

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87155233
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87155233/large
LITERAL ELEMENT	JOINTZ
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.

ARGUMENT(S)

REQUEST FOR RECONSIDERATION AFTER FINAL ACTION (Final Office Action Dated March 6, 2018)

U.S. Application Serial Number: 87/155,233
Filing Date: August 30, 2016
Mark: JOINTZ
Applicant: CANNALINK, INC.
International Class: 005
Filing Basis: 1(b) – Intent-to-Use
Attorney Docket No. 122040-01US01

RESPONSE AND ARGUMENT

This Request for Reconsideration after Final Action is in response to the United States Patent and Trademark Office (USPTO) Final Office Action dated March 6, 2018 (“Office Action”) in relation to U.S. Application Serial Number 87/155,233 (“Serial No. 87155233”) for the Mark “JOINTZ” in International Class 005.

Reconsideration of Serial No. 87155233 is hereby requested. The Examining Attorney’s remarks and analysis were received and carefully considered. Pursuant to the Examining Attorney’s invitation, Applicant Cannalink, Inc. (“Applicant”) hereby presents the following evidence and arguments in support of registration.

SECTION 2(e)(1) – MERELY DESCRIPTIVE REFUSAL

Applicant’s Mark is NOT Merely Descriptive Because It Does NOT Describe any Ingredient, Quality, Characteristic, Function, Feature, Purpose, or Use of Any of Applicant’s Goods and is NOT Generic.

Trademark Examining Attorney has refused registration of Applicant's application for the mark JOINTZ alleging that the applied-for mark merely describes the intended use or a feature of applicant’s goods, namely, that they are for treating a part of the body that can bend where two bones

meet and alleging that Applicant's applied-for mark appear to be generic in connection with the identified goods and, therefore, incapable of functioning as a source-identifier for applicant's goods. Applicant respectfully disagrees and requests reconsideration of the Trademark Examining Attorney's decision.

Applicant reasserts its arguments submitted in its responses filed on June 16, 2017 and February 12, 2018 and respectfully submits that the mark is not descriptive or generic to the goods for which registration is sought and respectfully requests acceptance and publication of the application.

Applicant's goods do not merely describe—directly or indirectly--the intended use or a feature of Applicant's goods.

Applicant's good are for:

“Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets”

Nowhere in Applicant's applied-for goods does it indicate that any of the products are to benefit a joint of a horse, an animal, or a pet.

Many of Applicant's goods are intended for *dietary and nutritional supplements*, **not for joints**.

Some of Applicant's goods are intended for medicated grooming preparations *for hair and skin*, **not for joints**.

Applicant respectfully offers the following information for purposes of clarification of the intended use of its goods:

The definition of nutritional supplements is as follows:

“Nutritional supplements are **any dietary supplement that is intended to provide nutrients that may otherwise not be consumed in sufficient quantities**; for example, vitamins, minerals, proteins, amino acids or other nutritional substances. Products are usually ingested in capsule, tablet or liquid form.” (<https://www.nature.com/subjects/nutritional-supplements>) (Exhibit A) [Emphasis added].

The definition of a dietary supplement is as follows:

“a product taken orally that contains one or more ingredients (such as vitamins or amino acids) that **are intended to supplement one's diet** and are not considered food”. (<https://www.merriam-webster.com/dictionary/dietary%20supplement>) (Exhibit B) [Emphasis added]

A definition of skin care is as follows:

“Skin care is the range of practices that support skin integrity, enhance its appearance and relieve skin conditions...” (https://en.wikipedia.org/wiki/Skin_care) (Exhibit C) (regardless if for humans or animals).

Definitions of grooming are as follows:

“Horse grooming is **hygienic care** given to a horse,....” (Emphasis added)

“Dog grooming refers to both the **hygienic care and cleaning** of a dog....” (Emphasis added)

(Exhibit D)

Applicant's intended goods are for “ **Dietary and nutritional supplements**; liquid **nutritional supplement**; **dietary and nutritional supplements** in the form of treats; food and feed **supplements**; nutraceuticals for use as a **dietary supplement**; **nutritional** drinks; **dietary and nutritional supplement** drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as **dietary nutritional supplements**; medicated **grooming** preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for **hair and skin**; all of the foregoing for horses, animals, and pets”. (Emphasis added)

Nowhere in Applicant's applied-for goods does it indicate that any of the products are intended for a joint of a horse, an animal, or a pet **nor** do any of the definitions provided above regarding the intended goods give any indication that the goods would be for joints.

Rather, Applicant's goods are intended to:

- “provide nutrients that may otherwise not be consumed in sufficient quantities” by a horses, animals, and pets (“for example, vitamins, minerals, proteins, amino acids or other nutritional substances”);
- “supplement” the diet of horses, animals, and pets;

- “support skin integrity, enhance its appearance and relieve skin conditions” of horses, animals, and pets; and
- provide medicated grooming products to aid in the “hygienic care and cleaning of” the hair and skin of horses, animals, and pets.

The mark JOINTZ is simply a word that Applicant chose to use in connection with its products, however, the mark JOINTZ does not merely describe—directly or indirectly—the intended use or a feature of Applicant’s goods, does not identify the genus of the goods for which registration is sought, is not generic for the intended goods.

Additionally, consumers are not likely to *assume* that Applicant’s products are for joints at all simply because Applicant’s goods are intended for the overall health and the care of the skin and hair of horses, animals, and pets.

Rather, consumers are much more likely to view Applicant’s products to be used for the care of the hair and skin of horses, animals, and pets, and as dietary and nutritional supplements to be used for the *overall health* of horses, animals, and pets and not products to be used for joints, just as intended by Applicant.

Furthermore, there are approximately 196 live marks currently of record with the U.S. Patent and Trademark Office that contain the term “JOINT”/“JOINTS” in Class 005, many of which have been published, allowed, and/or registered—and not all of them have disclaimers of the term JOINT/JOINTS.

Please also take notice that some of the Intent-to-Use applications with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary and nutritional supplements...” have been approved for publication, published, and/or allowed without a disclaimer of the term JOINT/JOINTS and for the Principal Register. Further, some registered marks with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary supplements...” and that include the word “joint” in the description of the Class 005 goods have been registered without a disclaimer of the term JOINT/JOINTS and for the Principal Register—even if acquired distinctiveness was not achieved at the time of registration). (Exhibit E, Emphasis Added)

Applicant further submits that the “JOINTZ” mark should not as *per se* be deemed as merely descriptive. Applicant respectfully requests that judicial notice be taken on the third party live applications/registrations of the term JOINT/JOINTS in the marks where the marks were approved for publication, published, allowed, and/or registered on the Principal Register without a disclaimer of the term JOINT/JOINTS in the marks, as shown in Exhibit E. For purposes of argument, if the Trademark Office had approved for publication, published, allowed, and/or registered these third party marks without a disclaimer of the term JOINT/JOINTS for the Principal Register, it must have found that the presupposed descriptiveness of the term JOINT/JOINTS cannot negate the trademark significance of the marks. Similarly, Applicant submits that its mark should not be deemed to have less quantum of trademark significance than marks that have previously been approved for publication, published, allowed, and/or registered of such third parties.

Some examples of Third Party marks that the U.S. Patent and Trademark Office has approved for publication, published, allowed, and/or registered on the Principal Register that contain the term JOINT/JOINTS with a disclaimer of the term JOINT/JOINTS are as follows (Exhibit E):

Serial Number	Reg. Number	Register	Word Mark	Disclaimer	Live/Dead	Class 005 Goods
87888136		Principal	FEED YOUR SKIN AND JOINTS	None	LIVE	See: Footnote 1 ^[1]
87127201		Principal	ALL-JOINTS ULTRA	None	LIVE	See: Footnote 2 ^[2]
87823905		Principal	JOINTGUARD SPORT	SPORT	LIVE	See: Footnote 3 ^[3]
87553718	5528045	Principal	JOINTFIT	None	LIVE	See: Footnote 4 ^[4]
87439769	5520680	Principal	JOINT VENTURE	None	LIVE	See: Footnote 5 ^[5]
87774945		Principal	JOINT360	None	LIVE	See: Footnote 6 ^[6]
87469568		Principal	JOINTFLEX	None	LIVE	See: Footnote 7 ^[7]
85943290	4440295	Principal	OLD DOGS! HAPPY JOINTS!	None	LIVE	See: Footnote 8 ^[8]

85102048	3988644	Principal	DR. JOINTS	None	LIVE	See: Footnote 9 ^[9]
85447083	4491556	Principal	VITAL-JOINT CHEWS	CHEWS	LIVE	See: Footnote 10 ^[10]
76650127	3411269	Principal	NATURAL JOINT	NATURAL	LIVE	See: Footnote 11 ^[11]

The U.S. Patent and Trademark Office did not find the term JOINT/JOINTS to be descriptive in the above-referenced applications/registrations nor did it require a disclaimer of the term JOINT/JOINTS (and in some cases, did not require a disclaimer at all) and proceeded to either approve the applications for publication and/or publish/allow the applications and/or issue Certificates of Registration for all of them on the Principal Register.

When applied to Applicant's goods, it is submitted that neither does the mark "JOINTZ" immediately convey a commercial connotation of Applicant's goods, nor does any of its ingredients, qualities, or characteristics. In that regard, Applicant submits that the "JOINTZ" mark is not merely descriptive of its goods.

Consumers will pause when encountering the JOINTZ mark for Applicant's goods. The genus of the goods for the JOINTZ mark will not be grasped without some measure of imagination. The JOINTZ mark requires the consumer to exercise his or her imagination about Applicant's goods.

Therefore, consumer must use their perception and imagination to understand the JOINTZ mark is not merely descriptive because it requires the consumer to think about, perceive, and imagine what kind of product it could be. A consumer must not only imagine what JOINTZ is but how JOINTZ could be used and what goods and/or services are offered with the mark. Accordingly, the suggestive nature of the mark necessarily qualifies it as inherently distinctive.

To assess the strength of a mark, courts use five categories of distinctiveness: generic, descriptive, suggestive, arbitrary, and fanciful. *Heartsprings*, 143 F.3d at 555 (citing *Two Pesos* 505 U.S. at 768). A suggestive mark is a mark "which suggests rather than describes a characteristic of the product and requires the consumer to use imagination and perception to determine the product's nature." *Id.* In this case, Applicant's applied-for goods are not described as "JOINTZ" or "Joint" or "Joints" products, but rather for "Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets".

The connotations for which Applicant chose the name JOINTZ clearly suggests, rather than describes, the nature of the applied-for goods and the name requires consumers to use their imagination and perception to determine the product's nature. A consumer is left to perceive or imagine what the products for JOINTZ are and what they are used for, based on the consumer's evaluation of the JOINTZ trademark and the narrative written about the product on each package. See *Id.* Thus, JOINTZ is a suggestive mark.

For these reasons, Applicant respectfully requests that the Trademark Examining Attorney recognize that the applied-for mark is not descriptive and is not generic to the goods for which registration is sought and issue a corresponding notice of publication.

Furthermore, based upon the Intent-to-Use applications that have previously been approved for publication, published, allowed, and/or registered that did not require a disclaimer of the term JOINT/JOINTS, and based upon the arguments provided herein and in Applicant's responses filed on June 16, 2017 and February 12, 2018, Applicant does not believe a disclaimer should be required for the subject application; however, notwithstanding the foregoing, Applicant will consider a disclaimer of the terms "JOINT" and/or "JOINTZ" if it would assist in the advancement of the application to move toward publication and allowance.

LISTING OF ATTACHED EXHIBITS

Applicant submits the following evidence in support of its arguments:

- Exhibit A: A copy of a definition of "Nutritional Supplements".
- Exhibit B: A copy of a definition of "Dietary Supplements".
- Exhibit C: A copy of a definition of and information for "Skin Care".
- Exhibit D: A copy of definitions of "Grooming".
- Exhibit E: A copy of U.S. Patent and Trademark Office online records providing live marks that have been approved for publication, published, allowed, and/or registered with the term JOINT/JOINTS in the name of the mark in International Class 005. (Emphasis added)

CONCLUSION

Applicant believes that its application is now in condition for publication and allowance. Applicant respectfully requests that the Trademark Examining Attorney reconsider the present application, withdraw the rejection, and allow Applicant's application to be allowed to proceed to publication and allowance.

Should any outstanding issues remain, the Examining Attorney is courteously invited to contact Lisel M. Ferguson via telephone at (619) 515-3207, or via email at lisel.ferguson@procopio.com.

