

ESTTA Tracking number: **ESTTA1189766**

Filing date: **02/09/2022**

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	SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.
Granted to date of previous extension	02/09/2022
Address	AVENIDA ESPAÑA #A #1840 COLONIA MODERNA GUADALAJARA, JALISCO, 44190 MEXICO
Attorney information	ADRIANO PACIFICI INTELLECTUAL PROPERTY CONSULTING, LLC 400 POYDRAS STREET SUITE 1400 NEW ORLEANS, LA 70130 UNITED STATES Primary email: apacifici@iplawconsulting.com Secondary email(s): creid@iplawconsulting.com 15043236600
Docket no.	01050

Applicant information

Application no.	90526451	Publication date	10/12/2021
Opposition filing date	02/09/2022	Opposition period ends	02/09/2022
Applicant	VITAMEX USA CORP 1440 GEMINI BLVD SUITE 5 ORLANDO, FL 32837 UNITED STATES		

Goods/services affected by opposition


Class 005. First Use: None First Use In Commerce: None
All goods and services in the class are opposed, namely: Dietary and nutritional supplements; Dietary food supplements; Dietary supplements for human consumption


Grounds for opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
The mark is generic	Trademark Act Sections 1, 2 and 45

Marks cited by opposer as basis for opposition


U.S. application no.	87099391	Application date	07/11/2016
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Registration date	NONE	Foreign priority date	NONE
Word mark	ELECTROLIFE		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: None First Use In Commerce: None Oral rehydration beverages, namely, sports drinks containing electrolytes		

U.S. application no.	87115109	Application date	07/25/2016
Registration date	NONE	Foreign priority date	NONE
Word mark	ELECTROLIFE		
Design mark			
Description of mark	The mark consists of the word "ELECTROLIFE" and design. The term "ELECTROLIFE" is blue and four liquid drops varying in length emanate from the letter "l" in "ELECTROLIFE". The first droplet extends to the second letter "E" in "ELECTROLIFE" and it is green in color, the next droplet is orange which fades to yellow and then to orange, the third droplet is red and the fourth is purple. Each drop also has specks of white.		
Goods/services	Class 032. First use: First Use: None First Use In Commerce: None Oral rehydration beverages, namely, sports drinks containing electrolytes		

U.S. application no.	88654461	Application date	10/15/2019
Registration date	NONE	Foreign priority date	NONE
Word mark	ELECTROLIFE		
Design mark			
Description of mark	<p>The mark consists of the term ELECTROLIFE in blue stylized letters, inside of three circular shapes with rounded corners, the first circle appears in light orange, the second in orange and the third in gray. On top of the letter "i", appears a design of four drops outstretched. The first drop is green and emerges from the letter "i" to the second letter "e", the second drop is yellow and appears between the green and the red drop, the third drop is red and appears between the yellow and the purple drop and the fourth drop is purple.</p>		
Goods/services	<p>Class 005. First use: First Use: None First Use In Commerce: None Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements</p> <p>Class 032. First use: First Use: None First Use In Commerce: None Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruitjuices; syrups and syrup substitutes for making beverages</p>		

U.S. application no.	88654471	Application date	10/15/2019
Registration date	NONE	Foreign priority date	NONE
Word mark	ELECTROLIFE		



Design mark	
Description of mark	<p>The mark consists of the term ELECTROLIFE in blue stylized letters. On top of the letter "i", appears a design of four drops outstretched. The first drop is green and emerges from the letter "i" to the second letter "e", the second drop is yellow and appears between the green and the red drop, the third drop is red and appears between the yellow and the purple drop and the fourth drop is purple.</p>
Goods/services	<p>Class 005. First use: First Use: None First Use In Commerce: None Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements</p> <p>Class 032. First use: First Use: None First Use In Commerce: None Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruitjuices; syrups and syrup substitutes for making beverages</p>


Attachments	<p>87099391#TMSN.png(bytes) 87115109#TMSN.png(bytes) 88654461#TMSN.png(bytes) 88654471#TMSN.png(bytes) Notice of Opposition SUEROLIFE.pdf(531703 bytes)</p>
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Signature	/APacifici/
Name	Adriano Pacifici
Date	02/09/2022

2. Since at least as early as May 2010, Opposer, through Opposer’s predecessor in interest, has been a leading manufacturer and provider of rehydration beverages, electrolyte replacement solutions, and sports drinks.

