

ESTTA Tracking number: **ESTTA1171073**

Filing date: **11/08/2021**

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	Quest Nutrition, LLC
Granted to Date of previous extension	11/06/2021
Address	777 SOUTH AVIATION BOULEVARD SUITE 100 EL SEGUNDO, CA 90245 UNITED STATES
Attorney information	SCOTT W. JOHNSTON MERCHANT & GOULD P.C. 150 SOUTH FIFTH STREET, SUITE 2200 P.O. BOX 2910 MINNEAPOLIS, MN 55402 UNITED STATES Primary Email: dockmpls@merchantgould.com Secondary Email(s): sjohnston@merchantgould.com, SLindemeier@merchantgould.com, ljones@merchantgould.com 612-332-5300
Docket Number	18998.30USTA

**Applicant Information**

Application No.	79308432	Publication date	09/07/2021
Opposition Filing Date	11/08/2021	Opposition Period Ends	11/06/2021
International Registration No.	1585473	International Registration Date	04/28/2020
Applicant	Limited Liability Company "TOP-1" KOMMUNALNAYA STREET, BUILDING 14/3 ROOM 404, CHERNOGOLOVKA CITY RU-142432 M RUSSIAN FED.		

**Goods/Services Affected by Opposition**


Class 033. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: vodka


**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)


Dilution by tarnishment	Trademark Act Sections 2 and 43(c)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4591303	Application Date	06/20/2013
Registration Date	08/26/2014	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Dietary supplement, namely, nutrient-dense, protein-based snack bars Class 030. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Shirataki based dried and wet noodles		


U.S. Registration No.	4768690	Application Date	11/23/2014
Registration Date	07/07/2015	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate Class 029. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Vegetable and potato based chips and snacks; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars		

	Class 030. First use: First Use: 2014/07/01 First Use In Commerce: 2014/07/25 Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks
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U.S. Registration No.	5785547	Application Date	08/07/2018
Registration Date	06/25/2019	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2018/06/00 First Use In Commerce: 2018/06/00 Protein-enriched pizza; protein-enriched frozen pizza		

U.S. Application No.	90650718	Application Date	04/16/2021
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	QUEST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 Dietary supplements, namely, nutrient-dense, protein-based snack bars; protein-fortified snack bars; nutritional shakes for use as a meal substitute; nutritional supplement in the nature of a nutrient-dense, protein-based drink; powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, coconut oil powder, whey protein concentrate, or medium-chain triglycerides(MCT) Class 029. First use: First Use: 0 First Use In Commerce: 0		

	<p>Protein-based chips and snacks; protein-based, nutrient-dense snack bars, namely, high-protein nut-based snack bars and high-protein whey-based snack bars; shakes; high-protein, low-carbohydrate dairy-protein based pastries; dairy-protein based beverages containing coffee</p> <p>Class 030. First use: First Use: 0 First Use In Commerce: 0</p> <p>Cookies; protein-enriched pizza, protein-enriched frozen pizza; protein-enriched pizza rolls, protein-enriched frozen pizza rolls; chocolates and chocolate-based ready to eat candies and snacks; peanut butter cups; high protein, low carbohydrate chocolate-based bars and snacks; snack crackers; candy chews; gummy candies; nutritional candy bars; snack cakes; cake pops; chocolate powders; ice cream; ice cream novelties; frozen confections; breakfast pastries; breakfast cereals; granola; frozen breakfast items, namely, waffles, pancakes, crepes and muffins; coffee-based beverages</p>
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U.S. Registration No.	5361244	Application Date	12/30/2016
Registration Date	12/19/2017	Foreign Priority Date	NONE
Word Mark	QUEST HERO		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 2017/03/01 First Use In Commerce: 2017/05/23 Dietary supplements, namely, protein-based, nutrient-dense snack bars</p> <p>Class 030. First use: First Use: 2017/03/01 First Use In Commerce: 2017/05/23 High protein, layered confection cereal bars featuring white chocolate, chocolate, yogurt, and peanut compound coatings with flavored goo centers and whey crunch</p>		

Attachments	<p>85965950#TMSN.png( bytes )  86462416#TMSN.png( bytes )  88068308#TMSN.png( bytes )  90650718#TMSN.png( bytes )  87285696#TMSN.png( bytes )  2021 11 08 Notice of Opposition 79308432 QUEST.PDF(1389259 bytes )</p>
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Signature	/SWJ/
Name	SCOTT W. JOHNSTON
Date	11/08/2021

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

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Quest Nutrition, LLC,	)	Opposition No. _____
	)	
Opposer,	)	Serial No.: 79/308,432
	)	
v.	)	Mark: <b>QUEST</b>
	)	
Limited Liability Company "TOP-1,"	)	
	)	
Applicant.	)	

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**NOTICE OF OPPOSITION**

Quest Nutrition, LLC, a limited liability company duly organized and existing under the laws of Delaware, with a mailing address of 777 South Aviation Boulevard, Suite 100, El Segundo, California 90245 (hereinafter “Quest” or “Opposer”) believes that it will be damaged by the registration of the mark shown in Application Serial No. 79/308,432 (the “Application”), filed April 28, 2020 by Limited Liability Company "TOP-1," a Russian Federation limited liability company, with a mailing address of Kommunalnaya Street, Building 14/3, Room 404, Chernogolovka City, Russia 142432M, and hereby opposes registration of the mark shown in the Application. The grounds for opposition are as follows:

1. By the application herein opposed, Applicant seeks to obtain under the provisions of the Trademark Act of 1946, as amended, registration on the Principal Register of the trademark QUEST (“Applicant’s Mark”) for “vodka” in International Class 33. The Application is based on an international registration under §66(a) of the Lanham Act.

2. The Application published for opposition on September 7, 2021. Opposer filed and the Board approved an extension of time to oppose Applicant’s Mark until November 6, 2021 (a Saturday). This Notice of Opposition is timely filed.