CONCURRENT APPEAL NOTICE

The Applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Respectfully submitted,

/ Lisel M. Ferguson /

Lisel M. Ferguson

Attorney of Record, USPTO Reg. No. 48139, State of California Bar Member

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- [1] **“FEED YOUR SKIN AND JOINTS” approved for publication on the Principal Register for Class 005 goods:** Dietary and nutritional supplements; Dietary and nutritional supplements containing collagen; Nutritional and dietary supplements with a cosmetic effect; Capsule supplements, namely, nutritional supplements in the form of a capsule; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Nutritional and dietary supplements in the form of capsules and powders; Collagen for medical purposes, namely, supplement and nutrition purposes; Protein supplements. [Emphasis added.]
- [2] **“ALL-JOINTS ULTRA” allowed on the Principal Register for Class 005 goods:** Dietary supplements. [Emphasis added.]
- [3] **“JOINTGUARD SPORT” published for opposition on the principal register for Class 005 goods:** dietary and nutritional supplements; nutritional supplements for the treatment and prevention of osteoarthritis in humans. [Emphasis added.]
- [4] **“JOINTFIT” registered on the Principal Register Class 005 goods:** Dietary supplements, protein supplements, food supplements, and powdered nutritional supplement drink mixes intended to support joint health. [Emphasis added.]
- [5] **“JOINT VENTURE” registered on the Principal Register for Class 005 goods:** Non-medicated topical gel for the treatment of joints and muscles. [Emphasis added.]
- [6] **“JOINT360” allowed on the Principal Register for Class 005 goods:** Nutritional supplements for promoting joint health and mobility. [Emphasis added.]
- [7] **“JOINTFLEX” allowed on the Principal Register for Class 005 goods:** orally ingested nutritional supplements. [Emphasis added.]
- [8] **“OLD DOGS! HAPPY JOINTS!” registered on the Principal Register for Class 005 goods:** Nutritional supplements and vitamins for pets; Nutritional supplements for pets in the nature of pet treats; dietary and nutritional supplements in the nature of pet treats used for weight control for pets; dietary supplements for pets in the nature of pet treats. [Emphasis added.]
- [9] **“DR. JOINTS” registered on the Principal Register for Class 005 goods:** Dietary supplements. [Emphasis added.]
- [10] **“VITAL-JOINT CHEWS” registered on the Principal Register for Class 005 goods:** Dietary and nutritional supplements for pets. [Emphasis added.]
- [11] **“NATURAL JOINT” registered on the Principal Register for Class 005 goods:** Herbal food supplements. [Emphasis added.]

EVIDENCE SECTION

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DESCRIPTION OF EVIDENCE FILE	Applicant submits the following evidence in support of its arguments: Exhibit A: A copy of a definition of "Nutritional Supplements". Exhibit B: A copy of a definition of "Dietary Supplements". Exhibit C: A copy of a definition of and information for "Skin Care". Exhibit D: A copy of definitions of "Grooming". Exhibit E: A copy of U.S. Patent and Trademark Office online records providing live marks that have been approved for publication, published, allowed, and/or registered with the term JOINT/JOINTS in the name of the mark in International Class 005. (Emphasis added)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Lisel M. Ferguson/
SIGNATORY'S NAME	Lisel M. Ferguson
SIGNATORY'S POSITION	Attorney of Record, USPTO Reg. No. 48139, State of California Bar Member
SIGNATORY'S PHONE NUMBER	619-515-3207
DATE SIGNED	09/06/2018
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
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PTO Form 1960 (Rev 10/2011)
OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **87155233** JOINTZ(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87155233/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

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(Final Office Action Dated March 6, 2018)

U.S. Application Serial Number: 87/155,233
Filing Date: August 30, 2016
Mark: JOINTZ
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International Class: 005
Filing Basis: 1(b) – Intent-to-Use
Attorney Docket No. 122040-01US01

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SECTION 2(e)(1) – MERELY DESCRIPTIVE REFUSAL

Applicant’s Mark is NOT Merely Descriptive Because It Does NOT Describe any Ingredient, Quality, Characteristic, Function, Feature, Purpose, or Use of Any of Applicant’s Goods and is NOT Generic .

Trademark Examining Attorney has refused registration of Applicant's application for the mark JOINTZ alleging that the applied-for mark merely describes the intended use or a feature of applicant’s goods, namely, that they are for treating a part of the body that can bend where two bones meet and alleging that Applicant’s applied-for mark appear to be generic in connection with the identified goods and, therefore, incapable of functioning as a source-identifier for applicant’s goods. Applicant respectfully disagrees and requests reconsideration of the Trademark Examining Attorney’s decision.

Applicant reasserts its arguments submitted in its responses filed on June 16, 2017 and February 12, 2018 and respectfully submits that the mark is not descriptive or generic to the goods for which registration is sought and respectfully requests acceptance and publication of the application.

Applicant’s goods do not merely describe—directly or indirectly--the intended use or a feature of Applicant’s goods.

Applicant’s good are for:

“Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets”

Nowhere in Applicant’s applied-for goods does it indicate that any of the products are to benefit a joint of a horse, an animal, or a pet.

Many of Applicant’s goods are intended for *dietary and nutritional supplements*, **not for joints**.

Some of Applicant’s goods are intended for medicated grooming preparations *for hair and skin*, **not for joints**.

Applicant respectfully offers the following information for purposes of clarification of the intended use of its goods:

The definition of nutritional supplements is as follows:

“Nutritional supplements are **any dietary supplement that is intended to provide nutrients that may otherwise not be consumed in sufficient quantities**; for example, vitamins, minerals, proteins, amino acids or other nutritional substances. Products are usually ingested in capsule, tablet or liquid form.” (<https://www.nature.com/subjects/nutritional-supplements>) (Exhibit A) [Emphasis added].

The definition of a dietary supplement is as follows:

“a product taken orally that contains one or more ingredients (such as vitamins or amino acids) that **are intended to supplement one's diet** and are not considered food”. (<https://www.merriam-webster.com/dictionary/dietary%20supplement>) (Exhibit B) [Emphasis added]

A definition of skin care is as follows:

“Skin care is the range of practices that support skin integrity, enhance its appearance and relieve skin conditions...” (https://en.wikipedia.org/wiki/Skin_care) (Exhibit C) (regardless if for humans or animals).

Definitions of grooming are as follows:

“Horse grooming is **hygienic care** given to a horse,....” (Emphasis added)

“Dog grooming refers to both the **hygienic care and cleaning** of a dog....” (Emphasis added)

(Exhibit D)

Applicant’s intended goods are for “ **Dietary and nutritional supplements**; liquid **nutritional supplement**; **dietary and nutritional supplements** in the form of treats; food and feed **supplements**; nutraceuticals for use as a **dietary supplement**; **nutritional** drinks; **dietary and nutritional supplement** drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as **dietary nutritional supplements**; medicated **grooming** preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for **hair and skin**; all of the foregoing for horses, animals, and pets”. (Emphasis added)

Nowhere in Applicant’s applied-for goods does it indicate that any of the products are intended for a joint of a horse, an animal, or a pet **nor** do any of the definitions provided above regarding the intended goods give any indication that the goods would be for joints.

Rather, Applicant’s goods are intended to:

- “provide nutrients that may otherwise not be consumed in sufficient quantities” by a horses, animals, and pets (“for example, vitamins, minerals, proteins, amino acids or other nutritional substances”);
- “supplement” the diet of horses, animals, and pets;
- “support skin integrity, enhance its appearance and relieve skin conditions” of horses, animals, and pets; and
- provide medicated grooming products to aid in the “hygienic care and cleaning of” the hair and skin of horses, animals, and pets.

The mark JOINTZ is simply a word that Applicant chose to use in connection with its products, however, the mark JOINTZ does not merely describe—directly or indirectly—the intended use or a feature of Applicant’s goods, does not identify the genus of the goods for which registration is sought, is not generic for the intended goods.

Additionally, consumers are not likely to *assume* that Applicant’s products are for joints at all simply because Applicant’s goods are intended for the overall health and the care of the skin and hair of horses, animals, and pets.

Rather, consumers are much more likely to view Applicant’s products to be used for the care of the hair and skin of horses, animals, and pets, and as dietary and nutritional supplements to be used for the *overall health* of horses, animals, and pets and not products to be used for joints, just as intended by Applicant.

Furthermore, there are approximately 196 live marks currently of record with the U.S. Patent and Trademark Office that contain the term “JOINT”/“JOINTS” in Class 005, many of which have been published, allowed, and/or registered—and not all of them have disclaimers of the term JOINT/JOINTS.

Please also take notice that some of the Intent-to-Use applications with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary and nutritional supplements...” have been approved for publication, published, and/or allowed without a disclaimer of the term JOINT/JOINTS and for the Principal Register. Further, some registered marks with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary supplements...” and that include the word “joint” in the description of the Class 005 goods have been registered without a disclaimer of the term JOINT/JOINTS and for the Principal Register—even if acquired distinctiveness was not achieved at the time of registration). (Exhibit E, Emphasis Added)

Applicant further submits that the “JOINTZ” mark should not as *per se* be deemed as merely descriptive. Applicant respectfully requests that judicial notice be taken on the third party live applications/registrations of the term JOINT/JOINTS in the marks where the marks were approved for publication, published, allowed, and/or registered on the Principal Register without a disclaimer of the term JOINT/JOINTS in the marks, as shown in Exhibit E. For purposes of argument, if the Trademark Office had approved for publication, published, allowed, and/or registered these third party marks without a disclaimer of the term JOINT/JOINTS for the Principal Register, it must have found that the presupposed descriptiveness of the term JOINT/JOINTS cannot negate the trademark significance of the marks. Similarly, Applicant submits that its mark should not be deemed to have less quantum of trademark significance than marks that have previously been approved for publication, published, allowed, and/or registered of such third parties.

Some examples of Third Party marks that the U.S. Patent and Trademark Office has approved for publication, published, allowed, and/or registered on the Principal Register that contain the term JOINT/JOINTS with a disclaimer of the term JOINT/JOINTS are as follows (Exhibit E):

Serial Number	Reg. Number	Register	Word Mark	Disclaimer	Live/Dead	Class 005 Goods
87888136		Principal	FEED YOUR SKIN AND JOINTS	None	LIVE	See: Footnote 1 ^[1]
87127201		Principal	ALL-JOINTS ULTRA	None	LIVE	See: Footnote 2 ^[2]
87823905		Principal	JOINTGUARD SPORT	SPORT	LIVE	See: Footnote 3 ^[3]
87553718	5528045	Principal	JOINTFIT	None	LIVE	See: Footnote 4 ^[4]
87439769	5520680	Principal	JOINT VENTURE	None	LIVE	See: Footnote 5 ^[5]
87774945		Principal	JOINT360	None	LIVE	See: Footnote 6 ^[6]
87469568		Principal	JOINTFLEX	None	LIVE	See: Footnote 7 ^[7]
85943290	4440295	Principal	OLD DOGS! HAPPY JOINTS!	None	LIVE	See: Footnote 8 ^[8]
85102048	3988644	Principal	DR. JOINTS	None	LIVE	See: Footnote 9 ^[9]
85447083	4491556	Principal	VITAL-JOINT CHEWS	CHEWS	LIVE	See: Footnote 10 ^[10]
76650127	3411269	Principal	NATURAL JOINT	NATURAL	LIVE	See: Footnote 11 ^[11]

The U.S. Patent and Trademark Office did not find the term JOINT/JOINTS to be descriptive in the above-referenced applications/registrations nor did it require a disclaimer of the term JOINT/JOINTS (and in some cases, did not require a disclaimer at all) and proceeded to either approve the applications for publication and/or publish/allow the applications and/or issue Certificates of Registration for all of them on the Principal Register.

When applied to Applicant's goods, it is submitted that neither does the mark "JOINTZ" immediately convey a commercial connotation of Applicant's goods, nor does any of its ingredients, qualities, or characteristics. In that regard, Applicant submits that the "JOINTZ" mark is not merely descriptive of its goods.

Consumers will pause when encountering the JOINTZ mark for Applicant's goods. The genus of the goods for the JOINTZ mark will not be grasped without some measure of imagination. The JOINTZ mark requires the consumer to exercise his or her imagination about Applicant's goods.

Therefore, consumer must use their perception and imagination to understand the JOINTZ mark is not merely descriptive because it requires the consumer to think about, perceive, and imagine what kind of product it could be. A consumer must not only imagine what JOINTZ is but how JOINTZ could be used and what goods and/or services are offered with the mark. Accordingly, the suggestive nature of the mark necessarily qualifies it as inherently distinctive.

To assess the strength of a mark, courts use five categories of distinctiveness: generic, descriptive, suggestive, arbitrary, and fanciful. *Heartsprings*, 143 F.3d at 555 (citing *Two Pesos* 505 U.S. at 768). A suggestive mark is a mark "which suggests rather than describes a characteristic of the product and requires the consumer to use imagination and perception to determine the product's nature." *Id.* In this case, Applicant's applied-for goods are not described as "JOINTZ" or "Joint" or "Joints" products, but rather for "Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets".

