

ESTTA Tracking number: **ESTTA1089743**

Filing date: **10/19/2020**

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	Jemie B.V.
Granted to Date of previous extension	10/18/2020
Address	BENELUXWEG 37 OOSTERHOUT, 4904SJ NETHERLANDS

Attorney information	ANNE C. LEWIS PATTISHALL, MCAULIFFE, NEWBURY, HILLIARD & GERALDSON LLP 200 S. WACKER DRIVE SUITE 2900 CHICAGO, IL 60606 UNITED STATES Primary Email: acl@pattishall.com Secondary Email(s): jsj@pattishall.com, docket@pattishall.com 3125548000
Docket Number	

Applicant Information

Application No.	88580810	Publication date	04/21/2020
Opposition Filing Date	10/19/2020	Opposition Period Ends	10/18/2020
Applicant	Zenwork, Inc SUITE 250 1 E. CENTER STREET FAYETTEVILLE, AR 72701 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Downloadable software for use in seed tracking, plant tracking, and general record keeping relating to the production and cultivation of cannabis and legal compliance related thereto; Downloadable software for use in tracking inventory, sales and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Downloadable software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Software as a service (SAAS) services featuring software for use in seed tracking, plant tracking, and general record keeping relating to the pro-

duction and cultivation of cannabis and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking inventory, sales and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto

Applicant Information

Application No.	88580815	Publication date	04/21/2020
Opposition Filing Date	10/19/2020	Opposition Period Ends	
Applicant	Zenwork, Inc SUITE 250 1 E. CENTER STREET FAYETTEVILLE, AR 72701 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Downloadable software for use in seed tracking, plant tracking, and general record keeping relating to the production and cultivation of cannabis and legal compliance related thereto; Downloadable software for use in tracking inventory, sales and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Downloadable software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Software as a service (SAAS) services featuring software for use in seed tracking, plant tracking, and general record keeping relating to the production and cultivation of cannabis and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking inventory, sales and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto

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.	6127303	Application Date	09/13/2018
Registration Date	08/18/2020	Foreign Priority Date	NONE
Word Mark	CANNA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2010/03/23 First Use In Commerce: 2010/03/23 Providing a website featuring non-downloadable videos on the subject of using,		

	<p>selecting and applying chemicals, fertilizers and plant nutrients in connection with horticulture, agriculture, and forestry; educational services, namely, providing online instruction on the subject of using, selecting, applying chemicals, fertilizers and plant nutrients in the fields of horticulture, agriculture, and forestry via an online website</p> <p>Class 042. First use: First Use: 2010/03/25 First Use In Commerce: 2010/03/25 Scientific and technological services, namely, research in the field chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; horticulture, agriculture, and forestry research services, namely, research related to the proper application of chemicals, fertilizers and plant nutrients to plants, crops and trees; scientific research; conducting technological and scientific feasibility studies; provision of technological and scientific information in the fields of agricultural chemicals and fertilizers and plant genetics; scientific research consulting in the fields of chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; Providing a website featuring information in the fields of scientific research related to chemicals, fertilizers and plant nutrients used in connection with agriculture, horticulture and forestry; Compiling scientific and technological information for scientific or agricultural research purposes</p> <p>Class 044. First use: First Use: 2015/10/23 First Use In Commerce: 2015/10/23 Providing a website featuring information in the fields of agriculture, horticulture and forestry regarding the use of chemicals, fertilizers and plant nutrients in connection with growing, cultivating, fertilizing and harvesting of plants and crops; professional consulting services and advice relating to the use of fertilizers in agriculture, horticulture, and forestry; Agriculture, horticulture and forestry advice, namely, advice related to using, selecting and applying chemicals, fertilizers and plant nutrients in connection with growing plants and crops; information services relating to the use of chemicals in agriculture, horticulture, and forestry</p>
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U.S. Registration No.	5129939	Application Date	09/02/2015
Registration Date	01/24/2017	Foreign Priority Date	NONE
Word Mark	CANNA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 001. First use: First Use: 1993/00/00 First Use In Commerce: 2002/06/25 Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations</p> <p>Class 005. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algacides</p>		

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

Description of Mark	The mark consists of the word "CANNA" underlined.
Goods/Services	Class 001. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations Class 005. First use: First Use: 1993/00/00 First Use In Commerce: 2003/09/00 Crop protection preparations, namely, fungicides and pesticides