3. Opposer is the owner of the following U.S. trademark registrations and pending application:

<b>Trademark</b>	<b>App. No./Reg. No.</b>	<b>Full Goods/Services</b>	<b>Status/Key Dates</b>
<u>QUEST</u>	RN: 4591303 SN: 85965950	Int'l Class: 05, 30 (Int'l Class: 05) Dietary supplement, namely, nutrient-dense, protein-based snack bars	Registered, October 8, 2020 Office Status: Partial Section 8 & 15 Accepted and Acknowledged Int'l Class: 05,30 First Use: April 24, 2009 Filed: June 20, 2013 Registered: August 26, 2014 Register Type: Principal Register
<u>QUEST</u>	RN: 4768690 SN: 86462416	Int'l Class: 05, 29, 30 (Int'l Class: 05) Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate (Int'l Class: 29) Vegetable and potato based chips and snacks; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars (Int'l Class: 30) Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks	Registered, July 7, 2015 Int'l Class: 05,29 First Use: April 24, 2009 Int'l Class: 30 First Use: July 1, 2014 Filed: November 23, 2014 Registered: July 7, 2015 Register Type: Principal Register
<u>QUEST</u>	RN: 5785547 SN: 88068308	Int'l Class: 30 (Int'l Class: 30) Protein-enriched pizza; protein-enriched frozen pizza	Registered, June 25, 2019 Int'l Class: 30 First Use: June, 2018 Filed: August 7, 2018 Registered: June 25, 2019 Register Type: Principal Register

<b>Trademark</b>	<b>App. No./Req. No.</b>	<b>Full Goods/Services</b>	<b>Status/Key Dates</b>
<u>QUEST</u>	SN: 90650718	<p>Int'l Class: 05, 29, 30 (Int'l Class: 05) Dietary supplements, namely, nutrient-dense, protein-based snack bars; protein-fortified snack bars; nutritional shakes for use as a meal substitute; nutritional supplement in the nature of a nutrient-dense, protein-based drink; powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, coconut oil powder, whey protein concentrate, or medium-chain triglycerides (MCT) (Int'l Class: 29) Protein-based chips and snacks; protein-based, nutrient-dense snack bars, namely, high-protein nut-based snack bars and high-protein whey-based snack bars; shakes; high-protein, low-carbohydrate dairy-protein based pastries; dairy-protein based beverages containing coffee (Int'l Class: 30) Cookies; protein-enriched pizza, protein-enriched frozen pizza; protein-enriched pizza rolls, protein-enriched frozen pizza rolls; chocolates and chocolate-based ready to eat candies and snacks; peanut butter cups; high protein, low carbohydrate chocolate-based bars and snacks; snack crackers; candy chews; gummy candies; nutritional candy bars; snack cakes; cake pops; chocolate powders; ice cream; ice cream novelties; frozen</p>	<p>Pending Application, July 24, 2021 Office Status: New Application - Record Initialized Not Assigned to Examiner Int'l Class: 05 First Use: April 24, 2009 Filed: April 16, 2021 Register Type: Principal Register</p>

<u>Trademark</u>	<u>App. No./Req. No.</u>	<u>Full Goods/Services</u>	<u>Status/Key Dates</u>
		confections; breakfast pastries; breakfast cereals; granola; frozen breakfast items, namely, waffles, pancakes, crepes and muffins; coffee-based beverages	
<u>QUEST HERO</u>	RN: 5361244 SN: 87285696	Int'l Class: 05, 30 (Int'l Class: 05) Dietary supplements, namely, protein-based, nutrient-dense snack bars (Int'l Class: 30) High protein, layered confection cereal bars featuring white chocolate, chocolate, yogurt, and peanut compound coatings with flavored goo centers and whey crunch	Registered, May 17, 2019 Int'l Class: 05,30 First Use: March 1, 2017 Filed: December 30, 2016 Registered: December 19, 2017 Register Type: Principal Register

Current printouts of information from the electronic database records of the USPTO showing the current status and title of the registrations and application in the above table are attached hereto as Exhibit A.

4. Opposer's registered marks are valid and subsisting and are prima facie evidence of Opposer's exclusive right to use said marks in commerce or in connection the goods specified in each registration. In addition, Registration No. 4,591,303 is incontestable under §15 of the Lanham Act (15 U.S.C. §1065) and is therefore conclusive evidence of the validity of the registered mark, of registration of the mark, of Opposer's ownership of the mark, and of Opposer's exclusive right to use the mark in commerce under §33(b) of the Lanham Act (15 U.S.C. §1115(b)).

5. Opposer has sold food and beverage products, including, specifically, protein-based snack bars, under the mark QUEST since at least as early as 2009 when founders Ron and Shanna Penna began creating hand-rolled snack bars and offering the same to friends and family



under the QUEST name and mark. Opposer's use has been continuous since the date of first use and has not been abandoned.

6. Opposer's products are extremely well known, and enjoy an excellent and hard won reputation in the dietary supplement products industry, as well as the food and beverage market more generally. Many of Opposer's goods receive excellent rankings and tasting scores in leading periodicals in the dietary supplement and food and beverage industry. This is particularly true for Opposer's brand of QUEST snack bars, the flagship product in Opposer's ever-expanding line of goods. Opposer's QUEST brand snack bars are consistently ranked among the top of such food items year after year. For example, just this past year, "Just for Foodies" ranked Opposer's QUEST snack bars #1 in its "most loved protein bars of 2021" rankings, which were ranked by overall taste and flavor profile. Other competitive rankings and publications have similarly ranked Opposer's QUEST products extremely highly. Recognized publications, such as "Men's Magazine" and Business Insider have commented very favorable on the products made by Opposer, and have done so for many years, awarding Opposer's QUEST snack bars the #3 "best protein bar for men 2022" and 2021 "best high protein bar," respectively. The publicity and renown generated by such extraordinary success and marketplace favorability is significant. The QUEST product line has been named in numerous popular movies, television shows, books, magazines, social media, and even popular music song lyrics. Such use in such media is *prima facie* evidence of the secondary meaning of the QUEST brand and marks.

