

ESTTA Tracking number: **ESTTA1181441**

Filing date: **12/28/2021**

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	L & L CANDLE COMPANY, LLC
Granted to date of previous extension	12/29/2021
Address	621 LUNAR AVENUE BREA, CA 92821 UNITED STATES
Attorney information	ALEXANDER J.A. GARCIA PERKINS COIE LLP P.O. BOX 2608 SEATTLE, WA 98111 UNITED STATES Primary email: pctrademarks@perkinscoie.com Secondary email(s): joshuasmith@perkinscoie.com, ajagarcia@perkinscoie.com, JKent@perkinscoie.com, TBrandon@perkinscoie.com 303.291.2300
Docket no.	128555.7002

Applicant information

Application no.	90156194	Publication date	08/31/2021
Opposition filing date	12/28/2021	Opposition period ends	12/29/2021
Applicant	Lewis, Tiffany M. 705 EAST DRIVE KETTERING, OH 45419 UNITED STATES		

Goods/services affected by opposition

Class 004. First Use: 2014/04/08 First Use In Commerce: 2015/10/15 All goods and services in the class are opposed, namely: Candles; Candle contained in a clamshell; Bougies in the nature of wax candles; Perfumed candles; Scented candles; Scented wax for use in candle warmers


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.	4574673	Application date	09/06/2010
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Register	Principal		
Registration date	07/29/2014	Foreign priority date	NONE
Word mark	LUMINARA		
Design mark			
Description of mark	NONE		
Goods/services	Class 011. First use: First Use: 2010/01/02 First Use In Commerce: 2010/01/12 Battery operated electric candles; Electric candles; Electric light bulbs; Electric lighting fixtures; Electric lights for Christmas trees; Electric night lights; Electric torches for lighting; Flameless candles; LED (light emitting diode)lighting fixtures		

U.S. registration no.	4853488	Application date	05/21/2013
Register	Principal		
Registration date	11/17/2015	Foreign priority date	NONE
Word mark	LUMINARA		
Design mark			
Description of mark	The mark consists of two curving lines having narrower end portions and a wider middle portion spaced to create a third smaller curving line in between, over the word "LUMINARA".		
Goods/services	Class 011. First use: First Use: 2010/01/02 First Use In Commerce: 2010/01/12 Battery operated electric candles; Electric candles; Electric light bulbs; Electric		

	lighting fixtures; Electric lights for Christmas trees; Electric night lights; Flameless candles; LED (light emitting diode) lighting fixtures
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U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	LUMINARA		
Goods/services	A wide range of goods featuring electric candles.		

Attachments	85981647#TMSN.png(bytes) 85938733#TMSN.png(bytes) 2021-12-28 Notice of Opposition - LUMINARIUM.pdf(370790 bytes) Exhibit A - LUMINARIUM.pdf(1367652 bytes)
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Signature	/Alexander Garcia/
Name	Alexander J.A. Garcia
Date	12/28/2021

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

L & L CANDLE COMPANY, LLC,

Opposer,

v.

LEWIS, TIFFANY M.,

Applicant.

Opposition No.:

Mark:

App. Ser. No.: 90/156,194

The logo for the LUMINARIUM trademark, featuring the word "LUMINARIUM" in a bold, serif font, arched over a semi-circle.

NOTICE OF OPPOSITION

Opposer L & L Candle Company, LLC (“L&L” or “Opposer”), through its attorneys Perkins Coie LLP, hereby files this Notice of Opposition against Applicant Tiffany M. Lewis’

(“Applicant”) U.S. Application Serial No. 90/156,194 for the trademark

(“Applicant’s Mark”) because it will be damaged by the registration of Applicant’s Mark. L&L hereby opposes registration of Applicant’s Mark on the basis of a likelihood of confusion under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

The logo for the LUMINARIUM trademark, featuring the word "LUMINARIUM" in a bold, serif font, arched over a semi-circle.

As grounds for this Notice of Opposition, L&L alleges as follows:

PARTIES

1. L&L is a Delaware limited liability company, having a principal place of business at 621 Lunar Avenue, Brea, California 92821.


2. Upon information and belief, Applicant is an individual citizen of the United States, having an address at 705 East Drive, Kettering, Ohio 45419.

L&L AND THE LUMINARA MARKS

3. Since at least as early as 2010, L&L and its predecessors in interest have adopted and continuously used in United States commerce a family of marks consisting of or

incorporating the mark LUMINARA in connection with a wide range of goods featuring electric candles (collectively the “LUMINARA Common Law Marks”).

