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ESTTA Tracking number: **ESTTA1075140**

Filing date: **08/14/2020**

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	Molly's Cupcakes IP Holding Company, LLC
Granted to Date of previous extension	08/16/2020
Address	2125 W. ARMITAGE, 3W CHICAGO, IL 60647 UNITED STATES

Attorney information	WENDI E. SLOANE BARACK FERRAZZANO KIRSCHBAUM & NAGELBERG LLP 200 WEST MADISON STREET, SUITE 3900 CHICAGO, IL 60606 UNITED STATES Primary Email: trademarks@bfkn.com 312-984-3100
Docket Number	MOLY-0003

Applicant Information

Application No.	88651117	Publication date	02/18/2020
Opposition Filing Date	08/14/2020	Opposition Period Ends	08/16/2020
Applicant	Molly B'z Inc. PO BOX 770783 EAGLE RIVER, AK 99577 UNITED STATES		

Goods/Services Affected by Opposition

Class 030. First Use: 2019/05/23 First Use In Commerce: 2019/05/23 All goods and services in the class are opposed, namely: Cookies

Applicant Information

Application No.	88651095	Publication date	03/10/2020
Opposition Filing Date	08/14/2020	Opposition Period Ends	
Applicant	Molly B'z Inc. PO BOX 770783 EAGLE RIVER, AK 99577 UNITED STATES		

Goods/Services Affected by Opposition

Class 030. First Use: 2019/05/23 First Use In Commerce: 2019/05/23 All goods and services in the class are opposed, namely: Cookies

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Applicant not rightful owner of mark for identified goods or services	Trademark Act Section 1
Other	(i) Deficient verified statements; and (ii) Failure to disclaim unregistrable matter

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3471100	Application Date	11/08/2007
Registration Date	07/22/2008	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2003/09/24 First Use In Commerce: 2005/08/05 Bakery desserts; Bakery goods		

U.S. Registration No.	3650895	Application Date	12/23/2008
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/12/07 First Use In Commerce: 2007/12/07 Retail bakery shops; Take-out bakery services		

U.S. Registration No.	4638014	Application Date	03/05/2013
Registration Date	11/11/2014	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2013/04/00 First Use In Commerce: 2013/04/00 [Mail order services featuring bakery desserts and bakery goods;] On-line retail store services featuring bakery desserts and bakery goods; Retail store services featuring bakery desserts and bakery goods accessible on-line and by telephone [, facsimile and mail order] * andfacsimile *		

U.S. Registration No.	4751964	Application Date	10/21/2014
Registration Date	06/09/2015	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	The mark consists of a cupcake design with numerous blue, orange, and green dots forming the top of the cupcake and thewords "Molly's CUPCAKES" in a white stylized font on the center of the brown base of the cupcake.		
Goods/Services	Class 030. First use: First Use: 2007/00/00 First Use In Commerce: 2007/00/00 Bakery desserts; bakery goods; confectionary made of sugar Class 035. First use: First Use: 2007/00/00 First Use In Commerce: 2007/00/00 retail bakery shops; take-out bakery services; [mail order services featuring bakery desserts and bakery goods;] on-line retail store services featuring bakery desserts and bakery goods; retail store services featuring bakery desserts and bakery goods accessible on-line and bytelephone [,] * AND * fac-simile [andmail order]		

U.S. Registration No.	5938296	Application Date	04/13/2016
Registration Date	12/17/2019	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2018/12/00 First Use In Commerce: 2018/12/00 Mail order services featuring bakery desserts and bakery goods; Retail store services featuring bakery desserts and bakery goods accessible by mail order		

U.S. Registration No.	5950434	Application Date	04/13/2016
Registration Date	12/31/2019	Foreign Priority Date	NONE
Word Mark	MOLLY'S CUPCAKES		
Design Mark			
Description of Mark	The mark consists of a cupcake design with twenty-one blue, orange, and green dots forming the top of the cupcake and the words "Molly's CUPCAKES" in a white stylized font on the center of the brown base of the cupcake.		
Goods/Services	Class 035. First use: First Use: 2018/12/00 First Use In Commerce: 2018/12/00 Mail order services featuring bakery desserts and bakery goods; Retail store services featuring bakery desserts and bakery goods accessible by mail order		

Attachments	MOLY-0003 Notice of Opposition.pdf(3398745 bytes)

Signature	/Thomas M. Gniot/
Name	Thomas M. Gniot
Date	08/14/2020

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

Molly's Cupcakes IP Holding Company, LLC, Opposer, v. Molly B'z Inc., Applicant.	In the matter of: Application Serial Nos. 88/651117 and 88/651095 For the marks: MOLLY BZ MOLLY BZ INFUZED GOURMET FOODZ (& Design) Published in the *Official Gazette* On February 18 and March 10, 2020

NOTICE OF CONSOLIDATED OPPOSITION

Opposer, Molly's Cupcakes IP Holding Company, LLC ("**Opposer**"), a Delaware limited liability company, with the address of 2125 W. Armitage, 3W, Chicago, Illinois 60647, believes that it will be damaged by the registration of the marks MOLLY BZ and MOLLY BZ INFUZED GOURMET FOODZ (& Design), which are the subject of U.S. Trademark Application Serial Nos. 88/651117 and 88/651095 (collectively, the "**Applicant's Marks**"), filed in the name of Molly B'z Inc. ("**Applicant**"), each for "Cookies" in International Class 30, and hereby opposes such registration pursuant to 15 U.S.C. § 1063. Moreover, because both subject applications are owned by the same Applicant and involve common questions of law and fact, Opposer respectfully submits that consolidation of these oppositions into a single proceeding is appropriate in accordance with Fed. R. Civ. P. 42(a) and TBMP §305.01.

