

ESTTA Tracking number: **ESTTA1484151**
Filing date: **12/17/2025**

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 | Cedar Garden Food Import and Export, Inc. | | |
| Entity | Corporation | Incorporated or registered in | MI |
| Address | 36175 HERMAN STREET ROMULUS, MI 48174 UNITED STATES | | |
| Attorney information | CHRISTOPHER KISH VANDEUSEN 755 WEST BIG BEAVER ROAD SUITE 1900 TROY, MI 48084 UNITED STATES Primary email: cdeusen@umich.edu Secondary email(s): christopher.vandeußen@dinsmore.com, mark.schneider@dinsmore.com 2482031642 | | |
| Docket no. | | | |

Applicant information

| | | | |
|--------------------------------|---|---------------------------------|------------|
| Application no. | 99248727 | Publication date | 12/16/2025 |
| Opposition filing date | 12/17/2025 | Opposition period ends | 01/15/2026 |
| International registration no. | NONE | International registration date | NONE |
| Applicant | Global Foods S.A.L. HARET HREIK, SFEIR STREET, AL-OUMARA, 3RD FLOOR BEIRUT, 5425 Lebanon | | |

Goods/services affected by opposition

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|--|
| Class 029. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Preserved, dried and cooked fruit and vegetables; Jellies, jams; Fruits in preserved form; Fruit, preserved; Edible oils and fats |
| Class 030. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Flour; Bread; Pastries; Jelly confectionery; Chocolate confectionery; Coffee and artificial coffee; Tea; Cocoa; Rice; Tapioca and sago; Ice cream desserts; Bakery desserts; Honey; Blackstrap molasses; Yeast; Baking powder; Salt; Mustard; Vinegar; Sauces; Spices |


Grounds for opposition

| | |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act Section 2(d) |
|--------------------------------------|----------------------------|

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|--|--|
| Registration barred by claim or issue preclusion | Mayer/Berkshire Corp. v. Berkshire Fashions Inc., 424 F.3d 1229, 76 USPQ2d 1310 (Fed. Cir. 2005) |
| Fraud on the USPTO | In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009) |

Marks cited by opposer as basis for opposition

| | | | |
|-----------------------|---|-----------------------|------------|
| U.S. registration no. | 4554446 | Application date | 04/22/2013 |
| Register | Principal | | |
| Registration date | 06/24/2014 | Foreign priority date | NONE |
| Word mark | CEDAR GARDEN | | |
| Design mark |  | | |
| Description of mark | <p>The mark consists of the words "CEDAR GARDEN" in white outlined in dark blue, superimposed over a shaded blue oval with a raised rounded edge in light and dark blue which is then outlined in a wider shaded oval in light grey; inside the oval is a yellow rising sun with yellow rays and white highlights above two curved yellow lines representing hills; two shaded yellow lines curve upward from the left lower side of the oval and ending under "GARDEN"; all above a waving red and white flag with a green cedar tree in the white stripe of the flag.</p> | | |
| Goods/services | <p>Class 029. First use: First Use: Jan 1, 2013 First Use In Commerce: Jan 1, 2013 [Meat,] fish, [poultry] and [game, not live; meat extracts;] preserved, dried and cooked fruits and vegetables; jellies, jams, [eggs, milk, and milk products excluding ice cream, ice milk and frozen yogurt;] edible oils and fats</p> | | |

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 4554318 | Application date | 03/13/2013 |
| Register | Principal | | |
| Registration date | 06/24/2014 | Foreign priority date | NONE |
| Word mark | CEDAR GARDEN | | |
| Design mark |  | | |

| | |
|---------------------|---|
| Description of mark | |
| Goods/services | Class 029. First use: First Use: Jan 1, 2003 First Use In Commerce: Jan 1, 2003 [Meat,] [f] *F*ish [, poultry and game, not live ; meat extracts] ; preserved, dried and cooked fruits and vegetables; jellies, jams, [eggs, milk,] and milk products excluding ice cream, ice milk and frozen yogurt; edible oils and fats |


| | |
|---------------------|--------------------|
| Related proceedings | 91272142; 91291126 |
|---------------------|--------------------|