The connotations for which Applicant chose the name JOINTZ clearly suggests, rather than describes, the nature of the applied-for goods and the name requires consumers to use their imagination and perception to determine the product's nature. A consumer is left to perceive or imagine what the products for JOINTZ are and what they are used for, based on the consumer's evaluation of the JOINTZ trademark and the narrative written about the product on each package. See *Id.* Thus, JOINTZ is a suggestive mark.

For these reasons, Applicant respectfully requests that the Trademark Examining Attorney recognize that the applied-for mark is not descriptive and is not generic to the goods for which registration is sought and issue a corresponding notice of publication.

Furthermore, based upon the Intent-to-Use applications that have previously been approved for publication, published, allowed, and/or registered that did not require a disclaimer of the term JOINT/JOINTS, and based upon the arguments provided herein and in Applicant's responses filed on June 16, 2017 and February 12, 2018, Applicant does not believe a disclaimer should be required for the subject application; however, notwithstanding the foregoing, Applicant will consider a disclaimer of the terms "JOINT" and/or "JOINTZ" if it would assist in the advancement of the application to move toward publication and allowance.

LISTING OF ATTACHED EXHIBITS

Applicant submits the following evidence in support of its arguments:

- Exhibit A: A copy of a definition of "Nutritional Supplements".
- Exhibit B: A copy of a definition of "Dietary Supplements".
- Exhibit C: A copy of a definition of and information for "Skin Care".
- Exhibit D: A copy of definitions of "Grooming".
- Exhibit E: A copy of U.S. Patent and Trademark Office online records providing live marks that have been approved for publication, published, allowed, and/or registered with the term JOINT/JOINTS in the name of the mark in International Class 005. (Emphasis added)

CONCLUSION

Applicant believes that its application is now in condition for publication and allowance. Applicant respectfully requests that the Trademark Examining Attorney reconsider the present application, withdraw the rejection, and allow Applicant's application to be allowed to proceed to publication and allowance.

Should any outstanding issues remain, the Examining Attorney is courteously invited to contact Lisel M. Ferguson via telephone at (619) 515-3207, or via email at lisel.ferguson@procopio.com.

CONCURRENT APPEAL NOTICE

The Applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Respectfully submitted,

/ Lisel M. Ferguson /
Lisel M. Ferguson
Attorney of Record, USPTO Reg. No. 48139, State of California Bar Member
Procopio, Cory, Hargreaves & Savitch LLP
525 B Street, Suite 2200, San Diego, California 92101
Telephone: 619.515.3207
docketing@procopio.com; lisel.ferguson@procopio.com; nadine.hahn@procopio.com

[1] "**FEED YOUR SKIN AND JOINTS**" **approved for publication on the Principal Register for Class 005 goods**: Dietary and nutritional supplements; Dietary and nutritional supplements containing collagen; Nutritional and dietary supplements with a cosmetic effect; Capsule supplements, namely, nutritional supplements in the form of a capsule; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Nutritional and dietary supplements in the form of capsules and powders; Collagen for medical purposes, namely, supplement and nutrition purposes; Protein supplements. [Emphasis added.]

[2] "**ALL-JOINTS ULTRA**" **allowed on the Principal Register for Class 005 goods**: Dietary supplements. [Emphasis added.]

[3] "**JOINTGUARD SPORT**" **published for opposition on the principal register for Class 005 goods**: dietary and nutritional supplements; nutritional supplements for the treatment and prevention of osteoarthritis in humans. [Emphasis added.]

[4] "**JOINTFIT**" **registered on the Principal Register Class 005 goods**: Dietary supplements, protein supplements, food supplements, and powdered nutritional supplement drink mixes intended to support

joint health. [Emphasis added.]

[5] “**JOINT VENTURE**” registered on the Principal Register for Class 005 goods: Non-medicated topical gel for the treatment of joints and muscles. [Emphasis added.]

[6] “**JOINT360**” allowed on the Principal Register for Class 005 goods: Nutritional supplements for promoting joint health and mobility. [Emphasis added.]

[7] “**JOINTFLEX**” allowed on the Principal Register for Class 005 goods: orally ingested nutritional supplements. [Emphasis added.]

[8] “**OLD DOGS! HAPPY JOINTS!**” registered on the Principal Register for Class 005 goods: Nutritional supplements and vitamins for pets; Nutritional supplements for pets in the nature of pet treats; dietary and nutritional supplements in the nature of pet treats used for weight control for pets; dietary supplements for pets in the nature of pet treats. [Emphasis added.]

[9] “**DR. JOINTS**” registered on the Principal Register for Class 005 goods: Dietary supplements. [Emphasis added.]

[10] “**VITAL-JOINT CHEWS**” registered on the Principal Register for Class 005 goods: Dietary and nutritional supplements for pets. [Emphasis added.]

[11] “**NATURAL JOINT**” registered on the Principal Register for Class 005 goods: Herbal food supplements. [Emphasis added.]

EVIDENCE

Evidence in the nature of Applicant submits the following evidence in support of its arguments: Exhibit A: A copy of a definition of "Nutritional Supplements". Exhibit B: A copy of a definition of "Dietary Supplements". Exhibit C: A copy of a definition of and information for "Skin Care". Exhibit D: A copy of definitions of "Grooming". Exhibit E: A copy of U.S. Patent and Trademark Office online records providing live marks that have been approved for publication, published, allowed, and/or registered with the term JOINT/JOINTS in the name of the mark in International Class 005. (Emphasis added) has been attached.

Original PDF file:

[evi_209242145130-20180906191027294697_.for.Reconsideration.tbf_US_87155233_JOINTZ_005_122040-01US01.PDF](#)

Converted PDF file(s) (7 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

Original PDF file:

[evi_209242145130-20180906191027294697_.itional.Supplements.tbf_US_87155233_JOINTZ_005_122040-01US01.PDF](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

Original PDF file:

[evi_209242145130-20180906191027294697_.Dietary.Supplement.tbf_US_87155233_JOINTZ_005_122040-01US01.PDF](#)

Converted PDF file(s) (4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Original PDF file:

[evi_209242145130-20180906191027294697_.efinition.Skin.Care.tbf_US_87155233_JOINTZ_005_122040-01US01.PDF](#)

Converted PDF file(s) (16 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

Original PDF file:

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Converted PDF file(s) (5 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

Original PDF file:

[evi_209242145130-20180906191027294697_.._arks_with_JOINT_005_tbf_US_87155233_JOINTZ_005_122040-01US01.PDF](#)

Converted PDF file(s) (36 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

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[Evidence-30](#)

[Evidence-31](#)

[Evidence-32](#)

[Evidence-33](#)

[Evidence-34](#)

[Evidence-35](#)

[Evidence-36](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Lisel M. Ferguson/ Date: 09/06/2018

Signatory's Name: Lisel M. Ferguson

Signatory's Position: Attorney of Record, USPTO Reg. No. 48139, State of California Bar Member

Signatory's Phone Number: 619-515-3207

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 87155233

Internet Transmission Date: Thu Sep 06 19:44:45 EDT 2018

TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.XXX-20180906194445

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7-N/A-N/A-20180906191027294697

**REQUEST FOR RECONSIDERATION AFTER FINAL ACTION
(Final Office Action Dated March 6, 2018)**

U.S. Application Serial Number: 87/155,233
Filing Date: August 30, 2016
Mark: JOINTZ
Applicant: CANNALINK, INC.
International Class: 005
Filing Basis: 1(b) – Intent-to-Use
Attorney Docket No. 122040-01US01

RESPONSE AND ARGUMENT

This Request for Reconsideration after Final Action is in response to the United States Patent and Trademark Office (USPTO) Final Office Action dated March 6, 2018 (“Office Action”) in relation to U.S. Application Serial Number 87/155,233 (“Serial No. 87155233”) for the Mark “JOINTZ” in International Class 005.

Reconsideration of Serial No. 87155233 is hereby requested. The Examining Attorney’s remarks and analysis were received and carefully considered. Pursuant to the Examining Attorney’s invitation, Applicant Cannalink, Inc. (“Applicant”) hereby presents the following evidence and arguments in support of registration.

SECTION 2(e)(1) – MERELY DESCRIPTIVE REFUSAL

Applicant’s Mark is NOT Merely Descriptive Because It Does NOT Describe any Ingredient, Quality, Characteristic, Function, Feature, Purpose, or Use of Any of Applicant’s Goods and is NOT Generic.

Trademark Examining Attorney has refused registration of Applicant's application for the mark JOINTZ alleging that the applied-for mark merely describes the intended use or a feature of applicant’s goods, namely, that they are for treating a part of the body that can bend where two bones meet and alleging that Applicant’s applied-for mark appear to be generic in connection with the identified goods and, therefore, incapable of functioning as a source-identifier for applicant’s goods. Applicant respectfully disagrees and requests reconsideration of the Trademark Examining Attorney’s decision.

Applicant reasserts its arguments submitted in its responses filed on June 16, 2017 and February 12, 2018 and respectfully submits that the mark is not descriptive or generic to the goods for which registration is sought and respectfully requests acceptance and publication of the application.

Applicant’s goods do not merely describe—directly or indirectly--the intended use or a feature of Applicant’s goods.

Applicant's goods are for:

“Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets”

Nowhere in Applicant's applied-for goods does it indicate that any of the products are to benefit a joint of a horse, an animal, or a pet.

Many of Applicant's goods are intended for *dietary and nutritional supplements*, **not for joints**.

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Applicant respectfully offers the following information for purposes of clarification of the intended use of its goods:

The definition of nutritional supplements is as follows:

“Nutritional supplements are **any dietary supplement that is intended to provide nutrients that may otherwise not be consumed in sufficient quantities**; for example, vitamins, minerals, proteins, amino acids or other nutritional substances. Products are usually ingested in capsule, tablet or liquid form.” (<https://www.nature.com/subjects/nutritional-supplements>) (Exhibit A) [Emphasis added].

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“a product taken orally that contains one or more ingredients (such as vitamins or amino acids) that **are intended to supplement one's diet** and are not considered food”. (<https://www.merriam-webster.com/dictionary/dietary%20supplement>) (Exhibit B) [Emphasis added]

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“Skin care is the range of practices that support skin integrity, enhance its appearance and relieve skin conditions...” (https://en.wikipedia.org/wiki/Skin_care) (Exhibit C) (regardless if for humans or animals).

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“Horse grooming is **hygienic care** given to a horse,....” (Emphasis added)

“Dog grooming refers to both the **hygienic care and cleaning** of a dog....” (Emphasis added)

(Exhibit D)

Applicant’s intended goods are for “**Dietary and nutritional supplements**; liquid **nutritional supplement**; **dietary and nutritional supplements** in the form of treats; food and feed **supplements**; nutraceuticals for use as a **dietary supplement**; **nutritional** drinks; **dietary and nutritional supplement** drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as **dietary nutritional supplements**; medicated **grooming** preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for **hair and skin**; all of the foregoing for horses, animals, and pets”. (Emphasis added)

Nowhere in Applicant’s applied-for goods does it indicate that any of the products are intended for a joint of a horse, an animal, or a pet **nor** do any of the definitions provided above regarding the intended goods give any indication that the goods would be for joints.

Rather, Applicant’s goods are intended to:

- “provide nutrients that may otherwise not be consumed in sufficient quantities” by a horses, animals, and pets (“for example, vitamins, minerals, proteins, amino acids or other nutritional substances”);
- “supplement” the diet of horses, animals, and pets;
- “support skin integrity, enhance its appearance and relieve skin conditions” of horses, animals, and pets; and
- provide medicated grooming products to aid in the “hygienic care and cleaning of” the hair and skin of horses, animals, and pets.

The mark JOINTZ is simply a word that Applicant chose to use in connection with its products, however, the mark JOINTZ does not merely describe—directly or indirectly--the intended use or a feature of Applicant’s goods, does not identify the genus of the goods for which registration is sought, is not generic for the intended goods.

Additionally, consumers are not likely to *assume* that Applicant’s products are for joints at all simply because Applicant’s goods are intended for the overall health and the care of the skin and hair of horses, animals, and pets.

Rather, consumers are much more likely to view Applicant’s products to be used for the care of the hair and skin of horses, animals, and pets, and as dietary and nutritional supplements to be used for the *overall health* of horses, animals, and pets and not products to be used for joints, just as intended by Applicant.

Furthermore, there are approximately 196 live marks currently of record with the U.S. Patent and Trademark Office that contain the term “JOINT”/“JOINTS” in Class 005, many of which have been published, allowed, and/or registered—and not all of them have disclaimers of the term JOINT/JOINTS.