The grounds for opposition are as follows:

1. Opposer, a Delaware limited liability company, owns a portfolio of federal registrations in International Classes 30 and 35 for the trademark MOLLY'S CUPCAKES, in

standard characters as well as in its characteristic logo design (collectively, the "**Molly's Cupcakes Marks**"), in connection with cupcakes and other bakery desserts, operation of retail bakery shops and provision of take-out bakery services, and online retail and mail order services for bakery desserts. These registrations include:

MARK	REG. NO.	GOODS/SERVICES	CLASS(ES)
MOLLY'S CUPCAKES	3,471,100	bakery desserts; bakery goods	30
MOLLY'S CUPCAKES	3,650,895	retail bakery shops; take-out bakery services	35
MOLLY'S CUPCAKES	4,638,014	mail order services featuring bakery desserts and bakery goods; on-line retail store services featuring bakery desserts and bakery goods; retail store services featuring bakery desserts and bakery goods accessible on-line and by telephone, facsimile and mail order	35
	4,751,964	bakery desserts; bakery goods; confectionary made of sugar; retail bakery shops; take-out bakery services; mail order services featuring bakery desserts and bakery goods; on-line retail store services featuring bakery desserts and bakery goods; retail store services featuring bakery desserts and bakery goods accessible on-line and by telephone, facsimile and mail order	30, 35
MOLLY'S CUPCAKES	5,938,296	mail order services featuring bakery desserts and bakery goods; retail store services featuring bakery desserts and bakery goods accessible by mail order	35
	5,950,434	mail order services featuring bakery desserts and bakery goods; retail store services featuring bakery desserts and bakery goods accessible by mail order	35

2. These registrations are valid and subsisting, and Registration Nos. 3,471,100, 3,650,895, and 4,638,014 are now incontestable. Together, these registrations protect Opposer's

numerous baked goods and related retail bakery shops, take-out bakery services, and mail order services. Copies of these registrations from the U.S. Patent and Trademark Office ("**PTO**") Database are attached hereto, collectively marked as **Exhibit A**. Certified copies of these properties will be made of record during Opposer's testimony period.

3. Long prior to the filing date of the applications opposed herein, Opposer obtained the above-identified registrations for the Molly's Cupcakes Marks for the goods and services identified in such registrations.

4. According to the records of the Delaware Secretary of State attached as **Exhibit B** (accessed August 14, 2020), Applicant was formed as a corporation on May 24, 2019.

5. On October 11, 2019, Applicant filed to register MOLLY BZ and MOLLY BZ INFUZED GOURMET FOODZ (& Design), each for "Cookies" in Class 30 under 15 U.S.C. § 1051(a), listing a first use date of May 23, 2019 in both applications. Copies of these applications from the PTO's database are attached, collectively marked as **Exhibit C**.

COUNT I
APPLICATIONS NOT FILED BY OWNER OF MARKS

6. Opposer repeats, realleges and incorporates by reference the allegations of paragraph 1 through 5 above, as paragraph 6 of this cause of action, as if fully set forth herein.

7. 15 U.S.C. §1051(a)(3)(A) permits the "owner of a trademark used in commerce" to request registration and requires that use-based applications include a statement that "the person making the verification believes that he or she, or the juristic person in whose behalf he or she makes the verification, to be the owner of the mark sought to be registered."

8. The subject applications were filed listing "Molly B'z Inc." as the owner.

9. The records of the Delaware Secretary of State (*see* **Exhibit B**) indicate that Applicant was formed as a corporation on May 24, 2019, a day after its claimed May 23, 2019 date of first use.

10. On information and belief, Molly B'z Inc. is therefore not "the owner of [the opposed] trademark[s] used in commerce." *See* 15 U.S.C. §1051(a)(3)(A). That is, if Applicant was not yet formed, *i.e.*, not yet in existence, until after the at least as early as May 23, 2019 first use date listed in the applications, Applicant's Marks were being used by another person or entity not properly identified in the applications as the owner.

11. The subject applications are therefore void *ab initio*, pursuant to 15 U.S.C. §§ 1051(a)(1), (a)(3)(A), because, on information and belief, the wrong entity was named as the owner in the applications.

COUNT II
DEFICIENT VERIFIED STATEMENTS

12. Opposer repeats, realleges and incorporates by reference the allegations of paragraph 1 through 5 above, as paragraph 12 of this cause of action, as if fully set forth herein.