7. Opposer's products are sold and distributed through convenience stores, grocery stores, specialty fitness and supplement product shops, and through fitness clubs, hotels, and other non-traditional establishments. With so much exposure across a wide range of offline and

online retail store locations, Opposer's QUEST mark is seen by millions of consumers on a daily basis.

8. As a result, the word QUEST points directly and immediately to Opposer, and serves as Opposer's identity and persona in the eyes of consumers, purchasers, and potential purchasers and has done so since long prior to the filing date of Applicant's Mark.

9. Opposer has priority with respect to the mark at issue in this opposition because it owns registrations for the QUEST mark and has used the mark in commerce since before Applicant's filing date. Further, upon information and belief, Applicant has not used Applicant's Mark in U.S. commerce.

10. Opposer's QUEST marks have been in use in interstate commerce, have been advertised and promoted by Opposer or its affiliates, and have developed and represent valuable good will inuring to the benefit of Opposer. Opposer's marks have trademark significance to purchasers and potential purchasers. Opposer's QUEST mark is famous and well known, and was famous and well known prior to the filing date of Applicant's mark.

11. Opposer's products are sold in the U.S. and have been sold in the U.S. since at least as early as 2009. They have also long been sold on a global basis. Consequently, Opposer employs personnel to design, make, distribute, transport, and sell its goods on its behalf and to stock retailers and points of consumption locations with the products. Each of the parties in this chain of distribution advertises and promotes the QUEST line of products. It is believed these distributors, transporters, and retailers, as well as the point of consumption locations will be the same as, competitive with, or closely related to those channels of trade, means of importation, distribution, and transportation to be employed by Applicant.

12. Applicant's Mark is confusingly similar to Opposer's marks. Both marks feature the sole and dominant term QUEST. The parties' marks are therefore identical in sight, sound, meaning, and commercial impression.

13. The goods sold, offered, or to be sold and offered by Applicant under Applicant's Mark are closely related to the goods sold by Opposer under Opposer's marks. For example, Class 33 alcoholic beverage goods, including, specifically, the "vodka" type goods claimed in the Application, are frequently sold by the same parties that also sell food and beverage goods, like those offered by Opposer. Moreover, the types of goods noted in the Application are frequently offered complementary to the products offered by Opposer under its QUEST marks. Further yet, there is a growing market for alcoholic beverage products that offer certain dietary supplement-like health and wellness benefits, evidencing a link between the types of goods offered under Opposer's mark and those claimed in the Application.

14. Consumers are likely to view Applicant's goods as Opposer's goods or a line extension of Opposer's goods marketed under a confusingly similar mark. Consumers and potential consumers are likely to believe Applicant is associated with, sponsored by, or affiliated with Opposer and its QUEST products when that is not true. Applicant's mark creates a reasonable but false association with Opposer and its line of QUEST products.

15. Opposer's and Applicant's products will be marketed, promoted, distributed transported, and/or sold in the same or overlapping channels of trade to the same consumers or class of consumers.

16. Due to the similarity of Opposer's previously used QUEST trademark, its numerous U.S. federal registrations and applications for its marks, and the closely related nature of the goods of the respective parties, customers and potential customers are likely to believe that

Applicant's products originate from Opposer, resulting in a likelihood of confusion in the marketplace and damage to Opposer.

17. The use or registration by Applicant of Applicant's Mark is likely to cause deception in the wholesale and the retail trade and among purchasers and potential purchasers, again resulting in damage to Opposer.

18. Because of the related nature of the goods of the parties and the identical nature of the parties' marks, use and registration of Applicant's Mark is likely to cause confusion as to source, mistake as to affiliation, association, or sponsorship, and deception that Applicant's goods are those of Opposer or are otherwise endorsed, sponsored, or approved by Opposer, causing further damage to Opposer.

19. Opposer's QUEST mark is famous and well known, and this has been true since long prior to the filing date of the Application herein opposed. Applicant's mark creates dilution of the famous and well-known QUEST mark, by blurring the QUEST mark and impairing the distinctiveness of the famous QUEST mark.

20. If Applicant is granted registration of the mark herein opposed, Applicant would thereby obtain at least a *prima facie* exclusive right to the use of its alleged mark. Such registration would be a source of further damage and injury to Opposer and could bar Opposer from obtaining future registrations of its QUEST mark or obtaining injunctive relief to protect the mark.

21. Registration of the mark shown in Application Serial No. 79/308,432 will result in damage to Opposer under provisions of §2(d) and §43(c) and of the U.S. Trademark Act, 15 U.S.C. § 1052, §1125 pursuant to the allegations stated above.

WHEREFORE, Opposer asks that its opposition to this application be sustained and that the registration of the proposed QUEST mark set forth therein be refused.

**Please direct all correspondence to:**

**Scott W. Johnston  
MERCHANT & GOULD P.C.  
P.O. Box 2910  
150 South Fifth Street, Suite 2200  
Minneapolis, MN 55402**

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[slindemeier@merchantgould.com](mailto:slindemeier@merchantgould.com)  
[dockmpls@merchantgould.com](mailto:dockmpls@merchantgould.com)

Opposer herein appoints Gregory C. Golla; Andrew S. Ehard; Scott W. Johnston, Reg. No. 39,721; Danielle I. Mattessich; Christopher J. Schulte; William D. Schultz; Lindsay Jones; and all other attorneys of the firm of Merchant & Gould P.C., its attorneys to transact all business in the U.S. Patent and Trademark Office relating to this matter with full power of substitution.