Please also take notice that some of the Intent-to-Use applications with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary and nutritional supplements...” have been approved for publication, published, and/or allowed without a disclaimer of the term JOINT/JOINTS and for the Principal Register. Further, some registered marks with the term JOINT/JOINTS in the name of the mark in Class 005 for “Dietary supplements...” and that include the word “joint” in the description of the Class 005 goods have been registered without a disclaimer of the term JOINT/JOINTS and for the Principal Register—even if acquired distinctiveness was not achieved at the time of registration). (Exhibit E, Emphasis Added)

Applicant further submits that the “JOINTZ” mark should not as *per se* be deemed as merely descriptive. Applicant respectfully requests that judicial notice be taken on the third party live applications/registrations of the term JOINT/JOINTS in the marks where the marks were approved for publication, published, allowed, and/or registered on the Principal Register without a disclaimer of the term JOINT/JOINTS in the marks, as shown in Exhibit E. For purposes of argument, if the Trademark Office had approved for publication, published, allowed, and/or registered these third party marks without a disclaimer of the term JOINT/JOINTS for the Principal Register, it must have found that the presupposed descriptiveness of the term JOINT/JOINTS cannot negate the trademark significance of the marks. Similarly, Applicant submits that its mark should not be deemed to have less quantum of trademark significance than marks that have previously been approved for publication, published, allowed, and/or registered of such third parties.

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87127201		Principal	ALL-JOINTS ULTRA	None	LIVE	<i>See: Footnote 2²</i>
87823905		Principal	JOINTGUARD SPORT	SPORT	LIVE	<i>See: Footnote 3³</i>

1 **“FEED YOUR SKIN AND JOINTS”** approved for publication on the Principal Register for Class 005 goods: Dietary and nutritional supplements; Dietary and nutritional supplements containing collagen; Nutritional and dietary supplements with a cosmetic effect; Capsule supplements, namely, nutritional supplements in the form of a capsule; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Nutritional and dietary supplements in the form of capsules and powders; Collagen for medical purposes, namely, supplement and nutrition purposes; Protein supplements. [Emphasis added.]

2 **“ALL-JOINTS ULTRA”** allowed on the Principal Register for Class 005 goods: Dietary supplements. [Emphasis added.]

87553718	5528045	Principal	JOINTFIT	None	LIVE	<i>See: Footnote 4</i> ⁴
87439769	5520680	Principal	JOINT VENTURE	None	LIVE	<i>See: Footnote 5</i> ⁵
87774945		Principal	JOINT360	None	LIVE	<i>See: Footnote 6</i> ⁶
87469568		Principal	JOINTFLEX	None	LIVE	<i>See: Footnote 7</i> ⁷
85943290	4440295	Principal	OLD DOGS! HAPPY JOINTS!	None	LIVE	<i>See: Footnote 8</i> ⁸
85102048	3988644	Principal	DR. JOINTS	None	LIVE	<i>See: Footnote 9</i> ⁹
85447083	4491556	Principal	VITAL-JOINT CHEWS	CHEWS	LIVE	<i>See: Footnote 10</i> ¹⁰
76650127	3411269	Principal	NATURAL JOINT	NATURAL	LIVE	<i>See: Footnote 11</i> ¹¹

3 “**JOINTGUARD SPORT**” **published for opposition on the principal register for Class 005 goods:** dietary and nutritional supplements; nutritional supplements for the treatment and prevention of osteoarthritis in humans. [Emphasis added.]

4 “**JOINTFIT**” **registered on the Principal Register Class 005 goods:** Dietary supplements, protein supplements, food supplements, and powdered nutritional supplement drink mixes intended to support joint health. [Emphasis added.]

5 “**JOINT VENTURE**” **registered on the Principal Register for Class 005 goods:** Non-medicated topical gel for the treatment of joints and muscles. [Emphasis added.]

6 “**JOINT360**” **allowed on the Principal Register for Class 005 goods:** Nutritional supplements for promoting joint health and mobility. [Emphasis added.]

7 “**JOINTFLEX**” **allowed on the Principal Register for Class 005 goods:** orally ingested nutritional supplements. [Emphasis added.]

8 “**OLD DOGS! HAPPY JOINTS!**” **registered on the Principal Register for Class 005 goods:** Nutritional supplements and vitamins for pets; Nutritional supplements for pets in the nature of pet treats; dietary and nutritional supplements in the nature of pet treats used for weight control for pets; dietary supplements for pets in the nature of pet treats. [Emphasis added.]

9 “**DR. JOINTS**” **registered on the Principal Register for Class 005 goods:** Dietary supplements. [Emphasis added.]

10 “**VITAL-JOINT CHEWS**” **registered on the Principal Register for Class 005 goods:** Dietary and nutritional supplements for pets. [Emphasis added.]

11 “**NATURAL JOINT**” **registered on the Principal Register for Class 005 goods:** Herbal food supplements. [Emphasis added.]

The U.S. Patent and Trademark Office did not find the term JOINTZ/JOINTS to be descriptive in the above-referenced applications/registrations nor did it require a disclaimer of the term JOINTZ/JOINTS (and in some cases, did not require a disclaimer at all) and proceeded to either approve the applications for publication and/or publish/allow the applications and/or issue Certificates of Registration for all of them on the Principal Register.

When applied to Applicant's goods, it is submitted that neither does the mark "JOINTZ" immediately convey a commercial connotation of Applicant's goods, nor does any of its ingredients, qualities, or characteristics. In that regard, Applicant submits that the "JOINTZ" mark is not merely descriptive of its goods.

Consumers will pause when encountering the JOINTZ mark for Applicant's goods. The genus of the goods for the JOINTZ mark will not be grasped without some measure of imagination. The JOINTZ mark requires the consumer to exercise his or her imagination about Applicant's goods.

Therefore, consumer must use their perception and imagination to understand the JOINTZ mark is not merely descriptive because it requires the consumer to think about, perceive, and imagine what kind of product it could be. A consumer must not only imagine what JOINTZ is but how JOINTZ could be used and what goods and/or services are offered with the mark. Accordingly, the suggestive nature of the mark necessarily qualifies it as inherently distinctive.

To assess the strength of a mark, courts use five categories of distinctiveness: generic, descriptive, suggestive, arbitrary, and fanciful. *Heartsprings*, 143 F.3d at 555 (citing *Two Pesos* 505 U.S. at 768). A suggestive mark is a mark "which suggests rather than describes a characteristic of the product and requires the consumer to use imagination and perception to determine the product's nature." *Id.* In this case, Applicant's applied-for goods are not described as "JOINTZ" or "Joint" or "Joints" products, but rather for "Dietary and nutritional supplements; liquid nutritional supplement; dietary and nutritional supplements in the form of treats; food and feed supplements; nutraceuticals for use as a dietary supplement; nutritional drinks; dietary and nutritional supplement drink mix in the nature of powdered and liquid drink mixes; additives for feed for use as dietary nutritional supplements; medicated grooming preparations for horses, animals, and pets, namely, shampoo, conditioner, and moisturizing spray for hair and skin; all of the foregoing for horses, animals, and pets".

The connotations for which Applicant chose the name JOINTZ clearly suggests, rather than describes, the nature of the applied-for goods and the name requires consumers to use their imagination and perception to determine the product's nature. A consumer is left to perceive or imagine what the products for JOINTZ are and what they are used for, based on the consumer's evaluation of the JOINTZ trademark and the narrative written about the product on each package. See *Id.* Thus, JOINTZ is a suggestive mark.

For these reasons, Applicant respectfully requests that the Trademark Examining Attorney recognize that the applied-for mark is not descriptive and is not generic to the goods for which registration is sought and issue a corresponding notice of publication.

Furthermore, based upon the Intent-to-Use applications that have previously been approved for publication, published, allowed, and/or registered that did not require a disclaimer of the term JOINT/JOINTS, and based upon the arguments provided herein and in Applicant's responses filed on June 16, 2017 and February 12, 2018, Applicant does not believe a disclaimer should be required for the subject application; however, notwithstanding the foregoing, Applicant will consider a disclaimer of the terms "JOINT" and/or "JOINTZ" if it would assist in the advancement of the application to move toward publication and allowance.

LISTING OF ATTACHED EXHIBITS

Applicant submits the following evidence in support of its arguments:

- Exhibit A: A copy of a definition of "Nutritional Supplements".
- Exhibit B: A copy of a definition of "Dietary Supplements".
- Exhibit C: A copy of a definition of and information for "Skin Care".
- Exhibit D: A copy of definitions of "Grooming".
- Exhibit E: A copy of U.S. Patent and Trademark Office online records providing live marks that have been approved for publication, published, allowed, and/or registered with the term JOINT/JOINTS in the name of the mark in International Class 005. (Emphasis added)

CONCLUSION

Applicant believes that its application is now in condition for publication and allowance. Applicant respectfully requests that the Trademark Examining Attorney reconsider the present application, withdraw the rejection, and allow Applicant's application to be allowed to proceed to publication and allowance.

Should any outstanding issues remain, the Examining Attorney is courteously invited to contact Lisel M. Ferguson via telephone at (619) 515-3207, or via email at lisel.ferguson@procopio.com.

CONCURRENT APPEAL NOTICE

The Applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Respectfully submitted,

/ Lisel M. Ferguson /
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EXHIBIT A

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Nutritional supplements

Definition

Nutritional supplements are any dietary supplement that is intended to provide nutrients that may otherwise not be consumed in sufficient quantities; for example, vitamins, minerals, proteins, amino acids or other nutritional substances. Products are usually ingested in capsule, tablet or liquid form.

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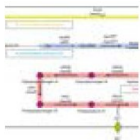


EXHIBIT B



Search bar with a text input field and a search button.

dietary supplement

noun

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TRENDING NOW:

Definition of DIETARY SUPPLEMENT

: a product taken orally that contains one or more ingredients (such as vitamins or amino acids) that are intended to supplement one's diet and are not considered food

Recent Examples of DIETARY SUPPLEMENT from the W

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European *dietary supplements* won't cure what ails Procter & Gamble.

— [Aaron Back, WSJ, "P&G Needs a Workout, Not Vitamins,"](#)

By law, *dietary supplements* can only contain ingredients that are already



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They can be found in food such as yogurt, miso and soy beverages or in *dietary supplements*.

— [Fortune](#). "[Why Washing Your Hands Too Much Could Make You Sick.](#)" 12 June 2018



These example sentences are selected automatically from various online news sources to reflect current usage of the word 'dietary supplement.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. [Send us feedback](#).

First Known Use of DIETARY SUPPLEMENT

1967

in the meaning defined [above](#)

[See Words from the same year](#) >



SEPHORA
SHOP NOW >

MUST. HAVE.
Minis!

Medical Dictionary

dietary supplement

noun

Medical Definition of DIETARY SUPPLEMENT

: a product taken orally that contains one or more ingredients (such as vitamins, minerals, herbs, or amino acids) that are intended to supplement one's diet and are not considered food

- The study is looking at whether taking daily *dietary supplements* of vitamin D₃ or omega-3 fatty acids reduces the risk for developing cancer, heart disease and stroke. —Mary Brophy Marcus, *USA Today*, 4 Oct. 2011
- A hormone produced by the pineal gland in the brain, melatonin also occurs naturally in some foods. It therefore may be sold as a *dietary supplement* in the United States under the

Dietary Supplement Health and Education Act of 1994, without premarket approval from the FDA. —Lynne Lamberg, *The Journal of the American Medical Association*, 2 Oct. 1996

- ... batches of a *dietary supplement* L-tryptophan that have been implicated in a mysterious disease were produced by a genetically engineered organism. —Leslie Roberts, *Science*, 31 Aug. 1990

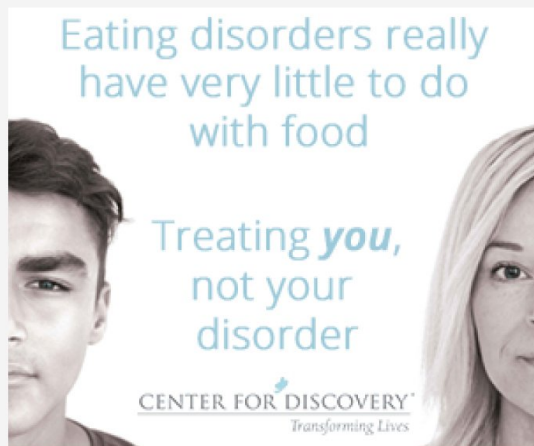
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Britannica.com: [Encyclopedia article about *dietary supplement*](#)

Seen and Heard

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WORD OF THE DAY

EXHIBIT C



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Skin care

From Wikipedia, the free encyclopedia

For other uses, see [Skin care \(disambiguation\)](#).

This article may **require cleanup** to meet Wikipedia's **quality standards**. The specific problem is: **multiple expansion tags and many references that lack proper associated text**. Please help [improve this article](#) if you can. *(August 2015)* ([Learn how and when to remove this template message](#))

Skin care is the range of practices that support skin integrity, enhance its appearance and relieve skin conditions. They can include nutrition, avoidance of excessive sun exposure and appropriate use of emollients. Practices that enhance appearance include the use of [cosmetics](#), [botulinum](#), [exfoliation](#), fillers, [laser resurfacing](#), [microdermabrasion](#), peels, [retinol therapy](#).^[1] Skin care is a routine daily procedure in many settings, such as skin that is either too dry or too moist, and prevention of [dermatitis](#) and prevention of skin injuries.^[2]

Skin care is a part of the treatment of [wound healing](#), [radiation therapy](#) and some medications.



