

ESTTA Tracking number: **ESTTA1259431**

Filing date: **01/11/2023**

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	FoodScience, LLC
Granted to date of previous extension	01/11/2023
Address	929 HARVEST LANE WILLISTON, VT 05495 UNITED STATES

Attorney information	CATHLEEN E. STADECKER DOWNS RACHLIN MARTIN PLLC 199 MAIN STREET BURLINGTON, VT 05401 UNITED STATES Primary email: tmip@drm.com 802-863-2375
Docket no.	

Applicant information

Application no.	90882211	Publication date	09/13/2022
Opposition filing date	01/11/2023	Opposition period ends	01/11/2023
Applicant	HYLAND'S CONSUMER HEALTH, INC. 13301 S. MAIN STREET LOS ANGELES, CA 90061 UNITED STATES		

Goods/services affected by opposition

<p>Class 003. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Skin cleansing lotions and creams; non-medicated soaps; antiperspirant soap; toilet soap; ethereal essences, flower essences for cosmetic purposes, and essential oils; hair care preparations including hair lotions, shampoos, conditioners, shampoo/conditioners, anti-dandruff shampoos, hairsprays, and styling mousses and gels; oral hygiene products not for medical purposes, namely, toothpaste and mouthwash; cosmetic preparations for the care of the mouth and teeth, namely, breath freshening sprays, mouth washes, breath freshening liquid, breath freshening strips, toothpaste, dentifrices, none of the aforesaid being for medical purposes; sun tanning and sunscreen preparations; non-medicated diaper rash cream; massage oils; body creams for stretchmarks; pet shampoos and skin conditioners for pets</p>
<p>Class 005. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: Medicated soaps; disinfectant soap; medicated antiperspirant soap; pharmaceutical preparations in the nature of tablets for the treatment of symptoms associated with acne; medicated diaper rash cream; chest rubs, namely, medicinal syrups for the treatment of chest congestion; dietary supplements; homeopathic supplements; natural herbal</p>

supplements; homeopathic mineral supplements in the form of tablets comprising a combination of trace minerals for human consumption; vitamin supplements; vitamins; analgesics; antiseptics; medicated soap; medicated soap for babies; anti-bacterial liquid soap; anti-bacterial waterless soap; homeopathic pharmaceuticals for the use in the treatment of acne, allergies, arthritis and minor muscle and joint pain, back pain, bed wetting, bladder irritation, blemishes, boils and skin eruptions, coughs, colds, colic, cold sores and fever blisters, cramps, diarrhea, flu, fevers, gas and stomach upset, headache, hives, incontinence, indigestion, insomnia, irritability, leg cramps, menopause, menstrual cramps, motion sickness, muscle injury, nervous tension, poison ivy and oak, runny nose, sinus, sleeplessness, sneezing, sore throat, teething, and upset stomach; dietary supplements for weight management, digestive health, anti-inflammation, immune health, eye health, brain health, sleep aid, fruit and vegetable nutrient boost, energy boost, and stress and anxiety relief; probiotic and prebiotic dietary supplements; prenatal vitamins; nutritional supplement energy bars; dietary supplements for pets; dietary supplements for pets for joint health, skincare, and anti-anxiety; anti-itch sprays and creams for pets; drawing salve in the nature of sore skin ointment for animals and horses; homeopathic medicines, and medicinal herbal and natural remedy preparations, all for the treatment of bruising and hematoma, to be used topically and orally; homeopathic pharmaceuticals and homeopathic medicines, all for use in the treatment of accumulation of mucus, nasal discharge, itchy throat, ear and nose discomfort, hay fever, watery, itchy and irritated eyes, nausea sinus pressure, sinus pain, sneezing, tiredness and difficulty in falling asleep, frequent waking, occasional heartburn, acid indigestion, earache, diaper rash, discomfort of pain from gas, cradle cap, and anti-inflammatories; homeopathic supplements for young adults and teens used for stress relief; homeopathic pharmaceuticals to relieve severity and duration of symptoms of sores and ulcers of the mouth and, for the relief of pain and discomfort of gums or tongue associated with canker sores; homeopathic pharmaceuticals, homeopathic medication, and dietary supplements, all for use in the treatment of symptoms of menopause, skin with redness, lack of hydration, skin disorders, wrinkles, brown spots, acne, varicose veins; homeopathic pharmaceuticals and homeopathic medication, all for use in the care and hygiene of skin, namely, creams, lotions, gels, milks, serums, masks, emulsions for use in treating skin with redness, lack of hydration, skin disorders, wrinkles, dark spots, acne; homeopathic pharmaceuticals and homeopathic medication, all for use to aid in proper cellular hydration formulated to protect skin quality and maintain and promote skin elasticity and firmness; homeopathic pharmaceuticals for use in the treatment and relief of body aches and pain, joint pain, back pain, leg and hip pain, muscular pain, arthritis pain, joint stiffness, leg cramps, foot cramps, and lower back cramps; homeopathic pharmaceuticals for alleviating chronic and acute rheumatic pains and body aches in the back, joints, legs, neck; homeopathic pharmaceuticals to aid in the relief of occasional sleeplessness or restlessness due to minor arthritis pain; topical creams for anti-chafing and therapeutic muscle recovery