U.S. Registration No.	5399941	Application Date	04/03/2017
Registration Date	02/13/2018	Foreign Priority Date	NONE
Word Mark	CANNABOOST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2007/11/23 First Use In Commerce: 2007/11/23 Plant growth stimulators		

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

U.S. Registration No.	5389880	Application Date	04/03/2017
Registration Date	01/30/2018	Foreign Priority Date	NONE
Word Mark	CANNAZYM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 2003/09/22 First Use In Commerce: 2003/09/22 Enzymes used to promote plant growth		

U.S. Registration No.	4986807	Application Date	09/21/2015
Registration Date	06/28/2016	Foreign Priority Date	NONE
Word Mark	CANNATALK		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2009/01/00 First Use In Commerce: 2009/01/00 Downloadable magazines in the field of horticulture, news and entertainment</p> <p>Class 016. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Magazines in the fields of horticulture, news, and entertainment</p> <p>Class 041. First use: First Use: 2009/01/00 First Use In Commerce: 2009/01/00 Providing on-line non-downloadable magazines in the fields of horticulture, news, and entertainment; publication of magazines; publication of electronic magazines; magazine publishing; Providing information and news related to entertainment; Providing news in the nature of current events reporting</p> <p>Class 044. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Providing information and news on agricultural and horticultural topics</p>

Attachments	Consolidated Notice of Opposition ZENCANNA Applications.pdf(138753 bytes) Exhibit A.pdf(853919 bytes)
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Signature	/Anne C. Lewis/
Name	ANNE C. LEWIS
Date	10/19/2020

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



In re Applications Serial Nos. 88/580,810 — ZENCANNA and 88/580,815 —

JEMIE B.V.,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
ZENWORK, INC.,)	
)	
Applicant.)	

CONSOLIDATED NOTICE OF OPPOSITION

Jemie B.V. (“Opposer”), a Netherlands limited liability company located at Beneluxweg 37, 4904 SJ, Oosterhout, NL4904SJ, Netherlands, believes it will be damaged by registration of



the marks ZENCANNA shown in Application Serial No. 88/580,810 and shown in Application Serial No. 88/580,815 (the “Opposed Marks”) by Zenwork, Inc.

(“Applicant”), and hereby opposes the same.

The grounds for the opposition are as follows:

1. Opposer, operating through its licensees, is a world leader in providing goods and services in the horticulture field, including products and services relating to cocoponics, hydroponics, and potting mixes.


2. Long prior to Applicant’s applications for the Opposed Marks, Opposer through its licensee adopted and began to use in the United States the name and mark CANNA in connection with the aforementioned goods and services. In addition to being sold under the CANNA mark, these goods and services are also sold and offered under other CANNA-

formative trade names and marks, including CANNA CONTINENTAL, CANNAZYM, CANNABOOST, CANNA START, and CANNATALK. (Opposer’s CANNA name and mark are referred to collectively as the “CANNA Name and Mark”.)

3. Opposer, through its licensee, offers a wide variety of services consisting of providing educational information and materials, research services, advice, and articles relating to growing, cultivating, fertilizing, and harvesting of plants and crops under the CANNA Name and Mark through various media, including the web site at the domain name <cannagardening.com> and the CANNATALK magazine.

4. Opposer owns United States Trademark Registrations for the CANNA mark in the following forms:

Mark	Registration No.	Goods/Services
CANNA	6,127,303	<p>Class 41: Providing a website featuring non-downloadable videos on the subject of using, selecting and applying chemicals, fertilizers and plant nutrients in connection with horticulture, agriculture, and forestry; educational services, namely, providing online instruction on the subject of using, selecting, applying chemicals, fertilizers and plant nutrients in the fields of horticulture, agriculture, and forestry via an online website.</p> <p>Class 42: Scientific and technological services, namely, research in the field chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; horticulture, agriculture, and forestry research services, namely, research related to the proper application of chemicals, fertilizers and plant nutrients to plants, crops and trees; scientific research; conducting technological and scientific feasibility studies; provision of technological and scientific information in the fields of agricultural chemicals and fertilizers and plant genetics; scientific research consulting in the fields of chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and</p>