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|-------------|--|
| Attachments | 85910444#TMSN.jpg(bytes) 85874917#TMSN.jpg(bytes) Cedar Garden - Notice of Opposition - Global Foods SAL 12.17.25.pdf(439547 bytes) |
|-------------|--|

| | |
|-----------|----------------------------|
| Signature | /Christopher K. VanDeusen/ |
| Name | Christopher K. VanDeusen |
| Date | 12/17/2025 |


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

In the Matter of Application Serial No. 99248727
Published on December 16, 2025

| | | |
|--|---|---|
| CEDAR GARDEN FOOD IMPORT & EXPORT, INC. |) | Opposition No.: _____ |
| |) | |
| Opposer |) | Mark:  |
| |) | |
| v. |) | |
| |) | |
| Global Foods S.A.L. |) | |
| |) | |
| Applicant. |) | |

NOTICE OF OPPOSITION

Opposer, Cedar Garden Food Import and Export, Inc. (hereinafter "**Opposer**" or "**CGIE**"), is a company organized under the laws of Michigan with an address at 36175 Herman Street, Romulus, Michigan 48174.

CGIE will be damaged by registration of the mark  (the "**CEDARLAND Mark**") shown in Application Serial No. 99248727 (the "**Application**") filed by Global Foods S.A.L. ("**Applicant**" or "**Global Foods**") and opposes registration of the Application for at least the goods set forth therein, namely, Preserved, dried and cooked fruit and vegetables; Jellies, jams; Fruits in preserved form; Fruit, preserved; Edible oils and fats in Class 29 and Flour; Bread; Pastries; Jelly confectionery; Chocolate confectionery; Coffee and artificial coffee; Tea; Cocoa; Rice; Tapioca and sago; Ice cream desserts; Bakery desserts; Honey; Blackstrap molasses; Yeast; Baking powder; Salt; Mustard; Vinegar; Sauces; Spices in Class 30 ("**Global Foods's Goods**").

The Opposition is timely. The Application published in the Official

Gazette dated December 16, 2025.

As grounds for the opposition, CGIE alleges the following:

CGIE AND CGIE'S CEDAR GARDEN MARK

1. CGIE is an importer and distributor of Mediterranean and Middle Eastern food products, based in metropolitan Detroit, Michigan, that has been in business for over twenty years.

2. Since at least 2003, CGIE has imported into, and distributed throughout the United States of America, a range of different food products.

3. Mediterranean and Middle Eastern food products that have been imported into the United States and distributed by CGIE since 2003 include, but are not limited to, canned eggplant, jam, pickled thyme, green tea, garlic sauce, olives, strawberry custard, dumpling mix, basbousa mix, dried apricot paste, tomato paste, corn flour starch, cocoa powder, jelly desserts, instant powder drink mix, falafel mix, chick pea dip, eggplant dip, grape leaves, parboiled rice, kishik balady, halawa, tahini bread sticks, Za'atar, fava beans, kidney beans, crispy chicken mix, meat shawarma marinate mix, garlic dip mix, natural labne, tuna, green freekeh, pickled cucumber, pickled eggplant, vinegar, syrups, and flavored water.

4. CGIE is the owner of the mark CEDAR GARDEN® (the "**CEDAR GARDEN Mark**").

5. An image of canned vegetable products branded with the CEDAR GARDEN Mark as offered for sale by CGIE in interstate commerce, are shown here:



6. CGIE started using the above version of the CEDAR GARDEN Mark with food products in interstate commerce in about 2016.

7. An image of a jam product branded with the CEDAR GARDEN Mark, as offered for sale by CGIE in interstate commerce, is shown here:



8. An image of a sandwich bread product branded with the CEDAR GARDEN Mark, as offered for sale by CGIE in interstate commerce, is shown here:



9. An image of a corn flour product branded with the CEDAR GARDEN Mark, as offered for sale by CGIE in interstate commerce, is shown here:



10. An image of spice products branded with the CEDAR GARDEN Mark, as offered for sale by CGIE in interstate commerce, is shown here:



11. The CEDAR GARDEN Mark is the subject of U.S. Reg. No. 4554318 (the "**318 Registration**"), which, as issued, is directed to use since 2003 in interstate commerce of CEDAR GARDEN in connection with "Meat, fish, poultry and game, not live; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, eggs, milk, and milk products excluding ice cream, ice milk and frozen yogurt; edible oils and fats."