4. L&L owns numerous trademark registrations consisting of or incorporating the term LUMINARA on the Principal Register of the United States Patent and Trademark Office (“USPTO”), including the registrations listed below (collectively the “LUMINARA Registrations”). True and correct copies of the registration certificates and the current Trademark Status and Document Retrieval (“TSDR”) status pages for the LUMINARA Registrations identified below are attached hereto as **Exhibit A**. The LUMINARA Registrations and LUMINARA Common Law Marks are collectively referred to as the “LUMINARA Marks.”

Mark	Registration Info and Status	Goods
LUMINARA	Registered Reg 4574673 Reg July 29, 2014 App 85981647 App September 6, 2010	Cl. 11 Battery operated electric candles; Electric candles; Electric light bulbs; Electric lighting fixtures; Electric lights for Christmas trees; Electric night lights; Electric torches for lighting; Flameless candles; LED (light emitting diode) lighting fixtures
	Registered Reg 4853488 Reg November 17, 2015 App 85938733 App May 21, 2013	Cl. 11 Battery operated electric candles; Electric candles; Electric light bulbs; Electric lighting fixtures; Electric lights for Christmas trees; Electric night lights; Flameless candles; LED (light emitting diode) lighting fixtures

5. L&L’s goods covered under the LUMINARA Marks shall be referred to herein as the “L&L Goods.”

6. The federal registrations for the LUMINARA Marks are valid and subsisting and constitute *prima facie* evidence of the validity of the LUMINARA Registrations and of L&L’s ownership of and exclusive right to use the LUMINARA Marks in connection with the goods covered under the LUMINARA Registrations.

7. As a result of their continuous use, many of the LUMINARA Registrations have achieved “incontestable” status pursuant to 15 U.S.C. § 1065, including but not limited to U.S. Registration No. 4,574,673 listed above.

8. The LUMINARA Marks have achieved consumer recognition in association with the L&L Goods due to the continuous use of the LUMINARA Marks in connection with the L&L Goods, the significant publicity associated with L&L and the L&L Goods, and the commercial success of the L&L Goods.

9. The LUMINARA Marks are distinctive of the L&L Goods, generating valuable goodwill that is associated with L&L. L&L generated such goodwill before Applicant's filing date for Applicant's Mark on September 3, 2020 and, on information and belief, any other priority dates upon which Applicant may rely.

10. At no time has L&L granted permission, written or otherwise, to Applicant to use or register any form of Applicant's Mark.

APPLICANT AND APPLICANT'S MARK

11. On September 3, 2020, Applicant filed Application Serial No. 90/156,194 on a use basis, seeking registration of the mark  in connection with the following list of goods in Class 4, as published in the *Trademark Official Gazette* on August 31, 2021:

Class 4: Candles; Candle contained in a clamshell; Bougies in the nature of wax candles; Perfumed candles; Scented candles; Scented wax for use in candle warmers

12. The goods currently set forth in U.S. Application Serial No. 90/156,194 shall be referred to herein as "Applicant's Goods."

PRIORITY

13. As set forth herein, L&L owns prior rights in the LUMINARA Marks.

14. L&L's filing dates for the LUMINARA Registrations, as well as L&L's first and continuous use of its LUMINARA Marks in connection with the L&L Goods, occurred prior to the filing date of Application Serial No. 90/156,194 on September 3, 2020 and, upon information and belief, any other priority dates upon which Applicant may rely.

15. L&L's prior rights in the LUMINARA Marks, therefore, predate the filing date of Application Serial No. 90/156,194 on September 3, 2020, and, upon information and belief, any other priority dates upon which Applicant may rely.

COUNT I: LIKELIHOOD OF CONFUSION

16. L&L reasserts and incorporates Paragraphs 1 through 15 above as if fully set forth herein.

17. Applicant's Mark is confusingly similar to the LUMINARA Marks.

18. Applicant's Goods are identical to, overlap with, or are highly related to the L&L's Goods.

19. Applicant's Mark, when used in connection with Applicant's Goods, is likely to cause confusion, mistake, or deception that Applicant's Goods are those of L&L, or are otherwise endorsed, sponsored, or approved by L&L.

20. Applicant's Mark, when used in connection with Applicant's Goods, is likely to cause confusion, mistake, or deception as to the affiliation, connection, or association between Applicant and L&L.

21. Registration of Applicant's Mark will damage L&L because such registration would grant statutory, exclusive rights to Applicant in violation of L&L's prior and superior rights, and it would unduly narrow the scope of protection afforded to the LUMINARA Marks.

22. Accordingly, Applicant's Application Serial No. 90/156,194 to register Applicant's Mark should be refused registration under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

REQUEST FOR RELIEF

23. WHEREFORE, L&L believes that it will be damaged by the registration of Applicant's Mark as set forth in Application Serial No. 90/156,194 and respectfully requests that this opposition be sustained and that the registration of Applicant's Mark be refused. The filing fee in the amount of \$600 is being transmitted electronically with this submission.

