

ESTTA Tracking number: **ESTTA978666**

Filing date: **06/06/2019**

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	PLxPharma, Inc.
Granted to Date of previous extension	06/08/2019
Address	8285 EL RIO STREET SUITE 130 HOUSTON, TX 77054 UNITED STATES
Attorney information	JOSEPH C. GIOCONDA GIOCONDA LAW GROUP PLLC 100 PARK AVENUE 16TH FLOOR NEW YORK, NY 10017 UNITED STATES joseph.gioconda@giocondalaw.com 2122351220

Applicant Information

Application No	88129802	Publication date	04/09/2019
Opposition Filing Date	06/06/2019	Opposition Period Ends	06/08/2019
International Registration No.	NONE	International Registration Date	NONE
Applicant	MONTELOEDER S.L. c/Miguel Servet, 16. Nave 17. Elche (Alicante), 03203 SPAIN		


Goods/Services Affected by Opposition

Class 001. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Chemical preparations, chemical additives and chemicals made from botanical extracts, for use in the manufacture and preparation of pharmaceuticals, cosmetics, nutraceuticals, food products and beverages
Class 003. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cosmetic products taken orally for skin-beauty, namely, pills from plant extracts that induce bronzing of the skin
Class 005. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Nutritional supplements; Medicated skin-care preparations; medical skin care preparations made from plant extracts

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	5128399	Application Date	06/15/2016
Registration Date	01/24/2017	Foreign Priority Date	NONE
Word Mark	PLX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2012/01/01 First Use In Commerce: 2012/01/01 Research and development services for pharmaceutical preparations and substances, namely, non-steroidal anti-inflammatory drug containing preparations; providing medical and scientific research information in the fields of pharmaceuticals		

U.S. Registration No.	4879464	Application Date	09/12/2014
Registration Date	01/05/2016	Foreign Priority Date	NONE
Word Mark	PLX PHARMA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2012/01/01 First Use In Commerce: 2012/01/01		


	Research and development services for pharmaceutical preparations and substances, namely, phospholipid and non-steroidal anti-inflammatory drug containing preparations; providing medical and scientific research information in the fields of pharmaceuticals
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U.S. Application No.	87777592	Application Date	01/31/2018
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PLX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Pharmaceutical preparations, both prescription and over-the-counter, for use in connection with humans as anti-inflammatories, analgesics, antipyretics and for the prevention and treatment of cancer and for the prevention and treatment of cardiovascular and/or cerebrovascular disease		

U.S. Application No.	87777601	Application Date	01/31/2018
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PLX PHARMA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Pharmaceutical preparations, both prescription and over-the-counter, for use in connection with humans as anti-inflammatories, analgesics, antipyretics and for the prevention and treatment of cancer and for the prevention and treatment of cardiovascular and/or cerebrovascular disease		

U.S. Application	88040660	Application Date	07/17/2018
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PLX PHARMA INC.		
Design Mark			
Description of Mark	The mark consists of the wording "PLX PHARMA INC." all in white except for the lower left side line of the letter "X" which is in red. The background of the mark is in blue.		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Pharmaceutical preparations, both prescription and over-the-counter, for use in-connection with humans as anti-inflammatories, analgesics, antipyretics and forthe prevention and treatment of cancer and for the prevention and treatment of cardiovascular and/or cerebrovascular disease		

U.S. Application No.	87740246	Application Date	01/02/2018
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PLXGUARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Pharmaceutical preparations, namely, anoral drug delivery system comprising capsules, liquids, dissolvable films or tablets affecting surface acting lipids to-modify the physiochemical properties ofvarious drugs to selectively release these drugs to targeted portions of the human GI tract		

Attachments	87072653#TMSN.png(bytes) 86393682#TMSN.png(bytes)
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Signature	/Joseph C. Gioconda/
Name	JOSEPH C. GIOCONDA
Date	06/06/2019

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