

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

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<b>LITERAL ELEMENT</b>	DEVIL DUST
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>EVIDENCE SECTION</b>	
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<b>DESCRIPTION OF EVIDENCE FILE</b>	Arguments and exhibits
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Adam D. Matherly/
<b>SIGNATORY'S NAME</b>	/Adam D. Matherly/
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Washington Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	206-224-8042
<b>DATE SIGNED</b>	12/13/2018
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Thu Dec 13 19:16:00 EST 2018
<b>TEAS STAMP</b>	USPTO/RFR-XX.XX.XX.XXX-20 181213191600637108-873548 55-6107f97cb2e86648217f7f b149a4e7d83a576aaf4e8585d d2507cb47b329fd27c23-N/A- N/A-20181213190225969960

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### Request for Reconsideration after Final Action

#### To the Commissioner for Trademarks:

Application serial no. **87354855** DEVIL DUST(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87354855/large>) has been amended as follows:

#### EVIDENCE

Evidence in the nature of Arguments and exhibits has been attached.

##### Original PDF file:

[evi\\_976598162-20181213190225969960\\_ -Tre Holdco Inc - Request for Reconsideration DEVIL DUST .pdf](#)

Converted PDF file(s) ( 5 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

##### Original PDF file:

[evi\\_976598162-20181213190225969960\\_ .co Inc - Request for Reconsideration DEVIL DUST Exhibits.PDF](#)

Converted PDF file(s) ( 85 pages)

[Evidence-1](#)

[Evidence-2](#)

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[Evidence-85](#)

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /Adam D. Matherly/ Date: 12/13/2018

Signatory's Name: /Adam D. Matherly/

Signatory's Position: Attorney of Record, Washington Bar Member

Signatory's Phone Number: 206-224-8042

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: 87354855

Internet Transmission Date: Thu Dec 13 19:16:00 EST 2018

TEAS Stamp: USPTO/RFR-XX.XX.XX.XXX-20181213191600637

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-N/A-N/A-20181213190225969960

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: TRE HOLDCO, INC.  
SERIAL NO.: 87354855  
FILED: March 1, 2017  
MARK: DEVIL DUST  
EXAMINER: Kathleen M. Vanston  
LAW OFFICE: 107

**Response to Office Action**

The following responds to the office action dated June 13, 2018:

**SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION**

The Examining Attorney has refused to register Applicant's mark, DEVIL DUST, in light of prior registration U.S. Reg. No. 3280453, citing likelihood of confusion under the Trademark Act Section 2(d), 15 U.S.C. §1052(d).

In any likelihood of confusion determination, two key considerations are the similarity of the marks and similarity or relatedness of the goods and/or services. *Syndicat Des Proprietaires Viticulteurs De Chateauf-Du-Pape v. Pasquier DesVignes*, 107 USPQ2d 1930, 1938 (TTAB 2013) (citing *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976)); *In re Iola Techs., LLC*, 95 USPQ2d 1498, 1499 (TTAB 2010); see TMEP §1207.01. That is, the marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973)); TMEP §1207.01(b)-(b)(v). Additionally, the goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. See *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §1207.01, (a)(vi).

In the instant case, Applicant's mark (DEVIL DUST) is audibly and visually identical to the prior-registrant's mark (DEVIL DUST). However, even marks that are identical in sound and/or appearance may create sufficiently different commercial impressions when applied to the respective parties' goods or services so that there is no likelihood of confusion." *Id*; See, e.g., *In re Sears, Roebuck & Co.*, 2 USPQ2d 1312, 1314 (TTAB 1987) (holding CROSS-OVER for bras and CROSSOVER for ladies' sportswear not likely to cause confusion, noting that the term "CROSS-OVER" was suggestive of the construction of applicant's bras, whereas "CROSSOVER," as applied to registrant's goods, was "likely to be perceived by purchasers either as an entirely arbitrary designation, or as being suggestive of sportswear which "crosses over" the line between informal and more formal wear . . . or the line between two seasons"). Such is the

case here. The prior-registrant uses the mark for spices; in connection with those goods, DEVIL DUST conveys an image of hot, red powder (e.g. the devil being associated with the color red and hell, which popular culture tells us is hot). See Exhibits A and B. Applicant's goods are candy, generally; with respect to those goods, DEVIL DUST conjures up an image of something decadent and indulgent (e.g. the devil being associated with sins such as lust and gluttony), generating a distinctly different association than the heat of Registrant's use. Like CROSSOVER in *In re Sears*, the use of DEVIL DUST in association to candy is more likely to be perceived by consumers as an entirely arbitrary designation or as being of suggestive of candy that is decadent, indulgent or sinful.

The respective goods are also substantially different. Applicant submits that candy and spices are distinct specialty goods, and are commonly encountered in separate stores or in separate locations of uniquely diversified stores. For examples of stores where candy is sold separately from tea, see: <http://www.candy.com/>; <http://shop.tootsie.com/>. For spices, see: <https://www.spicesinc.com/>; <https://www.marketspice.com/>. Moreover, the prior-registrant offers only spices on its online store: <http://www.devil-dust.com/>. Applicant does not offer spices on its online store: <https://www.craftedbydeviants.com/product-page/sinners-saints-devil-dust-mixed-fruit>. Examples from the aforementioned websites are attached herein as Exhibit C. In the examining attorney's examples of online stores, it is significant that spices and candy are identified as separate categories and the products do not appear side by side for purposes of order placement or browsing of product information. The dissimilarity of the goods ensures that even if the Applicant's and Registrant's respective goods were to be found in the same store, for example, it is unlikely that consumers would be confused as to the source, akin to the CROSS-OVER and CROSSOVER marks. *See, e.g., In re Sears, Roebuck & Co.*, 2 USPQ2d at 1313 (noting that the items in question "are different types of clothing, having different uses, and are normally sold in different sections of department stores.").

The goods are also uniquely different in how they are consumed and ordered. Spices are not consumed as a stand-alone product; they are added to other foods (e.g. meats, soups, vegetables, etc.) for the purposes of providing flavor. A consumer purchasing spices does so with their cooking needs in mind, whether it is for a specific meal or for ongoing cooking needs. Professional chefs frequently order spices in bulk to keep their kitchens stocked. On the other hand, candy is most frequently consumed by itself as an on-the-go snack. The typical candy consumer is not adding candy to other foods and is not purchasing candy in bulk. Therefore, like the goods in *Sears*, the present goods are different types of food items, have drastically different uses as illustrated above, and are normally sold in different sections of both online and brick-and-mortar stores if they are sold by the same store.

In addition, the DEVIL DUST mark cited by the examining attorney is a weak mark in its class of goods, and thus should only be entitled to a narrow scope of protection. *See, E.g., Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee en 1772*, 396 F.3d 1369, 1373-74 (Fed. Cir. 2005). Included in this response are examples of numerous other third parties using DEVIL DUST to describe spices and spice mixtures. See Exhibits C-K. Where third parties have adopted marks that are the same or similar to Registrant's mark for use in connection with similar or identical products, in this case, food products, it may show that the term carries a highly suggestive

connotation in the industry and is therefore weak. *See, E.g., Mini Melts, Inc. v. Reckitt Benckiser LLC*, 118 USPQ2d 1464, 1470 (TTAB 2016). As it is clear from the evidence that DEVIL DUST is a weak mark as applied to spices, it is thus even weaker when examined outside of its goods and services. Furthermore, the examining attorney asserts that the goods are “complementary in terms of purpose or function because spices may be used in producing candy.” However, there is no evidence on record that the goods are necessarily or with any level of frequency bought and used together by consumers. Nor has the examining attorney shown that the relevant consumers are likely to expect that spices were utilized in the production of candy when the majority of candy flavors derive from chocolate or fruit. As demonstrated prior, the Applicant’s goods are a finished product purchased as an on-the-go snack, while the Registrant’s goods are a component meant to be used in the preparation of food. *See, e.g., In re White Rock Distilleries Inc.*, 92 USPQ2d 1282, 1285 (TTAB 2009) (finding that the Office had failed to establish that wine and vodka infused with caffeine are related goods because there was no evidence that vodka and wine emanate from a single source under a single mark or that such goods are complementary products that would be bought and used together). Thus, it is inaccurate to conclude that the respective goods are complementary.