DATED: December 28, 2021

Respectfully submitted,

PERKINS COIE LLP

By: /Alexander Garcia/
Alexander J.A. Garcia
Julie A. Kent
PERKINS COIE LLP
P.O. Box 2608
Seattle, Washington 98111

**ATTORNEYS FOR OPPOSER
L & L CANDLE COMPANY, LLC**

L & L Candle Company, LLC

v.

Lewis, Tiffany M.

Notice of Opposition Exhibit A

Generated on: This page was generated by TSDR on 2021-12-28 11:46:02 EST

Mark: LUMINARA

LUMINARA

US Serial Number: 85981647

Application Filing Date: Sep. 06, 2010

US Registration Number: 4574673

Registration Date: Jul. 29, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: 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: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jun. 17, 2021

Publication Date: Oct. 29, 2013

Mark Information

Mark Literal Elements: LUMINARA

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

Child Of: 85123625

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: Battery operated electric candles; Electric candles; Electric light bulbs; Electric lighting fixtures; Electric lights for Christmas trees; Electric night lights; Electric torches for lighting; Flameless candles; LED (light emitting diode) lighting fixtures

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 02, 2010

Use in Commerce: Jan. 12, 2010

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: L & L CANDLE COMPANY, LLC

Owner Address: 621 LUNAR AVENUE
BREA, CALIFORNIA UNITED STATES 92821

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alexander J.A. Garcia

Docket Number: 128555-4012.

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alexander J.A. Garcia
Perkins Coie LLP
P.O. Box 2608
Seattle, WASHINGTON UNITED STATES 98111

Phone: 303-291-2300

Fax: 303-291-2400

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 17, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 17, 2021	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Jun. 02, 2021	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 22, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jan. 26, 2021	TEAS SECTION 8 & 15 RECEIVED	
Aug. 10, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 10, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 10, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 10, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 10, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 18, 2020	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 29, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 12, 2018	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 17, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 17, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 01, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 01, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 29, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 29, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 24, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 19, 2016	CORRECTION UNDER SECTION 7 Â– PROCESSED	67723
Dec. 08, 2015	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Dec. 02, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 04, 2015	POST REGISTRATION ACTION MAILED - SEC. 7	67723
Sep. 21, 2015	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Sep. 18, 2015	POST REGISTRATION ACTION MAILED - SEC. 7	67723
Sep. 17, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Sep. 04, 2015	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Aug. 26, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 04, 2015	OTQR WITHDRAWAL FROM PUBLICATION	67110

Jul. 23, 2015	CORRECTION UNDER SECTION 7 Â– PROCESSED	67723
Jul. 02, 2015	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
May 08, 2015	POST REGISTRATION ACTION MAILED - SEC. 7	67723
May 07, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Apr. 27, 2015	OTQR WITHDRAWAL FROM PUBLICATION	67110
Apr. 16, 2015	CORRECTION UNDER SECTION 7 Â– PROCESSED	67723
Apr. 15, 2015	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 15, 2015	POST REGISTRATION ACTION MAILED - SEC. 7	67723
Apr. 15, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Mar. 31, 2015	TEAS SECTION 7 REQUEST RECEIVED	
Mar. 31, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 29, 2014	REGISTERED-PRINCIPAL REGISTER	
May 05, 2014	DIVISIONAL PROCESSING COMPLETE	
Apr. 14, 2014	DIVISIONAL REQUEST RECEIVED	
Apr. 28, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Apr. 14, 2014	PAPER RECEIVED	
Nov. 12, 2013	OPPOSITION INSTITUTED NO. 999999	213445
Nov. 12, 2013	OPPOSITION PAPERS RECEIVED AT TTAB	
Oct. 29, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 29, 2013	PUBLISHED FOR OPPOSITION	
Oct. 09, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 25, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Sep. 25, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 15, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Jan. 14, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Jul. 10, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Jun. 05, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 05, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jan. 10, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Dec. 14, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 05, 2011	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Jun. 28, 2011	ASSIGNED TO LIE	68171
Dec. 22, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 22, 2010	LETTER OF SUSPENSION E-MAILED	6332
Dec. 22, 2010	SUSPENSION LETTER WRITTEN	78428
Dec. 16, 2010	ASSIGNED TO EXAMINER	78428
Sep. 09, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 09, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 107

Date in Location: Jun. 17, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 6

Registrant: LUMINARA WORLDWIDE, LLC

Assignment 1 of 6

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE'S STATE OF INCORPORATION PREVIOUSLY RECORDED ON REEL 005601 FRAME 0580. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNEE'S STATE OF INCORPORATION IS DELAWARE.

