

ESTTA Tracking number: **ESTTA1082120**

Filing date: **09/15/2020**

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	BBK Tobacco & Foods, LLP		
Entity	Partnership	Citizenship	Arizona
Composed Of:	BBK Tobacco and Foods LLC, an Arizona Limited Liability Company, as general partner		
Address	3401 W PAPAGO ST PHOENIX, AZ 85009 UNITED STATES		

Attorney information	FRANK G. LONG DICKINSON WRIGHT PLLC 1850 N. CENTRAL AVE. 14TH FLOOR PHOENIX, AZ 85004 UNITED STATES Primary Email: flong@dickinsonwright.com Secondary Email(s): cvillanueva@dickinsonwright.com, nlevine@dickinsonwright.com, dwtrademarks@dickinsonwright.com 602 285 5093		
Docket Number	58183-66		

Applicant Information

Application No.	88978395	Publication date	09/08/2020
Opposition Filing Date	09/15/2020	Opposition Period Ends	10/08/2020
Applicant	Central Coast Agriculture, Inc 85 WEST HIGHWAY 246, #233 BUELLTON, CA 93427 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Herbs for smoking, all of the foregoing containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Herbs for smoking, all of the foregoing containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis
--

Applicant Information

Application No.	88978410	Publication date	09/08/2020
Opposition Filing	09/15/2020	Opposition Peri-	10/08/2020

Date		od Ends	
Applicant	Central Coast Agriculture, Inc 85 WEST HIGHWAY 246, #233 BUELLTON, CA 93427 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes, all of the foregoing containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes, all of the foregoing containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Cartridges sold filled with vegetable glycerin for electronic cigarettes, all of the foregoing containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Cartridges sold filled with vegetable glycerin for electronic cigarettes, all of the foregoing containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis

Applicant Information

Application No.	88978412	Publication date	09/08/2020
Opposition Filing Date	09/15/2020	Opposition Period Ends	10/08/2020
Applicant	Central Coast Agriculture, Inc 85 WEST HIGHWAY 246, #233 BUELLTON, CA 93427 UNITED STATES		

Goods/Services Affected by Opposition

Class 034. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Electronic cigarettes, all of the foregoing containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Electronic cigarettes, all of the foregoing containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Oral vaporizers for smoking purposes, all of the foregoing containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Oral vaporizers for smoking purposes, all of the foregoing containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Oral vaporizers for smoking purposes, all of the foregoing goods for use in connection with substances containing CBD derived from cannabis with a delta-9 THC concentration of not more than 0.3% on a dry weight basis; Oral vaporizers for smoking purposes, all of the foregoing goods for use in connection with substances containing cannabis or cannabis derivatives with a delta-9 THC concentration of not more than 0.3% on a dry weight basis
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2989221	Application Date	03/23/2004
Registration Date	08/30/2005	Foreign Priority Date	NONE
Word Mark	RAW		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 034. First use: First Use: 2002/06/07 First Use In Commerce: 2002/06/07 Cigarette Rolling papers made from processed paper, plastic or metal hand held cigarette rolling machines

U.S. Registration No.	3422929	Application Date	04/26/2006
Registration Date	05/06/2008	Foreign Priority Date	NONE
Word Mark	100% CHLORINE FREE 100% VEGAN RAW NATURAL UNBLEACHED ROLLING PAPERS		
Design Mark			
Description of Mark	The mark consists of the term "RAW" having a piece of twine wrapped about the same, the term 100% Chlorine Free 100% Vegan enclosed in a broken circle above the term "RAW", and the term Natural Unbleached Rolling Papers below the term "RAW." The dotted outline is intended to show the position of the mark on the goods and is not part of the mark.		
Goods/Services	Class 034. First use: First Use: 2005/08/11 First Use In Commerce: 2005/08/11 Cigarette rolling papers		

U.S. Registration No.	4041076	Application Date	02/08/2011
Registration Date	10/18/2011	Foreign Priority Date	NONE
Word Mark	SUPERNATURAL RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2006/01/09 First Use In Commerce: 2006/01/23 Cigarette papers; Cigarette rolling papers		

U.S. Registration No.	4074036	Application Date	05/11/2011
Registration Date	12/20/2011	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2007/12/03 First Use In Commerce: 2007/12/03 Cigarette filters; Cigarette tubes; Cigarette-rolling machines		