		<p>forestry; Providing a website featuring information in the fields of scientific research related to chemicals, fertilizers and plant nutrients used in connection with agriculture, horticulture and forestry; Compiling scientific and technological information for scientific or agricultural research purposes.</p> <p>Class 44: Providing a website featuring information in the fields of agriculture, horticulture and forestry regarding the use of chemicals, fertilizers and plant nutrients in connection with growing, cultivating, fertilizing and harvesting of plants and crops; professional consulting services and advice relating to the use of fertilizers in agriculture, horticulture, and forestry; Agriculture, horticulture and forestry advice, namely, advice related to using, selecting and applying chemicals, fertilizers and plant nutrients in connection with growing plants and crops; information services relating to the use of chemicals in agriculture, horticulture, and forestry.</p>
CANNA	5,129,939	<p>Class 1: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations.</p>
	5,038,951	<p>Class 1: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations.</p>
CANNABOOST	5,399,941	<p>Class 1: Plant growth stimulators.</p>

CANNA START	5,399,942	Class 1: Plant growth nutrients.
CANNAZYM	5,389,880	Class 1: Enzymes used to promote plant growth.
CANNATALK	4,986,807	<p>Class 9: Downloadable magazines in the field of horticulture, news and entertainment.</p> <p>Class 16: Magazines in the fields of horticulture, news, and entertainment.</p> <p>Class 41: Providing on-line non-downloadable magazines in the fields of horticulture, news, and entertainment; publication of magazines; publication of electronic magazines; magazine publishing; Providing information and news related to entertainment; Providing news in the nature of current events reporting.</p> <p>Class 44: Providing information and news on agricultural and horticultural topics.</p>

Copies of the TESS status pages and registration certificates for Registration Nos. 6,127,303, 5,129,939, 5,038,951, 5,399,941, 5,399,942, 5,389,880, and 4,986,807 are attached as Exhibit A.

5. Opposer, through its licensee, has sold an extensive amount of the aforesaid goods and services in connection with the CANNA Name and Mark.

6. Opposer, through its licensee, has engaged in extensive advertising and promotion of the aforesaid goods and services in connection with the CANNA Name and Mark.

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

8. On August 15, 2019, Applicant filed intent-to-use applications to register the

marks  ZENCANNA, Serial No. 88/580,810 and , Serial No. 88/580,815 for:

International Class 9: Downloadable software for use in seed tracking, plant tracking, and general record keeping relating to the production and cultivation of cannabis and legal compliance related thereto; Downloadable software for use in tracking inventory, sales

and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Downloadable software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto; and

International Class 42: Software as a service (SAAS) services featuring software for use in seed tracking, plant tracking, and general record keeping relating to the production and cultivation of cannabis and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking inventory, sales and delivery, and general record keeping related to the processing and distribution of cannabis products and legal compliance related thereto; Software as a service (SAAS) services featuring software for use in tracking sales, inventory, medical cannabis licenses, generating tax forms and making automated tax filings, and general record keeping related to the retail sale of cannabis products and legal compliance related thereto.

9. Applicant's applications to register the Opposed Marks, and Applicant's planned use of them, are without Opposer's consent.

10. Applicant's applications to register the Opposed Marks for the goods and services in Classes 9 and 42, and its planned use of the Opposed Marks for these goods and services, are likely to result in confusion, mistake, or deception with Opposer's CANNA Name and Mark for the aforesaid goods and services, or in the belief that Applicant or its planned use of the aforesaid goods and services are in some way connected with, licensed, or approved by Opposer, or that Opposer is a sponsor, business partner of, or otherwise affiliated with Applicant.

11. Accordingly, registration by Applicant of the Opposed Marks for the goods and services in Classes 9 and 42 would damage Opposer. Therefore, the Board should refuse registration under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer prays that its opposition be sustained and registration of the Opposed Marks for the goods and services as named in paragraph 8 be refused.

Opposer submits the requisite filing fee of \$1,600 for the opposition. Please debit any deficiency or credit any overpayment to Account No. 16-0650. Please address all correspondence

to Jonathan S. Jennings, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, 200 South Wacker Drive, Suite 2900, Chicago, Illinois 60606.

Dated: October 19, 2020

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON LLP

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

Attorneys for Jemie B.V.

