

ESTTA Tracking number: **ESTTA980221**

Filing date: **06/12/2019**

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	F. Gavina & Sons, Inc.
Granted to Date of previous extension	06/16/2019
Address	2700 Fruitland Avenue Vernon, CA 90058 UNITED STATES

Correspondence information	Jonathan Kirsch Law Offices of Jonathan Kirsch 1880 Century Park East, Suite 515 Los Angeles, CA 90067 UNITED STATES jk@jonathankirsch.com, jw@jonathankirsch.com, spollyea@jonathankirsch.com 310 785 1200
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Applicant Information

Application No	79230294	Publication date	12/18/2018
Opposition Filing Date	06/12/2019	Opposition Period Ends	06/16/2019
International Registration No.	1397541	International Registration Date	11/14/2017
Applicant	INVERGAVICO SAS Carrera 10 No. 87 - 76 Bogotá D.C. COLOMBIA		

Goods/Services Affected by Opposition

<p>Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Coffee, coffee flavorings other than essential oils for beverages, coffee-based beverages, coffee-based beverages with milk, decaffeinated coffee, espresso, iced coffee, instant coffee, ground coffee, prepared coffee, caffeine-free coffee, unroasted coffee, coffee essences, coffee extracts, coffee flavorings other than essential oils for use in beverages, coffee, tea, cocoa and coffee substitutes, chicory-based coffee substitute, coffee-based beverages, prepared coffee-based beverages, roasted coffee beans, full coffee capsules, chocolate-coated coffee beans, sugar-coated coffee beans, mixtures of coffee and chicory, full single dose coffee capsules containing coffee for brewing, coffee substitutes, coffee-based prepared beverages, coffee-based iced beverages, chocolate bark containing ground coffee beans, coffee-based beverages containing milk, vegetable preparations for use as coffee substitutes, chicory-based coffee substitutes, chicory and chicory mixtures as substitutes for coffee, chicory and chicory mixtures for use as coffee substitutes, coffee-based beverages containing ice-cream and affogato; cocoa, cocoa</p>

beverages with milk, cocoapowder, cocoa candy, cocoa confectionery, cocoa mixes, cocoa-based beverages, prepared cocoa beverages, cocoa extracts for human consumption, cocoa spreads, prepared cocoa-based beverages, ready-to-drink beverages made with cocoa; coffee, tea, cocoa and artificial coffee, cocoa-based ingredients for confectionery products; chocolate, chocolate wafers, chocolate bars, chocolate bonbons, chocolate candies, sweet and sour chocolate, whitechocolate, hot chocolate, chocolate with milk, milk chocolate, chocolate powder, dark chocolate, chocolates containing liqueur, semi-sweet chocolate, filled chocolates, chocolate toppings, chocolate vermicelli, chocolate fondue, chocolate cookies, chocolate eggs, chocolate mousse, chocolate paste, chocolate cakes, chocolate petit-fours, chocolate chips, chocolate desserts in the nature of ice cream desserts, chocolate products in the nature of chocolate powder, chocolate sauces, chocolate syrups, chocolate dessertsoufflÃ©s, chocolate bars, chocolate cakes, chocolate truffles, chocolate powderfor the preparation of chocolate-based beverages, chocolate decorations for Christmas trees, chocolate-covered almonds,chocolate-coated nougat bars, chocolate-filled bars, chocolate-based beverages,chocolate-dipped pretzels, chocolate-covered pretzels, chocolate-coated peanuts, chocolate-based beverage with milk, chocolate with Japanese horseradish, unsweetened chocolate, chocolate-coated waferbowls, chocolate decorations for cakes,chocolate fudge, chocolate vermicelli, chocolate vermicelli for decorating cakes, chocolate-coated fruit, chocolate-coated dried fruit and nuts, chocolate-chipcookies, chocolate-coated wafers, chocolate-coated cookies, chocolate-covered coffee beans; mixtures for making hot chocolate, chocolate-coated Brazil nuts, chocolate-coated macadamia nuts, chocolate-coated raisins, chocolate-based spreadsfor use on bread, chocolate Ã©clair being confectionery, chocolate-covered pretzels, chocolate confectionery being candy, chocolate pastries, edible chocolate cups; chocolate-coated wafer cups, chocolate-based beverages containing milk, chocolate and walnut brownies, chocolate bark containing ground coffee beans, dough for chocolate and walnut brownies, powder mixes for making chocolate beverages, chocolate-based spreads, frozen chocolate and walnut brownie dough, chocolate-based spreads, chocolate-based spread with dried fruit and nuts, chocolate-basedspreads also containing dried fruit andnuts, confectionery and chocolate decorations for Christmas trees, chocolate-based fillings for cakes and pies, chocolate-coated marshmallow cookies with caramel and butter candy; pastry and confectionery products made of sugar; edible ices