12. The '318 Registration issued on June 24 2014, based on an application filed on March 13, 2013.

13. CGIE is the owner of the '318 Registration.

14. The '318 Registration is valid and subsisting.

15. A true and accurate copy of the TSDR status page for the '318 Registration, is attached as **Exhibit A**.

16. The CEDAR GARDEN Mark is also the subject of U.S. Reg. No. 4554446 (the "**446 Registration**"), which, as issued, is directed to use since 2013 in interstate commerce of



in connection with "Meat, fish, poultry and game, not live; meat extracts;

preserved, dried and cooked fruits and vegetables; jellies, jams, eggs, milk, and milk products excluding ice cream, ice milk and frozen yogurt; edible oils and fats.”

17. The '446 Registration issued on June 24, 2014, based on an application filed on April 8, 2014.

18. CGIE is the owner of the '446 Registration (collectively, with the '318 Registration, the “CGIE Registrations”)

19. The '446 Registration is valid and subsisting.

20. A true and accurate copy of the TSDR status page for the '446 Registration, is attached as **Exhibit B**.

PRIOR APPLICATION NO. 1: SERIAL NO. 90330482

21. On 19 November 2020, Application Serial No. 90330482 (“**Prior Application No. 1**”) was filed on behalf of Saad Trading, Inc. (“**Saad Trading**”), and directed to use of the mark CEDARLAND and design in connection with Pickles; Canned fruits and vegetables; Tomato paste.

22. The mark CEDARLAND and design, as provided in Prior Application No. 1, is pictured below:



(CEDARLAND and design mark of Prior Application No. 1)

OPPONENT’S OPPOSITION TO PRIOR APPLICATION No. 1

23. On October 6, 2021, CGIE filed an opposition to registration of the mark of Prior Application No. 1. See *Cedar Garden Food Import & Export Inc. v. Global Foods Inc.*, No. 91272142, TTABVUE 1 (“**Prior Opposition No. 1**”).

24. Generally, CGIE pursued Prior Opposition 1 on likelihood of

confusion grounds, particularly given the similarity to CGIE’s senior CEDAR GARDEN MARK to the opposed CEDARLAND and design mark, and given the use of the two marks in connection with the very same products. See Prior Opp. No. 1, TTABVUE 1, ¶¶ 47–66.

25. On May 27, 2022, the Trademark Trial and Appeal Board (the “Board”) issued a final decision in Prior Opposition No. 1, sustaining CGIE’s opposition and refusing registration of the mark of Prior Application No. 1. See Prior Opp. No. 1, TTABVUE 10.

26. Prior Application No. 1 was abandoned May 27, 2022.

PRIOR APPLICATION NO. 2: SERIAL NO. 98099258

27. On July 24, 2023, counsel who filed the Application at issue here, Mr. Raykinsteen, filed Application Serial No. 98099258, (“**Prior Application No. 2**”), seeking registration of the mark CEDARLAND and design.

28. Prior Application No. 2 was filed by Mr. Raykinsteen on behalf of Saad Trading.

29. Saad Trading was the same entity that had filed Prior Application No. 1.

30. The mark of Prior Application No. 2, is shown below:



(CEDARLAND and design mark of Prior Application No. 2)

OPPONENT’S OPPOSITION TO PRIOR APPLICATION No. 2

31. On October 6, 2021, CGIE filed an opposition to registration of the mark of Prior Application No. 2. See *Cedar Garden Food Import & Export Inc. v. Global Foods Inc.*, No. 91291126, TTABVUE 1 (“**Prior Opposition No. 2**”).

