

ESTTA Tracking number: **ESTTA1115141**

Filing date: **02/17/2021**

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

Proceeding	88097468
Applicant	Cellphane Inc.
Applied for Mark	FEEL EMPOWERED ALWAYS
Correspondence Address	EDWARD F. BEHM, JR. ARMSTRONG TEASDALE LLP 7700 FORSYTH BOULEVARD SUITE 1800 ST. LOUIS, MO 63105 UNITED STATES Primary Email: iptm@armstrongteasdale.com Secondary Email(s): ebehm@armstrongteasdale.com, ddiamondwood@atllp.com 314-621-5070
Submission	Applicants Request for Remand and Amendment
Attachments	39153.4remand.pdf(144262 bytes) BROC SPROUT 2.pdf(1184824 bytes) 12BROC SPROUT 2 Facebook.pdf(2128074 bytes) 14BROC SPROUT 2 Facebook.pdf(2278757 bytes) Amazon.comBROCSPROUT2.pdf(1037412 bytes)
Filer's Name	Edward F. Behm, Jr.
Filer's email	ebehm@atllp.com, ddiamondwood@atllp.com, iptm@armstrongteasdale.com
Signature	/Edward F. Behm, Jr./
Date	02/17/2021

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

IN RE: Cellphane, Inc.	:	Serial No. 88/097,468
	:	Mark: FEEL EMPOWERED ALWAYS
Applicant	:	

APPLICANT'S REQUEST TO REMAND APPLICATION

Applicant Cellphane, Inc. hereby requests that action on this appeal be suspended and that the application be remanded back to the Examining Attorney for consideration of Applicant's corrected specimens attached hereto.

Accordingly, Applicant submits the corrected specimens with the required URL and date of the webpage, along with the Declaration.

In addition, Applicant submits substitute specimens that were in use in commerce at least as early as the filing date of the application.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statement may jeopardize the validity of this document, declares that she is properly authorized to execute this document on behalf of the owner, and all statements made of his/her knowledge are true and that all statements made on information and belief are believed to be true.

WHEREFORE, Applicant respectfully requests that the Board remand the Application to the Examining Attorney for reconsideration.

Respectfully submitted,

Date: 02/17/2021

/Edward F. Behm, Jr./
Edward F. Behm, Jr.
Registration No.: 52,606
Armstrong Teasdale LLP
2005 Market St., 29th Floor
One Commerce Square
Philadelphia, PA 19103
Attorney for Applicant
Tele: 267.780.2000



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Everything we do revolves around the power of Fresh Young Whole Broccoli Sprouts and the incredible Sulforaphane molecule. **It's our focus, our mission, our job, to empower your trillions of cells and that's exactly what we do!**