13. 37 C.F.R. §2.33 requires that every application under Section 1(a) include a verified statement that "the facts set forth in the application are true." Moreover, under 37 C.F.R. § 2.34, an applicant must include "The date of the applicant's first use of the mark anywhere on or in connection with the goods or services" and "The date of the applicant's first use of the mark in commerce."

14. Applicant listed May 23, 2019 as the date of first use anywhere and in commerce of Applicant's Marks in the subject applications. *See* **Exhibit C**.

15. Applicant's May 24, 2019 corporate formation, as reflected in the records of the Delaware Secretary of State's Office (*see* **Exhibit B**), contradicts the May 23, 2019 date of first

use recited in Application Nos. 88/651117 and 88/651095, being a day *later than* the claimed date of first use for Applicant's Marks. If Applicant was not formed; hence, not in existence, until May 24, 2019, it necessarily follows that it could not have begun using Applicant's Marks as of the May 23rd first use date listed in the subject applications. These inconsistencies contradict the facts included in the verified statements filed with Applicant's Marks.

16. The Applicant's Marks should be denied registration as both being void *ab initio* because Applicant was not yet in existence to be providing the goods as of the listed first use date. Such errors in the verified statements constitute an independent basis for refusing registration of Applicant's Marks.

COUNT III
FAILURE TO DISCLAIM UNREGISTRABLE MATTER

17. Opposer repeats, realleges and incorporates by reference the allegations of paragraph 1 through 5 above, as paragraph 17 of this cause of action, as if fully set forth herein.

18. Opposer opposes registration of Applicant's Marks on the separate and independent ground that registration should be denied for failure to disclaim what, on information and belief, is unregistrable matter.

19. The consents filed with Application Nos. 88/651117 and 88/651095 (copies from PTO database attached as part of **Exhibit C**) recite that "**Molly B**" is the nickname of Ms. Molly Blakeley. However, Applicant's Marks include the separate element "BZ" without any identification of what this precise two-letter element stands for or otherwise means.

20. Attached as **Exhibit D** is a printout from https://acronymfinder.com (accessed on August 14, 2020) for "BZ," listing, among other possible definitions, "Business", "Busy", and "Belize."

21. On information and belief, if the "BZ" element in Applicant's Marks is an acronym for "Business" then it must be disclaimed as descriptive.

22. On information and belief, if the "BZ" element in Applicant's Marks is an acronym for "Busy" then it must be disclaimed as descriptive.

23. On information and belief, if the "BZ" element in Applicant's Marks is an acronym for "Belize" then it must be disclaimed as geographically descriptive and/or geographically deceptively misdescriptive.

COUNT IV
LIKELIHOOD OF CONFUSION

24. Opposer repeats, realleges and incorporates by reference the allegations of paragraph 1 through 5 above, as paragraph 24 of this cause of action, as if fully set forth herein.

25. Opposer has priority over Applicant for a mark containing the term "Molly" in connection with baked goods, desserts, and related products in Class 30.

26. Applicant's Marks so closely resemble Opposer's Molly's Cupcakes Marks in appearance, sound, and overall commercial impression that, if registered, they are likely to cause confusion, mistake or deception on the Register as to any affiliation, association or sponsorship between Opposer and Applicant, in violation of 15 U.S.C. § 1052(d).

27. Foremost, Applicant's Marks are confusingly similar to the Molly's Cupcakes Marks under the *DuPont* test. Applicant's Marks and the Molly's Cupcakes Marks share the identical word "Molly" as the dominant component, positioned as the introductory term in all of these source identifiers. Applicant's MOLLY BZ word mark and the Molly's Cupcakes Marks likewise both constitute short, two-word phrases. The "BZ" element in Applicant's Marks appears to be descriptive (as explained in Count III above), and therefore fails to meaningfully distinguish MOLLY BZ and MOLLY BZ INFUZED GOURMET FOODZ (& Design) from

MOLLY'S CUPCAKES. Moreover, the difference in appearance from Applicant's inclusion of the design element in Application No. 88/651095 is likewise insufficient to preclude likely confusion. Where a trademark consists of a word and design portion, the word portion is more likely to be impressed on the public's memory.

28. The Molly's Cupcakes Marks and Applicant's Marks are also confusingly similar phonetically. These source identifiers are in fact acoustically identical in regard to the dominant "Molly" components.

29. Applicant has applied to register its marks with cookies—items identical and otherwise directly related to the baked desserts and other baked goods in Class 30, as well as to the retail bakery shops, take-out bakery services, and mail order services in Class 35, for which Opposer has registered and is using its Molly's Cupcakes Marks, thereby heightening the likelihood of confusion on the Register.

30. Applicant's Mark so closely resembles the Molly's Cupcakes Marks that its registration is likely to cause confusion, mistake or deception on the Register, within the meaning of Section 2(d) of the Lanham Act.