Respectfully submitted,

QUEST NUTRITION, LLC

By its attorneys,

Dated: November 8, 2021



Scott W. Johnston  
Lindsay M.R. Jones  
Merchant & Gould P.C.  
150 South Fifth Street, Suite 2200  
Minneapolis, Minnesota 55402  
(612) 332-5300

## **EXHIBIT A**

Generated on: This page was generated by TSDR on 2021-11-08 14:24:59 EST

Mark: QUEST

# Quest

US Serial Number: 85965950

Application Filing Date: Jun. 20, 2013

US Registration Number: 4591303

Registration Date: Aug. 26, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Oct. 08, 2020

Publication Date: Jan. 07, 2014

## Mark Information

Mark Literal Elements: QUEST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 1197854

International Application(s) /Registration(s) Based on this Property: A0039674/1197854

Claimed Ownership of US Registrations: 3703003, 3703004, 4290313

## 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: Dietary supplement, namely, nutrient-dense, protein-based snack bars

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

For: Shirataki based dried and wet noodles

International Class(es): 030 - Primary Class

U.S Class(es): 046

**Class(es):****Class Status:** SECTION 8 - CANCELLED**Basis:** 1(a)**First Use:** Apr. 24, 2009**Use in Commerce:** Apr. 24, 2009**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:** QUEST NUTRITION, LLC**Owner Address:** 777 S. Aviation Blvd., Suite 100  
El Segundo, CALIFORNIA UNITED STATES 90245**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country** DELAWARE  
**Where Organized:****Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Laura M. Franco**Docket Number:** 201047-01010**Attorney Primary** [trademarksSF@winston.com](mailto:trademarksSF@winston.com)  
**Email Address:****Attorney Email** Yes  
**Authorized:****Correspondent****Correspondent** Laura M. Franco  
**Name/Address:** Winston & Strawn LLP  
101 California Street  
San Francisco, CALIFORNIA UNITED STATES 94111**Phone:** 415-591-1000**Correspondent e-** [trademarksSF@winston.com](mailto:trademarksSF@winston.com) [LFranco@winston.c](mailto:LFranco@winston.c)  
**mail:** [omJDimont@winston.com](mailto:omJDimont@winston.com)**Correspondent e-** Yes  
**mail Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 08, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 08, 2020	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Oct. 07, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Aug. 20, 2020	TEAS SECTION 8 & 15 RECEIVED	
Nov. 13, 2019	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 26, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 17, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 17, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 26, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 26, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 07, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 07, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 15, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 09, 2015	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Apr. 09, 2015	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 26, 2014	REGISTERED-PRINCIPAL REGISTER	



Jul. 22, 2014	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jan. 21, 2014	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 07, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 07, 2014	PUBLISHED FOR OPPOSITION	
Dec. 18, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 04, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 03, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 03, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Dec. 03, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 03, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 03, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Nov. 26, 2013	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 25, 2013	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Oct. 11, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Oct. 10, 2013	ASSIGNED TO LIE	77312
Sep. 26, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 24, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 24, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 24, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Sep. 23, 2013	ASSIGNED TO EXAMINER	81096
Jul. 02, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 24, 2013	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** Not Found

**Date in Location:** Oct. 08, 2020

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 4

**Registrant:** Quest Nutrition, LLC

### Assignment 1 of 4

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [5494/0654](#)

**Pages:** 6

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

**Supporting Documents:** [assignment-tm-5494-0654.pdf](#)

#### Assignor

**Name:** [QUEST NUTRITION, LLC](#)

**Execution Date:** Mar. 24, 2015

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** CALIFORNIA

#### Assignee

**Name:** [QUEST NUTRITION, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 2233 E. EL SEGUNDO BOULEVARD  
EL SEGUNDO, CALIFORNIA 90245

#### Correspondent

**Correspondent Name:** MAX SPRECHER

**Correspondent Address:** 5850 CANOGA AVENUE  
4TH FLOOR  
WOODLAND HILLS, CA 91367

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: SECURITY INTEREST  
Reel/Frame: [5485/0389](#) Pages: 10  
Date Recorded: Mar. 25, 2015  
Supporting Documents: [assignment-tm-5485-0389.pdf](#)

Assignor

Name: [QUEST NUTRITION, LLC](#) Execution Date: Mar. 25, 2015  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: [ONEWEST BANK N.A., AS ADMINISTRATIVE AGENT FOR THE LENDERS](#)  
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: UNITED STATES  
Address: 888 EAST WALNUT STREET  
HQ-05-01  
PASADENA, CALIFORNIA 91101

Correspondent

Correspondent Name: VICKIE LEE C/O KATTEN MUCHIN  
Correspondent Address: 2029 CENTURY PARK EAST  
SUITE 2600  
LOS ANGELES, CA 90067

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: RELEASE AND REASSIGNMENT  
Reel/Frame: [6790/0905](#) Pages: 6  
Date Recorded: Nov. 07, 2019  
Supporting Documents: [assignment-tm-6790-0905.pdf](#)

Assignor

Name: [CIT BANK, N.A.](#) Execution Date: Nov. 07, 2019  
Legal Entity Type: BANK State or Country Where Organized: SOUTH DAKOTA

Assignee

Name: [QUEST NUTRITION, LLC](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE  
Address: 777 S. AVIATION BLVD  
EL SEGUNDO, CALIFORNIA 90245

Correspondent

Correspondent Name: JOANNA MCCALL  
Correspondent Address: 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: SECURITY INTEREST  
Reel/Frame: [6790/0957](#) Pages: 8  
Date Recorded: Nov. 07, 2019  
Supporting Documents: [assignment-tm-6790-0957.pdf](#)

**Assignor**

**Name:** [QUEST NUTRITION, LLC](#) **Execution Date:** Nov. 07, 2019  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [BARCLAYS BANK PLC, AS COLLATERAL AGENT](#)  
**Legal Entity Type:** PLC **State or Country Where Organized:** ENGLAND  
**Address:** 745 SEVENTH AVENUE  
 NEW YORK, NEW YORK 10019

