

ESTTA Tracking number: **ESTTA1018008**

Filing date: **11/25/2019**

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	FRC Balance LLC
Granted to Date of previous extension	11/24/2019
Address	4455 EAST CAMELBACK ROAD, SUITE A115 PHOENIX, AZ 85018 UNITED STATES

Attorney information	GLENN S. BACAL BACAL LAW GROUP, P.C. 6991 EAST CAMELBACK ROAD, SUITE D-102 SCOTTSDALE, AZ 85251 UNITED STATES glenn.bacal@bacalgroup.com, kris.haley@bacalgroup.com 480-245-6233
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**Applicant Information**

Application No	88338681	Publication date	05/28/2019
Opposition Filing Date	11/25/2019	Opposition Period Ends	11/24/2019
Applicant	True Gentlemen's Jerky 2266 Union Street, Suite A San Francisco, CA 94123 UNITED STATES		

**Goods/Services Affected by Opposition**


Class 029. First Use: 2018/01/00 First Use In Commerce: 2018/01/00 All goods and services in the class are opposed, namely: Meat, namely, jerky, beef jerky, dried and cured meat, meat-based snack foods and biltong; dried meat snacks; dehydrated meat snacks; jerky trail mix
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**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.	5680625	Application Date	07/16/2018
Registration Date	02/19/2019	Foreign Priority Date	NONE

Word Mark	TRUE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 043. First use: First Use: 2015/12/31 First Use In Commerce: 2015/12/31 Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

U.S. Registration No.	5679993	Application Date	06/29/2018
Registration Date	02/19/2019	Foreign Priority Date	NONE

Word Mark	BE TRUE
Design Mark	
Description of Mark	The mark consists of "BE TRUE" in greenstylized letters.
Goods/Services	Class 043. First use: First Use: 2015/12/31 First Use In Commerce: 2015/12/31 Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

U.S. Registration No.	3620741	Application Date	06/17/2008
Registration Date	05/12/2009	Foreign Priority Date	NONE

Word Mark	TRUE FOOD
Design Mark	

Description of Mark	NONE
Goods/Services	Class 043. First use: First Use: 2009/03/17 First Use In Commerce: 2009/03/17 Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

U.S. Registration No.	4497563	Application Date	08/01/2013
Registration Date	03/18/2014	Foreign Priority Date	NONE

Word Mark	JUBY TRUE
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Design Mark	
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Description of Mark	The mark consists of stylized words "JUBY TRUE".
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Goods/Services	Class 043. First use: First Use: 2013/10/29 First Use In Commerce: 2013/10/29 Juice Bar Services featuring both juices and smoothies; Bar services featuring juice and smoothies; coffee and juice bar services
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U.S. Registration No.	4049211	Application Date	04/08/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE


Word Mark	TRUE FOOD KITCHEN
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 043. First use: First Use: 2010/08/02 First Use In Commerce: 2010/08/02 Restaurant reservation services; Preparation of food and beverages for others; Cocktail lounge services; Restaurant carry out services; Catering services; Restaurant services; Cafe services; Take-outrestaurant services; Restaurants featuring private dining rooms; Providing dining facilities for special events and private parties
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U.S. Registration No.	5680624	Application Date	07/16/2018
Registration Date	02/19/2019	Foreign Priority	NONE

		Date	
Word Mark	BE TRUE TO YOURSELF		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2015/06/30 First Use In Commerce: 2015/06/30 Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods		

Attachments	88039241#TMSN.png( bytes ) 88020977#TMSN.png( bytes ) 77501250#TMSN.png( bytes ) 86026284#TMSN.png( bytes ) 85290527#TMSN.png( bytes ) 88039105#TMSN.png( bytes ) NOTICE OF OPPOSITION TO MADE BY TRUE_60003-5058.pdf(56221 bytes ) Exhibit 1.pdf(1023968 bytes )
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Signature	/Glenn S. Bacal/
Name	GLENN S. BACAL
Date	11/25/2019

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

FRC Balance LLC

Opposer,

v.

True Gentlemen’s Jerky

Applicant.

Opposition No. \_\_\_\_\_

Serial No.: 88338681

For the mark: MADE BY TRUE

Published for Opposition:  
May 28, 2019

**NOTICE OF OPPOSITION**



Opposer FRC Balance LLC (“Opposer”) believes it will be harmed by registration of MADE BY TRUE, the mark that is the subject of Application Ser. No. 88338681 (the “Application”) as filed by True Gentlemen’s Jerky (“Applicant”). Opposer hereby opposes the Application on the basis that MADE BY TRUE is likely to cause confusion with both federally registered TRUE-based marks and various common law TRUE-based marks, owned by Opposer (collectively, the “TRUE Marks”).

**The Parties**

1. Opposer is an Arizona limited liability company with its principal place of business at 4455 E. Camelback Rd., Ste. A115, Phoenix, Arizona 85018.
2. Opposer has created restaurants under the brand TRUE FOOD® and juice bars under the brand JUBY TRUE®.
3. On information and belief, Applicant is a California Corporation with its principal place of business at 2266 Union Street, Suite A, San Francisco, California 94123.

**Opposer's Registration and Use of Its TRUE Marks**

4. Opposer owns federal registrations for the following marks for or incorporating TRUE:

<b>Mark</b>	<b>Reg. No.</b>	<b>Services</b>
TRUE	5,680,625	Class 43—Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods
	5,679,993	Class 43—Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods
TRUE FOOD (words only)	3,620,741	Class 43—Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods
	4,497,563	Class 43— Juice bar services featuring both juices and smoothies; Bar services featuring juice and smoothies; coffee and juice bar services
TRUE FOOD KITCHEN (words only)	4,049,211	Class 43—Restaurant reservation services; Preparation of food and beverages for others; Cocktail lounge services; Restaurant carry out services; Catering services; Restaurant services; Cafe services; Take-out restaurant services; Restaurants featuring private dining rooms; Providing dining facilities for special events and private parties
BE TRUE TO YOURSELF	5,680,624	Class 43—Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

True and correct copies of these registrations from the TESS database, showing their current status and title, are attached as **Exhibit 1**.

5. Opposer also uses and has common law rights in various TRUE-based marks, including, without limitation, EAT TRUE and STAY TRUE, in connection with its restaurant and juice bar services.

6. Collectively, all Opposer's registered and common law TRUE-based marks shall be referred to herein as the "TRUE Marks."

7. Opposer's priority in its TRUE Marks goes back to at least as early as June 17, 2008, when it first filed an application to register the mark TRUE FOOD, under Application Serial No. 77501250, which later issued as Registration 3,620,741.

8. Opposer has continuously used one or more of its TRUE Marks in connection with Opposer's restaurants and other goods and services since at least as early as October 2008.

9. Opposer has been building its brand geographically and has been expanding ever since the first TRUE FOOD® restaurant opened.

10. Opposer now has over 30 TRUE FOOD® restaurants.

11. Opposer uses one or more of its TRUE Marks in connection with snacks.

12. Opposer has expended substantial time and resources in marketing the goods and services sold under its TRUE Marks.

13. Opposer has extensively marketed its TRUE marked goods and services in various marketing channels, including on the Internet and through various social media platforms.

14. As a result of Opposer's significant efforts to develop the reputation of its various TRUE Marks, there is widespread and growing recognition of the TRUE Marks among consumers.

15. Opposer has taken steps to enforce its rights against third-party users of marks that are likely to cause confusion with the TRUE Marks.

**Applicant's Application to Register and Use of MADE BY TRUE**

16. On March 13, 2019, Applicant filed the Application to register the mark MADE BY TRUE (the MADE BY TRUE Mark").

17. The Application was filed in Class 29 for “Meat, namely, jerky, beef jerky, dried and cured meat, meat-based snack foods and biltong; dried meat snacks; dehydrated meat snacks; jerky trail mix.”

**Likelihood of Confusion**

18. Applicant’s use and registration of the MADE BY TRUE Mark is likely to cause confusion or mistake among, or to deceive, consumers as to the source, affiliation, association, connection, sponsorship, and/or approval of Applicant and its goods and services, on the one hand, and Opposer and its goods and services, on the other hand.

19. Opposer’s MADE BY TRUE Mark could be viewed by consumers as referring to goods and services of Opposer, the owner of a registration for TRUE® as well as various TRUE Marks.

20. The MADE BY TRUE Mark is similar in appearance and sound to Opposer’s TRUE Marks.

21. The MADE BY TRUE Mark conveys the same commercial impression as many of Opposer’s TRUE Marks.

22. Applicant uses the MADE BY TRUE Mark for snacks, and Opposer also offers and sells snacks under its TRUE Marks.

23. On information and belief, Applicant offers its goods under the MADE BY TRUE Mark to some of the same kinds of consumers to whom Opposer provides its goods and services under its TRUE Marks.

24. Applicant’s MADE BY TRUE Mark so resembles Opposer’s TRUE Marks, as to make it likely, when applied to Applicant’s goods and services, to cause mistake and confusion among, and to deceive, the trade and the public.

25. The likelihood of confusion that would be caused by use of Applicant’s MADE BY TRUE Mark, barring limitations on such use, would cause harm to Opposer.

THEREFORE, Opposer respectfully requests that Application Serial No. 88338681 be refused registration.



Respectfully submitted this 25<sup>th</sup> day of November 2019.

BACAL LAW GROUP, P.C.

By: /s/Glenn Spencer Bacal

Glenn Spencer Bacal  
Sean D. Garrison  
Bacal Law Group, P.C.  
6991 E. Camelback Rd., Ste D-102  
Scottsdale, AZ 85251  
Telephone: 480.245.6233  
Fax: 480.245.6231

*Attorneys for Opposer,  
FRC Balance LLC*

Certificate of Filing Pursuant to 37 C.F.R. §2.119

Application No.: 88338681  
Mark: MADE BY TRUE  
Opposer: FRC Balance LLC  
Type of Filing: Notice of Opposition

I hereby certify that this Notice of Opposition is being filed electronically with the United States Trademark Trial and Appeal Board pursuant to 37 C.F.R. §2.119.