Finally, the USPTO has repeatedly allowed registrations of identical or similar marks for “candy” on the one hand, and “spices” on the other, to coexist. A short, non-exhaustive list of third-party registrations that support Applicant’s position are set forth below (copies of the registration certificates are provided herewith as Exhibit M):

<b>Ref.</b>	<b>Mark 1 – registered for candy</b>	<b>Mark 2 – registered for spices</b>
01	U.S. Reg. No. 4481064 – GO WITH YOUR GUT; registered for “chocolate-based snack foods” in Class 30; Registrant: Jacksons Food Stores, Inc.	U.S. Reg. No. 4878019 – GO WITH YOUR GUT; registered for “organic kombucha tea fermented with fruit juices, herbs and spices” in Class 30; Registrant: Hex Ferments LLC
02	U.S. Reg. No. 5297953 – MR. BONES; registered for “candy” in Class 30; Registrant: Liebig, Jason E.	U.S. Reg. No. 5190566 – MR. BONES; registered for “spice rubs” in Class 30; Registrant: Mr. Bones Bottling, LLC
03	U.S. Reg. No. 4728497 – BRAZEN; registered for “chocolate” in Class 30; Registrant: Newfangled Labs LLC	U.S. Reg. No. 4067814 – BRAZEN; registered for “spice rubs” in Class 30; Registrant: Brazen BBQ, LLC
04	U.S. Reg. No. 1329912 – PANACHE; registered for “Candy” in Class 30; Registrant: Panache Chocolatier, Inc.	U.S. Reg. No. 1860488 – PANACHE; registered for “coffee, tea, and spices” in Class 30; Registrant: COFFEE BEAN INTERNATIONAL, INC.
05	U.S. Reg. No. 2785609 – GOLDEN; registered for “candy” in Class 30; Registrant: Guangxi Golden Throat Co., Ltd.	U.S. Reg. No. 2122597 – GOLDEN; registered for “spices” in Class 30; Registrant: International Golden Foods, Inc.
06	U.S. Reg. No. 2092806 – FIESTA; registered for “candy and chocolates” in	U.S. Reg. No. 0207643 – FIESTA; registered for “spices” in Class 30

	Class 30; Registrant: Fiesta Colombina, S.A.	(previously U.S. Class 46); Registrant: Joannes Corporation
07	U.S. Reg. No. 3325615 – ICE; registered for “candy” in Class 30; Registrant: Hershey Chocolate & Confectionery Corporation	U.S. Reg. No. 4773893 – ICE; registered for “edible spices” in Class 30; Registrant: BrandStorm, Inc.
08	U.S. Reg. No. 5323963 – GOLD MEDAL; registered for “candy” in Class 30; Registrant: Gold Medal Products Company	U.S. Reg. No. 1848669 – GOLD MEDAL; registered for “spices and processed herbs” in Class 30; Registrant: American Laboratories, Inc.
09	U.S. Reg. No. 2895772 – CRUSH; registered for “candy” in Class 30; Registrant: Cadbury Beverages B.V.	U.S. Reg. No. 5075986 – CRUSH; registered for “edible spices” in Class 30; Registrant: Foodservice, INC
10	U.S. Reg. No. 5330794 – BEON; registered for “chocolates and chocolate based ready to eat candies and snacks” in Class 30; Registrant: NRG Innovations, LLC	U.S. Reg. No. 3369074 – BEON; registered for “spices” in Class 30; Registrant: Beon Holdings, Inc.
11	U.S. Reg. No. 2092806 – FIESTA; registered for “candy and chocolates” in Class 30; Registrant: Fiesta Colombina S.L.U.	U.S. Reg. No. 207643 – FIESTA; registered for “[ COFFEE, TEA,] SPICES [, AND FOOD-FLAVORING EXTRACTS ]” in Class 30; Registrant: McCormick & Company, Incorporated
12	U.S. Reg. No. 4675710 – GOL; registered for “chocolates and chocolate based ready to eat candies and snacks” in Class 30; Registrant: Compañia Nacional De Chocolates S.A.S.	U.S. Reg. No. 4975211 – GOL; registered for “spices” in Class 30; Registrant: Sanset Gida Turizm Sanayi Ve Ticaret Anonim SIRKETI
13	U.S. Reg. No. 5424649 – TOP HAT; registered for “cotton candy” in Class 30; Registrant: The House Of Nosh LLC	U.S. Reg. No. 4330732– TOP HAT; registered for “spice blends” in Class 30; Registrant: Pendery's, Inc.
14	U.S. Reg. No. 4910924 – BLACK RIVER; registered for “chocolate candies” in Class 30; Registrant: Borrell, Marvia	U.S. Reg. No. 5505706 – BLACK RIVER; registered for “spices” in Class 30; Registrant: Guixens Food Group, Inc
<i>Note: original registrants listed</i>		

In light of the registrations cited-above, Applicant can identify no compelling reason why DEVIL DUST should not be allowed to register for its specified goods and services when it is clear that the same mark used for candy and spices by two respective users can coexist without consumer confusion.

**CONCLUSION**

Based on the arguments above, Applicant respectfully requests the Examining Attorney withdraw its above-referenced refusals and allow Applicant’s mark to proceed to publication.

**INCLUDED EXHIBITS**

Exhibit A – “Devil” Wikipedia Entry

Exhibit B – “Dust” Dictionary.com Entry

Exhibits C – Examples of Stores Independently Selling Candy or Spices

Exhibits D-L – Examples of Third Parties Adopting “DEVIL DUST” for Spices

Exhibit M – Registration Certificates of Cited Third-Party Registrations.



# EXHIBIT A

WIKIPEDIA

# Devil

A **devil** is the personification of evil as it is conceived in many and various cultures and religious traditions.<sup>[1]</sup> It is seen as the objectification of a hostile and destructive force.<sup>[2]</sup>

It is difficult to specify a particular definition of any complexity that will cover all of the traditions, beyond that it is a manifestation of evil. It is meaningful to consider the devil through the lens of each of the cultures and religions that have the devil as part of their myths.<sup>[3]</sup>

The history of this concept intertwines with theology, mythology, psychiatry, art and literature, maintaining a validity, and developing independently within each of the traditions.<sup>[4]</sup> It occurs historically in many contexts and cultures, and is given many different names — Satan, Lucifer, Beelzebub, Mephistopheles — and attributes: It is portrayed as blue, black, or red; It is portrayed as having horns on its head, and without horns, and so on.<sup>[5][6]</sup> The idea of the devil has been taken seriously often, but not always, for example when devil figures are used in advertising and on candy wrappers.<sup>[7][8]</sup>



Statue of the devil in the Žmuidzinavičius Museum or Devil's Museum in Kaunas, Lithuania.

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### Buddhism

### Tengrism

### Yazidism

### Judaism

### Christianity

Apocrypha/Deuterocanon

### Gnostic religions

Mandaeism

Catharism

### Manichaeism

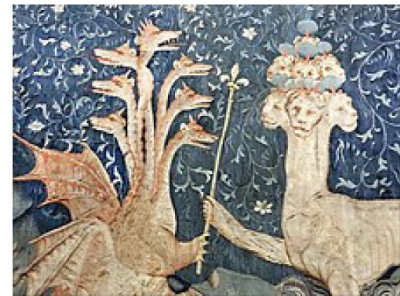
### Islam

In Sufism and Mysticism

In Salafism

### Bahá'í Faith

### German paganism



Satan (the Dragon) gives to the Beast of the sea (on the right) power represented by a sceptre in a detail of panel III.40 of the medieval French Apocalypse Tapestry, produced between 1377 and 1382.

**Demons**

**Titles**

**See also**

**References**

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## Etymology

The Modern English word *devil* derives from the Middle English *devel*, from Old English *dēofol*, that in turn represents an early Germanic borrowing of Latin *diabolus*. This in turn was borrowed from Greek: διάβολος *diábolos*, "slanderer",<sup>[9]</sup> from διαβάλλειν *diabállein*, "to slander" from διά *diá*, "across, through" and βάλλειν *bállein*, "to hurl", probably akin to the Sanskrit *gurate*, "he lifts up".<sup>[10]</sup>

## Definitions

In his book *The Devil: Perceptions of Evil from Antiquity to Primitive Christianity* Jeffrey Burton Russell discusses various meanings, and difficulties that are encountered when using the term *Devil*. He doesn't claim to define the word in a general sense, but he describes the limited use that he intends for the word in his book — limited in order to “minimize this difficulty” and “for the sake of clarity”. In this book Russel uses the word *Devil* as "the personification of evil found in a variety of cultures", as opposed the word "Satan", which he reserves specifically for the figure in the Abrahamic religions.<sup>[11]</sup>

In the introduction to his book, *Satan: A Biography*, Henry Ansgar Kelly discusses various considerations and meanings that he has encountered in using terms such as *devil* and *Satan*, etc. While not offering a general definition, he describes that in his book "whenever *diabolos* is used as the proper name of Satan", he signals it by using "small caps".<sup>[12]</sup>

The *Oxford English Dictionary* has a variety of definitions for the meaning of "devil", supported by a range of citations: "Devil" may refer to Satan, the supreme spirit of evil, or one of the Satan's emissaries or demons that populate Hell, or to one of the spirits that possess a demonic person; "devil" may refer to one of the "malignant deities" feared and worshiped by "heathen people", a demon, a malignant being of superhuman powers; figuratively “devil” may be applied to a wicked person, or playfully to a rogue or rascal, or in empathy often accompanied by the word “poor” to a person — "poor devil".<sup>[13]</sup>

## Hinduism

The earliest Hindu texts do not offer further explanations for evil, regarding evil as something natural.<sup>[14]</sup> However, later texts offer various explanations for evil. According to an explanation given by the Brahmins, both demons and gods spoke truth and untruth, but the demons relinquished the truth and the gods relinquished the untruth.<sup>[14]</sup> But both spirits are regarded as different aspects of one supreme god. Even some fierce deities like Kali are not thought of as devils but just as darker aspects of God<sup>[15]</sup> and may even manifest benevolence.<sup>[14]</sup>

## Ancient Egypt



A fresco detail from the Rila Monastery, in which demons are depicted as having grotesque faces and bodies.