31. Applicant's registration of marks nearly identical to Opposer's Molly's Cupcakes Marks will damage Opposer's rights by taking away from the distinctiveness of Opposer's Molly's Cupcakes Marks on the Principal Register, thereby narrowing Opposer's scope of protection for such marks on the Principal Register.

32. Opposer has not authorized or consented to Applicant's registration of Applicant's Marks in the United States.

33. If Applicant were to be granted registrations for the marks herein opposed, it would obtain thereby at least a prima facie exclusive right to these marks for Applicant's goods

in International Class 30 on the Principal Register. Such registrations would be a source of damage and injury to Opposer, as set forth herein.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and that registration of the marks MOLLY BZ and MOLLY BZ INFUZED GOURMET FOODZ (& Design), Application Serial Nos. 88/651117 and 88/651095 for the Class 30 products specified therein, be refused and that no registrations should issue thereon to Applicant.

The Trademark Office is hereby authorized to charge any underpayment or overpayment to Deposit Account No. 50-1004.

Dated: August 14, 2020

Respectfully submitted,

By: /Thomas M. Gniot/

Wendi E. Sloane
Thomas M. Gniot
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Counsel for Opposer, Molly's Cupcakes IP Holding Company, LLC

EXHIBIT A

Int. Cls.: 30 and 35

Prior U.S. Cls.: 46, 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,471,100

Registered July 22, 2008

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

Molly's Cupcakes

NICOLAIDES, JOHN (ILLINOIS LTD LIAB CO),
DBA MOLLY'S CUPCAKES
2536 NORTH CLARK STREET
CHICAGO, IL 60614

FOR: BAKERY DESSERTS; BAKERY GOODS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 9-24-2003; IN COMMERCE 8-5-2005.

FOR: RETAIL BAKERY SHOPS; TAKE-OUT BAKERY SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-24-2003; IN COMMERCE 8-3-2005.

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

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

SER. NO. 77-324,583, FILED 11-8-2007.

BENJAMIN ALLEN, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,650,895

Registered July 7, 2009

SERVICE MARK
PRINCIPAL REGISTER

MOLLY'S CUPCAKES

MOLLY'S CUPCAKES LLC (ILLINOIS LIMITED LIABILITY COMPANY)
2536 NORTH CLARK STREET
CHICAGO, IL 60614

FOR: RETAIL BAKERY SHOPS; TAKE-OUT BAKERY SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 12-7-2007; IN COMMERCE 12-7-2007.

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

OWNER OF U.S. REG. NO. 3,471,100.

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

SER. NO. 77-639,196, FILED 12-23-2008.

JOHN SCHUYLER YARD, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

MOLLY'S CUPCAKES

Reg. No. 4,638,014

Registered Nov. 11, 2014

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

MOLLY'S CUPCAKES IP HOLDING COMPANY, LLC (DELAWARE LIMITED LIABILITY COMPANY)
2125 W. ARMITAGE, 3W
CHICAGO, IL 60647

FOR: MAIL ORDER SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS; ON-LINE RETAIL STORE SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS; RETAIL STORE SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS ACCESSIBLE ON-LINE AND BY TELEPHONE, FACSIMILE AND MAIL ORDER, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-0-2013; IN COMMERCE 4-0-2013.

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

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

SN 85-982,551, FILED 3-5-2013.

DAVID MURRAY, EXAMINING ATTORNEY

UNITED STATES PATENT AND TRADEMARK OFFICE · DEPARTMENT OF COMMERCE

Michelle K. Lee

Deputy Director of the United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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

Requirements in the First Ten Years*
What and When to File:

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

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

Requirements in Successive Ten-Year Periods*
What and When to File:

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

Grace Period Filings*

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

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

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

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

United States of America

United States Patent and Trademark Office

Reg. No. 4,751,964

Registered June 9, 2015

Int. Cls.: 30 and 35

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

MOLLY'S CUPCAKES IP HOLDING COMPANY, LLC (DELAWARE LIMITED LIABILITY COMPANY)
2125 W. ARMITAGE
3W
CHICAGO, IL 60647

FOR: BAKERY DESSERTS; BAKERY GOODS; CONFECTIONARY MADE OF SUGAR, IN CLASS 30 (U.S. CL. 46).

FIRST USE 0-0-2007; IN COMMERCE 0-0-2007.

FOR: RETAIL BAKERY SHOPS; TAKE-OUT BAKERY SERVICES; MAIL ORDER SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS; ON-LINE RETAIL STORE SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS; RETAIL STORE SERVICES FEATURING BAKERY DESSERTS AND BAKERY GOODS ACCESSIBLE ON-LINE AND BY TELEPHONE, FACSIMILE AND MAIL ORDER, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 0-0-2007; IN COMMERCE 0-0-2007.

OWNER OF U.S. REG. NOS. 3,471,100 AND 3,650,895.

THE COLOR(S) WHITE, BROWN, BLUE, ORANGE, AND GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

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

THE MARK CONSISTS OF A CUPCAKE DESIGN WITH NUMEROUS BLUE, ORANGE, AND GREEN DOTS FORMING THE TOP OF THE CUPCAKE AND THE WORDS "MOLLY'S CUPCAKES" IN A WHITE STYLIZED FONT ON THE CENTER OF THE BROWN BASE OF THE CUPCAKE.