/s/ Glenn Spencer Bacal

November 25, 2019  
Date

# **Exhibit 1**

# United States of America

United States Patent and Trademark Office

## TRUE

**Reg. No. 5,680,625**

FRC BALANCE LLC (ARIZONA LIMITED LIABILITY COMPANY)  
4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA 85018

**Registered Feb. 19, 2019**

**Int. Cl.: 43**

CLASS 43: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

**Service Mark**

FIRST USE 12-31-2015; IN COMMERCE 12-31-2015

**Principal Register**

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

OWNER OF U.S. REG. NO. 3688743, 4049211, 3620741

SER. NO. 88-039,241, FILED 07-16-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-11-19 17:41:14 EST

Mark: TRUE

TRUE

US Serial Number: 88039241

Application Filing Date: Jul. 16, 2018

US Registration Number: 5680625

Registration Date: Feb. 19, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

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. 19, 2019

Publication Date: Dec. 04, 2018

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## Mark Information

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Mark Literal Elements: TRUE

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

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## Related Properties Information

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Claimed Ownership of US Registrations: 3620741, 3688743, 4049211 and others

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## Goods and Services

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**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: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2015

Use in Commerce: Dec. 31, 2015

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## Basis Information (Case Level)

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Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** FRC BALANCE LLC

**Owner Address:** 4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA UNITED STATES 85018

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** ARIZONA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Glenn S. Bacal

**Docket Number:** 60003-1016

**Attorney Primary** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** GLENN S. BACAL  
**Name/Address:** BACAL LAW GROUP, P.C.  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE, ARIZONA UNITED STATES 85251

**Phone:** 480-245-6233

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2019	REGISTERED-PRINCIPAL REGISTER	
Dec. 04, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 04, 2018	PUBLISHED FOR OPPOSITION	
Nov. 14, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 20, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 20, 2018	ASSIGNED TO EXAMINER	59500
Jul. 19, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 19, 2018	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. 19, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** FRC BALANCE LLC

### Assignment 1 of 1

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6557/0920](#)

**Pages:** 7

**Date Recorded:** Dec. 19, 2018

**Supporting Documents:** [assignment-tm-6557-0920.pdf](#)

### Assignor

**Name:** [FRC BALANCE LLC](#)

**Execution Date:** Dec. 19, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country ARIZONA  
Where Organized:

**Assignee**

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country UNITED STATES  
Where Organized:

Address: 900 W TRADE STREET  
CHARLOTTE, NORTH CAROLINA 28255

**Correspondent**

Correspondent Name: KATARZYNA GAYSUNAS

Correspondent Address: 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110

**Domestic Representative - Not Found**

## Proceedings

**Summary**

Number of Proceedings: 1

**Type of Proceeding: Opposition**

Proceeding Number: [91249848](#)

Filing Date: Jul 30, 2019

Status: Pending

Status Date: Jul 30, 2019

Interlocutory Attorney: ANDREW P BAXLEY

**Defendant**

Name: Tega Natural Enlightenment Foods, SA deCV

Correspondent Address: CHARLES E PHIPPS  
LOCKE LORD LLP  
2200 ROSS AVE SUITE 2800  
DALLAS TX UNITED STATES , 75201-6776

Correspondent e-mail: [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

**Plaintiff(s)**

Name: FRC Balance LLC

Correspondent Address: GLENN BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>
TRUE	Registered	<a href="#">88039241</a>	<a href="#">5680625</a>
BE TRUE TO YOURSELF	Registered	<a href="#">88039105</a>	<a href="#">5680624</a>
BE TRUE	Registered	<a href="#">88020977</a>	<a href="#">5679993</a>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	



# United States of America

United States Patent and Trademark Office

# BE TRUE

**Reg. No. 5,679,993**

**Registered Feb. 19, 2019**

**Int. Cl.: 43**

**Service Mark**

**Principal Register**

FRC BALANCE LLC (ARIZONA LIMITED LIABILITY COMPANY)  
4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA 85018

CLASS 43: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

FIRST USE 12-31-2015; IN COMMERCE 12-31-2015

The color(s) green is/are claimed as a feature of the mark.

The mark consists of "BE TRUE" in green stylized letters.

OWNER OF U.S. REG. NO. 3688743, 4049211, 3620741

SER. NO. 88-020,977, FILED 06-29-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-11-19 17:42:19 EST

Mark: BE TRUE

# BE TRUE

US Serial Number: 88020977

Application Filing Date: Jun. 29, 2018

US Registration Number: 5679993

Registration Date: Feb. 19, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Service Mark

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. 19, 2019

Publication Date: Dec. 04, 2018

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## Mark Information

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Mark Literal Elements: BE TRUE

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of "BE TRUE" in green stylized letters.

Color Drawing: Yes

Color(s) Claimed: The color(s) green is/are claimed as a feature of the mark.

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## Related Properties Information

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Claimed Ownership of US Registrations: 3620741, 3688743, 4049211 and others

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## Goods and Services

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**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: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2015

Use in Commerce: Dec. 31, 2015

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## Basis Information (Case Level)

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Filed Use: Yes

Currently Use: Yes

Filed ITU: No  
Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

Currently ITU: No  
Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

## Current Owner(s) Information

**Owner Name:** FRC BALANCE LLC  
**Owner Address:** 4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA UNITED STATES 85018  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** ARIZONA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Glenn S. Bacal  
**Attorney Primary Email Address:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)  
**Docket Number:** 60003-1014  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** GLENN S. BACAL  
BACAL LAW GROUP, P.C.  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE, ARIZONA UNITED STATES 85251  
**Phone:** 480-245-6233  
**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2019	REGISTERED-PRINCIPAL REGISTER	
Dec. 04, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
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Oct. 20, 2018	ASSIGNED TO EXAMINER	59500
Jul. 06, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 03, 2018	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. 19, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1  
**Registrant:** FRC BALANCE LLC

### Assignment 1 of 1

**Conveyance:** SECURITY INTEREST  
**Reel/Frame:** [6557/0920](#)  
**Date Recorded:** Dec. 19, 2018  
**Pages:** 7

Supporting Documents: [assignment-tm-6557-0920.pdf](#)

#### Assignor

**Name:** [FRC BALANCE LLC](#) **Execution Date:** Dec. 19, 2018  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** ARIZONA

#### Assignee

**Name:** [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)  
**Legal Entity Type:** NATIONAL ASSOCIATION **State or Country Where Organized:** UNITED STATES  
**Address:** 900 W TRADE STREET  
CHARLOTTE, NORTH CAROLINA 28255

#### Correspondent

**Correspondent Name:** KATARZYNA GAYSUNAS  
**Correspondent Address:** 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110

#### Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Opposition

**Proceeding Number:** [91249848](#) **Filing Date:** Jul 30, 2019  
**Status:** Pending **Status Date:** Jul 30, 2019  
**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Tega Natural Enlightenment Foods, SA deCV  
**Correspondent Address:** CHARLES E PHIPPS  
LOCKE LORD LLP  
2200 ROSS AVE SUITE 2800  
DALLAS TX UNITED STATES , 75201-6776  
**Correspondent e-mail:** [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

#### Plaintiff(s)

**Name:** FRC Balance LLC  
**Correspondent Address:** GLENN BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251  
**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>
TRUE	Registered	<a href="#">88039241</a>	<a href="#">5680625</a>
BE TRUE TO YOURSELF	Registered	<a href="#">88039105</a>	<a href="#">5680624</a>
BE TRUE	Registered	<a href="#">88020977</a>	<a href="#">5679993</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	

**Int. Cl.: 43**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,620,741**

**Registered May 12, 2009**

**SERVICE MARK  
PRINCIPAL REGISTER**

**TRUE FOOD**

FOX RESTAURANT CONCEPTS LLC (ARIZONA  
LIMITED LIABILITY COMPANY)

7135 E. CAMELBACK RD, #260

SCOTTSDALE, AZ 85251

FOR: FULL SERVICE, SIT-DOWN RESTAURANT  
AND BAR SERVICES FEATURING ORGANIC,  
HEALTHFUL, NON-ARTIFICIAL AND NUTRI-  
TIOUS FOODS, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 3-17-2009; IN COMMERCE 3-17-2009.

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

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

SN 77-501,250, FILED 6-17-2008.

SETH A. RAPPAPORT, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2019-11-19 17:43:23 EST

Mark: TRUE FOOD

TRUE FOOD

US Serial Number: 77501250

Application Filing Date: Jun. 17, 2008

US Registration Number: 3620741

Registration Date: May 12, 2009

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jun. 05, 2018

Publication Date: Nov. 18, 2008

Notice of Allowance Date: Feb. 10, 2009

## Mark Information

Mark Literal Elements: TRUE FOOD

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

Disclaimer: "FOOD"

## 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: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 17, 2009

Use in Commerce: Mar. 17, 2009

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** FRC BALANCE LLC

**Owner Address:** 4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA UNITED STATES 85018

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** ARIZONA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Glenn Spencer Bacal

**Docket Number:** 60003-1002

**Attorney Primary Email Address:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Glenn Spencer Bacal  
Bacal Law Group PC  
6991 East Camelback Road, Suite D-102  
Scottsdale, ARIZONA UNITED STATES 85251

**Phone:** 480.245.6233

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 05, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 05, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jun. 05, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Jun. 05, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
May 24, 2018	TEAS SECTION 8 & 9 RECEIVED	
May 12, 2018	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 11, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 11, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
May 19, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	76533
Jul. 08, 2014	PAPER RECEIVED	
Jun. 13, 2014	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	76533
Jun. 06, 2014	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Jun. 04, 2014	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	76533
Jun. 04, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
May 19, 2014	TEAS SECTION 8 & 15 RECEIVED	
Aug. 23, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 23, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 23, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 23, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 14, 2010	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 08, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 12, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 08, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76243
Apr. 08, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 07, 2009	STATEMENT OF USE PROCESSING COMPLETE	66154
Mar. 18, 2009	USE AMENDMENT FILED	66154
Apr. 07, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Mar. 18, 2009	TEAS STATEMENT OF USE RECEIVED	
Feb. 10, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 18, 2008	PUBLISHED FOR OPPOSITION	
Oct. 29, 2008	NOTICE OF PUBLICATION	
Oct. 16, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243



