

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	97060203
LAW OFFICE ASSIGNED	LAW OFFICE 305
MARK SECTION	
MARK	mark
LITERAL ELEMENT	DINOVITE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
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DESCRIPTION OF EVIDENCE FILE	Evidence consists of arguments against the office action refusal. Exhibit A consists of the USPTO information on the Applicant's mark as well as the Cited Mark. Exhibit B consists of DINO-formative marks that coexist on the Register. Exhibit C consists of the definition of the term DYNO. Exhibit D consists of the definition of the term VITES.
CORRESPONDENCE INFORMATION (current)	
NAME	COURTNEY JACKSON
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	iptm@atllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
DOCKET/REFERENCE NUMBER	3409-1781
CORRESPONDENCE INFORMATION (proposed)	
NAME	Courtney Jackson
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	iptm@atllp.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
DOCKET/REFERENCE NUMBER	3409-1781
SIGNATURE SECTION	
RESPONSE SIGNATURE	/cj/
SIGNATORY'S NAME	Courtney Jackson
SIGNATORY'S POSITION	Attorney of Record, Missouri Bar Member
SIGNATORY'S PHONE NUMBER	314.621.5070
DATE SIGNED	11/23/2022
ROLE OF AUTHORIZED SIGNATORY	Authorized U.S.-Licensed Attorney
SIGNATURE METHOD	Sent to third party for signature
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Nov 23 16:32:09 ET 2022
	USPTO/ROA-XX.XXX.XX.XX-20

TEAS STAMP

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PTO-1957

Approved for use through 11/30/2023. OMB 0651-0050

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **97060203** DINOVITE(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/97060203/large>) has been amended as follows:

EVIDENCE

Evidence has been attached: Evidence consists of arguments against the office action refusal. Exhibit A consists of the USPTO information on the Applicant's mark as well as the Cited Mark. Exhibit B consists of DINO-formative marks that coexist on the Register. Exhibit C consists of the definition of the term DYNO. Exhibit D consists of the definition of the term VITES.

Original PDF file:

[evi_241071883-20221123154_125403836_.97060203_DINO_VITE_OA_Response_LOC_FINAL_11.23.22.pdf](#)

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The docket/reference number is 3409-1781.

Correspondence Information (proposed):

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SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

The docket/reference number is 3409-1781.

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

SIGNATURE(S)

Response Signature

Signature: /cj/ Date: 11/23/2022

Signatory's Name: Courtney Jackson

Signatory's Position: Attorney of Record, Missouri Bar Member

Signatory's Phone Number: 314.621.5070 Signature method: Sent to third party for signature

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

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Serial Number: 97060203

Internet Transmission Date: Wed Nov 23 16:32:09 ET 2022

TEAS Stamp: USPTO/ROA-XX.XXX.XX.XX-20221123163209085

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-N/A-N/A-20221123162054756180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Manna Pro Products, LLC
 Serial No.: 97/060,203
 Filed: October 5, 2021
 International Class: 5
 Examiner: Kelly M. Ryan, Law Office 305
 Mark: DINOVITE

RESPONSE TO NONFINAL OFFICE ACTION

In response to the Office Action issued on May 23, 2022, Applicant respectfully requests that the Examining Attorney withdraw the Section 2(d) refusal. For the reasons stated herein, Applicant respectfully submits that Applicant’s mark, DINOVITE, U.S. Application Serial No. 97/060,203 (“Applicant’s Mark”) is not confusingly similar to the mark that is the subject of the cited registration, namely, Registration No. 2533243 for the mark, DYNO VITES (the “Cited Mark”).

LIKELIHOOD OF CONFUSION

Prior Registration Relied upon by the Office Action

The Office Action refuses registration of Applicant’s Mark on the basis of a likelihood of confusion with the Cited Mark under the Trademark Act, § 2(d), 15 U.S.C. § 1052(d). The details of the marks at issue are set forth as follows:

Mark	Owner	Goods / Class	Date of First Use
Serial No. / Reg. No.			Filing Date Reg. Date
Applicant’s Mark: DINOVITE Serial No. 97/060,203	Manna Pro Products, LLC (Missouri Limited Liability Company)	<i>Animal feed supplements; nutritional supplements; dietary supplements; animal feed additives for use as nutritional supplements in Class 5</i>	December 31, 2001 October 5, 2021 N/A
Cited Mark: DYNO VITES Reg. No. 2533243	Natural Organics, Inc. (New York Corporation)	<i>Nutritional supplement for adults in the nature of a multi-nutrient dietary supplement in Class 5</i>	April 1, 1980 November 4, 1998 January 29, 2002

See **Exhibit A** for copies of the full USPTO records for this application and registration.

There Is No Likelihood of Confusion when the Relevant *DuPont* Factors Are Considered.

Applicant and the Examining Attorney agree that the relevant *DuPont* factors must be considered but disagree as to whether the weighing of such factors leads to a conclusion that a likelihood of confusion exists between Applicant's Mark and the Cited Mark. In determining whether a likelihood of confusion exists between the marks, *In re E.I. DuPont de Nemours & Co.* sets forth a number of factors that must be considered, including without limitation, (1) the similarity of the marks in appearance, sound, connotation, and overall commercial impression; (2) the similarity and nature of the goods; (3) the similarity of established, likely-to-continue channels of trade; (4) the number and nature of similar marks in use in connection with similar goods or services; (5) the length of time during and the conditions under which there has been concurrent use without evidence of actual confusion; (6) the sophistication of the respective purchasers; and (7) the extent of potential confusion. *See In re E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 U.S.P.Q. 563 (C.C.P.A. 1973). Based on the facts of this case, Applicant respectfully submits that the following relevant *DuPont* factors weigh in Applicant's favor:


- (1) The widespread concurrent use and registration of other similar marks for identical or closely related goods indicates that consumers are able to distinguish marks that include the term DINO or DYNO including the Cited Mark;
- (2) When comparing the Applicant's Mark in its entirety to the Cited Mark in its entirety, the distinguishing elements of Applicant's Mark serve to sufficiently differentiate the marks to avoid a potential likelihood of confusion among consumers;
- (3) The differences between Applicant's goods and the goods associated with the Cited Mark are sufficient to avoid a likelihood of confusion;
- (4) The differences in the channels of trade are such that any potential confusion would undoubtedly be avoided;
- (5) The sophistication of Applicant and Registrant's consumers obviates any likelihood of confusion between the marks;
- (6) The length of time during which there has been concurrent use of Applicant's mark and the Cited Mark without any instance of actual confusion indicates that there is no confusion among consumers as to the source of the goods; and
- (7) Any potential confusion between Applicant's Mark and the Cited Mark would be *de minimus*.


For these reasons, which are set forth in detail below, Applicant respectfully requests that the Section 2(d) refusal be withdrawn.

I. The Widespread Concurrent Use and Registration of Other Similar Marks for Identical or Closely Related Goods Indicates that Consumers Are Able to Distinguish Marks for Class 5 Goods that Include the Term DINO or DYNO.

The Office Action concludes that a likelihood of confusion would exist between the Applicant's Mark and the Cited Mark. Notwithstanding, however, the Office Action fails to consider *DuPont* factor no. 6, namely, the number and nature of similar marks in use on similar goods. Evidence of third party use of similar marks should be considered in a likelihood of confusion analysis because when "the consuming public is exposed to third-party use of similar marks on similar goods, it is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection." *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee en 1772*, 396 F.3d 1369, 1373-74 (Fed. Cir. 2005); TMEP 1207.01(d)(iii).

