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Filing date: **03/20/2023**

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	Oasis Medical, Inc.
Granted to date of previous extension	03/19/2023
Address	514 SOUTH VERMONT AVENUE GLEN DORA, CA 91741 UNITED STATES
Attorney information	JONATHAN A. HYMAN KNOBBE, MARTENS, OLSON & BEAR, LLP 2040 MAIN STREET, 14TH FLOOR IRVINE, CA 92614 UNITED STATES Primary email: efiling@knobbe.com Secondary email(s): jonathan.hyman@knobbe.com 3104073468
Docket no.	OASMD179GEN

Applicant information

Application no.	90727534	Publication date	09/20/2022
Opposition filing date	03/20/2023	Opposition period ends	03/19/2023
Applicant	Oasis Mushrooms Inc. 6TH FLOOR - 905 WEST PENDER STREET VANCOUVER, V6C1L6 CANADA		

Goods/services affected by opposition

<p>Class 005. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: botanical supplements for general health and well-being made in whole or significant part of adaptogens; dietary supplements for general health and well-being made in whole or significant part of adaptogens; herbal supplements for general health and well-being made in whole or significant part of adaptogens; nutritional supplements for general health and well-being made in whole or significant part of adaptogens; vitamin and mineral supplements made in whole or significant part of adaptogens; nutritional supplements for promoting mental health and well-being made in whole or significant part of adaptogens; nutritional supplements for promoting immune system health made in whole or significant part of adaptogens; nutritional supplements containing mushrooms or mushroom extracts made in whole or significant part of adaptogens; nutritional supplements for promoting stress response system health made in whole or significant part of adaptogens</p>

Grounds for opposition

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

Marks cited by opposer as basis for opposition

U.S. application no.	88510722	Application date	07/11/2019
Registration date	NONE	Foreign priority date	NONE
Word mark	OASIS		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 005. First use: First Use: Nov 2007 First Use In Commerce: Nov 2007 (Based on Use in Commerce) Eye drops; Ophthalmic pharmaceutical preparations, namely, viscoelastic solutions; Viscoelastic surgical fluid for use during ophthalmic surgical procedures; Collagen for medical purposes, namely, collagen corneal shields for placing on the eye to protect the cornea for medical purposes; Collagen for medical purposes, namely, corneal shields made of collagen for placing on the eye for protection of the cornea for medical purposes; (Based on Intent to Use) Medicated eyelid cleansers; Medicated eyelid cleansers, medicated pre-moistened wipes, and medicated facial cleansers, namely, foams, solutions, creams, gels, lotions and ointments for eyelid cleansing and removal of encrustation and other foreign matter from the eyelids, eyelashes, and periocular area; Antibacterial wipes for the eyelids, eyelashes, and periocular area; Antibacterial cleansers in the nature of antibacterial wipes for the eyelids, eyelashes, and periocular area; Antibacterial gel for the eyelids, eyelashes, and periocular area; Antibacterial cleansers in the nature of antibacterial gels for the eyelids, eyelashes, and periocular area; Antibacterial spray for the eyelids, eyelashes, and periocular area; Antibacterial cleansers in the nature of antibacterial sprays for the eyelids, eyelashes, and periocular area; Nutritional supplements for ocular wellness; Nutritional supplements for promoting healthy eyes and vision; Nutritional supplements for treating dry eyes; Dietary supplements and nutritional supplements for antioxidant, anti-inflammatory, and treating vision issues; Nutritional and herbal supplements to treat eyesight problems and to improve vision; all the foregoing for optical wellness, treatment of the eyes, or ophthalmologic or vision care uses; none of the foregoing covering oral or dental products or for use in treating oral or dental issues</p>		

U.S. registration no.	6267537	Application date	07/11/2019
Register	Principal		
Registration date	02/09/2021	Foreign priority date	NONE
Word mark	OASIS TEARS VISION		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 005. First use: First Use: Nov 18, 2019 First Use In Commerce: Nov 18, 2019 Dietary and nutritional supplements; Nutritional supplements; Nutritional supplements for ocular wellness; Nutritional supplements for promoting healthy eyes</p>		

	and vision; Nutritional supplements for treating dry eyes; Dietary supplements and nutritional supplements for antioxidant, anti-inflammatory, and treating vision issues; nutritional and herbal supplements to treat eyesight problems and to improve vision
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U.S. registration no.	6316375	Application date	07/11/2019
Register	Principal		
Registration date	04/06/2021	Foreign priority date	NONE
Word mark	OASIS TEARS OMEGA		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Dec 17, 2019 First Use In Commerce: Dec 17, 2019 Dietary and nutritional supplements; Nutritional supplements; Nutritional supplements for ocular wellness; Nutritional supplements for promoting healthy eyes and vision; Nutritional supplements for treating dry eyes; Dietary supplements and nutritional supplements for antioxidant, anti-inflammatory, and treating vision issues; nutritional and herbal supplements to treat eyesight problems and to improve vision		