Oct. 15, 2008	ASSIGNED TO LIE	76243
Oct. 01, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 23, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 23, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 23, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 23, 2008	EXAMINERS AMENDMENT -WRITTEN	82438
Sep. 23, 2008	ASSIGNED TO EXAMINER	82438
Jun. 20, 2008	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jun. 05, 2018

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 8

**Registrant:** Fox Restaurant Concepts LLC

### Assignment 1 of 8

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [4016/0598](#)

**Pages:** 5

**Date Recorded:** Jul. 02, 2009

**Supporting Documents:** [assignment-tm-4016-0598.pdf](#)

#### Assignor

**Name:** [FOX RESTAURANT CONCEPTS LLC](#)

**Execution Date:** Jul. 02, 2009

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

#### Assignee

**Name:** [FRC BALANCE LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 7135 EAST CAMELBACK ROAD, #260  
SCOTTSDALE, ARIZONA 85251

#### Correspondent

**Correspondent Name:** GLENN S. BACAL

**Correspondent Address:** 16427 NORTH SCOTTSDALE RD., SUITE 300  
SCOTTSDALE, AZ 85254-1597

#### Domestic Representative - Not Found

### Assignment 2 of 8

**Conveyance:** MERGER EFFECTIVE 12/15/2010

**Reel/Frame:** [4461/0700](#)

**Pages:** 5

**Date Recorded:** Jan. 27, 2011

**Supporting Documents:** [assignment-tm-4461-0700.pdf](#)

#### Assignor

**Name:** [FRC BALANCE LLC](#)

**Execution Date:** Dec. 15, 2010

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

#### Assignee

**Name:** [FRC MERGERCO 35 LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

**Address:** 7135 EAST CAMELBACK ROAD, SUITE 260  
SCOTTSDALE, ARIZONA 85251

**Correspondent**

**Correspondent Name:** GLENN S. BACAL C/O BACAL LAW GROUP, P.C.

**Correspondent Address:** 6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE, AZ 85251

**Domestic Representative - Not Found**

**Assignment 3 of 8**

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** [4461/0721](#)

**Pages:** 3

**Date Recorded:** Jan. 27, 2011

**Supporting Documents:** [assignment-tm-4461-0721.pdf](#)

**Assignor**

**Name:** [FRC MERGERCO 35 LLC](#)

**Execution Date:** Dec. 28, 2010

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

**Assignee**

**Name:** [FRC BALANCE LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

**Address:** 7135 EAST CAMELBACK ROAD, SUITE 260  
SCOTTSDALE, ARIZONA 85251

**Correspondent**

**Correspondent Name:** GLENN S. BACAL C/O BACAL LAW GROUP, P.C.

**Correspondent Address:** 6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE, AZ 85251

**Domestic Representative - Not Found**

**Assignment 4 of 8**

**Conveyance:** SECURITY AGREEMENT

**Reel/Frame:** [5685/0441](#)

**Pages:** 7

**Date Recorded:** Dec. 08, 2015

**Supporting Documents:** [assignment-tm-5685-0441.pdf](#)

**Assignor**

**Name:** [FRC BALANCE, LLC](#)

**Execution Date:** Dec. 07, 2015

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [WOK MEMBER LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 7676 EAST PINNACLE ROAD  
SCOTTSDALE, ARIZONA 85255

**Correspondent**

**Correspondent Name:** TREVOR HARRIS

**Correspondent Address:** 208 SOUTH LASALLE -SUITE 814  
CHICAGO, IL 60604

**Domestic Representative - Not Found**

**Assignment 5 of 8**

**Conveyance:** RELEASE BY SECURED PARTY

Reel/Frame: [5811/0903](#)

Pages: 4

Date Recorded: Jun. 13, 2016

Supporting Documents: [assignment-tm-5811-0903.pdf](#)

**Assignor**

Name: [WOK MEMBER LLC](#)

Execution Date: May 09, 2016

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**

Name: [FRC BALANCE, LLC](#)

State or Country Where Organized: ARIZONA

Legal Entity Type: LIMITED LIABILITY COMPANY

Where Organized:

Address: 4455 EAST CAMELBACK ROAD  
SUITE B100  
PHOENIX, ARIZONA 85018

**Correspondent**

Correspondent Name: MARC CURRIE, SNELL & WILMER L.L.P.

Correspondent Address: 400 EAST VAN BUREN  
ONE ARIZONA CENTER  
PHOENIX, AZ 85004-2202

**Domestic Representative - Not Found**

**Assignment 6 of 8**

Conveyance: SECURITY INTEREST

Reel/Frame: [6189/0040](#)

Pages: 7

Date Recorded: Oct. 24, 2017

Supporting Documents: [assignment-tm-6189-0040.pdf](#)

**Assignor**

Name: [FRC BALANCE LLC](#)

Execution Date: Oct. 13, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

**Assignee**

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

State or Country Where Organized: UNITED STATES

Legal Entity Type: NATIONAL BANKING ASSOCIATION

Address: 1808 ASTON AVENUE, SUITE 250  
CARLSBAD, CALIFORNIA 92008

**Correspondent**

Correspondent Name: KATARZYNA GAYSUNAS

Correspondent Address: 1 FEDERAL STREET  
C/O MORGAN LEWIS BOCKIUS LLP  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 7 of 8**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6504/0221](#)

Pages: 5

Date Recorded: Dec. 20, 2018

Supporting Documents: [assignment-tm-6504-0221.pdf](#)

**Assignor**

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Execution Date: Dec. 19, 2018

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

**Where Organized:****Assignee**

**Name:** [FRC BALANCE LLC](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**Address:** 4455 E. CAMELBACK RD. A115  
 PHOENIX, ARIZONA 85018  
**State or Country** ARIZONA  
**Where Organized:**

**Correspondent**

**Correspondent Name:** KATARZYNA GAYSUNAS  
**Correspondent Address:** 1 FEDERAL STREET  
 C/O MORGAN, LEWIS & BOCKIUS LLP  
 BOSTON, MA 02110

**Domestic Representative - Not Found****Assignment 8 of 8**

**Conveyance:** SECURITY INTEREST  
**Reel/Frame:** [6557/0920](#) **Pages:** 7  
**Date Recorded:** Dec. 19, 2018  
**Supporting Documents:** [assignment-tm-6557-0920.pdf](#)

**Assignor**

**Name:** [FRC BALANCE LLC](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**Execution Date:** Dec. 19, 2018  
**State or Country** ARIZONA  
**Where Organized:**

**Assignee**

**Name:** [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)  
**Legal Entity Type:** NATIONAL ASSOCIATION  
**Address:** 900 W TRADE STREET  
 CHARLOTTE, NORTH CAROLINA 28255  
**State or Country** UNITED STATES  
**Where Organized:**

**Correspondent**

**Correspondent Name:** KATARZYNA GAYSUNAS  
**Correspondent Address:** 1 FEDERAL STREET  
 C/O MORGAN, LEWIS & BOCKIUS LLP  
 BOSTON, MA 02110

**Domestic Representative - Not Found****Proceedings****Summary**

**Number of Proceedings:** 11

**Type of Proceeding: Opposition**

**Proceeding Number:** [91249848](#) **Filing Date:** Jul 30, 2019  
**Status:** Pending **Status Date:** Jul 30, 2019  
**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** Tega Natural Enlightenment Foods, SA deCV  
**Correspondent Address:** CHARLES E PHIPPS  
 LOCKE LORD LLP  
 2200 ROSS AVE SUITE 2800  
 DALLAS TX UNITED STATES , 75201-6776  
**Correspondent e-mail:** [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>
TRUE	Registered	<a href="#">88039241</a>	<a href="#">5680625</a>
BE TRUE TO YOURSELF	Registered	<a href="#">88039105</a>	<a href="#">5680624</a>
BE TRUE	Registered	<a href="#">88020977</a>	<a href="#">5679993</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	

**Type of Proceeding: Cancellation**

**Proceeding Number:** [92070910](#)

**Filing Date:** Mar 19, 2019

**Status:** Pending

**Status Date:** Mar 26, 2019

**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** Stonecrest Pizza #1 LLC

**Correspondent Address:** LARRY L SARET  
MICHAEL BEST & FRIEDRICH LLP  
444 W LAKE STREET, SUITE 3200  
CHICAGO IL UNITED STATES , 60606

**Correspondent e-mail:** [chiipdocket@michaelbest.com](mailto:chiipdocket@michaelbest.com) , [lsaret@michaelbest.com](mailto:lsaret@michaelbest.com) , [mekouba@michaelbest.com](mailto:mekouba@michaelbest.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
TRUE CRAFTED PIZZA	Cancellation Pending	<a href="#">85866030</a>	<a href="#">4503098</a>

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent** GLENN S BACAL  
**Address:** BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 19, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2019	May 05, 2019
3	INSTITUTED	Mar 26, 2019	
4	D MOT FOR EXT W/ CONSENT	Apr 30, 2019	
5	EXTENSION OF TIME GRANTED	Apr 30, 2019	
6	D CHANGE OF CORRESP ADDRESS	Jul 01, 2019	
7	D MOT FOR EXT W/ CONSENT	Jul 01, 2019	
8	EXTENSION OF TIME GRANTED	Jul 01, 2019	
9	ANSWER	Aug 05, 2019	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91245204](#)