In the present case, in addition to the Cited Mark, Applicant is aware of at least 7 federal trademark registrations and allowed applications for marks comprising the term DINO or DYNO that are used in connection with identical or closely related goods, including, without limitation, the following:

Trademark / Serial No. / Registration No. / Disclaimer	Status / Key Dates	Key Goods / Services	Ownership Information
ADINO SN: 90093261	Application pending publication, September 6, 2022 Office Status: Third Extension - Granted Filed: August 4, 2020 Register Type: Principal Register	Int'l Class: 05 (Int'l Class: 05) Food supplements; Dietary food supplements; Health food supplements	Henderson, Matthew G (United States Individual) 589 Half Moon Court, EARLYSVILLE, Virginia 22936 United States of America
DINOCORE and Design  RN: 5603603 SN: 79203483	Registered, November 13, 2018 Filed: November 17, 2016 Registered: November 13, 2018 Int'l Reg Date: November 17, 2016 Register Type: Principal Register	Int'l Class: 03, 05, 09, 12, 14, 16, 18, 20, 21, 24, 25, 26, 27, 28, 29, 30, 32, 41, 43 (Int'l Class: 05) Household deodorants; bandages for dressings; vitamin supplements; sanitizing wipes; nutraceuticals for use as dietary supplements; eye drops; lacteal flour for babies; food for babies; babies' napkins being diapers; bandages for skin wounds	Tuba N Co., LTD. (Republic of Korea Corporation) 53, Gangnam-daero, 132-gil, Gangnam-gu Seoul 06045 Republic of Korea
DINOSAURS RN: 1748086 SN: 74250434	Renewed, March 15, 2013 Office Status: Registered and Renewed Int'l Class: 05 First Use: June 8, 1984 Filed: February 28, 1992 Registered: January 26, 1993 Last Renewal: January 26, 2013 Register Type: Principal Register	Int'l Class: 05 (Int'l Class: 05) nutritional and dietary food supplements	Nutremarks, Inc. (Delaware Corporation) 1500 KEARNS BOULEVARD, SUITE B-200, Park City, Utah 84060 United States of America
DYNO-MINS RN: 1456058 SN: 73615416	Renewed, September 30, 2017 Office Status: Registered and Renewed Int'l Class: 05 First Use: July 1, 1986 Filed: August 18, 1986	Int'l Class: 05 (Int'l Class: 05) dietary food supplement	Natural Organics, Inc. (New York Corporation) 548 Broadhollow Road, Melville, NY 11747 United States of America

Trademark / Serial No. / Registration No. / Disclaimer	Status / Key Dates	Key Goods / Services	Ownership Information
	Registered: September 8, 1987 Last Renewal: September 8, 2017 Register Type: Principal Register		
FIT DINOSAUR and Design  RN: 5283607 SN: 87011952	Registered, September 12, 2017 Office Status: Registered Int'l Class: 05,30,32 First Use: October 14, 2015 Filed: April 24, 2016 Registered: September 12, 2017 Register Type: Principal Register	Int'l Class: 05, 30, 32 (Int'l Class: 05) Baby foods; Cod liver oil; Dietary fiber to aid digestion; Dietary and nutritional supplements; Glucose dietary supplements; Lacteal flour for babies; Mineral supplements; Powdered milk for babies; Vitamin supplements	Pharmatech Asia Group LTD. (China Corporation) 8A City Hotel Building Minle Science Park, Meiban Road, Longhua, Shenzhen China
GIVE HER THE DINO'S AMINOS SN: 97247873	Published, October 18, 2022 Office Status: Published For Opposition Int'l Class: 05 First Use: January 1, 2022 Filed: February 1, 2022 Register Type: Principal Register	Int'l Class: 05 (Int'l Class: 05) Dietary supplements containing amino acids	Knights Toys (California Limited Liability Company) 5524 KEARNY VILLA ROAD, SAN DIEGO, California 92123 United States of America
DYNO VITES RN: 2533243 SN: 75583036	Renewed, April 3, 2022 Office Status: Registered and Renewed Int'l Class: 05 First Use: April 1, 1980 Filed: November 4, 1998 Registered: January 29, 2002 Last Renewal: January 29, 2022 Register Type: Principal Register	Int'l Class: 05 (Int'l Class: 05) Nutritional supplement for adults in the nature of a multi-nutrient dietary supplement	Natural Organics Inc. (New York Corporation) 548 Broadhollow Road, Melville, New York 11747 United States of America
DR. DINO KIDS SN: 97211987	Pending Application, October 31, 2022 Office Status: Non-Final Action - Mailed Int'l Class: 05 First Use: January 1, 2022 Filed: January 10, 2022 Register Type: Principal Register Note, this is not registered yet, but there was no finding of confusing similarity with prior registrations or pending applications.	Int'l Class: 05 (Int'l Class: 05) Health food supplements; Dietary supplements for urinary health	Minddose LLC (Delaware Limited Liability Company) 29160 Heathercliff Rd Fl 1 #6215, Malibu, California 90264 United States of America Aref, Azar (United States Individual) 29160 Heathercliff Rd Fl 1 #6215, Malibu, California 90264 United States of America

See **Exhibit B** for copies of the full USPTO records for these applications and registrations.

Clearly, marks that include the abbreviated term DINO or DYNO are widely used in connection with dietary supplements that fall within International Class 5, and as a result, consumers are already alerted to distinguish one particular source of goods from another when viewing the marks in their entirety. It is well settled that where the features that are common to two marks being compared are weak due to concurrent use by different parties, even minor additions or changes to the mark can effectively negate any confusing similarity. *See, e.g., In re Box Solutions Corp.*, 79 U.S.P.Q.2d 1953 (T.T.A.B. 2006) (finding no likelihood of confusion between the marks BOX and Design and BOX SOLUTIONS and Design, even though the marks were used in connection with legally identical goods); *Plus Prods. v. Star-Kist Foods, Inc.*, 220 U.S.P.Q. 541 (T.T.A.B. 1983) (the differences between the marks PLUS and Design and MEAT PLUS were sufficient to avoid a likelihood of confusion, despite the fact that the only difference between the word elements of the marks was the additional descriptive term MEAT).

The Office Action is silent on whether third-party registrations for confusingly similar marks are entitled to great weight. However, “extensive third-party use” of a common element is considered impressive evidence and attestation that there would be no likelihood of confusion between similar marks. *See Sun Banks of Florida, Inc. v. Sun Fed. Sav. & Loan Assoc.*, 651 F.2d 311, 316, 211 U.S.P.Q. 844 (5th Cir. 1981). As an example, the Trademark Trial and Appeal Board (the “Board”) previously held that the extensive third party use and adoption of the term KEY thereby diluted its trademark significance, and as such, the differences between the marks KEY and KEYCHECK, KEY-CARD BANK, KEYBANKER, and CB KEY, all for banking services, were sufficient to avoid a likelihood of confusion. *In re Hamilton Bank*, 222 U.S.P.Q. 174 (TTAB 1984). Similarly, the Board also determined that the existence of numerous third-party registrations indicated that the term GRAND was a weak formative in the hotel field and therefore sufficient to render applicant’s mark distinguishable from the cited mark GRAND HOTEL. *In re Hartz Hotel Servs. Inc.*, 102 U.S.P.Q.2d 1150 (T.T.A.B. 2012).

Here, the coexistence and concurrent registration of multiple marks that include the abbreviated term DINO or DYNO used in connection with Class 5 goods demonstrates that such marks have a limited scope of protection. Consumers are used to seeing a multitude of marks that consist of the prefix DINO or DYNO for products related to dietary supplements, and they understand their implied obligation to consider the marks in their entirety, variations in spelling and spacing, and any unique design elements in order to differentiate one source from the other. Therefore, Applicant’s use of the term DINO is not confusingly similar to the Cited Mark’s use of the term DYNO, particularly within the crowded industry where the terms have a limited scope of protection. Thus, the distinguishing elements between the Cited Mark and the Applicant’s Mark (as discussed further herein) are critical elements on which consumers will focus and, therefore, there is no likelihood of confusion between the marks. Additionally, the marks that are included above are for human consumption and are not intended for animal use. This further demonstrates that DINO-formative marks, while appearing frequently with human dietary supplements, are not used frequently in connection with animal supplements.

Applicant understands that the Examining Attorney is not bound by the decisions of other Examining Attorneys. However, the widespread concurrent use and registration of so many marks containing the abbreviated term DINO or DYNO for use in connection with dietary supplements strongly supports a decision to withdraw the Section 2(d) refusal in this case.

II. The Differences Between Applicant's Mark and the Cited Mark Are Sufficient to Avoid a Likelihood of Confusion.

A. Visual and Aural Differences

The Office Action concedes that *DuPont* factor no. 1 requires the marks to be compared in their entireties. However, in its analysis, the Office Action only seems to compare the marks in terms of sound and completely disregards any such comparison in visual appearance or connotation. Specifically, the Office Action concludes that Applicant's Mark and the Cited Mark are similar simply "because the marks are essentially phonetic equivalents and thus sound similar." The Office Action bases its conclusion on *In re 1st USA Realty Prof'ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007), stating: "Similarity in sound alone may be sufficient to support a finding that the compared marks are confusingly similar." However, in *In re 1st USA Realty*, the Trademark Trial and Appeal Board (the "Board") did not hold that marks are automatically confusingly similar as a whole if they are similar only in sound. In fact, the Board in that case went on to consider the marks at issue from both a visual and connotative perspective as well. Thus, Applicant respectfully insists that any proper analysis here must include a comparison of the marks in their entireties.

