

ESTTA Tracking number: **ESTTA1117002**

Filing date: **02/26/2021**

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	Heaven Hill Distilleries, Inc.
Granted to Date of previous extension	02/27/2021
Address	1064 LORETTO ROAD BARDSTOWN, KY 40004 UNITED STATES
Attorney information	MATTHEW A. WILLIAMS WYATT, TARRANT & COMBS, LLP 400 WEST MARKET ST. SUITE 2000 LOUISVILLE, KY 40202 UNITED STATES Primary Email: mwilliams@wyattfirm.com Secondary Email(s): dlaney@wyattfirm.com, jwatts@wyattfirm.com 502.589.5235
Docket Number	19354.102514

**Applicant Information**

Application No.	90115630	Publication date	12/29/2020
Opposition Filing Date	02/26/2021	Opposition Period Ends	02/27/2021
Applicant	Alternative Asset Portfolio Advisors, Ltd 6600 E LOOKOUT DR PARKER, CO 80138 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 032. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Aromatized beverages based on fruit, protein, cordial, sugar and other fluid nutrients, namely, carbohydrates drinks for use as food fillers; Aromatized beverages based on fruit, protein, cordial, sugar and other fluid nutrients, namely, protein drinks for use as food fillers and not for use as meal replacements; Beauty beverages, namely, fruit juices and energy drinks containing nutritional supplements; Concentrates and powders used in the preparation of energy drinks and fruit-flavored beverages; Concentrates, syrups or powders for making soft drinks or tea-flavored beverages; Frozen carbonated beverages; Frozen fruit beverages; Fruit juice beverages; Fruit-based beverages; Fruit-flavored beverages; Isotonic beverages; Non-alcoholic beverages containing fruit juices; Non-alcoholic beverages, namely, carbonated beverages; Non-alcoholic carbonated beverages; Non-alcoholic dried fruit beverages; Non-alcoholic essences for making non-alcoholic beverages, not in the nature of essential oils; Non-alcoholic fruit juice beverages</p>
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ages; Non-alcoholic sparkling fruit juice beverages; Non-alcoholic water-based beverages; Non-carbonated, non-alcoholic frozen flavored beverages; Protein-enriched sports beverages; Scented water for making beverages; Semi-frozen carbonated beverages; Water beverages

## 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.	2642855	Application Date	02/20/2002
Registration Date	10/29/2002	Foreign Priority Date	NONE
Word Mark	HPNOTIQ		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: First Use: 2001/09/00 First Use In Commerce: 2001/09/00 LIQUEUR		

U.S. Registration No.	2834133	Application Date	05/23/2003
Registration Date	04/20/2004	Foreign Priority Date	NONE
Word Mark	HPNOTIQ		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 2003/05/02 First Use In Commerce: 2003/05/02 Candles Class 021. First use: First Use: 2003/03/23 First Use In Commerce: 2003/03/23 Beverage glassware		

U.S. Registration No.	2834130	Application Date	05/19/2003
Registration Date	04/20/2004	Foreign Priority Date	NONE
Word Mark	HPNOTIQ		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2003/02/07 First Use In Commerce: 2003/02/07 Clothing, namely, shirts		

Attachments	HIPTONIC Notice of Opposition 100453069.pdf(366743 bytes )
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Signature	/MATTHEW A. WILLIAMS/
Name	MATTHEW A. WILLIAMS

Date	02/26/2021
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 90115630 for HIPTONIC

Published in the Official Gazette December 29, 2020

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HEAVEN HILL DISTILLERIES, INC., :  
: OPPOSITION NO. \_\_\_\_\_  
Opposer, :  
:  
v. :  
:  
ALTERNATIVE ASSET PORTFOLIO :  
ADVISORS, LTD :  
:  
Applicant. :  
----- X

**NOTICE OF OPPOSITION**

Heaven Hill Distilleries, Inc. (“Opposer”), a Kentucky corporation with a business address at 1064 Loretto Road, Bardstown, Kentucky 40004, believes that it will be damaged by registration of U.S. Application Serial No. 90115630 (“Applicant’s Application”) for the mark HIPTONIC used in connection with the goods in International Class 032 identified in Applicant’s Application and hereby opposes same pursuant to Section 2(d) of the Lanham Trademark Act of 1946 (“Lanham Act”), 15 U.S.C. § 1052(d), and 37 C.F.R. §§ 2.101 and 2.104. As grounds for the Opposition, Opposer alleges as follows:

**BACKGROUND**

1. Upon information and belief, and in accordance with publicly-available USPTO Trademark Status and Document Retrieval (“TSDR”) records, Alternative Asset Portfolio Advisors, Ltd (“Applicant”) is a Colorado limited liability company with an address of 6600 E Lookout Dr, Parker, Colorado 80138.

2. Opposer is the owner of the HPNOTIQ mark (pronounced identically to the word “hypnotic”), including three (3) incontestable U.S. Registrations for the mark:

<b>Mark</b>	<b>Reg. No.</b>	<b>Goods/Services</b>	<b>First Use</b>
HPNOTIQ	2642855	Liqueur (IC 033)	Sept. 2001
HPNOTIQ	2834133	Candles (IC 004) Beverage glassware (IC 021)	May 2003
HPNOTIQ	2834130	Clothing, namely, shirts (IC 025)	Feb. 7, 2003

(collectively, “Opposer’s Mark” or “Opposer’s Registrations”). Copies of the Certificates of Registration and current TSDR printouts are attached as Exhibit A.

3. Opposer has marketed, advertised, distributed, and sold liqueur and related goods, including beverage glassware, candles, and clothing, namely shirts (“Opposer’s Goods”) under Opposer’s Mark in U.S. Commerce since as early as 2001.

4. Specifically, Opposer has used Opposer’s Mark continuously in connection with Opposer’s Goods since as early as 2001.

5. HPNOTIQ is a coined term and has no literal meaning other than as the well-known trademark for Heaven Hill’s HPNOTIQ liqueur. Through its extensive advertising

and promotional efforts, Heaven Hill has built on the similarity of its HPNOTIQ mark to the word “hypnotic” to instill in its HPNOTIQ mark a connotation consumers associate with the word hypnotic and the related terms hypnosis, hypnotism, and hypnotical.

6. By virtue of the excellence of Opposer’s Goods, Opposer’s Mark has a strong and valuable reputation.

7. Notwithstanding Opposer’s prior rights in and to Opposer’s Mark, on August 14, 2020, Applicant filed its application for a mark that is conceptually identical to and nearly phonetically identical to Opposer’s Mark for goods that are the same or highly similar to Opposer’s Goods.

8. Applicant’s Mark used in connection with the goods in Applicant’s application will inevitably result in consumers falsely believing such goods are related to or associated with Opposer and Opposer’s Goods.

9. Coupled together, these factors demonstrate Applicant’s attempt to infringe upon the goodwill cultivated by Opposer.

10. In view of the long term use of its HPNOTIQ mark in connection with liqueur and related goods by Opposer and Opposer’s incontestable Registrations, Opposer is significantly invested and has a real interest in Opposer’s Mark.

11. Applicant’s Mark was published for opposition in the Trademark Official Gazette of December 29, 2020.

12. Opposer requested and received an extension of time to file its opposition until February 27, 2021.

13. Opposer therefore has a reasonable basis to believe that it will be damaged by registration of Applicant’s Mark and has a real interest in opposing registration of

Applicant's Application, creating standing to bring this action. Opposer therefore opposes Applicant's Application on the ground set forth below.

**COUNT I**  
**Likelihood of Confusion**  
**15 U.S.C. § 1052(d)**

14. Applicant re-alleges and incorporates by reference Paragraphs 1 through 13 as if fully set forth herein.

15. Opposer has had longstanding and exclusive use of Opposer's Mark in connection with liqueur and related goods, including beverage glassware, candles, and clothing, namely shirts, in U.S. commerce for over 19 years before Applicant's adoption and filing of its Application to register Applicant's Mark.