Reel/Frame: [5676/0366](#)

Pages: 6

Date Recorded: Nov. 03, 2015

Supporting Documents: [assignment-tm-5676-0366.pdf](#)

Assignor

Name: [CANDELLA, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
Execution Date: Dec. 09, 2010
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LUMINARA WORLDWIDE, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
Address: 10911 VALLEY VIEW ROAD
EDEN PRAIRIE, MINNESOTA 55344
State or Country Where Organized: DELAWARE

Correspondent

Correspondent Name: FISH & TSANG LLP
Correspondent Address: 2603 MAIN STREET, SUITE 1000
IRVINE, CA 92614

Domestic Representative - Not Found**Assignment 2 of 6**

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE RECEIVING PARTY PREVIOUSLY RECORDED ON REEL 004676 FRAME 0373. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNMENT.

Reel/Frame: [5601/0580](#) **Pages:** 5
Date Recorded: Aug. 17, 2015
Supporting Documents: [assignment-tm-5601-0580.pdf](#)

Assignor

Name: [CANDELLA, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
Execution Date: Dec. 09, 2011
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [LUMINARA WORLDWIDE, LLC](#)
Legal Entity Type: CORPORATION
Address: 10911 VALLEY VIEW ROAD
EDEN PRAIRIE, MINNESOTA 55344
State or Country Where Organized: DELAWARE

Correspondent

Correspondent Name: FISH & TSANG LLP
Correspondent Address: 2603 MAIN STREET, SUITE 1000
IRVINE, CA 92614

Domestic Representative - Not Found**Assignment 3 of 6**

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [5859/0599](#) **Pages:** 10
Date Recorded: Aug. 19, 2016
Supporting Documents: [assignment-tm-5859-0599.pdf](#)

Assignor

Name: [HARBOR FREIGHT TOOLS USA, INC.](#)
Legal Entity Type: CORPORATION
Execution Date: Aug. 19, 2016
State or Country Where Organized: DELAWARE

Assignee

Name: [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH](#)
Legal Entity Type: BANK
Address: 11 MADISON AVENUE
State or Country Where Organized: CAYMAN ISLANDS

NEW YORK, NEW YORK 10010

Correspondent

Correspondent Name: JOANNA MCCALL

Correspondent Address: 1025 VERMONT AVE NW, SUITE 1130
NATIONAL CORPORATE RESEARCH, LTD
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 4 of 6

Conveyance: RELEASE OF TRADEMARK COLLATERAL

Reel/Frame: [6496/0097](#)

Pages: 4

Date Recorded: Dec. 06, 2018

Supporting Documents: [assignment-tm-6496-0097.pdf](#)

Assignor

Name: [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH](#)

Execution Date: Dec. 06, 2018

Legal Entity Type: BANK

State or Country Where Organized: SWITZERLAND

Assignee

Name: [HARBOR FREIGHT TOOLS USA, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 26541 AGOURA ROAD
CALABASAS, CALIFORNIA 91302

Correspondent

Correspondent Name: JAY DASILVA

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

Domestic Representative - Not Found

Assignment 5 of 6

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6959/0874](#)

Pages: 18

Date Recorded: Jun. 10, 2020

Supporting Documents: [assignment-tm-6959-0874.pdf](#)

Assignor

Name: [LUMINARA WORLDWIDE, LLC](#)

Execution Date: May 15, 2020

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [L & L CANDLE COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 621 LUNAR AVENUE
BREA, CALIFORNIA 92821

Correspondent

Correspondent Name: ALEXANDER J.A. GARCIA

Correspondent Address: 1201 THIRD AVENUE, SUITE 4900
PERKINS COIE LLP
SEATTLE, WA 98101

Domestic Representative - Not Found

Assignment 6 of 6

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE CONVEYING PARTY ENTITY TYPE PREVIOUSLY RECORDED AT REEL: 006959 FRAME: 0874. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNMENT.

Reel/Frame: [7299/0980](#)

Pages: 4

Date Recorded: May 20, 2021

Supporting Documents: [assignment-tm-7299-0980.pdf](#)

Assignor

Name: [LUMINARA WORLDWIDE, LLC](#)

Execution Date: May 15, 2020

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [L & L CANDLE COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 621 LUNAR AVENUE
BREA, CALIFORNIA 92821

Correspondent

Correspondent Name: ALEXANDER J.A. GARCIA

Correspondent Address: PO BOX 2608
SEATTLE, WA 98111

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 5

Type of Proceeding: Opposition

Proceeding Number: [91239656](#)

Filing Date: Feb 22, 2018

Status: Terminated

Status Date: Jul 11, 2018

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Luying Wang

Correspondent Address: THOMAS CARACO
ZBJ NETWORK INC
532 KENWOOD AVENUE
DELMAR NY UNITED STATES , 12054

Correspondent e-mail: Thomas@witmart.com , anita.mar@witmart.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMIMAN	Abandoned - After Inter-Partes Decision	87602675	