3. Opposer has constructive use trademark rights to the ELECTROLIFE mark and owns the following trademark applications, as indicated in the table below (collectively referred to as “Opposer’s Marks”). True and correct copies of current print outs from the electronic database records of the United States Patent and Trademark Office (“USPTO”) for each registration and application are attached as *in globo* **Exhibit A**.

No.	Trademark	Serial No.	Filing Date	IC & Goods
1	ELECTROLIFE	87099391	July 11, 2016	032: Oral rehydration beverages, namely, sports drinks containing electrolytes
2		87115109	July 25, 2016	032: Oral rehydration beverages, namely, sports drinks containing electrolytes
3		88654461	October 15, 2019	005: Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements 032: Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruit juices; syrups and syrup substitutes for making beverages

4		88654471	October 15, 2019	005: Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements 032: Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruit juices; syrups and syrup substitutes for making beverages
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4. Upon information and belief, Applicant VITAMEX USA CORP. (“Applicant”), is a Florida corporation with a principal business address of 1440 Gemini Blvd Suite 5, Orlando, FL 32837.

5. On February 12, 2021, Applicant filed a trademark application at the United States Patent and Trademark Office (“USPTO”) for registration of the SUEROLIFE mark (Serial no. 90526451) on the Principal Register on an intent to use in commerce basis in international class 005 for “Dietary and nutritional supplements; Dietary food supplements; Dietary supplements for human consumption”. A true and correct copy of the current print out from the Trademark Status & Document Retrieval of the USPTO for this application is attached as **Exhibit B**.

6. Upon information and belief, Applicant has not yet used its SUEROLIFE mark in connection with the goods listed in its application to register Applicant’s Mark.

7. Opposer believes that it will be damaged by the registration of Applicant's Mark and requests that the Board sustain its Opposition to the registration of Applicant's Mark for the reasons set forth below.

I. GENERICNESS

8. Paragraphs 1 – 7, above, are realleged and incorporated herein by reference as if set forth in full.

9. The primary significance of Applicant's Mark to the relevant consumers is as a generic designation. It is therefore incapable of distinguishing Applicant's intended goods from those produced by Opposer and third parties. By exclusive rights in Applicant's Mark, Applicant seeks to prevent Opposer and others from using the precise and most common designation that identifies its goods.

10. The word "Suero" in Spanish is the generic term for dehydration products.

11. The combination of the word "Suero" and "Life" is a common designation for a supplement product for treating dehydration.

12. Therefore, Opposer would be injured if Applicant is permitted to obtain a registration for Applicant's mark, giving Applicant the right to exclude Opposer and other in the industry from using generic terminology to identify their goods.

13. For the reasons set forth above, Applicant's Application should be denied registration pursuant to Section 2(d)-(e) of the Lanham Act, 15 U.S.C. § 1052.

II. PRIORITY

14. Paragraphs 1 – 13, above, are realleged and incorporated herein by reference as if set forth in full.

15. Upon information and belief, Applicant may only assert a constructive first use date of Applicant's Mark as of February 12, 2021, more than four and a half (4.5) years after Opposer's constructive use priority date to Opposer's Marks.

16. Opposer filed its trademark application serial nos. 87099391 and 87115109 back in July 2016.

17. Applicant is not entitled to use or register the mark that is subject of this Opposition for which it seeks registration.

18. Opposer has constructive priority over Applicant's Mark. Accordingly, registration of Applicant's Mark is improper under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

III. LIKELIHOOD OF CONFUSION

19. Paragraphs 1 – 18, above, are realleged and incorporated herein by reference as if set forth in full.

20. Persons familiar with the goods intended under Opposer's Marks, upon seeing the goods intended under Applicant's Mark, would likely believe, and would be justified in so believing, that such goods originated from Opposer or were sold in

association, connection, or affiliation with, or under sponsorship, approval, or authorization by Opposer.

21. Applicant's Mark and Opposer's Marks are nearly identical in sight, sound, meaning, and commercial impression.

22. Specifically, Applicant's SUEROLIFE mark and Opposer's ELECTROLIFE mark both end with the same term "Life" and the only difference is the first term of "Suero" and "Electro" respectively.