SER. NO. 86-430,298, FILED 10-21-2014.

Michelle K. Lee

Director of the United States Patent and Trademark Office

GEORGE LORENZO, EXAMINING ATTORNEY

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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What and When to File:

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

Requirements in Successive Ten-Year Periods*
What and When to File:

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

Grace Period Filings*

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

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

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

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

United States of America
United States Patent and Trademark Office

MOLLY'S CUPCAKES

Reg. No. 5,938,296

Registered Dec. 17, 2019

Int. Cl.: 35

Service Mark

Principal Register

Molly's Cupcakes IP Holding Company, LLC (DELAWARE LIMITED LIABILITY COMPANY)
2125 W. Armitage, 3w
Chicago, ILLINOIS 60647

CLASS 35: Mail order services featuring bakery desserts and bakery goods; Retail store services featuring bakery desserts and bakery goods accessible by mail order

FIRST USE 12-00-2018; IN COMMERCE 12-00-2018

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

OWNER OF U.S. REG. NO. 3471100, 3650895, 4638014

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

SER. NO. 86-974,182, FILED 04-13-2016

UNITED STATES PATENT AND TRADEMARK OFFICE · DEPARTMENT OF COMMERCE

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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

Requirements in the First Ten Years*
What and When to File:

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

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

Requirements in Successive Ten-Year Periods*
What and When to File:

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

Grace Period Filings*

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

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

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

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

United States of America

United States Patent and Trademark Office

Reg. No. 5,950,434

Registered Dec. 31, 2019

Int. Cl.: 35

Service Mark

Principal Register

Molly's Cupcakes IP Holding Company, LLC (DELAWARE LIMITED LIABILITY COMPANY)
2125 W. Armitage, 3w
Chicago, ILLINOIS 60647

CLASS 35: Mail order services featuring bakery desserts and bakery goods; Retail store services featuring bakery desserts and bakery goods accessible by mail order

FIRST USE 12-00-2018; IN COMMERCE 12-00-2018

The color(s) white, brown, blue, orange, and green is/are claimed as a feature of the mark.

The mark consists of a cupcake design with twenty-one blue, orange, and green dots forming the top of the cupcake and the words "Molly's CUPCAKES" in a white stylized font on the center of the brown base of the cupcake.

OWNER OF U.S. REG. NO. 3650895, 4751964, 4638014

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

SER. NO. 86-974,237, FILED 04-13-2016

UNITED STATES PATENT AND TRADEMARK OFFICE · DEPARTMENT OF COMMERCE

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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

Requirements in the First Ten Years*
What and When to File:

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

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

Requirements in Successive Ten-Year Periods*
What and When to File:

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

Grace Period Filings*

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

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

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

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

EXHIBIT B

Department of State: Division of Corporations

Allowable Characters

HOME
About Agency
Secretary's Letter
Newsroom
Frequent Questions
Related Links
Contact Us
Office Location

SERVICES
Pay Taxes
File UCC's
Delaware Laws Online
Name Reservation
Entity Search
Status
Validate Certificate
Customer Service Survey

INFORMATION
Corporate Forms
Corporate Fees
UCC Forms and Fees
Taxes
Expedited Services
Service of Process
Registered Agents
GetCorporate Status
Submitting a Request
How to Form a New Business Entity
Certifications, Apostilles & Authentication of Documents

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number:	**7435943**	Incorporation Date / Formation Date:	**5/24/2019** (mm/dd/yyyy)
Entity Name:	**MOLLY B'Z INC.**		
Entity Kind:	**Corporation**	Entity Type:	**General**
Residency:	**Domestic**	State:	**DELAWARE**

REGISTERED AGENT INFORMATION

Name:	**REGISTERED AGENT SOLUTIONS, INC.**		
Address:	**9 E. LOOCKERMAN STREET SUITE 311**		
City:	**DOVER**	County:	**Kent**
State:	**DE**	Postal Code:	**19901**
Phone:	**888-716-7274**		

Additional Information is available for a fee. You can retrieve Status for a fee of $10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of $20.00.

Would you like ○ Status ○ Status,Tax & History Information

Submit

View Search Results New Entity Search

For help on a particular field click on the Field Tag to take you to the help area.