**Correspondent**

**Correspondent Name:** JOANNA MCCALL  
**Correspondent Address:** 1025 VERMONT AVE NW, SUITE 1130  
 COGENCY GLOBAL INC.  
 WASHINGTON, DC 20005

**Domestic Representative - Not Found**

## Proceedings

**Summary**

**Number of Proceedings:** 5

**Type of Proceeding: Opposition**

**Proceeding Number:** [91254273](#) **Filing Date:** Feb 24, 2020  
**Status:** Terminated **Status Date:** Nov 07, 2020  
**Interlocutory Attorney:** MIKE WEBSTER

**Defendant**

**Name:** Zeequest, Inc.  
**Correspondent Address:** TERRENCE J EDWARDS  
 TECHLAW VENTURES PLLC  
 3290 WEST MAYFLOWER AVENUE  
 LEHI UT UNITED STATES , 84043  
**Correspondent e-mail:** [docket@techlawventures.com](mailto:docket@techlawventures.com) , [terrence.edwards@techlawventures.com](mailto:terrence.edwards@techlawventures.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ZEEQUEST	Registered	<a href="#">87946209</a>	<a href="#">6479332</a>

**Plaintiff(s)**

**Name:** Quest Nutrition, LLC  
**Correspondent Address:** LAURA M FRANCO  
 WINSTON & STRAWN LLP  
 101 CALIFORNIA STREET 34TH FLOOR  
 SAN FRANCISCO CA UNITED STATES , 94111  
**Correspondent e-mail:** [lfranco@winston.com](mailto:lfranco@winston.com) , [ldimont@winston.com](mailto:ldimont@winston.com) , [mparnaby@winston.com](mailto:mparnaby@winston.com) , [docketsf@winston.com](mailto:docketsf@winston.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
QUEST	Registered	<a href="#">86462416</a>	<a href="#">4768690</a>
QUEST	Partial Section 8 and 15 Accepted and Acknowledged	<a href="#">85965950</a>	<a href="#">4591303</a>
QUEST	Registered	<a href="#">86688842</a>	<a href="#">4939775</a>
QUEST NUTRITION	Registered	<a href="#">86462410</a>	<a href="#">4768689</a>
QUEST NUTRITION	REGISTERED AND RENEWED	<a href="#">77537536</a>	<a href="#">3703003</a>
QUEST	Registered	<a href="#">88068308</a>	<a href="#">5785547</a>

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Mark: QUEST

# Quest

US Serial Number: 86462416

Application Filing Date: Nov. 23, 2014

US Registration Number: 4768690

Registration Date: Jul. 07, 2015

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 07, 2015

Publication Date: Apr. 21, 2015

## Mark Information

Mark Literal Elements: QUEST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 3703003, 3703004, 4591303 and others

## Goods and Services

### Note:

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

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

**For:** Powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, or whey protein concentrate

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 24, 2009

**Use in Commerce:** Apr. 24, 2009

**For:** Vegetable and potato based chips and snacks; Protein based, nutrition dense snack bars, namely, high protein nut-based snack bars and high protein whey-based snack bars

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 24, 2009

**Use in Commerce:** Apr. 24, 2009

**For:** Grain based chips and snacks; Chocolates and chocolate based ready to eat candies and snacks; high protein, low carbohydrate cereal-based and chocolate-based bars and snacks

**International Class(es):** 030 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jul. 01, 2014

**Use in Commerce:** Jul. 25, 2014

## 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:** QUEST NUTRITION, LLC

**Owner Address:** 777 S. Aviation Blvd., Suite 100  
El Segundo, CALIFORNIA UNITED STATES 90245

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Laura M. Franco

**Docket Number:** 201047-01011

**Attorney Primary Email Address:** [trademarksSF@winston.com](mailto:trademarksSF@winston.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Laura M. Franco  
Winston & Strawn LLP  
101 California Street  
San Francisco, CALIFORNIA UNITED STATES 94111

**Phone:** 415-591-1000

**Fax:** 415-591-1400

**Correspondent e-mail:** [trademarksSF@winston.com](mailto:trademarksSF@winston.com)  
[lfranco@winston.com](mailto:lfranco@winston.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 07, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Nov. 13, 2019	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 17, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 17, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 26, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 26, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 07, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 07, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 07, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 21, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 21, 2015	PUBLISHED FOR OPPOSITION	
Apr. 15, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 01, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Mar. 18, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
Mar. 16, 2015	ASSIGNED TO LIE	73296
Feb. 24, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 24, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 24, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 24, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 24, 2015	EXAMINERS AMENDMENT -WRITTEN	73706
Feb. 24, 2015	ASSIGNED TO EXAMINER	73706
Dec. 02, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 26, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jul. 07, 2015

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 4

**Registrant:** QUEST NUTRITION, LLC

### Assignment 1 of 4

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [5494/0654](#)

**Pages:** 6

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

**Supporting Documents:** [assignment-tm-5494-0654.pdf](#)

#### Assignor

**Name:** [QUEST NUTRITION, LLC](#)

**Execution Date:** Mar. 24, 2015

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** CALIFORNIA

#### Assignee

**Name:** [QUEST NUTRITION, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 2233 E. EL SEGUNDO BOULEVARD  
EL SEGUNDO, CALIFORNIA 90245

#### Correspondent

**Correspondent Name:** MAX SPRECHER

**Correspondent Address:** 5850 CANOGA AVENUE  
4TH FLOOR  
WOODLAND HILLS, CA 91367

#### Domestic Representative - Not Found

### Assignment 2 of 4

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [5485/0389](#)

