

ESTTA Tracking number: **ESTTA1092340**

Filing date: **10/30/2020**

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	Beyond Meat, Inc.
Granted to Date of previous extension	11/01/2020
Address	119 STANDARD ST. EL SEGUNDO, CA 90245 UNITED STATES
Attorney information	KRISTIN S. CORNUELLE ORRICK, HERRINGTON & SUTCLIFFE LLP 2050 MAIN ST., SUITE 1100 IRVINE, CA 92614 UNITED STATES Primary Email: ipprosecution@orrick.com Secondary Email(s): kcornuelle@orrick.com, mweddington@orrick.com, bwang@orrick.com, bela.karmel@orrick.com 5039434828
Docket Number	26074.2004

Applicant Information

Application No.	88510435	Publication date	05/05/2020
Opposition Filing Date	10/30/2020	Opposition Period Ends	11/01/2020
Applicant	Katjes Fassin GmbH + Co. KG DECHANT-SPRÄNKEN-STR. 53-57 EMMERICH, 46446 FED REP GERMANY		

Goods/Services Affected by Opposition

Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Confectionery, namely, candy; confectionery, namely, chocolate; dairy-free chocolate; chocolate-flavored confectionery, namely, vegan chocolate substitute candy bars; non-dairy chocolate flavoured candy bars; cacao-flavoured chocolate bars; cacao-based candy bars; cacao-based fondant bars; cacao-flavoured fondant bars; imitation chocolate-flavored confectionery, namely, vegan chocolate substitute candy bars; non-dairy chocolate flavoured candy bars; cacao-flavoured chocolate bars; cacao-based candy bars; cacao-based fondant bars; cacao-flavoured fondant bars; chocolate based products, namely, chocolate based snack foods and chocolate based candy bars; dairy-free chocolate based products, namely, dairy-free chocolate flavored snack foods, and dairy-free chocolate based candy bars; cocoa based products, namely, cocoa-based snack foods and cocoa-based candy bars; dairy-free cocoa based products, namely, dairy-free cocoa-based snack foods and dairy-free cocoa-based candy bars; cocoa based confection-
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ery products, namely candy and chocolate; dairy-free cocoa based confectionery products, namely, candy, chocolate and dairy-free cocoa based confectionary bars featuring hazelnut; chocolatecouver-
ture; candy with cocoa; cocoa products, namely, cocoa snack foods and candy bars; foods with a co-
coa base, namely, snack foods and candy bars

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4314689	Application Date	04/24/2012
Registration Date	04/02/2013	Foreign Priority Date	NONE
Word Mark	BEYOND MEAT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2012/05/29 First Use In Commerce: 2012/05/29 Meat substitutes; vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	4654351	Application Date	02/24/2014
Registration Date	12/09/2014	Foreign Priority Date	NONE
Word Mark	BEYOND CHICKEN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2014/08/19 First Use In Commerce: 2014/08/19 Meat substitutes; vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	4654352	Application Date	02/24/2014
Registration Date	12/09/2014	Foreign Priority Date	NONE
Word Mark	BEYOND BEEF		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2014/08/19 First Use In Commerce: 2014/08/19 Meat substitutes; vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	5101972	Application Date	02/24/2016
Registration Date	12/13/2016	Foreign Priority Date	NONE
Word Mark	THE BEYOND BURGER		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 029. First use: First Use: 2016/05/23 First Use In Commerce: 2016/05/23 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes

U.S. Registration No.	5499242	Application Date	05/24/2017
Registration Date	06/19/2018	Foreign Priority Date	NONE
Word Mark	THE FUTURE OF PROTEIN BEYOND MEAT		
Design Mark			
Description of Mark	The mark consists of the words "THE FUTURE OF PROTEIN" directly above of a lineof dots which is directly above the word "BEYOND" with an image of a fork tinespointing upwards inside the "O" of "BEYOND" with the word "MEAT" and 10 dots oneach side of "MEAT" below and centered of "BEYOND", all of which is contained within a geometric shape representing a sales tag.		
Goods/Services	Class 029. First use: First Use: 2016/05/23 First Use In Commerce: 2016/05/25 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	5504568	Application Date	06/07/2017
Registration Date	06/26/2018	Foreign Priority Date	NONE
Word Mark	BEYOND SAUSAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2017/12/18 First Use In Commerce: 2017/12/18 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	5910554	Application Date	03/19/2019
Registration Date	11/12/2019	Foreign Priority Date	NONE
Word Mark	BEYOND BURGER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2019/02/00 First Use In Commerce: 2019/02/00 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	6071089	Application Date	08/26/2019
Registration Date	06/02/2020	Foreign Priority Date	NONE
Word Mark	BEYOND FRIED CHICKEN		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 029. First use: First Use: 2019/08/26 First Use In Commerce: 2019/08/26 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes

U.S. Registration No.	6059295	Application Date	04/30/2018
Registration Date	05/19/2020	Foreign Priority Date	NONE
Word Mark	BEYOND BREAKFAST SAUSAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2019/07/00 First Use In Commerce: 2020/03/11 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Registration No.	5928278	Application Date	10/22/2018
Registration Date	12/03/2019	Foreign Priority Date	NONE
Word Mark	GO BEYOND		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2016/00/00 First Use In Commerce: 2019/02/00 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Application No.	87512291	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND TURKEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Application No.	87512293	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND PORK		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		
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U.S. Application No.	87512298	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND HAM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Application No.	87512304	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND CRAB		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Application No.	87512309	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND FISH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

U.S. Application No.	87512310	Application Date	06/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEYOND SHRIMP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 Meat substitutes; vegan and vegetarian meat products; plant-based meat substitutes		

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