23. As "Suero" is the Spanish term for dehydration treating products and "Electro" is an abbreviated term for "Electrolyte" (which is the main component of beverages for rehydration purposes) the meaning of Applicant's Mark and Opposer's Marks is identical, namely, a product for rehydrating one's life and body.

24. Given that Applicant's Mark and Opposer's Marks are nearly identical, Applicant's Mark so resembles Opposer's Marks as to be likely to cause confusion, or to cause mistake, or to deceive when used in connection with the goods identified in Applicant's application for registration.

25. Opposer and Applicant intend to provide identical goods under their respective marks.

26. Specifically, Opposer intends to sell a variety of goods under Opposer's Marks including dietary and nutritional supplements and Applicant's application identifies "Dietary and nutritional supplements; Dietary food supplements; Dietary

supplements for human consumption” as products Applicant intends to sell under Applicant’s Mark.

27. Given that the goods intended to be sold under Applicant’s Mark and the goods intended to be sold under Opposer’s Marks are identical, it is presumed that Applicant and Opposer intend to offer their respective goods under identical channels of trade.

28. Applicant’s adoption and intended use of Applicant’s Mark is without the license or permission of Opposer.

29. When viewed by consumers, the trademark that is subject of this Opposition is likely to be confused with Opposer’s Marks.

30. For the reasons above, and because Applicant’s Mark will likely cause confusion as to the source of goods, registration of that mark violates Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

IV. CONCLUSION

31. Opposer will be damaged by the registration of Applicant’s Mark.

32. Opposer’s Opposition is timely filed.

WHEREFORE, SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V. respectfully prays that this Opposition be sustained, and that Application Serial No. 90/526,451 be refused registration.

Opposer submits herewith the requisite filing fee of \$600.00 for this opposition.

Dated: February 9, 2022

Respectfully submitted,

s/APacifici

Adriano Pacifici

Intellectual Property Consulting, LLC

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E-mail: apacifici@iplawconsulting.com

creid@iplawconsulting.com

Attorneys for Opposer, SUEROS Y BEBIDAS

REHIDRATANTES, S.A. DE C.V.

EXHIBIT A

Generated on: This page was generated by TSDR on 2022-02-09 10:32:19 EST

Mark: ELECTROLIFE

ELECTROLIFE

US Serial Number: 87099391

Application Filing Date: Jul. 11, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Aug. 10, 2021

Publication Date: Jun. 15, 2021 Notice of Allowance Date: Aug. 10, 2021

Mark Information

Mark Literal Elements: ELECTROLIFE

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: 3490329, 3743382, 4222726

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: Oral rehydration beverages, namely, sports drinks containing electrolytes

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

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: SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.

Owner Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO MEXICO 44190

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Yvonne E. Tingleaf

Docket Number: 128990218574

Attorney Primary Email Address: trademarks@schwabe.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Yvonne E. Tingleaf
Schwabe, Williamson & Wyatt, P.C.
1211 SW Fifth Avenue, Suite 1900
Portland, OREGON UNITED STATES 97204

Phone: 503-222-9981

Fax: 503-796-2900

Correspondent e-mail: trademarks@schwabe.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 10, 2021	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 15, 2021	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 15, 2021	PUBLISHED FOR OPPOSITION	
May 26, 2021	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 12, 2021	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 10, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 10, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 10, 2021	TEAS WITHDRAWAL OF ATTORNEY RECEIVED-FIRM RETAINS	
May 10, 2021	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 10, 2021	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 10, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 07, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 12, 2020	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 12, 2020	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 12, 2019	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 08, 2019	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 08, 2018	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
May 08, 2018	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 08, 2017	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Sep. 07, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 07, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 08, 2017	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
May 08, 2017	LETTER OF SUSPENSION E-MAILED	6332
May 08, 2017	SUSPENSION LETTER WRITTEN	77304
May 06, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 05, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889

May 05, 2017	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Apr. 21, 2017	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Apr. 21, 2017	LETTER OF SUSPENSION E-MAILED	6332
Apr. 21, 2017	SUSPENSION LETTER WRITTEN	77304
Apr. 20, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 19, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 19, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 20, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 20, 2016	NON-FINAL ACTION E-MAILED	6325
Oct. 20, 2016	NON-FINAL ACTION WRITTEN	77304
Oct. 19, 2016	ASSIGNED TO EXAMINER	77304
Sep. 08, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 08, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 15, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 14, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: VERHOSEK, WILLIAM T

