

ESTTA Tracking number: **ESTTA215278**

Filing date: **06/03/2008**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Shurfine Foods, Inc.
Granted to Date of previous extension	06/11/2008
Address	6700 SW Sandburg Road Portland, OR 97223 UNITED STATES

Attorney information	Hillary A. Brooks Marger Johnson & McCollom, PC 210 SW Morrison, Suite 400 Portland, OR 97204 UNITED STATES docketing@techlaw.com, hillary@techlaw.com, jennifer@techlaw.com, laura@techlaw.com Phone:(503) 222-3613
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Applicant Information

Application No	76667148	Publication date	02/12/2008
Opposition Filing Date	06/03/2008	Opposition Period Ends	06/11/2008
Applicant	JenJen, LLC 28259 Constellation Road Valencia, CA 91355 UNITED STATES		

Goods/Services Affected by Opposition

Class 005. All goods and services in the class are opposed, namely: Bee pollen for use as a dietary food supplement, nutritional supplements

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)
Other	Likelihood of confusion with Opposer's family of marks.

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2710943	Application Date	02/15/2002
Registration Date	04/29/2003	Foreign Priority	NONE

		Date	
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 029. First use: First Use: 1932/12/31 First Use In Commerce: 1932/12/31 Canned vegetables, canned vegetables for babies, canned fish, canned shellfish, canned chili con carne, peanut butter, evaporated milk, canned shoestring potatoes, pork and beans, tomato puree, canned pimientos, canned mushrooms, processed and canned olives, pickles, olive oil, sandwich spread, namely, meat-based and vegetable spreads, and canned coconut</p> <p>Class 030. First use: First Use: 1932/12/31 First Use In Commerce: 1932/12/31 Table syrups, honey, prepared spaghetti, tomato sauce, spaghetti sauce, prepared mustard, vinegar, tomato catsup, chili sauce, French dressing, salad dressing, mayonnaise, chili powder, spices, salt, coffee, tea, cornstarch, brown bread, macaroni, noodles, vermicelli, spaghetti, baking chocolate, baking powder, breakfast cereals, cake flour, pancake flour and biscuit flour</p> <p>Class 032. First use: First Use: 1932/12/31 First Use In Commerce: 1932/12/31 Canned vegetable juices</p>		

U.S. Registration No.	2506497	Application Date	11/22/2000
Registration Date	11/13/2001	Foreign Priority Date	NONE
Word Mark	SHUR FINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 Restaurants; food services, namely, home meal replacement services consisting of the preparation and service of carryout, home-style meals		

U.S. Registration No.	2425809	Application Date	05/13/1999
Registration Date	01/30/2001	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1999/07/27 First Use In Commerce: 1999/07/27 fresh meat, namely beef		

U.S. Registration No.	2341464	Application Date	07/13/1999
Registration Date	04/11/2000	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 036. First use: First Use: 1997/06/00 First Use In Commerce: 1997/06/00 telephone calling card services		
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U.S. Registration No.	2285574	Application Date	11/18/1998
Registration Date	10/12/1999	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 1998/03/01 First Use In Commerce: 1998/03/01 Fresh fruits and vegetables		

U.S. Registration No.	1928809	Application Date	09/03/1991
Registration Date	10/24/1995	Foreign Priority Date	NONE
Word Mark	SHUR FINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 1989/09/30 First Use In Commerce: 1989/09/30 bouillon cubes, canned salmon, canned tuna, chicken salad, chopped ham salad, coffee creamers, cream cheese, frozen chicken, frozen coffee creamers, hominy, jalapeno spread, lebanon bologna, pickled peppers/onions, pork sausage, potato salad, refrigerated spreads, including cheese-based spreads, fruit-based spreads,[meat-based spreads]and vegetable-based spreads, strawberry gelatin, vegetable based food dips		

U.S. Registration No.	1916702	Application Date	07/21/1994
Registration Date	09/05/1995	Foreign Priority Date	NONE
Word Mark	SHUR FINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1988/10/26 First Use In Commerce: 1988/10/26 unflavored bottled water		