Class 035. First Use: 0 First Use In Commerce: 0
 All goods and services in the class are opposed, namely: Commercial business management; commercial administration of the licensing of food products of others; business management; providing office functions; advertising services; Retail and wholesale store services featuring coffee; retail and wholesale online store services featuring coffee; retail and wholesale store services featuring tea, coffee and cocoa; retail and wholesale store services featuring cocoa; wholesale online store services featuring cocoa; retail online storeservices featuring coffee and cocoa; wholesale store services featuring coffee and cocoa; retail and wholesale store services featuring chocolate; retail and wholesale online store services featuringchocolate; administration of consumer loyalty programs which provides discountsfor chocolate products; distribution ofsamples


Class 043. First Use: 0 First Use In Commerce: 0
 All goods and services in the class are opposed, namely: Services for providing food and drink; services provided by restaurants; cafÃ© and cafeteria services; restaurant and cafÃ© services; coffee house and tea room services; cafÃ© and juice bar services; hotel, restaurant, cafÃ©, cafÃ©-restaurant and bar services; catering services for offices, namely, providing coffee; services for providing tea, coffee, cocoa, carbonated drinks and fruit juices beverages; cafÃ©-restaurant and snack bar services; food and beverage preparation services; self-service restaurants; services for providing food and drink to take away

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.	1326237	Application Date	01/13/1984
Registration Date	03/19/1985	Foreign Priority Date	NONE

Word Mark	GAVINA SINCE 1870 GOURMET COFFEE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1983/09/07 First Use In Commerce: 1983/09/07 Coffee		

U.S. Registration No.	1334556	Application Date	01/13/1984
Registration Date	05/07/1985	Foreign Priority Date	NONE

Word Mark	GAVINA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1967/12/31 First Use In Commerce: 1967/12/31 Coffee		

U.S. Registration No.	2442024	Application Date	07/22/1999
Registration Date	04/10/2001	Foreign Priority Date	NONE
Word Mark	CAFE GAVINA		


Design Mark	CAFÉ GAVIÑA		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1967/00/00 First Use In Commerce: 1969/00/00 Coffee, seasonings and processed herbs		


U.S. Registration No.	2589211	Application Date	12/28/1999
Registration Date	07/02/2002	Foreign Priority Date	NONE

Word Mark: GAVINA GOURMET COFFEE SINCE 1870 OLD HAVANA ESPRESSO


Design Mark	 <i>Old Havana</i> ESPRESSO		
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2000/09/01 First Use In Commerce: 2000/09/01 Coffee		

U.S. Registration No.	4835509	Application Date	02/23/2015
Registration Date	10/20/2015	Foreign Priority	NONE

		Date	
Word Mark	GAVINA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1967/12/31 First Use In Commerce: 1969/12/31 Whole roasted coffee beans; ground roasted coffee		

U.S. Registration No.	5574698	Application Date	02/09/2018
Registration Date	10/02/2018	Foreign Priority Date	NONE
Word Mark	GAVINA DIRECT IMPACT		
Design Mark			
Description of Mark	The mark consists of a stylized drawing of an open human hand with a leafy branch floating over the palm and the words "GAVINA DIRECT IMPACT" in stylized lettering to the right of the hand and the branch.		
Goods/Services	Class 035. First use: First Use: 2017/06/30 First Use In Commerce: 2017/06/30 Promoting public awareness of environmental and community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services		

U.S. Registration No.	5574701	Application Date	02/09/2018
Registration Date	10/02/2018	Foreign Priority Date	NONE
Word Mark	GAVIÑA#A DIRECT IMPACT		