16. Applicant's HIPTONIC mark is conceptually similar to and nearly phonetically identical to Opposer's existing HPNOTIQ Mark, which is the subject of Opposer's Registrations.

17. In view of Opposer's longstanding and exclusive use of Opposer's Mark in connection with liqueur for over 19 years, it is clear that Applicant's use and registration of HIPTONIC in connection with the goods in Applicant's Application will create a likelihood of confusion with Opposer's Goods as well as a false designation of origin.

18. Applicant's Mark, when used on or in connection with the goods in Applicant's Application, is likely to cause confusion or mistake or to deceive in violation of 15 U.S.C. § 1052(d).

19. Registration of Applicant's Mark will damage Opposer since registration will give a color of exclusive statutory rights to Applicant in Applicant's Mark in derogation and violation of the prior and superior rights of Opposer.

WHEREFORE, Opposer Heaven Hill Distilleries, Inc. believes that it will be damaged by the registration of U.S. Application Serial No. 90115630 for the mark HIPTONIC in International Class 032 and, therefore, respectfully requests that the Trademark Trial and Appeal Board sustain the opposition and refuse registration of Applicant's Application pursuant to 15 U.S.C. § 1052(d).

Dated: February 26, 2021

Respectfully Submitted,

HEAVEN HILL DISTILLERIES, INC.

/Matthew A. Williams/

Matthew A. Williams  
Julie Laemmle Watts  
WYATT, TARRANT & COMBS, LLP  
400 West Market Street  
Ste. 2000  
Louisville, KY 40202  
502-562-7378  
[mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)  
[jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com)

*Attorneys for Opposer,  
Heaven Hill Distilleries, Inc.*

100452368.1



# EXHIBIT A

**Int. Cl.: 33**

**Prior U.S. Cls.: 47 and 49**

**United States Patent and Trademark Office**

**Reg. No. 2,642,855**

**Registered Oct. 29, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

GLOBAL PERSPECTIVES, INC. (NEW YORK  
CORPORATION)  
108-50 62ND DRIVE  
FOREST HILLS, QUEENS, NY 11375

FIRST USE 9-0-2001; IN COMMERCE 9-0-2001.

SER. NO. 76-372,289, FILED 2-20-2002.

FOR: LIQUEUR, IN CLASS 33 (U.S. CLS. 47 AND  
49).

YSA DEJESUS, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2021-02-26 09:23:56 EST

Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76372289

Application Filing Date: Feb. 20, 2002

US Registration Number: 2642855

Registration Date: Oct. 29, 2002

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Mar. 24, 2012

Publication Date: Aug. 06, 2002

## Mark Information

Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

## Related Properties Information

International Registration Number: 1001735

International Application(s) /Registration(s) Based on this Property: A0015929/1001735

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: LIQUEUR

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2001

Use in Commerce: Sep. 2001

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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

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

## Current Owner(s) Information

**Owner Name:** HEAVEN HILL DISTILLERIES, INC.  
**Owner Address:** PO BOX 729  
1064 LORETTO ROAD  
BARDSTOWN, KENTUCKY UNITED STATES 40004  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** William H. Hollander  
**Attorney Primary Email Address:** [whollander@wyattfirm.com](mailto:whollander@wyattfirm.com)  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** William H. Hollander  
WYATT TARRANT & COMBS, LLP  
SUITE 2800  
500 W JEFFERSON ST  
LOUISVILLE, KENTUCKY UNITED STATES 40202  
**Phone:** 502.589.5235  
**Fax:** 502.589.0309  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)  
[com\\_dlaney@wyattfirm.com](mailto:com_dlaney@wyattfirm.com) [mcoughlin@wyattfirm.com](mailto:mcoughlin@wyattfirm.com)  
[com\\_jlaemmle@wyattfirm.com](mailto:com_jlaemmle@wyattfirm.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 11, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 11, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 24, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Mar. 24, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Mar. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Feb. 28, 2012	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Feb. 15, 2008	ASSIGNED TO PARALEGAL	73376
Feb. 12, 2008	TEAS SECTION 8 & 15 RECEIVED	
Oct. 03, 2007	CASE FILE IN TICRS	
Mar. 24, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Aug. 06, 2002	PUBLISHED FOR OPPOSITION	
Jul. 17, 2002	NOTICE OF PUBLICATION	
May 19, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 16, 2002	ASSIGNED TO EXAMINER	76726

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Mar. 24, 2012

# Assignment Abstract Of Title Information

## Summary

Total Assignments: 4

Registrant: GLOBAL PERSPECTIVES, INC.

### Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2647/0842](#)

Pages: 2

Date Recorded: Jan. 07, 2003

Supporting Documents: [assignment-tm-2647-0842.pdf](#)

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: 1064 LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET, SUITE 2600  
LOUISVILLE, KENTUCKY 40202

Domestic Representative - Not Found

### Assignment 2 of 4

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2647/0844](#)

Pages: 3

Date Recorded: Jan. 08, 2003

Supporting Documents: [assignment-tm-2647-0844.pdf](#)

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: 1064 LORETTO ROAD  
P. O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET, SUITE 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

### Assignment 3 of 4

Conveyance: CORRECTIVE SECURITY AGREEMENT TO CORRECT ASSIGNOR AND ASSIGNEE'S NAME & ADDRESS ON REEL/FAME

002647/0844.

Reel/Frame: [2661/0927](#)

Pages: 3

Date Recorded: May 27, 2003

Supporting [assignment-tm-2661-0927.pdf](#)

Documents:

#### Assignor

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

#### Assignee

Name: [GLOBAL PERSPECTIVES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 68-37 YELLOWSTONE BLVD.  
QUEENS, NEW YORK 11375

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET  
STE. 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

### Assignment 4 of 4

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3316/0081](#)

Pages: 4

Date Recorded: May 24, 2006

Supporting [assignment-tm-3316-0081.pdf](#)

Documents:

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: May 18, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WILLIAM H. HOLLANDER

Correspondent Address: 500 WEST JEFFERSON STREET  
SUITE 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 6

Type of Proceeding: Opposition

Proceeding Number: [91255900](#)

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

**Defendant**

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

**Plaintiff(s)**

Name: Heaven Hill Distilleries, Inc.

Correspondent Address: MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

**Type of Proceeding: Opposition**

Proceeding Number: [91256274](#)

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

**Defendant**

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent Address:** ADIA COLEMAN  
502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

**Correspondent e-mail:** [callrhonda@aol.com](mailto:callrhonda@aol.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

Associated marks			



Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

**Type of Proceeding: Cancellation**

<b>Proceeding Number:</b> <a href="#">92060811</a>	<b>Filing Date:</b> Feb 03, 2015
<b>Status:</b> Terminated	<b>Status Date:</b> Feb 08, 2017
<b>Interlocutory Attorney:</b> KATIE W MCKNIGHT	

**Defendant**

<b>Name:</b> Cricket Hill Brewing Co., Inc.
<b>Correspondent Address:</b> JACK B BALDINI BALDINI LAW LLC 537 BOWERS DRIVE HACKETTSTOWN NJ UNITED STATES , 07840
<b>Correspondent e-mail:</b> <a href="mailto:jack@baldinilaw.com">jack@baldinilaw.com</a>

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>

**Plaintiff(s)**

<b>Name:</b> Heaven Hill Distilleries, Inc.
<b>Correspondent Address:</b> EKUNDAYO SETON WYATT TARRANT & COMBS LLP 500 WEST JEFFERSON STREET, SUITE 2800 LOUISVILLE KY UNITED STATES , 40202
<b>Correspondent e-mail:</b> <a href="mailto:dseton@wyattfirm.com">dseton@wyattfirm.com</a> , <a href="mailto:myoung@wyattfirm.com">myoung@wyattfirm.com</a> , <a href="mailto:Bhampton@wyattfirm.com">Bhampton@wyattfirm.com</a>

