	May 22, 2013	
18	Confidential Plaintiff's Notice of Reliance	Jun 18, 2013	
19	D NOTICE OF RELIANCE	Aug 17, 2013	
20	Confidential Brief on Merits for Plaintiff	Nov 26, 2013	

21	P FINAL BRIEF: TM RULE 2.128	Nov 26, 2013
22	Confidential Brief on Merits for Defendant	Dec 30, 2013
23	D FINAL BRIEF: TM RULE 2.128	Dec 30, 2013
24	D TESTIMONY	Jan 13, 2014
25	D NOTICE OF FILING TESTIMONY DEPOSITION OF EDWARD TRENT MOORING	Jan 13, 2014
26	P TESTIMONY	Jan 14, 2014
27	P TESTIMONY	Jan 14, 2014
28	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Jan 14, 2014
29	P NOTICE OF FILING TRANSCRIPT OF TESTIMONY OF DAVID BLOSSMAN	Jan 10, 2014
30	CONFIDENTIAL EXHIBITS 19-43	Jan 15, 2014
31	P REDACTED TESTIMONY TRANSCRIPTS	Jan 10, 2014
32	CONFIDENTIAL EXHIBITS 19-43	Jan 15, 2014
33	D REQ FOR ORAL HEARING	Jan 21, 2014
34	BD'S ORDER	Feb 14, 2014
35	ORAL HEARING SCHEDULED	May 14, 2014
36	ORAL HEARING APPEARANCE RECORD	Jul 01, 2014
37	BD DECISION: SUSTAINED	Sep 11, 2014
38	P RESP TO BD ORDER/INQUIRY	Oct 08, 2014
39	REDACTED P NOT OF RELIANCE	Oct 08, 2014
40	REDACTED P NOT OF RELIANCE	Oct 08, 2014
41	REDACTED P NOT OF RELIANCE	Oct 08, 2014
42	REDACTED P NOT OF RELIANCE	Oct 08, 2014
43	REDACTED P NOT OF RELIANCE	Oct 08, 2014
44	TERMINATED	Nov 26, 2014

Type of Proceeding: Opposition

Proceeding Number: [91191752](#)

Filing Date: Sep 02, 2009

Status: Terminated

Status Date: May 07, 2010

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: ROF, LLC dba Purple Haze

Correspondent Address: ROF, LLC
532 MATEO ST
LOS ANGELES CA , 90013-2243
UNITED STATES

Correspondent e-mail: ophir@bittonlaw.com , isaac@iopusa.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE HAZE	Abandoned - After Inter-Partes Decision	77653850	

Plaintiff(s)

Name: Abita Brewing Company, LLC

Correspondent Address: RAYMOND G AREAUX
CARVER DARDEN KORETZKY TESSIER FINN BLOSSMAN
1100 POYDRAS ST STE 3100
NEW ORLEANS LA , 70163
UNITED STATES

Correspondent e-mail: areaux@carverdarden.com , owers@carverdarden.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE HAZE	REGISTERED AND RENEWED	75295710	2282464
PURPLE HAZE	Section 8 and 15 - Accepted and Acknowledged	77752645	3986281
PURPLE HAZE	Section 8 and 15 - Accepted and Acknowledged	77752657	3986282

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 02, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 02, 2009	Oct 12, 2009
3	PENDING, INSTITUTED	Sep 02, 2009	
4	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Oct 09, 2009	
5	SUSPENDED	Oct 09, 2009	
6	TRIAL DATES RESET	Nov 07, 2009	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 08, 2009	
8	SUSPENDED	Dec 08, 2009	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 07, 2010	
10	SUSPENDED	Jan 07, 2010	
11	NOTICE OF DEFAULT	Mar 19, 2010	
12	BOARD'S DECISION: SUSTAINED	May 07, 2010	
13	TERMINATED	May 07, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91184389](#)

Filing Date: Jun 02, 2008

Status: Terminated

Status Date: Feb 25, 2010

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: Kautz Vineyards, Inc

Correspondent Address: Janet M. Garetto
Nixon Peabody LLP
300 S. Riverside Plaza, 16th floor,
Chicago IL , 60606
UNITED STATES

Correspondent e-mail: jgaretto@nixonpeabody.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
RED HAZE	Abandoned - After Inter-Partes Decision	77194117	

Plaintiff(s)