32. Saad Trading was represented in Prior Opposition No. 2 by Mr. Raykinsteen.

33. CGIE pursued Prior Opposition No. 2 on likelihood of confusion grounds, particularly given the similarity to CGIE's senior CEDAR GARDEN MARK to the opposed CEDARLAND and design mark, and given the use of the two marks in connection with the very same products. See Prior Opp. No. 2, TTABVUE 10, ¶¶ 57-81.

34. The marks of Prior Application No 1. and Prior Application No. 2 were the same or legally equivalent in terms of commercial impression. See Prior Opp. No. 2, TTABVUE 9 at 9.

35. On January 3, 2025, the Board issued its final decision in Prior Opposition No. 2, sustaining CGIE's opposition granting summary judgment on the basis of *res judicata*, and refusing registration of the mark of Prior Application No. 2. See Prior Opp. No. 2, TTABVUE 1.

36. Prior Application No. 2 was abandoned on March 20, 2025.

GLOBAL FOODS

37. Global Foods is a Société anonyme libanaise entity organized under the laws of Lebanon.

38. On information and belief, Global Foods is a food processing enterprise that produces a wide range of pastry and bakery items.

39. On information and belief, Global Foods hosts a website at <https://globalfoods.com.lb/> ("**the Website**").

40. On information and belief, Global Foods promotes brands of foods on the Website, including Al Oumara, eQuia, Calipain, Bakewell, Suc'ara, and Al Forno, (the "**Global Foods Brands**").

41. Global Foods directly, or indirectly through the Global Foods Brands, offers at least Middle Eastern bakery food products for sale to the general public in the United States.

42. Global Foods has an address at Haret Hreik, Sfeir Street, AL-

OUMARA, 3rd Floor Beirut LEBANON 5425.

43. On information and belief, Global Foods had actual knowledge of Saad Trading prior to the filing of the Application.

44. On information and belief, Global Foods had a business relationship with Saad Trading prior to the filing of the Application.

45. On information and belief, Global Foods sold food products to Saad Trading prior to the filing of the Application.

46. Attached as **Exhibit C** is a Bill of Landing dated prior to the filing date of the Application that relates to a shipment of goods from Global Foods to Saad Trading.

47. On information and belief, Global Foods had actual knowledge of the shipment identified in Exhibit C prior to the filing of the Application.

48. Other shipments from Global Foods to Saad Trading prior to the filing of the Application include shipments related to bill of lading HLCUBE1250400269, MAEU247944204, HLCUBE1240800804, TRKU10137360, HLCUBE1240400253, and HLCUBE1240300150, HLCUBE1231100666.

49. On information and belief, prior to filing the Application Global Foods had never imported into the United States any goods displaying the mark of the Application.

THE APPLICATION WAS FILED IN BAD FAITH AND GLOBAL FOODS IS NOT THE OWNER OF THE APPLIED-FOR-MARK

50. The CEDARLAND and design mark of the Application is shown below:



(CEDARLAND and design mark of the Application)

51. On information and belief, the Application was not filed in good faith by Global Foods.

52. Global Foods does not promote the mark of the Application as a brand on the Website.

53. The mark of the Application and the mark of Prior Application No. 1 are the same or legally equivalent in terms of commercial impression.

54. The mark of the Application and the mark of Prior Application No. 2 are the same or legally equivalent in terms of commercial impression.

55. Mr. Raykinsteen filed Prior Application No. 2 on behalf of Saad Trading.

56. Mr. Raykinsteen filed the Application on behalf of Global Foods.

57. Global Foods had actual knowledge of Opposer's prior rights to the CEDAR GARDEN Mark at the time the Application was filed.

58. At the time the Application was filed Global Foods had actual knowledge of the decision in Prior Opposition No. 2.

59. At the time the Application was filed Mr. Raykinsteen had actual knowledge of the decision in Prior Opposition No. 2.

60. The continuity of counsel of Prior Application No. 2 and the Application imputes actual knowledge of Opposer's prior rights to Global Foods. See *FMC Corp. v. Manitowoc Co.*, 835 F.2d 1411, 1415 n.8 (Fed. Cir. 1987) ("knowledge and actions of applicant's attorney are chargeable to applicant").