Design Mark	
Description of Mark	The mark consists of a stylized drawing of an open human hand with a leafy branch floating over the palm and the words "GAVINA DIRECT IMPACT" in stylized lettering beneath the hand and the branch.
Goods/Services	Class 035. First use: First Use: 2016/03/31 First Use In Commerce: 2016/03/31 Promoting public awareness of environmental and community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services

Attachments	73460811#TMSN.png(bytes) 73460767#TMSN.png(bytes) 75757959#TMSN.png(bytes) 75882780#TMSN.png(bytes) 86542969#TMSN.png(bytes) 87792497#TMSN.png(bytes) 87792542#TMSN.png(bytes) Notice of Opposition.pdf(997676 bytes)
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Signature	/Jonathan Kirsch/
Name	Jonathan Kirsch
Date	06/12/2019

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

In the Matter of Application Serial No. 79230294
Published in the Official Gazette of December 18, 2018

F. GAVIÑA & SONS, INC.)	Opposition No. _____
)	
Opposer,)	
v.)	
)	
INVERGAVICO SAS)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer F. Gaviña & Sons, Inc., (“Opposer”), believes that it will be damaged by registration of the mark shown in Application Serial No. 79230294, and hereby opposes the same. As grounds for opposition, Opposer alleges as follows:

1. Opposer is a corporation organized and existing under the laws of the State of California, with offices in Vernon, California.

2. Upon information and belief, applicant Intergavico SAS (“Applicant”) is a corporation organized and existing under the laws of Colombia, with offices in Bogotá, Colombia.

3. On November 14, 2017, Applicant filed Application Serial No. 79230294 (the “Opposed Application”) to register the claimed mark GAVI 1968 and design on the Principal Register on the basis of Section 66a for goods and services identified as follows: “Coffee, coffee

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flavorings other than essential oils for beverages, coffee-based beverages, coffee-based beverages with milk, decaffeinated coffee, espresso, iced coffee, instant coffee, ground coffee, prepared coffee, caffeine-free coffee, unroasted coffee, coffee essences, coffee extracts, coffee flavorings other than essential oils for use in beverages, coffee, tea, cocoa and coffee substitutes, chicory-based coffee substitute, coffee-based beverages, prepared coffee-based beverages, roasted coffee beans, full coffee capsules, chocolate-coated coffee beans, sugar-coated coffee beans, mixtures of coffee and chicory, full single dose coffee capsules containing coffee for brewing, coffee substitutes, coffee-based prepared beverages, coffee-based iced beverages, chocolate bark containing ground coffee beans, coffee-based beverages containing milk, vegetable preparations for use as coffee substitutes, chicory-based coffee substitutes, chicory and chicory mixtures as substitutes for coffee, chicory and chicory mixtures for use as coffee substitutes, coffee-based beverages containing ice-cream and affogato; cocoa, cocoa beverages with milk, cocoa powder, cocoa candy, cocoa confectionery, cocoa mixes, cocoa-based beverages, prepared cocoa beverages, cocoa extracts for human consumption, cocoa spreads, prepared cocoa-based beverages, ready-to-drink beverages made with cocoa; coffee, tea, cocoa and artificial coffee, cocoa-based ingredients for confectionery products; chocolate, chocolate wafers, chocolate bars, chocolate bonbons, chocolate candies, sweet and sour chocolate, white chocolate, hot chocolate, chocolate with milk, milk chocolate, chocolate powder, dark chocolate, chocolates containing liqueur, semi-sweet chocolate, filled chocolates, chocolate toppings, chocolate vermicelli, chocolate fondue, chocolate cookies, chocolate eggs, chocolate mousse, chocolate paste,