Plaintiff(s)

Name: Luminara Worldwide

Correspondent Address: RYAN S DEAN
UMBERG ZIPSER LLP
1920 MAIN STREET, SUITE 750
IRVINE CA UNITED STATES , 92614

Correspondent e-mail: trademarks@umbergzipser.com , rdean@umbergzipser.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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LUMINARA Section 8 and 15 - Accepted and Acknowledged [85981647](#) [4574673](#)
 LUMINARA Registered [85938733](#) [4853488](#)

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 11, 2018	
7	BD DECISION: SUSTAINED	Jul 11, 2018	
6	SUSP PEND DISP OF OUTSTNDNG MOT	May 31, 2018	
5	P MOT FOR SANCTIONS (OTHER)	May 25, 2018	
4	ANSWER	Apr 02, 2018	
3	PENDING, INSTITUTED	Feb 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 22, 2018	Apr 03, 2018
1	FILED AND FEE	Feb 22, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91232509](#) **Filing Date:** Jan 26, 2017
Status: Terminated **Status Date:** May 11, 2017
Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Kuhn USA, LLC
Correspondent Address: ROBERTO M SUAREZ
 ESPINOSA TRUEBA MARTINEZ PL
 1428 BRICKELL AVE, SUITE 100
 MIAMI FL UNITED STATES , 33131
Correspondent e-mail: rsuarez@etlaw.com , trademark@etlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
K-LUMINA	Registered	87122697	6108165

Plaintiff(s)

Name: Luminara Worldwide, LLC
Correspondent Address: RYAN S DEAN
 FISH & TSANG LLP
 2603 MAIN STREET, SUITE 1000
 IRVINE CA UNITED STATES , 92614-4271
Correspondent e-mail: rdean@fishiplaw.com , trademarks@fishiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85123625	4639181
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673
LUMINARA	Registered	85938733	4853488

Prosecution History

Entry Number	History Text	Date	Due Date
9	TERMINATED	May 11, 2017	
8	BD DECISION: DISMISSED W/ PREJ	May 11, 2017	
7	W/DRAW OF OPPOSITION	May 04, 2017	
6	SUSPENDED	Apr 26, 2017	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Apr 05, 2017	
4	ANSWER	Feb 13, 2017	
3	PENDING, INSTITUTED	Jan 26, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 26, 2017	Mar 07, 2017
1	FILED AND FEE	Jan 26, 2017	

Type of Proceeding: Opposition

Proceeding Number: [91222113](#)

Filing Date: May 27, 2015

Status: Terminated

Status Date: Aug 04, 2015

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Advantus Corp.

Correspondent Address: ARTHUR G YEAGER
ARTHUR G YEAGER LLC
245 E ADAMS ST, STE 1
JACKSONVILLE FL UNITED STATES , 32202-3365

Correspondent e-mail: ayeagerpatent@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMNERA	Abandoned - After Inter-Partes Decision	85836727	

Plaintiff(s)

Name: Luminara Worldwide, LLC

Correspondent Address: LINDY M HERMAN
FISH & TSANG LLP
2603 MAIN ST, STE 1000
IRVINE CA UNITED STATES , 92614-4271

Correspondent e-mail: trademarks@fishiplaw.com , lherman@fishiplaw.com , lweiland@fishiplaw.com , rkim@fishiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85123625	4639181
LUMINARA	Registered	85938733	4853488
LIFE BY LUMINARA	ABANDONED-FAILURE TO RESPOND OR LATE RESPONSE	86410803	
LIFE BY LUMINARA	Registered	86318086	4933137

Prosecution History

Entry Number	History Text	Date	Due Date
6	TERMINATED	Aug 04, 2015	
5	BD DECISION: SUSTAINED	Aug 04, 2015	
4	P MOT FOR DEFAULT JUDGMENT	Jul 07, 2015	
3	PENDING, INSTITUTED	May 27, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 27, 2015	Jul 06, 2015
1	FILED AND FEE	May 27, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91217389](#)

Filing Date: Jul 16, 2014

Status: Terminated

Status Date: Mar 11, 2015

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Harbor Freight Tools USA, Inc.

