

ESTTA Tracking number: **ESTTA848821**

Filing date: **09/27/2017**

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

Proceeding	92065406
Party	Defendant Pharmadel LLC
Correspondence Address	ROBERT R JIMENEZ ESPINOSA TRUEBA MARTINEZ PL 1428 BRICKELL AVE SUITE 100 MIAMI, FL 33131 UNITED STATES Email: rjimenez@etlaw.com, jespinoza@etlaw.com, lmansen@etlaw.com, zsanchez@etlaw.com, trademarks@etlaw.com
Submission	Other Motions/Papers
Filer's Name	Robert R. Jimenez
Filer's email	rjimenez@etlaw.com
Signature	/s/Robert R. Jimenez
Date	09/27/2017
Attachments	Notice of Reliance - KOFAL-T and Exhibits.pdf(571565 bytes )

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

In the Matter of:  
Registration No.: 4,581,604  
Registered: August 5, 2014  
Trademark: KOFAL

Plaza Izalco, Inc.,	)	
	)	
v.	)	Petitioner,
	)	
Pharmadel, LLC,	)	
	)	Registrant.
	)	

**NOTICE OF RELIANCE ON REGISTRATION OF KOFAL-T**

Pursuant to 37 CFR § 2.122(d)(2), Registrant Pharmadel, LLC (“Registrant”), by and through undersigned counsel, hereby gives notice of reliance on: electronic trademark records related to Trademark Registration # 3540972 for the Mark KOFAL-T. Said registration is relevant to affirmative defenses filed by Registrant, such as the *Morehouse* Defense, as well as the Motion for Summary Judgment filed by Registrant. Attached herein is a current copy of information from the electronic database records of the Trademark Office showing the current status and title of the registration for KOFAL-T.

Respectfully submitted this 27th day of September, 2017.

**ESPINOSA MARTINEZ, P.L.**

By: /s/ Robert R. Jimenez  
Jorge Espinosa  
Florida Bar No. 779032  
[jespinosa@etlaw.com](mailto:jespinosa@etlaw.com)  
Robert R. Jimenez  
Florida Bar No. 72020  
[rjimenez@etlaw.com](mailto:rjimenez@etlaw.com)  
1428 Brickell Ave., Suite 100  
Miami, FL 33131  
Tel: 305-854-0900  
Fax: 855-854-0900

**CERTIFICATE OF SERVICE**

As per TBMP R. 113, I hereby certify that on September 27, 2017 a true copy of this document was served via email upon the following attorneys of record for Applicant: Robert Powers, 8133 Leesburg Pike, Suite 130, Vienna, Virginia 22182, rpowers@mcplegal.com, tpusch@mcplegal.com.

By: /s/ Robert R. Jimenez  
Robert R. Jimenez

**Int. Cl.: 5**

**Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52**

**Reg. No. 3,540,972**

**United States Patent and Trademark Office**

**Registered Dec. 2, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**

**KOFAL-T**

CENTRAL AMERICA DISTRIBUTOR, LLC (UNI-  
TED STATES INDIVIDUAL)  
25600 BUSINESS PARK DRIVE  
SEAFORD, DE 19973

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

FOR: ANALGESIC BALM, IN CLASS 5 (U.S. CLS.  
6, 18, 44, 46, 51 AND 52).

SN 77-154,088, FILED 4-11-2007.

FIRST USE 9-15-2007; IN COMMERCE 9-15-2007.

THEODORE MCBRIDE, EXAMINING ATTORNEY



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

### Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Apr 25 03:31:02 EDT 2017

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)

Logout Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[TSDR](#)
[ASSIGN Status](#)
[TTAB Status](#)
*( Use the "Back" button of the Internet Browser to return to TESS)*

# KOFAL-T

<b>Word Mark</b>	<b>KOFAL-T</b>
<b>Goods and Services</b>	IC 005. US 006 018 044 046 051 052. G & S: Analgesic balm. FIRST USE: 20070915. FIRST USE IN COMMERCE: 20070915
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Trademark Search Facility Classification Code</b>	LETS-1 T A single letter, multiples of a single letter or in combination with a design NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
<b>Serial Number</b>	77154088
<b>Filing Date</b>	April 11, 2007
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	October 9, 2007
<b>Registration Number</b>	3540972
<b>Registration Date</b>	December 2, 2008
<b>Owner</b>	(REGISTRANT) Central America Distributor, LLC INDIVIDUAL UNITED STATES 25600 Business Park Drive SEAFORD DELAWARE 19973