EXHIBIT C

PTO Form 1478 (Rev 09/2006)
OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88651117
Filing Date: 10/11/2019

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	**YES**
MARK INFORMATION	
***MARK**	MOLLY BZ
***STANDARD CHARACTERS**	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	MOLLY BZ
***MARK STATEMENT**	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
***OWNER OF MARK**	Molly B'z Inc.
***STREET**	PO Box 770783
***CITY**	Eagle River
***STATE** **(Required for U.S. applicants)**	Alaska
***COUNTRY**	United States
***ZIP/POSTAL CODE** **(Required for U.S. and certain international addresses)**	99577
LEGAL ENTITY INFORMATION	
***TYPE**	CORPORATION
***** **STATE/COUNTRY OF INCORPORATION**	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
***INTERNATIONAL CLASS**	030
***IDENTIFICATION**	Cookies
***FILING BASIS**	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/23/2019
FIRST USE IN COMMERCE DATE	At least as early as 05/23/2019

SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\886\511\88651117\xml1\ FTK0003.JPG
SPECIMEN DESCRIPTION	Photo of cookies in their packaging.
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	The name(s), portrait(s), and/or signature(s) shown in the mark identifies Molly Blakeley, whose consent(s) to register is made of record.
CONSENT FILE NAME(S)	
ORIGINAL PDF FILE	consent-911636070-073608693_._Consent_of_Living_Individual_-_Molly_Blakeley__executed_.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\886\511\88651117\xml1\FTK0004.JPG
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Ashley K. Long
ATTORNEY DOCKET NUMBER	MOL004-0003
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Carney Badley Spellman PS
STREET	701 5th Avenue, Suite 3600
CITY	Seattle
STATE	Washington
COUNTRY	United States
ZIP/POSTAL CODE	98104
PHONE	206-622-8020
EMAIL ADDRESS	trademark@carneylaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Ashley K. Long
FIRM NAME	Carney Badley Spellman PS
*STREET	701 5th Avenue, Suite 3600
*CITY	Seattle
*STATE (Required for U.S. addresses)	Washington
*COUNTRY	United States

*ZIP/POSTAL CODE	98104
PHONE	206-622-8020
*EMAIL ADDRESS	trademark@carneylaw.com; long@carneylaw.com; chen@carneylaw.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
FEE PER CLASS	225
*TOTAL FEE PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/Molly Blakeley/
* SIGNATORY'S NAME	Molly Blakeley
* SIGNATORY'S POSITION	CEO
SIGNATORY'S PHONE NUMBER	9077412744
* DATE SIGNED	10/10/2019

PTO Form 1478 (Rev 09/2006)
OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88651117
Filing Date: 10/11/2019

To the Commissioner for Trademarks:

MARK: MOLLY BZ (Standard Characters, see mark)
The literal element of the mark consists of MOLLY BZ. The mark consists of standard characters, without claim to any particular font style, size, or color.
The applicant, Molly B'z Inc., a corporation of Delaware, having an address of
PO Box 770783
Eagle River, Alaska 99577
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.
International Class 030: Cookies

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 030, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 05/23/2019, and first used in commerce at least as early as 05/23/2019, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Photo of cookies in their packaging..
Specimen File1

Name(s), Portrait(s), Signature(s) of individual(s)
The name(s), portrait(s), and/or signature(s) shown in the mark identifies Molly Blakeley, whose consent(s) to register is made of record.

Original PDF file:
consent-911636070-073608693_._Consent_of_Living_Individual_-_Molly_Blakeley__executed_.pdf
Converted PDF file(s) (1 page)
Consent File1

The applicant hereby appoints Ashley K. Long. Ashley K. Long of Carney Badley Spellman PS, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at
701 5th Avenue, Suite 3600
Seattle, Washington 98104
United States
206-622-8020(phone)
trademark@carneylaw.com (authorized).
The attorney docket/reference number is MOL004-0003.
Ashley K. Long submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Ashley K. Long
Carney Badley Spellman PS
701 5th Avenue, Suite 3600
Seattle, Washington 98104
206-622-8020(phone)
trademark@carneylaw.com; long@carneylaw.com; chen@carneylaw.com (authorized).

Email Authorization: I authorize the USPTO to send email correspondence concerning the application to the applicant or the applicant's attorney, or the applicant's domestic representative at the email address provided in this application. I understand that a valid email address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Plus status and a requirement to submit an additional processing fee of $125 per international class of goods/services.

A fee payment in the amount of $225 has been submitted with the application, representing payment for 1 class(es).

Declaration

☑ **Basis:**
If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

AND/OR
If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

☑ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

☑ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

☑ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Molly Blakeley/ Date: 10/10/2019
Signatory's Name: Molly Blakeley
Signatory's Position: CEO
Signatory's Phone Number: 9077412744
Payment Sale Number: 88651117
Payment Accounting Date: 10/11/2019

Serial Number: 88651117
Internet Transmission Date: Fri Oct 11 13:10:02 EDT 2019
TEAS Stamp: USPTO/FTK-XX.XXX.XXX.XX-20191011131002 73
1547-88651117-610dd552a76f3d0e61275a8535
bba2475507b266c2bae3e3bb57ed4cac5313797e
-CC-10013972-20191010073608693865

MOLLY BZ


BOOZE INFUZE
Nutrition Facts
FOLLOW US:
mollybzinfused
mollybz
BOOZE INFUZED
Molly B's
Bean Thing
ARABICA COFFEE,SEMI-SWEET CHOCOLATE CHIPS
AND INFUSED WITH COFFEE-FLAVORED LIQUOR
The Alcohol cooks out but the flavor stays!
1 COOKIE
6 OZ
BOOZE
BOOZE INFUZED

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark	:	MOLLY BZ (Standard Characters) MOLLY BZ INFUZED GOURMET FOODZ (Design)
Applicant	:	Molly Bz Inc.
Goods/Services	:	Cookies
Int'l Class	:	030

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

CONSENT

I consent to the use and registration by Applicant, Molly Bz Inc., of my nickname "Molly B" and my likeness as a trademark with the United States Patent and Trademark Office.