Correspondent Address: MARK J ROSENBERG
TARTER KRINSKY & DROGIN LLP
1350 BROADWAY
NEW YORK NY UNITED STATES , 10018-7702

Correspondent e-mail: mrosenberg@tarterkrinsky.com , docket@tarterkrinsky.com , docket@blackhillsip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINAR OUTDOOR	Abandoned - No Statement Of Use Filed	85763076	

Plaintiff(s)

Name: Luminara Worldwide, LLC

Correspondent Address: LINDY M HERMANN
FISH & TSANG LLP
2603 MAIN STREET, SUITE 1000
IRVINE CA UNITED STATES , 92614-4271

Correspondent e-mail: trademarks@fishiplaw.com , lherman@fishiplaw.com , vwarren@fishiplaw.com , rdean@fishiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673

Prosecution History

Entry Number	History Text	Date	Due Date
20	TERMINATED	Mar 11, 2015	
19	BD DECISION: DISMISSED W/O PREJ	Mar 11, 2015	
18	W/DRAW OF OPPOSITION	Feb 05, 2015	
17	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 29, 2015	Feb 28, 2015
16	SUSPENDED	Dec 21, 2014	
15	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 21, 2014	
14	MOT TO AMEND APPLICATION	Dec 08, 2014	
13	SUSPENDED	Nov 23, 2014	
12	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 23, 2014	
11	SUSPENDED	Oct 24, 2014	
10	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 24, 2014	
9	SUSPENDED	Sep 23, 2014	
8	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Sep 23, 2014	
7	SUSPENDED	Aug 11, 2014	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 11, 2014	
5	CONSOLIDATED - PARENT OF 91217392; ANSWER REMAINS DUE 8/25/14	Aug 07, 2014	
4	P MOT TO CONSOLIDATE	Jul 16, 2014	
3	PENDING, INSTITUTED	Jul 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 16, 2014	Aug 25, 2014
1	FILED AND FEE	Jul 16, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91217392](#)

Filing Date: Jul 16, 2014

Status: Terminated

Status Date: Mar 11, 2015

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: Harbor Freight Tools USA, Inc.

Correspondent Address: MARK J ROSENBERG
TARTER KRINSKY & DROGIN LLP
1350 BROADWAY
NEW YORK NY UNITED STATES , 10018-7702

Correspondent e-mail: mrosenberg@tarterkrinsky.com , docket@tarterkrinsky.com , docket@blackhillsip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINAR WORK	Section 8 and 15 - Accepted and Acknowledged	85763112	4867385

Plaintiff(s)

Name: Luminara Worldwide, LLC

Correspondent LINDY M HERMANN
Address: FISH & TSANG LLP
 2603 MAIN STREET, SUITE 1000
 IRVINE CA UNITED STATES , 92614-4271

Correspondent e-mail: trademarks@fishiplaw.com , lherman@fishiplaw.com , vwarren@fishiplaw.com , rdean@fishiplaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673

Prosecution History			
Entry Number	History Text	Date	Due Date
18	TERMINATED	Mar 11, 2015	
17	BD DECISION: DISMISSED W/O PREJ	Mar 11, 2015	
16	RESPONSE DUE 30 DAYS (DUE DATE)	Jan 29, 2015	Feb 28, 2015
15	SUSPENDED	Dec 21, 2014	
14	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Dec 21, 2014	
13	MOT TO AMEND APPLICATION	Dec 08, 2014	
12	SUSPENDED	Nov 23, 2014	
11	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Nov 23, 2014	
10	SUSPENDED	Oct 24, 2014	
9	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Oct 24, 2014	
8	SUSPENDED	Sep 23, 2014	
7	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Sep 23, 2014	
6	SUSPENDED	Aug 11, 2014	
5	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 11, 2014	
4	CONSOLIDATED - CHILD OF 91217389; ANSWER REMAINS DUE 8/25/14	Aug 07, 2014	
3	PENDING, INSTITUTED	Jul 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 16, 2014	Aug 25, 2014
1	FILED AND FEE	Jul 16, 2014	

United States of America
United States Patent and Trademark Office

LUMINARA

Reg. No. 4,574,673

LUMINARA WORLDWIDE, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)
2901 WEST COAST HWY, SUITE 350

Registered July 29, 2014

NEWPORT BEACH, CA 92663

Int. Cl.: 11

FOR: BATTERY OPERATED ELECTRIC CANDLES; ELECTRIC CANDLES; ELECTRIC LIGHT BULBS; ELECTRIC LIGHTING FIXTURES; ELECTRIC LIGHTS FOR CHRISTMAS TREES; ELECTRIC NIGHT LIGHTS; ELECTRIC TORCHES FOR LIGHTING; FLAMELESS CANDLES; LED (LIGHT EMITTING DIODE) LIGHTING FIXTURES, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 1-2-2010; IN COMMERCE 1-12-2010.

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

SER. NO. 85-981,647, FILED 9-6-2010.

DAWN HAN, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2021-12-28 11:46:51 EST

Mark: LUMINARA



US Serial Number: 85938733

Application Filing Date: May 21, 2013

US Registration Number: 4853488

Registration Date: Nov. 17, 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: Nov. 17, 2015

Publication Date: Sep. 01, 2015

Mark Information

Mark Literal Elements: LUMINARA

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of two curving lines having narrower end portions and a wider middle portion spaced to create a third smaller curving line in between, over the word "LUMINARA".