61. The continuity of counsel of Prior Application No. 2 and the Application imputes actual knowledge of the decision in Prior Opposition No. 2 to Global Foods. See *FMC Corp. v. Manitowoc Co.*, 835 F.2d 1411, 1415 n.8 (Fed. Cir. 1987) ("knowledge and actions of applicant's attorney are chargeable to applicant").

62. On information and belief, Global Foods filed the Application with prior knowledge of at least one of the mark of Prior Application No. 1 or the

mark of Prior Application No. 2.

63. On information and belief, prior to filing the Application, Global Foods communicated with Saad Trading about filing the Application.

64. On information and belief, prior to the filing of the Application, the mark of the Application was in use in interstate commerce in the United States by Saad Trading.

65. On information and belief, Global Foods had actual knowledge of the use of the mark of the Application in the United States by Saad Trading prior to the filing by Global Foods of the Application.

66. On information and belief, Global Foods is not the owner of the mark of the Application.

67. In the alternative, on information and belief, ownership of the mark of the Application was assigned to Global Foods prior to the filing of the Application.

68. In the alternative, on information and belief, prior to filing the Application Global Foods received an assignment from Saad Trading transferring an ownership interest in the mark of the Application to Global Foods.

69. In the alternative, on information and belief, prior to filing the Application Global Foods received a license from Saad Trading related to use of the mark of the Application.

70. On information and belief, prior to the filing of the Application, Mr. Raykinsteen had actual knowledge that mark of the Application was in use in interstate commerce in the United States by an entity other than Global Foods.

71. On information and belief, prior to the filing of the Application, Mr. Raykinsteen had actual knowledge of the decision in Prior Opposition No. 2.

COUNT ONE – Res Judicata

CGIE repeats and re-alleges every allegation in the prior paragraphs of this Notice of Opposition as though fully set forth herein.

72. The parties to this Opposition and Prior Opposition No 1 and Prior Opposition No. 2 are the same as result of contractual agreement, continuity of representation, or as privities.

73. On information and belief, Saad Trading and Global Foods are in privity with each other as to the mark of the Application.

74. The mark of the Application is the same or is legally equivalent in terms of commercial impression to the mark at issue in Prior Opposition No. 1 and Prior Opposition No. 2.

75. The Board sustained Prior Opposition No. 2, and refused registration of the mark at issue therein, the application for which was filed by Mr. Raykinsteen.

76. Registration of the mark of the Application is barred, and this Opposition should be sustained, in accordance with the doctrine of *res judicata*.

COUNT TWO – Likelihood of Confusion


CGIE repeats and re-alleges every allegation in the prior paragraphs of this Notice of Opposition as though fully set forth herein.

77. CGIE's use of the CEDAR GARDEN Mark in connection with Mediterranean and Middle Eastern food products, including at least goods identified in Class 29 and Class 30 predates the filing date of the Application

78. CGIE's registration of '318 Registration for the CEDAR GARDEN Mark predates the filing date of the Application.

79. CGIE's registration of '446 Registration for the CEDAR GARDEN Mark predates the filing date of the Application.

80. The CEDARLAND Mark and the CEDAR GARDEN Mark both include the term "CEDAR" as part of the mark.

81. The CEDAR GARDEN Mark, as displayed here:  and here:



, and the CEDARLAND Mark of the Application, as displayed here:



, include images of a sun rising and/or setting between two stylized hills.

82. The CEDAR GARDEN Mark, as displayed here:



and here:



, and the CEDARLAND Mark of the Application, as displayed here:



, have an oval shape.

83. The CEDARLAND Mark and the mark of the Application are both used in connection with the sale of preserved, dried and cooked fruit and vegetables to the general public.

84. The CEDARLAND Mark and the mark of the Application are both used in connection with the sale of flour, bread, and pastries to the general public in at least the metropolitan Detroit, Michigan market.

85. Products bearing the CEDARLAND Mark and the mark of the Application are both used in connection with the sale of food products, sold in at least grocery stores, to the general public in at least the metropolitan Detroit, Michigan market.

86. CGIE's use of the CEDAR GARDEN Mark in connection with Mediterranean and Middle Eastern food products, including at least preserved, dried and cooked fruit and vegetables predates Global Foods's intent to use the mark of the Application in connection with Global Foods's Goods.