Name: Abita Brewing Company, LLC

Correspondent Address: Raymond G. Areaux (#33,643)
Carver, Darden, Koretzky, Tessier, &
Finn, Blossman & Areux, 1100 Poydras St., Suite 3100 Energy Centre
New Orleans LA , 70163
UNITED STATES

Correspondent e-mail: areaux@carverdarden.com , owers@carverdarden.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE HAZE	REGISTERED AND RENEWED	75295710	2282464

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 02, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 02, 2008	Jul 12, 2008
3	PENDING, INSTITUTED	Jun 02, 2008	
4	STIPULATION FOR AN EXTENSION OF TIME	Jul 10, 2008	
5	EXTENSION OF TIME GRANTED	Jul 10, 2008	
6	ANSWER	Sep 09, 2008	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 05, 2008	
8	SUSPENDED	Nov 05, 2008	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jan 30, 2009	

10	SUSPENDED	Jan 30, 2009
11	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Apr 30, 2009
12	SUSPENDED	Apr 30, 2009
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 29, 2009
14	SUSPENDED	Jul 29, 2009
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Aug 28, 2009
16	SUSPENDED	Aug 28, 2009
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Sep 24, 2009
18	SUSPENDED	Sep 24, 2009
19	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Oct 23, 2009
20	SUSPENDED	Oct 23, 2009
21	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 20, 2009
22	SUSPENDED	Nov 20, 2009
23	WITHDRAWAL OF APPLICATION	Feb 24, 2010
24	BD'S DECISION: DISMISSED W/O PREJUDICE	Feb 25, 2010
25	TERMINATED	Feb 25, 2010

Type of Proceeding: Opposition

Proceeding Number: [91110258](#)

Filing Date: Apr 10, 1998

Status: Terminated

Status Date: Aug 16, 1999

Interlocutory Attorney:

Defendant

Name: ABITA BREWING COMPANY

Correspondent Address: RAYMOND G. AREAUX
CARVER, DARDEN, KORETSKY, TESSIER ETC.
2700 ENGERGY CENTRE 1100 POYDRAS STREET
NEW ORLEANS LA , 70163
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
PURPLE HAZE	REGISTERED AND RENEWED	75295710	2282464

Plaintiff(s)

Name: CHATAM INTERNATIONAL INCORPORATED

Correspondent Address: ARTHUR H. SEIDEL
SEIDEL, GONDA, LAVORGNA & MONACO, P.C.
SUITE 1800 TWO PENN CENTER PLAZA
PHILADELPHIA PA , 19102
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
CHAMBORD LIQUEUR ROYALE	REGISTERED AND RENEWED	73072231	1058675

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 10, 1998	
2	NOTICE SENT; ANSWER DUE (DUE DATE)	May 01, 1998	Jun 10, 1998
3	PENDING, INSTITUTED	May 01, 1998	
4	ANSWER	Jun 10, 1998	
5	TRIAL DATES SET	Jun 19, 1998	
6	DEF'S MOT FOR JUDGMENT ON THE PLEADINGS	Jun 11, 1998	
7	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jul 17, 1998	
8	PLS BRIEF IN OPPOSITION TO MOT FOR SJ	Jun 24, 1998	
9	DEFS MOT TO LEAVE TO CONSIDER REPLY BRIEF IN SUPPORT OF APPLICANT'S SJ	Jun 29, 1998	
10	PLS MOTION TO STRIKE	Jul 06, 1998	
11	PLS MEMO IN SUPPORT OF MOTION TO STRIKE	Jul 06, 1998	

12	DEFS RESPONSE TO MOTION TO STRIKE	Jul 16, 1998
13	MOT. JUDGMENT ON PLEADINGS DENIED; DATES SET	Sep 22, 1998
14	STIPULATION FOR AN EXTENSION OF TIME	Dec 16, 1998
15	DEF'S MOT TO SUB SPECIMEN	Jun 07, 1999
16	STIP MOT DISMISS PROC W/ PREJ	Jun 29, 1999
17	#15 & #16 DEFERRED; DEF TO RESPOND IN 20	Jul 13, 1999
18	DEF. STATEMENT OF PL.'S CONSENT	Jul 30, 1999
19	PL.'S CONSENT TO DEF. SUBSTITUTE SPEC.'S	Aug 03, 1999
20	BD'S DECISION: DISMISSED AND REMANDED	Aug 16, 1999
21	TERMINATED	Aug 16, 1999