Law Office Assigned: LAW OFFICE 114

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Aug. 10, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Applicant: Laboratorios Pisa S.A. de C.V.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [7240/0754](#)

Pages: 8

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0754.pdf](#)

Assignor

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Assignee

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: LICENSE

Reel/Frame: [7240/0779](#)

Pages: 10

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0779.pdf](#)

Documents: _____

Assignor

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Assignee

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2022-02-09 10:32:50 EST

Mark: ELECTROLIFE



US Serial Number: 87115109

Application Filing Date: Jul. 25, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Aug. 10, 2021

Publication Date: Jun. 15, 2021 Notice of Allowance Date: Aug. 10, 2021

Mark Information

Mark Literal Elements: ELECTROLIFE

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 the word "ELECTROLIFE" and design. The term "ELECTROLIFE" is blue and four liquid drops varying in length emanate from the letter "l" in "ELECTROLIFE". The first droplet extends to the second letter "E" in "ELECTROLIFE" and it is green in color, the next droplet is orange which fades to yellow and then to orange, the third droplet is red and the fourth is purple. Each drop also has specks of white.

Color Drawing: Yes

Color(s) Claimed: The color(s) white, blue, red, yellow, orange, green and purple is/are claimed as a feature of the mark.

Design Search Code(s): 01.15.18 - Teardrops (more than a single drop); More than one drop including teardrops or raindrops; multiple drops (rain, tear, etc.); Raindrops (more than a single drop)

Related Properties Information

Claimed Ownership of US Registrations: 3490329, 3743382, 4222726

Goods and Services

Note:

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

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For: Oral rehydration beverages, namely, sports drinks containing electrolytes

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No
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: SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.
Owner Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO MEXICO 44190
Legal Entity Type: CORPORATION
State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Yvonne E. Tingleaf
Attorney Primary Email Address: trademarks@schwabe.com
Docket Number: 128990218575
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Yvonne E. Tingleaf
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Fax: 503-796-2900
Correspondent e-mail: trademarks@schwabe.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

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Jul. 30, 2016	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 29, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 28, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: VERHOSEK, WILLIAM T

Law Office Assigned: LAW OFFICE 114

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Aug. 10, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Applicant: Laboratorios Pisa S.A. de C.V.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [7240/0754](#)

Pages: 8

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0754.pdf](#)

Assignor

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Assignee

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent: 256 ELEANOR ROOSEVELT

Address: SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: LICENSE

Reel/Frame: [7240/0779](#)

Pages: 10

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0779.pdf](#)

Assignor

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Assignee

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2022-02-09 10:33:10 EST

Mark: ELECTROLIFE



US Serial Number: 88654461

Application Filing Date: Oct. 15, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: Suspension check completed. Application remains suspended.

Status Date: Aug. 16, 2021

Mark Information

Mark Literal Elements: ELECTROLIFE

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 the term ELECTROLIFE in blue stylized letters, inside of three circular shapes with rounded corners, the first circle appears in light orange, the second in orange and the third in gray. On top of the letter "i", appears a design of four drops outstretched. The first drop is green and emerges from the letter "i" to the second letter "e", the second drop is yellow and appears between the green and the red drop, the third drop is red and appears between the yellow and the purple drop and the fourth drop is purple.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue, green, yellow, red, purple, orange and gray is/are claimed as a feature of the mark.

Design Search Code(s): 01.15.18 - Teardrops (more than a single drop); Raindrops (more than a single drop); multiple drops (rain, tear, etc.); More than one drop including teardrops or raindrops
26.03.14 - Three or more ovals; Ovals, three or more
26.03.16 - Ovals touching or intersecting

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: Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruit juices; syrups and syrup substitutes for making beverages

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No
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: SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.