# EXHIBIT B



Dictionary.com

Thesaurus.com



definitions



dust



dust

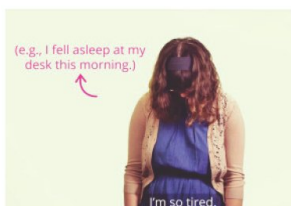
[duhst]

[Examples](#) [Word Origin](#)[See more synonyms for dust on Thesaurus.com](#)

noun

1. earth or other matter in fine, dry particles.
2. a cloud of finely powdered earth or other matter in the air.
3. any finely powdered substance, as sawdust.

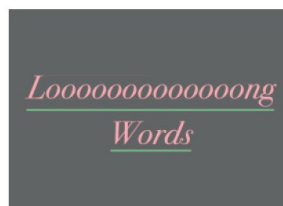
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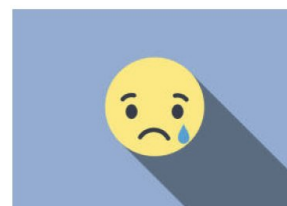
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Words in English



These Are the Saddest  
Phrases in English

4. the ground; the earth's surface.
5. the substance to which something, as the dead human body, is ultimately reduced by disintegration or decay; earthly remains.
6. *British* .
  - a. ashes, refuse, etc.
  - b. [junk<sup>1</sup>\(def 1\)](#).

7. a low or humble condition.
8. anything worthless.
9. disturbance; turmoil.
10. [gold dust](#).
11. the mortal body of a human being.
12. a single particle or grain.
13. *Archaic* . money; cash.

### verb (used with object)

14. to wipe the dust from:  
*to dust a table.*
15. to sprinkle with a powder or dust:  
*to dust rosebushes with an insecticide.*
16. to strew or sprinkle (a powder, dust, or other fine particles):  
*to dust insecticide on a rosebush.*
17. to soil with dust; make [dusty](#).

### verb (used without object)

18. to wipe dust from furniture, woodwork, etc.
19. to become [dusty](#).
20. to apply dust or powder to a plant, one's body, etc.:  
*to dust with an insecticide in late spring.*

### Idioms

21. **bite the dust** ,
  - a. to be killed, especially in battle; die.
  - b. to suffer defeat; be unsuccessful; fail:  
*Another manufacturer has bitten the dust.*
22. **dust off** ,
  - a. *Baseball* .(of a pitcher) to throw the ball purposely at or dangerously close to (the batter).
  - b. to take out or prepare for use again, as after a period of inactivity or storage:  
*I'm going to dust off my accounting skills and try to get a job in the finance department.*
  - c. to beat up badly:



*The gang of hoodlums dusted off a cop.*

23. **leave one in the dust** , to overtake and surpass a competitor or one who is less ambitious, qualified, etc.:

*Don't be so meek, they'll leave you in the dust.*

24. **lick the dust** ,  
a. to be killed; die.

Show More

## Origin of dust

before 900; Middle English; Old English *dūst*; cognate with German *Dunst* vapor

## Related forms

**dust-less** , adjective

**re-dust** , verb (used with object)

**un-dust-ed** , adjective

**well-dust-ed** , adjective

Dictionary.com Unabridged

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## Related Words for dust

grime, dirt, soil, powder, soot, earth, lint, sand, sift, spray, scatter, dredge, refuse, grit, smut, ashes, filth, ground, loess, granules

## Examples from the Web for dust

### Contemporary Examples of dust

Estee Lauder has not crumbled to *dust* because the perfect brown face of Joan Smalls represents it.



[One Vogue Cover Doesn't Solve Fashion's Big Race Problem](#)

Danielle Belton

January 2, 2015

Moreover, trucks, *dust* , and boomtown stress are the effects of any large-scale in *dust* rial activity.



[New York's Conservative Fracking Ban](#)

Jay Michaelson



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Count

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Greg Balestrieri (left) and Joe Melville (right)

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## Recent Blog Posts



(p-4040-whats-the-best-way-to-season-your-turkey.aspx)

## What's the Best Way to Season Your Turkey?

Turkey season is quickly approaching, and with it comes the delicious comfort favorites like mashed potatoes and mac and cheese, oh and some vegetables too. Putting together the perfect...

[Read More \(p-4040-whats-the-best-way-to-season-your-turkey.aspx\)](#)



[\(p-3782-holiday-spice-guide.aspx\)](#)

## Holiday Spice Guide

Thanksgiving is our favorite holiday here at SpicesInc.com, since it is all about good food and cooking (two of our favorite subjects)! While we see interest in spices start to pick up around mid October, it's...

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(p-1371-marinating-your-turkey.aspx)

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## Popular Recipes

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<a href="#">Lemon and Rosemary Turkey Marinade (p-3323-lemon-and-rosemary-turkey-marinade.aspx)</a>
<a href="#">Cinnamon Apple Cranberry Sauce (p-4108-cinnamon-apple-cranberry-sauce.aspx)</a>
<a href="#">Roasted Garlic Green Beans and Mushrooms (p-6504-roasted-garlic-green-beans-and-mushrooms.aspx)</a>
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WHITE TEA

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🕒 06 / 19 / 2017

# Welcome to our brand new MarketSpice website!


We felt the time was right for a new look and new ideas!

You will still find all our products that were available on our original site and we'll always add new items as they become available.


We're excited to add some interactive features including blogs about teas and spices, which will usually be written by our staff. On occasion we will share interesting articles or educational information regarding current trends in the tea and spice industry.

We hope you enjoy our new look and format and we look forward to providing you with the highest quality spices and teas as well as flavored honeys, hot chocolate mixes, tea-infused jellies, tea cookies, gift baskets, related accessories and candles!

You can rest assured that your friends and relatives may choose the perfect gift from our wide selection of teas, spices, spice blends and accessories. They will have the ability to select any item on our website, no restrictions. And you can relax knowing that you saved yourself valuable time and stress!

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Get the latest MarketSpice collectibles

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As a Specialty Coffee Company, our primary focus is on the highest quality coffee beans. We offer a fine selection of North West Coast coffee.

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**Try our Teas**  
**Delicious Hot and Iced Teas**  
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*"If you can stand the heat, stay in the kitchen, eat more Devil Dust!"*



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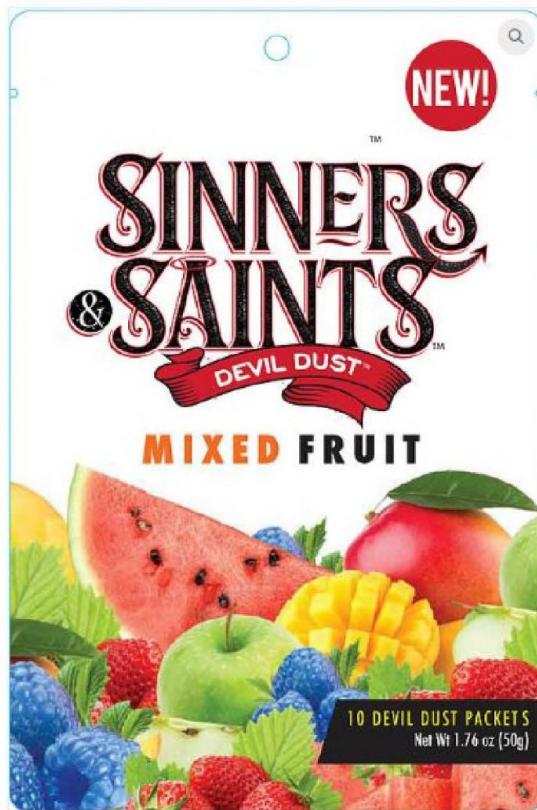
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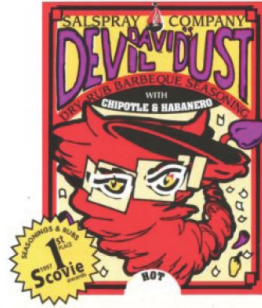


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## DAVID'S DEVIL DUST



Our second hottest, with a rush of smoky heat from chipotle, and undertones of habanero. Excellent on ribs, steak, swordfish and tuna.

PHOTO AND LINK TO RECIPE 1

PHOTO AND LINK TO RECIPE 2

PHOTO AND LINK TO RECIPE 3

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OCEAN STATE PEPPER CO.



DEVIL DUST

>  
**Devil Dust**

\$19.99

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Some like it hot.

Don't say we didn't warn you. We took a selection of the world's hottest peppers, ground 'em up, and jammed them in this bottle. Varieties of *Bhut Jolokia* (ghost pepper), along with Naga Morich, Habanero, and Cayenne lead to a quite invigorating experience. A perfect travel companion for pepper heads, and a great way to wake up your next meal. The Scoville rating of the peppers powdered in the blend start at 350,000 units, but the majority usually range between 800k-1.1m units. All thriller, no filler.

#### Ideas from the test kitchen:

- A win for any Indian or Thai-inspired meal
- Amazing in Jerk marinades
- Scrambled eggs
- Great for chili
- Next-level buffalo wings
- Substitute for fresh hot peppers when not in season

## CUSTOMER REVIEWS

Based on 3 reviews [Write a review](#)

### Dust it on... Everything!

**Lauren** on **Sep 26, 2018**

Heat and flavor packed into one shaker. Add a dusting to anything for a lot heat. Just a pinch packs a punch! Highly recommended to add to your spice rack!