**Filing Date:** Dec 10, 2018

**Status:** Terminated

**Status Date:** Dec 20, 2018

**Interlocutory Attorney:** KATIE W MCKNIGHT

**Defendant**

**Name:** Gold Coast Traditions LLC

**Correspondent Address:** JENNIFER MELLARD  
GOLD COAST TRADITIONS LLC  
6786 PECUE LANE SUITE C  
BATON ROUGE LA UNITED STATES , 70817

**Correspondent e-mail:** [info@goldcoasttraditions.com](mailto:info@goldcoasttraditions.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUEATS	Abandoned - After Inter-Partes Decision	<a href="#">87851493</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 10, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 10, 2018	Jan 19, 2019
3	PENDING, INSTITUTED	Dec 10, 2018	
4	W/DRAW OF APPLICATION	Dec 18, 2018	
5	BD DECISION: OPP DISMISSED W/O PREJ	Dec 20, 2018	
6	TERMINATED	Dec 20, 2018	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91238625](#)

**Filing Date:** Dec 27, 2017

**Status:** Terminated

**Status Date:** Sep 29, 2018

**Interlocutory Attorney:** ELIZABETH WINTER

**Defendant**

**Name:** True North Salmon Co. Ltd.

**Correspondent Address:** JONATHAN B. HUNTINGTON  
Eaton Peabody P A  
77 SEWALL ST STE 3000  
AUGUSTA ME UNITED STATES , 04330

**Correspondent e-mail:** [jhuntington@eatonpeabody.com](mailto:jhuntington@eatonpeabody.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
EAT TRUE	Registered	<a href="#">86596636</a>	<a href="#">5598260</a>

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** Glenn S. Bacal  
Bacal Law Group, P.C.  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 27, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 27, 2017	Feb 05, 2018
3	PENDING, INSTITUTED	Dec 27, 2017	
4	ANSWER	Feb 01, 2018	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jul 31, 2018	
6	SUSPENDED	Jul 31, 2018	
7	W/DRAW OF OPPOSITION	Sep 17, 2018	
8	BD DECISION: OPP DISMISSED W/O PREJ	Sep 29, 2018	
9	TERMINATED	Sep 29, 2018	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91230377](#)

**Filing Date:** Sep 29, 2016

**Status:** Terminated

**Status Date:** Jan 30, 2017

**Interlocutory Attorney:** ANN LINNEHAN VOGLER

**Defendant**

**Name:** ForTrueFoodiesOnly Inc.

**Correspondent Address:** ADAM SACHAROFF  
MUCH SHEIST PC  
191 N WACKER DRIVE, SUITE 1800  
CHICAGO IL UNITED STATES , 60606

**Correspondent e-mail:** [ipdocket@muchshelist.com](mailto:ipdocket@muchshelist.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
FOR TRUE FOODIES ONLY	Abandoned - After Inter-Partes Decision	<a href="#">86656271</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 29, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 29, 2016	Nov 08, 2016
3	PENDING, INSTITUTED	Sep 29, 2016	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 18, 2016	
5	SUSPENDED	Nov 18, 2016	
6	W/DRAW OF APPLICATION	Jan 29, 2017	
7	BD DECISION: SUSTAINED	Jan 30, 2017	
8	TERMINATED	Jan 30, 2017	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91230379](#)

**Filing Date:** Sep 29, 2016

**Status:** Terminated

**Status Date:** Jan 30, 2017

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** For TrueFoodiesOnly Inc.

**Correspondent Address:** ADAM K SACHAROFF  
MUCH SHELIST PC  
191 N WACKER DRIVE, SUITE 1800  
CHICAGO IL UNITED STATES , 60606

**Correspondent e-mail:** [ipdocket@muchshelist.com](mailto:ipdocket@muchshelist.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOODIES	Abandoned - After Inter-Partes Decision	<a href="#">86656567</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC



**Correspondent** GLENN S BACAL  
**Address:** BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 29, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 29, 2016	Nov 08, 2016
3	PENDING, INSTITUTED	Sep 29, 2016	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 18, 2016	
5	SUSPENDED	Nov 18, 2016	
6	W/DRAW OF APPLICATION	Jan 29, 2017	
7	BD DECISION: SUSTAINED	Jan 30, 2017	
8	TERMINATED	Jan 30, 2017	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91229746](#)

**Filing Date:** Dec 02, 2016

**Status:** Terminated

**Status Date:** Feb 11, 2017

**Interlocutory Attorney:** CHRISTEN M ENGLISH

**Defendant**

**Name:** Beverage Innovations Group, LLC

**Correspondent Address:** ANDREW C AITKEN  
IP LAW LEADERS PLLC  
1701 PENNSYLVANIA AVE NW, STE 300  
WASHINGTON DC UNITED STATES , 20006-5813

**Correspondent e-mail:** [acaitken@iplfirm.com](mailto:acaitken@iplfirm.com) , [rjho@iplfirm.com](mailto:rjho@iplfirm.com) , [acaitken@yahoo.com](mailto:acaitken@yahoo.com)

Mark	Application Status	Serial Number	Registration Number
TRU FUEL.REAL.GOOD.	Abandoned - No Statement Of Use Filed	<a href="#">86736590</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 26, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 26, 2016	Oct 05, 2016
3	PENDING, INSTITUTED	Aug 26, 2016	

4	ANSWER	Oct 05, 2016
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 02, 2016
6	SUSPENDED	Dec 07, 2016
7	W/DRAW OF OPPOSITION	Feb 07, 2017
8	BD DECISION: DISMISSED W/O PREJ	Feb 11, 2017
9	TERMINATED	Feb 11, 2017

**Type of Proceeding: Opposition**

**Proceeding Number:** [91229749](#) **Filing Date:** Aug 26, 2016  
**Status:** Terminated **Status Date:** Nov 14, 2016  
**Interlocutory Attorney:** MARY CATHERINE FAINT

**Defendant**

**Name:** Sundia Corporation  
**Correspondent Address:** THOMAS D FOSTER  
 TDFOSTER INTELLECTUAL PROPERTY LAW  
 11622 EL CAMINO REAL STE 100  
 SAN DIEGO CA UNITED STATES , 92130-2051  
**Correspondent e-mail:** [foster@tdfoster.com](mailto:foster@tdfoster.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE CHIA	Registered	<a href="#">86376213</a>	<a href="#">5191612</a>

**Plaintiff(s)**

**Name:** FRC Balance LLC  
**Correspondent Address:** GLENN S BACAL  
 BACAL LAW GROUP PC  
 6991 EAST CAMELBACK ROAD, SUITE D 102  
 SCOTTSDALE AZ UNITED STATES , 85251  
**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 26, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 26, 2016	Oct 05, 2016
3	PENDING, INSTITUTED	Aug 26, 2016	
4	STIP FOR EXT	Oct 05, 2016	
5	EXTENSION OF TIME GRANTED	Oct 05, 2016	
6	W/DRAW OF OPPOSITION	Nov 09, 2016	
7	BD DECISION: DISMISSED W/O PREJ	Nov 14, 2016	
8	TERMINATED	Nov 14, 2016	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91220760](#) **Filing Date:** Feb 20, 2015  
**Status:** Terminated **Status Date:** May 26, 2015  
**Interlocutory Attorney:** CHRISTEN M ENGLISH

**Defendant**

**Name:** TruFood Mfg., Inc.

**Correspondent** NEAL P PIEROTTI  
**Address:** METZ LEWIS BRODMAN MUST O'KEEFE  
535 SMITHFIELD ST, SUITE 800  
PITTSBURGH PA UNITED STATES , 15222-2305

**Correspondent e-mail:** [ipdocket@metzlewis.com](mailto:ipdocket@metzlewis.com)

Mark	Application Status	Serial Number	Registration Number
TRUFOOD	Abandoned - After Inter-Partes Decision	<a href="#">86065240</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent** GLENN S BACAL  
**Address:** BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD , SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 20, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2015	Apr 05, 2015
3	PENDING, INSTITUTED	Feb 24, 2015	
4	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 02, 2015	
5	SUSPENDED	Apr 02, 2015	
6	D MOT FOR EXT W/ CONSENT	May 04, 2015	
7	EXTENSION OF TIME GRANTED	May 07, 2015	
8	ANSWER	May 12, 2015	
9	W/DRAW OF APPLICATION	May 20, 2015	
10	W/DRAW OF OPPOSITION	May 20, 2015	
11	BD DECISION: DISMISSED W/O PREJ	May 26, 2015	
12	TERMINATED	May 26, 2015	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91219889](#)

**Filing Date:** Dec 22, 2014

**Status:** Terminated

**Status Date:** Jan 06, 2015

**Interlocutory Attorney:** ELIZABETH A DUNN

**Defendant**

**Name:** Founding Farmers, LLC

**Correspondent** ERIC J VON VORYS  
**Address:** SHULMAN ROGERS GANDAL PORDY & ECKER PA  
12505 PARK POTOMAC AVENUE, SIXTH FLOOR  
POTOMAC MD UNITED STATES , 20854

**Correspondent e-mail:** [evonvorys@shulmanrogers.com](mailto:evonvorys@shulmanrogers.com)

Mark	Application Status	Serial	Registration
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Mark	Application Status	Number	Number
FF FOUNDING FARMERS TRUE FOOD & DRINK	Abandoned - After Inter-Partes Decision	<a href="#">86138228</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 22, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 22, 2014	Jan 31, 2015
3	PENDING, INSTITUTED	Dec 22, 2014	
4	W/DRAW OF APPLICATION W/O CONSENT	Jan 02, 2015	
5	BD DECISION: SUSTAINED	Jan 06, 2015	
6	TERMINATED	Jan 06, 2015	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91208321](#) **Filing Date:** Dec 05, 2012  
**Status:** Terminated **Status Date:** Mar 06, 2013  
**Interlocutory Attorney:** YONG OH (RICHARD) KIM

**Defendant**

**Name:** TMCO LLC  
**Correspondent Address:** TMCO LLC  
148 REMINGTON ST  
FORT COLLINS CO UNITED STATES , 80524  
**Correspondent e-mail:** [dwolter@migcap.com](mailto:dwolter@migcap.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOODS	Abandoned - After Inter-Partes Decision	<a href="#">85596730</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK RD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>

TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 05, 2012	Jan 14, 2013
3	PENDING, INSTITUTED	Dec 05, 2012	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Jan 22, 2013	
5	BD DECISION: SUSTAINED	Mar 06, 2013	
6	TERMINATED	Mar 06, 2013	

United States of America  
United States Patent and Trademark Office

**JUBY TRUE**

**Reg. No. 4,497,563**

FRC BALANCE LLC (ARIZONA LIMITED LIABILITY COMPANY)  
4455 EAST CAMELBACK ROAD, SUITE B100  
PHOENIX, AZ 85018

**Registered Mar. 18, 2014**

**Int. Cl.: 43**

FOR: JUICE BAR SERVICES FEATURING BOTH JUICES AND SMOOTHIES; BAR SERVICES FEATURING JUICE AND SMOOTHIES; COFFEE AND JUICE BAR SERVICES , IN CLASS 43 (U.S. CLS. 100 AND 101).