A cosmetologist applying a face mask

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- Sunscreen
- Elderly
- Acne
- Pressure sore
- Stoma
- Wound healing
- Nutrition

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Background

Skin care is at the interface of [cosmetics](#),^[3] and [dermatology](#), a traditional medical discipline;^[4] there is some overlap with each of these topics.^[*citation needed*]

The Federal Food, Drug, and Cosmetic Act defines cosmetics as products intended to cleanse or beautify (for instance, shampoos and lipstick). A separate category exists for medications, which are intended to diagnose, cure, mitigate, treat, or prevent disease, or to affect the structure or function of the body (for instance, sunscreens and acne creams), although some products, such as moisturizing sunscreens and anti-dandruff shampoos, are regulated within both categories.^{[3][5]}

Skin care differs from [dermatology](#), as traditionally practiced, by its additional but less medical scope and by its inclusion of non-physician professionals, such as [estheticians](#) and wound care nursing staff.^{[1][6]} Skin care includes modifications of individual behavior and of environmental and working conditions.^[6] Nevertheless, dermatology has co-opted some aspects of skin care, particularly in the U.S., and to a significantly lesser extent elsewhere, such as the U.K.^[1] Add from^{[1][2][7][8]} ^[9]

Neonate

Guidelines for neonatal skin care have been developed. Nevertheless, the pediatric and dermatologic communities have not reached consensus on best cleansing practices, as good [quality scientific evidence](#) is scarce.^[10] Immersion in water seems superior to washing alone, and use of synthetic [detergents](#) or mild liquid baby cleansers seems comparable or superior to water alone.^[10] Add from ^{[11][12]}

Sunscreen

Main articles: [Sunscreen](#) and [Health effects of sunlight exposure](#)

Sun protection is an important aspect of skin care. Though the sun is beneficial in order for the human body to get its daily dose of vitamin D, unprotected excessive sunlight can cause extreme damage to the skin. [Ultraviolet](#) (UVA and UVB) radiation in the sun's rays can cause sunburn in varying degrees, early ageing and increased risk of skin cancer.^[13] UV exposure can cause patches of uneven skin tone and dry out the skin.

This can reduce the skin's elasticity and encourage sagging and wrinkle formation. [Sunscreen](#)



A woman applying sunscreen

can protect the skin from sun damage; sunscreen should be applied at least 20 minutes before exposure, and should be re-applied every four hours. Sunscreen should be applied to all areas of the skin that will be exposed to sunlight, and at least a tablespoon (25 ml) should be applied to each limb, the face, chest, and back, to ensure thorough coverage. Many tinted moisturizers, foundations and primers now contain some form of SPF.

Sunscreens may come in the form of creams, gels or lotions; their [SPF](#) number indicates their effectiveness in protecting the skin from the sun's radiation. There are sunscreens available to suit every skin type; in particular, those with oily skin should choose non-comedogenic sunscreens; those with dry skins should choose sunscreens with moisturizers to help keep skin hydrated, and those with sensitive skin should choose unscented, hypoallergenic sunscreen and spot-test in an inconspicuous place (such as the inside of the elbow or behind the ear) to ensure that it does not irritate the skin.

Elderly

Skin ageing is associated with increased vulnerability.^[14] Skin problems including [pruritus](#) are common in the elderly but are often inadequately addressed.^[15] A literature review of studies that assessed maintenance of skin integrity in the elderly found most to be low [levels of evidence](#)^[14] but the review concluded that skin-cleansing with synthetic [detergents](#) or [amphoteric surfactants](#) induced less skin dryness than using soap and water.^[14] [Moisturizers](#) with [humectants](#) helped with skin dryness, and skin barrier occlusives reduced skin injuries.^[14]

Acne

Main article: [Acne](#)

According to the American Academy of Dermatology, between 40 and 50 million Americans suffer from acne each year.^[16] While many associate acne with adolescence, acne can occur at any age. Causes of acne can include heredity/genetics, hormones, menstruation, food, and emotional stress.^[16]

There are a few ways to help reduce the effects of acne. Use a gentle exfoliating product, such as a scrub that contains sea salt or jojoba beads instead of one that uses sharp seeds, granules, or husks. Exfoliation should only be performed based on skin type. Those with inflammatory acne should exfoliate with caution as the procedure may make conditions worse and consult a Dermatologist before treatment.^[17] Some anti-acne creams contain drying agents such as benzoyl peroxide (in concentrations of 2.5 - 10%),^[18] which can help ease acne in certain cases — particularly among teenagers. However, many adults can't tolerate the intense drying effects and might experience cracked skin and red blemishes the longer they use the product. Users often choose to discontinue using the product if skin is experiencing extreme side effects imposed by the product.

Pressure sore

Main article: [Pressure ulcer](#)

Pressure sores are injuries to skin and underlying tissue as a result of prolonged pressure on

the skin. A known example of pressure sore is bed sore called pressure ulcer.

Stoma

Add from ^{[19][20]}

Wound healing

Main article: [Wound healing](#)

Wound healing is a complex and fragile process in which the skin repairs itself after injury. It is susceptible to interruption or failure that creates non-healing chronic wounds.^[21]

Nutrition

Add from

- 2001 American Society for Clinical Nutrition Nutritional skin care: health effects of micronutrients and fatty acids Esther Boelsma, Henk FJ Hendriks, and Len Roza.

Radiation

Radiation induces skin reactions in the treated area, particularly in the [axilla](#), head and neck, [perineum](#) and skin fold regions.^[22] Formulations with moisturising, anti-inflammatory, anti-microbial and wound healing properties are often used, but no preferred approach or individual product has been identified as best practice.^{[22][23]} Soft silicone dressings that act as barriers to friction may be helpful.^[22] In breast cancer, [calendula](#) cream may reduce the severity of radiation effects on the dark spot corrector.^{[23][24]} [Deodorant](#) use after completing radiation treatment has been controversial but is now recommended for practice.^[24] Add from^{[25][26][27][28]}

EGFR

[Epidermal growth factor receptor](#) (EGFR) inhibitors are medications used in cancer treatment. These medications commonly cause skin and nail problems, including rashes, dry skin and [paronychia](#).^[29] Preventive intensive moisturising with emollient ointments several times, avoidance of water-based creams and water soaks (although in certain circumstances white vinegar or potassium permanganate soaks may help), protection the skin from excessive exposure to sunshine, and soap substitutes which are less dehydrating for the skin than normal soaps, as well as shampoos that reduce the risk of scalp folliculitis, are recommended. Treatment measures with topical antibiotic medication can be helpful.^{[29][30][31]}

Related products

Main articles: [Cosmeceutical](#) and [Nutricosmetics](#)

[Cosmeceuticals](#) are topically-applied, combination products that bring together [cosmetics](#) and "biologically active ingredients". Products which are similar in perceived benefits but ingested orally are known as [nutricosmetics](#). According to the United States Food and Drug Administration (FDA), the Food, Drug, and Cosmetic Act "does not recognize any such category

as "cosmeceuticals." A product can be a drug, a cosmetic, or a combination of both, but the term "cosmeceutical" has no meaning under the law". Drugs are subject to an intensive review and approval process by FDA. Cosmetics, and these related products, although regulated, are not approved by FDA prior to sale.

Procedures

Main article: [Dermatology § Therapies](#)

Skin care procedures include use of botulinum;^[32] exfoliation; fillers; [laser medicine](#) in cosmetic resurfacing, [hair removal](#), [vitiligo](#), [port-wine stain](#) and [tattoo removal](#); [photodynamic therapy](#); microdermabrasion; peels; retinol therapy.^[1]

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Categories: [Skin care](#)

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Skin Care for Horses is important to the health of both skin and coat for your horse. Rainrot, Summer Itch, Scratches, Itchy Manes and Tails are just some of the skin ailments horses suffer. Proper and immediate treatment is imperative. Grooming and cleaning your horse is essential for good health and pride of ownership. Understanding what treatments are available and what each has to offer is part of responsible horse ownership. The companies here are serious about their dedication to help you maintain healthy skin, coat, mane and tail for your horse.

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Dog Skin Care Basics

By Cuteness Team



Your dog needs to be comfortable in her own skin. A skin-care regimen can help to make that happen by protecting your dog from the discomfort of dry skin, skin infections, matted coats and related conditions. Preventive measures can go a long way towards assuring your dog's skin health and her overall well-being.



VIDEO OF THE DAY

Healthy Diet

A quality balanced diet void of fillers and artificial ingredients plays an important part in your dog's healthy skin. Look for foods that include omega-3 and omega-6 fatty acids, as they are necessary for proper skin and coat health. With guidance from your veterinarian, consider adding oils that are rich in these essential fatty acids like linseed oil or sunflower oils to her diet. Nutritional supplements that contain fatty acids, antioxidants, vitamins and fish oils can also help your pet to maintain skin and coat health

Proper Bathing

The best shampoo for your dog is not the shampoo in your shower, [PetMD notes](#). The reason: Human shampoos are designed for a skin pH level of 5.2 to 6.2, on the acidic side. Your dog's pH level falls between 5.5 to 7.5 -- more of an alkaline concentration. Human shampoo can create an improperly balanced pH environment on a dog, and all sorts of nasty bacteria, parasites and viruses can party down on your girl's tender epidermis. Certain pet shampoo manufacturers set the pH level at 7 and make that clear on the label, while others will simply state that the shampoo is pH balanced for dogs. Check the labels for the pH information, as well as for artificial fragrances -- to be avoided -- and look for natural skin moisturizers, such as vitamin E or aloe vera.

Brushing

Daily grooming with a brush or comb keeps your dog's hair and skin in show dog condition. Brushing encourages natural oil production -- keeping her skin clean and irritant free and her coat soft and shiny. Grooming before her bath rids her coat of excess fur and prevents her hair from matting, which can cause hot spots -- dry irritated patches of skin -- and lead to harmful scratching.

Parasite Prevention

The itching and scratching resulting from flea infestation, and the repeated flea shampoo treatments for these infestations, can be hard on your dog's skin. Implement a parasite prevention program to minimize harmful flea-treatment episodes. Flea collars, powders, foams and sprays are not nearly as effective or long lasting as prescription applications or pills. When the inevitable need arises for an

effective flea shampoo, apply a natural flea shampoo made with oils such as d-Limonene, citrus oil proven to be effective for killing fleas and ticks without irritating your dog friend's sensitive skin.

By Joe Gordon

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ASPCA: Skin Problems

Pet MD: Maintaining Your Dog's Skin pH

Vet Info: Natural Flea Shampoo for Dogs

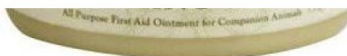
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About the Author

Joe Gordon is a writer who divides his time between Tampa Bay, Florida and Western North Carolina. Gordon has been published in local and regional newspapers and magazines, including VisitFlorida.org, "Oceanfront Magazine," "Sarasota Herald Tribune," "The Bradenton Herald," "Sarasota Scene Magazine," "Biz 941 Magazine" and "U Manatee Magazine." He studied journalism at Ohio University.





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Horse grooming

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Horse grooming is hygienic [care](#) given to a [horse](#), or a process by which the horse's physical appearance is enhanced for [horse shows](#) or other types of competition.

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Common tools used for grooming a horse

Reasons for grooming [edit]

Grooming is an important part of [horse care](#). Grooming a horse daily allows the handler to

check on horse's general health and well-being. At a minimum, horses are generally groomed before being worked, and are usually groomed and cleaned up after a workout as well.^[1]

The main reasons for daily grooming include:

- Improved health of the skin and coat
- Decreases the chance of various health problems such as [thrush](#), scratches, and other skin problems
- Cleans the horse, so chafing does not occur under areas of [tack](#)
- Gives the groom a chance to check the horse's health, such as looking for cuts, heat, swelling, [lameness](#), a change in temperament (such as depression) which could indicate the horse is sick, and look to see if the horse has loose or missing [horseshoes](#)
- Helps to form a relationship between horse and handler, which can carry over to other handling duties and riding

[Horse showmanship](#) is a [horse show](#) class that considers quality of grooming for as much as 40% of the total score.

Tools used for grooming [\[edit\]](#)

There are several tools that are commonly used when grooming a horse. Proper use and technique helps to ensure the horse remains comfortable during the grooming process, and allows for greater ease in cleaning the animal.