U.S. Registration No.	4358908	Application Date	03/13/2012
Registration Date	06/25/2013	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 011. First use: First Use: 2002/06/07 First Use In Commerce: 2012/06/08 [Electric vaporizers] Class 034. First use: First Use: 2002/06/07 First Use In Commerce: 2013/03/12 [Electronic cigarettes;] Smoking pipes; Tobacco pipes

U.S. Registration No.	4325822	Application Date	05/03/2012
Registration Date	04/23/2013	Foreign Priority Date	NONE
Word Mark	RAW ARTESANO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2013/01/21 First Use In Commerce: 2013/01/21 CIGARETTE ROLLING PAPERS, CIGARETTE FILTERS, CIGARETTE ROLLING TRAYS		

U.S. Registration No.	4412202	Application Date	10/09/2012
Registration Date	10/01/2013	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2012/06/01 First Use In Commerce: 2012/10/01 Cigar lighters; Cigarette lighters not for land vehicles; Lighters for smokers;Lighters not of precious metal; Non-electric cigar lighters not of precious metal; Tobacco pouches, cigar humidors, Rolling Paper Cases, shredders for tobacco and smokeable herbs not for industrial use; Cigarette Rolling Trays, Cigar Rolling Trays; tobacco storage boxes not of precious metal; Pocket apparatus for rolling cigarettes, namely, Scoops to assistin the rolling of one's own cigarette		

U.S. Registration No.	4647824	Application Date	10/21/2013
Registration Date	12/02/2014	Foreign Priority Date	NONE
Word Mark	RAW ORGANIC HEMP AUTHENTIC PUREST NATURAL HEMP FIBERS UNREFINED RAY NATURAL UNREFINED HEMP ROLLING PAPERS		
Design Mark			
Description of Mark	The mark consists of a rectangular tan box shape with the a line of green grassillustrated along its lower edge. In the top left of the mark is the wording "24 PER BOX" in brown stylized font. In the center of the mark is the word "RAW" in larger red stylized font set at an angle. Above the word "RAW" are two design elements. On the left is the wording "ORGANIC HEMP" in tan stylized font within a rectangular brown border. On the rightis a brown circular element with a tan center containing the wording "AUTHENTIC" and "UNREFINED" in tan within a brown outer ring and the wording "PUREST NATURAL HEMP FIBERS" in brown font with a brown leaf design within its center. Beneath the		

	word "RAW" is the phrase "NATURAL UNREFINED HEMP ROLLING PAPERS" in stylized brown font. In the lower portion of the mark is the wording "NATURAL HEMP GUM" and "www.rawthentic.com" in brown font in the lower right. And "1 1/2 size" brown font in the lower left above the wording "ORGANIC HEMP" in tan within a brown rectangular border. Atop the wording and design elements is a realistic illustration of twine in brown and tan crossing the mark vertically and horizontally with a knot in the center of the mark.
Goods/Services	Class 034. First use: First Use: 2009/02/26 First Use In Commerce: 2009/02/26 Cigarette paper; Cigarette papers; Cigarette rolling papers; all of the foregoing made from natural, organic hemp

U.S. Registration No.	4766952	Application Date	02/24/2014
Registration Date	07/07/2015	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2013/12/18 First Use In Commerce: 2014/01/30 [Processed cavendish pipe tobacco;] grinders for tobacco [and herbs for smoking] ; ceramic humidifiers for tobacco [and herbs for smoking] ; machines for injecting tobacco into cigarette tubes		

U.S. Registration No.	4775472	Application Date	06/11/2014
Registration Date	07/21/2015	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2014/03/12 First Use In Commerce: 2014/03/12 Non-stick coated parchment paper, not used for writing or printing, used as a surface on which to roll tobacco		

U.S. Registration No.	4667617	Application Date	06/11/2014
Registration Date	01/06/2015	Foreign Priority Date	NONE
Word Mark	RAW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 022. First use: First Use: 2013/06/18 First Use In Commerce: 2013/06/18 Lanyards for holding keys, whistles, badges and other small objects		

U.S. Registration No.	4667632	Application Date	06/19/2014
Registration Date	01/06/2015	Foreign Priority Date	NONE

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.