DocuSigned by:
Molly Blakeley
37F06D9F13AC429...
(Signature)

Molly Blakeley

Molly Blakeley

10/8/2019

(Date)

PTO Form 1478 (Rev 09/2006)
OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88651095
Filing Date: 10/11/2019

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	**YES**
MARK INFORMATION	
***MARK**	\\TICRS\EXPORT17\IMAGEOUT 17\886\510\88651095\xml1\ FTK0002.JPG
***SPECIAL FORM**	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	MOLLY BZ INFUZED GOURMET FOODZ
***COLOR MARK**	NO
***COLOR(S) CLAIMED** **(If applicable)**	
***DESCRIPTION OF THE MARK** **(and Color Location, if applicable)**	The mark consists of The mark consists of the stylized words "Molly Bz INFUZED GOURMET FOODZ". Behind the words is a circular logo consisting of a caricature of Molly Blakely. The circle consists of three concentric rings.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	801 x 748
REGISTER	Principal
APPLICANT INFORMATION	
***OWNER OF MARK**	Molly B'z Inc.
***STREET**	PO Box 770783
***CITY**	Eagle River
***STATE** **(Required for U.S. applicants)**	Alaska
***COUNTRY**	United States
***ZIP/POSTAL CODE** **(Required for U.S. and certain international addresses)**	99577
LEGAL ENTITY INFORMATION	
***TYPE**	CORPORATION
***** **STATE/COUNTRY OF INCORPORATION**	Delaware

GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	030
*IDENTIFICATION	Cookies
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/23/2019
FIRST USE IN COMMERCE DATE	At least as early as 05/23/2019
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\886\510\88651095\xml1\ FTK0003.JPG
SPECIMEN DESCRIPTION	Photo of cookies in their packaging.
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	The name(s), portrait(s), and/or signature(s) shown in the mark identifies Molly Blakeley, whose consent(s) to register is made of record.
CONSENT FILE NAME(S)	
ORIGINAL PDF FILE	consent-911636070-075241554_._Consent_of_Living_Individual_-_Molly_Blakeley__executed_.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT17\IMAGEOUT17\886\510\88651095\xml1\FTK0004.JPG
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Ashley K. Long
ATTORNEY DOCKET NUMBER	MOL004-0004
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Carney Badley Spellman PS
STREET	701 5th Avenue, Suite 3600
CITY	Seattle
STATE	Washington
COUNTRY	United States
ZIP/POSTAL CODE	98104
PHONE	206-622-8020
EMAIL ADDRESS	trademark@carneylaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	

*NAME	Ashley K. Long
FIRM NAME	Carney Badley Spellman PS
*STREET	701 5th Avenue, Suite 3600
*CITY	Seattle
*STATE (Required for U.S. addresses)	Washington
*COUNTRY	United States
*ZIP/POSTAL CODE	98104
PHONE	206-622-8020
*EMAIL ADDRESS	trademark@carneylaw.com; long@carneylaw.com; chen@carneylaw.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
FEE PER CLASS	225
*TOTAL FEE PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/Molly Blakeley/
* SIGNATORY'S NAME	Molly Blakeley
* SIGNATORY'S POSITION	CEO
SIGNATORY'S PHONE NUMBER	9077412744
* DATE SIGNED	10/10/2019

PTO Form 1478 (Rev 09/2006)
OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88651095
Filing Date: 10/11/2019

To the Commissioner for Trademarks:

MARK: MOLLY BZ INFUZED GOURMET FOODZ (stylized and/or with design, see mark)
The literal element of the mark consists of MOLLY BZ INFUZED GOURMET FOODZ. The mark consists of The mark consists of the stylized words "Molly Bz INFUZED GOURMET FOODZ". Behind the words is a circular logo consisting of a caricature of Molly Blakely. The circle consists of three concentric rings.
The applicant, Molly B'z Inc., a corporation of Delaware, having an address of
PO Box 770783
Eagle River, Alaska 99577
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.
International Class 030: Cookies

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 030, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 05/23/2019, and first used in commerce at least as early as 05/23/2019, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Photo of cookies in their packaging..
Specimen File1

Name(s), Portrait(s), Signature(s) of individual(s)
The name(s), portrait(s), and/or signature(s) shown in the mark identifies Molly Blakeley, whose consent(s) to register is made of record.