[Report as Inappropriate](#)

### Hot, Sweet Heat

**DeeDee** on **Jan 08, 2018**

No doubt, this stuff is HOT! If you like hot peppers you will love it. If you find heat hard to tolerate but love the idea of heat? Throw it in guacamole instead of adding a jalapeño. It's super good without burning your mouth. I love this on eggs, salads, veggie hashes and in my raw cacao/hot almond milk drink.

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### Best Powder EVER Made

**Van** on **Nov 26, 2017**

Heat AND flavor? All in this little gem. Never had a powder that was able to deliver both. It actually has some amazing Naga or Bhut pepper flavor and delivers a really nice burst of heat. Totally addicting and not like anything I've ever had.

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# Devil Dust

With a unique blend of Tasmanian, Australian and worldly herbs and spices Devil Dust will add bite to your cooking.

No artificial flavours or colours • Vegan • Dairy free • 100% Australian family owned



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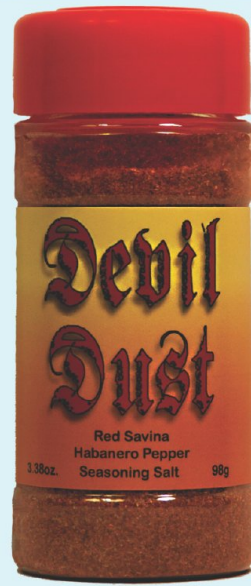
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**DEVIL DUST  
4 OZ**

Made with pure ground Red Savina Habanero peppers, this extreme heat seasoning salt will have even the most experienced chili-heads crying tears of joy! Combining intense heat with a flavor that's so good it is almost sinful, this is a product every true extreme heat lover must have.

Salt, paprika, garlic powder, onion powder, Red Savina Habanero pepper powder, spices

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## Devil Dust Hot Pepper Spice Mix

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Categories: Kentucky Cooking & Entertaining, Hot & Spicy



DESCRIPTION ADDITIONAL INFORMATION

Slowly perfected over the course of twenty years by the Waddy Spice Traders, their Devil Dust is a welcome addition to any cook's toolkit.

Whether you consider yourself a pepperhead or not, Devil Dust is an easy way to add some zing to anything you make. Just sprinkle it in or on your foods before during or after cooking and it makes a super flavor addition no matter how you prepare a dish.

**Secret tip:** Hot sauces change the fundamental flavor of a dish while they their heat – Devil Dust doesn't. This stuff is pure pepper flavor just waiting to be your favorite secret ingredient.

Devil Dust is made from a selected blend of hot and mild peppers with no other added ingredients – not

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HOME / SEASONINGS & BBQ RUBS

## Devil Dust – Extra Spicy Seasoning & BBQ Rub – ‘Makes Meat Devilishly Delicious’

★★★★★ (19 reviews)

£9.95

**Special Offer – Buy any 2 or more BBQ rubs and get 15% off your entire order!**



- Devil Dust adds extraordinary flavour to all kinds of cooking, with a devilishly delicious fiery chilli kick! The perfect mix of heat and flavour for any spice lover.
- Delicious with almost anything, try it on steak, chicken, ribs or even potato wedges. If you love hot sauce, you'll love Devil Dust!
- Before cooking, rub, sprinkle or load on as much Devil Dust as you dare! How much can you handle?
- A delicious blend of mixed spices, including Hot Paprika, Chilli Powder, Cayenne, Garlic, Cumin and more. Makes a great gift for the spicy food lover in your life.
- Blended with Nature in Mind – No MSG, Anti-Caking Agents or Preservatives. Vegetarian and Vegan friendly, and great if you're on a diet or fitness plan – get more flavour with low fat, high flavour, healthy recipes.

- 1 +

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Beck's Spice Rubs - Choose Your Flavor!

Price: **\$8.99**

3 or more: \$7.99 each

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**SPECIAL DEALS:** Try 3 Beck's Spice Rubs of any combination for only \$7.99 each!

--- [Beck's Spice Rubs - Choose Your Flavor!](#) ---

**Beck's Angel's Kiss - Seafood & Chicken Seasoning**

Tarragon, rosemary, fennel, and nutmeg highlight this unique and delicious spice blend from the kitchens of Chef Bill Beck, perfect for a whole variety of uses from Pork to Seafood, to Rice and Pasta.

**"TASTE THE LIGHT."** - Chef Bill Beck  
 A sweet, savory and aromatic seasoning that sharpens the light and natural flavors of Chicken, Pork, and Seafood. Combine with Olive Oil and a sprinkling of fresh Citrus to create a "What Dat?" marinade that will pleasantly surprise any palette. Also great with Rice and Pasta dishes. Mix well before using.

**Beck's Devil Dust - Fiery Rub & Seasoning**

Beck's select blend of fiery and smoky pepper varieties blended with floral hints of sweet basil, oregano, and thyme define this flavor profile.

Chef Bill Beck sez: **"FIRE IT UP!"**  
 Beck's Devil Dust ignites a zesty, flavorful heat without burning the essence of the dish. Bring the zing to Beef, Poultry, Seafood, and Vegetables. We use this seasoning in our signature Jambalaya, Cajun Fries and Blackened Chicken PoBoys. You will love this! Mix well before using.

**Beck's Rub-A-Dub Steak Rub**

Cumin, coriander, mustard, and fennel distinguish this delicious rub, perfect for hearty items such as Steaks, Lamb, Pork, and Game.

**"GO AHEAD, RUB IT IN."** - Chef Bill Beck  
 This bold and unique blend of spices will enhance the natural flavors in any choice cut of Beef, Lamb, Pork or Venison. Perfect for grilling, broiling, or pan searing; generously coat meat for an hour or more before cooking. Use as a condiment to pep up any dish on your dinner or picnic table. Mix well before using.

Pantry Item:

### Beck's Angel Dust - Seafood and Chicken Seasoning

Item #: 0007

Manufacturer: Beck's Cajun Cafe

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# EXHIBIT K





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Save \$25 on \$100 or more

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Grocery & Gourmet Food > Herbs, Spices & Seasonings > Mixed Spices & Seasonings

### Backyard Woody's - Hot - Georgia Devil Dust Seasoning - 3.0

OZ. by Backyard Woody's LLC

★★★★☆ 2 customer reviews



#### About the product

- Easy to use flip top shaker.

Get a \$125 Amazon.com Gift Card upon approval for the Amazon Business Prime Card. Terms apply.

#### Currently Unavailable

Want us to email you when this item becomes available?

Email Me

Email: amatherly@gmail.com  
Not Adam Matherly? Sign Out.

Deliver to Adam - Seattle 98121

Add to List

Add to Wedding Registry

Have one to sell?

Sell on Amazon

Share



#### Up to \$5 off Solimo coffee pods

Save up to \$5 on Solimo coffee pods - including dark, medium, light and flavored roasts - when you enroll with Subscribe & Save. Shop now.

Report incorrect product information

#### Customers also shopped for

Page 1 of 14

<





>

Mad Dog 357 Hot Sauce, 5 Ounce

★★★★☆ 349

\$11.17 ✓prime

Jeff's Texas Style Rub

★★★★☆ 9

\$10.00 ✓prime

Mad Dog 357 Reaper Sriracha Sauce 5oz

★★★★☆ 43

\$9.56 ✓prime

Frank's Redhot Buffalo Ranch Seasoning Blend, 4.75 Oz

★★★★☆ 4

\$10.48

Jeff's Original BBQ Sauce

★★★★☆ 1

\$13.99 ✓prime

### Special offers and product promotions

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### Have a question?

Find answers in product info, Q&As, reviews

### Product description

A hot and spicy seasoning that will enhance the flavor of all foods. Made with Habanero peppers and assorted spices. A Georgia Product.

### Product details

**Shipping Weight:** 3.5 ounces

**ASIN:** B00B8U9GJM


**UPC:** 710937400001

**Average Customer Review:** ★★★★★ 2 customer reviews

**Amazon Best Sellers Rank:** #792,103 in Grocery & Gourmet Food (See Top 100 in Grocery & Gourmet Food)  
#18263 in Grocery & Gourmet Food > Herbs, Spices & Seasonings > **Mixed Spices & Seasonings**

Would you like to [tell us about a lower price?](#)

### Related Video Shorts (0) [Upload your video](#)



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### Important information

**Ingredients**

Kosher Salt, Habanera Powder, Granulated Garlic, Course Ground Black Pepper, Cayenne Pepper, Granulated White Sugar, Granulated Onion, Paprika Citric Acid, and Tricalcium Phosphate (anti-caking agent)

**Directions**

Sprinkle desired amount on food.

**Legal Disclaimer**

Statements regarding dietary supplements have not been evaluated by the FDA and are not intended to diagnose, treat, cure, or prevent any disease or health condition.