EXHIBIT A

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CANNA

Word Mark

CANNA

Goods and Services

IC 041. US 100 101 107. G & S: Providing a website featuring non-downloadable videos on the subject of using, selecting and applying chemicals, fertilizers and plant nutrients in connection with horticulture, agriculture, and forestry; educational services, namely, providing online instruction on the subject of using, selecting, applying chemicals, fertilizers and plant nutrients in the fields of horticulture, agriculture, and forestry via an online website. FIRST USE: 20100323. FIRST USE IN COMMERCE: 20100323

IC 042. US 100 101. G & S: Scientific and technological services, namely, research in the field chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; horticulture, agriculture, and forestry research services, namely, research related to the proper application of chemicals, fertilizers and plant nutrients to plants, crops and trees; scientific research; conducting technological and scientific feasibility studies; provision of technological and scientific information in the fields of agricultural chemicals and fertilizers and plant genetics; scientific research consulting in the fields of chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; Providing a website featuring information in the fields of scientific research related to chemicals, fertilizers and plant nutrients used in connection with agriculture, horticulture and forestry; Compiling scientific and technological information for scientific or agricultural research purposes. FIRST USE: 20100325. FIRST USE IN COMMERCE: 20100325

IC 044. US 100 101. G & S: Providing a website featuring information in the fields of agriculture, horticulture and forestry regarding the use of chemicals, fertilizers and plant nutrients in connection with growing, cultivating, fertilizing and harvesting of plants and crops; professional consulting services and advice relating to the use of fertilizers in agriculture, horticulture, and forestry; Agriculture, horticulture and forestry advice, namely, advice related to using, selecting and applying chemicals, fertilizers and plant nutrients in connection with growing plants and crops; information services relating to the use of chemicals in agriculture, horticulture, and forestry. FIRST USE: 20151023. FIRST USE IN COMMERCE: 20151023

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number 88115337**Filing Date** September 13, 2018

Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 2, 2020
Registration Number 6127303
Registration Date August 18, 2020
Owner (REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS 4904SJ
Attorney of Record Jonathan S. Jennings
Prior Registrations 4986807
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

CANNA

Reg. No. 6,127,303

Registered Aug. 18, 2020

Int. Cl.: 41, 42, 44

Service Mark

Principal Register

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

CLASS 41: Providing a website featuring non-downloadable videos on the subject of using, selecting and applying chemicals, fertilizers and plant nutrients in connection with horticulture, agriculture, and forestry; educational services, namely, providing online instruction on the subject of using, selecting, applying chemicals, fertilizers and plant nutrients in the fields of horticulture, agriculture, and forestry via an online website

FIRST USE 3-23-2010; IN COMMERCE 3-23-2010

CLASS 42: Scientific and technological services, namely, research in the field chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; horticulture, agriculture, and forestry research services, namely, research related to the proper application of chemicals, fertilizers and plant nutrients to plants, crops and trees; scientific research; conducting technological and scientific feasibility studies; provision of technological and scientific information in the fields of agricultural chemicals and fertilizers and plant genetics; scientific research consulting in the fields of chemicals, fertilizers and plant nutrients used in connection with horticulture, agriculture, and forestry; Providing a website featuring information in the fields of scientific research related to chemicals, fertilizers and plant nutrients used in connection with agriculture, horticulture and forestry; Compiling scientific and technological information for scientific or agricultural research purposes

FIRST USE 3-25-2010; IN COMMERCE 3-25-2010

CLASS 44: Providing a website featuring information in the fields of agriculture, horticulture and forestry regarding the use of chemicals, fertilizers and plant nutrients in connection with growing, cultivating, fertilizing and harvesting of plants and crops; professional consulting services and advice relating to the use of fertilizers in agriculture, horticulture, and forestry; Agriculture, horticulture and forestry advice, namely, advice related to using, selecting and applying chemicals, fertilizers and plant nutrients in connection with growing plants and crops; information services relating to the use of chemicals in agriculture, horticulture, and forestry

FIRST USE 10-23-2015; IN COMMERCE 10-23-2015

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



Andrei Iancu

Director of the United States
Patent and Trademark Office



OWNER OF U.S. REG. NO. 4986807

SER. NO. 88-115,337, FILED 09-13-2018

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>.