**Pages:** 10

**Date Recorded:** Mar. 25, 2015

**Supporting Documents:** [assignment-tm-5485-0389.pdf](#)

#### Assignor

**Name:** [QUEST NUTRITION, LLC](#)

**Execution Date:** Mar. 25, 2015

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

#### Assignee

Name: [ONEWEST BANK N.A., AS ADMINISTRATIVE AGENT FOR THE LENDERS](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country: UNITED STATES  
Where Organized:

Address: 888 EAST WALNUT STREET  
HQ-05-01  
PASADENA, CALIFORNIA 91101

**Correspondent**

Correspondent Name: VICKIE LEE C/O KATTEN MUCHIN

Correspondent Address: 2029 CENTURY PARK EAST  
SUITE 2600  
LOS ANGELES, CA 90067

**Domestic Representative - Not Found**

**Assignment 3 of 4**

Conveyance: RELEASE AND REASSIGNMENT

Reel/Frame: [6790/0905](#)

Pages: 6

Date Recorded: Nov. 07, 2019

Supporting Documents: [assignment-tm-6790-0905.pdf](#)

**Assignor**

Name: [CIT BANK, N.A.](#)

Execution Date: Nov. 07, 2019

Legal Entity Type: BANK

State or Country: SOUTH DAKOTA  
Where Organized:

**Assignee**

Name: [QUEST NUTRITION, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

Address: 777 S. AVIATION BLVD  
EL SEGUNDO, CALIFORNIA 90245

**Correspondent**

Correspondent Name: JOANNA MCCALL

Correspondent Address: 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

**Domestic Representative - Not Found**

**Assignment 4 of 4**

Conveyance: SECURITY INTEREST

Reel/Frame: [6790/0957](#)

Pages: 8

Date Recorded: Nov. 07, 2019

Supporting Documents: [assignment-tm-6790-0957.pdf](#)

**Assignor**

Name: [QUEST NUTRITION, LLC](#)

Execution Date: Nov. 07, 2019

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

**Assignee**

Name: [BARCLAYS BANK PLC, AS COLLATERAL AGENT](#)

Legal Entity Type: PLC

State or Country: ENGLAND  
Where Organized:

Address: 745 SEVENTH AVENUE  
NEW YORK, NEW YORK 10019

**Correspondent**

Correspondent Name: JOANNA MCCALL

Correspondent Address: 1025 VERMONT AVE NW, SUITE 1130

Address: COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

Domestic Representative - Not Found

## Proceedings

### Summary

Number of  
Proceedings: 4

### Type of Proceeding: Opposition

Proceeding  
Number: [91254273](#)

Filing Date: Feb 24, 2020

Status: Terminated

Status Date: Nov 07, 2020

Interlocutory  
Attorney: MIKE WEBSTER

### Defendant

Name: Zeequest, Inc.

Correspondent  
Address: TERRENCE J EDWARDS  
TECHLAW VENTURES PLLC  
3290 WEST MAYFLOWER AVENUE  
LEHI UT UNITED STATES , 84043

Correspondent e-  
mail: [docket@techlawventures.com](mailto:docket@techlawventures.com) , [terrence.edwards@techlawventures.com](mailto:terrence.edwards@techlawventures.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
ZEEQUEST	Registered	<a href="#">87946209</a>	<a href="#">6479332</a>

### Plaintiff(s)

Name: Quest Nutrition, LLC

Correspondent  
Address: LAURA M FRANCO  
WINSTON & STRAWN LLP  
101 CALIFORNIA STREET 34TH FLOOR  
SAN FRANCISCO CA UNITED STATES , 94111

Correspondent e-  
mail: [lfranco@winston.com](mailto:lfranco@winston.com) , [jdimont@winston.com](mailto:jdimont@winston.com) , [mparnaby@winston.com](mailto:mparnaby@winston.com) , [docketsf@winston.com](mailto:docketsf@winston.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
QUEST	Registered	<a href="#">86462416</a>	<a href="#">4768690</a>
QUEST	Partial Section 8 and 15 Accepted and Acknowledged	<a href="#">85965950</a>	<a href="#">4591303</a>
QUEST	Registered	<a href="#">86688842</a>	<a href="#">4939775</a>
QUEST NUTRITION	Registered	<a href="#">86462410</a>	<a href="#">4768689</a>
QUEST NUTRITION	REGISTERED AND RENEWED	<a href="#">77537536</a>	<a href="#">3703003</a>
QUEST	Registered	<a href="#">88068308</a>	<a href="#">5785547</a>
QUEST	Registered	<a href="#">86688782</a>	<a href="#">4939767</a>
QUEST BAR	REGISTERED AND RENEWED	<a href="#">77537538</a>	<a href="#">3703004</a>
QUEST BAR	Registered	<a href="#">86462419</a>	<a href="#">4768691</a>
QUEST CRAVINGS	Section 8 - Accepted	<a href="#">85666705</a>	<a href="#">4290313</a>
QUEST PROTEIN CHIPS	Registered	<a href="#">86345074</a>	<a href="#">4703364</a>
QUEST ALLSTRIKE	Cancelled - Section 8	<a href="#">86243374</a>	<a href="#">4626381</a>
QUEST APPAREL	Cancelled - Section 8	<a href="#">86166622</a>	<a href="#">4658620</a>
QUEST TRAINING	Registered	<a href="#">86249697</a>	<a href="#">4773891</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 24, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 24, 2020	Apr 04, 2020
3	INSTITUTED	Feb 24, 2020	



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Mark: QUEST

# QUEST

US Serial Number: 88068308

Application Filing Date: Aug. 07, 2018

US Registration Number: 5785547

Registration Date: Jun. 25, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 25, 2019

Publication Date: Jan. 08, 2019

## Mark Information

Mark Literal Elements: QUEST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 4768690, 4939767, 4939775 and others