Marks may share common elements but create two sufficiently distinct commercial impressions so as to avoid a likelihood of confusion, even if the marks are used in connection with identical goods or services. *See, e.g., Lever Bros. Co. v. Barcolene Co.*, 174 U.S.P.Q. 392 (C.C.P.A. 1972); *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 73 U.S.P.Q.2d 1350 (Fed. Cir. 2004) (RITZ and THE RITZ KIDS create different commercial impressions); *In re Farm Fresh Catfish Co.*, 231 U.S.P.Q. 495 (T.T.A.B. 1986) (no confusion between CATFISH BOBBERS ("CATFISH" disclaimed) for fish and BOBBER for restaurant services); *In re Shawnee Milling Co.*, 225 U.S.P.Q. 747 (T.T.A.B. 1985) (no confusion between GOLDEN CRUST for flour and ADOLPH'S GOLD'N CRUST & Design ("GOLD'N CRUST" disclaimed) for coating and seasoning for food items); *In re S.D. Fabrics, Inc.*, 223 U.S.P.Q. 54 (T.T.A.B. 1984) (no confusion between DESIGNERS/FABRIC (stylized) for retail fabric store services and DAN RIVER DESIGNER FABRICS & Design for textile fabrics); *see also First Sav. Bank, F.S.B. v. First Bank Sys., Inc.*, 101 F.3d 645, 40 U.S.P.Q.2d 1865 (10th Cir. 1996) ("When the primary term is weakly protected to begin with, minor alterations may effectively negate any confusing similarity between the two marks."); 4 McCarthy on Trademarks and Unfair Competition § 23:25 (5th ed.) ("[I]f a word mark is relatively weak, a significantly different display of the same word can avoid a likelihood of confusion.")

It is well-settled law that the first word or syllable in a mark is the prominent feature. *See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F. 3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005). This is because consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. *See also*

Presto Prods., Inc. v. Nice-Pak Prods., Inc., 9 USPQ2d 1895, 1897 (TTAB 1988) (“[I]t is often the first part of a mark which is most likely to be impressed upon the mind of a purchaser and remembered” when making purchasing decisions); *Coca-Cola Co. v. Carlisle Bottling Works*, 43 F.2d 101, 114 (E.D. Ky. 1929), *aff’d*, 43 F.2d 119 (6th Cir. 1930) (“[I]n such cases where the front part of the two trade-marks involved differ . . . there is no infringement even though there may be similarity amounting to identity in the last parts. It is only a very exceptional case which will not be governed by this rule.”)

Here, the Office Action focuses on the phonetic similarities in the marks but fails to consider or even address the distinguishing elements in same. For instance, the Cited Mark contains two separate individually recognizable terms or abbreviated terms compared to Applicant’s Mark, which is comprised of one single fanciful word, with no independent meaning. The space between the words in the Cited Mark results in an entirely different commercial impression because the space it implies that the first term modifies the second term. Thus, the term DYN0 serves as an adjective to the abbreviated term VITES.

Additionally, the space between the terms results in a more stilted pronunciation, with each word garnering distinct annunciation. This contrasts with the single word appearance of Applicant’s Mark and its smooth pronunciation. Specifically, the space between the terms in the Cited Mark forces the consumer to pause for a beat after the term DYN0, thereby resulting in an emphasis on the start of each term (namely, on the syllables DY and VITES). This contrasts with the emphasized annunciation of the letter O in Applicant’s Mark. Finally, neither the letter S – which arguably makes one of the most distinctive sounds in the English language – nor any sound comparable to the letter S appear in the Applicant’s Mark. Thus, even if the Examiner chooses to put more weight on the presence of the abbreviated term VITE in both marks, the individual contributions of the additional elements – namely, the space in the Cited Mark, the emphasis on different syllables, and the additional letter S must be included in any likelihood of confusion analysis that properly considers the marks in their entireties.

Despite the presence of the similar lettering VITE, the prominence of the distinctive first lettering in the marks cannot be overlooked or understated especially because it creates a unique commercial impression. Consumers have stronger recollections of the first element of a mark, and as a result, will readily discern the sources of the goods. *See Presto Prods., Inc.*, 9 USPQ2d at 1897. Therefore, the differences in the first word of the Cited Mark, which includes the letter Y, and the first syllable of Applicant’s mark, which omits the letter Y but instead contains the letter I, are sufficient to eliminate any chance of confusion between the marks. Therefore, the differences in the marks, when taken in their entirety, obviate any likelihood of confusion that may result between Applicant’s Mark and the Cited Mark.

B. Connotative Differences

When marks project different meanings when applied to the Applicant and Registrant’s goods, a distinct commercial impression results, which overcomes any likelihood of confusion even when the marks themselves are identical. *In Re Sears, Roebuck & Co.*, 2 U.S.P.Q.2d 1312 (T.T.A.B. 1987). In *In Re Sears, Roebuck & Co.*, the Board held that applicant’s mark “‘CROSS-OVER’, when applied to brassieres, [was] suggestive of the construction of the brassieres

[whereas] [r]egistrant's mark 'CROSSOVER', . . . convey[ed] no such meaning when applied to ladies' sportswear, namely, tops, shorts, and pants." *Id.* Instead, the Board determined registrant's mark was "likely to be perceived by purchasers either as an entirely arbitrary designation, or as being suggestive of sportswear which 'crosses over' the line between informal and more formal wear (i.e., is appropriate for either use), or the line between two seasons." *Id.* As a result, no likelihood of confusion was found, despite the marks being near identical in appearance and sound. *Id.* This analysis was akin to *In re Akzona Inc.*, 219 USPQ 94 (T.T.A.B. 1983), where the Board determined that the word "touch" carried two different connotations when applied to the applicant's mark SILKY TOUCH and the registrant's mark TOUCH 'O SILK, despite the goods being commercially related. *Id.* Finding no likelihood of confusion, the Board concluded that the mark SILKY TOUCH meant "silky to the touch" while the mark TOUCH O' SILK suggested that registrant's clothing products "contain a small amount of silk." *Id.*

Here, the Cited Mark contains the term DYNO, which is short for "dynamometer", meaning "a device for measuring mechanical force".¹ See **Exhibit C**. The term VITES is defined as "in a quickened manner".² See **Exhibit D**. As a result, the combined phrase alludes to a measurement of energy. On the other hand, the term DINOVITE is a coined term that has no real meaning. On one hand, it could allude to the term "dynamite", which carries a well-known definition and connotation in society. On the other hand, it could suggest that Applicant's goods are dynamic and strong enough for dinosaurs, and so therefore, they must have the same effect on pets. Regardless, it is impossible to know which connotation any given consumer will adopt, and as such, the connotation is naturally distinguishable.

The volume of similar goods available in the marketplace under similar marks suggests that consumers are conditioned to distinguish one mark from the next based on any visual, phonetic, and/or connotative differences. Moreover, the coexistence and concurrent registration of the third-party examples discussed above indicates the Trademark Office's agreement, namely, that the differences between each mark, even if slight or subtle, are sufficient to create different enough commercial impressions in the minds of consumers. Thus, Applicant respectfully submits that the overall, cumulative differences between these marks effectively negate any confusing similarity and that Applicant's Mark is at least as different from the Cited Mark, as the Cited Mark has been deemed to differ from each of the third-party marks identified herein.

III. The Differences Between Applicant's Goods and the Goods Associated with the Cited Mark are Sufficient to Avoid a Likelihood of Confusion

DuPont factor no. 2 requires consideration of the nature of and similarities between the goods and services at issue. See *E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, at 1361. Even where identical marks are used, differences between the parties' respective goods and services may be sufficient to avoid a likelihood of confusion. See, e.g., *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 73 U.S.P.Q.2d 1350 (Fed. Cir. 2004) (finding no likelihood of confusion between RITZ for cooking classes and RITZ for kitchen utensils). When comparing the parties' goods and

¹ <https://www.thefreedictionary.com/Dyno>

² <https://www.thefreedictionary.com/vite>

services, the relevant consideration is whether consumers would perceive the goods and services as originating from the same source. *Id.* at 1355-56. Ultimately, when the products and services associated with the marks are for entirely distinct purposes, there will not be a likelihood of confusion. *See Local Trademarks, Inc. v. Handy Boys Inc.*, 16 USPQ2d 1156, 1158 (TTAB 1990) (concluding that liquid drain opener and advertising services in the plumbing field are such different goods and services that confusion as to their source is unlikely even when offered under the same marks).

