

**To:** KULLKU FOODS LLC ([tswenson10@gmail.com](mailto:tswenson10@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85725877 - INKA BAR - 110.104  
**Sent:** 7/29/2013 11:28:04 AM  
**Sent As:** ECOM109@USPTO.GOV  
**Attachments:**

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 85725877

MARK: INKA BAR

**\*85725877\***

**CORRESPONDENT ADDRESS:**  
THOMAS SWENSON  
THOMAS SWENSON  
1118 13TH ST # A-5  
BOULDER, CO 80302-7016

**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/trademarks/index.jsp>

APPLICANT: KULLKU FOODS LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
110.104

**CORRESPONDENT E-MAIL ADDRESS:**  
[tswenson10@gmail.com](mailto:tswenson10@gmail.com)

**SUSPENSION NOTICE: NO RESPONSE NEEDED**

**ISSUE/MAILING DATE: 7/29/2013**

The trademark examining attorney is suspending action on the application for the reason(s) stated below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the trademark examining attorney will issue as needed an inquiry letter to applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. *See* TMEP §716.04.

No response to this notice is necessary; however, if applicant wants to respond, applicant should use the "Response to Suspension Inquiry or Letter of Suspension" form online at <http://teasroa.uspto.gov/rsi/rsi>.

The effective filing date of the pending application(s) identified below precedes the filing date of applicant's application. If the mark in the referenced application(s) registers, applicant's mark may be refused registration under Section 2(d) because of a likelihood of confusion with that registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, action on this application is suspended until the earlier-filed referenced application(s) is either registered or abandoned. 37 C.F.R. §2.83(c). A copy of information relevant to this referenced application(s) was sent previously.

- Application Serial No(s). 85195835

**REFUSAL(S)/REQUIREMENT(S) CONTINUED AND MAINTAINED:** The following refusal(s)/requirement(s) is/are continued and maintained:

**Likelihood of Confusion**

The examining attorney considered the arguments and evidence supplied by the applicant carefully, but at this time remains unconvinced the refusal should be lifted. All evidence and arguments supplied will be reassessed when the prior pending application cited above is resolved.

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration Nos. 2613503, 2558345, 2782515, 2682596. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* This refusal is hereby **maintained**. If the applicant has any questions or needs assistance regarding this action, please telephone the assigned examining attorney

/Frank Lattuca/  
Frank J Lattuca  
Examining Attorney  
Law Office 109  
EMAIL: Frank.Lattuca@uspto.gov  
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**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **7/29/2013** FOR U.S. APPLICATION SERIAL NO.85725877

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).