## Goods and Services

**Note:**

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

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

For: Protein-enriched pizza; protein-enriched frozen pizza

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2018

Use in Commerce: Jun. 2018

## 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:** Quest Nutrition, LLC

**Owner Address:** 777 S Aviation Blvd, Suite 100  
El Segundo, CALIFORNIA UNITED STATES 90245

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Laura M. Franco

**Docket Number:** 201047.01029

**Attorney Primary Email Address:** [TrademarksSF@winston.com](mailto:TrademarksSF@winston.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** LAURA M. FRANCO  
WINSTON & STRAWN LLP  
101 CALIFORNIA STREET  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111

**Phone:** 650-858-6500

**Correspondent e-mail:** [TrademarksSF@winston.com](mailto:TrademarksSF@winston.com)  
[lfranco@winston.com](mailto:lfranco@winston.com) [ilyapis@winston.com](mailto:ilyapis@winston.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jun. 25, 2019	REGISTERED-PRINCIPAL REGISTER	
May 19, 2019	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jan. 17, 2019	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 08, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 08, 2019	PUBLISHED FOR OPPOSITION	
Dec. 19, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 30, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 26, 2018	ASSIGNED TO EXAMINER	62871
Aug. 14, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 10, 2018	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jun. 25, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 1

**Registrant:** Quest Nutrition, LLC

### Assignment 1 of 1

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6790/0957](#)

**Pages:** 8

**Date Recorded:** Nov. 07, 2019

**Supporting Documents:** [assignment-tm-6790-0957.pdf](#)

**Assignor**

**Name:** [QUEST NUTRITION, LLC](#) **Execution Date:** Nov. 07, 2019  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [BARCLAYS BANK PLC, AS COLLATERAL AGENT](#)  
**Legal Entity Type:** PLC **State or Country Where Organized:** ENGLAND  
**Address:** 745 SEVENTH AVENUE  
 NEW YORK, NEW YORK 10019

**Correspondent**

**Correspondent Name:** JOANNA MCCALL  
**Correspondent Address:** 1025 VERMONT AVE NW, SUITE 1130  
 COGENCY GLOBAL INC.  
 WASHINGTON, DC 20005

**Domestic Representative - Not Found**

## Proceedings

**Summary**

**Number of Proceedings:** 2

**Type of Proceeding: Opposition**

**Proceeding Number:** [91254273](#) **Filing Date:** Feb 24, 2020  
**Status:** Terminated **Status Date:** Nov 07, 2020  
**Interlocutory Attorney:** MIKE WEBSTER

**Defendant**

**Name:** Zeequest, Inc.  
**Correspondent Address:** TERRENCE J EDWARDS  
 TECHLAW VENTURES PLLC  
 3290 WEST MAYFLOWER AVENUE  
 LEHI UT UNITED STATES , 84043  
**Correspondent e-mail:** [docket@techlawventures.com](mailto:docket@techlawventures.com) , [terrence.edwards@techlawventures.com](mailto:terrence.edwards@techlawventures.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ZEEQUEST	Registered	<a href="#">87946209</a>	<a href="#">6479332</a>

**Plaintiff(s)**

**Name:** Quest Nutrition, LLC  
**Correspondent Address:** LAURA M FRANCO  
 WINSTON & STRAWN LLP  
 101 CALIFORNIA STREET 34TH FLOOR  
 SAN FRANCISCO CA UNITED STATES , 94111  
**Correspondent e-mail:** [lfranco@winston.com](mailto:lfranco@winston.com) , [ldimont@winston.com](mailto:ldimont@winston.com) , [mparnaby@winston.com](mailto:mparnaby@winston.com) , [docketsf@winston.com](mailto:docketsf@winston.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
QUEST	Registered	<a href="#">86462416</a>	<a href="#">4768690</a>
QUEST	Partial Section 8 and 15 Accepted and Acknowledged	<a href="#">85965950</a>	<a href="#">4591303</a>
QUEST	Registered	<a href="#">86688842</a>	<a href="#">4939775</a>
QUEST NUTRITION	Registered	<a href="#">86462410</a>	<a href="#">4768689</a>
QUEST NUTRITION	REGISTERED AND RENEWED	<a href="#">77537536</a>	<a href="#">3703003</a>
QUEST	Registered	<a href="#">88068308</a>	<a href="#">5785547</a>

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Mark: QUEST

# QUEST

US Serial Number: 90650718

Application Filing Date: Apr. 16, 2021

Register: Principal

Mark Type: Trademark

TM5 Common Status  
Descriptor:



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

Status: New application will be assigned to an examining attorney approximately 6 months after filing date.

Status Date: Jul. 24, 2021

## Mark Information

Mark Literal Elements: QUEST

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International  
Registration  
Number:

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

Claimed Ownership of US Registrations: 4591303, 4768690, 4939775 and others

## Goods and Services

### Note:

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

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

**For:** Dietary supplements, namely, nutrient-dense, protein-based snack bars; protein-fortified snack bars; nutritional shakes for use as a meal substitute; nutritional supplement in the nature of a nutrient-dense, protein-based drink; powdered nutritional supplement drink mix containing one or more of the following ingredients, soy, oat oil, creatine, soy oil, dextrose, protein, non-fat milk, milk protein, coconut oil powder, whey protein concentrate, or medium-chain triglycerides (MCT)

International Class(es): 005 - Primary Class

U.S Class(es): 005, 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

**For:** Protein-based chips and snacks; protein-based, nutrient-dense snack bars, namely, high-protein nut-based snack bars and high-protein whey-based snack bars; shakes; high-protein, low-carbohydrate dairy-protein based pastries; dairy-protein based beverages containing coffee

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(b)

**For:** Cookies; protein-enriched pizza, protein-enriched frozen pizza; protein-enriched pizza rolls, protein-enriched frozen pizza rolls; chocolates and chocolate-based ready to eat candies and snacks; peanut butter cups; high protein, low carbohydrate chocolate-based bars and snacks; snack crackers; candy chews; gummy candies; nutritional candy bars; snack cakes; cake pops; chocolate powders; ice cream; ice cream novelties; frozen confections; breakfast pastries; breakfast cereals; granola; frozen breakfast items, namely, waffles, pancakes, crepes and muffins; coffee-based beverages