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015
3	PENDING, INSTITUTED	Feb 05, 2015	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015	
5	TRIAL DATES RESET	Mar 02, 2015	
6	ANSWER	Mar 31, 2015	
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016	
8	P NOTICE OF RELIANCE	Jan 25, 2016	

9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

### Type of Proceeding: Opposition

**Proceeding Number:** [91184268](#)

**Filing Date:** May 22, 2008

**Status:** Terminated

**Status Date:** Jan 15, 2009

**Interlocutory Attorney:** CHERYL S GOODMAN

#### Defendant

**Name:** Thomson, Kareem A.

**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443

**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

#### Plaintiff(s)

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	

8	SERVICE BY PUBLICATION	Nov 25, 2008
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009
10	TERMINATED	Jan 15, 2009

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#) **Filing Date:** Apr 25, 2008  
**Status:** Terminated **Status Date:** Jan 03, 2012  
**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo  
**Correspondent Address:** YASSINN PATRICE DIALLO  
 2 SQUARE TRIBORD  
 COURCOURONNES FRANCE , 91080  
**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.  
**Correspondent Address:** MATTHEW A WILLIAMS  
 WYATT TARRANT & COMBS LLP  
 500 W JEFFERSON ST STE 2800  
 LOUISVILLE KY UNITED STATES , 40202  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	
14	SUSPENDED	Aug 19, 2009	
15	TRIAL DATES RESET	Sep 30, 2009	
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010	
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010	
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010	
19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010	

20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Int. Cl.: 25**

**Prior U.S. Cls.: 22 and 39**

**United States Patent and Trademark Office**

**Reg. No. 2,834,130**

**Registered Apr. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

HEAVEN HILL DISTILLERIES, INC. (KEN-  
TUCKY CORPORATION)  
1064 LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KY 40004

FOR: CLOTHING, NAMELY, SHIRTS, IN CLASS  
25 (U.S. CLS. 22 AND 39).

FIRST USE 2-7-2003; IN COMMERCE 2-7-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,684, FILED 5-19-2003.

CAROLINE WOOD, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2021-02-26 09:26:18 EST

Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76519684

Application Filing Date: May 19, 2003

US Registration Number: 2834130

Registration Date: Apr. 20, 2004

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2014

Publication Date: Jan. 27, 2004

## Mark Information

Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

## Related Properties Information

Claimed Ownership of US Registrations: 2642855

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 07, 2003

Use in Commerce: Feb. 07, 2003

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Heaven Hill Distilleries, Inc.

**Owner Address:** 1064 Loretto Road  
P.O. Box 729  
Bardstown, KENTUCKY UNITED STATES 40004

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Matthew A. Williams

**Docket Number:** 019354.64366

**Attorney Primary Email Address:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Matthew A. Williams  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street  
Suite 2800  
LOUISVILLE, KENTUCKY UNITED STATES 40202

**Phone:** 502.589.5235

**Fax:** 502.589.0309

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 02, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
May 02, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Apr. 18, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
May 02, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 18, 2014	TEAS SECTION 8 & 9 RECEIVED	
Mar. 25, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Mar. 25, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 07, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 20, 2004	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2004	PUBLISHED FOR OPPOSITION	
Jan. 07, 2004	NOTICE OF PUBLICATION	
Nov. 21, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2003	ASSIGNED TO EXAMINER	74309

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 02, 2014

## Proceedings

### Summary

**Number of Proceedings:** 6

**Type of Proceeding:** Opposition

Proceeding [91255900](#)  
Number:

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

#### Defendant

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

#### Plaintiff(s)

Name: Heaven Hill Distilleries, Inc.

Correspondent Address: MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

#### Type of Proceeding: Opposition

Proceeding [91256274](#)  
Number:

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

#### Defendant

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002



Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent Address:** ADIA COLEMAN  
502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

Correspondent e-mail: [callrhonda@aol.com](mailto:callrhonda@aol.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

### Type of Proceeding: Cancellation

<b>Proceeding Number:</b>	<a href="#">92060811</a>	<b>Filing Date:</b>	Feb 03, 2015
<b>Status:</b>	Terminated	<b>Status Date:</b>	Feb 08, 2017
<b>Interlocutory Attorney:</b>	KATIE W MCKNIGHT		

Defendant	
<b>Name:</b>	Cricket Hill Brewing Co., Inc.
<b>Correspondent Address:</b>	JACK B BALDINI BALDINI LAW LLC 537 BOWERS DRIVE HACKETTSTOWN NJ UNITED STATES , 07840
<b>Correspondent e-mail:</b>	<a href="mailto:jack@baldinilaw.com">jack@baldinilaw.com</a>

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>

Plaintiff(s)	
<b>Name:</b>	Heaven Hill Distilleries, Inc.
<b>Correspondent Address:</b>	EKUNDAYO SETON WYATT TARRANT & COMBS LLP 500 WEST JEFFERSON STREET, SUITE 2800 LOUISVILLE KY UNITED STATES , 40202
<b>Correspondent e-mail:</b>	<a href="mailto:dseton@wyattfirm.com">dseton@wyattfirm.com</a> , <a href="mailto:myoung@wyattfirm.com">myoung@wyattfirm.com</a> , <a href="mailto:Bhampton@wyattfirm.com">Bhampton@wyattfirm.com</a>

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015
3	PENDING, INSTITUTED	Feb 05, 2015	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015	
5	TRIAL DATES RESET	Mar 02, 2015	
6	ANSWER	Mar 31, 2015	
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016	

8	P NOTICE OF RELIANCE	Jan 25, 2016
9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

### Type of Proceeding: Opposition

**Proceeding Number:** [91184268](#) **Filing Date:** May 22, 2008  
**Status:** Terminated **Status Date:** Jan 15, 2009  
**Interlocutory Attorney:** CHERYL S GOODMAN

#### Defendant

**Name:** Thomson, Kareem A.  
**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443  
**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

#### Plaintiff(s)

**Name:** Heaven Hill Distilleries, Inc.  
**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	

7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008
8	SERVICE BY PUBLICATION	Nov 25, 2008
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009
10	TERMINATED	Jan 15, 2009

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#) **Filing Date:** Apr 25, 2008  
**Status:** Terminated **Status Date:** Jan 03, 2012  
**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo  
**Correspondent Address:** YASSINN PATRICE DIALLO  
 2 SQUARE TRIBORD  
 COURCOURONNES FRANCE , 91080  
**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.  
**Correspondent Address:** MATTHEW A WILLIAMS  
 WYATT TARRANT & COMBS LLP  
 500 W JEFFERSON ST STE 2800  
 LOUISVILLE KY UNITED STATES , 40202  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	
14	SUSPENDED	Aug 19, 2009	
15	TRIAL DATES RESET	Sep 30, 2009	
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010	
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010	
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010	

19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Int. Cls.: 4 and 21**

**Prior U.S. Cls.: 1, 2, 6, 13, 15, 23, 29, 30, 33, 40 and 50**

**Reg. No. 2,834,133**

**United States Patent and Trademark Office**

**Registered Apr. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

HEAVEN HILL DISTILLERIES, INC. (KEN-  
TUCKY CORPORATION)  
1064 LORETTO ROAD, P.O. BOX 729  
BARDSTOWN, KY 40004

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND  
15).

FIRST USE 5-2-2003; IN COMMERCE 5-2-2003.

FOR: BEVERAGE GLASSWARE , IN CLASS 21  
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 3-23-2003; IN COMMERCE 3-23-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,929, FILED 5-23-2003.