To demonstrate that goods and services are related, it is not sufficient that a particular term may be found which may broadly describe the goods and services. *In re W.W. Henry Co.*, 82 USPQ2d 1213, 1215 (TTAB 2007); *see Checkpoint Sys., Inc. v. Check Point Software Techs., Inc.*, 269 F.3d 270, 288 (3d Cir. 2011) (“When two products are part of distinct sectors of a broad product category, they can be sufficiently unrelated that consumers are not likely to assume the products originate from the same mark.”); *GOLO, LLC v. Goli Nutrition Inc.*, No. CV 20-667-RGA, 2020 WL 5203601, at *12–13 (D. Del. Sept. 1, 2020) (“Given the differences in the products’ intended usage, the GOLO weight loss program and Release pill and the Goli gummy supplement are directed to different consumers” and as a result there is not a likelihood of confusion.); *Zalatel v. Prisma Labs, Inc.*, 2017 WL 877302, at *6 (D. Del. Mar. 6, 2017). Even when the registrant’s goods and applicant’s services are undeniably related, when there is a competitive distance between them, there will not be a likelihood of confusion. *In re Sears, Roebuck & Co.*, 2 U.S.P.Q.2d 1312 (T.T.A.B. 1987). In *In re Sears*, the Board determined brassieres, when compared to women’s sportswear, namely, tops, shorts, and pants, were a different type of clothing, had different uses, and were normally sold in different sections of department stores. *Id.* Accordingly, they were not found to be confusingly similar. *Id.*

Here, because both goods relate to nutritional supplements, the Office Action simply concludes that consumers will confuse the sources. In *Golo, LLC v. Goli Nutrition Inc.*, the plaintiff sought to enjoin the defendant from using defendant’s GOLI mark and discontinue use of their chewable gummy supplement because the plaintiff considered it too confusingly similar to plaintiff’s mark, GOLO, used in connection with diet pills. The court assessed whether the goods under the marks were “reasonably interchangeable by consumers for the same purposes.” *Golo, LLC*, No. CV 20-667-RGA, 2020 WL 5203601, at *2. “[I]nterchangeability of products is whether purchasers are willing to substitute one product for the other.” *Id.* The court determined that “both products broadly relate[d] to weight management, just as one might say that motorcycles and bicycles both relate to transportation[;]” one was in pill form, the other a chewable gummy containing apple cider vinegar. *Id.* As a result, the court held that consumers would not interchange the products and that the marks were confusingly similar as a result. *Id.* at 15.

Likewise, Applicant respectfully submits that the goods associated with the Cited Mark, namely, “nutritional supplement *for adults* in the nature of a multi nutrient dietary supplement” in Class 5 are equally distinct from, and most importantly, are not able to be substituted for Applicant’s goods, namely, “*animal feed supplements*; nutritional supplements; dietary supplements; *animal feed additives* for use as nutritional supplements” in Class 5. Thus, while

the goods share a class, they are distinct in function, consumer, and end-user. Just as the court found that a weight loss pill was distinct from a nutritional supplement gummy, here, a supplement for animal consumption is distinct from dietary supplements for adults. *GOLO, LLC*, No. CV 20-667-RGA, 2020 WL 5203601, at *12–13.

Consumers consequently would have different purposes for utilizing registrant’s products and Applicant’s products. The identifications for both Applicant’s Mark and the Cited Mark even distinguish the products clearly, noting the goods sold under Applicant’s Mark are reserved for animals, while the goods sold under the Cited Mark are reserved for adults. The sole overlap between the goods is that both are considered supplements (although vastly different in form, ingredients, and function); however, such a broad category application for distinct goods is improper as consumers would be unlikely to confuse the source of the goods. Consumers in search of nutritional supplements for their own consumption would be unlikely to perceive products promoted and used for pet use as the same. Likewise, consumers in search of pet food additives would be unlikely to use (or even confuse) supplements intended for adults. The two products serve entirely different purposes and as a result would not be a source for confusion among consumers. As a result, Applicant’s goods are entirely distinct from registrant’s goods; thus, consumers will not be confused as to its source.

IV. The Differences in the Channels of Trade Are Such that Any Potential Confusion Would Undoubtedly Be Avoided.

DuPont factor no. 3 requires an analysis of the similarity of “established, likely-to-continue trade channels.” See *E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, at 1361. The Office Action suggests that because both marks pertain to nutritional supplements, they would fall within the same channels of trade. This analysis is incorrect; however. As long established by *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24 (C.C.P.A. 1976), simply because both goods and services might be found under one supermarket’s roof does not prescribe a finding a likelihood of confusion.

Although Applicant and registrant’s goods may both appear in a supermarket store or grocery store, the parties advertise their respective goods to distinct consumers and would not be found remotely close to each other within any store or website. Thus, the evidence is not sufficient to establish an overlap in the channels of trade. See *Bond v. Taylor*, 119 U.S.P.Q.2d 1049, 1054 (T.T.A.B. 2016), citing *Parfums de Couer Ltd. v. Lazarus*, 83 U.S.P.Q.2d 1012, 1021 (T.T.A.B. 2007) (“[T]he mere fact that goods and services may both be advertised and offered through the internet is not a sufficient basis to find that they are sold through the same channels of trade. The internet is such a pervasive medium that virtually everything is advertised and sold through the internet.”). While items may be advertised on the same website or supermarket, when they are found in different sections, they are in unrelated channels of trade. See generally *In Re Henry Clay Pottery, Inc.*, No. 75/367,800, 2000 WL 1027384, at *2 (July 21, 2000). See also *In Re Sears, Roebuck & Co.*, 2 U.S.P.Q.2d 1312 (T.T.A.B. 1987) (Different types of clothing with different uses would normally be sold in different sections of department stores, and therefore not result in a likelihood of confusion.) This is further established by the

competitive difference between the goods. Nutritional additives for pet food would not compete with nutritional supplements for adults. The consumers would have vastly different purposes for purchasing such items and would not confuse the goods. The trade channels for both Applicant and registrant's goods are sufficiently narrowed so that there would be no overlap—one for pet additives and the other for nutritional supplements specifically for adult consumption.

Here, the Examiner was unable to find a source that provided both adult supplements and animal supplements. This indicates that the goods promoted by the registrant and Applicant are distinct enough that their channels of trade are different. As a result, no likelihood of confusion would result.

V. The Purchasers of Applicant's Goods are Highly Sophisticated Consumers Not Likely to be Confused by the Coexistence of the Marks.

It is well settled under the 4th *DuPont* factor that a likelihood of confusion analysis cannot be made in a vacuum, and must instead be made with reference to the “conditions under which and buyers to whom sales are made, i.e. ‘impulse’ vs. careful, sophisticated purchasing.” *See E.I. DuPont de Nemours & Co.*, 476 F.2d 1357, at 1361. Where the relevant purchaser is rather sophisticated, it is appropriate to apply an elevated standard when determining whether a likelihood of confusion exists. *See Weiss Assoc., Inc. v. HRL Assoc., Inc.*, 14 U.S.P.Q.2d. 1840 (Fed. Cir. 1990). Sophistication of the respective purchasers is important and often dispositive because “[s]ophisticated consumers may be expected to exercise greater care.” *Electronic Design & Sales Inc. v. Electronic Data Systems Corp.*, 954 F.2d 713, 21 USPQ2d 1388 (Fed. Cir. 1992), quoting *Pignons S.A. de Mecanique de Precision v. Polaroid Corp.*, 657 F.2d 482,489 212 USPQ 246, 252 (1st Cir. 1981). Thus, the 4th *DuPont* factor is clearly meant to address the consumer's ability to understand with whom they are dealing and from whom they are making a purchase.