**SERVICE MARK**

FIRST USE 10-29-2013; IN COMMERCE 10-29-2013.

**PRINCIPAL REGISTER**

OWNER OF U.S. REG. NOS. 3,620,741, 4,049,211 AND OTHERS.

THE MARK CONSISTS OF STYLIZED WORDS "JUBY TRUE".

SER. NO. 86-026,284, FILED 8-1-2013.

KEVIN MITTLER, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-11-19 17:45:59 EST

Mark: JUBY TRUE

JUBY TRUE

US Serial Number: 86026284

Application Filing Date: Aug. 01, 2013

US Registration Number: 4497563

Registration Date: Mar. 18, 2014

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Section 8 declaration has been accepted.

Status Date: Dec. 04, 2018

Publication Date: Dec. 31, 2013

## Mark Information

Mark Literal Elements: JUBY TRUE

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of stylized words "JUBY TRUE".

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

## Related Properties Information

Claimed Ownership of US Registrations: 3620741, 3688743, 4049211 and others

## 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: Juice Bar Services featuring both juices and smoothies; Bar services featuring juice and smoothies; coffee and juice bar services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 29, 2013

Use in Commerce: Oct. 29, 2013

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** FRC Balance LLC

**Owner Address:** 4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA UNITED STATES 85018

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Glenn S. Bacal

**Docket Number:** 60003-1010

**Attorney Primary Email Address:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Glenn S. Bacal  
BACAL AND GARRISON LAW GROUP  
6991 E CAMELBACK RD SUITE D-102  
SCOTTSDALE, ARIZONA UNITED STATES 85251

**Phone:** 4802456233

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 20, 2019	SEC. 15 ACKNOWLEDGEMENT - E-MAILED	
May 20, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
May 20, 2019	REGISTERED - SEC. 15 ACKNOWLEDGED	64591
May 20, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED	64591
May 07, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Mar. 21, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 21, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 21, 2019	TEAS SECTION 15 RECEIVED	
Mar. 21, 2019	TEAS SECTION 8 RECEIVED	
Mar. 18, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 04, 2018	TTAB RELEASE CASE TO TRADEMARKS	69589
Dec. 04, 2018	CANCELLATION TERMINATED NO. 999999	69589
Dec. 04, 2018	CANCELLATION DENIED NO. 999999	69589
Sep. 27, 2018	CANCELLATION INSTITUTED NO. 999999	69589
Mar. 18, 2014	REGISTERED-PRINCIPAL REGISTER	
Dec. 31, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 31, 2013	PUBLISHED FOR OPPOSITION	
Dec. 11, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 22, 2013	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Nov. 21, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 21, 2013	USE AMENDMENT ACCEPTED	88575
Nov. 20, 2013	AMENDMENT TO USE PROCESSING COMPLETE	88889
Nov. 20, 2013	USE AMENDMENT FILED	88889
Nov. 19, 2013	TEAS AMENDMENT OF USE RECEIVED	
Nov. 15, 2013	ASSIGNED TO EXAMINER	88575
Aug. 13, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	



## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** TMEG LAW OFFICE 107

**Date in Location:** May 20, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 5

**Registrant:** FRC Balance LLC

### Assignment 1 of 5

**Conveyance:** SECURITY AGREEMENT

**Reel/Frame:** [5685/0441](#)

**Pages:** 7

**Date Recorded:** Dec. 08, 2015

**Supporting Documents:** [assignment-tm-5685-0441.pdf](#)

#### Assignor

**Name:** [FRC BALANCE, LLC](#)

**Execution Date:** Dec. 07, 2015

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

#### Assignee

**Name:** [WOK MEMBER LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 7676 EAST PINNACLE ROAD  
SCOTTSDALE, ARIZONA 85255

#### Correspondent

**Correspondent Name:** TREVOR HARRIS

**Correspondent Address:** 208 SOUTH LASALLE -SUITE 814  
CHICAGO, IL 60604

### Domestic Representative - Not Found

### Assignment 2 of 5

**Conveyance:** RELEASE BY SECURED PARTY

**Reel/Frame:** [5811/0903](#)

**Pages:** 4

**Date Recorded:** Jun. 13, 2016

**Supporting Documents:** [assignment-tm-5811-0903.pdf](#)

#### Assignor

**Name:** [WOK MEMBER LLC](#)

**Execution Date:** May 09, 2016

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

#### Assignee

**Name:** [FRC BALANCE, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** ARIZONA

**Address:** 4455 EAST CAMELBACK ROAD  
SUITE B100  
PHOENIX, ARIZONA 85018

#### Correspondent

**Correspondent Name:** MARC CURRIE, SNELL & WILMER L.L.P.

**Correspondent Address:** 400 EAST VAN BUREN  
ONE ARIZONA CENTER

## Domestic Representative - Not Found

## Assignment 3 of 5

**Conveyance:** SECURITY INTEREST**Reel/Frame:** [6189/0040](#)**Pages:** 7**Date Recorded:** Oct. 24, 2017**Supporting Documents:** [assignment-tm-6189-0040.pdf](#)

## Assignor

**Name:** [FRC BALANCE LLC](#)**Execution Date:** Oct. 13, 2017**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** ARIZONA

## Assignee

**Name:** [WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)**Legal Entity Type:** NATIONAL BANKING ASSOCIATION**State or Country Where Organized:** UNITED STATES**Address:** 1808 ASTON AVENUE, SUITE 250  
CARLSBAD, CALIFORNIA 92008

## Correspondent

**Correspondent Name:** KATARZYNA GAYSUNAS**Correspondent Address:** 1 FEDERAL STREET  
C/O MORGAN LEWIS BOCKIUS LLP  
BOSTON, MA 02110

## Domestic Representative - Not Found

## Assignment 4 of 5

**Conveyance:** RELEASE BY SECURED PARTY**Reel/Frame:** [6504/0221](#)**Pages:** 5**Date Recorded:** Dec. 20, 2018**Supporting Documents:** [assignment-tm-6504-0221.pdf](#)

## Assignor

**Name:** [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)**Execution Date:** Dec. 19, 2018**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country Where Organized:** UNITED STATES

## Assignee

**Name:** [FRC BALANCE LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** ARIZONA**Address:** 4455 E. CAMELBACK RD. A115  
PHOENIX, ARIZONA 85018

## Correspondent

**Correspondent Name:** KATARZYNA GAYSUNAS**Correspondent Address:** 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110

## Domestic Representative - Not Found

## Assignment 5 of 5

**Conveyance:** SECURITY INTEREST**Reel/Frame:** [6557/0920](#)**Pages:** 7**Date Recorded:** Dec. 19, 2018**Supporting Documents:** [assignment-tm-6557-0920.pdf](#)

**Documents:****Assignor**

**Name:** [FRC BALANCE LLC](#) **Execution Date:** Dec. 19, 2018  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** ARIZONA

**Assignee**

**Name:** [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)  
**Legal Entity Type:** NATIONAL ASSOCIATION **State or Country Where Organized:** UNITED STATES  
**Address:** 900 W TRADE STREET  
 CHARLOTTE, NORTH CAROLINA 28255

**Correspondent**

**Correspondent Name:** KATARZYNA GAYSUNAS  
**Correspondent Address:** 1 FEDERAL STREET  
 C/O MORGAN, LEWIS & BOCKIUS LLP  
 BOSTON, MA 02110

**Domestic Representative - Not Found**

## Proceedings

**Summary**

**Number of Proceedings:** 5

**Type of Proceeding: Opposition**

**Proceeding Number:** [91249848](#) **Filing Date:** Jul 30, 2019  
**Status:** Pending **Status Date:** Jul 30, 2019  
**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** Tega Natural Enlightenment Foods, SA deCV  
**Correspondent Address:** CHARLES E PHIPPS  
 LOCKE LORD LLP  
 2200 ROSS AVE SUITE 2800  
 DALLAS TX UNITED STATES , 75201-6776  
**Correspondent e-mail:** [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC  
**Correspondent Address:** GLENN BACAL  
 BACAL LAW GROUP PC  
 6991 EAST CAMELBACK ROAD, SUITE D-102  
 SCOTTSDALE AZ UNITED STATES , 85251  
**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

TRUE Registered [88039241](#) [5680625](#)  
 BE TRUE TO YOURSELF Registered [88039105](#) [5680624](#)  
 BE TRUE Registered [88020977](#) [5679993](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	

**Type of Proceeding: Cancellation**

**Proceeding Number:** [92069589](#) **Filing Date:** Sep 17, 2018  
**Status:** Terminated **Status Date:** Dec 04, 2018  
**Interlocutory Attorney:** MARY B MYLES