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

Design Search Code(s): 01.15.03 - Flames, other than flames emanating from objects, words, numbers, fireplaces or candles; Fire (flames), other than emanating from objects, words, numbers, fireplaces or candles
26.17.09 - Bars, curved; Curved line(s), band(s) or bar(s); Bands, curved; Lines, curved

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: Battery operated electric candles; Electric candles; Electric light bulbs; Electric lighting fixtures; Electric lights for Christmas trees; Electric night lights; Flameless candles; LED (light emitting diode) lighting fixtures

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 02, 2010

Use in Commerce: Jan. 12, 2010

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: L & L CANDLE COMPANY, LLC

Owner Address: 621 LUNAR AVENUE
BREA, CALIFORNIA UNITED STATES 92821

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Alexander J.A. Garcia

Docket Number: 128555-4013.

Attorney Primary Email Address: pctrademarks@perkinscoie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Alexander J.A. Garcia
Perkins Coie LLP
P.O. Box 2608
Seattle, WASHINGTON UNITED STATES 98111

Phone: 303-291-2300

Fax: 303-291-2400

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 18, 2021	TEAS SECTION 8 & 15 RECEIVED	
Jun. 02, 2021	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 17, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 10, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 10, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 10, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 10, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 10, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 18, 2020	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 17, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 17, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 01, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 01, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 29, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 29, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jan. 27, 2016	CORRECTION UNDER SECTION 7 Â- PROCESSED	67603
Jan. 26, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67603
Jan. 13, 2016	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 17, 2015	REGISTERED-PRINCIPAL REGISTER	
Sep. 01, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 01, 2015	PUBLISHED FOR OPPOSITION	
Aug. 12, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 27, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 27, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 27, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jul. 27, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Jul. 20, 2015	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Apr. 09, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66213
Oct. 09, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66213
Mar. 27, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	66213

Sep. 16, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 16, 2013	LETTER OF SUSPENSION E-MAILED	6332
Sep. 16, 2013	SUSPENSION LETTER WRITTEN	90294
Sep. 10, 2013	DATA MODIFICATION COMPLETED	66213
Sep. 09, 2013	ASSIGNED TO LIE	66213
Sep. 06, 2013	ASSIGNED TO EXAMINER	90294
Jun. 04, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jun. 01, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 24, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 27, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Luminara Worldwide, LLC

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [6959/0874](#)

Pages: 18

Date Recorded: Jun. 10, 2020

Supporting Documents: [assignment-tm-6959-0874.pdf](#)

Assignor

Name: [LUMINARA WORLDWIDE, LLC](#)

Execution Date: May 15, 2020

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [L & L CANDLE COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 621 LUNAR AVENUE
BREA, CALIFORNIA 92821

Correspondent

Correspondent Name: ALEXANDER J.A. GARCIA

Correspondent Address: 1201 THIRD AVENUE, SUITE 4900
PERKINS COIE LLP
SEATTLE, WA 98101

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE CONVEYING PARTY ENTITY TYPE PREVIOUSLY RECORDED AT REEL: 006959 FRAME: 0874. ASSIGNOR(S) HEREBY CONFIRMS THE ASSIGNMENT.

Reel/Frame: [7299/0980](#)

Pages: 4

Date Recorded: May 20, 2021

Supporting Documents: [assignment-tm-7299-0980.pdf](#)

Assignor

Name: [LUMINARA WORLDWIDE, LLC](#)

Execution Date: May 15, 2020

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [L & L CANDLE COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 621 LUNAR AVENUE
BREA, CALIFORNIA 92821

Correspondent

Correspondent Name: ALEXANDER J.A. GARCIA

Correspondent Address: PO BOX 2608
SEATTLE, WA 98111

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91239656](#)

Filing Date: Feb 22, 2018

Status: Terminated

Status Date: Jul 11, 2018

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Luying Wang

Correspondent Address: THOMAS CARACO
ZBJ NETWORK INC
532 KENWOOD AVENUE
DELMAR NY UNITED STATES , 12054

Correspondent e-mail: Thomas@witmart.com , anita.mar@witmart.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMIMAN	Abandoned - After Inter-Partes Decision	87602675	

Plaintiff(s)

Name: Luminara Worldwide

Correspondent Address: RYAN S DEAN
UMBERG ZIPSER LLP
1920 MAIN STREET, SUITE 750
IRVINE CA UNITED STATES , 92614

Correspondent e-mail: trademarks@umbergzipser.com , rdean@umbergzipser.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673
LUMINARA	Registered	85938733	4853488