Class 035. First Use: None First Use In Commerce: None


All goods and services in the class are opposed, namely: Retail store services, online retail store services and mail order services featuring homeopathic products, vitamins, supplements, skin care, and personal hygiene; Promoting public awareness of natural and homeopathic remedies in the fields of aging, health, wellness, fitness and exercise for increased healthy lifespans; On-line retail store services featuring medical products in the field of complementary and alternative medicine

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Other	Common law trademark rights

Mark cited by opposer as basis for opposition

U.S. registration no.	6322068	Application date	09/22/2020
Register	Principal		
Registration date	04/13/2021	Foreign priority date	NONE
Word mark	NONE		

Design mark	
Description of mark	The mark consists of a stylized letter V with a leaf design on either side of the V.
Goods/services	<p>Class 005. First use: First Use: Aug 19, 1991 First Use In Commerce: Aug 19, 1991 Full line of dietary and nutritional supplements for pets and animals</p> <p>Class 031. First use: First Use: Jul 15, 2019 First Use In Commerce: Jul 15, 2019 Pet food; edible pet treats; edible dog treats; edible pet treats designed to hide medicine; edible chews for pets</p>

Attachments	90201112#TMSN.png(bytes) Hylands Notice of Opposition 211 Application.pdf(3041257 bytes)
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Signature	/Cathleen E. Stadecker/
Name	Cathleen E. Stadecker
Date	01/11/2023

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

In the Matter of Application Serial No. 90882211 for 
Published in the *Official Gazette* of September 13, 2022


-----X		
FoodScience, LLC,		:
	Opposer,	:
		:
v.		:
		:
Hyland’s Consumer Health, Inc.		:
	Applicant.	:
-----X		

Opposition No.:


NOTICE OF OPPOSITION

FoodScience, LLC, a Vermont limited liability company with an address at 929 Harvest Lane, Williston, Vermont 05495 (hereinafter, “Opposer”), believes that it will be damaged by the registration of the mark which is set forth in Application Serial No. 90882211, filed by Hyland’s Consumer Health, Inc., a Nevada corporation with an address at 13301 S. Main street, Los Angeles, California 90061 (hereinafter, “Applicant”), and hereby opposes registration of the same.

As grounds for opposition, Opposer alleges as follows:

1. Opposer uses the design mark  in the U.S. in connection with a full line of dietary and nutritional supplements for pets and animals, as well as pet food and pet treats, with use dating from at least as early as August 19, 1991 (the “VetriScience Leaf Mark”).
2. Opposer is the owner of U.S. Registration No. 6322068 for its VetriScience Leaf Mark for “Full line of dietary and nutritional supplements for pets and animals” in International Class 5 and “Pet food; edible pet treats; edible dog treats; edible pet treats designed to hide

medicine; edible chews for pets” in International Class 31. A true and correct copy of a printout from TSDR setting forth the details of the registration, which issued on April 13, 2021, is attached as **Exhibit A**.