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chocolate cakes, chocolate petit-fours, chocolate chips, chocolate desserts in the nature of ice cream desserts, chocolate products in the nature of chocolate powder, chocolate sauces, chocolate syrups, chocolate dessert soufflés, chocolate bars, chocolate cakes, chocolate truffles, chocolate powder for the preparation of chocolate-based beverages, chocolate decorations for Christmas trees, chocolate-covered almonds, chocolate-coated nougat bars, chocolate-filled bars, chocolate-based beverages, chocolate-dipped pretzels, chocolate-covered pretzels, chocolate-coated peanuts, chocolate-based beverage with milk, chocolate with Japanese horseradish, unsweetened chocolate, chocolate-coated wafer bowls, chocolate decorations for cakes, chocolate fudge, chocolate vermicelli, chocolate vermicelli for decorating cakes, chocolate-coated fruit, chocolate-coated dried fruit and nuts, chocolate-chip cookies, chocolate-coated wafers, chocolate-coated cookies, chocolate-covered coffee beans; mixtures for making hot chocolate, chocolate-coated Brazil nuts, chocolate-coated macadamia nuts, chocolate-coated raisins, chocolate-based spreads for use on bread, chocolate éclairs being confectionery, chocolate-covered pretzels, chocolate confectionery being candy, chocolate pastries, edible chocolate cups; chocolate-coated wafer cups, chocolate-based beverages containing milk, chocolate and walnut brownies, chocolate bark containing ground coffee beans, dough for chocolate and walnut brownies, powder mixes for making chocolate beverages, chocolate-based spreads, frozen chocolate and walnut brownie dough, chocolate-based spreads, chocolate-based spread with dried fruit and nuts, chocolate-based spreads also containing dried fruit and nuts, confectionery and chocolate decorations for Christmas trees, chocolate-based fillings for cakes and pies, chocolate-coated marshmallow

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cookies with caramel and butter candy; pastry and confectionery products made of sugar; edible ices” in Int. Cl. 30; “Commercial business management; commercial administration of the licensing of food products of others; business management; providing office functions; advertising services; Retail and wholesale store services featuring coffee; retail and wholesale online store services featuring coffee; retail and wholesale store services featuring tea, coffee and cocoa; retail and wholesale store services featuring cocoa; wholesale online store services featuring cocoa; retail online store services featuring coffee and cocoa; wholesale store services featuring coffee and cocoa; retail and wholesale store services featuring chocolate; retail and wholesale online store services featuring chocolate; administration of consumer loyalty programs which provides discounts for chocolate products; distribution of samples” in Int. Cl. 35, and “Services for providing food and drink; services provided by restaurants; café and cafeteria services; restaurant and café services; coffee house and tea room services; café and juice bar services; hotel, restaurant, café, café-restaurant and bar services; catering services for offices, namely, providing coffee; services for providing tea, coffee, cocoa, carbonated drinks and fruit juices beverages; café-restaurant and snack bar services; food and beverage preparation services; self-service restaurants; services for providing food and drink to take away” in Int. Cl. 43.

4. From a time long prior to the filing date of the Opposed Application, or any earlier date of actual use of the mark shown in the Opposed Application upon which Applicant can rely, and continuously to the present, Opposer has used the marks GAVIÑA, GAVIÑA SINCE 1870 GOURMET COFFEE, CAFÉ GAVIÑA, GAVIÑA GOURMET COFFEE SINCE

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1870 OLD HAVANA ESPRESSO and related designs (collectively, “Opposer’s Marks”), in connection with coffee, tea, and a variety of coffee and tea-related goods and services.

5. Opposer owns all right, title and interest in and to Opposer’s Marks as well as the following United States registrations of Opposer’s Marks on the Principal Register:

(a) Registration No. 1,326,237 granted March 19, 1985, for the mark GAVIÑA SINCE 1870 GOURMET COFFEE and Design in International Class 30 for “coffee”;

(b) Registration No: 1,334,556 granted May 7, 1985 for the mark GAVIÑA and Design in International Class 30 for “coffee”;

(c) Registration No. 2,442,024 granted April 10, 2001, for the mark CAFÉ GAVIÑA granted April 10, 2001 (stylized) “coffee, seasonings and processed herbs”;

(d) Registration No. 2,589,211 granted July 2, 2002, for the mark GAVIÑA GOURMET COFFEE SINCE 1870 OLD HAVANA ESPRESSO and Design for “coffee”;

(e) Registration No. 4,835,509 granted October 20, 2015, for the mark GAVINA in Cl. 30 for “whole roasted coffee beans; ground roasted coffee”;

(f) Registration No. 5,574,698 granted October 2, 2018, for the mark GAVINA DIRECT IMPACT and Design in Cl. 35 for “promoting public awareness of environmental and community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services”; and

(g) Registration No. 5,574,701 granted October 2, 2018, for the mark GAVINA DIRECT IMPACT and Design in Cl. 35 for “promoting public awareness of environmental and

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community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services.”