**International Class(es):** 030 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(b)

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** Yes

**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:** Quest Nutrition, LLC

**Owner Address:** 777 S. Aviation Blvd, Ste. 100  
El Segundo, CALIFORNIA UNITED STATES 90245

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Laura M. Franco

**Docket Number:** 201047-01030

**Attorney Primary Email Address:** [TrademarksSF@winston.com](mailto:TrademarksSF@winston.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** LAURA M. FRANCO  
WINSTON & STRAWN LLP  
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[omJDimont@winston.com](mailto:omJDimont@winston.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 20, 2021	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** NEW APPLICATION PROCESSING

**Date in Location:** Jul. 24, 2021

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Mark: QUEST HERO

# Quest Hero

US Serial Number: 87285696

Application Filing Date: Dec. 30, 2016

US Registration Number: 5361244

Registration Date: Dec. 19, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 17, 2019

Publication Date: Mar. 28, 2017

Notice of Allowance Date: May 23, 2017

## Mark Information

Mark Literal Elements: QUEST HERO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 4591303, 4768690, 4768691

## 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:** Dietary supplements, namely, protein-based, nutrient-dense snack bars

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** SECTION 18 - CANCELLED

**Basis:** 1(a)

**First Use:** Mar. 01, 2017

**Use in Commerce:** May 23, 2017

**For:** High protein, layered confection cereal bars featuring white chocolate, chocolate, yogurt, and peanut compound coatings with flavored goo centers and whey crunch

**International Class(es):** 030 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 01, 2017

**Use in Commerce:** May 23, 2017

## Basis Information (Case Level)

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

## Current Owner(s) Information

**Owner Name:** Quest Nutrition, LLC  
**Owner Address:** 777 S. Aviation Blvd., Suite 100  
El Segundo, CALIFORNIA UNITED STATES 90245  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Laura M. Franco **Docket Number:** 201047-01021  
**Attorney Primary Email Address:** [trademarksSF@winston.com](mailto:trademarksSF@winston.com) **Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** LAURA M FRANCO  
WINSTON & STRAWN LLP  
101 CALIFORNIA STREET  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94111-5894  
**Phone:** 415-591-1000 **Fax:** 415-591-1400  
**Correspondent e-mail:** [trademarksSF@winston.com](mailto:trademarksSF@winston.com) [lfranco@winston.com](mailto:lfranco@winston.com) **Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 17, 2019	TTAB RELEASE CASE TO TRADEMARKS	70807
May 17, 2019	CANCELLATION TERMINATED NO. 999999	70807
May 15, 2019	CANCELLED SECTION 18-PARTIAL	70807
May 08, 2019	CANCELLATION DENIED NO. 999999	70807
Mar. 13, 2019	CANCELLATION INSTITUTED NO. 999999	70807
Aug. 17, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 17, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 19, 2017	REGISTERED-PRINCIPAL REGISTER	
Nov. 15, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 14, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 02, 2017	STATEMENT OF USE PROCESSING COMPLETE	71906
Oct. 17, 2017	USE AMENDMENT FILED	71906
Oct. 31, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
Oct. 17, 2017	TEAS STATEMENT OF USE RECEIVED	
Aug. 07, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 07, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 23, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 28, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 28, 2017	PUBLISHED FOR OPPOSITION	
Mar. 08, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Feb. 22, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Feb. 22, 2017	ASSIGNED TO LIE	70633
Feb. 13, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 09, 2017	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 09, 2017	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 09, 2017	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 09, 2017	EXAMINERS AMENDMENT -WRITTEN	92856
Feb. 08, 2017	ASSIGNED TO EXAMINER	92856
Jan. 11, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 03, 2017	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 14, 2017

## Proceedings

### Summary

**Number of Proceedings:** 1

### Type of Proceeding: Cancellation

**Proceeding Number:** [92070807](#)

**Filing Date:** Mar 07, 2019

**Status:** Terminated

**Status Date:** May 17, 2019

**Interlocutory Attorney:** JILL M MCCORMACK

#### Defendant

**Name:** Quest Nutrition, LLC

**Correspondent Address:** LAURA M FRANCO  
WINSTON & STRAWN LLP  
101 CALIFORNIA STREET  
SAN FRANCISCO CA UNITED STATES , 94111-5894

**Correspondent e-mail:** [lfranco@winston.com](mailto:lfranco@winston.com) , [ilyapis@winston.com](mailto:ilyapis@winston.com) , [DocketSF@winston.com](mailto:DocketSF@winston.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
QUEST HERO	Registered	<a href="#">87285696</a>	<a href="#">5361244</a>

#### Plaintiff(s)

**Name:** Hero Nutritionals, Inc.

**Correspondent Address:** RICHARD J HEPNER  
HEPNERLAW  
25291 FAIRGREEN  
MISSION VIEJO CA UNITED STATES , 92692

**Correspondent e-mail:** [rhepner@hepnerlaw.com](mailto:rhepner@hepnerlaw.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
HERO NUTRITIONALS	Registered	<a href="#">86423876</a>	<a href="#">5383123</a>
HERO	Section 8 and 15 - Accepted and Acknowledged	<a href="#">85811422</a>	<a href="#">4379986</a>
HERO NUTRITIONALS	REGISTERED AND RENEWED	<a href="#">76581734</a>	<a href="#">3029888</a>
HERO NUTRITIONALS	REGISTERED AND RENEWED	<a href="#">76581733</a>	<a href="#">2995645</a>
BRING OUT THE HERO IN YOU	REGISTERED AND RENEWED	<a href="#">76425422</a>	<a href="#">2771133</a>

#### Prosecution History