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 11, 2018	
7	BD DECISION: SUSTAINED	Jul 11, 2018	
6	SUSP PEND DISP OF OUTSTNDNG MOT	May 31, 2018	
5	P MOT FOR SANCTIONS (OTHER)	May 25, 2018	
4	ANSWER	Apr 02, 2018	
3	PENDING, INSTITUTED	Feb 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 22, 2018	Apr 03, 2018
1	FILED AND FEE	Feb 22, 2018	

Type of Proceeding: Opposition

Proceeding Number: [91232509](#)**Filing Date:** Jan 26, 2017**Status:** Terminated**Status Date:** May 11, 2017**Interlocutory Attorney:** GEOFFREY MCNUTT**Defendant****Name:** Kuhn USA, LLC**Correspondent Address:** ROBERTO M SUAREZ
ESPINOSA TRUEBA MARTINEZ PL
1428 BRICKELL AVE, SUITE 100
MIAMI FL UNITED STATES , 33131**Correspondent e-mail:** rsuarez@etlaw.com , trademark@etlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
K-LUMINA	Registered	87122697	6108165

Plaintiff(s)**Name:** Luminara Worldwide, LLC**Correspondent Address:** RYAN S DEAN
FISH & TSANG LLP
2603 MAIN STREET, SUITE 1000
IRVINE CA UNITED STATES , 92614-4271**Correspondent e-mail:** rdean@fishiplaw.com , trademarks@fishiplaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85123625	4639181
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673
LUMINARA	Registered	85938733	4853488

Prosecution History

Entry Number	History Text	Date	Due Date
9	TERMINATED	May 11, 2017	
8	BD DECISION: DISMISSED W/ PREJ	May 11, 2017	
7	W/DRAW OF OPPOSITION	May 04, 2017	
6	SUSPENDED	Apr 26, 2017	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 05, 2017	
4	ANSWER	Feb 13, 2017	
3	PENDING, INSTITUTED	Jan 26, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 26, 2017	Mar 07, 2017
1	FILED AND FEE	Jan 26, 2017	

Type of Proceeding: Opposition

Proceeding Number: [91222113](#)**Filing Date:** May 27, 2015**Status:** Terminated**Status Date:** Aug 04, 2015**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Defendant****Name:** Advantus Corp.**Correspondent Address:** ARTHUR G YEAGER
ARTHUR G YEAGER LLC
245 E ADAMS ST, STE 1
JACKSONVILLE FL UNITED STATES , 32202-3365**Correspondent e-mail:** ayeagerpatent@gmail.com

mail: _____

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMNERA	Abandoned - After Inter-Partes Decision	85836727	

Plaintiff(s)

Name: Luminara Worldwide, LLC

Correspondent Address: LINDY M HERMAN
FISH & TSANG LLP
2603 MAIN ST, STE 1000
IRVINE CA UNITED STATES , 92614-4271

Correspondent e-mail: trademarks@fishiplaw.com , lherman@fishiplaw.com , lweiland@fishiplaw.com , rkim@fishiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85981647	4574673
LUMINARA	Section 8 and 15 - Accepted and Acknowledged	85123625	4639181
LUMINARA	Registered	85938733	4853488
LIFE BY LUMINARA	ABANDONED-FAILURE TO RESPOND OR LATE RESPONSE	86410803	
LIFE BY LUMINARA	Registered	86318086	4933137

Prosecution History

Entry Number	History Text	Date	Due Date
6	TERMINATED	Aug 04, 2015	
5	BD DECISION: SUSTAINED	Aug 04, 2015	
4	P MOT FOR DEFAULT JUDGMENT	Jul 07, 2015	
3	PENDING, INSTITUTED	May 27, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 27, 2015	Jul 06, 2015
1	FILED AND FEE	May 27, 2015	

United States of America

United States Patent and Trademark Office



LUMINARA

Reg. No. 4,853,488

Registered Nov. 17, 2015

Int. Cl.: 11

TRADEMARK

PRINCIPAL REGISTER

LUMINARA WORLDWIDE, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)
10909 VALLEY VIEW DRIVE
EDEN PRAIRIE, MN 55344

FOR: BATTERY OPERATED ELECTRIC CANDLES; ELECTRIC CANDLES; ELECTRIC LIGHT BULBS; ELECTRIC LIGHTING FIXTURES; ELECTRIC LIGHTS FOR CHRISTMAS TREES; ELECTRIC NIGHT LIGHTS; FLAMELESS CANDLES; LED (LIGHT EMITTING DIODE) LIGHTING FIXTURES, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 1-2-2010; IN COMMERCE 1-12-2010.

THE MARK CONSISTS OF TWO CURVING LINES HAVING NARROWER END PORTIONS AND A WIDER MIDDLE PORTION SPACED TO CREATE A THIRD SMALLER CURVING LINE IN BETWEEN, OVER THE WORD "LUMINARA".

SER. NO. 85-938,733, FILED 5-21-2013.

ALISON POLLACK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office