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CANNA

Word Mark	CANNA
Goods and Services	<p>IC 001. US 001 005 006 010 026 046. G & S: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations. FIRST USE: 19930000. FIRST USE IN COMMERCE: 20020625</p> <p>IC 005. US 006 018 044 046 051 052. G & S: Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algacides. FIRST USE: 19930000. FIRST USE IN COMMERCE: 20030900</p>
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86745098
Filing Date	September 2, 2015
Current Basis	1A
Original Filing Basis	1A;1B
Published for Opposition	March 1, 2016
Registration Number	5129939
Registration Date	January 24, 2017
Owner	(REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS NL4904SJ
Attorney of Record	Jonathan S. Jennings

Prior Registrations 3964488
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

CANNA

Reg. No. 5,129,939

Registered Jan. 24, 2017

Int. Cl.: 1, 5

Trademark

Principal Register

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

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

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

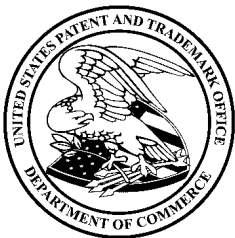
CLASS 5: Preparations for destroying vermin; crop protection preparations, namely, fungicides, herbicides parasiticides, pesticides, weed killers, algacides

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

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

OWNER OF U.S. REG. NO. 3964488

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



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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

Requirements in the First Ten Years*

What and When to File:

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

Requirements in Successive Ten-Year Periods*

What and When to File:

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Grace Period Filings*

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Word Mark	CANNA
Goods and Services	<p>IC 001. US 001 005 006 010 026 046. G & S: Chemicals used in agriculture, horticulture and forestry except fungicides, herbicides, insecticides and parasiticides; fertilizers and manure for agriculture, horticulture and forestry; fertilizing preparations; substrates, namely, substrates for hydro culture in the nature of clay pellets for hydroponic plant growing, as well as coco, rock wool, peat moss, tree bark, and perlite used as growing media for plants; plant growth regulating preparations. FIRST USE: 19930000. FIRST USE IN COMMERCE: 20030900</p> <p>IC 005. US 006 018 044 046 051 052. G & S: Crop protection preparations, namely, fungicides and pesticides. FIRST USE: 19930000. FIRST USE IN COMMERCE: 20030900</p>
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	86640828
Filing Date	May 26, 2015
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 22, 2016
Registration Number	5038951
Registration Date	September 13, 2016
Owner	(REGISTRANT) Jemie B.V. limited liability company NETHERLANDS Beneluxweg 37, 4904 SJ Oosterhout NETHERLANDS NL4904SJ
Attorney of Record	Jonathan S. Jennings
Prior Registrations	3964488
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the word "CANNA" underlined.

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

CANNA

Reg. No. 5,038,951

Registered Sep. 13, 2016

Int. Cl.: 1, 5

Trademark

Principal Register

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

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

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

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

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

The mark consists of the word "CANNA" underlined.

OWNER OF U.S. REG. NO. 3964488

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



Michelle K. Lee

Director of the United States
Patent and Trademark Office

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Requirements in Successive Ten-Year Periods*

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CANNABOOST

Word Mark	CANNABOOST
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Plant growth stimulators. FIRST USE: 20071123. FIRST USE IN COMMERCE: 20071123
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87395831
Filing Date	April 3, 2017
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 28, 2017
Registration Number	5399941
Registration Date	February 13, 2018
Owner	(REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS 4904SJ
Attorney of Record	Jonathan S. Jennings
Prior Registrations	5038951;5129939
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

CANNABOOST

Reg. No. 5,399,941

Registered Feb. 13, 2018

Int. Cl.: 1

Trademark

Principal Register

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

CLASS 1: Plant growth stimulators

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

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

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

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



Andrei Iancu

Director of the United States
Patent and Trademark Office

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Requirements in Successive Ten-Year Periods*

What and When to File:

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

Grace Period Filings*

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CANNA START

Word Mark	CANNA START
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Plant growth nutrients. FIRST USE: 20110704. FIRST USE IN COMMERCE: 20110704
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87395839
Filing Date	April 3, 2017
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 28, 2017
Registration Number	5399942
Registration Date	February 13, 2018
Owner	(REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS 4904SJ
Attorney of Record	Jonathan S. Jennings
Prior Registrations	5038951;5129939
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