Under this factor, the courts generally hold that if a consumer can be expected to exercise a high degree of care, he or she will be less likely to be confused by any connection between a senior and junior trademark. *Sally Beauty Co. v. Beautyco, Inc.*, 304 F.3d 964, 975 (10th Cir. 2002). A sophisticated consumer is expected to act not on “impulse,” but on the basis of “a careful consideration of the reliability and dependability of the manufacturer and seller of the product.” *Astra Pharm. Prods., Inc. v. Beckman Instruments, Inc.*, 718 F.2d 1201, 1206 (1st Cir. 1983). In other words, a sophisticated consumer is one who is likely to spend more time, attention, and care in making a purchasing decision--and who is deemed less likely to be confused as to the source of the trademarked goods and/or services he or she buys.

Unsophisticated consumers, by contrast, are “the ignorant, the unthinking[,] and the credulous, who, in making purchases, do not stop to analyze, but are governed by appearance and general impressions.” *Florence Mfg. Co. v. J.C. Dowd & Co.*, 178 F. 73, 75 (2d Cir. 1910). The typical unsophisticated consumer is the person who “undergo[es] . . . an experience not unlike that of hypnosis,” in which purchases are made impulsively and thoughtlessly. *Pikle-Rite Co. v. Chi. Pickle Co.*, 171 F. Supp. 671, 676 (N.D. Ill. 1959).

A key threshold question is then how to distinguish the sophisticated consumer from the unthinking one. Although courts have not yet articulated a list of factors for assessing consumer sophistication, a few key factors can be considered in the consumer sophistication analysis, including the price, length and complexity of the purchase transaction; infrequency of purchase; education, age, gender, and income; and the notion that professional buyers are more sophisticated.

The perceived degree of sophistication is often the factor that dictates the degree of protection afforded by law to a trademark holder. Some courts have gone so far as to suggest that a high degree of consumer sophistication in a target market may “trump” all other factors, virtually eliminating the likelihood of consumer confusion in the case of a professional or highly sophisticated buyer. *Sara Lee Corp. v. Kayser-Roth Corp.*, 81 F.3d 455, 467 (4th Cir. 1996) (holding that the “relative sophistication of the market may trump the presence or absence of any other factor”).

In *In re Nutra Pharma Corporation*, the Board held that pet owners and veterinarians who purchase pet supplements and homeopathic drugs would exercise care in the purchase of these products. See *In re Nutra Pharma Corporation*, Serial No. 87106240 (June 13, 2018). Additionally, the Court in *Cohn v. Petsmart* found that “reasonably attentive pet owners should be particularly attentive in selecting a veterinarian for their family pets, and thus are likely to perceive the differences between Cohn’s veterinary clinic and Petsmart.” *Cohn v. Petsmart, Inc.*, 281 F.3d 837, 843 (9th Cir. 2002). It naturally follows then that the same pet owners would exercise the same degree of care when researching supplements and feed additives for these same pets. Pet owners are very concerned with the items their pets ingest and want to ensure the pets are receiving the best diet for their health. This is similar for adults purchasing nutritional supplements. Such consumers are concerned for their health and would be discerning purchasers that would be unlikely to mistake a pet product to be used for their own consumption. (It is unlikely that even unsophisticated customers would make that mistake.)

Thus, Applicant and Registrant’s consumers are extremely discriminating consumers, well aware of the top sources of pet products and health products for human consumption. As such, these are not impulse buys, but rather the result of well-thought-out research and understanding of the pet health and human health market. These consumers are not likely to assume that Applicant’s goods and the Cited Mark’s goods emanate from the same source due to the distinguishing elements in the marks. Accordingly, given the time spent on and the attention directed to the wellness and care of the animals by consumers of Applicant’s goods, Applicant’s consumers would quickly be able to recognize that Applicant’s goods and the Cited Marks’ goods do not emanate from the same source. Additionally, given the time invested by consumers focused on the wellness of their own bodies, such consumers of registrant’s goods would be quick to realize that the producer of pet additives is not the same source as for nutritional supplements for adults. As a result, no likelihood of confusion would result due to the sophistication of the consumers.

VI. The Cited Mark and the Applicant’s Mark Have Coexisted for Many Years Without Any Evidence of Actual Confusion.

DuPont factors nos. 7 and 8 require consideration as to whether there has been any actual confusion and the length of time during and condition under which there has been concurrent use without evidence of actual confusion. See *E.I. DuPont de Nemours & Co.*, 476 F.2d at 1361. Upon information and belief, the Cited Mark was first used in connection with its goods by April 1, 1980. As for Applicant's use, Applicant has used the mark at issue in connection with its goods since December 31, 2001. Thus, Applicant's Mark has co-existed with the Cited Mark for over twenty-one years as of the time of this filing. That is two decades of use of which Applicant is not aware of any instance of actual confusion between its mark and the Cited Mark, nor is Applicant aware of any challenge made to Applicant's right to use its mark.

While a one-sided statement of the lack of actual confusion is deemed to be of "limited influence," in some cases, especially where there is "a confluence of facts which persuasively point to confusion as being unlikely," such an assertion can be strong evidence that confusion is not likely. See *In re Gen. Motors Corp.*, 23 U.S.P.Q.2d 1465 (T.T.A.B. 1992). Thus, Applicant submits that given this assertion of no actual confusion, especially when considered with the "confluence of facts" set forth in the prior sections, one must reach the conclusion that there would be no likelihood of confusion here.

VII. Any Potential Confusion Between Applicant's Mark and the Cited Mark Would Be de Minimus.

Assuming, *arguendo*, that confusion was possible, the 12th *DuPont* factor requires consideration of the extent of such potential confusion (e.g., whether *de minimus* or substantial). See *E.I. DuPont de Nemours & Co.*, 476 F.2d at 1361. Here, the overall differences between Applicant's Mark and the Cited Mark create substantially different commercial impressions. The goods are distinct and would not share channels of trade. The consumers at issue are highly sophisticated, making confusion among these consumers unlikely. The marks have coexisted for over two decades with no actual confusion between the marks. Additionally, the U.S. Trademark Register is flooded with the coexistence and concurrent registrations for nutritional supplement-related goods bearing marks that include the word DINO or DYNNO. Considering this, should it ever occur, the potential for any confusion would be *de minimus* at best and would be easily resolved by the "confluence of facts" set forth herein.

VIII. Doubt as to Registrability Should Be Resolved in Favor of the Applicant.

"Any doubt in determining the registrability of [the mark] is resolved in the favor of applicant." See *In re Merrill Lynch, Pierce, Fenner and Smith, Inc.*, 828 F.2d 1567, 4 U.S.P.Q.2d 1141, 1144 (Fed. Cir. 1987) (citing *In re Gourmet Bakers, Inc.*, 173 U.S.P.Q. 565 (T.T.A.B. 1972)) ("any doubt in determining the registrability of [the mark] is resolved in the favor of applicant on the theory that any person who believes that he would be damaged by the registration will have an opportunity . . . to oppose the registration of the mark and to present evidence, usually not present in the ex parte application, to that effect"). While all of the *DuPont* factors addressed herein weigh heavily against a conclusion that confusion would be likely, Applicant respectfully requests that any doubt, if such doubt exists, be resolved in its favor and that the Section 2(d) refusal be withdrawn.

CONCLUSION

Having responded to the Examining Attorney's Office Action, Applicant respectfully submits that U.S. Application No. 97/060,203 for Applicant's Mark is now in proper condition for registration, notification of which Applicant requests at the Examining Attorney's convenience. If it would advance the prosecution of this application, Applicant invites the Examining Attorney to telephone the undersigned.