CAROLINE WOOD, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2021-02-26 09:24:24 EST

Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76519929

Application Filing Date: May 23, 2003

US Registration Number: 2834133

Registration Date: Apr. 20, 2004

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2014

Publication Date: Jan. 27, 2004

## Mark Information

Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

## Related Properties Information

Claimed Ownership of US Registrations: 2642855

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Candles

International Class(es): 004 - Primary Class

U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 1(a)

First Use: May 02, 2003

Use in Commerce: May 02, 2003

For: Beverage glassware

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 23, 2003

Use in Commerce: Mar. 23, 2003

## Basis Information (Case Level)

**Filed Use:** Yes  
**Filed ITU:** No  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Heaven Hill Distilleries, Inc.  
**Owner Address:** 1064 Loretto Road, P.O. Box 729  
Bardstown, KENTUCKY UNITED STATES 40004  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Matthew A. Williams  
**Attorney Primary Email Address:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)  
**Docket Number:** 019354.64366  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Matthew A. Williams  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street  
Suite 2800  
LOUISVILLE, KENTUCKY UNITED STATES 40202  
**Phone:** 502.589.5235  
**Fax:** 502.589.0309  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 02, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
May 02, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Apr. 18, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
May 02, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 18, 2014	TEAS SECTION 8 & 9 RECEIVED	
Mar. 29, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Mar. 29, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Mar. 13, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 20, 2004	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2004	PUBLISHED FOR OPPOSITION	
Jan. 07, 2004	NOTICE OF PUBLICATION	
Nov. 21, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2003	ASSIGNED TO EXAMINER	74309

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 02, 2014

## Proceedings



**Summary**

Number of 8  
Proceedings:

**Type of Proceeding: Opposition**

Proceeding [91255900](#)  
Number:

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

**Defendant**

Name: Mpack Beverage Solutions, LLC

Correspondent JOHN S. EGBERT  
Address: EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

**Plaintiff(s)**

Name: Heaven Hill Distilleries, Inc.

Correspondent MATTHEW A. WILLIAMS  
Address: WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

**Type of Proceeding: Opposition**

Proceeding [91256274](#)  
Number:

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

**Defendant**

**Name:** Mpact Beverage Solutions, LLC

**Correspondent** JOHN S. EGBERT  
**Address:** EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002

**Correspondent e-mail:** [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent** MATTHEW A. WILLIAMS  
**Address:** WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent** ADIA COLEMAN  
**Address:** 502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

**Correspondent e-mail:** [callrhonda@aol.com](mailto:callrhonda@aol.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent** MATTHEW A WILLIAMS  
**Address:** WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

#### Type of Proceeding: Cancellation

**Proceeding Number:** [92060811](#) **Filing Date:** Feb 03, 2015  
**Status:** Terminated **Status Date:** Feb 08, 2017  
**Interlocutory Attorney:** KATIE W MCKNIGHT

#### Defendant

**Name:** Cricket Hill Brewing Co., Inc.  
**Correspondent Address:** JACK B BALDINI  
BALDINI LAW LLC  
537 BOWERS DRIVE  
HACKETTSTOWN NJ UNITED STATES , 07840  
**Correspondent e-mail:** [jack@baldinilaw.com](mailto:jack@baldinilaw.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>
Plaintiff(s)			
<b>Name:</b> Heaven Hill Distilleries, Inc.			
<b>Correspondent Address:</b> EKUNDAYO SETON WYATT TARRANT & COMBS LLP 500 WEST JEFFERSON STREET, SUITE 2800 LOUISVILLE KY UNITED STATES , 40202			
<b>Correspondent e-mail:</b> <a href="mailto:dseton@wyattfirm.com">dseton@wyattfirm.com</a> , <a href="mailto:myoung@wyattfirm.com">myoung@wyattfirm.com</a> , <a href="mailto:Bhampton@wyattfirm.com">Bhampton@wyattfirm.com</a>			

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015

3	PENDING, INSTITUTED	Feb 05, 2015
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015
5	TRIAL DATES RESET	Mar 02, 2015
6	ANSWER	Mar 31, 2015
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016
8	P NOTICE OF RELIANCE	Jan 25, 2016
9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

**Type of Proceeding: Opposition**

**Proceeding Number:** [91184268](#)

**Filing Date:** May 22, 2008

**Status:** Terminated

**Status Date:** Jan 15, 2009

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Thomson, Kareem A.

**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443

**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcaapiro@wyattfirm.com](mailto:mcaapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
8	SERVICE BY PUBLICATION	Nov 25, 2008	
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009	
10	TERMINATED	Jan 15, 2009	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#)

**Filing Date:** Apr 25, 2008

**Status:** Terminated

**Status Date:** Jan 03, 2012

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo

**Correspondent Address:** YASSINN PATRICE DIALLO  
2 SQUARE TRIBORD  
COURCOURONNES FRANCE , 91080

**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
500 W JEFFERSON ST STE 2800  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcaapiro@wyattfirm.com](mailto:mcaapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	

14	SUSPENDED	Aug 19, 2009
15	TRIAL DATES RESET	Sep 30, 2009
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010
19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Type of Proceeding: Opposition**

**Proceeding Number:** [91165621](#)

**Filing Date:** Jun 21, 2005

**Status:** Terminated

**Status Date:** Dec 08, 2007

**Interlocutory Attorney:** ELIZABETH A DUNN

**Defendant**

**Name:** MDC Marketing Inc.

**Correspondent Address:** EUGENE PAOLINO  
LAW OFFICES OF EUGENE PAOLINO  
5449 ENDEAVOUR COURT  
MOORPARK CA UNITED STATES , 93021

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">78333328</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** WILLIAM H. HOLLANDER  
WYATT, TARRANT & COMBS, LLP  
500 WEST JEFFERSON STREET, SUITE 2600  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 21, 2005	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 22, 2005	Aug 01, 2005
3	PENDING, INSTITUTED	Jun 22, 2005	

4	ANSWER	Jul 25, 2005
5	RETURNED MAIL	Jul 25, 2005
6	STIPULATION FOR AN EXTENSION OF TIME	Mar 30, 2006
7	EXTENSION OF TIME GRANTED	Mar 31, 2006
8	PLAINTIFF'S NOTICE OF RELIANCE	Apr 03, 2006
9	PL'S AMENDED NOTICE OF RELIANCE	Jun 01, 2006
10	PL'S NOTICE OF FILING OF TRIAL DEP. PART 1 OF 2	Jun 29, 2006
11	PL'S NOTICE OF FILING OF TRIAL DEP. PART 2 OF 2	Jun 29, 2006
12	P'S REQUEST TO WITHDRAW AS ATTORNEY	Jul 17, 2006
13	PL'S MOTION FOR LEAVE TO CORRECT ERRORS IN TRIAL DEPOSITION	Sep 21, 2006
14	BOARD'S ORDER	Nov 03, 2006
15	BRIEF ON MERITS FOR PLAINTIFF	Nov 20, 2006
16	BOARDS NOTICE TO PARTIES	Dec 15, 2006
17	SUBMITTED ON BRIEF	Jun 05, 2007
18	BOARD'S DECISION: SUSTAINED	Sep 18, 2007
19	TERMINATED	Dec 08, 2007

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [78333328](#)

**Filing Date:** Mar 16, 2005

**Status:** Terminated

**Status Date:** Jul 26, 2005

**Interlocutory Attorney:**

**Defendant**

**Name:** MDC MARKETING INC.

**Correspondent Address:** EUGENE PAOLINO  
LAW OFFICES OF EUGENE PAOLINO  
5449 ENDEAVOUR COURT  
MOORPARK CA UNITED STATES , 93021

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">78333328</a>	

**Potential Opposer(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** WILLIAM H. HOLLANDER  
WYATT, TARRANT & COMBS, LLP  
500 WEST JEFFERSON STREET, SUITE 2600  
LOUISVILLE KY UNITED STATES , 40202

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** William H. Hollander  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street Suite 2600  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [whollander@wyattfirm.com](mailto:whollander@wyattfirm.com)

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 16, 2005	
2	EXTENSION OF TIME GRANTED	Mar 16, 2005	
3	INCOMING - EXT TIME TO OPPOSE FILED	Apr 22, 2005	
4	EXTENSION OF TIME GRANTED	Apr 22, 2005	

# EXHIBIT A



**Int. Cl.: 33**

**Prior U.S. Cls.: 47 and 49**

**United States Patent and Trademark Office**

**Reg. No. 2,642,855**

**Registered Oct. 29, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

GLOBAL PERSPECTIVES, INC. (NEW YORK  
CORPORATION)  
108-50 62ND DRIVE  
FOREST HILLS, QUEENS, NY 11375

FIRST USE 9-0-2001; IN COMMERCE 9-0-2001.