All of these registrations are valid and subsisting, and the registrations identified in in Section 5(a), (b), (c), and (d) above have become and are now incontestable. Copies of the certificates for all of the foregoing registrations are attached hereto as Exhibit 1 and incorporated by reference herein.

6. Opposer has expended significant amounts of money and resources in advertising and promoting Opposer’s Marks in commerce. By virtue of the advertising and promotion of Opposer’s Marks, and Opposer’s long use of its Marks in commerce, Opposer’s Marks have acquired substantial and valuable goodwill.

7. Applicant’s use of the mark shown in the Opposed Application is likely to cause consumers of the goods and services identified in the Opposed Application to believe mistakenly that those goods and services originate with, or are licensed, sponsored, or authorized by Opposer.

8. The mark shown in the Opposed Application so resembles Opposer’s Marks as to be likely, when used on or in connection with the goods and services identified in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant’s mark is thus unregistrable under Section 2(d) of the United States Trademark Act., 15 U.S.C. § 1052(d).

9. Opposer will be damaged by registration of the mark shown in the Opposed Application because registration will give Applicant prima facie evidence of its ownership of,

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and its exclusive nationwide right to use, a mark that is confusingly similar to Opposer's
previously-used and not-abandoned Marks.

WHEREFORE, Opposer prays for judgment sustaining this opposition and refusing
registration to Applicant of the mark shown in the Opposed Application.

Please direct all correspondence in connection with this opposition to the undersigned.

Respectfully submitted,

LAW OFFICES OF JONATHAN KIRSCH

By: 

Jonathan Kirsch
Attorneys for Opposer
F. GAVIÑA & SONS, INC.

DATE: June 11, 2019

1880 Century Park East, Suite 515
Los Angeles, CA 90067
Telephone: (310) 785-1200
Facsimile: (310) 286-9573
Email: jk@jonathankirsch.com

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EXHIBIT 1

(Copies of Certificates of Registration for Opposer's Marks)

Int. Cl.: 30

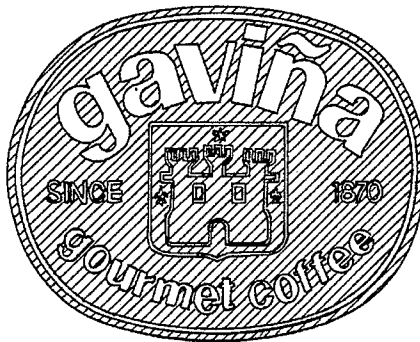
Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 1,326,237

Registered Mar. 19, 1985

TRADEMARK
Principal Register



F. Gavina & Sons, Inc. (California corporation)
2369 E. 51st St.
Vernon, Calif. 90058

For: COFFEE, in CLASS 30 (U.S. Cl. 46).
First use Sep. 7, 1983; in commerce Sep. 7, 1983.
No claim is made to the exclusive right to use
"Since 1870" and "Gourmet Coffee", apart from the
mark as shown.

The lining in the mark on the drawing represents
the color brown.

Ser. No. 460,811, filed Jan. 13, 1984.

SHEILA ROBINSON, Examiner

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 1,334,556

Registered May 7, 1985

**TRADEMARK
PRINCIPAL REGISTER**



F. GAVINA & SONS, INC. (CALIFORNIA COR-
PORATION)
2369 E. 51ST ST.
VERNON, CA 90058

FIRST USE 12-31-1967; IN COMMERCE
12-31-1967.
SEC. 2(F).

SER. NO. 460,767, FILED 1-13-1984.

FOR: COFFEE, IN CLASS 30 (U.S. CL. 46). JILL E. JOHNSON, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,442,024

United States Patent and Trademark Office

Registered Apr. 10, 2001

**TRADEMARK
PRINCIPAL REGISTER**

CAFÉ GAVIÑA

F. GAVINA & SONS, INC. (CALIFORNIA CORPORATION)
2369 E. 51ST STREET
VERNON, CA 90058

THE ENGLISH TRANSLATION OF "CAFE" IS "COFFEE".