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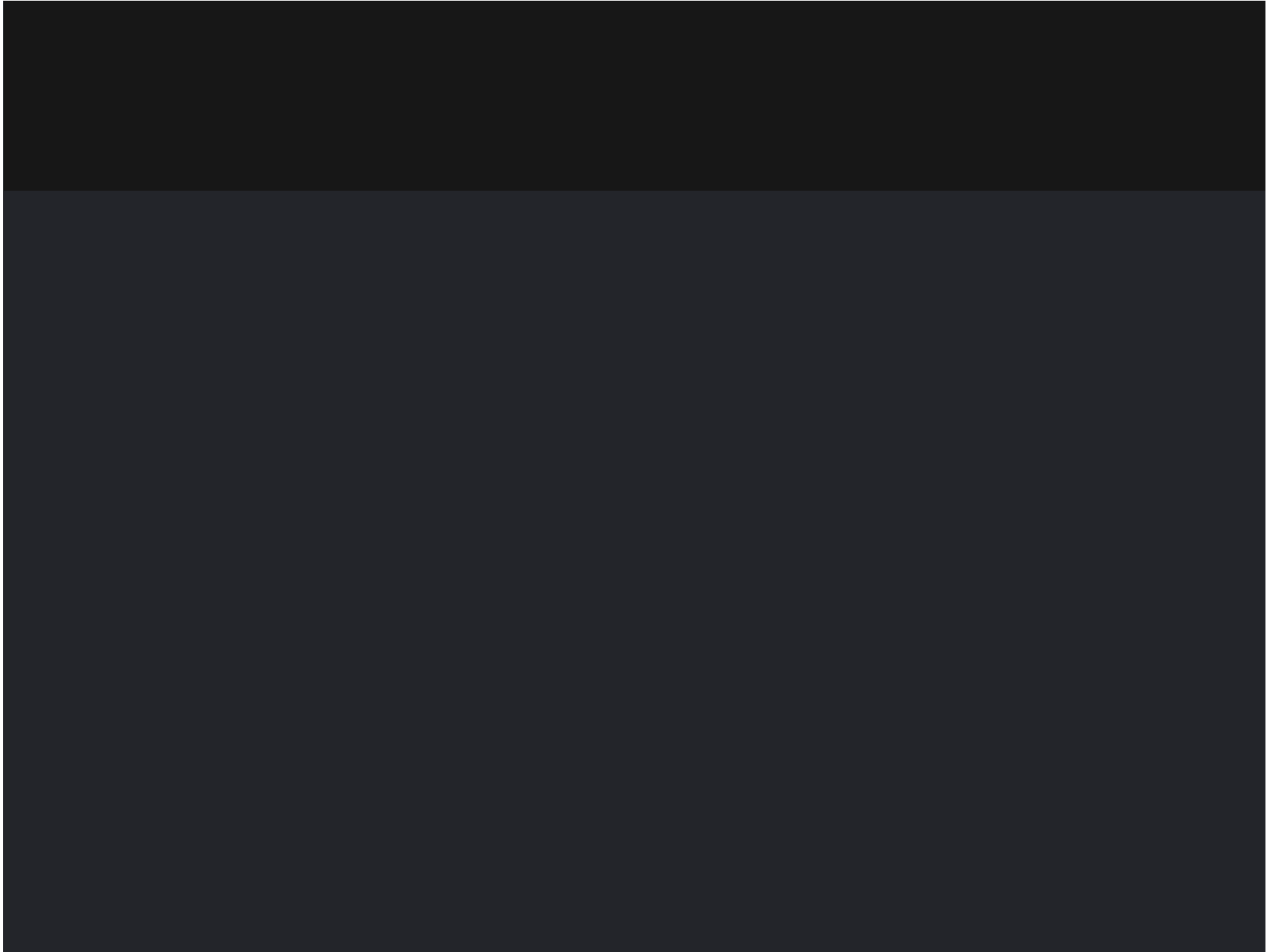
RESEARCH STUDIES

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* These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.





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0:29 / 0:40



BROCS PROUT 2

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BROCSPROUT 2 is a Whole Broccoli
 2,013 people like this
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 essential components necessary for the
 production of sulforaphane: the naturally-
 occurring Myrosinase enzyme and the
<http://www.brocsprout2.com/>
 Glucoraphanin compound. Hence our
 name, BROCSPROUT 2.
[Send Message](#)
info@brocsprout2.com
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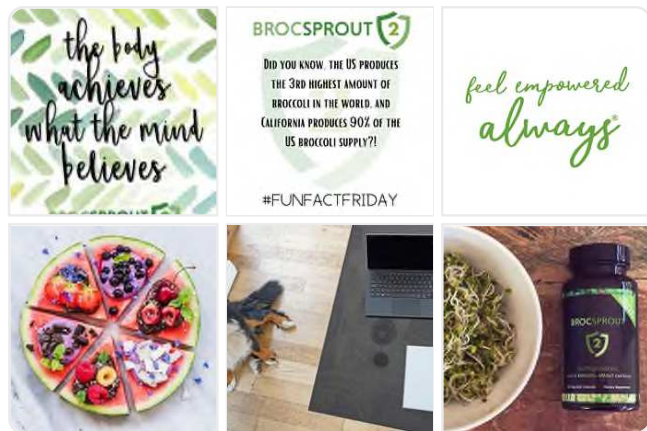
With the holidays coming to an end and the new year in full swing, it's time to kickstart your goals for 2021! Make your goals a priority this year and don't give up!

- While you're focusing on your goals, grab yourself a few bottles of #BROCSPROUT2 to get your immune system running healthier than ever! Healthy body, healthy mind, healthy you!