Original PDF file:
consent-911636070-075241554_._Consent_of_Living_Individual_-_Molly_Blakeley__executed_.pdf
Converted PDF file(s) (1 page)
Consent File1

The applicant hereby appoints Ashley K. Long. Ashley K. Long of Carney Badley Spellman PS, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at
701 5th Avenue, Suite 3600
Seattle, Washington 98104
United States
206-622-8020(phone)
trademark@carneylaw.com (authorized).
The attorney docket/reference number is MOL004-0004.
Ashley K. Long submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Ashley K. Long
Carney Badley Spellman PS
701 5th Avenue, Suite 3600
Seattle, Washington 98104
206-622-8020(phone)
trademark@carneylaw.com; long@carneylaw.com; chen@carneylaw.com (authorized).

Email Authorization: I authorize the USPTO to send email correspondence concerning the application to the applicant or the applicant's attorney, or the applicant's domestic representative at the email address provided in this application. I understand that a valid email address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Plus status and a requirement to submit an additional processing fee of $125 per international class of goods/services.

A fee payment in the amount of $225 has been submitted with the application, representing payment for 1 class(es).

Declaration

☑ **Basis:**
If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

AND/OR
If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

☑ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

☑ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

☑ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Molly Blakeley/ Date: 10/10/2019
Signatory's Name: Molly Blakeley
Signatory's Position: CEO
Signatory's Phone Number: 9077412744
Payment Sale Number: 88651095
Payment Accounting Date: 10/11/2019

Serial Number: 88651095
Internet Transmission Date: Fri Oct 11 13:05:59 EDT 2019
TEAS Stamp: USPTO/FTK-XX.XXX.XX.XX-20191011130559250
269-88651095-610c7f7cfacf9e9050e66bf3450
dd166f76eb51ed489b1f31f1c2d13603a543-CC-
05573893-20191010075241554235


Molly Bz
INFUZED GOURMET FOODZ


BOOZE INFUZED
1 COOKIE
3.5 OZ
Molly Bz
INFUZED GOURMET FOODZ
Bean Thing
BOOZE INFUZED
INFUZED
BOOZE
Molly Bz
Nutrition Facts
The Alcohol cook
but the flavor s
It's a Bean thing!
doesn't love a goo
mocha?! Well, we
mastered it into a M
cookie! Delicious, f
ground arabica co
semi-sweet choco
chips and of cour
infused with coffee
vored liquor.
This cookie was ma
Dunkin, and that's
what you'll wanna
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INFUZED
BOOZE

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark	:	MOLLY BZ (Standard Characters) MOLLY BZ INFUZED GOURMET FOODZ (Design)
Applicant	:	Molly Bz Inc.
Goods/Services	:	Cookies
Int'l Class	:	030

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

CONSENT

I consent to the use and registration by Applicant, Molly Bz Inc., of my nickname "Molly B" and my likeness as a trademark with the United States Patent and Trademark Office.

DocuSigned by:
Molly Blakeley
37F06D9F13AC429...
(Signature)

Molly Blakeley

Molly Blakeley

10/8/2019

(Date)

EXHIBIT D

What does BZ stand for?

Your abbreviation search returned 33 meanings

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Category Filters

All definitions (33)

Sort results: alphabetical | rank ?

Rank	Abbr.	Meaning
★★★★★	BZ	Business
★★★★★	BZ	Belize
★★★★★	BZ	Bronze

Rank	Abbr.	Meaning
★★★★★	BZ	Busy
★★★★★	BZ	Benzene
★★★★★	BZ	Blizzard
★★★★★	BZ	Bautzen (german auto license plate)

Rank	Abbr.	Meaning
★★★★★	BZ	Berliner Zeitung (German: Berlin Times)
★★★★★	BZ	Brillouin Zone
☆★★★★	BZ	Belousov-Zhabotinsky (reaction; thermodynamics)
☆★★★★	BZ	Blutzucker (German: Blood Sugar)
☆★★★★	BZ	Benzimidazole (organic compound)
☆★★★★	BZ	Below Zero

Rank	Abbr.	Meaning
☆★★★★	BZ	Benzodiazepine (class of sedative drugs)
☆★★★★	BZ	Bravo Zulu (term for Good Job/Well Done)
☆★★★★	BZ	Bolzano - Bozen (Trentino Alto Adige, Italy)
☆★★★★	BZ	Boyzone
☆★★★★	BZ	Buffer Zone
☆★★★★	BZ	Benzilic Acid
☆★★★★	BZ	Breathing Zone
☆☆★★★	BZ	Braunschweiger Zeitung (German newspaper)
☆☆★★★	BZ	3-Quinuclidinyl Benzilate
☆☆★★★	BZ	Battle Zone

Rank	Abbr.	Meaning
★★★★★	BZ	Bone Zone
★★★★★	BZ	Beach Zone
★★★★★	BZ	Bronx Zoo (New York)
★★★★★	BZ	Below Zone
★★★★★	BZ	Bacitracin Zinc (antibiotic)
★★★★★	BZ	Branch on Zero (IBM)
★★★★★	BZ	Bundesamt für Zulassungen in der Telekommunikation
★★★★★	BZ	Bionicle Zone
★★★★★	BZ	Bleedzao (discussion forum)
★★★★★	BZ	Buckled Zones

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BZAC	BZBI
BZAEDS	BzBLG