- **Curry or Curry comb:** A tool made of rubber or plastic with short "teeth" on one side, that slides onto the hand of the groom. It is usually the first tool used in daily grooming. The horse is rubbed or "curried" to help loosen dirt, hair, and other detritus, plus stimulate the skin to produce natural oils. The curry comb is usually used in a circular motion to work loose embedded material. Curry combs are generally too harsh to be used on the legs or head, though varieties made of softer rubber are available.
- **Metal curry comb or Fitch curry comb:** It is a curry comb made of several rows of short metal teeth, with a handle. While useful for caked-on mud, particularly on horses with a heavy winter coat, they are primarily designed for use on show cattle, and are frequently used to clean horse grooming brushes by moving the brush across the metal curry comb teeth every few strokes. The metal curry comb is not designed for use directly on the summer coat of a horse as the metal teeth can damage the skin and hair. Not to be confused with the shedding blade, *below*.



Various types of currycombs, made of both hard and soft materials

Hard-bristled brush: A stiff-bristled brush is used to remove the dirt, hair and other material stirred up by the curry. Brushes are used in the direction of the horse's hair coat growth, usually in short strokes from front to back, except at the flanks, where the hair grows in a





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Dog grooming

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Dog grooming refers to both the hygienic care and cleaning of a **dog**, as well as a process by which a dog's physical appearance is enhanced for **showing** or other types of competition. A dog groomer (or simply "groomer") is a person who earns their living grooming dogs.



A Newfoundland dog lying next to its combed-out seasonal undercoat.

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Reasons for grooming [edit]

Grooming is a vital part in the well-being and healthiness of a dog which can improve their lifespan. How much grooming a dog needs depends on its breed, age, and health. Regular grooming helps to ensure the dog is healthy and comfortable. While many dogs *shed*, others such as the **poodle**, do not shed as profusely and require grooming by a professional every 6–8 weeks maximum.^[*citation needed*]

The main reasons for daily grooming include:

- decreased chance of various health problems, such as thrush, scratches, and other skin problems
- general cleanliness of the dog
- monitoring of the dog's health by checking for cuts, heat, swelling, lameness, or changes in temperament, all of which could be indicative of illness
- forging of a closer bond between dog and owner
- reducing infestation load of external parasites on skin.



Grooming a **dog** using a shedding blade.

Tools and supplies [edit]

Curry or curry brush: A tool made of rubber or plastic with short "teeth." The tool is rubbed (or "curried") over the dog's coat to loosen dirt, hair, and other detritus, and stimulate the skin into producing natural oils. They are more commonly used for dogs that have large amounts of hair that has shed such as for the **German Shepherds**. They are also used for untangling knots in certain parts of the dog's body such as **ears**, **paws** or tail. Using a currycomb must be done carefully as the action of this type of tool can harm the skin of the dog, if pulled too hard.



Various types of currycombs

Shedding blade: A metal shedding blade with short, dull teeth is used to remove dead hair from certain types of harsh coats. The shedding blade is not used to cut the hair.



A shedding blade

Scissors and clippers: Cutting tools used to remove/shorten hair on certain types of coats or in sensitive areas. Not all types of coat are suitable for clipping, i.e. double coats on breeds such as **Border Collies** keep the dog cool in summer and warm in winter, and should not be clipped unless the dog is matted. The typical pair of **scissors** for dog grooming is between 6.5 and 9 inches long, longer than typical hair dressing scissors. Some are designed with a blunt tip to prevent any injuries due to the dog moving around.

Stripping combs/knives: Tools used to help grab the longer hairs on a harsh coat and pull them

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101	85141399	3957803	JOINT MOVEMENT GLUCOSAMINE	TSDR	LIVE
102	85314898	4116254	FLEX-5 COMPLETE JOINT CARE	TSDR	LIVE
103	85006850	3876746	BONE AND JOINT RESTORE	TSDR	LIVE
104	85077756	4078879	JOINTRECOVERY	TSDR	LIVE
105	85129531	3961466	JOINTFLEX	TSDR	LIVE
106	85146498	3949580	ARTHRO-JOINT & MUSCLE SUPPORT FACTORS	TSDR	LIVE
107	85912729	4480222	JOINT JUICE	TSDR	LIVE
108	85205554	4101139	LIGA-JOINT	TSDR	LIVE
109	85874785	4490517	JOINT REPLETE	TSDR	LIVE
110	85875131	4627061	JOINT TECH	TSDR	LIVE
111	85795520	4710249	JOINT COMPLETE	TSDR	LIVE
112	85508446	4227790	JOINT 88	TSDR	LIVE
113	85971343	4594139	VEREBEY JOINT SUPPORT	TSDR	LIVE
114	85673481	4518472	HEALTHY JOINTS MOVE FREE	TSDR	LIVE
115	85546565	4337146	TOTAL JOINT HEALTH	TSDR	LIVE
116	85886995	4439323	JOINT ACT	TSDR	LIVE
117	85808804	4379797	STABLE JOINT	TSDR	LIVE
118	85725022	4409878	DR. MOLLÉ'S JOINT REBOUND	TSDR	LIVE
119	85686151	4362549	JOINT BARS	TSDR	LIVE
120	85644784	4285636	JOINT KNEES JOYS OF MOTION!	TSDR	LIVE
121	85644706	4322401	JOINTS N KNEES	TSDR	LIVE
122	85624647	4385222	ATHLETES JOINT RESTORE	TSDR	LIVE
123	85608107	4339893	NUTRASTEM BONE & JOINT	TSDR	LIVE
124	85484715	4296388	FLEX MAGIC SERIOUS JOINT CARE	TSDR	LIVE
125	79174809	5047401	JOINT-VIE	TSDR	LIVE

Record List Display

126	79177543	5000742	JOINTAIC	TSDR	LIVE
127	78861064	3433131	JOINT ADVANTAGE GOLD	TSDR	LIVE
128	78917487	3270359	A NEW BREED OF JOINT HEALTH SUPPLEMENT	TSDR	LIVE
129	78782460	3151107	RX-JOINT	TSDR	LIVE
130	78631633	3512533	HYAL-JOINT	TSDR	LIVE
131	78677910	3203542	AMERICA'S JOINT HEALTH EXPERT	TSDR	LIVE
132	78860268	3226214	JOINT SNACKS	TSDR	LIVE
133	78723529	3506484	JOINT MATRIX	TSDR	LIVE
134	78725308	3141809	JOINT FORMULA 88 PLUS	TSDR	LIVE
135	78096074	2919701	LUBRI-JOINT	TSDR	LIVE
136	78471203	3124597	JOINT HX	TSDR	LIVE
137	78486183	2986698	JOINT MOVEMENT GLUCOSAMINE	TSDR	LIVE
138	78272221	2945876	JOINT ZYME	TSDR	LIVE
139	78363834	3044542	JOINT RESCUE	TSDR	LIVE
140	78155974	2996899	JOINTCARE	TSDR	LIVE
141	78160447	2827749	JOINTACE	TSDR	LIVE
142	78042805	2585443	JOINT BUILDER	TSDR	LIVE
143	77754061	3722315	JOINTSOLVE	TSDR	LIVE
144	77792224	3868434	SEA MOBILITY JOINT RESCUE	TSDR	LIVE
145	77888771	3942731	JOINTDNA	TSDR	LIVE
146	77879102	3945421	JOINTJERKYTR	TSDR	LIVE
147	77754456	3805730	SOOTHE JOINTS	TSDR	LIVE
148	77735586	3791345	JOINTQUICKEN	TSDR	LIVE
149	77817157	3823124	JOINT III SELECT	TSDR	LIVE
150	77760607	3739579	JOINT GREASE	TSDR	LIVE
151	77533279	3548560	SUPER JOINT SOLUTION	TSDR	LIVE
152	77474699	3793780	JOINT RESTORATION FOUNDATION	TSDR	LIVE
153	77444592	3533852	JOINT COMMAND	TSDR	LIVE
154	77062092	3293156	JOINTMENT	TSDR	LIVE
155	77238913	3632129	JOINT FORMULA ONE	TSDR	LIVE
156	77286362	3435364	JF7 JOINTFORMULA	TSDR	LIVE
157	77356444	3476150	JOINT DEFENSE	TSDR	LIVE
158	77241049	3433527	JOINT HEALTH FOR PETS	TSDR	LIVE
159	76670810	3445699	JOINT MUSCLE PLUS	TSDR	LIVE
160	76537870	2921822	3-IN-1 JOINT FORMULA	TSDR	LIVE
161	76650127	3411269	NATURAL JOINT	TSDR	LIVE
162	76340989	2695014	JOINT MAX	TSDR	LIVE
163	76303598	2707822	JOINTAGEN	TSDR	LIVE
164	76225234	2542861	JOINT VIBRANCE	TSDR	LIVE
165	76709710	4148178	JOINTPAWS	TSDR	LIVE
166	76627032	3108505	JOINT FORMULA 88	TSDR	LIVE
167	76100305	2522089	JOINTSAVER	TSDR	LIVE
168	76487597	2846992	JOINT TREATS	TSDR	LIVE
169	76686268	3643945	JOINT-JUVENATION	TSDR	LIVE

170	76354153	2702045	JOINT CONNECTION	TSDR	LIVE
171	76116040	2539748	LIFEGUARD JOINT FORMULA	TSDR	LIVE
172	76028925	2461525	PERQUE JOINT GUARD	TSDR	LIVE
173	75938699	2564359	ELASTI JOINT	TSDR	LIVE
174	75647612	2363317	JOINT EFFORT	TSDR	LIVE
175	75652326	2513109	JOINT SOLUTIONS	TSDR	LIVE
176	75598269	2434014	JOINT & MUSCLE COMFORT	TSDR	LIVE
177	75646568	2316662	JOINT "RESCUE"	TSDR	LIVE
178	75799743	2596189	JOINT PHYTONUTRITION	TSDR	LIVE
179	75727560	2625534	JOINT JUICE	TSDR	LIVE
180	75937793	2495073	JOINTLUBE	TSDR	LIVE
181	75854665	2576542	JOINT SOOTHER	TSDR	LIVE
182	75725221	2735038	JOINT SUSTAIN	TSDR	LIVE
183	75561571	2376019	JOINT RENEW	TSDR	LIVE
184	75348766	2322191	JOINT BENEFITS	TSDR	LIVE
185	75322800	2239656	JOINT ESSENTIALS	TSDR	LIVE
186	75391476	2225537	PERFECT JOINT SUPPORT	TSDR	LIVE
187	75146475	2097318	JOINT SOOTHER	TSDR	LIVE
188	75182273	2126435	JOINTCARE	TSDR	LIVE
189	75447626	2476773	JOINT MAINTENANCE	TSDR	LIVE
190	75447391	2341991	HI-POTENCY JOINT RECOVERY	TSDR	LIVE
191	75065349	2066656	JOINT FUEL	TSDR	LIVE
192	75493326	2756441	JOINT FREE	TSDR	LIVE
193	75296047	2162024	JOINT PLUS	TSDR	LIVE
194	89000969		JOINT STAFF INSIGNIA (THE SINGAPORE ARMED FORCES, THE REPUBLIC OF SINGAPORE AIR FORCE AND THE REPUBLIC OF SINGAPORE NAVY)	TSDR	LIVE
195	89000854		JOINT UNITED NATIONS PROGRAMME ON HIV/AIDS	TSDR	LIVE
196	89000746		ORGANISATION FOR JOINT ARMAMENT CO-OPERATION	TSDR	LIVE

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Mark: FEED YOUR SKIN AND JOINTS

FEED YOUR SKIN AND JOINTS

US Serial Number: 87888136

Application Filing Date: Apr. 23, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: Approved by the examining attorney for publication but has not yet published for opposition. Although rare, withdrawal of approval prior to publication may occur after final review. The opposition period begins on the date of publication.