Owner Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO MEXICO 44190

Legal Entity Type: CORPORATION

State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Samuel F. Pamiás-Portalatín

Docket Number: MCG-0000

Attorney Primary Email Address: ip@hhoglund.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SAMUEL F. PAMIAS-PORTALATÍN
HOGLUND & PAMIAS PSC
256 AVE. ELEANOR ROOSEVELT
SAN JUAN, PUERTO RICO UNITED STATES 00918

Phone: 787-772-9200

Fax: 787-772-9533

Correspondent e-mail: ip@hhoglund.com samuel@hhoglund.com nahom@hhoglund.com y@hhoglund.com adriana@hhoglund.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 16, 2021	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	88889
Apr. 07, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 19, 2020	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70468
Nov. 19, 2020	ASSIGNED TO LIE	70468
Apr. 16, 2020	CORRESPONDENCE E-MAILED	
Apr. 16, 2020	SUSPENSION LETTER WRITTEN	76843
Apr. 16, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 16, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 16, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 23, 2020	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 23, 2020	NON-FINAL ACTION E-MAILED	6325
Jan. 23, 2020	NON-FINAL ACTION WRITTEN	76843
Jan. 21, 2020	ASSIGNED TO EXAMINER	76843
Oct. 19, 2019	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 18, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 18, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: HWANG, JOHN C B

Law Office LAW OFFICE 114
Assigned:

File Location

Current Location: TMO LAW OFFICE 114

Date in Location: Aug. 16, 2021

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Applicant: Laboratorios Pisa, S.A. de C.V.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [7240/0754](#)

Pages: 8

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0754.pdf](#)

Assignor

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:

Assignee

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: LICENSE

Reel/Frame: [7240/0779](#)

Pages: 10

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0779.pdf](#)

Assignor

Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:

Assignee

Name: [LABORATORIOS PISA, S.A. DE CV](#)

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:

Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190

Correspondent

Correspondent Name: SAMUEL F. PAMIAS

Correspondent 256 ELEANOR ROOSEVELT
Address: SAN JUAN, 00918 PUERTO RICO

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2022-02-09 10:33:32 EST

Mark: ELECTROLIFE



US Serial Number: 88654471

Application Filing Date: Oct. 15, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: Suspension check completed. Application remains suspended.

Status Date: Aug. 16, 2021

Mark Information

Mark Literal Elements: ELECTROLIFE

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 the term ELECTROLIFE in blue stylized letters. On top of the letter "i", appears a design of four drops outstretched. The first drop is green and emerges from the letter "i" to the second letter "e", the second drop is yellow and appears between the green and the red drop, the third drop is red and appears between the yellow and the purple drop and the fourth drop is purple.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue, green, yellow, red, purple and orange is/are claimed as a feature of the mark.

Design Search Code(s): 01.15.18 - Teardrops (more than a single drop); More than one drop including teardrops or raindrops; multiple drops (rain, tear, etc.); Raindrops (more than a single drop)

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: Medicated serums, namely oral serums for rehydration; dietary supplemental drinks for medical use; dietary food supplements for medical use; nutritional supplements; health food supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

For: Beers; Non-alcoholic water-based beverages; Non-alcoholic drinks, namely, energy shots, sports beverages, rehydrating beverages; mineral waters; Non-alcoholic beverages containing fruit juices; fruit juices; syrups and syrup substitutes for making beverages

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No
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: SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.
Owner Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO MEXICO 44190
Legal Entity Type: CORPORATION
State or Country Where Organized: MEXICO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Samuel F. Pamiás-Portalatín
Attorney Primary Email Address: ip@hhoglund.com
Docket Number: MCG-0100
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SAMUEL F. PAMIAS-PORTALATÍN
HOGLUND & PAMIAS PSC
256 AVE. ELEANOR ROOSEVELT
SAN JUAN, PUERTO RICO UNITED STATES 00918
Phone: 787-772-9200
Fax: 787-772-9533
Correspondent e-mail: ip@hhoglund.com samuel@hhoglund.com nahom@hhoglund.com y@hhoglund.com adriana@hhoglund.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 16, 2021	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	88889
Apr. 07, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 19, 2020	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70468
Nov. 19, 2020	ASSIGNED TO LIE	70468
Apr. 16, 2020	CORRESPONDENCE E-MAILED	
Apr. 16, 2020	SUSPENSION LETTER WRITTEN	76843
Apr. 16, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 16, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 16, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 23, 2020	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 23, 2020	NON-FINAL ACTION E-MAILED	6325
Jan. 23, 2020	NON-FINAL ACTION WRITTEN	76843
Jan. 21, 2020	ASSIGNED TO EXAMINER	76843
Oct. 19, 2019	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 18, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 18, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: HWANG, JOHN C B

Law Office LAW OFFICE 114
Assigned:**File Location**

Current Location: TMO LAW OFFICE 114

Date in Location: Aug. 16, 2021

Assignment Abstract Of Title Information**Summary**

Total Assignments: 2

Applicant: Laboratorios Pisa, S.A. de C.V.