SER. NO. 76-372,289, FILED 2-20-2002.

FOR: LIQUEUR, IN CLASS 33 (U.S. CLS. 47 AND  
49).

YSA DEJESUS, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2021-02-26 09:23:56 EST

Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76372289

Application Filing Date: Feb. 20, 2002

US Registration Number: 2642855

Registration Date: Oct. 29, 2002

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Mar. 24, 2012

Publication Date: Aug. 06, 2002

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## Mark Information

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Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

---

## Related Properties Information

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International Registration Number: 1001735

International Application(s) /Registration(s) Based on this Property: A0015929/1001735

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## Goods and Services

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**Note:**

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: LIQUEUR

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2001

Use in Commerce: Sep. 2001

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## Basis Information (Case Level)

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Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: HEAVEN HILL DISTILLERIES, INC.

Owner Address: PO BOX 729  
1064 LORETTO ROAD  
BARDSTOWN, KENTUCKY UNITED STATES 40004

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: William H. Hollander

Attorney Primary Email Address: [whollander@wyattfirm.com](mailto:whollander@wyattfirm.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: William H. Hollander  
WYATT TARRANT & COMBS, LLP  
SUITE 2800  
500 W JEFFERSON ST  
LOUISVILLE, KENTUCKY UNITED STATES 40202

Phone: 502.589.5235

Fax: 502.589.0309

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)  
[com\\_dlaney@wyattfirm.com](mailto:com_dlaney@wyattfirm.com) [mcoughlin@wyattfirm.com](mailto:mcoughlin@wyattfirm.com)  
[com\\_jlaemmle@wyattfirm.com](mailto:com_jlaemmle@wyattfirm.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 11, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 11, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 24, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Mar. 24, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Mar. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Feb. 28, 2012	TEAS SECTION 8 & 9 RECEIVED	
Mar. 02, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Feb. 15, 2008	ASSIGNED TO PARALEGAL	73376
Feb. 12, 2008	TEAS SECTION 8 & 15 RECEIVED	
Oct. 03, 2007	CASE FILE IN TICRS	
Mar. 24, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Aug. 06, 2002	PUBLISHED FOR OPPOSITION	
Jul. 17, 2002	NOTICE OF PUBLICATION	
May 19, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 16, 2002	ASSIGNED TO EXAMINER	76726

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 24, 2012

# Assignment Abstract Of Title Information

## Summary

Total Assignments: 4

Registrant: GLOBAL PERSPECTIVES, INC.

### Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2647/0842](#)

Pages: 2

Date Recorded: Jan. 07, 2003

Supporting Documents: [assignment-tm-2647-0842.pdf](#)

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: 1064 LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET, SUITE 2600  
LOUISVILLE, KENTUCKY 40202

Domestic Representative - Not Found

### Assignment 2 of 4

Conveyance: SECURITY AGREEMENT

Reel/Frame: [2647/0844](#)

Pages: 3

Date Recorded: Jan. 08, 2003

Supporting Documents: [assignment-tm-2647-0844.pdf](#)

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: 1064 LORETTO ROAD  
P. O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET, SUITE 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

### Assignment 3 of 4

Conveyance: CORRECTIVE SECURITY AGREEMENT TO CORRECT ASSIGNOR AND ASSIGNEE'S NAME & ADDRESS ON REEL/FRA

002647/0844.

Reel/Frame: [2661/0927](#)

Pages: 3

Date Recorded: May 27, 2003

Supporting Documents: [assignment-tm-2661-0927.pdf](#)

#### Assignor

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Execution Date: Jan. 03, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

#### Assignee

Name: [GLOBAL PERSPECTIVES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 68-37 YELLOWSTONE BLVD.  
QUEENS, NEW YORK 11375

#### Correspondent

Correspondent Name: WYATT, TARRANT & COMBS, LLP

Correspondent Address: WILLIAM H. HOLLANDER  
500 W. JEFFERSON STREET  
STE. 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

### Assignment 4 of 4

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3316/0081](#)

Pages: 4

Date Recorded: May 24, 2006

Supporting Documents: [assignment-tm-3316-0081.pdf](#)

#### Assignor

Name: [GLOBAL PERSPECTIVES, INC.](#)

Execution Date: May 18, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

#### Assignee

Name: [HEAVEN HILL DISTILLERIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Address: LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KENTUCKY 40004

#### Correspondent

Correspondent Name: WILLIAM H. HOLLANDER

Correspondent Address: 500 WEST JEFFERSON STREET  
SUITE 2600  
LOUISVILLE, KY 40202

Domestic Representative - Not Found

## Proceedings

#### Summary

Number of Proceedings: 6

Type of Proceeding: Opposition

Proceeding Number: [91255900](#)

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

**Defendant**

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

**Plaintiff(s)**

Name: Heaven Hill Distilleries, Inc.

Correspondent Address: MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

**Type of Proceeding: Opposition**

Proceeding Number: [91256274](#)

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

**Defendant**

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent Address:** ADIA COLEMAN  
502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

**Correspondent e-mail:** [callrhonda@aol.com](mailto:callrhonda@aol.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

Associated marks			

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

#### Type of Proceeding: Cancellation

**Proceeding Number:** [92060811](#)

**Filing Date:** Feb 03, 2015

**Status:** Terminated

**Status Date:** Feb 08, 2017

**Interlocutory Attorney:** KATIE W MCKNIGHT

#### Defendant

**Name:** Cricket Hill Brewing Co., Inc.

**Correspondent Address:** JACK B BALDINI  
BALDINI LAW LLC  
537 BOWERS DRIVE  
HACKETTSTOWN NJ UNITED STATES , 07840

**Correspondent e-mail:** [jack@baldinilaw.com](mailto:jack@baldinilaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>

#### Plaintiff(s)

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** EKUNDAYO SETON  
WYATT TARRANT & COMBS LLP  
500 WEST JEFFERSON STREET, SUITE 2800  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [dseton@wyattfirm.com](mailto:dseton@wyattfirm.com) , [myoung@wyattfirm.com](mailto:myoung@wyattfirm.com) , [Bhampton@wyattfirm.com](mailto:Bhampton@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015
3	PENDING, INSTITUTED	Feb 05, 2015	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015	
5	TRIAL DATES RESET	Mar 02, 2015	
6	ANSWER	Mar 31, 2015	
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016	
8	P NOTICE OF RELIANCE	Jan 25, 2016	



9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

### Type of Proceeding: Opposition

**Proceeding Number:** [91184268](#)

**Filing Date:** May 22, 2008

**Status:** Terminated

**Status Date:** Jan 15, 2009

**Interlocutory Attorney:** CHERYL S GOODMAN

#### Defendant

**Name:** Thomson, Kareem A.

**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443

**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

#### Plaintiff(s)

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	

8	SERVICE BY PUBLICATION	Nov 25, 2008
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009
10	TERMINATED	Jan 15, 2009

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#) **Filing Date:** Apr 25, 2008  
**Status:** Terminated **Status Date:** Jan 03, 2012  
**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo  
**Correspondent Address:** YASSINN PATRICE DIALLO  
 2 SQUARE TRIBORD  
 COURCOURONNES FRANCE , 91080  
**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.  
**Correspondent Address:** MATTHEW A WILLIAMS  
 WYATT TARRANT & COMBS LLP  
 500 W JEFFERSON ST STE 2800  
 LOUISVILLE KY UNITED STATES , 40202  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	
14	SUSPENDED	Aug 19, 2009	
15	TRIAL DATES RESET	Sep 30, 2009	
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010	
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010	
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010	
19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010	

20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Int. Cl.: 25**

**Prior U.S. Cls.: 22 and 39**

**United States Patent and Trademark Office**

**Reg. No. 2,834,130**

**Registered Apr. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

HEAVEN HILL DISTILLERIES, INC. (KEN-  
TUCKY CORPORATION)  
1064 LORETTO ROAD  
P.O. BOX 729  
BARDSTOWN, KY 40004

FOR: CLOTHING, NAMELY, SHIRTS, IN CLASS  
25 (U.S. CLS. 22 AND 39).