**Defendant**

**Name:** FRC Balance LLC  
**Correspondent Address:** SEAN D GARRISON  
 BACAL AND GARRISON LAW GROUP  
 6991 E CAMELBACK RD SUITE D-102  
 SCOTTSDALE AZ UNITED STATES , 85251  
**Correspondent e-mail:** [sean.garrison@bacalgroup.com](mailto:sean.garrison@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

**Plaintiff(s)**

**Name:** Drink Happy Brands, LLC  
**Correspondent Address:** STEVEN J MILLER  
 SCHMEISER OLSEN & WATTS LLP  
 18 E UNIVERSITY DR SUITE 101  
 MESA AZ UNITED STATES , 85201  
**Correspondent e-mail:** [trademarks@iplawusa.com](mailto:trademarks@iplawusa.com) , [smiller@iplawusa.com](mailto:smiller@iplawusa.com)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 17, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 27, 2018	Nov 06, 2018
3	INSTITUTED	Sep 27, 2018	
4	D MOT TO DISMISS: FRCP 12(B)	Oct 25, 2018	
5	ANSWER	Oct 25, 2018	
6	D MOT TO CONSOLIDATE	Oct 25, 2018	
7	BD DECISION: CAN DENIED W/PREJ	Dec 04, 2018	
8	TERMINATED	Dec 04, 2018	

**Type of Proceeding: Cancellation**

**Proceeding Number:** [92066092](#) **Filing Date:** May 10, 2017

Status: Terminated

Status Date: Jul 02, 2019

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

**Defendant**

Name: Ryan Bader

Correspondent Address: LORI J. SHYAVITZ  
MCCARTER & ENGLISH, LLP  
265 FRANKLIN STREET  
BOSTON MA UNITED STATES , 02110

Correspondent e-mail: [lshyavitz@mccarter.com](mailto:lshyavitz@mccarter.com) , [ihurtado@mccarter.com](mailto:ihurtado@mccarter.com) , [dpopovic@mccarter.com](mailto:dpopovic@mccarter.com) , [elongobardi@mccarter.com](mailto:elongobardi@mccarter.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
JUBI	Cancelled - Section 18	<a href="#">86628825</a>	<a href="#">4952953</a>

**Plaintiff(s)**

Name: FRC Balance LLC

Correspondent Address: GLENN SPENCER BACAL  
BACAL LAW GROUP  
6991 EAST CAMELBACK ROAD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com) , [c:sean.garrison@bacalgroup.com](mailto:c:sean.garrison@bacalgroup.com) , [sean.garrison@bacalgroup.com](mailto:sean.garrison@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 10, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 11, 2017	Jun 20, 2017
3	PENDING, INSTITUTED	May 11, 2017	
4	ANSWER	Jun 20, 2017	
5	STIP FOR EXT	Dec 12, 2017	
6	EXTENSION OF TIME GRANTED	Jan 02, 2018	
7	D EXPERT DISCLOSURES	Feb 14, 2018	
8	D EXPERT DISCLOSURES	Feb 15, 2018	
9	P MOT FOR EXT W/ CONSENT	Feb 26, 2018	
10	EXTENSION OF TIME GRANTED	Mar 07, 2018	
11	D CHANGE OF CORRESP ADDRESS	Mar 08, 2018	
12	MOT TO AMEND ANS OR COUNTERCLAIM/AMENDED ANS OR COUNTERCLAIM	Apr 10, 2018	
13	ANSWER AND COUNTERCLAIM (FEE)	Apr 24, 2018	
14	P OPP/RESP TO MOTION	Apr 30, 2018	
15	SUSP PEND DISP OF OUTSTNDNG MOT	May 07, 2018	
16	D REPLY IN SUPPORT OF MOTION	May 21, 2018	
17	PROCEEDINGS RESUMED	Aug 29, 2018	
18	P MOT TO CONSOLIDATE	Oct 25, 2018	
19	P TESTIMONY	Nov 21, 2018	
20	P TESTIMONY	Nov 21, 2018	
21	P TESTIMONY	Nov 21, 2018	
22	P NOTICE OF RELIANCE	Nov 23, 2018	
23	P NOTICE OF RELIANCE	Nov 23, 2018	
24	P TESTIMONY	Nov 26, 2018	
25	CERTIFICATE OF SERVICE FOR DOCKET ENTRY 24	Nov 26, 2018	
26	P TESTIMONY	Nov 26, 2018	
27	TRIAL DATES REMAIN AS SET	Dec 07, 2018	
28	D NOTICE OF RELIANCE	Jan 24, 2019	

29	D CHANGE OF CORRESP ADDRESS	Jan 24, 2019
30	D NOTICE OF RELIANCE	Jan 24, 2019
31	D NOTICE OF RELIANCE	Jan 24, 2019
32	D NOTICE OF RELIANCE	Jan 24, 2019
33	P MAIN BRIEF: TM RULE 2.128	May 09, 2019
34	D CHANGE OF CORRESP ADDRESS	Jun 04, 2019
35	STIP FOR EXT	Jun 04, 2019
36	EXTENSION OF TIME GRANTED	Jun 07, 2019
37	STIP FOR EXT	Jun 13, 2019
38	EXTENSION OF TIME GRANTED	Jun 14, 2019
39	VOLUNTARY SURRENDER OF REGISTRATION	Jun 21, 2019
40	BD DECISION: CAN DENIED W/O PREJ	Jun 21, 2019
41	CORRECTION TO BD ORDER	Jul 01, 2019
42	COMMR ORDER CANCELLING REG	Jul 02, 2019
43	TERMINATED	Jul 02, 2019

### Type of Proceeding: Opposition

**Proceeding Number:** [91229749](#)

**Filing Date:** Aug 26, 2016

**Status:** Terminated

**Status Date:** Nov 14, 2016

**Interlocutory Attorney:** MARY CATHERINE FAINT

#### Defendant

**Name:** Sundia Corporation

**Correspondent Address:** THOMAS D FOSTER  
TDFOSTER INTELLECTUAL PROPERTY LAW  
11622 EL CAMINO REAL STE 100  
SAN DIEGO CA UNITED STATES , 92130-2051

**Correspondent e-mail:** [foster@tdfoster.com](mailto:foster@tdfoster.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE CHIA	Registered	<a href="#">86376213</a>	<a href="#">5191612</a>

#### Plaintiff(s)

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 26, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 26, 2016	Oct 05, 2016
3	PENDING, INSTITUTED	Aug 26, 2016	
4	STIP FOR EXT	Oct 05, 2016	
5	EXTENSION OF TIME GRANTED	Oct 05, 2016	
6	W/DRAW OF OPPOSITION	Nov 09, 2016	
7	BD DECISION: DISMISSED W/O PREJ	Nov 14, 2016	

### Type of Proceeding: Opposition

**Proceeding Number:** [91220760](#)

**Filing Date:** Feb 20, 2015

**Status:** Terminated

**Status Date:** May 26, 2015

**Interlocutory Attorney:** CHRISTEN M ENGLISH

#### Defendant

**Name:** TruFood Mfg., Inc.

**Correspondent Address:** NEAL P PIEROTTI  
METZ LEWIS BRODMAN MUST O'KEEFE  
535 SMITHFIELD ST, SUITE 800  
PITTSBURGH PA UNITED STATES , 15222-2305

**Correspondent e-mail:** [ipdocket@metzlewis.com](mailto:ipdocket@metzlewis.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUFOOD	Abandoned - After Inter-Partes Decision	<a href="#">86065240</a>	

#### Plaintiff(s)

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD , SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 20, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2015	Apr 05, 2015
3	PENDING, INSTITUTED	Feb 24, 2015	
4	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 02, 2015	
5	SUSPENDED	Apr 02, 2015	
6	D MOT FOR EXT W/ CONSENT	May 04, 2015	
7	EXTENSION OF TIME GRANTED	May 07, 2015	
8	ANSWER	May 12, 2015	
9	W/DRAW OF APPLICATION	May 20, 2015	
10	W/DRAW OF OPPOSITION	May 20, 2015	
11	BD DECISION: DISMISSED W/O PREJ	May 26, 2015	
12	TERMINATED	May 26, 2015	

# United States of America

United States Patent and Trademark Office

## TRUE FOOD KITCHEN

**Reg. No. 4,049,211**

**Registered Nov. 1, 2011**

**Int. Cl.: 43**

**SERVICE MARK**

**PRINCIPAL REGISTER**

FRC BALANCE LLC (ARIZONA LIMITED LIABILITY COMPANY)  
7135 EAST CAMELBACK ROAD, #260  
SCOTTSDALE, AZ 85251

FOR: RESTAURANT RESERVATION SERVICES; PREPARATION OF FOOD AND BEVERAGES FOR OTHERS; COCKTAIL LOUNGE SERVICES; RESTAURANT CARRY OUT SERVICES; CATERING SERVICES; RESTAURANT SERVICES; CAFE SERVICES; TAKE-OUT RESTAURANT SERVICES; RESTAURANTS FEATURING PRIVATE DINING ROOMS; PROVIDING DINING FACILITIES FOR SPECIAL EVENTS AND PRIVATE PARTIES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-2-2010; IN COMMERCE 8-2-2010.

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

OWNER OF U.S. REG. NOS. 3,620,741, 3,688,743, AND 3,961,181.

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

SER. NO. 85-290,527, FILED 4-8-2011.