CANNA START

Reg. No. 5,399,942

Registered Feb. 13, 2018

Int. Cl.: 1

Trademark

Principal Register

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

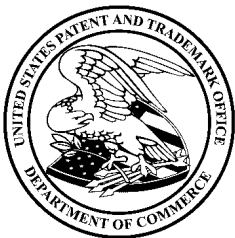
CLASS 1: Plant growth nutrients

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

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

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

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



Andrei Iancu

Director of the United States
Patent and Trademark Office

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CANNAZYM

Word Mark	CANNAZYM
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Enzymes used to promote plant growth. FIRST USE: 20030922. FIRST USE IN COMMERCE: 20030922
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87395826
Filing Date	April 3, 2017
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 14, 2017
Registration Number	5389880
Registration Date	January 30, 2018
Owner	(REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS 4904SJ
Attorney of Record	Jonathan S. Jennings
Prior Registrations	5038951;5129939
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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United States of America

United States Patent and Trademark Office

CANNAZYM

Reg. No. 5,389,880

Registered Jan. 30, 2018

Int. Cl.: 1

Trademark

Principal Register

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

CLASS 1: Enzymes used to promote plant growth

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

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

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

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



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
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CANNATALK

Word Mark	CANNATALK
Goods and Services	<p>IC 009. US 021 023 026 036 038. G & S: Downloadable magazines in the field of horticulture, news and entertainment. FIRST USE: 20090100. FIRST USE IN COMMERCE: 20090100</p> <p>IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines in the fields of horticulture, news, and entertainment. FIRST USE: 20070900. FIRST USE IN COMMERCE: 20070900</p> <p>IC 041. US 100 101 107. G & S: Providing on-line non-downloadable magazines in the fields of horticulture, news, and entertainment; publication of magazines; publication of electronic magazines; magazine publishing; Providing information and news related to entertainment; Providing news in the nature of current events reporting. FIRST USE: 20090100. FIRST USE IN COMMERCE: 20090100</p> <p>IC 044. US 100 101. G & S: Providing information and news on agricultural and horticultural topics. FIRST USE: 20070900. FIRST USE IN COMMERCE: 20070900</p>
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	86762679
Filing Date	September 21, 2015
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	April 12, 2016
Registration Number	4986807
Registration Date	June 28, 2016
Owner	(REGISTRANT) Jemie B.V. LIMITED LIABILITY COMPANY NETHERLANDS Beneluxweg 37 Oosterhout NETHERLANDS 4904SJ

Attorney of Record Jonathan S. Jennings
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America
United States Patent and Trademark Office

CANNATALK

Reg. No. 4,986,807

JEMIE B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)
BENELUXWEG 37

Registered June 28, 2016

OOSTERHOUT, NETHERLANDS 4904SJ

Int. Cls.: 9, 16, 41 and 44

FOR: DOWNLOADABLE MAGAZINES IN THE FIELD OF HORTICULTURE, NEWS AND ENTERTAINMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

FIRST USE 1-0-2009; IN COMMERCE 1-0-2009.

SERVICE MARK

FOR: MAGAZINES IN THE FIELDS OF HORTICULTURE, NEWS, AND ENTERTAINMENT, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

PRINCIPAL REGISTER

FIRST USE 9-0-2007; IN COMMERCE 9-0-2007.

FOR: PROVIDING ON-LINE NON-DOWNLOADABLE MAGAZINES IN THE FIELDS OF HORTICULTURE, NEWS, AND ENTERTAINMENT; PUBLICATION OF MAGAZINES; PUBLICATION OF ELECTRONIC MAGAZINES; MAGAZINE PUBLISHING; PROVIDING INFORMATION AND NEWS RELATED TO ENTERTAINMENT; PROVIDING NEWS IN THE NATURE OF CURRENT EVENTS REPORTING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-0-2009; IN COMMERCE 1-0-2009.

FOR: PROVIDING INFORMATION AND NEWS ON AGRICULTURAL AND HORTICULTURAL TOPICS, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 9-0-2007; IN COMMERCE 9-0-2007.

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

SER. NO. 86-762,679, FILED 9-21-2015.

JEFFREY LOOK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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

Requirements in the First Ten Years*

What and When to File:

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

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

Requirements in Successive Ten-Year Periods*

What and When to File:

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

Grace Period Filings*

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

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

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>.