3. On August 13, 2021, Applicant filed an application, Serial No. 90882211, to register the design mark , based on its alleged intent to use the mark in commerce in connection with, *inter alia*, “pet shampoos and skin conditioners for pets” in International Class 3, “dietary supplements for pets; dietary supplements for pets for joint health, skincare, and anti-anxiety; anti-itch sprays and creams for pets” and “drawing salve in the nature of sore skin ointment for animals and horses” in International Class 5, and “Retail store services, online retail store services and mail order services featuring homeopathic products, vitamins, supplements,” in International Class 35 (the “Application”). A true and correct copy of a printout from TSDR setting forth the details of the Application is attached as **Exhibit B**.

4. On information and belief, Opposer’s VetriScience Leaf Mark has been in continuous use in commerce since before any use by Applicant of the mark set forth in the Application.


5. In view of the fact that the leaf design mark in the Application is highly similar to Opposer’s VetriScience Leaf Mark, and the fact that certain goods/services set forth in International Classes 3, 5 and 35 of the Application are overlapping with and/or highly related to those offered under the VetriScience Leaf Mark, the mark in the Application is likely to cause confusion, or to cause mistake, or to deceive within the meaning of Section 2(d) of the Trademark Act. Opposer will thereby be injured by the registration of Application Serial No. 90882211.

WHEREFORE, Opposer asks that this Notice of Opposition be sustained and judgment be entered in favor of Opposer.

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC
Attorneys for Opposer

Date: January 11, 2023
Burlington, Vermont

By: 

Cathleen E. Stadecker, Esq.
William J. Morris, III, Esq.

Exhibit A

Generated on: This page was generated by TSDR on 2023-01-11 14:57:23 EST

Mark:



US Serial Number: 90201112

Application Filing Date: Sep. 22, 2020

US Registration Number: 6322068

Registration Date: Apr. 13, 2021

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Apr. 13, 2021

Publication Date: Jan. 26, 2021

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a stylized letter V with a leaf design on either side of the V.

Design Search Code(s): 05.03.25 - Leaf, single; Other leaves

Goods and Services

Note:

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

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

For: Full line of dietary and nutritional supplements for pets and animals

International Class(es): 005 - Primary Class

U.S Class(es): 005, 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 19, 1991

Use in Commerce: Aug. 19, 1991

For: Pet food; edible pet treats; edible dog treats; edible pet treats designed to hide medicine; edible chews for pets

International Class(es): 031 - Primary Class

U.S Class(es): 001, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 15, 2019

Use in Commerce: Jul. 15, 2019

Basis Information (Case Level)

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

Currently Use: Yes
Currently ITU: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: FOODSCIENCE, LLC
Owner Address: 929 HARVEST LANE
WILLISTON, VERMONT UNITED STATES 05495
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: VERMONT

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Cathleen E. Stadecker
Attorney Primary Email Address: tmip@drm.com
Docket Number: 07790242UST1
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: CATHLEEN E. STADECKER
DOWNS RACHLIN MARTIN PLLC
199 MAIN STREET
BURLINGTON, VERMONT UNITED STATES 05401
Phone: 802-863-2375
Fax: 802-862-7512
Correspondent e-mail: tmip@drm.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 19, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 13, 2021	REGISTERED-PRINCIPAL REGISTER	
Mar. 31, 2021	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 26, 2021	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 26, 2021	PUBLISHED FOR OPPOSITION	
Jan. 06, 2021	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 19, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 19, 2020	ASSIGNED TO EXAMINER	92457
Oct. 31, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 30, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 25, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Apr. 13, 2021

Assignment Abstract Of Title Information

Summary

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [7206/0973](#)

Pages: 9

Date Recorded: Mar. 01, 2021

Supporting Documents: [assignment-tm-7206-0973.pdf](#)

Assignor

Name: [FOODSCIENCE CORPORATION](#)

Execution Date: Mar. 01, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: VERMONT

Assignee

Name: [CHURCHILL AGENCY SERVICES LLC, AS AGENT](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 430 PARK AVENUE, 14TH FLOOR
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: DUSAN CLARK, ESQ.