(LAST LISTED OWNER) PHARMADEL, LLC LIMITED LIABILITY COMPANY DELAWARE 178  
VENTURE DRIVE SEAFORD DELAWARE 19973

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Jorge Espinosa, Esq.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

---

[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)

---

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

[STATUS](#)   [DOCUMENTS](#)   [MAINTENANCE](#)

[Back to Search](#)

[Print](#)

**Generated on:** This page was generated by TSDR on 2017-04-25 14:01:48 EDT

**Mark:** KOFAL-T

# KOFAL-T

**US Serial Number:** 77154088

**Application Filing Date:** Apr. 11, 2014

**US Registration Number:** 3540972

**Registration Date:** Dec. 02, 2014

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

LIVE/REGISTRATION/Issued and Active

**Descriptor:**



The trademark application has been registered with the USPTO.

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

**Status Date:** Jan. 25, 2014

**Publication Date:** Oct. 09, 2007

**Notice of Allowance Date:** Jan. 01, 2014

## Mark Information

**Mark Literal Elements:** KOFAL-T

**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:** Analgesic balm

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

**U.S Class(es):** 006, 018, 024

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 15, 2007

**Use in Commerce:** Sep. 15, 2007

### Basis Information (Case Level)

<b>Filed Use:</b> No	<b>Currently Use:</b> Yes
<b>Filed ITU:</b> Yes	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No

### Current Owner(s) Information

**Owner Name:** PHARMADEL, LLC

**Owner Address:** 178 VENTURE DRIVE  
SEAFORD, DELAWARE UNITED STATES 19973

**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

**Attorney Name:** Jorge Espinosa, Esq. **Docket Number:** KOFAL-T

**Attorney Primary Email Address:** [trademark@etlaw.com](mailto:trademark@etlaw.com) **Attorney Email Authorized:** Yes

#### Correspondent

**Correspondent Name/Address:** Jorge Espinosa, Esq.  
Espinosa | Trueba, PL  
1428 Brickell Avenue, Suite 100  
Miami, FLORIDA UNITED STATES 33131

**Phone:** (305) 854-0900 **Fax:** (855) 854-0900

**Correspondent e-mail:** [trademark@etlaw.com](mailto:trademark@etlaw.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2015	ATTORNEY REVOKED AND/OR APPOINTED	



Jul. 23, 2015	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 25, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Jan. 25, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Jan. 15, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	70131
Jan. 25, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jan. 15, 2014	TEAS SECTION 8 & 15 RECEIVED	
Oct. 15, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 15, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 25, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 02, 2008	REGISTERED-PRINCIPAL REGISTER	
Nov. 26, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 26, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 24, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	71441
Oct. 21, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 16, 2008	STATEMENT OF USE PROCESSING COMPLETE	65362
Oct. 15, 2008	USE AMENDMENT FILED	65362
Oct. 15, 2008	TEAS STATEMENT OF USE RECEIVED	
Sep. 18, 2008	EXTENSION 1 GRANTED	65362
Jul. 01, 2008	EXTENSION 1 FILED	65362
Sep. 18, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Sep. 10, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 10, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 10, 2008	EXTENSION RECEIVED WITH TEAS PETITION	
Sep. 10, 2008	PETITION TO REVIVE-GRANTED	88889

Sep. 10, 2008	TEAS PETITION TO REVIVE RECEIVED	
Aug. 28, 2008	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Aug. 28, 2008	ABANDONMENT - NO USE STATEMENT FILED	48494
Jan. 01, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 09, 2007	PUBLISHED FOR OPPOSITION	
Sep. 19, 2007	NOTICE OF PUBLICATION	
Sep. 06, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	71441
Sep. 06, 2007	ASSIGNED TO LIE	71441
Jul. 30, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 25, 2007	ASSIGNED TO EXAMINER	76134
Apr. 16, 2007	NEW APPLICATION ENTERED IN TRAM	

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** TMEG LAW OFFICE 103

**Date in Location:** Jan. 25, 2017

**Assignment Abstract Of Title Information - Click to Load**

**Proceedings - Click to Load**