KATHERINE CHANG, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office



**Generated on:** This page was generated by TSDR on 2019-11-19 17:48:29 EST

**Mark:** TRUE FOOD KITCHEN

TRUE FOOD KITCHEN

**US Serial Number:** 85290527

**Application Filing Date:** Apr. 08, 2011

**US Registration Number:** 4049211

**Registration Date:** Nov. 01, 2011

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Jan. 10, 2017

**Publication Date:** Aug. 16, 2011

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## Mark Information

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**Mark Literal Elements:** TRUE FOOD KITCHEN

**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

**Disclaimer:** "FOOD KITCHEN"

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 3620741, 3688743, 3961181

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## Goods and Services

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**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:** Restaurant reservation services; Preparation of food and beverages for others; Cocktail lounge services; Restaurant carry out services; Catering services; Restaurant services; Cafe services; Take-out restaurant services; Restaurants featuring private dining rooms; Providing dining facilities for special events and private parties

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 02, 2010

**Use in Commerce:** Aug. 02, 2010

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## Basis Information (Case Level)

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**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: FRC Balance LLC

Owner Address: 4455 East Camelback Road, Suite B100  
Phoenix, ARIZONA UNITED STATES 85018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country ARIZONA  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Glenn S. Bacal

Docket Number: 60003-1004

Attorney Primary Email Address: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)

Attorney Email Authorized: No

### Correspondent

Correspondent Name/Address: GLENN S. BACAL  
BACAL LAW GROUP, P.C.  
6991 E CAMELBACK RD STE D102  
SCOTTSDALE, ARIZONA UNITED STATES 85251-2465

Phone: 4802456233

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 10, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 10, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Jan. 10, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Nov. 02, 2016	TEAS SECTION 8 & 15 RECEIVED	
Nov. 02, 2016	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 01, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 23, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 23, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 23, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 23, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 16, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 16, 2011	PUBLISHED FOR OPPOSITION	
Jul. 14, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Jul. 12, 2011	ASSIGNED TO LIE	73296
Jul. 12, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 12, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 12, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 12, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 12, 2011	EXAMINERS AMENDMENT -WRITTEN	82414
Jul. 11, 2011	ASSIGNED TO EXAMINER	82414
Apr. 14, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 12, 2011	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

**File Location**

Current Location: TMO LAW OFFICE 115

Date in Location: Jan. 10, 2017

**Assignment Abstract Of Title Information****Summary**

Total Assignments: 5

Registrant: FRC Balance LLC

**Assignment 1 of 5**

Conveyance: SECURITY AGREEMENT

Reel/Frame: [5685/0441](#)

Pages: 7

Date Recorded: Dec. 08, 2015

Supporting Documents: [assignment-tm-5685-0441.pdf](#)**Assignor**Name: [FRC BALANCE, LLC](#)

Execution Date: Dec. 07, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**Name: [WOK MEMBER LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 7676 EAST PINNACLE ROAD  
SCOTTSDALE, ARIZONA 85255**Correspondent**

Correspondent Name: TREVOR HARRIS

Correspondent Address: 208 SOUTH LASALLE -SUITE 814  
CHICAGO, IL 60604**Domestic Representative - Not Found****Assignment 2 of 5**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [5811/0903](#)

Pages: 4

Date Recorded: Jun. 13, 2016

Supporting Documents: [assignment-tm-5811-0903.pdf](#)**Assignor**Name: [WOK MEMBER LLC](#)

Execution Date: May 09, 2016

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**Name: [FRC BALANCE, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Address: 4455 EAST CAMELBACK ROAD  
SUITE B100  
PHOENIX, ARIZONA 85018**Correspondent**

Correspondent Name: MARC CURRIE, SNELL &amp; WILMER L.L.P.

Correspondent Address: 400 EAST VAN BUREN  
ONE ARIZONA CENTER  
PHOENIX, AZ 85004-2202**Domestic Representative - Not Found****Assignment 3 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [6189/0040](#)

Pages: 7

Date Recorded: Oct. 24, 2017

Supporting Documents: [assignment-tm-6189-0040.pdf](#)

**Assignor**

Name: [FRC BALANCE LLC](#)

Execution Date: Oct. 13, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: ARIZONA  
Where Organized:

**Assignee**

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country: UNITED STATES  
Where Organized:

Address: 1808 ASTON AVENUE, SUITE 250  
CARLSBAD, CALIFORNIA 92008

**Correspondent**

Correspondent Name: KATARZYNA GAYSUNAS

Correspondent Address: 1 FEDERAL STREET  
C/O MORGAN LEWIS BOCKIUS LLP  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 4 of 5**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6504/0221](#)

Pages: 5

Date Recorded: Dec. 20, 2018

Supporting Documents: [assignment-tm-6504-0221.pdf](#)

**Assignor**

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Execution Date: Dec. 19, 2018

Legal Entity Type: NATIONAL ASSOCIATION

State or Country: UNITED STATES  
Where Organized:

**Assignee**

Name: [FRC BALANCE LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: ARIZONA  
Where Organized:

Address: 4455 E. CAMELBACK RD. A115  
PHOENIX, ARIZONA 85018

**Correspondent**

Correspondent Name: KATARZYNA GAYSUNAS

Correspondent Address: 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 5 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [6557/0920](#)

Pages: 7

Date Recorded: Dec. 19, 2018

Supporting Documents: [assignment-tm-6557-0920.pdf](#)

**Assignor**

Name: [FRC BALANCE LLC](#)

Execution Date: Dec. 19, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: ARIZONA

**Where Organized:****Assignee****Name:** [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country:** UNITED STATES**Where Organized:****Address:** 900 W TRADE STREET  
CHARLOTTE, NORTH CAROLINA 28255**Correspondent****Correspondent Name:** KATARZYNA GAYSUNAS**Correspondent Address:** 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110**Domestic Representative - Not Found**

## Proceedings

**Summary****Number of Proceedings:** 7**Type of Proceeding: Opposition****Proceeding Number:** [91249848](#)**Filing Date:** Jul 30, 2019**Status:** Pending**Status Date:** Jul 30, 2019**Interlocutory Attorney:** ANDREW P BAXLEY**Defendant****Name:** Tega Natural Enlightenment Foods, SA deCV**Correspondent Address:** CHARLES E PHIPPS  
LOCKE LORD LLP  
2200 ROSS AVE SUITE 2800  
DALLAS TX UNITED STATES , 75201-6776**Correspondent e-mail:** [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

**Plaintiff(s)****Name:** FRC Balance LLC**Correspondent Address:** GLENN BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>
TRUE	Registered	<a href="#">88039241</a>	<a href="#">5680625</a>
BE TRUE TO YOURSELF	Registered	<a href="#">88039105</a>	<a href="#">5680624</a>
BE TRUE	Registered	<a href="#">88020977</a>	<a href="#">5679993</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	

**Type of Proceeding: Cancellation**

**Proceeding Number:** [92070910](#)

**Filing Date:** Mar 19, 2019

**Status:** Pending

**Status Date:** Mar 26, 2019

**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** Stonecrest Pizza #1 LLC

**Correspondent Address:** LARRY L SARET  
MICHAEL BEST & FRIEDRICH LLP  
444 W LAKE STREET, SUITE 3200  
CHICAGO IL UNITED STATES , 60606

**Correspondent e-mail:** [chiipdocket@michaelbest.com](mailto:chiipdocket@michaelbest.com) , [lsaret@michaelbest.com](mailto:lsaret@michaelbest.com) , [mekouba@michaelbest.com](mailto:mekouba@michaelbest.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE CRAFTED PIZZA	Cancellation Pending	<a href="#">85866030</a>	<a href="#">4503098</a>

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 19, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 26, 2019	May 05, 2019
3	INSTITUTED	Mar 26, 2019	
4	D MOT FOR EXT W/ CONSENT	Apr 30, 2019	
5	EXTENSION OF TIME GRANTED	Apr 30, 2019	
6	D CHANGE OF CORRESP ADDRESS	Jul 01, 2019	
7	D MOT FOR EXT W/ CONSENT	Jul 01, 2019	
8	EXTENSION OF TIME GRANTED	Jul 01, 2019	
9	ANSWER	Aug 05, 2019	

### Type of Proceeding: Opposition

Proceeding Number: [91245204](#)

Filing Date: Dec 10, 2018

Status: Terminated

Status Date: Dec 20, 2018

Interlocutory Attorney: KATIE W MCKNIGHT

#### Defendant

Name: Gold Coast Traditions LLC

Correspondent Address: JENNIFER MELLARD  
GOLD COAST TRADITIONS LLC  
6786 PECUE LANE SUITE C  
BATON ROUGE LA UNITED STATES , 70817

Correspondent e-mail: [info@goldcoasttraditions.com](mailto:info@goldcoasttraditions.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUEATS	Abandoned - After Inter-Partes Decision	<a href="#">87851493</a>	

#### Plaintiff(s)

Name: FRC Balance LLC

Correspondent Address: GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 10, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 10, 2018	Jan 19, 2019
3	PENDING, INSTITUTED	Dec 10, 2018	
4	W/DRAW OF APPLICATION	Dec 18, 2018	
5	BD DECISION: OPP DISMISSED W/O PREJ	Dec 20, 2018	
6	TERMINATED	Dec 20, 2018	

### Type of Proceeding: Opposition

Proceeding Number: [91238625](#)

Filing Date: Dec 27, 2017

Status: Terminated

Status Date: Sep 29, 2018

Interlocutory Attorney: ELIZABETH WINTER

#### Defendant

Name: True North Salmon Co. Ltd.