Correspondent Address: SIDLEY AUSTIN LLP
2021 MCKINNEY AVE., SUITE 2000
DALLAS, TX 75201

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ENTITY CONVERSION

Reel/Frame: [7229/0135](#)

Pages: 8

Date Recorded: Mar. 22, 2021

Supporting Documents: [assignment-tm-7229-0135.pdf](#)

Assignor

Name: [FOODSCIENCE CORPORATION](#)

Execution Date: Mar. 04, 2021

Legal Entity Type: CORPORATION

State or Country Where Organized: VERMONT

Assignee

Name: [FOODSCIENCE, LLC](#)

State or Country Where Organized: VERMONT

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 929 HARVEST LANE
WILLISTON, VERMONT 05495

Correspondent

Correspondent Name: WILLIAM J. MORRIS III

Correspondent Address: 199 MAIN STREET
BURLINGTON, VT 05401

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [7279/0887](#)

Pages: 7

Date Recorded: May 05, 2021

Supporting Documents: [assignment-tm-7279-0887.pdf](#)

Assignor

Name: [FOODSCIENCE, LLC](#)

Execution Date: Apr. 02, 2021

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: VERMONT

Assignee

Name: [FOODSCIENCE, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: VERMONT

Address: 929 HARVEST LANE
WILLISTON, VERMONT 05495

Correspondent

Correspondent Name: WILLIAM J. MORRIS III

Correspondent Address: 199 MAIN STREET
BURLINGTON, VT 05401

Domestic Representative - Not Found

Exhibit B

Generated on: This page was generated by TSDR on 2023-01-11 15:57:33 EST

Mark:



US Serial Number: 90882211

Application Filing Date: Aug. 13, 2021

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Oct. 06, 2022

Publication Date: Sep. 13, 2022

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a design of two outlined leaves.

Design Search Code(s): 05.03.08 - More than one leaf, including scattered leaves, bunches of leaves not attached to branches

Related Properties Information

Claimed Ownership of US Registrations: 5469505, 5469506

Goods and Services

Note:

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

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

For: Skin cleansing lotions and creams; non-medicated soaps; antiperspirant soap; toilet soap; ethereal essences, flower essences for cosmetic purposes, and essential oils; hair care preparations including hair lotions, shampoos, conditioners, shampoo/conditioners, anti-dandruff shampoos, hairsprays, and styling mousses and gels; oral hygiene products not for medical purposes, namely, toothpaste and mouthwash; cosmetic preparations for the care of the mouth and teeth, namely, breath freshening sprays, mouth washes, breath freshening liquid, breath freshening strips, toothpaste, dentifrices, none of the aforesaid being for medical purposes; sun tanning and sunscreen preparations; non-medicated diaper rash cream; massage oils; body creams for stretchmarks; pet shampoos and skin conditioners for pets

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(b)