### Customer Questions & Answers

[See questions and answers](#)

### Customer reviews

★★★★☆ 2  
4.0 out of 5 stars

5 star	<input type="text"/>	50%
4 star	<input type="text"/>	0%
3 star	<input type="text"/>	50%
2 star	<input type="text"/>	0%
1 star	<input type="text"/>	0%

Share your thoughts with other customers

Write a customer review

[See all 2 customer reviews >](#)

### Top customer reviews

Amazon Customer

★★★★☆ **Spicy**  
February 12, 2014

Verified Purchase

This seasoning is ok, but I had Devil Dust seasoning made by someone here in Kentucky. It was pure spice and wonderful, but I couldn't find it, so I thought I would try the Georgia Devil Dust. It's ok and it's spicy - but it doesn't have the real kick I was looking for and it seems to be a bit salty. It's okay - not great - but ...

Helpful | Comment | Report abuse

cjfloyd

★★★★★ **Georgia Devil Dust - Sinfully Delicious!!!!**  
November 3, 2013

I put this on everything.... steak, chicken, popcorn, spaghetti sauce, chili, fajitas, eggs .... anything! I love spicy food; the spicier the better! I got some of this and immediately knew it would be the best missing ingredient for my fajitas. I was right! I am now "Valdosta-famous" for my steak fajitas. I also love to put it in my chili. I've gotten to where I can't eat chili without it!

If you're looking for the perfect spicy kick to add to any meal, add just a little (it goes a LONG way).

Or, if you're like me and MO HOTTA, MO BETTA, take off the perforated cap and dump some in!

If you love it as much as I do, like the Facebook page too!  
[...]

[Georgia Devil Dust Seasoning](#)

2 people found this helpful

Helpful | Comment | Report abuse

[See both reviews >](#)

Write a customer review

**Disclaimer:** While we work to ensure that product information is correct, on occasion manufacturers may alter their ingredient lists. Actual product packaging and materials may contain more and/or different information than that shown on our Web site. We recommend that you do not solely rely on the information presented and that you always read labels, warnings, and directions before using or consuming a product. For additional information about a product, please contact the manufacturer. Content on this site is for reference purposes and is not intended to substitute for advice given by a physician, pharmacist, or other licensed health-care professional. You should not use this information as self-diagnosis or for treating a health problem or disease. Contact your health-care provider immediately if you suspect that you have a medical problem. Information and statements regarding dietary supplements have not been evaluated by the Food and Drug Administration and are not intended to diagnose, treat, cure, or prevent any disease or health condition. Amazon.com assumes no liability for inaccuracies or misstatements about products.

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English

United States

**Amazon Music**  
Stream millions of songs

**Amazon Business**  
Everything For Your Business

**Amazon Web Services**  
Scalable Cloud Computing Services

**East Dane**  
Designer Men's Fashion

**Prime Now**  
Ultrafast Delivery on Everyday Items

**Amazon Advertising**  
Find, attract, and engage customers

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Download Audiobooks

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Unlimited Photo Storage Free With Prime

**Woot!**  
Deals and Shenanigans

**Amazon Drive**  
Cloud storage from Amazon

**AmazonGlobal**  
Ship Orders Internationally

**Book Depository**  
Books With Free Delivery Worldwide

**Goodreads**  
Book reviews & recommendations

**Prime Video Direct**  
Video Distribution Made Easy

**Zappos**  
Shoes & Clothing

**6pm**  
Score deals on fashion brands

**Home Services**  
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**Shoptop**  
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Get Info Entertainment Professionals Need

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**PillPack**  
Pharmacy Simplified

**Alexa**  
Actionable Analytics for the Web

**Amazon Restaurants**  
Food delivery from local restaurants

**DPReview**  
Digital Photography

**Kindle Direct Publishing**  
Indie Digital Publishing Made Easy

**Withoutabox**  
Submit to Film Festivals

# EXHIBIT L

## Big Dave's Spices Ltd.

### Big Dave's Seasoning Blends & Salsa Recipe and Spice Mixes

#### Big Dave's Seasoning Blends

Big Dave's Spices are a perfect and delicious way to add spice and flavour to your favourite meals. We offer 13 seasoning blends to make your job in the kitchen easier. Whether you like it hot and spicy or prefer a smooth and rich flavour, we have what you're looking for. Experiment with new variations of chicken, beef, pork, fish and seafood. Also use these blends to finish a dish, mix up a salad dressing or to add flavour to snacks. These products are all natural and contain no added MSG.



Garlic Blaster  
\*OUR  
BESTSELLER\*



*Blazin' Cajun*



*Chipotle Olé*



*Devil's Dust*



*Droolin' Dragon*





*Garlic Frenzy*



*Garlic Goodness*



*Garlic Gusto*



*Grandpa Dave's Chicken Recipe*



*Pizzazz*



*Thai Sigh*



*Zesta Fiesta*

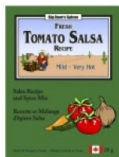


*Zora the Greek*

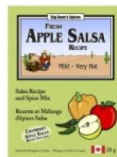
## Big Dave's Salsa Recipe and Spice Mixes

Make great tasting homemade salsa using your own fresh vegetables and Big Dave's Salsa Spice and Recipe. Complete salsa recipe and spice is contained inside each package. This product is all natural and contains no added MSG.

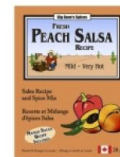
### Fresh Uncooked Salsas & Home Canned Tomato Salsa



*Fresh Tomato Salsa*



*Fresh Apple Salsa*



*Fresh Peach Salsa*



*Home Canned Tomato Salsa*

**Heat Ratings:** Heat ratings are listed, for the appropriate products, on a scale of 1 to 10, 1 being the mildest and 10 being the hottest. BE CAREFUL with any of our products with higher heat ratings (8 and higher). They may cause severe discomfort if not handled with care. Wash hands well with soap after handling hot items, or wear gloves while using them. DO NOT allow these products to get in your eyes or other sensitive areas.

10/26/2018

Big Dave's Spices Ltd.

**Allergen Information:** ALLERGEN(S): Mustard, Celery, Corn, Garlic, Onion, Sulfités are used in some of our blends. We do not use peanuts or tree nuts, egg, soy, fish or shellfish in any of our blends. However, people with severe allergies should be aware that some of our ingredients are processed in other facilities, and we cannot guarantee that these products have never been in contact with the above allergens.



# EXHIBIT M

**United States of America**  
United States Patent and Trademark Office

**GO WITH YOUR GUT**

**Reg. No. 4,481,064**

**Registered Feb. 11, 2014**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

JACKSONS FOOD STORES, INC. (NEVADA CORPORATION)  
3450 COMMERCIAL COURT  
MERIDIAN, ID 83642

FOR: PRETZELS; SNACK FOODS, NAMELY, CHOCOLATE-BASED SNACK FOODS; TOFFEE; YOGURT-COVERED PRETZELS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 6-19-2013; IN COMMERCE 6-19-2013.

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

SER. NO. 86-003,639, FILED 7-7-2013.

CHRISTINA SOBRAL, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**GO WITH YOUR GUT**

**Reg. No. 4,878,019**

**Registered Dec. 29, 2015**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

HEX FERMENTS LLC (MARYLAND LIMITED LIABILITY COMPANY)  
6107 EASTCLIFF DRIVE  
BALTIMORE, MD 21209

FOR: ORGANIC KOMBUCHA TEA FERMENTED WITH FRUIT JUICES, HERBS AND SPICES,  
IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-31-2013; IN COMMERCE 3-31-2014.

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

SN 86-129,260, FILED 11-26-2013.

COLLEEN DOMBROW, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**Mr. Bones**

**Reg. No. 5,297,953**

**Registered Sep. 26, 2017**

**Int. Cl.: 30**

**Trademark**

**Principal Register**

Liebig, Jason E. (UNITED STATES INDIVIDUAL)  
3702 21st Avenue, #3  
Astoria, NY 11105

CLASS 30: Candy

FIRST USE 5-15-2017; IN COMMERCE 7-27-2017

The mark consists of the wording "MR. BONES" in a stylized typeface.

SER. NO. 87-145,590, FILED 08-21-2016  
KATHLEEN RUS DE JONGE, EXAMINING ATTORNEY



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office



**United States of America**  
United States Patent and Trademark Office

**MR. BONES**

**Reg. No. 5,190,566**

**Registered Apr. 25, 2017**

**Int. Cl.: 30**

**Trademark**

**Principal Register**

Mr. Bones Bottling, LLC (FLORIDA LIMITED LIABILITY COMPANY)  
1116 Montezuma Dr.  
Bradenton, FL 34209

CLASS 30: Barbeque sauce; Barbecue dry rub; Spice rubs

FIRST USE 00-00-2000; IN COMMERCE 00-00-2000

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

SER. NO. 87-175,790, FILED 09-19-2016  
CHERYL A CLAYTON, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# BRAZEN

**Reg. No. 4,728,497**

NEWFANGLED LABS LLC (ARIZONA LIMITED LIABILITY COMPANY)

**Registered Apr. 28, 2015**

5667 EAST SUGARLOAF TRAIL  
CAVE CREEK, AZ 85331

**Int. Cl.: 30**

FOR: CHOCOLATE, IN CLASS 30 (U.S. CL. 46).

**TRADEMARK**

FIRST USE 2-18-2014; IN COMMERCE 3-21-2014.