FOR: COFFEE, SEASONINGS AND PROCESSED HERBS, IN CLASS 30 (U.S. CL. 46).

SEC. 2(F).

FIRST USE 0-0-1967; IN COMMERCE 0-0-1969.

SER. NO. 75-757,959, FILED 7-22-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CAFE" , APART FROM THE MARK AS SHOWN.

ANDY COREA, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,589,211

Registered July 2, 2002

TRADEMARK
PRINCIPAL REGISTER



Old Havana
ESPRESSO

F. GAVINA & SONS, INC. (CALIFORNIA CORPORATION)
2369 EAST 51ST STREET
VERNON, CA 90058

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SINCE 1870 GOURMET COFFEE" AND "ESPRESSO", APART FROM THE MARK AS SHOWN.

FOR: COFFEE, IN CLASS 30 (U.S. CL. 46).

FIRST USE 9-1-2000; IN COMMERCE 9-1-2000.

SN 75-882,780, FILED 12-28-1999.

OWNER OF U.S. REG. NOS. 1,326,237, 1,334,556,
AND 1,344,870.

PAULA MAHONEY, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

GAVINA

Reg. No. 4,835,509

Registered Oct. 20, 2015

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

F. GAVIÑA & SONS, INC. (CALIFORNIA CORPORATION)
2700 FRUITLAND AVENUE
VERNON, CA 90058

FOR: WHOLE ROASTED COFFEE BEANS; GROUND ROASTED COFFEE, IN CLASS 30
(U.S. CL. 46).

FIRST USE 12-31-1967; IN COMMERCE 12-31-1969.

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

OWNER OF U.S. REG. NOS. 1,334,556, 2,589,211 AND OTHERS.

SEC. 2(F).

SER. NO. 86-542,969, FILED 2-23-2015.

KATINA MISTER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 5,574,698

Registered Oct. 02, 2018

Int. Cl.: 35

Service Mark

Principal Register

F. Gaviña & Sons, Inc. (CALIFORNIA CORPORATION)
2700 Fruitland Avenue
Vernon, CALIFORNIA 90058

CLASS 35: Promoting public awareness of environmental and community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services

FIRST USE 6-30-2017; IN COMMERCE 6-30-2017

The mark consists of a stylized drawing of an open human hand with a leafy branch floating over the palm and the words "GAVINA DIRECT IMPACT" in stylized lettering to the right of the hand and the branch.

OWNER OF U.S. REG. NO. 5186801

SER. NO. 87-792,497, FILED 02-09-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

United States of America

United States Patent and Trademark Office



**gaviña
direct
impact**

Reg. No. 5,574,701

Registered Oct. 02, 2018

Int. Cl.: 35

Service Mark

Principal Register

F. Gaviña & Sons, Inc. (CALIFORNIA CORPORATION)
2700 Fruitland Ave
Vernon, CALIFORNIA 90058

CLASS 35: Promoting public awareness of environmental and community sustainability issues in the growing, roasting, processing, packaging and sale of coffee and coffee-related products and services

FIRST USE 3-31-2016; IN COMMERCE 3-31-2016

The mark consists of a stylized drawing of an open human hand with a leafy branch floating over the palm and the words "GAVINA DIRECT IMPACT" in stylized lettering beneath the hand and the branch.

OWNER OF U.S. REG. NO. 5186801

SER. NO. 87-792,542, FILED 02-09-2018



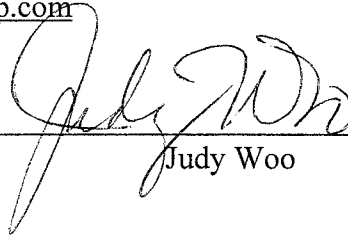
Andrei Iancu

Director of the United States
Patent and Trademark Office

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2019, I served this Notice of Opposition on the Applicant by mailing a copy thereof by email and by First Class Mail, postage prepaid, addressed to Applicant's correspondence address of record as follows:

Terrence J. McAllister, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
E-Mail: trademark @ogrp.com, tmcallister@ogrp.com



Judy Woo