For: Medicated soaps; disinfectant soap; medicated antiperspirant soap; pharmaceutical preparations in the nature of tablets for the treatment of symptoms associated with acne; medicated diaper rash cream; chest rubs, namely, medicinal syrups for the treatment of chest congestion; dietary supplements; homeopathic supplements; natural herbal supplements; homeopathic mineral supplements in the form of tablets comprising a combination of trace minerals for human consumption; vitamin supplements; vitamins; analgesics; antiseptics; medicated soap; medicated soap for babies; anti-bacterial liquid soap; anti-bacterial waterless soap; homeopathic pharmaceuticals for the use in the treatment of acne, allergies, arthritis and minor muscle and joint pain, back pain, bed wetting, bladder irritation, blemishes, boils and skin eruptions, coughs, colds, colic, cold sores and fever blisters, cramps, diarrhea, flu, fevers, gas and stomach upset, headache, hives, incontinence, indigestion, insomnia, irritability, leg cramps, menopause, menstrual cramps, motion sickness, muscle injury, nervous tension, poison ivy and oak, runny nose, sinus, sleeplessness, sneezing, sore throat, teething, and upset stomach; dietary supplements for weight management, digestive health, anti-inflammation, immune health, eye health, brain health, sleep aid, fruit and vegetable nutrient boost, energy boost, and stress and anxiety relief; probiotic and prebiotic dietary supplements; prenatal vitamins; nutritional supplement energy bars; dietary supplements for pets; dietary supplements for pets for animals and horses; homeopathic medicines, and medicinal herbal and natural remedy preparations, all for the treatment of bruising and hematoma, to be used topically and orally; homeopathic pharmaceuticals and homeopathic medicines, all for use in the treatment of accumulation of mucus, nasal discharge, itchy throat, ear and nose discomfort, hay fever, watery, itchy and irritated eyes, nausea sinus pressure, sinus pain, sneezing, tiredness and difficulty in falling asleep, frequent waking, occasional heartburn, acid indigestion, earache, diaper rash, discomfort of pain from gas, cradle cap, and anti-inflammatories; homeopathic supplements for young adults and teens used for stress relief; homeopathic pharmaceuticals to relieve severity and duration of symptoms of sores and ulcers of the mouth and, for the relief of pain and discomfort of gums or tongue associated with canker sores; homeopathic pharmaceuticals, homeopathic medication, and dietary supplements, all for use in the treatment of symptoms of menopause, skin with redness, lack of hydration, skin disorders, wrinkles, brown spots, acne, varicose veins; homeopathic pharmaceuticals and homeopathic medication, all for use in the care and hygiene of skin, namely, creams, lotions, gels, milks, serums, masks, emulsions for use in treating skin with redness, lack of hydration, skin disorders, wrinkles, dark spots, acne; homeopathic pharmaceuticals and homeopathic medication, all for use to aid in proper cellular hydration formulated to protect skin quality and maintain and promote skin elasticity and firmness; homeopathic pharmaceuticals for use in the treatment and relief of body aches and pain, joint pain, back pain, leg and hip pain, muscular pain, arthritis pain, joint stiffness, leg cramps, foot cramps, and lower back cramps; homeopathic pharmaceuticals for alleviating chronic and acute rheumatic pains and body aches in the back, joints, legs, neck; homeopathic pharmaceuticals to aid in the relief of occasional sleeplessness or restlessness due to minor arthritis pain; topical creams for anti-chafing and therapeutic muscle recovery

International Class(es): 005 - Primary Class

U.S Class(es): 005, 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

For: Fruit-based or nut-based meal replacement bars for boosting energy

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Energy candy and energy mints in the form of gels; grain-based energy bars

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(b)

For: Powders used in the preparation of energy drinks or energy recovery drinks

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(b)

For: Retail store services, online retail store services and mail order services featuring homeopathic products, vitamins, supplements, skin care, and personal hygiene; Promoting public awareness of natural and homeopathic remedies in the fields of aging, health, wellness, fitness and exercise for increased healthy lifespans; On-line retail store services featuring medical products in the field of complementary and alternative medicine

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: HYLAND'S CONSUMER HEALTH, INC.

Owner Address: 13301 S. MAIN STREET
LOS ANGELES, CALIFORNIA UNITED STATES 90061

Legal Entity Type: CORPORATION

State or Country NEVADA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Timothy M. Kenny

Docket Number: STDH,T0956US

Attorney Primary mnipdocket@nortonrosefulbright.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent TIMOTHY M. KENNY
Name/Address: NORTON ROSE FULBRIGHT US LLP
98 SAN JACINTO BOULEVARD, SUITE 1100
AUSTIN, TEXAS UNITED STATES 78701

Phone: 612-321-2800

Fax: 612-321-2288

Correspondent e- mnipdocket@nortonrosefulbright.com mplsbrands
mail: team01@nortonrosefulbright.com

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 25, 2022	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 06, 2022	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 13, 2022	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 13, 2022	PUBLISHED FOR OPPOSITION	
Aug. 24, 2022	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 11, 2022	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 11, 2022	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 11, 2022	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 11, 2022	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 11, 2022	EXAMINERS AMENDMENT -WRITTEN	73699
Jul. 20, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 12, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2022	NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2022	NON-FINAL ACTION WRITTEN	73699
Feb. 08, 2022	ASSIGNED TO EXAMINER	73699
Oct. 05, 2021	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Oct. 04, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 17, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: ALTREE, NICHOLAS

Law Office LAW OFFICE 107
Assigned:

File Location

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Applicant: Standard Homeopathic Company

Assignment 1 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [7761/0552](#)