Exhibit A

Generated on: This page was generated by TSDR on 2022-11-23 15:36:09 EST

Mark: DINOVITE

DINOVITE

US Serial Number: 97060203

Application Filing Date: Oct. 05, 2021

Register: Principal

Mark Type: Trademark

TM5 Common Status
Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: May 23, 2022

Mark Information

Mark Literal Elements: DINOVITE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1657699

International Application(s) /Registration(s) Based on this Property: A0120873/1657699

Claimed Ownership of US Registrations: 2880118

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: animal feed supplements; nutritional supplements; dietary supplements; animal feed additives for use as nutritional supplements

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: Dec. 31, 2001

Use in Commerce: Dec. 31, 2001

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: Manna Pro Products, LLC
Owner Address: 707 Spirit 40 Park Drive
Chesterfield, MISSOURI UNITED STATES 63005
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: MISSOURI

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Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 23, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 23, 2022	NON-FINAL ACTION E-MAILED	6325
May 23, 2022	NON-FINAL ACTION WRITTEN	96984
May 10, 2022	ASSIGNED TO EXAMINER	96984
Oct. 29, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 08, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: RYAN, KELLY MARIE
Law Office Assigned: LAW OFFICE 305

File Location

Current Location: TMO LAW OFFICE 305- EXAMINING ATTORNEY ASSIGNED
Date in Location: May 23, 2022

Generated on: This page was generated by TSDR on 2022-11-23 14:55:35 EST

Mark: DYNO VITES

US Serial Number: 75583036

Application Filing Date: Nov. 04, 1998

US Registration Number: 2533243

Registration Date: Jan. 29, 2002

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Apr. 03, 2022

Publication Date: Nov. 06, 2001

Mark Information

Mark Literal Elements: DYNO VITES

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1456058

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: Nutritional supplement for adults in the nature of a multi-nutrient dietary supplement

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 1980

Use in Commerce: Apr. 01, 1980

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: NATURAL ORGANICS INC.

Owner Address: 548 Broadhollow Road
Melville, NEW YORK UNITED STATES 11747

Legal Entity Type: CORPORATION

State or Country: NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Ross Q. Panko

Docket Number: 038463.00404

Attorney Primary Email Address: tmddocket@arentfox.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Ross Q. Panko
Arent Fox LLP
1717 K Street, NW
Washington, DISTRICT OF COLUMBIA UNITED STATES 20006-5344

Phone: (202) 857-6000

Fax: (202) 857-6395

Correspondent e-mail: tmddocket@arentfox.com
ross.panko@arentfox.com craig.horak@arentfox.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 03, 2022	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Apr. 03, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Apr. 03, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Dec. 06, 2021	TEAS SECTION 8 & 9 RECEIVED	
Jan. 29, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 03, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 03, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 27, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Mar. 27, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Mar. 27, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Mar. 26, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Mar. 05, 2012	TEAS SECTION 8 & 9 RECEIVED	
Aug. 11, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 12, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59136
May 10, 2007	ASSIGNED TO PARALEGAL	59136
Apr. 12, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 12, 2007	TEAS SECTION 8 & 15 RECEIVED	
Apr. 10, 2007	CASE FILE IN TICRS	
Jan. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 06, 2001	PUBLISHED FOR OPPOSITION	
Oct. 17, 2001	NOTICE OF PUBLICATION	
Jun. 07, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2001	EXAMINER'S AMENDMENT MAILED	

Jan. 24, 2001 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jan. 04, 2001 FINAL REFUSAL MAILED
 Aug. 18, 2000 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Oct. 19, 1999 LETTER OF SUSPENSION MAILED
 Sep. 02, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 02, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jun. 11, 1999 NON-FINAL ACTION MAILED
 May 26, 1999 ASSIGNED TO EXAMINER

72617

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 03, 2022

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92029340](#)

Filing Date: Sep 02, 1999

Status: Terminated

Status Date: Jul 28, 2000

Interlocutory Attorney: JYLL S TAYLOR

Defendant

Name: A. GLENN BRASWELL

Correspondent Address: A. GLENN BRASWELL
 520 WASHINGTON BLVD. SUITE 212
 MARINA DEL REY CA UNITED STATES , 90292

Associated marks

Mark	Application Status	Serial Number	Registration Number
DYNAVITE	Cancelled - Section 18	72045156	685018

Plaintiff(s)

Name: NATURAL ORGANICS INC.

Correspondent Address: JAMES M. GIBSON
 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK NY UNITED STATES , 10112

Associated marks

Mark	Application Status	Serial Number	Registration Number
DYNO VITES	REGISTERED AND RENEWED	75583036	2533243

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 28, 2000	
7	COMM'RS. ORDER CANCELLING REGISTRATION	Jul 28, 2000	
6	BOARD'S DECISION: GRANTED	May 15, 2000	
5	P'S MOTION FOR DEFAULT JUDGEMENT	Apr 10, 2000	
4	NOTICE OF DEFAULT	Jan 20, 2000	
3	PENDING, INSTITUTED	Sep 15, 1999	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Sep 15, 1999	Oct 25, 1999
1	FILED AND FEE	Sep 02, 1999	

Exhibit B

Generated on: This page was generated by TSDR on 2022-11-23 15:00:22 EST

Mark: ADINO

ADINO

US Serial Number: 90093261

Application Filing Date: Aug. 04, 2020

Register: Principal

Mark Type: Trademark

TM5 Common Status
Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A third request for extension of time to file a Statement of Use has been granted.

Status Date: Sep. 06, 2022

Publication Date: Dec. 29, 2020 Notice of Allowance Date: Feb. 23, 2021

Mark Information

Mark Literal Elements: ADINO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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: Food supplements; Dietary food supplements; Health food supplements

International Class(es): 005 - Primary Class

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

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: Henderson, Matthew G

Owner Address: 589 Half Moon Court
Earlysville, VIRGINIA UNITED STATES 22936

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Henderson, Matthew G
589 HALF MOON COURT
EARLYSVILLE, VIRGINIA UNITED STATES 22936

Phone: 703-409-0677 x090677

Correspondent e-mail: matt0677@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 07, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 06, 2022	SOU EXTENSION 3 GRANTED	71034
Aug. 23, 2022	SOU EXTENSION 3 FILED	71034
Sep. 06, 2022	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Aug. 23, 2022	TEAS EXTENSION RECEIVED	
Feb. 23, 2022	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 21, 2022	SOU EXTENSION 2 GRANTED	98765
Feb. 21, 2022	SOU EXTENSION 2 FILED	98765
Feb. 21, 2022	TEAS EXTENSION RECEIVED	
Aug. 24, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 22, 2021	SOU EXTENSION 1 GRANTED	98765
Aug. 22, 2021	SOU EXTENSION 1 FILED	98765
Aug. 22, 2021	TEAS EXTENSION RECEIVED	
Feb. 23, 2021	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 29, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 29, 2020	PUBLISHED FOR OPPOSITION	
Dec. 09, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 24, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 24, 2020	ASSIGNED TO EXAMINER	92829
Sep. 03, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 07, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MAZZELLA, BRANDY BARRE

Law Office Assigned: LAW OFFICE 129

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Sep. 06, 2022

Generated on: This page was generated by TSDR on 2022-11-23 15:01:17 EST

Mark: DINOCORE



US Serial Number: 79203483

Application Filing Date: Nov. 17, 2016

US Registration Number: 5603603

Registration Date: Nov. 13, 2018

Register: Principal

Mark Type: Trademark, Service Mark

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: Nov. 13, 2018

Publication Date: Nov. 21, 2017

Mark Information

Mark Literal Elements: DINOCORE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the stylized wording "DINOCORE", wherein "DINO" is blue and "CORE" is red, all within a blue border, and the letter "O" in "DINO" appearing as a blue wheel with spokes. The color white appearing in the mark represents background and/or transparent areas and is not part of the mark.

Color Drawing: Yes

Color(s) Claimed: The colors blue and red are claimed as a feature of the mark.