Status Date: Aug. 30, 2018

Mark Information

Mark Literal Elements: FEED YOUR SKIN AND JOINTS

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 and nutritional supplements containing collagen; Nutritional and dietary supplements with a cosmetic effect; Capsule supplements, namely, nutritional supplements in the form of a capsule; Nutraceuticals for use as a dietary supplement; Nutritional supplements; Nutritional and dietary supplements in the form of capsules and powders; Collagen for medical purposes, namely, supplement and nutrition purposes; Protein supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Biocell Technology, LLC

Owner Address: 20 Truman Street, Suite 105
Irvine, CALIFORNIA 92620
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rachel A. Rice

Attorney Primary Email Address: uspt@polsinelli.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Rachel A. Rice
Polsinelli PC
1401 Lawrence Street, Suite 2300
Denver, COLORADO 80202
UNITED STATES

Phone: 303-583-8224

Correspondent e-mail: uspt@polsinelli.com rice@polsinelli.com jwillard@polsinelli.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 30, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 28, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 27, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 27, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 27, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 27, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 17, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 17, 2018	NON-FINAL ACTION E-MAILED	6325
Aug. 17, 2018	NON-FINAL ACTION WRITTEN	74814
Aug. 14, 2018	ASSIGNED TO EXAMINER	74814
Jun. 19, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 19, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 02, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 26, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: DIXON, JENNIFER HAZARD

Law Office Assigned: LAW OFFICE 110

File Location

Current Location: TMO LAW OFFICE 110 - EXAMINING ATTORNEY ASSIGNED

Date in Location: Aug. 30, 2018

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Mark: ALL-JOINTS ULTRA

ALL-JOINTS ULTRA

US Serial Number: 87127201

Application Filing Date: Aug. 04, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Aug. 17, 2018

Publication Date: Dec. 27, 2016

Notice of Allowance Date: Feb. 21, 2017

Mark Information

Mark Literal Elements: ALL-JOINTS ULTRA

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 supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: AKESO HEALTH SCIENCES, LLC

Owner Address: 4607 LAKEVIEW CANYON, #561
WESTLAKE VILLAGE, CALIFORNIA 91361
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: L. S. VanLandingham III

Attorney Primary Email Address: Lsvanlan@hotmail.com

Attorney Email Authorized: Yes

CorrespondentCorrespondent Name/Address: L. S. VANLANDINGHAM III
91 LAKEMASTER LANE
LAKE HAVASU CITY, ARIZONA 86403
UNITED STATES

Phone: 928-453-0293

Fax: 928-453-0293

Correspondent e-mail: Lsvanlan@hotmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Aug. 21, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 17, 2018	EXTENSION 3 GRANTED	98765
Aug. 17, 2018	EXTENSION 3 FILED	98765
Aug. 17, 2018	TEAS EXTENSION RECEIVED	
Mar. 09, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 08, 2018	EXTENSION 2 GRANTED	65362
Feb. 21, 2018	EXTENSION 2 FILED	65362
Feb. 28, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 26, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Feb. 21, 2018	TEAS EXTENSION RECEIVED	
Aug. 19, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 17, 2017	EXTENSION 1 GRANTED	98765
Aug. 17, 2017	EXTENSION 1 FILED	98765
Aug. 17, 2017	TEAS EXTENSION RECEIVED	
Feb. 21, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 27, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 27, 2016	PUBLISHED FOR OPPOSITION	
Dec. 07, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 16, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 16, 2016	ASSIGNED TO EXAMINER	81858
Aug. 09, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 08, 2016	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: BROWN, TINA

Law Office LAW OFFICE 118
Assigned:**File Location**

Current Location: INTENT TO USE SECTION

Date in Location: Mar. 08, 2018

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Applicant: AKESO, LLC

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [6275/0241](#)

Pages: 2

Date Recorded: Feb. 15, 2018

Supporting [assignment-tm-6275-0241.pdf](#)
Documents:

Assignor

Name: [AKESO, LLC](#) **Execution Date:** Nov. 24, 2004
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country** CALIFORNIA
Where Organized:

Assignee

Name: [AKESO HEALTH SCIENCES, LLC](#) **State or Country** CALIFORNIA
Legal Entity Type: LIMITED LIABILITY COMPANY **Where Organized:**
Address: 4607 LAKEVIEW CANYON, #561
WESTLAKE VILLAGE, CALIFORNIA 91361

Correspondent

Correspondent Name: L. S. VANLANDINGHAM III
Correspondent Address: 91 LAKEMASTER LANE
LAKE HAVASU CITY, AZ 86403

Domestic Representative - Not Found

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Mark: JOINTGUARD SPORT



US Serial Number: 87823905

Application Filing Date: Mar. 07, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Aug. 14, 2018

Publication Date: Aug. 14, 2018

Mark Information

Mark Literal Elements: JOINTGUARD SPORT

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 words "JOINTGUARD" partially enclosed by a broken rectangle. The bottom line of the rectangle under the word "JOINTGUARD" is broken with the word "SPORT" in a stylized script placed partially inside of the broken rectangle and partially outside of the broken rectangle.

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

Disclaimer: "SPORT"

Design Search Code(s): 26.11.02 - Rectangles (single line); Plain single line rectangles

Related Properties Information

Claimed Ownership of US Registrations: 4896457

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; nutritional supplements for the treatment and prevention of osteoarthritis in humans

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MTMS Holdings, LLC
Owner Address: 400 Garden City Plaza
c/o Moritt, Hock & Hamroff LLP
Garden City, NEW YORK 11530
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Brian A. Bloom
Attorney Primary Email Address: bbloom@moritthock.com
Docket Number: M-6874012010
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: BRIAN A. BLOOM
MORITT HOCK & HAMROFF LLP
400 GARDEN CITY PLAZA
GARDEN CITY, NEW YORK 11530
UNITED STATES
Correspondent e-mail: bbloom@moritthock.com
msarney@moritthock.com tbalducci@moritthock.com
om.trademark@moritthock.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 14, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 14, 2018	PUBLISHED FOR OPPOSITION	
Jul. 25, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 06, 2018	ASSIGNED TO LIE	73797
Jun. 20, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 20, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 20, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 20, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 20, 2018	EXAMINERS AMENDMENT -WRITTEN	92824
Jun. 19, 2018	ASSIGNED TO EXAMINER	92824
Mar. 15, 2018	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Mar. 14, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 10, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: BLACK, MILDRED ELIZABE
Law Office Assigned: LAW OFFICE 121

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Jul. 09, 2018

Generated on: This page was generated by TSDR on 2018-09-06 16:00:25 EDT

Mark: JOINTFIT

JOINTFIT

US Serial Number: 87553718

Application Filing Date: Aug. 02, 2017

US Registration Number: 5528045

Registration Date: Jul. 31, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 31, 2018

Publication Date: May 15, 2018

Mark Information

Mark Literal Elements: JOINTFIT

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: 4892871, 4931554, 4931556

Goods and Services

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

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

For: Dietary supplements, protein supplements, food supplements, and powdered nutritional supplement drink mixes intended to support joint health

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2017

Use in Commerce: Aug. 01, 2017

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: FITNESS LABS NUTRITION CORPORATION
Owner Address: P.O. BOX 3896
 TORRANCE, CALIFORNIA 90510
 UNITED STATES
Legal Entity Type: CORPORATION **State or Country** CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: COREY A. DONALDSON **Docket Number:** 531-47-032
Attorney Primary Email Address: generalmail@koppelip.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: COREY A. DONALDSON
 KOPPEL PATRICK HEYBL & PHILPOTT
 2815 TOWNSGATE ROAD SUITE 215
 WESTLAKE VILLAGE, CALIFORNIA 91361
 UNITED STATES
Phone: 805-373-0060 **Fax:** 8053730051
Correspondent e-mail: generalmail@koppelip.com generalmail@koppelip.com
cdonaldson@koppelip.com kkooker@koppelip.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 31, 2018	REGISTERED-PRINCIPAL REGISTER	
May 15, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 15, 2018	PUBLISHED FOR OPPOSITION	
Apr. 25, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 11, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 30, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 29, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 29, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 02, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 02, 2017	NON-FINAL ACTION E-MAILED	6325
Nov. 02, 2017	NON-FINAL ACTION WRITTEN	93670
Nov. 02, 2017	ASSIGNED TO EXAMINER	93670
Aug. 08, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 05, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Jul. 31, 2018

Generated on: This page was generated by TSDR on 2018-09-06 16:04:14 EDT

Mark: JOINT VENTURE

Joint Venture

US Serial Number: 87439769

Application Filing Date: May 07, 2017

US Registration Number: 5520680

Registration Date: Jul. 17, 2018

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 17, 2018

Publication Date: Sep. 19, 2017

Notice of Allowance Date: Nov. 14, 2017

Mark Information

Mark Literal Elements: JOINT VENTURE

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: Non-medicated topical gel for the treatment of joints and muscles

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 16, 2016

Use in Commerce: Dec. 16, 2016

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Mila Enterprises, Inc.

Owner Address: Suite 425
919 North Market Street
Wilmington, DELAWARE 19801
UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott

Attorney Primary Email Address: scott@sdjnet.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: SCOTT
LAW OFFICES OF SCOTT D. JOHANNESSEN
424 CHURCH STREET
SUITE 2000
NASHVILLE, TENNESSEE 37219
UNITED STATES

Phone: 877.863.5400

Correspondent e-mail: scott@sdjnet.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 17, 2018	REGISTERED-PRINCIPAL REGISTER	
Jun. 09, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 08, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 02, 2018	STATEMENT OF USE PROCESSING COMPLETE	66230
May 11, 2018	USE AMENDMENT FILED	66230
Jun. 02, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
May 11, 2018	TEAS STATEMENT OF USE RECEIVED	
Nov. 14, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 19, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 19, 2017	PUBLISHED FOR OPPOSITION	
Aug. 30, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 10, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 03, 2017	ASSIGNED TO EXAMINER	93051
May 11, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 10, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 08, 2018

Generated on: This page was generated by TSDR on 2018-09-06 16:05:53 EDT

Mark: JOINT360

JOINT360

US Serial Number: 87774945

Application Filing Date: Jan. 29, 2018

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. 14, 2018

Publication Date: Jun. 19, 2018

Notice of Allowance Date: Aug. 14, 2018

Mark Information

Mark Literal Elements: JOINT360

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: Nutritional supplements for promoting joint health and mobility

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Omega Protein Corporation

Owner Address: 2105 City West Blvd., Suite 500
Houston, TEXAS UNITED STATES 77042

Legal Entity Type: CORPORATION

State or Country NEVADA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kristin H. Altoff

Docket Number: 000321-0002

Attorney Primary Email Address: trademarks@morganlewis.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: KRISTIN H. ALTOFF
MORGAN, LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE, NW
ATTN: TMSU
WASHINGTON, DISTRICT OF COLUMBIA UNITED STATES 20004

Phone: 202-739-5093

Fax: 202.739.3001

Correspondent e-mail: trademarks@morganlewis.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 14, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 19, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 19, 2018	PUBLISHED FOR OPPOSITION	
May 30, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 11, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 10, 2018	ASSIGNED TO EXAMINER	72505
Feb. 08, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 01, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: DE JONGE, KATHLEEN RUS

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Aug. 14, 2018

Generated on: This page was generated by TSDR on 2018-09-06 16:20:29 EDT

Mark: JOINTFLEX

JOINTFLEX

US Serial Number: 87469568

Application Filing Date: May 31, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

Status: A first request for extension of time to file a Statement of Use has been granted.

Status Date: May 30, 2018

Publication Date: Oct. 10, 2017

Notice of Allowance Date: Dec. 05, 2017

Mark Information

Mark Literal Elements: JOINTFLEX

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: orally ingested nutritional supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: STRIDES PHARMA, INC.

Owner Address: SUITE 1102
2 TOWER CENTER BLVD.
EAST BRUNSWICK, NEW JERSEY 08816
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW JERSEY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: M. Zach Gordon

Docket Number: SHA17-00217

Attorney Primary Email Address: ZGTrademarks@taftlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: M. ZACH GORDON
TAFT STETTINIUS & HOLLISTER
ONE INDIANA SQUARE
SUITE 3500
INDIANAPOLIS, INDIANA 46204
UNITED STATES

Phone: 3177133662

Correspondent e-mail: ZGTrademarks@taftlaw.com
zgordon@taftlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 01, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 30, 2018	EXTENSION 1 GRANTED	98765
May 30, 2018	EXTENSION 1 FILED	98765
May 30, 2018	TEAS EXTENSION RECEIVED	
Dec. 05, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 10, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 10, 2017	PUBLISHED FOR OPPOSITION	
Sep. 20, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 30, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 30, 2017	ASSIGNED TO EXAMINER	77966
Jun. 07, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 03, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MAYES, LAURIE ANN

Law Office Assigned: LAW OFFICE 101

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Dec. 05, 2017

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Mark: OLD DOGS! HAPPY JOINTS!

OLD DOGS! HAPPY JOINTS

US Serial Number: 85943290

Application Filing Date: May 28, 2013

US Registration Number: 4440295

Registration Date: Nov. 26, 2013

Register: Principal

Mark Type: Trademark

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

Status Date: Nov. 26, 2013

Publication Date: Sep. 10, 2013

Mark Information

Mark Literal Elements: OLD DOGS! HAPPY JOINTS!