Pages: 3

Date Recorded: Jun. 24, 2022

Supporting Documents: [assignment-tm-7761-0552.pdf](#)

Assignor

Name: [STANDARD HOMEOPATHIC COMPANY](#)

Execution Date: Jun. 13, 2022

Legal Entity Type: CORPORATION

State or Country: NEVADA
Where Organized:

Assignee

Name: [HYLAND'S CONSUMER HEALTH, INC.](#)

Legal Entity Type: CORPORATION

State or Country: NEVADA
Where Organized:Address: 13301 S. MAIN STREET
LOS ANGELES, CALIFORNIA 90061

Correspondent

Correspondent Name: TIMOTHY M. KENNY

Correspondent Address: 98 SAN JACINTO BOULEVARD, SUITE 1100
AUSTIN, TX 78701

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: NOTICE OF GRANT OF SECURITY INTEREST IN TRADEMARKS

Reel/Frame: [7850/0409](#)

Pages: 8

Date Recorded: Sep. 20, 2022

Supporting Documents: [assignment-tm-7850-0409.pdf](#)

Assignor

Name: [HYLAND'S CONSUMER HEALTH, INC.](#)

Execution Date: Sep. 20, 2022

Legal Entity Type: CORPORATION

State or Country: NEVADA
Where Organized:

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country: UNITED STATES
Where Organized:Address: 1525 WEST W.T. HARRIS BLVD.
MAC D1109-019
CHARLOTTE, NORTH CAROLINA 28262

Correspondent

Correspondent Name: MOORE & VAN ALLEN PLLC

Correspondent Address: 100 NORTH TRYON STREET
SUITE 4700, ATTN: IP DEPARTMENT
CHARLOTTE, NC 28202

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

Reel/Frame: [7852/0001](#)

Pages: 17

Date Recorded: Sep. 21, 2022

Supporting Documents: No Supporting Documents Available

Assignor

Name: [HAYFIN SERVICES LLP, AS AGENT FOR THE SECURED PARTIES](#)

Execution Date: Sep. 20, 2022

Legal Entity Type: LIMITED LIABILITY PARTNERSHIP

State or Country Where Organized: UNITED KINGDOM

Assignee

Name: [HYLAND'S CONSUMER HEALTH, INC. F/K/A STANDARD HOMEOPATHIC COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEVADA

Address: 13301 S. MAIN STREET
LOS ANGELES, CALIFORNIA 90061

Name: [WALKER LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 13301 S. MAIN STREET
LOS ANGELES, CALIFORNIA 90061

Correspondent

Correspondent Name: MOORE & VAN ALLEN PLLC

Correspondent Address: 100 NORTH TRYON STREET
SUITE 4700, ATTN: IP DEPARTMENT
CHARLOTTE, NC 28202

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [90882211](#)

Filing Date: Oct 06, 2022

Status: Extension of Time to Oppose Filed

Status Date: Oct 06, 2022

Interlocutory Attorney:

Defendant

Name: HYLAND'S CONSUMER HEALTH, INC.

Correspondent Address: TIMOTHY M. KENNY
NORTON ROSE FULBRIGHT US LLP
98 SAN JACINTO BOULEVARD, SUITE 1100
AUSTIN TX UNITED STATES , 78701

Correspondent e-mail: mnipdocket@nortonrosefulbright.com , mplsbrandsteam01@nortonrosefulbright.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Request For Extension of Time to File Opposition	90882211	

Potential Opposer(s)

Name: FoodScience, LLC

Correspondent Address: WILLIAM J. MORRIS III
DOWNS RACHLIN MARTIN PLLC
199 MAIN STREET
BURLINGTON VT UNITED STATES , 05401

Correspondent e-mail: tmip@drm.com

mail: _____

Prosecution History

Entry Number	History Text	Date	Due Date
4	EXT GRANTED	Nov 10, 2022	
3	ADD'L 60-DAY REQUEST TO EXT TIME TO OPPOSE	Nov 10, 2022	
2	EXT GRANTED	Oct 06, 2022	
1	FIRST 30-DAY REQUEST TO EXT TIME TO OPPOSE	Oct 06, 2022	