FIRST USE 2-7-2003; IN COMMERCE 2-7-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,684, FILED 5-19-2003.

CAROLINE WOOD, EXAMINING ATTORNEY

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Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76519684

Application Filing Date: May 19, 2003

US Registration Number: 2834130

Registration Date: Apr. 20, 2004

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2014

Publication Date: Jan. 27, 2004

## Mark Information

Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

## Related Properties Information

Claimed Ownership of US Registrations: 2642855

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 07, 2003

Use in Commerce: Feb. 07, 2003

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Heaven Hill Distilleries, Inc.

**Owner Address:** 1064 Loretto Road  
P.O. Box 729  
Bardstown, KENTUCKY UNITED STATES 40004

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Matthew A. Williams

**Docket Number:** 019354.64366

**Attorney Primary Email Address:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Matthew A. Williams  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street  
Suite 2800  
LOUISVILLE, KENTUCKY UNITED STATES 40202

**Phone:** 502.589.5235

**Fax:** 502.589.0309

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 02, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
May 02, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Apr. 18, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
May 02, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 18, 2014	TEAS SECTION 8 & 9 RECEIVED	
Mar. 25, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Mar. 25, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 07, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 20, 2004	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2004	PUBLISHED FOR OPPOSITION	
Jan. 07, 2004	NOTICE OF PUBLICATION	
Nov. 21, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2003	ASSIGNED TO EXAMINER	74309

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** May 02, 2014

## Proceedings

### Summary

**Number of Proceedings:** 6

**Type of Proceeding:** Opposition

Proceeding [91255900](#)  
Number:

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

#### Defendant

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

#### Plaintiff(s)

Name: Heaven Hill Distilleries, Inc.

Correspondent Address: MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

#### Type of Proceeding: Opposition

Proceeding [91256274](#)  
Number:

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

#### Defendant

Name: Mpact Beverage Solutions, LLC

Correspondent Address: JOHN S. EGBERT  
EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A. WILLIAMS  
WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent Address:** ADIA COLEMAN  
502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

Correspondent e-mail: [callrhonda@aol.com](mailto:callrhonda@aol.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)



Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

### Type of Proceeding: Cancellation

<b>Proceeding Number:</b>	<a href="#">92060811</a>	<b>Filing Date:</b>	Feb 03, 2015
<b>Status:</b>	Terminated	<b>Status Date:</b>	Feb 08, 2017
<b>Interlocutory Attorney:</b>	KATIE W MCKNIGHT		

Defendant	
<b>Name:</b>	Cricket Hill Brewing Co., Inc.
<b>Correspondent Address:</b>	JACK B BALDINI BALDINI LAW LLC 537 BOWERS DRIVE HACKETTSTOWN NJ UNITED STATES , 07840
<b>Correspondent e-mail:</b>	<a href="mailto:jack@baldinilaw.com">jack@baldinilaw.com</a>

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>

Plaintiff(s)	
<b>Name:</b>	Heaven Hill Distilleries, Inc.
<b>Correspondent Address:</b>	EKUNDAYO SETON WYATT TARRANT & COMBS LLP 500 WEST JEFFERSON STREET, SUITE 2800 LOUISVILLE KY UNITED STATES , 40202
<b>Correspondent e-mail:</b>	<a href="mailto:dseton@wyattfirm.com">dseton@wyattfirm.com</a> , <a href="mailto:myoung@wyattfirm.com">myoung@wyattfirm.com</a> , <a href="mailto:Bhampton@wyattfirm.com">Bhampton@wyattfirm.com</a>

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015
3	PENDING, INSTITUTED	Feb 05, 2015	
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015	
5	TRIAL DATES RESET	Mar 02, 2015	
6	ANSWER	Mar 31, 2015	
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016	

8	P NOTICE OF RELIANCE	Jan 25, 2016
9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

### Type of Proceeding: Opposition

**Proceeding Number:** [91184268](#)

**Filing Date:** May 22, 2008

**Status:** Terminated

**Status Date:** Jan 15, 2009

**Interlocutory Attorney:** CHERYL S GOODMAN

#### Defendant

**Name:** Thomson, Kareem A.

**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443

**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

#### Plaintiff(s)

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	

7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008
8	SERVICE BY PUBLICATION	Nov 25, 2008
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009
10	TERMINATED	Jan 15, 2009

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#) **Filing Date:** Apr 25, 2008  
**Status:** Terminated **Status Date:** Jan 03, 2012  
**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo  
**Correspondent Address:** YASSINN PATRICE DIALLO  
 2 SQUARE TRIBORD  
 COURCOURONNES FRANCE , 91080  
**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.  
**Correspondent Address:** MATTHEW A WILLIAMS  
 WYATT TARRANT & COMBS LLP  
 500 W JEFFERSON ST STE 2800  
 LOUISVILLE KY UNITED STATES , 40202  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcapiro@wyattfirm.com](mailto:mcapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	
14	SUSPENDED	Aug 19, 2009	
15	TRIAL DATES RESET	Sep 30, 2009	
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010	
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010	
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010	

19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Int. Cls.: 4 and 21**

**Prior U.S. Cls.: 1, 2, 6, 13, 15, 23, 29, 30, 33, 40 and 50**

**Reg. No. 2,834,133**

**United States Patent and Trademark Office**

**Registered Apr. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**HPNOTIQ**

HEAVEN HILL DISTILLERIES, INC. (KEN-  
TUCKY CORPORATION)  
1064 LORETTO ROAD, P.O. BOX 729  
BARDSTOWN, KY 40004

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND  
15).

FIRST USE 5-2-2003; IN COMMERCE 5-2-2003.

FOR: BEVERAGE GLASSWARE , IN CLASS 21  
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 3-23-2003; IN COMMERCE 3-23-2003.

OWNER OF U.S. REG. NO. 2,642,855.

SER. NO. 76-519,929, FILED 5-23-2003.

CAROLINE WOOD, EXAMINING ATTORNEY

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Mark: HPNOTIQ

HPNOTIQ

US Serial Number: 76519929

Application Filing Date: May 23, 2003

US Registration Number: 2834133

Registration Date: Apr. 20, 2004

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2014

Publication Date: Jan. 27, 2004

## Mark Information

Mark Literal Elements: HPNOTIQ

Standard Character Claim: No

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

## Related Properties Information

Claimed Ownership of US Registrations: 2642855

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Candles

International Class(es): 004 - Primary Class

U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 1(a)

First Use: May 02, 2003

Use in Commerce: May 02, 2003

For: Beverage glassware

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 23, 2003

Use in Commerce: Mar. 23, 2003

## Basis Information (Case Level)

**Filed Use:** Yes  
**Filed ITU:** No  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No  
**Filed No Basis:** No

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Heaven Hill Distilleries, Inc.  
**Owner Address:** 1064 Loretto Road, P.O. Box 729  
Bardstown, KENTUCKY UNITED STATES 40004  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** KENTUCKY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Matthew A. Williams  
**Attorney Primary Email Address:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)  
**Docket Number:** 019354.64366  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Matthew A. Williams  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street  
Suite 2800  
LOUISVILLE, KENTUCKY UNITED STATES 40202  
**Phone:** 502.589.5235  
**Fax:** 502.589.0309  
**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 02, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 02, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
May 02, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Apr. 18, 2014	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
May 02, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 18, 2014	TEAS SECTION 8 & 9 RECEIVED	
Mar. 29, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Mar. 29, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Mar. 13, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 20, 2004	REGISTERED-PRINCIPAL REGISTER	
Jan. 27, 2004	PUBLISHED FOR OPPOSITION	
Jan. 07, 2004	NOTICE OF PUBLICATION	
Nov. 21, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 20, 2003	ASSIGNED TO EXAMINER	74309

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** GENERIC WEB UPDATE  
**Date in Location:** May 02, 2014

## Proceedings

**Summary**

Number of 8  
Proceedings:

**Type of Proceeding: Opposition**

Proceeding [91255900](#)  
Number:

Filing Date: May 19, 2020

Status: Terminated

Status Date: Sep 16, 2020

Interlocutory Attorney: REBECCA J STEMPIEN\_COYLE

**Defendant**

Name: Mpack Beverage Solutions, LLC

Correspondent JOHN S. EGBERT  
Address: EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE., STE. 1250  
HOUSTON TX UNITED STATES , 77002

Correspondent e-mail: [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL	Abandoned - After Inter-Partes Decision	<a href="#">88611839</a>	

**Plaintiff(s)**

Name: Heaven Hill Distilleries, Inc.