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: Pet food products, namely, edible pet treats, pet food, pet snacks, edible pet treats in the nature of pet snacks

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 07, 2013

Use in Commerce: Feb. 07, 2013

For: Nutritional supplements and vitamins for pets; Nutritional supplements for pets in the nature of pet treats; dietary and nutritional supplements in the nature of pet treats used for weight control for pets; dietary supplements for pets in the nature of pet treats

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 07, 2013

Use in Commerce: Feb. 07, 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: ARK NATURALS COMPANY

Owner Address: 6166 TAYLOR ROAD
NAPLES, FLORIDA 34109
UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jennifer L. Whitelaw

Attorney Primary Email Address: usptomail@whitelawfirm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JENNIFER L. WHITELAW
WHITELAW LEGAL GROUP
3838 TAMiami TRl N STE 310
NAPLES, FLORIDA 34103-3586
UNITED STATES

Phone: 239-262-1001

Fax: 239-261-0057

Correspondent e-mail: usptomail@whitelawfirm.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 13, 2017	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 26, 2013	REGISTERED-PRINCIPAL REGISTER	
Sep. 10, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 10, 2013	PUBLISHED FOR OPPOSITION	
Aug. 21, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jul. 31, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 30, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	74221
Jul. 30, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	74221
Jul. 22, 2013	ASSIGNED TO LIE	74221
Jul. 12, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 30, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 30, 2013	NON-FINAL ACTION E-MAILED	6325
Jun. 30, 2013	NON-FINAL ACTION WRITTEN	81853
Jun. 21, 2013	ASSIGNED TO EXAMINER	81853
Jun. 06, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 31, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 26, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Gulf Coast Nutritionals, Inc.

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [6191/0656](#)

Pages: 10

Date Recorded: Oct. 27, 2017

Supporting [assignment-tm-6191-0656.pdf](#)
Documents:

Assignor

Name: [ARK NATURALS COMPANY](#) Execution Date: Oct. 27, 2017
Legal Entity Type: CORPORATION State or Country DELAWARE
Where Organized:

Assignee

Name: [CADENCE BANK, N.A.](#) State or Country UNITED STATES
Legal Entity Type: NATIONAL BANKING ASSOCIATION Where Organized:
Address: 2100 THIRD AVENUE NORTH, SUITE 1100
BIRMINGHAM, ALABAMA 35203

Correspondent

Correspondent Name: ADELEE SEIDEL
Correspondent Address: 6075 POPLAR AVE., STE. 500
MEMPHIS, TN 38187

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [6204/0919](#) Pages: 7
Date Recorded: Nov. 14, 2017
Supporting [assignment-tm-6204-0919.pdf](#)
Documents:

Assignor

Name: [GULF COAST NUTRITIONALS, INC.](#) Execution Date: Oct. 27, 2017
Legal Entity Type: CORPORATION State or Country FLORIDA
Where Organized:

Assignee

Name: [ARK NATURALS COMPANY](#) State or Country DELAWARE
Legal Entity Type: CORPORATION Where Organized:
Address: 6166 TAYLOR ROAD
NAPLES, FLORIDA 34109

Correspondent

Correspondent Name: NICHOLE T. HAYDEN
Correspondent Address: 301 S. COLLEGE STREET
ONE WELLS FARGO, 23RD FL
CHARLOTTE, NC 28202

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST
Reel/Frame: [6228/0847](#) Pages: 9
Date Recorded: Dec. 14, 2017
Supporting [assignment-tm-6228-0847.pdf](#)
Documents:

Assignor

Name: [ARK NATURAL COMPANY](#) Execution Date: Oct. 27, 2017
Legal Entity Type: CORPORATION State or Country DELAWARE
Where Organized:

Assignee

Name: [4612-ARK HOLDCO, LP](#) State or Country DELAWARE
Legal Entity Type: LIMITED PARTNERSHIP Where Organized:
Address: 3445 PEACHTREE ROAD NE
SUITE 175

ATLANTA, GEORGIA 30326

Correspondent

Correspondent Name: PEPPER HAMILTON LLP

Correspondent Address: 620 EIGHTH AVENUE
FLOOR 38
NEW YORK, NY 10018

Domestic Representative - Not Found

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Mark: DR. JOINTS

DR. JOINTS

US Serial Number: 85102048

Application Filing Date: Aug. 06, 2010

US Registration Number: 3988644

Registration Date: Jul. 05, 2011

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 28, 2016

Publication Date: Apr. 19, 2011

Mark Information

Mark Literal Elements: DR. JOINTS

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 supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 20, 2008

Use in Commerce: Feb. 20, 2008

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: FITLIFE BRANDS, INC.

Owner Address: 5214 S. 136th Street
Omaha, NEBRASKA 68137
UNITED STATES

Legal Entity Type: CORPORATION

State or Country NEVADA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tracy L. Deutmeyer

Attorney Primary Email Address: trademark@mcgrathnorth.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TRACY L. DEUTMEYER
MCGRATH NORTH MULLIN & KRATZ, PC LLO
1601 DODGE ST STE 3700
OMAHA, NEBRASKA 68102-1650
UNITED STATES

Phone: (402)341-3070

Fax: (402)952-6870

Correspondent e-mail: trademark@mcgrathnorth.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 06, 2017	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Dec. 06, 2017	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 28, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 28, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Oct. 28, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Aug. 23, 2016	TEAS SECTION 8 & 15 RECEIVED	
Oct. 02, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 20, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 20, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 19, 2011	PUBLISHED FOR OPPOSITION	
Mar. 12, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Mar. 12, 2011	ASSIGNED TO LIE	70997
Feb. 22, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 13, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 13, 2010	NON-FINAL ACTION E-MAILED	6325
Sep. 13, 2010	NON-FINAL ACTION WRITTEN	73365
Sep. 06, 2010	ASSIGNED TO EXAMINER	73365
Aug. 11, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 10, 2010	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 105

Date in Location: Oct. 28, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Bond Laboratories, Inc.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [5120/0127](#)

Pages: 5

Date Recorded: Sep. 30, 2013

Supporting Documents: [assignment-tm-5120-0127.pdf](#)**Assignor**Name: [BOND LABORATORIES, INC.](#)

Execution Date: Sep. 30, 2013

Legal Entity Type: CORPORATION

State or Country: NEVADA
Where Organized:**Assignee**Name: [FITLIFE BRANDS, INC.](#)

Legal Entity Type: CORPORATION

State or Country: NEVADA
Where Organized:Address: 4509 S. 143RD STREET, SUITE 1
OMAHA, NEBRASKA 68137**Correspondent**

Correspondent Name: TRACY L. DEUTMEYER

Correspondent Address: 1601 DODGE ST., STE. 3700
OMAHA, NE 68102**Domestic Representative - Not Found**

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Mark: VITAL-JOINT CHEWS

VITAL-JOINT CHEWS

US Serial Number: 85447083

Application Filing Date: Oct. 13, 2011

US Registration Number: 4491556

Registration Date: Mar. 04, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: Mar. 04, 2014

Publication Date: Sep. 25, 2012

Notice of Allowance Date: Nov. 20, 2012

Mark Information

Mark Literal Elements: VITAL-JOINT CHEWS

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

Disclaimer: "CHEWS"

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 for pets

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 31, 2013

Use in Commerce: Jan. 31, 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Vital Animal Health, LLC

Owner Address: 2031 Rand Avenue
Colorado Springs, COLORADO 80905
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Nicholas J. Licato JD PhD

Attorney Primary Email Address: nicholaslicato@nexgenpharma.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Nicholas J. Licato JD PhD
Vital Animal Health, LLC
46 Corporate Park
Suite 200
Irvine, CALIFORNIA 92606
UNITED STATES

Phone: 949-399-4046

Fax: 949-399-4094

Correspondent e-mail: nicholaslicato@nexgenpharma.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 21, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 11, 2017	WITHDRAWAL OF ATTORNEY GRANTED	
Nov. 11, 2017	TEAS WITHDRAWAL OF ATTORNEY RECEIVED	
Sep. 02, 2014	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 02, 2014	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 04, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 28, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 25, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	70138
Jan. 24, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 18, 2013	STATEMENT OF USE PROCESSING COMPLETE	66530
Nov. 11, 2013	USE AMENDMENT FILED	66530
Dec. 09, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Nov. 11, 2013	TEAS STATEMENT OF USE RECEIVED	
May 22, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 20, 2013	EXTENSION 1 GRANTED	98765
May 20, 2013	EXTENSION 1 FILED	98765
May 20, 2013	TEAS EXTENSION RECEIVED	
Nov. 20, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 25, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 25, 2012	PUBLISHED FOR OPPOSITION	
Sep. 05, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 21, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Aug. 21, 2012	ASSIGNED TO LIE	70138
Aug. 10, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 02, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 01, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 01, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 01, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 01, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 01, 2012	NON-FINAL ACTION WRITTEN	74819
Jan. 31, 2012	ASSIGNED TO EXAMINER	74819
Oct. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 25, 2014

Generated on: This page was generated by TSDR on 2018-09-06 16:32:03 EDT

Mark: NATURAL JOINT

NATURAL JOINT

US Serial Number: 76650127

Application Filing Date: Nov. 10, 2005

US Registration Number: 3411269

Registration Date: Apr. 15, 2008

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 26, 2018

Publication Date: Aug. 01, 2006

Mark Information

Mark Literal Elements: NATURAL JOINT

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

Disclaimer: "NATURAL"

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: Herbal food supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 19, 2005

Use in Commerce: Sep. 19, 2005

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: GREEK ISLAND LABS, LLC

Owner Address: 25 South Arizona Place, Suite 550
Chandler, ARIZONA 85225
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: ARIZONA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pacer K. Udall **Docket Number:** 2113.003
Attorney Primary Email Address: trademark@boothudall.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Pacer K. Udall
Booth Udall Fuller, PLC
1255 W. Rio Salado Pkwy., Ste. 215
Tempe, ARIZONA 85281
UNITED STATES
Phone: 4808302700
Correspondent e-mail: trademark@boothudall.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 26, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 26, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Apr. 26, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Apr. 26, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Apr. 16, 2018	TEAS SECTION 8 & 9 RECEIVED	
Apr. 15, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 24, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 24, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 14, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Apr. 14, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Mar. 28, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	69471
Apr. 14, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Mar. 28, 2014	PAPER RECEIVED	
Apr. 15, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 07, 2008	OPPOSITION TERMINATED NO. 999999	172539
Mar. 07, 2008	OPPOSITION DISMISSED NO. 999999	172539
Jan. 11, 2008	ASSIGNED TO EXAMINER	66508
Aug. 25, 2006	OPPOSITION INSTITUTED NO. 999999	172539
Aug. 24, 2006	OPPOSITION PAPERS RECEIVED AT TTAB	
Aug. 01, 2006	PUBLISHED FOR OPPOSITION	
Jul. 12, 2006	NOTICE OF PUBLICATION	
Jun. 13, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	74189
Jun. 06, 2006	ASSIGNED TO LIE	74189
May 26, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 23, 2006	EXAMINER'S AMENDMENT ENTERED	59554
May 22, 2006	EXAMINER'S AMENDMENT MAILED	
May 19, 2006	EXAMINERS AMENDMENT -WRITTEN	68309
May 17, 2006	ASSIGNED TO EXAMINER	68309
Nov. 21, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 15, 2018

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 26, 2018

Proceedings

Summary

Number of
Proceedings: 1

Type of Proceeding: Opposition

Proceeding
Number: [91172539](#)

Filing Date: Aug 24, 2006

Status: Terminated

Status Date: Mar 07, 2008

Interlocutory
Attorney: ANGELA LYKOS

Defendant

Name: GREEK ISLAND LABS, LLC

Correspondent
Address: CRYSTAL A. RUSSELL
LAW OFFICES OF CRYSTAL A. RUSSELL
237 W MAIN STREET
MESA AZ , 85201-7311
UNITED STATES

Correspondent e-
mail: crystal@crystalrussell.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
NATURAL JOINT	REGISTERED AND RENEWED	76650127	3411269

Plaintiff(s)

Name: NBTY, Inc

Correspondent
Address: Scott B Fisher
Jaspan Schlesinger Hoffman LLP
300 Garden City Plaza
Garden City NY , 11530
UNITED STATES

Correspondent e-
mail: sfisher@jshllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 24, 2006	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 25, 2006	Oct 04, 2006
3	PENDING, INSTITUTED	Aug 25, 2006	
4	ANSWER	Sep 21, 2006	
5	STIPULATION FOR AN EXTENSION OF TIME	Mar 13, 2007	
6	EXTENSION OF TIME GRANTED	Mar 13, 2007	
7	STIPULATION FOR AN EXTENSION OF TIME	May 14, 2007	
8	EXTENSION OF TIME GRANTED	May 14, 2007	
9	STIPULATION FOR AN EXTENSION OF TIME	Jul 11, 2007	
10	EXTENSION OF TIME GRANTED	Jul 11, 2007	
11	STIPULATION FOR AN EXTENSION OF TIME	Sep 10, 2007	
12	EXTENSION OF TIME GRANTED	Sep 10, 2007	
13	STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED	Nov 08, 2007	

14		Nov 08, 2007
15	STIPULATION FOR AN EXTENSION OF TIME	Jan 07, 2008
16	EXTENSION OF TIME GRANTED	Jan 07, 2008
17	WITHDRAWAL OF OPPOSITION	Jan 11, 2008
18	BD'S DECISION: DISMISSED W/O PREJUDICE	Mar 07, 2008
19	TERMINATED	Mar 07, 2008