- [#linkinbio](#) [#brocsprout2](#) [#immunehealth](#) [#newyeargoals](#) [#2021](#) [#healthybodyhealthymind](#) [#health](#) [#fitness](#) [#supplements](#) [#supplementsthatwork](#)

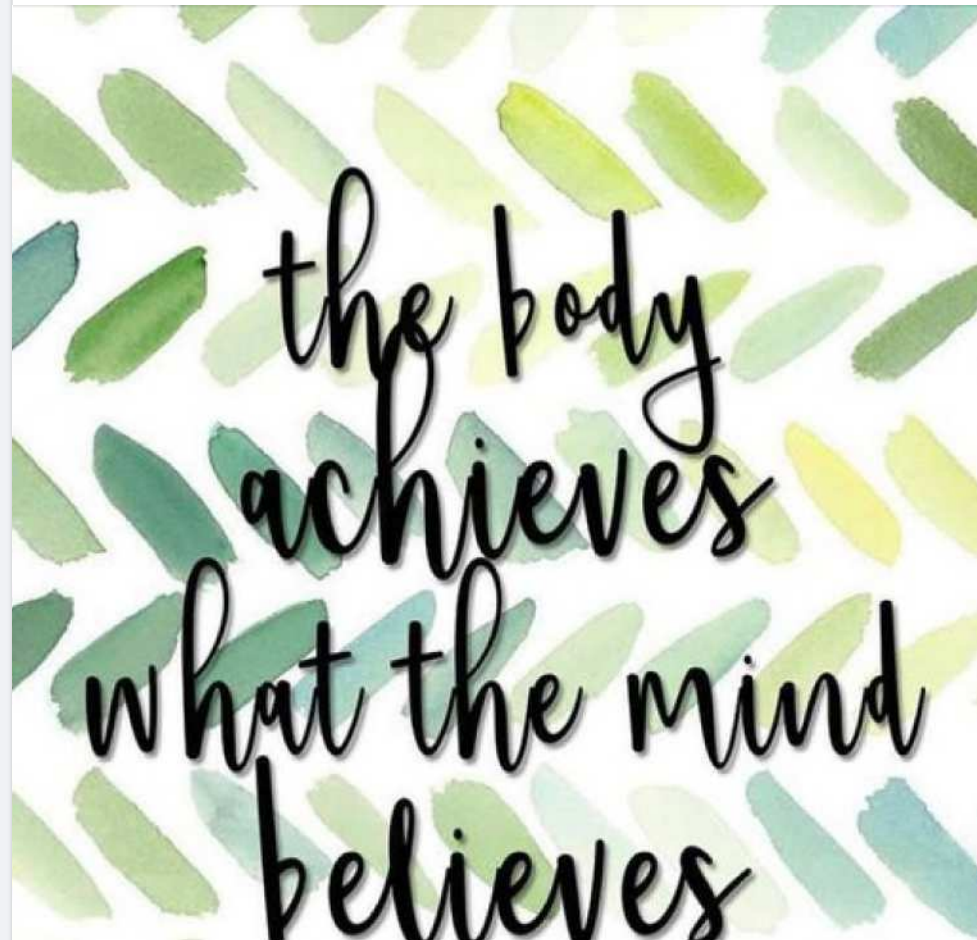
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3. TAG 3 friends - more comments = more entries! ... [See More](#)





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BROCS PROUT 2

December 11, 2020 ·



Sulforaphane is not something that can be packaged or stored. It is only produced when the glucoraphanin compound and the myrosinase enzyme are combined in the presence of moisture (saliva or water) and lasts a matter of minutes.

#sulforaphane #broccolisprouts #naturalsupplements #plantpower #immuneresponse #antioxidants