Correspondent MATTHEW A. WILLIAMS  
Address: WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST. SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

Correspondent e-mail: [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 19, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2020	Jun 29, 2020
3	INSTITUTED	May 20, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 29, 2020	
5	SUSPENDED	Jun 29, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
7	SUSPENDED	Jul 16, 2020	
8	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
9	SUSPENDED	Aug 17, 2020	
10	W/DRAW OF APPLICATION	Sep 04, 2020	
11	BD DECISION: OPP DISMISSED W/O PREJ	Sep 16, 2020	
12	TERMINATED	Sep 16, 2020	

**Type of Proceeding: Opposition**

Proceeding [91256274](#)  
Number:

Filing Date: Jun 09, 2020

Status: Terminated

Status Date: Oct 24, 2020

Interlocutory Attorney: WENDY COHEN

**Defendant**



**Name:** Mpact Beverage Solutions, LLC

**Correspondent** JOHN S. EGBERT  
**Address:** EGBERT, MCDANIEL & SWARTZ, PLLC  
1001 TEXAS AVE SUITE 1250  
HOUSTON TX UNITED STATES , 77002

**Correspondent e-mail:** [mail@emsip.com](mailto:mail@emsip.com) , [USPTO@dockettrak.com](mailto:USPTO@dockettrak.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYP-NOTICAL N E S W	Abandoned - After Inter-Partes Decision	<a href="#">88615046</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent** MATTHEW A. WILLIAMS  
**Address:** WYATT, TARRANT & COMBS, LLP  
400 WEST MARKET ST SUITE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [cbrooker@wyattfirm.com](mailto:cbrooker@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 09, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 10, 2020	Jul 20, 2020
3	INSTITUTED	Jun 10, 2020	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 16, 2020	
5	SUSPENDED	Jul 16, 2020	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 17, 2020	
7	SUSPENDED	Aug 17, 2020	
8	W/DRAW OF APPLICATION W/ CONSENT	Sep 04, 2020	
9	BD DECISION: OPP DISMISSED W/O PREJ	Oct 24, 2020	
10	TERMINATED	Oct 24, 2020	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91253937](#)

**Filing Date:** Feb 06, 2020

**Status:** Terminated

**Status Date:** May 06, 2020

**Interlocutory Attorney:** REBECCA J STEMPIEN\_COYLE

**Defendant**

**Name:** Rhonda Rogers

**Correspondent** ADIA COLEMAN  
**Address:** 502 OVERLOOK PARK DRIVE  
3547 WOODLAKE DRIVE  
SILVER SPRING MD UNITED STATES , 20745

**Correspondent e-mail:** [callrhonda@aol.com](mailto:callrhonda@aol.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">88570641</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent** MATTHEW A WILLIAMS  
**Address:** WYATT TARRANT & COMBS LLP  
400 WEST MARKET ST STE 2000  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [jwatts@wyattfirm.com](mailto:jwatts@wyattfirm.com) , [dlaney@wyattfirm.com](mailto:dlaney@wyattfirm.com) , [trademarks@wyattfirm.com](mailto:trademarks@wyattfirm.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 06, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 06, 2020	Mar 17, 2020
3	INSTITUTED	Feb 06, 2020	
4	NOTICE OF DEFAULT	Mar 27, 2020	
5	BD DECISION: OPP SUSTAINED	May 06, 2020	
6	TERMINATED	May 06, 2020	

#### Type of Proceeding: Cancellation

**Proceeding Number:** [92060811](#) **Filing Date:** Feb 03, 2015  
**Status:** Terminated **Status Date:** Feb 08, 2017  
**Interlocutory Attorney:** KATIE W MCKNIGHT

#### Defendant

**Name:** Cricket Hill Brewing Co., Inc.  
**Correspondent Address:** JACK B BALDINI  
BALDINI LAW LLC  
537 BOWERS DRIVE  
HACKETTSTOWN NJ UNITED STATES , 07840  
**Correspondent e-mail:** [jack@baldinilaw.com](mailto:jack@baldinilaw.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HOPNOTIC	Cancelled - Section 18	<a href="#">86073031</a>	<a href="#">4498217</a>
Plaintiff(s)			
<b>Name:</b> Heaven Hill Distilleries, Inc.			
<b>Correspondent Address:</b> EKUNDAYO SETON WYATT TARRANT & COMBS LLP 500 WEST JEFFERSON STREET, SUITE 2800 LOUISVILLE KY UNITED STATES , 40202			
<b>Correspondent e-mail:</b> <a href="mailto:dseton@wyattfirm.com">dseton@wyattfirm.com</a> , <a href="mailto:myoung@wyattfirm.com">myoung@wyattfirm.com</a> , <a href="mailto:Bhampton@wyattfirm.com">Bhampton@wyattfirm.com</a>			

Associated marks			
Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 03, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 05, 2015	Mar 17, 2015

3	PENDING, INSTITUTED	Feb 05, 2015
4	P MOT TO AMEND PLEADING/AMENDED PLEADING	Feb 05, 2015
5	TRIAL DATES RESET	Mar 02, 2015
6	ANSWER	Mar 31, 2015
7	D CHANGE OF CORRESP ADDRESS	Jan 06, 2016
8	P NOTICE OF RELIANCE	Jan 25, 2016
9	P NOTICE OF TAKING TESTIMONY	Feb 17, 2016
10	P NOTICE OF TAKING TESTIMONY	Feb 19, 2016
11	P TESTIMONY	Feb 19, 2016
12	D CHANGE OF CORRESP ADDRESS	Mar 25, 2016
13	D NOTICE OF RELIANCE	Mar 25, 2016
14	D TESTIMONY	Apr 21, 2016
15	D TESTIMONY	Apr 21, 2016
16	P FINAL BRIEF: TM RULE 2.128	Jul 08, 2016
17	D FINAL BRIEF: TM RULE 2.128	Aug 08, 2016
18	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Aug 22, 2016
19	SUBMITTED ON BRIEF	Sep 06, 2016
20	P TESTIMONY OF BRITTANY CAPITO - EXHIBITS 9 AND 10 NON-CONFIDENTIAL	Sep 23, 2016
21	BD DECISION: GRANTED	Sep 23, 2016
22	COMMR ORDER CANCELLING REG	Feb 08, 2017
23	TERMINATED	Feb 08, 2017