Design Search Code(s): 06.01.04 - Scenery with mountains; Mountains (landscapes)
26.15.02 - Polygons (plain, single line); Plain single or multiple line polygons
26.15.13 - More than one polygon
27.03.05 - Objects forming letters or numerals

Related Properties Information

International Registration Number: 1335211

International Registration Date: Nov. 17, 2016

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: Cosmetics for golfers; body lotion; non-medicated skin creams for babies; baby shampoo; essential oils for baby; dentifrices; perfume; hair gel; cotton wool and cotton tip sticks for cosmetic purposes

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

For: Household deodorants; bandages for dressings; vitamin supplements; sanitizing wipes; nutraceuticals for use as dietary supplements; eye drops; lacteal flour for babies; food for babies; babies' napkins being diapers; bandages for skin wounds

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

For: USB chargers; dry cells; life jackets; directional compasses; downloadable animation; downloadable music files; downloadable electronic books in the field of history; digital cameras; video recordings featuring animated cartoons; telescopes; protective helmets; wireless speakers; video game cartridges; sunglasses; wrist-mounted smartphones; spectacles and eyeglasses for swimming; children's eye glasses; ear phones; computers; computer game programmes; cell phone cases; cellular phone straps

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 66(a)

For: Boats; small wagons for children; motorcycles for children; pushchairs; children's safety seats for cars; bicycles; bicycle horns

International Class(es): 012 - Primary Class

U.S Class(es): 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 66(a)

For: Earrings; commemorative coins of precious metal; jewel cases of precious metal; alloys of precious metal; necklaces; clocks; watch bands and straps; key rings comprised of split rings with decorative fobs or trinkets; alarm clocks; cuff links; bracelets

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 66(a)

For: Gums being adhesives for household purposes; rubber erasers; note books; comic books; money clips; postcards; figures made of paper; writing implements; clay for instructional materials, namely, modeling clay; study books or papers in the field of history; toilet paper

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 66(a)

For: Leather shoulder belts; boxes made of leather; golf umbrellas; all-purpose carrying bags; children's bags, namely, backpacks; clothing for pet dogs; travelling trunks; key cases; sling bags for carrying infants; school bags; handbags; toilet bags sold empty

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 66(a)

For: Mirrors and looking glasses; fishing chairs; mattresses; mat bed; pillows; hand-held flat fans; sofas for pets; picture frames; chests for toys; infant walkers; crib bumpers; decorative mobiles; sleeping bags for camping; works of art of plastic

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 66(a)

For: Waste bins for household use; jugs of precious metal; mugs; non-metal piggy banks; combs; pet feeding dishes; baby bathtubs; toothbrushes for babies; chopsticks; portable pots and pans for camping; tea balls; flower pots; toilet paper holders

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 66(a)

For: Furnishing and upholstery fabrics; mosquito nets; beach towels; shower curtains; indoor and outdoor curtains; children's blankets; textile bed sheets; handkerchiefs of textile; sleeping bags in the nature of sheeting; textile napkins for removing make-up

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 66(a)

For: Money belts; mufflers; sandals; shirts; bathing suits; sports jackets; children's clothing, namely, t-shirts; socks; children's headwear; training shoes; leather belts; gloves including those made of skin, hide or fur; panties

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 66(a)

For: Knitting needles; hair pins; hair pieces; ornamental novelty badges for wear, not of precious metal; non-electric hair curlers, other than hand implements; gift buttons; expanding bands for holding sleeves; reins for guiding children; trimmings for clothing; belt buckles

International Class(es): 026 - Primary Class

U.S Class(es): 037, 039, 040, 042, 050

Class Status: ACTIVE

Basis: 66(a)

For: Wallpaper; floor mats for outdoor use; bath mats; floor mats for automobiles; gymnasium exercise mats; carpets; wall coverings of plastic; door mats

International Class(es): 027 - Primary Class

U.S Class(es): 019, 020, 037, 042, 050

Class Status: ACTIVE

Basis: 66(a)

For: Home video game machines; rubber character toys; butterfly nets; rackets; conjuring apparatus in the nature of board games utilizing planchettes; toy water guns; swimming kick boards; toys for domestic pets; baseball gloves; fairground amusement park ride; artificial Christmas trees; dolls and dolls' clothing; footballs; play balloons

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 66(a)

For: Dried fruit and vegetables; fruit jellies not being confectionery; meat, frozen; frozen nuts; eggs; processed laver for food; butter; beans, preserved; edible oils; fish cakes; vegetable juices for cooking; milk; cheese; ham; smoked salmon

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 66(a)

For: Dry confectionery, namely, candy; fried flour-based dumplings; bubble gum; boiled sweets; rice cakes; instant noodles; mayonnaise; ice cream; breakfast cereals; chocolate; chocolate-based beverages; pizzas

International Class(es): 030 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 66(a)

For: Fruit nectars; fruit flavored drinks; beer; cider, non-alcoholic; soda pop; water beverages; sports drinks; non-alcoholic rice punch (sikhye); vegetable juices and vegetable beverages

International Class(es): 032 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

For: Gaming services, namely, providing online computer games; movie theaters; presentation of live musical performances; art academies; nursery schools; publication of books; sports instruction services; amusement arcade services, namely, electronic game rooms; party arranging and conducting

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 66(a)

For: Canteen services; coffeehouse services; restaurant services; snack-bar services; chain restaurant services; rental of cooking apparatus; rental of portable buildings; child day-care centers; booking of campground accommodation; providing temporary lodging at holiday camps

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: TUBA n Co., Ltd.

Owner Address: 53, Gangnam-daero, 132-gil
Gangnam-gu Seoul KOREA, REPUBLIC OF 06045

Legal Entity Type: CORPORATION

State or Country Where Organized: KOREA, REPUBLIC OF

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Yoon S. Ham

Docket Number: 5230-0774TM

Attorney Primary Email Address: yshgroup@ipfirm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JEFFREY H GREGER
HAUPTMAN HAM LLP
2318 MILL ROAD SUITE 1400
ALEXANDRIA, VIRGINIA UNITED STATES 22314

Phone: 703-535-7360

Fax: 703-518-5499

Correspondent e-mail: yshgroup@ipfirm.com docketing@ipfirm.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2019	FINAL DECISION TRANSACTION PROCESSED BY IB	
Feb. 25, 2019	FINAL DISPOSITION NOTICE SENT TO IB	
Feb. 25, 2019	FINAL DISPOSITION PROCESSED	71529
Feb. 13, 2019	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 13, 2018	REGISTERED-PRINCIPAL REGISTER	
Oct. 09, 2018	TTAB RELEASE CASE TO TRADEMARKS	241402
Oct. 09, 2018	OPPOSITION TERMINATED NO. 999999	241402
Oct. 09, 2018	OPPOSITION DISMISSED NO. 999999	241402
Sep. 07, 2018	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Aug. 22, 2018	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Aug. 22, 2018	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Jun. 23, 2018	REFUSAL PROCESSED BY IB	

May 29, 2018	OPPOSITION INSTITUTED NO. 999999	241402
May 22, 2018	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
May 22, 2018	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Dec. 15, 2017	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 21, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 21, 2017	PUBLISHED FOR OPPOSITION	
Nov. 01, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 13, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Oct. 12, 2017	ASSIGNED TO LIE	69712
Sep. 29, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2017	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 25, 2017	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 25, 2017	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 25, 2017	EXAMINERS AMENDMENT -WRITTEN	86331
Sep. 22, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 22, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 23, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 22, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 22, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 09, 2017	REFUSAL PROCESSED BY IB	
Mar. 24, 2017	APPLICATION FILING RECEIPT MAILED	
Mar. 23, 2017	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Mar. 23, 2017	REFUSAL PROCESSED BY MPU	71529
Mar. 22, 2017	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Mar. 21, 2017	NON-FINAL ACTION WRITTEN	86331
Mar. 20, 2017	ASSIGNED TO EXAMINER	86331
Mar. 20, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 16, 2017	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1335211	International Registration Date: Nov. 17, 2016
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Mar. 16, 2017
Notification of Designation Date: Mar. 16, 2017	Date of Automatic Protection: Sep. 16, 2018
International Registration Renewal Date: Nov. 17, 2026	
First Refusal Flag: Yes	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION	Date in Location: Nov. 13, 2018
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Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding [91241402](#)

Filing Date: May 21, 2018

Number: _____

Status: Terminated

Status Date: Oct 09, 2018

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: TUBA n Co., Ltd.