**PRINCIPAL REGISTER**

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

SN 86-086,205, FILED 10-8-2013.

MICHAEL KEATING, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# BRAZEN

**Reg. No. 4,067,814**

**Registered Dec. 6, 2011**

**Int. Cls.: 30 and 43**

**TRADEMARK**

**SERVICE MARK**

**PRINCIPAL REGISTER**

BRAZEN BBQ, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
P.O. BOX 504248  
SAN DIEGO, CA 921504248

FOR: SPICE RUBS, SPICES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 8-17-2011; IN COMMERCE 8-17-2011.

FOR: RESTAURANT AND CATERING SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 8-17-2011; IN COMMERCE 8-17-2011.

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

SN 77-863,044, FILED 11-2-2009.

KATHERINE E. HALMEN, EXAMINING ATTORNEY



*David J. Kypos*

Director of the United States Patent and Trademark Office

Int. Cls.: 30 and 42

Prior U.S. Cls.: 46 and 101

United States Patent and Trademark Office

Reg. No. 1,329,912

Registered Apr. 9, 1985

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**PANACHE**

PANACHE CHOCOLATIER, INC. (MISSOURI  
CORPORATION)  
4709 CENTRAL ST.  
KANSAS CITY, MO 64112

FOR: CANDY, IN CLASS 30 (U.S. CL. 46).  
FIRST USE 6-2-1983; IN COMMERCE  
6-2-1983.

FOR: RETAIL CONFECTION STORE SERV-  
ICES, IN CLASS 42 (U.S. CL. 101).  
FIRST USE 6-2-1983; IN COMMERCE  
6-2-1983.

SER. NO. 467,587, FILED 2-27-1984.

IRA J. GOODSaid, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 1,860,488

**United States Patent and Trademark Office** Registered Oct. 25, 1994

**SERVICE MARK  
PRINCIPAL REGISTER**

**PANACHE**

COFFEE BEAN INTERNATIONAL, INC.  
(OREGON CORPORATION)  
2181 NW NICOLAI STREET  
PORTLAND, OR 97210

FIRST USE 10-4-1993; IN COMMERCE  
10-4-1993.

SN 74-374,830. FILED 4-2-1993.

FOR: COFFEE, TEA AND SPICES, IN CLASS  
30 (U.S. CL. 46).

CAROLYN GRAY, EXAMINING ATTORNEY

Int. Cls.: 5 and 30

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

Reg. No. 2,785,609

United States Patent and Trademark Office

Registered Nov. 25, 2003

TRADEMARK  
PRINCIPAL REGISTER

Golden

金嗓子喉寶

GUANGXI GOLDEN THROAT CO., LTD. (CHINA CORPORATION)  
NO. 28, YUEJIN ROAD  
LIUZHOU CITY, GUANGXI 545001, CHINA

FOR: THROAT LOZENGES; MEDICATED LOZENGES; MEDICATED CANDY FOR RELIEVING PAIN; HERBAL TEAS FOR MEDICINAL PURPOSES; MEAL REPLACEMENT DRINKS; DIETARY SUPPLEMENTS; FOOD FOR BABIES; ANTI-INFECTIVES; ANTI-INFLAMMATORIES; ANTIBIOTICS; ANTIVIRALS; ANTIDEPRESSANTS; ANTIFLATULANTS; ANTIPARASITICS; ANTISEPTICS; MEDICATED CHEWING GUM FOR RELIEVING PAIN; VETERINARY VACCINES FOR BOVINES AND HORSES; AIR DEODORIZERS; SURGICAL DRESSINGS; SANITARY NAPKINS; DENTAL MEDICINES, NAMELY BACTERIOSTATS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-0-1993; IN COMMERCE 12-16-1997.

FOR: SUGAR; CANDY; COFFEE; TEA; RICE; TAPIOCA; CHOCOLATES; FLOUR; PREPARATIONS MADE FROM CEREALS, NAMELY, PROCESSED CEREALS, BREAKFAST CEREALS; NOODLES; PASTRY; CONFECTIONERY, NAMELY, FROZEN CONFECTIONS, CAKES; EDIBLE ICES; HONEY; YEAST; SALT; GOURMET SEASONING POWDER; VINEGAR, SOY SAUCES; SAUCES AND SPICES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 6-0-1993; IN COMMERCE 12-16-1997.

OWNER OF U.S. REG. NO. 2,413,432.

THE CHINESE CHARACTERS IN THE MARK TRANSLITERATE INTO "JI SANG ZI HOU BAO", AND HAS NO EXACT ENGLISH MEANING.

SER. NO. 76-409,158, FILED 5-17-2002.

CURTIS FRENCH, EXAMINING ATTORNEY



Int. Cls.: 29 and 30

Prior U.S. Cl.: 46

Reg. No. 2,122,597

**United States Patent and Trademark Office** Registered Dec. 23, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**GOLDEN**

INTERNATIONAL GOLDEN FOODS, INC. (IL-  
LINOIS CORPORATION)  
6340 GROSS POINT ROAD  
NILES, IL 60648

FOR: PICKLED HOT PEPPERS, PROCESSED  
EGG PLANTS, PROCESSED CUCUMBERS,  
CANNED VEGETABLES, FRUIT PRESERVES,  
JAMS, DRIED FRUITS, DRIED DATES, PROC-  
ESSED NUTS, PROCESSED PEAS, PROCESSED  
BEANS, PROCESSED CORN, IN CLASS 29 (U.S.  
CL. 46).

FIRST USE 7-1-1986; IN COMMERCE  
7-1-1986.

FOR: RICE, COFFEE, TEA, SUGAR, CAKES,  
PASTRIES, HONEY, SPICES, SAUCES AND  
PEPPER, IN CLASS 30 (U.S. CL. 46).

FIRST USE 7-1-1986; IN COMMERCE  
7-1-1986.

SER. NO. 74-374,854, FILED 4-2-1993.

CAROLYN GRAY, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,092,806

**United States Patent and Trademark Office**

Registered Sep. 2, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**FIESTA**

FIESTA, S.A. (SPAIN COMPANY)  
APDO.58  
ALCALA DE HENARES  
MADRID, SPAIN

FIRST USE 0-0-1941; IN COMMERCE  
0-0-1968.

OWNER OF U.S. REG. NO. 980,440.

SER. NO. 75-095,098, FILED 4-26-1996.

FOR: CANDY AND CHOCOLATES, IN  
CLASS 30 (U.S. CL. 46).

EVERETT FRUEHLING, EXAMINING ATTOR-  
NEY

Registered Jan. 5, 1926.

Trade-Mark 207,643

Renewed January 5, 1946 to Ben.Hur Products, Inc., of Los Angeles, California, a corporation of Delaware, which has made a showing of ownership of the trade-mark originally registered to Joannes Corporation.

## UNITED STATES PATENT OFFICE.

JOANNES CORPORATION, OF LOS ANGELES, CALIFORNIA.

ACT OF FEBRUARY 20, 1905.

Application filed June 22, 1925. Serial No. 216,183.

# FIESTA

### STATEMENT.

*To all whom it may concern:*

Be it known that Joannes Corporation, a corporation duly organized under the laws of the State of California, and located at Los Angeles, California, and doing business at Nos. 800-806 Traction Avenue at Hewitt Street, Los Angeles, California, has adopted and used the trade-mark shown in the accompanying drawing, for COFFEE, TEA, SPICES, AND FOOD-FLAVORING EXTRACTS, in Class 46, Foods and ingredients of foods, and presents herewith five specimens or facsimiles showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905, as amended.

The trade-mark has been continuously used and applied to said goods in applicant's business since 1903.

The trade-mark is applied or affixed to the goods, or to the packages containing the same by placing thereon a printed label on which the trade-mark is shown.

The undersigned hereby appoints Lee W. Mida and Arthur E. Wallace under the firm name of Mida & Wallace (attorneys of Mida's Trade-Mark & Patent Bureau) registration No. 11,626, whose postal address is 537 S. Dearborn Street, Chicago, Illinois, its attorneys, to prosecute this application for registration, with full powers of substitution and revocation, and to make alterations and amendments therein, to receive the certificate, and to transact all business in the Patent Office connected therewith.

JOANNES CORPORATION,  
By H. L. JOANNES,  
*Secretary.*

**Int. Cls.: 3 and 30**

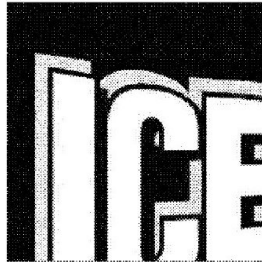
**Prior U.S. Cls.: 1, 4, 6, 46, 50, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 3,325,615**

Registered Oct. 30, 2007

**TRADEMARK  
PRINCIPAL REGISTER**



HERSHEY CHOCOLATE & CONFECTIONERY  
CORPORATION (DELAWARE CORPORATION)  
4860 ROBB STREET, SUITE 204  
WHEAT RIDGE, CO 80033

FOR: BREATH FRESHENER, IN CLASS 3 (U.S.  
CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 11-1-2002; IN COMMERCE 11-1-2002.

FOR: CANDY, BREATH MINTS, CANDY MINTS  
AND CHEWING GUM, IN CLASS 30 (U.S. CL. 46).