**Type of Proceeding: Opposition**

**Proceeding Number:** [91184268](#)

**Filing Date:** May 22, 2008

**Status:** Terminated

**Status Date:** Jan 15, 2009

**Interlocutory Attorney:** CHERYL S GOODMAN

**Defendant**

**Name:** Thomson, Kareem A.

**Correspondent Address:** THOMSON, KAREEM A.  
4212 ESTERS RD APT 141G  
IRVING TX UNITED STATES , 75038-1443

**Correspondent e-mail:** [kanientgroup@gmail.com](mailto:kanientgroup@gmail.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
MR. HPNOTIK "THE PEOPLE'S HOST"	Abandoned - After Inter-Partes Decision	<a href="#">77296925</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** Matthew A. Williams  
Wyatt, Tarrant & Combs, LLP  
500 W. Jefferson St Suite 2800  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcairo@wyattfirm.com](mailto:mcairo@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 22, 2008	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 22, 2008	Jul 01, 2008
3	PENDING, INSTITUTED	May 22, 2008	
4	NOTICE OF DEFAULT	Jul 30, 2008	
5	DEF'S UNDELIVERABLE	Aug 18, 2008	
6	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
7	SUSPENDED PENDING SERVICE BY PUB	Oct 31, 2008	
8	SERVICE BY PUBLICATION	Nov 25, 2008	
9	BOARD'S DECISION: SUSTAINED	Jan 15, 2009	
10	TERMINATED	Jan 15, 2009	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91183753](#)

**Filing Date:** Apr 25, 2008

**Status:** Terminated

**Status Date:** Jan 03, 2012

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Yassinn Patrice Diallo

**Correspondent Address:** YASSINN PATRICE DIALLO  
2 SQUARE TRIBORD  
COURCOURONNES FRANCE , 91080

**Correspondent e-mail:** [yassinn.diallo@laposte.net](mailto:yassinn.diallo@laposte.net)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIZER	Abandoned - After Inter-Partes Decision	<a href="#">77266196</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** MATTHEW A WILLIAMS  
WYATT TARRANT & COMBS LLP  
500 W JEFFERSON ST STE 2800  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com) , [mcaapiro@wyattfirm.com](mailto:mcaapiro@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519684</a>	<a href="#">2834130</a>
HPNOTIQ HQOPN	Cancelled - Section 8	<a href="#">76463356</a>	<a href="#">2822475</a>
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76372289</a>	<a href="#">2642855</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 25, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 25, 2008	Jun 04, 2008
3	PENDING, INSTITUTED	Apr 25, 2008	
4	ANSWER	Jun 03, 2008	
5	P'S MOTION FOR SUMMARY JUDGMENT	Nov 04, 2008	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Nov 13, 2008	
7	D'S OPPOSITION/RESPONSE TO MOTION	Nov 18, 2008	
8	P'S REPLY IN SUPPORT OF MOTION	Dec 08, 2008	
9	D'S REPLY IN SUPPORT OF MOTION	Jan 15, 2009	
10	MOTION FOR SUMMARY JUDGMENT DENIED	Feb 24, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Mar 24, 2009	
12	D'S OPPOSITION/RESPONSE TO MOTION	Apr 07, 2009	
13	P'S REPLY IN SUPPORT OF MOTION	Apr 17, 2009	

14	SUSPENDED	Aug 19, 2009
15	TRIAL DATES RESET	Sep 30, 2009
16	PLAINTIFF'S NOTICE OF RELIANCE	Jan 26, 2010
17	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Apr 19, 2010
18	DUPLICATE OF #17 (ESTTA ERROR)	Apr 19, 2010
19	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
20	PLAINTIFF'S NOTICE OF TAKING TESTIMONY	Apr 27, 2010
21	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
22	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
23	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
24	EXHIBITS FOR PLAINTIFF	Apr 27, 2010
25	P'S MOTION TO STRIKE D'S BRIEF (#17) ON MERITS	Aug 02, 2010
26	BRIEF ON MERITS FOR PLAINTIFF	Aug 02, 2010
27	D'S OPPOSITION TO #25; & CROSS-MOTION TO STRIKE P'S TESTIMONY	Aug 16, 2010
28	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Aug 31, 2010
29	P'S REBUTTAL BRIEF	Sep 16, 2010
30	D'S MOTION TO STRIKE	Oct 02, 2010
31	P'S OPPOSITION/RESPONSE TO MOTION	Oct 21, 2010
32	D'S REPLY IN SUPPORT OF MOTION	Nov 02, 2010
33	MOTIONS DEFERRED UNTIL FINAL DECISION	Jun 10, 2011
34	SUBMITTED ON BRIEF	Jun 10, 2011
35	BOARD'S DECISION: SUSTAINED	Oct 17, 2011
36	TERMINATED	Jan 03, 2012

**Type of Proceeding: Opposition**

**Proceeding Number:** [91165621](#)

**Filing Date:** Jun 21, 2005

**Status:** Terminated

**Status Date:** Dec 08, 2007

**Interlocutory Attorney:** ELIZABETH A DUNN

**Defendant**

**Name:** MDC Marketing Inc.

**Correspondent Address:** EUGENE PAOLINO  
LAW OFFICES OF EUGENE PAOLINO  
5449 ENDEAVOUR COURT  
MOORPARK CA UNITED STATES , 93021

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">78333328</a>	

**Plaintiff(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** WILLIAM H. HOLLANDER  
WYATT, TARRANT & COMBS, LLP  
500 WEST JEFFERSON STREET, SUITE 2600  
LOUISVILLE KY UNITED STATES , 40202

**Correspondent e-mail:** [mwilliams@wyattfirm.com](mailto:mwilliams@wyattfirm.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 21, 2005	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 22, 2005	Aug 01, 2005
3	PENDING, INSTITUTED	Jun 22, 2005	

4	ANSWER	Jul 25, 2005
5	RETURNED MAIL	Jul 25, 2005
6	STIPULATION FOR AN EXTENSION OF TIME	Mar 30, 2006
7	EXTENSION OF TIME GRANTED	Mar 31, 2006
8	PLAINTIFF'S NOTICE OF RELIANCE	Apr 03, 2006
9	PL'S AMENDED NOTICE OF RELIANCE	Jun 01, 2006
10	PL'S NOTICE OF FILING OF TRIAL DEP. PART 1 OF 2	Jun 29, 2006
11	PL'S NOTICE OF FILING OF TRIAL DEP. PART 2 OF 2	Jun 29, 2006
12	P'S REQUEST TO WITHDRAW AS ATTORNEY	Jul 17, 2006
13	PL'S MOTION FOR LEAVE TO CORRECT ERRORS IN TRIAL DEPOSITION	Sep 21, 2006
14	BOARD'S ORDER	Nov 03, 2006
15	BRIEF ON MERITS FOR PLAINTIFF	Nov 20, 2006
16	BOARDS NOTICE TO PARTIES	Dec 15, 2006
17	SUBMITTED ON BRIEF	Jun 05, 2007
18	BOARD'S DECISION: SUSTAINED	Sep 18, 2007
19	TERMINATED	Dec 08, 2007

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [78333328](#)

**Filing Date:** Mar 16, 2005

**Status:** Terminated

**Status Date:** Jul 26, 2005

**Interlocutory Attorney:**

**Defendant**

**Name:** MDC MARKETING INC.

**Correspondent Address:** EUGENE PAOLINO  
LAW OFFICES OF EUGENE PAOLINO  
5449 ENDEAVOUR COURT  
MOORPARK CA UNITED STATES , 93021

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYPNOTIC	Abandoned - After Inter-Partes Decision	<a href="#">78333328</a>	

**Potential Opposer(s)**

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** WILLIAM H. HOLLANDER  
WYATT, TARRANT & COMBS, LLP  
500 WEST JEFFERSON STREET, SUITE 2600  
LOUISVILLE KY UNITED STATES , 40202

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HPNOTIQ	REGISTERED AND RENEWED	<a href="#">76519929</a>	<a href="#">2834133</a>

**Name:** Heaven Hill Distilleries, Inc.

**Correspondent Address:** William H. Hollander  
WYATT, TARRANT & COMBS, LLP  
500 West Jefferson Street Suite 2600  
Louisville KY UNITED STATES , 40202

**Correspondent e-mail:** [whollander@wyattfirm.com](mailto:whollander@wyattfirm.com)

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 16, 2005	
2	EXTENSION OF TIME GRANTED	Mar 16, 2005	
3	INCOMING - EXT TIME TO OPPOSE FILED	Apr 22, 2005	
4	EXTENSION OF TIME GRANTED	Apr 22, 2005	