U.S. registration no.	6428911	Application date	07/11/2019
Register	Principal		
Registration date	07/20/2021	Foreign priority date	NONE
Word mark	OASIS TEARS		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Nov 2007 First Use In Commerce: Nov 2007 Medicated eyelid cleansers; Medicated eyelid cleansers, medicated pre-moistened wipes, and medicated facial cleansers, namely, solutions for eyelid cleansing and removal of encrustation and other foreign matter from the eyelids, eyelashes, and periocular area; Antiseptic wipes; Antibacterial wipes; Antibacterial cleansers in the nature of antibacterial wipes; Antiseptic spray; Antibacterial spray; Antibacterial cleansers in the nature of antibacterial sprays; Dietary and nutritional supplements; Nutritional supplements; Nutritional supplements for ocular wellness; Nutritional supplements for promoting healthy eyes and vision; Nutritional supplements for treating dry eyes; Dietary supplements and nutritional supplements for antioxidant, anti-inflammatory, and treating vision issues; Nutritional and herbal supplements to treat eyesight problems and to improve vision		

U.S. registration no.	6569817	Application date	07/11/2019
Register	Principal		
Registration date	11/23/2021	Foreign priority date	NONE
Word mark	OASIS TEARS HYPOCHLOROUS		
Design mark			

Description of mark	NONE
Goods/services	Class 005. First use: First Use: May 19, 2021 First Use In Commerce: May 19, 2021 Medicated eyelid cleansers; Medicated eyelid cleansers and medicated facial cleansers, namely, solutions for eyelid cleansing and removal of encrustation and other foreign matter from the eyelids, eyelashes, and periocular area; anti-septic spray; antibacterial spray; Antibacterial cleansers in the nature of antibacterial sprays

U.S. registration no.	6639891	Application date	01/09/2020
Register	Principal		
Registration date	02/08/2022	Foreign priority date	NONE
Word mark	OASIS TEARS OASIS LID & LASH		
Design mark			
Description of mark	NONE		
Goods/services	Class 003. First use: First Use: May 19, 2021 First Use In Commerce: May 19, 2021 Non-medicated cleansing solution for washing the area around the eye; Non-medicated cleansers, namely, eyelid cleansers and pre-moistened wipes for eyelids; Non-medicated cleansers, namely, pre-moistened wipes and eye cleansers, namely, solutions for eyelid cleansing and removal of encrustation and other foreign matter from the eyelids, eyelashes, and periocular area		

U.S. registration no.	6331631	Application date	01/09/2020
Register	Principal		
Registration date	04/27/2021	Foreign priority date	NONE
Word mark	OASIS LID & LASH		
Design mark			
Description of mark	NONE		
Goods/services	Class 003. First use: First Use: Aug 2, 2013 First Use In Commerce: Aug 2, 2013 Non-medicated cleansing solution for washing the area around the eye; Non-medicated cleansers, namely, eyelid cleansers and pre-moistened wipes for eyelids; Non-medicated cleansers, namely, pre-moistened wipes and eye cleansers, namely, foams, sprays, solutions, gels, lotions and ointments for eyelid cleansing and removal of encrustation and other foreign matter from the eyelids, eyelashes, and periocular area		

U.S. registration no.	2039586	Application date	04/25/1994
Register	Principal		
Registration date	02/25/1997	Foreign priority date	NONE
Word mark	OASIS		
Design mark			

Description of mark	NONE
Goods/services	Class 010. First use: First Use: Sep 1987 First Use In Commerce: Sep 1987 medical devices; namely, scalpels; irrigation/aspiration apparatus and parts therefor; I/A tips; cortex extractors; anterior chamber maintainers; capsule polishers; cannulas; needles; speculum; tonometer shields; nucleus bisecting devices, namely, cystomones; lens loops; lens loop amputators; capsulotomy instruments, namely; extractors and spatulas; phaco tips; lacrimal intubation sets, namely malleable wire, tubing and retrieval apparatus; ocular pressure reducers; eye packs; filters for delivery of medical solutions; cautery tools; lens holders and collagen corneal shields

U.S. registration no.	2082971	Application date	04/25/1994
Register	Principal		
Registration date	07/29/1997	Foreign priority date	NONE
Word mark	OASIS		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: Sep 1987 First Use In Commerce: Sep 1987 sunglasses		

U.S. registration no.	3485957	Application date	06/27/2007
Register	Principal		
Registration date	08/12/2008	Foreign priority date	NONE
Word mark	OASIS TEARS		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Nov 2007 First Use In Commerce: Nov 2007 Eye drops or solutions of artificial tears to provide lubrication to treat dry eye symptoms		

U.S. registration no.	3496440	Application date	11/20/2006
Register	Principal		
Registration date	09/02/2008	Foreign priority date	NONE
Word mark	OASIS		
Design mark			
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: Nov 2007 First Use In Commerce: Nov 2007 Eye drops and solutions of artificial tears to provide lubrication to treat dry eye symptoms		

U.S. registration no.	4608335	Application date	08/12/2013
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