FIRST USE 11-1-2002; IN COMMERCE 11-1-2002.

OWNER OF U.S. REG. NOS. 1,998,666, 2,495,016,  
AND OTHERS.

THE MARK CONSISTS OF A RECTANGLE IN  
WHICH PORTIONS OF THE LETTERS ICE APPEAR.  
THE STIPPLING IS FOR SHADING PURPOSES  
ONLY. NO COLOR IS CLAIMED AS PART OF THE  
MARK.

SN 78-339,265, FILED 12-11-2003.

STEVEN R. FINE, EXAMINING ATTORNEY

**United States of America**  
United States Patent and Trademark Office

**ICE**

**Reg. No. 4,773,893**

**Registered July 14, 2015**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

BRANDSFORM, INC. (CALIFORNIA CORPORATION)  
7535 WOODMAN PLACE  
VAN NUYS, CA 91405

FOR: EDIBLE SALT; EDIBLE SPICES; FLAVORED SALT; FLAVOURINGS AND SEASONINGS; SALT; SPICE BLENDS; SPICES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-31-2014; IN COMMERCE 7-1-2014.

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

SN 86-249,861, FILED 4-11-2014.

INGRID C. EULIN, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## GOLD MEDAL

**Reg. No. 5,323,963**

**Registered Oct. 31, 2017**

**Int. Cl.: 7, 8, 11, 12, 16,  
20, 21, 29, 30**

**Trademark**

**Principal Register**

Gold Medal Products Company (OHIO CORPORATION)  
10700 Medallion Drive  
Cincinnati, OHIO 45241

CLASS 7: Electric food blenders; electric juicers; merchandising vending machines; shaved-ice machines; power-operated ice shavers

FIRST USE 12-31-1950; IN COMMERCE 12-31-1950

CLASS 8: Hand-operated ice shavers

FIRST USE 12-16-2009; IN COMMERCE 12-16-2009

CLASS 11: Cotton-candy machines; hot-dog grilling machines; warming, heating and cooking units for edible products, namely, fat fryers and deep-fat fryers, warming cabinets for popcorn, pretzels, pizza, potato chips, and cheese, and hot-dog grillers; electrically operated cotton-candy machines; mechanical dispensers for syrups and other edible products

FIRST USE 1-1-1950; IN COMMERCE 1-1-1950

CLASS 12: Carts

FIRST USE 1-1-1975; IN COMMERCE 1-1-1975

CLASS 16: Paper popcorn bags; paper holders for spun sugar candy; cups, made of plastic

FIRST USE 1-1-1964; IN COMMERCE 1-1-1964

CLASS 20: Cones and boxes made of plastic

FIRST USE 10-15-2008; IN COMMERCE 10-15-2008

CLASS 21: Non-electric juicers; disposable plastic gloves for use in the food-service industry; molds for funnel cakes; empty bottles; cups; lemon squeezers; commercial containers for storing cotton candy

FIRST USE 1-1-1968; IN COMMERCE 1-1-1968

CLASS 29: Prepared nuts; processed almonds; cheese paste mix for coating popcorn; liquid popcorn oil; milk-shake mixes

FIRST USE 1-1-1973; IN COMMERCE 1-1-1973

CLASS 30: Carmel popcorn, cheese popcorn, funnel cakes; pretzels; cotton candy; fudge and fudge mixes; Italian ice; doughnuts; nachos; caramel-coated apples; waffle cones; candy



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office



FIRST USE 7-10-1941; IN COMMERCE 7-10-1941

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

OWNER OF U.S. REG. NO. 1756678

SER. NO. 87-975,331, FILED 09-08-2016

Int. Cl.: 30

Prior U.S. Cl.: 46

**United States Patent and Trademark Office**

Reg. No. 1,848,669

Registered Aug. 9, 1994

**TRADEMARK  
PRINCIPAL REGISTER**

**GOLD MEDAL**

AMERICAN LABORATORIES, INC. (VIRGINIA  
CORPORATION)  
2000 WEST BROAD STREET  
RICHMOND, VA 23220

FOR: SPICES AND PROCESSED HERBS;  
AND EXTRACTS OTHER THAN VANILLA,  
USED AS A FOOD FLAVORING AND FOOD  
FLAVORING, OTHER THAN VANILLA, CON-

TAINING NONESSENTIAL OILS, AND MUS-  
TARD, IN CLASS 30 (U.S. CL. 46).  
FIRST USE 0-0-1911; IN COMMERCE  
0-0-1911.

SER. NO. 74-059,568, FILED 5-17-1990.

KENNETH D. BATTLE, EXAMINING ATTOR-  
NEY

**Int. Cl.: 30**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 2,895,772**

Registered Oct. 19, 2004

**TRADEMARK  
PRINCIPAL REGISTER**

**CRUSH**

CADBURY BEVERAGES B.V. (NETHERLANDS  
CORPORATION)  
WORLD TRADE CENTER TOWER B, 17TH FLOOR  
STRAWINSKYLAAN 1725 1077 XX  
AMSTERDAM, NETHERLANDS

FIRST USE 10-31-1999; IN COMMERCE 10-31-1999.

SER. NO. 78-314,308, FILED 10-16-2003.

FOR: CONFECTIONERY, NAMELY CANDY, IN  
CLASS 30 (U.S. CL. 46).

MIDGE BUTLER, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## Crush

**Reg. No. 5,075,986**

**Registered Nov. 08, 2016**

**Int. Cl.: 30, 40**

**Service Mark**

**Trademark**

**Principal Register**

Crush Foodservice, INC (CALIFORNIA CORPORATION)  
1401 Pathfinder Ave  
Westlake Village, CA 91362

CLASS 30: Cooking sauces; Dried herbs; Edible spices; Garden herbs, preserved; Instant spice blends; Processed herbs; Sauce mixes; Sauces; Spice blends; Spices

FIRST USE 12-10-2015; IN COMMERCE 12-28-2015

CLASS 40: Custom flavoring of sauces and dry seasonings

FIRST USE 12-10-2015; IN COMMERCE 12-28-2015

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

SER. NO. 86-133,696, FILED 12-03-2013  
RONALD G MCMORROW, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## BEON

**Reg. No. 5,330,794**

**Registered Nov. 07, 2017**

**Int. Cl.: 5, 30**

**Trademark**

**Principal Register**

NRG Innovations, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
550 S.w. 12th Avenue, Suite 550  
Deerfield Beach, FLORIDA 33442

CLASS 5: Nutritional supplements

FIRST USE 8-1-2017; IN COMMERCE 8-15-2017

CLASS 30: Chocolates and chocolate based ready to eat candies and snacks

FIRST USE 8-1-2017; IN COMMERCE 8-15-2017

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

SER. NO. 87-125,924, FILED 08-03-2016



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office

Int. Cls.: 30 and 32

Prior U.S. Cls.: 45, 46 and 48

United States Patent and Trademark Office

Reg. No. 3,369,074

Registered Jan. 15, 2008

TRADEMARK  
PRINCIPAL REGISTER

BeOn

BEON HOLDINGS, INC. (CALIFORNIA CORPORATION)  
922 COLORADO AVE.  
SANTA MONICA, CA 90401

FOR: STAPLE FOODS, NAMELY, COFFEE, TEA, BREAKFAST CEREAL, CONDIMENTS, NAMELY, KETCHUP AND MUSTARD, SPICES, READY-TO-EAT CEREAL-BASED, GRANOLA-BASED, AND GRAIN-BASED SNACK BARS CONSISTING PRIMARILY OF FRUITS AND NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 4-14-2007; IN COMMERCE 4-14-2007.

FOR: NON-CARBONATED DRINKING WATER, MINERAL WATER, FLAVORED WATER, AND ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-14-2007; IN COMMERCE 4-14-2007.

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

SER. NO. 77-207,678, FILED 6-15-2007.

MATTHEW MCDOWELL, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## BEON

**Reg. No. 5,330,794**

**Registered Nov. 07, 2017**

**Int. Cl.: 5, 30**

**Trademark**

**Principal Register**

NRG Innovations, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
550 S.w. 12th Avenue, Suite 550  
Deerfield Beach, FLORIDA 33442

CLASS 5: Nutritional supplements

FIRST USE 8-1-2017; IN COMMERCE 8-15-2017

CLASS 30: Chocolates and chocolate based ready to eat candies and snacks

FIRST USE 8-1-2017; IN COMMERCE 8-15-2017

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

SER. NO. 87-125,924, FILED 08-03-2016



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office



Int. Cls.: 30 and 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 3,369,074

United States Patent and Trademark Office

Registered Jan. 15, 2008

TRADEMARK  
PRINCIPAL REGISTER

BeOn

BEON HOLDINGS, INC. (CALIFORNIA CORPORATION)  
922 COLORADO AVE.  
SANTA MONICA, CA 90401

FOR: STAPLE FOODS, NAMELY, COFFEE, TEA, BREAKFAST CEREAL, CONDIMENTS, NAMELY, KETCHUP AND MUSTARD, SPICES, READY-TO-EAT CEREAL-BASED, GRANOLA-BASED, AND GRAIN-BASED SNACK BARS CONSISTING PRIMARILY OF FRUITS AND NUTS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 4-14-2007; IN COMMERCE 4-14-2007.