1

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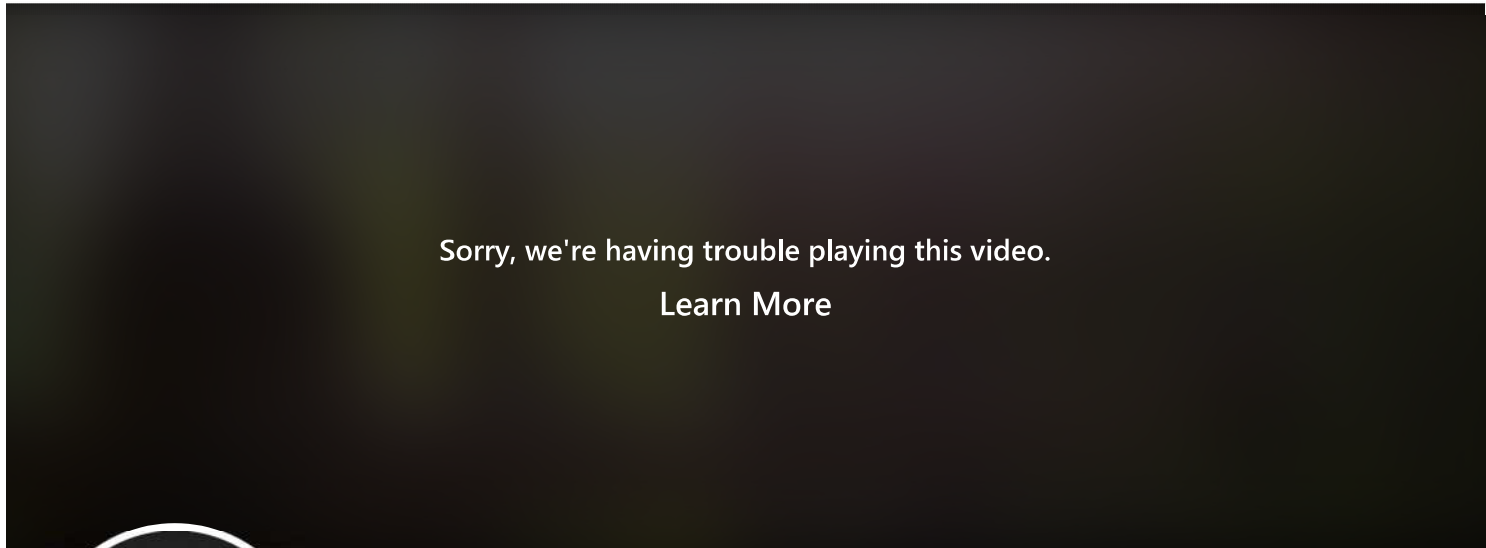


11



Placeholder for a Facebook post or page content, showing a large white area with faint horizontal lines and a small profile picture icon on the left side.





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BROCSPROUT 2 is a Whole Broccoli Sprout capsule containing the two essential components necessary for the production of Sulforaphane: the naturally-occurring Myrosinase enzyme and the Glucoraphanin compound. Hence our name, BROCSPROUT 2.

2,015 people like this

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Cell-Logic

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Health & Wellness Website



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BROC SPROUT 2

January 3 at 5:56 PM ·



With the holidays coming to an end and the new year in full swing, it's time to kickstart your goals for 2021! Make your goals a priority this year and don't give up!

• While you're focusing on your goals, grab yourself a few bottles of #BROCSPROUT2 to get your immune system running healthier than ever! Healthy body, healthy mind, healthy you!

• [#linkinbio](#) [#brocsprout2](#) [#immunehealth](#) [#newyeargoals](#) [#2021](#)
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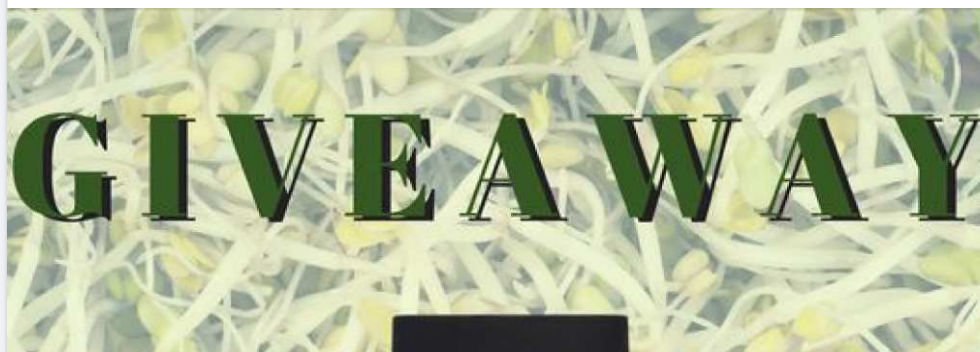
BROC SPROUT 2

December 16, 2020 · 🌐



STOCKING STUFFER GIVEAWAY! Win a 2 month supply of #BROCSPROUT2 just in time to add it to your loved ones stocking, or your own! Rules are simple:

- 1. LIKE & FOLLOW our page
- 2. LIKE this post
- 3. TAG 3 friends - more comments = more entries! ... See More





1

3 Comments

Like

Comment

Share

Most Relevant



Write a comment...