87. CGIE's registration of '318 Registration with the goods identified therein, which are the same or similar to Applicant's goods, predates Applicant's intent to use the mark of the Application in connection with Global Foods's Goods.

88. CGIE's registration of the '446 Registration with the goods

identified therein, which are the same or similar to Applicant's goods, predates Applicant's intent to use the mark of the Application in connection with Global Foods's Goods.

89. CGIE has engaged in exclusive use of the CEDAR GARDEN Mark in connection with Mediterranean and Middle Eastern food products and the CEDAR GARDEN Mark, and the registrations, therefore, continues to be valid and subsisting.

90. The mark of the Application, as applied for in the Application, is identical and/or confusingly similar to the CEDAR GARDEN Mark in appearance, sound, meaning, and commercial impression.

91. The mark of the Application, as applied for in the Application, covers goods that are identical, or substantially similar to goods offered under the CEDAR GARDEN Mark and/or identified in the '318 Registration and '446 Registration.

92. Global Foods's Goods are typically offered for sale and sold in channels of trade that are identical to those used by CGIE in offering goods under the CEDAR GARDEN Mark.

93. As the recognized source of Mediterranean and Middle Eastern food products, consumers would be likely to believe that goods offered under the mark of the Application are a natural extension of goods offered under the CEDAR GARDEN Mark. This likelihood of confusion will damage CGIE within the meaning of 15 U.S.C. § 1063.

94. Registration of the mark of the Application is barred by the provisions of 15 U.S.C. § 1052(d), for the reason that the mark of the Application consists of, or comprises, a mark which so resembles the CEDAR GARDEN Mark previously used by CGIE and not abandoned, as to be likely, when used in connection with the Global Foods Goods, to cause confusion, mistake, or to deceive.

95. For at least the above reasons, any use of the mark of the

Application by Global Foods is likely to cause confusion, cause mistake or deceive the public, and cause the public to believe that the goods offered under the Application emanate from or are otherwise sponsored or endorsed by CGIE, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d). This likelihood of confusion will damage CGIE within the meaning of 15 U.S.C. § 1063.

COUNT THREE - Fraud

CGIE repeats and re-alleges every allegation in the prior paragraphs of this Notice of Opposition as though fully set forth herein.

96. As alleged above and on information and belief, Applicant committed fraud in connection with the filing of the Application.

97. The Application includes a declaration that consists, in relevant part, of the following text:

- The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application.
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

98. The declaration in the Application was signed by Mr. Raykinsteen on behalf of Global Foods.

99. On information and belief, when Mr. Raykinsteen signed the Application, he had actual knowledge that Global Foods was not the owner in

the United States of the mark of the Application.

100. On information and belief, when Mr. Raykinsteen signed the Application, he had actual knowledge that Global Foods did not have a bona fide intention to use the mark in commerce, or a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods in the application.

101. When Mr. Raykinsteen signed the Application on behalf of Global Foods, he knew that the Board had previously held that the mark of Prior Application No. 2 was the same or legally equivalent in terms of commercial impression to the mark of Prior Application No. 1.

102. When Mr. Raykinsteen signed the Application on behalf of Global Foods, he knew that the mark of the Application was the same or legally equivalent in terms of commercial impression to the mark of Prior Application No. 2.

103. When Mr. Raykinsteen signed the Application on behalf of Global Foods, he knew that the mark of the Application was the same or legally equivalent in terms of commercial impression to the mark of Prior Application No. 1.

104. When Mr. Raykinsteen signed the Application, he had actual knowledge of Prior Application No. 2.

105. When Mr. Raykinsteen signed the Application, he had actual knowledge of Opposer.

106. When Mr. Raykinsteen signed the application, he had actual knowledge of Opposer's use in commerce of the CEDAR LAND Mark.