FOR: NON-CARBONATED DRINKING WATER, MINERAL WATER, FLAVORED WATER, AND ENERGY DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-14-2007; IN COMMERCE 4-14-2007.

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

SER. NO. 77-207,678, FILED 6-15-2007.

MATTHEW MCDOWELL, EXAMINING ATTORNEY

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 2,092,806

**United States Patent and Trademark Office**

Registered Sep. 2, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**FIESTA**

FIESTA, S.A. (SPAIN COMPANY)  
APDO.58  
ALCALA DE HENARES  
MADRID, SPAIN

FIRST USE 0-0-1941; IN COMMERCE  
0-0-1968.

OWNER OF U.S. REG. NO. 980,440.

SER. NO. 75-095,098, FILED 4-26-1996.

FOR: CANDY AND CHOCOLATES, IN  
CLASS 30 (U.S. CL. 46).

EVERETT FRUEHLING, EXAMINING ATTOR-  
NEY

*Less Good*

Registered Jan. 5, 1926.

Trade-Mark 207,643

Property of the U. S. Patent Office  
Not to be taken from the files

## UNITED STATES PATENT OFFICE.

JOANNES CORPORATION, OF LOS ANGELES, CALIFORNIA.

ACT OF FEBRUARY 20, 1905.

Application filed June 22, 1925. Serial No. 216,183.

# FIESTA

### STATEMENT.

*To all whom it may concern:*

Be it known that Joannes Corporation, a corporation duly organized under the laws of the State of California, and located at Los Angeles, California, and doing business at Nos. 800-806 Traction Avenue at Hewitt Street, Los Angeles, California, has adopted and used the trade-mark shown in the accompanying drawing, for ~~COFFEE, TEA, SPICES, AND FOOD FLAVORING EXTRACTS~~ in Class 46, Foods and ingredients of foods, and presents herewith five specimens or facsimiles showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905, as amended.

The trade-mark has been continuously used and applied to said goods in applicant's business since 1903.

The trade-mark is applied or affixed to the goods, or to the packages containing the same by placing thereon a printed label on which the trade-mark is shown.

The undersigned hereby appoints Lee W. Mida and Arthur E. Wallace under the firm name of Mida & Wallace (attorneys of Mida's Trade-Mark & Patent Bureau) registration No. 11,626, whose postal address is 537 S. Dearborn Street, Chicago, Illinois, its attorneys, to prosecute this application for registration, with full powers of substitution and revocation, and to make alterations and amendments therein, to receive the certificate, and to transact all business in the Patent Office connected therewith.

JOANNES CORPORATION,  
By H. L. JOANNES,  
*Secretary.*

PUBLISHED UNDER  
SEC. 12(C) IN O. G.

SEP 2 1958

AFFIDAVIT SEC. 8

U. S. PATENT OFFICE

**United States of America**  
United States Patent and Trademark Office

**GOL**

**Reg. No. 4,675,710**

**Registered Jan. 20, 2015**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

COMPAÑIA NACIONAL DE CHOCOLATES S.A.S. (COLOMBIA CORPORATION)  
CARRERA 43 A, NO. 1 A SUR  
143 MEDELLIN, COLOMBIA

FOR: CHOCOLATES AND CHOCOLATE BASED READY TO EAT CANDIES AND SNACKS,  
IN CLASS 30 (U.S. CL. 46).

FIRST USE 10-27-2014; IN COMMERCE 10-27-2014.

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

THE ENGLISH TRANSLATION OF "GOL" IN THE MARK IS "GOAL".

SN 85-621,653, FILED 5-10-2012.

WON TEAK OH, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

**GOL**

**Reg. No. 4,975,211**

**Registered June 14, 2016**

**Int. Cls.: 29 and 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

SANSET GIDA TURIZM SANAYI VE TICARET ANONIM SIRKETI (TURKEY JOINT STOCK COMPANY)

ISTINYE MAHALESI

BALABANDERE CADDESI NO:14

SARIYER/ISTANBUL, TURKEY TR34460

FOR: PRESERVED, FROZEN, DRIED AND COOKED FRUITS AND VEGETABLES; JELLIES, JAMS, COMPOTES; EGGS; MILK AND MILK PRODUCTS EXCLUDING ICE CREAM, ICE MILK, AND FROZEN YOGURT; EDIBLE OILS AND FATS; PROCESSED HAZELNUTS AND HAZELNUT BUTTER, DRIED FRUITS, PREPARED NUTS, HAZELNUT BUTTER WITH AND WITHOUT CACAO; DRIED FIG, APRICOT AND RAISIN COATED AND NON-COATED WITH CACAO, HAZELNUT BUTTER COATED AND NON-COATED WITH CACAO, IN CLASS 29 (U.S. CL. 46).

FOR: COFFEE, TEA, COCOA AND ARTIFICIAL COFFEE; RICE; FLOUR AND PREPARATIONS MADE FROM CEREALS, NAMELY, BREAKFAST CEREALS, CEREAL BARS, CEREAL-BASED SNACK FOODS; BREAD, PASTRY AND CONFECTIONERY, NAMELY, PASTILLES, GUM PASTE, ICE CREAM POWDERS; ICES, NAMELY, ICES AND ICE CREAMS, FRUIT ICES, FROZEN CONFECTIONS, NAMELY, EDIBLE ICES, FLAVORED ICES; SUGAR, HONEY, TREACLE; YEAST, BAKING-POWDER; SALT; MUSTARD; VINEGAR, CONDIMENTS, NAMELY, SAUCES; SPICES; ICE, IN CLASS 30 (U.S. CL. 46).

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

PRIORITY DATE OF 12-19-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1154868 DATED 12-26-2012, EXPIRES 12-26-2022.

THE ENGLISH TRANSLATION OF THE WORD "GOL" IN THE MARK IS "GOAL".

SER. NO. 79-128,019, FILED 12-26-2012.

MARILYN IZZI, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## TOP HAT

**Reg. No. 5,424,649**

**Registered Mar. 13, 2018**

**Int. Cl.: 30**

**Trademark**

**Principal Register**

The House Of Nosh LLC (TEXAS LIMITED LIABILITY COMPANY)  
Office 101  
408 W. 17th Street  
Austin, TEXAS 787011293

CLASS 30: Cotton candy

FIRST USE 10-2-2017; IN COMMERCE 10-2-2017

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

No claim is made to the exclusive right to use the following apart from the mark as shown:  
"TOP"

SER. NO. 87-291,854, FILED 01-06-2017



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

**United States of America**  
United States Patent and Trademark Office

# TOP HAT

**Reg. No. 4,330,732**

**Registered May 7, 2013**

**Int. Cl.: 30**

**TRADEMARK**

**PRINCIPAL REGISTER**

PENDERY'S, INC. (TEXAS CORPORATION)  
1221 MANUFACTURING ST.  
DALLAS, TX 75207

FOR: CHILI POWDERS; SPICE BLENDS; SPICES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 0-0-1988; IN COMMERCE 0-0-1988.

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

SER. NO. 85-621,050, FILED 5-9-2012.

SCOTT BIBB, EXAMINING ATTORNEY



*Lucia Street, Esq.*  
Acting Director of the United States Patent and Trademark Office



# United States of America

United States Patent and Trademark Office

## BLACK RIVER

**Reg. No. 4,910,924**

**Registered Mar. 08, 2016**

**Amended Apr. 10, 2018**

**Int. Cl.: 30**

**Trademark**

**Principal Register**

Borrell, Marvia (UNITED KINGDOM INDIVIDUAL)  
24 Manor Road  
London E10 7al  
UNITED KINGDOM

CLASS 30: cocoa; [ sauces; spices; ] chocolates; filled chocolate; chocolate candies; chocolate bars; chocolate powder; chocolate fondue; chocolate confections; chocolate chips; chocolate topping; chocolate sauce; chocolate truffles; chocolate syrup; chocolate pastes; milk chocolate; chocolate cakes; chocolate mousse; hot chocolate mixes; chocolate covered pretzels; chocolate covered cookies; chocolate covered raisins; chocolate covered fruit; chocolate covered popcorn; chocolate covered nuts; chocolate-based beverages; chocolate covered potato chips; chocolate covered cocoa nibs; beverages with a chocolate base; chocolate for confectionery and bread; chocolate-based meal replacement bars; chocolates and chocolate-based ready to eat candies and snacks; chocolate-based spreads also containing nuts

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

PRIORITY DATE OF 06-18-2014 IS CLAIMED

OWNER OF INTERNATIONAL REGISTRATION 1239291 DATED 12-18-2014,  
EXPIRES 12-18-2024

SER. NO. 79-161,902, FILED 12-18-2014



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

# United States of America

United States Patent and Trademark Office

## BLACK RIVER

**Reg. No. 5,505,706**

**Registered Jul. 03, 2018**

**Int. Cl.: 30**

**Trademark**

**Principal Register**

Guixens Food Group, Inc (FLORIDA CORPORATION)  
5800 Nw 32nd Court  
Miami, FLORIDA 33142

CLASS 30: Spices

FIRST USE 8-6-2012; IN COMMERCE 8-6-2012

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

SER. NO. 86-605,555, FILED 04-22-2015



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office