Jess Conroy
Tara Tuccio Conroy Jack Conroy Dawn Tuccio-Otworth
!!

Like · Reply · 6w

Most Relevant is selected, so some comments may have been filtered out.



BROC SPROUT 2

December 11, 2020 · 🌐

Sulforaphane is not something that can be packaged or stored. It is only produced when the glucoraphanin compound and the myrosinase enzyme are combined in the presence of moisture (saliva or water) and lasts a matter of minutes.

[#sulforaphane](#) [#broccolisprouts](#) [#naturalsupplements](#) [#plantpower](#) [#immuneresponse](#) [#antioxidants](#)





2

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Write a comment...



BROC SPROUT 2



December 9, 2020 · 🌐

Happy Wednesday all! We wanted to take some time and open up the comments for questions about our product, BROCS SPROUT 2!

Thanks Maya for letting us share your image!

[#immunesupport](#) [#brocsprout2](#)





Like

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Write a comment...



BROC SPROUT 2

November 29, 2020 · 🌐



ONE DAY LEFT of our 20% off sale! Save money and get your #BROSPROUT2 with a discount at the link below! Ends the end of day on Cyber Monday.

•
<https://amzn.to/3q5wHxh>

•
#immunesupport #supplements #broccolisprouts #BROCSPROUT2
#immunehealth #cybermonday #sale #cybermondaydeals
#amazondeals #amazondiscount #amazoncybermonday
#cybermonday2020 #couponcommunity #healthylifestyle
#healthyliving #menshealth #womenshealth #healthandwellness



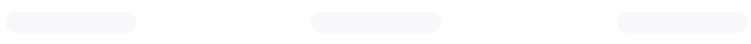
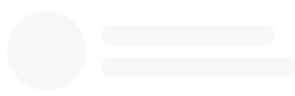
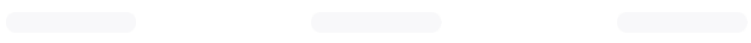
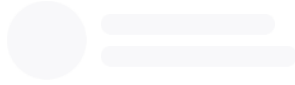
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\$14.51 ✓prime
7 used and new from \$13.99



Sulforaphane Supplement
10,000mcg - Supports Antioxidant
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BROCSPROUT 2 - Whole Broccoli Sprout Capsules - Contains Myrosinase Enzyme & Glucoraphanin to Produce Sulforaphane - Antioxidant, Detox,

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- Item Form** Capsule
- Brand** BROCSPROUT2
- Ingredients** Made entirely from Young Whole Broccoli Sprouts.
- Item Weight** 1.44 Ounces

About this item

- OUR CAPSULE DELIVERS MAXIMUM SULFORAPHANE YIELD - BROCSPROUT 2 is a unique, nutraceutical grade capsule made entirely from Fresh Young Whole Broccoli Sprouts, the most potent natural dietary source of Sulforaphane. It has been extensively studied and scientifically documented that the Sulforaphane

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molecule is decisive in its stimulation of the human cells Immunological Response.

- **THE TWO ESSENTIAL COMPONENTS NECESSARY TO PRODUCE SULFORAPHANE - BROCSPROUT 2** encapsulates the naturally occurring Myrosinase enzyme and Glucoraphanin compound, both essential for the production of Sulforaphane. These two components when mixed with your saliva or water (moisture), generates the all powerful molecule Sulforaphane.
- **EMPOWER YOUR "Nrf2" CELLULAR SWITCH - Sulforaphane** empowers the human cell's "Nrf2 switch", that when turned on, regulates the activity of over 200 genes and the anti-inflammatory processes of the human body.
- **100% NATURAL. NO ADDITIVES - BROCSPROUT 2 capsules** are made entirely from fresh young whole broccoli sprouts and nothing else.
- **HIGHEST STANDARDS. BEST RESULTS - Every single batch of BROCSPROUT 2** manufactured is tested at an FDA Registered Laboratory for its Sulforaphane Yield. 99% of products on the market cannot deliver Sulforaphane, let-alone deliver a Sulforaphane Yield in the same galaxy as BROCSPROUT 2.

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- ✓ Wild Blueberry Powder-100% Whole Berry; 6oz, Grown in North America, Not an Extract, Bilberry or... **\$36.00** (\$6.00 / 1 Ounce)

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