U.S. Registration No.	1847799	Application Date	09/03/1991
Registration Date	08/02/1994	Foreign Priority Date	NONE
Word Mark	SHUR FINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 1988/06/30 First Use In Commerce: 1988/06/30		

	barbecue sauce, bread crumbs, brownie mix, flavoring syrups including cocoa and milk modifiers, corn syrup, english muffins, frozen pasta combinations, frozen pastry shells, meat sauces, seasoned coatings for meat, fish and poultry, refrigerated biscuits, rolls, seafood cocktail sauce, sloppy joe sauce, stuffing mixes containing bread and toaster pastries
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U.S. Registration No.	1820916	Application Date	09/03/1991
Registration Date	02/15/1994	Foreign Priority Date	NONE
Word Mark	SHUR FINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 1988/03/30 First Use In Commerce: 1988/03/30 premoistened cosmetic towelettes, pine disinfectant all-purpose cleaning preparations, scouring all-purpose cleaning preparations</p> <p>Class 011. First use: First Use: 1988/10/30 First Use In Commerce: 1988/10/30 electric light bulbs</p> <p>Class 016. First use: First Use: 1988/08/30 First Use In Commerce: 1988/08/30 paper filters for coffee makers, disposable diapers and paper bags</p> <p>Class 021. First use: First Use: 1988/02/25 First Use In Commerce: 1988/02/25 cups, cleaning pads, paper and plastic plates</p>		

U.S. Registration No.	1702791	Application Date	09/09/1991
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 1988/07/03 First Use In Commerce: 1988/07/03 air fresheners and rug deodorizers, antacids, cold tablets, cotton puffs and cotton swabs for medical purposes, decongestant tablets, epsom salt, hydrogen peroxide, ibuprofen, non-aspirin pain relievers, isopropyl alcohol, sanitary napkins and witch hazel</p>		

U.S. Registration No.	1691599	Application Date	02/19/1991
Registration Date	06/09/1992	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 021. First use: First Use: 1989/02/07 First Use In Commerce: 1989/02/07 rubber household gloves</p>		

U.S. Registration No.	1683923	Application Date	02/19/1991
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Registration Date	04/21/1992	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 031. First use: First Use: 1977/08/31 First Use In Commerce: 1977/08/31 pet food		

U.S. Registration No.	807575	Application Date	03/12/1963
Registration Date	04/26/1966	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U046 (International Class 029, 030). First use: First Use: 1932/00/00 First Use In Commerce: 1932/00/00 CANNED AND FROZEN VEGETABLES, CANNED AND FROZEN FRUITS, CANNED AND FROZEN FRUIT JUICES, CANNED VEGETABLE JUICES, SAUERKRAUT, FRUIT JELLIES, JAM AND PRESERVES, APPLE BUTTER, HONEY, PEANUT BUTTER, ((TOMATO PRESERVES)), SALAD, FRENCH AND THOUSAND ISLAND DRESSING, TARTAR SAUCE, MAYONNAISE, SANDWICH SPREAD, CANE AND MAPLE SYRUP, PORK AND BEANS, CHILI, CHILI CON CARNE, BEEF STEW, SLICED DRIED BEEF, LUNCHEON MEAT, CORNED BEEF HASH, POTTED MEAT FOOD PRODUCT, VIENNA SAUSAGE, EVAPORATED MILK, MUSHROOMS, MUSTARD, OLIVES, SWEET, SOUR, DILL AND MIXED PICKLES, CANNED AND FROZEN POTATOES, POPPING CORN, VEGETABLE SHORTENING, SALT, PEPPER, CANNED SALMON, CANNED TUNA, VINEGAR, EDIBLE OLIVE OIL, COFFEE, TEA, FLOUR, CORN MEAL, PIE CRUST MIX, SPAGHETTI, MACARONI, NOODLES, CANNED PUMPKIN, ((MINCE MEAT, RICE, AND MARSHMALLOWS))		

U.S. Registration No.	558657	Application Date	08/10/1949
Registration Date	05/13/1952	Foreign Priority Date	NONE
Word Mark	SHURFINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U045 (International Class 032). First use: First Use: 1936/06/01 First Use In Commerce: 1936/06/01 GRAPE JUICE, AND NON-ALCOHOLIC, NON-CEREAL, MALTLESS BEVERAGES SOLD AS SOFT DRINKS, AND SYRUPS AND EXTRACTS FOR MAKING SAME		

U.S. Registration No.	1546999	Application Date	10/03/1988
Registration Date	07/11/1989	Foreign Priority Date	NONE

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