107. When Mr. Raykinsteen signed the Application, he had actual knowledge of the decision in Prior Opposition No. 1.

108. When Mr. Raykinsteen signed the Application, he had actual knowledge of the decision in Prior Opposition No. 2.

109. When Mr. Raykinsteen signed the Application, he had actual

knowledge that Opposer had the right to use the CEDAR LAND Mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

110. When Mr. Raykinsteen signed the Application, Mr. Raykinsteen knew that his declaration in the Application was false.

111. When Mr. Raykinsteen signed the Application, Mr. Raykinsteen knew that his declaration in the Application was materially false.

112. When Mr. Raykinsteen signed the Application, Mr. Raykinsteen knew that his declaration in the Application was materially false, or was made with a reckless disregard for the truth, and that the Application was being filed with the intent to deceive the United States Patent and Trademark Office ("**USPTO**").

113. When Mr. Raykinsteen signed the Application, Mr. Raykinsteen knew that his declaration was materially false or was made with a reckless disregard for the truth, and that the Application was being filed with the intent to circumvent the decision in Prior Opposition No. 1.

114. When Mr. Raykinsteen signed the Application, Mr. Raykinsteen knew that his declaration was materially false or was made with a reckless disregard for the truth, and that the Application was being filed with the intent to circumvent the decision in Prior Opposition No. 2.

115. The USPTO relied upon the materially false declaration in the Application in prosecuting and otherwise advancing the Application toward publication and registration.

116. On information and belief, Applicant sought to fraudulently obtain a registration for the mark of the Application by knowingly making one or more false, material representations with the intent to deceive the USPTO, or otherwise made with a reckless disregard for the truth.

117. On information and belief, the false, material misrepresentations

alleged above with the intent to deceive the USPTO, or made with a reckless disregard for the truth, and with the intent that the USPTO would rely upon the same.

118. On information and belief, the USPTO did rely on the false and fraudulent declaration of Applicant when it acknowledged the filing of the Application and will continue to rely on false and fraudulent claims in allowing the Application to publish and, if not opposed, to register.

119. Had the USPTO been aware of the false and fraudulent declaration, the USPTO would not have accepted the Application.

120. The Application, and registration of the mark therein, is barred on grounds of fraud, and this Opposition should be sustained, in accordance with 37 C.F.R. §11.18(b)(2).

COUNT FOUR – No Bona Fide Intent

CGIE repeats and re-alleges every allegation in the prior paragraphs of this Notice of Opposition as though fully set forth herein.

121. On information and belief, when the Application was filed, Global Foods did not have a bona fide intention to use the mark in commerce, or a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods in the application.

PRAYER FOR RELIEF

WHEREFORE, CGIE submits that it will be damaged by the registration of the claimed trademark in the Application, and that the Application be rejected with no registration issued thereon to Global Foods, and that this opposition be sustained in favor of CGIE. CGIE additionally requests such other and further relief as the Board deems just and proper.

The filing fee for this opposition is enclosed.

CGIE appoints the attorneys of Dinsmore & Shohl LLP, a law firm having a place of business at 755 West Big Beaver Road, Suite 1900, Troy, Michigan 48084, to act as attorneys for CGIE herein, with full power to prosecute said

opposition, to transact all relative business in the United States Patent and Trademark Office and in the United States courts, and to receive all official communications in connection with this opposition.

Please address all correspondence to Mark D. Schneider, Dinsmore & Shohl, LLP, 755 West Big Beaver Road, Suite 1900, Troy, Michigan 48084 and Christopher K. VanDeusen, Dinsmore & Shohl, LLP, 755 West Big Beaver Road, Suite 1900, Troy, Michigan 48084.

Respectfully submitted,

By: /Mark D. Schneider/
Mark D. Schneider
Dinsmore & Shohl, LLP
755 West Big Beaver Road
Suite 1900
Troy, MI 48084
248-203-1615
Mark.Schneider@dinsmore.com

Christopher K. VanDeusen
Dinsmore & Shohl, LLP
755 West Big Beaver Road
Suite 1900
Troy, MI 48084
248-203-1642
Christopher.VanDeusen@dinsmore.
com

Attorneys for Opposer

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being electronically filed with the United States Patent and Trademark Office on this 17th day of December, 2025.

By: /Mark D. Schneider/
Attorney for Opposer