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [7240/0754](#)

Pages: 8

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0754.pdf](#)**Assignor**Name: [LABORATORIOS PISA, S.A. DE CV](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:**Assignee**Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190**Correspondent**

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO**Domestic Representative - Not Found****Assignment 2 of 2**

Conveyance: LICENSE

Reel/Frame: [7240/0779](#)

Pages: 10

Date Recorded: Apr. 01, 2021

Supporting Documents: [assignment-tm-7240-0779.pdf](#)**Assignor**Name: [SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.](#)

Execution Date: Jan. 15, 2021

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:**Assignee**Name: [LABORATORIOS PISA, S.A. DE CV](#)

Legal Entity Type: CORPORATION

State or Country MEXICO
Where Organized:Address: AVE. ESPAÑA 1840, COLONIA MODERNA
GUADALAJARA, JALISCO, MEXICO 44190**Correspondent**

Correspondent Name: SAMUEL F. PAMIAS

Correspondent Address: 256 ELEANOR ROOSEVELT
SAN JUAN, 00918 PUERTO RICO**Domestic Representative - Not Found**

EXHIBIT B

Generated on: This page was generated by TSDR on 2022-02-09 10:33:54 EST

Mark: SUEROLIFE

SUEROLIFE

US Serial Number: 90526451

Application Filing Date: Feb. 12, 2021

Register: Principal

Mark Type: Trademark

TM5 Common Status
Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Nov. 10, 2021

Publication Date: Oct. 12, 2021

Mark Information

Mark Literal Elements: SUEROLIFE

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

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 and nutritional supplements; Dietary food supplements; Dietary supplements for human consumption

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

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: VITAMEX USA CORP
Owner Address: 1440 Gemini Blvd Suite 5
Orlando, FLORIDA UNITED STATES 32837
Legal Entity Type: CORPORATION

State or Country FLORIDA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark Terry

Attorney Primary mark@terryfirm.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent MARK TERRY
Name/Address: MARK TERRY, P.A.
10204 NORTHEAST SECOND AVENUE
MIAMI, FLORIDA UNITED STATES 33138

Phone: 786-443-7720

Correspondent e- mark@terryfirm.com yurie@terryfirm.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 10, 2021	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 12, 2021	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 12, 2021	PUBLISHED FOR OPPOSITION	
Sep. 22, 2021	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 09, 2021	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 09, 2021	ASSIGNED TO EXAMINER	90294
May 17, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 16, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: POLLACK, ALISON FRIEDB

Law Office LAW OFFICE 106
Assigned:

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 09, 2021

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Extension of Time

Proceeding [90526451](#)
Number:

Filing Date: Nov 10, 2021

Status: Extension of Time to Oppose Filed

Status Date: Nov 10, 2021

Interlocutory
Attorney:

Defendant

Name: VITAMEX USA CORP

Correspondent MARK TERRY
Address: MARK TERRY, P.A.
10204 NORTHEAST SECOND AVENUE

MIAMI FL UNITED STATES , 33138

Correspondent e-mail: mark@terryfirm.com , yurie@terryfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUEROLIFE	Request For Extension of Time to File Opposition	90526451	

Potential Opposer(s)

Name: SUEROS Y BEBIDAS REHIDRATANTES, S.A. DE C.V.

Correspondent Address: ADRIANO PACIFICI
INTELLECTUAL PROPERTY CONSULTING, LLC
400 POYDRAS STREET SUITE 1400
NEW ORLEANS LA UNITED STATES , 70130

Correspondent e-mail: apacifici@iplawconsulting.com , creid@iplawconsulting.com

Prosecution History

Entry Number	History Text	Date	Due Date
4	EXT GRANTED	Dec 10, 2021	
3	ADD'L 60-DAY REQUEST TO EXT TIME TO OPPOSE	Dec 10, 2021	
2	EXT GRANTED	Nov 10, 2021	
1	FIRST 30-DAY REQUEST TO EXT TIME TO OPPOSE	Nov 10, 2021	