Correspondent Address: JONATHAN B. HUNTINGTON  
Eaton Peabody P A  
77 SEWALL ST STE 3000  
AUGUSTA ME UNITED STATES , 04330

Correspondent e-mail: [jhuntingson@eatonpeabody.com](mailto:jhuntingson@eatonpeabody.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
EAT TRUE	Registered	<a href="#">86596636</a>	<a href="#">5598260</a>

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** Glenn S. Bacal  
Bacal Law Group, P.C.  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 27, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 27, 2017	Feb 05, 2018
3	PENDING, INSTITUTED	Dec 27, 2017	
4	ANSWER	Feb 01, 2018	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jul 31, 2018	
6	SUSPENDED	Jul 31, 2018	
7	W/DRAW OF OPPOSITION	Sep 17, 2018	
8	BD DECISION: OPP DISMISSED W/O PREJ	Sep 29, 2018	
9	TERMINATED	Sep 29, 2018	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91220760](#)

**Filing Date:** Feb 20, 2015

**Status:** Terminated

**Status Date:** May 26, 2015

**Interlocutory Attorney:** CHRISTEN M ENGLISH

**Defendant**

**Name:** TruFood Mfg., Inc.

**Correspondent Address:** NEAL P PIEROTTI  
METZ LEWIS BRODMAN MUST O'KEEFE  
535 SMITHFIELD ST, SUITE 800  
PITTSBURGH PA UNITED STATES , 15222-2305

**Correspondent e-mail:** [ipdocket@metzlewis.com](mailto:ipdocket@metzlewis.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUFOOD	Abandoned - After Inter-Partes Decision	<a href="#">86065240</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC

**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD , SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 20, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2015	Apr 05, 2015
3	PENDING, INSTITUTED	Feb 24, 2015	
4	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 02, 2015	
5	SUSPENDED	Apr 02, 2015	
6	D MOT FOR EXT W/ CONSENT	May 04, 2015	
7	EXTENSION OF TIME GRANTED	May 07, 2015	
8	ANSWER	May 12, 2015	
9	W/DRAW OF APPLICATION	May 20, 2015	
10	W/DRAW OF OPPOSITION	May 20, 2015	
11	BD DECISION: DISMISSED W/O PREJ	May 26, 2015	
12	TERMINATED	May 26, 2015	

#### Type of Proceeding: Opposition

Proceeding Number: [91219889](#)

Filing Date: Dec 22, 2014

Status: Terminated

Status Date: Jan 06, 2015

Interlocutory Attorney: ELIZABETH A DUNN

#### Defendant

Name: Founding Farmers, LLC

Correspondent Address: ERIC J VON VORYS  
SHULMAN ROGERS GANDAL PORDY & ECKER PA  
12505 PARK POTOMAC AVENUE, SIXTH FLOOR  
POTOMAC MD UNITED STATES , 20854

Correspondent e-mail: [evonvorys@shulmanrogers.com](mailto:evonvorys@shulmanrogers.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
FF FOUNDING FARMERS TRUE FOOD & DRINK	Abandoned - After Inter-Partes Decision	<a href="#">86138228</a>	

#### Plaintiff(s)

Name: FRC Balance LLC

Correspondent Address: GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
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1	FILED AND FEE	Dec 22, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 22, 2014	Jan 31, 2015
3	PENDING, INSTITUTED	Dec 22, 2014	
4	W/DRAW OF APPLICATION W/O CONSENT	Jan 02, 2015	
5	BD DECISION: SUSTAINED	Jan 06, 2015	
6	TERMINATED	Jan 06, 2015	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91208321](#) **Filing Date:** Dec 05, 2012  
**Status:** Terminated **Status Date:** Mar 06, 2013  
**Interlocutory Attorney:** YONG OH (RICHARD) KIM

**Defendant**

**Name:** TMCO LLC  
**Correspondent Address:** TMCO LLC  
148 REMINGTON ST  
FORT COLLINS CO UNITED STATES , 80524  
**Correspondent e-mail:** [dwolter@migcap.com](mailto:dwolter@migcap.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOODS	Abandoned - After Inter-Partes Decision	<a href="#">85596730</a>	

**Plaintiff(s)**

**Name:** FRC Balance LLC  
**Correspondent Address:** GLENN S BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK RD, SUITE D 102  
SCOTTSDALE AZ UNITED STATES , 85251  
**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com), [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
TRUE FOOD KITCHEN GLOBALLY INSPIRED CUISINE	Cancelled - Section 8	<a href="#">85120928</a>	<a href="#">3961181</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 05, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 05, 2012	Jan 14, 2013
3	PENDING, INSTITUTED	Dec 05, 2012	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Jan 22, 2013	
5	BD DECISION: SUSTAINED	Mar 06, 2013	
6	TERMINATED	Mar 06, 2013	

# United States of America

United States Patent and Trademark Office

## BE TRUE TO YOURSELF

**Reg. No. 5,680,624**

**Registered Feb. 19, 2019**

**Int. Cl.: 43**

**Service Mark**

**Principal Register**

FRC BALANCE LLC (ARIZONA LIMITED LIABILITY COMPANY)  
4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA 85018

CLASS 43: Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

FIRST USE 6-30-2015; IN COMMERCE 6-30-2015

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

OWNER OF U.S. REG. NO. 3688743, 4049211, 3620741

SER. NO. 88-039,105, FILED 07-16-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

**Generated on:** This page was generated by TSDR on 2019-11-19 17:49:33 EST

**Mark:** BE TRUE TO YOURSELF

BE TRUE TO YOURSELF

**US Serial Number:** 88039105

**Application Filing Date:** Jul. 16, 2018

**US Registration Number:** 5680624

**Registration Date:** Feb. 19, 2019

**Filed as TEAS RF:** Yes

**Currently TEAS RF:** Yes

**Register:** Principal

**Mark Type:** Service Mark

**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. 19, 2019

**Publication Date:** Dec. 04, 2018

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## Mark Information

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**Mark Literal Elements:** BE TRUE TO YOURSELF

**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

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## Related Properties Information

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**Claimed Ownership of US Registrations:** 3620741, 3688743, 4049211 and others

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## Goods and Services

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**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:** Full service, sit-down restaurant and bar services featuring organic, healthful, non-artificial and nutritious foods

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 30, 2015

**Use in Commerce:** Jun. 30, 2015

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## Basis Information (Case Level)

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**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** FRC BALANCE LLC

**Owner Address:** 4455 East Camelback Road, Suite A115  
Phoenix, ARIZONA UNITED STATES 85018

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** ARIZONA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Glenn S. Bacal

**Docket Number:** 60003-1015

**Attorney Primary** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** GLENN S. BACAL  
**Name/Address:** BACAL LAW GROUP, P.C.  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE, ARIZONA UNITED STATES 85251

**Phone:** 480-245-6233

**Correspondent e-mail:** [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) [jamie.tuccio@bacalgroup.com](mailto:jamie.tuccio@bacalgroup.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2019	REGISTERED-PRINCIPAL REGISTER	
Dec. 04, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 04, 2018	PUBLISHED FOR OPPOSITION	
Nov. 14, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 20, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 20, 2018	ASSIGNED TO EXAMINER	59500
Jul. 19, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 19, 2018	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. 19, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** FRC BALANCE LLC

### Assignment 1 of 1

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6557/0920](#)

**Pages:** 7

**Date Recorded:** Dec. 19, 2018

**Supporting Documents:** [assignment-tm-6557-0920.pdf](#)

### Assignor

**Name:** [FRC BALANCE LLC](#)

**Execution Date:** Dec. 19, 2018

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country ARIZONA  
Where Organized:

#### Assignee

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country UNITED STATES  
Where Organized:

Address: 900 W TRADE STREET  
CHARLOTTE, NORTH CAROLINA 28255

#### Correspondent

Correspondent Name: KATARZYNA GAYSUNAS

Correspondent Address: 1 FEDERAL STREET  
C/O MORGAN, LEWIS & BOCKIUS LLP  
BOSTON, MA 02110

#### Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 1

#### Type of Proceeding: Opposition

Proceeding Number: [91249848](#)

Filing Date: Jul 30, 2019

Status: Pending

Status Date: Jul 30, 2019

Interlocutory Attorney: ANDREW P BAXLEY

#### Defendant

Name: Tega Natural Enlightenment Foods, SA deCV

Correspondent Address: CHARLES E PHIPPS  
LOCKE LORD LLP  
2200 ROSS AVE SUITE 2800  
DALLAS TX UNITED STATES , 75201-6776

Correspondent e-mail: [cphipps@lockelord.com](mailto:cphipps@lockelord.com) , [RNail@lockelord.com](mailto:RNail@lockelord.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUSNACK	Opposition Pending	<a href="#">86737017</a>	

#### Plaintiff(s)

Name: FRC Balance LLC

Correspondent Address: GLENN BACAL  
BACAL LAW GROUP PC  
6991 EAST CAMELBACK ROAD, SUITE D-102  
SCOTTSDALE AZ UNITED STATES , 85251

Correspondent e-mail: [glenn.bacal@bacalgroup.com](mailto:glenn.bacal@bacalgroup.com) , [kris.haley@bacalgroup.com](mailto:kris.haley@bacalgroup.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
TRUE FOOD	REGISTERED AND RENEWED	<a href="#">77501250</a>	<a href="#">3620741</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85290527</a>	<a href="#">4049211</a>
TRUE FOOD KITCHEN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85291955</a>	<a href="#">4052881</a>
TRUE FOOD KITCHEN	REGISTERED AND RENEWED	<a href="#">77679039</a>	<a href="#">3688743</a>
JUBY TRUE	Section 8 - Accepted	<a href="#">86026284</a>	<a href="#">4497563</a>
TRUE	Registered	<a href="#">88039241</a>	<a href="#">5680625</a>
BE TRUE TO YOURSELF	Registered	<a href="#">88039105</a>	<a href="#">5680624</a>
BE TRUE	Registered	<a href="#">88020977</a>	<a href="#">5679993</a>

**Prosecution History**

<b>Entry Number</b>	<b>History Text</b>	<b>Date</b>	<b>Due Date</b>
1	FILED AND FEE	Jul 30, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 30, 2019	Sep 08, 2019
3	INSTITUTED	Jul 30, 2019	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 05, 2019	
5	D MOT FOR EXT W/ CONSENT	Sep 05, 2019	
6	EXTENSION OF TIME GRANTED	Sep 07, 2019	
7	DUPLICATE FILING (NOT CONSIDERED)	Oct 02, 2019	
8	STIP FOR EXT	Oct 02, 2019	
9	EXTENSION OF TIME GRANTED	Oct 10, 2019	
10	D MOT FOR EXT W/ CONSENT	Nov 06, 2019	
11	EXTENSION OF TIME GRANTED	Nov 16, 2019	