Correspondent Address: JEFFREY H GREGER
HAUPTMAN HAM LLP
2318 MILL ROAD SUITE 1400
ALEXANDRIA VA UNITED STATES , 22314

Correspondent e-mail: yshgroup@jpfirm.com , docketing@jpfirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
DINOCORE	Registered	79203483	5603603

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: JOHN C STRINGHAM
WORKMAN NYDEGGER
60 EAST SOUTH TEMPLE SUITE 1000
SALT LAKE CITY UT UNITED STATES , 84111

Correspondent e-mail: jstringham@wnlaw.com , docketing@wnlaw.com , ldocketing@wnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	REGISTERED AND RENEWED	73156259	1103204
	Registered	86850045	5973416
	Section 8 and 15 - Accepted and Acknowledged	85789888	4580932
DINO	Registered	86707564	6315805
	Registered	87403158	5602222
SINCLAIR	REGISTERED AND RENEWED	72076120	695176
SINCLAIR	REGISTERED AND RENEWED	72272111	854891
	Section 8 and 15 - Accepted and Acknowledged	86296758	4823193
	Registered	86797939	5481470
	REGISTERED AND RENEWED	73502555	1337183
DINOPAY	Registered	86844488	5302154
DINO	Registered	86979379	5612310
DINO	Notice of Allowance - Issued	86838566	
	Registered	86849947	5670753
	REGISTERED AND RENEWED	74150283	1670693
DINO	Registered	86982135	5498334
DINO	Fifth Extension - Granted	86838485	
SINCLAIR	REGISTERED AND RENEWED	72076522	712302
DINO	REGISTERED AND RENEWED	72191322	779741
	Section 8 and 15 - Accepted and Acknowledged	85776167	4580892
	Section 8 and 15 - Accepted and Acknowledged	86319907	4823311
DINO CREDIT	Registered	86844491	5307216
DINO	Registered	86979380	6211327
	Registered	86850008	5973415
	Registered	86850057	5822067
	Registered	86850063	5675604
	REGISTERED AND RENEWED	73156261	1102967
	Section 8 and 15 - Accepted and Acknowledged	85799897	4580955
DINO	Notice of Allowance - Issued	86838519	

SINCLAIR	REGISTERED AND RENEWED	72071310	691904
SINCLAIR	REGISTERED AND RENEWED	72071311	691905
SINCLAIR	REGISTERED AND RENEWED	72247159	827609
SINCLAIR FLEET TRACK	REGISTERED AND RENEWED	77404410	3803672
SINCLAIR GOLD TRUCK STOPS	REGISTERED AND RENEWED	77404408	3944663
SINCLAIR	Section 8 and 15 - Accepted and Acknowledged	86296756	4691333
DINO MART	Section 8 and 15 - Accepted and Acknowledged	85628661	4779740
	Registered	86849976	5697665
DYNO-TECH	REGISTERED AND RENEWED	78167568	2940675
DINOCARE	Section 8 and 15 - Accepted and Acknowledged	86319912	4969343
DINO LUBE	REGISTERED AND RENEWED	78488110	3541772

Prosecution History			
Entry Number	History Text	Date	Due Date
10	TERMINATED	Oct 09, 2018	
9	BD DECISION: OPP DISMISSED	Oct 09, 2018	
8	MOT TO AMEND APPLICATION	Sep 20, 2018	
7	SUSPENDED	Jul 30, 2018	
6	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jul 30, 2018	
5	SUSPENDED	May 30, 2018	
4	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 30, 2018	
3	PENDING, INSTITUTED	May 29, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 29, 2018	Jul 08, 2018
1	FILED AND FEE	May 21, 2018	

Type of Proceeding: Extension of Time

Proceeding Number: 79203483	Filing Date: Dec 15, 2017
Status: Terminated	Status Date: May 29, 2018
Interlocutory Attorney:	

Defendant	
Name: TUBA n Co., Ltd.	
Correspondent Address: Yoon S. Ham Hauptman Ham, LLP 2318 Mill Road Suite 1400 Alexandria VA , 22314	
Correspondent e-mail: yshgroup@jpfirm.com , docketing@jpfirm.com	

Associated marks			
Mark	Application Status	Serial Number	Registration Number
DINOCORE	Registered	79203483	5603603

Potential Opposer(s)	
Name: Sinclair Finance Company	
Correspondent Address: John C. Stringham Workman Nydegger 60 East South Temple, Suite 1000 Salt Lake City UT UNITED STATES , 84111	
Correspondent e-mail: jstringham@wnlaw.com , docketing@wnlaw.com , ldocketing@wnlaw.com	

Associated marks			
Mark	Application Status	Serial Number	Registration Number

Prosecution History			
Entry Number	History Text	Date	Due Date
4	EXTENSION OF TIME GRANTED	Mar 21, 2018	

3	INCOMING - EXT TIME TO OPPOSE FILED	Mar 21, 2018
2	EXTENSION OF TIME GRANTED	Dec 15, 2017
1	INCOMING - EXT TIME TO OPPOSE FILED	Dec 15, 2017

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Mark: DINOSAURS

US Serial Number: 74250434

Application Filing Date: Feb. 28, 1992

US Registration Number: 1748086

Registration Date: Jan. 26, 1993

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Mar. 15, 2013

Publication Date: Nov. 03, 1992

Mark Information

Mark Literal Elements: DINOSAURS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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: nutritional and dietary food supplements

International Class(es): 005 - Primary Class

U.S Class(es): 018, 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 08, 1984

Use in Commerce: Jun. 18, 1984

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: NUTRAMARKS, INC.
Owner Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH UNITED STATES 84060
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: STANLEY E. SOPER AND ALISON PITT **Docket Number:** STANLEY E. S
Attorney Primary Email Address: LEGAL@NUTRACORP.COM **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: STANLEY E. SOPER AND ALISON PITT
1500 KEARNS BLVD, STE B200
PARK CITY, UTAH UNITED STATES 84060-7330
Phone: 435-655-6000
Correspondent e-mail: LEGAL@NUTRACORP.COM **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 26, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 28, 2020	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 30, 2017	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 31, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 31, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 15, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 15, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	69934
Mar. 15, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69934
Feb. 28, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jun. 11, 2008	CASE FILE IN TICRS	
Apr. 03, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 03, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 24, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 24, 2003	TEAS SECTION 8 & 9 RECEIVED	
Jul. 23, 1999	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 26, 1993	REGISTERED-PRINCIPAL REGISTER	
Nov. 03, 1992	PUBLISHED FOR OPPOSITION	
Oct. 08, 1992	NOTICE OF PUBLICATION	
Oct. 07, 1992	NOTICE OF PUBLICATION	
Oct. 02, 1992	NOTICE OF PUBLICATION	
Aug. 20, 1992	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 05, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 14, 1992	NON-FINAL ACTION MAILED	
May 01, 1992	ASSIGNED TO EXAMINER	69222

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE **Date in Location:** Mar. 15, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 14

Registrant: Makers of Kal, Inc.

Assignment 1 of 14

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [1300/0058](#)

Pages: 8

Date Recorded: Feb. 27, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MAKERS OF KAL, INC.](#)

Execution Date: Jan. 31, 1995

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [MAKERS OF KAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: P.O. BOX 4023 6415 DESOTO AVENUE WOODLAND HILLS, CA 91365

Correspondent

Correspondent Name: KIRKLAND & ELLIS

Correspondent Address: ANNE V. PELLEGRINI
200 EAST RANDOLPH DRIVE
SUITE 6100
CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 2 of 14

Conveyance: SECURITY INTEREST

Reel/Frame: [1332/0228](#)

Pages: 8

Date Recorded: Apr. 19, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MAKERS OF KAL, INC.](#)

Execution Date: Jan. 31, 1995

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [JACKSON NATIONAL LIFE INSURANCE COMPANY](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MICHIGAN

Address: 225 W. WACKER DR., STE. 1200 CHICAGO, IL 60606

Correspondent

Correspondent Name: SONNENSCHNEIN, NATH & ROSENTHAL

Correspondent Address: LISA HETRICK
8000 SEARS TOWER
233 S. WACKER DR.
CHICAGO, IL 60606

Domestic Representative - Not Found

Assignment 3 of 14

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [1845/0336](#)

Pages: 10

Date Recorded: Jan. 27, 1999

Supporting Documents: [assignment-tm-1845-0336.pdf](#)

Assignor

Name: [MAKERS OF KAL, INC.](#) Execution Date: Jan. 31, 1995
Legal Entity Type: CORPORATION State or Country CALIFORNIA
Where Organized:

Assignee

Name: [MAKERS OF KAL, INC.](#) State or Country DELAWARE
Legal Entity Type: CORPORATION Where Organized:
Address: 1400 KEARNS BOULEVARD, 2ND FLOR
PARK CITY, UTAH 86060

Correspondent

Correspondent Name: (435) 655-6065
Correspondent Name: STANLEY E. SOPER
Address: 1400 KEARNS BOULEVARD, 2ND FLOOR
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 4 of 14

Conveyance: SECURITY INTEREST

Reel/Frame: [1707/0034](#)

Pages: 7

Date Recorded: Mar. 24, 1998

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MAKERS OF KAL, INC.](#) Execution Date: Feb. 25, 1998
Legal Entity Type: CORPORATION State or Country DELAWARE
Where Organized:

Assignee

Name: [BANKERS TRUST COMPANY](#) State or Country No Place Where Organized Found
Legal Entity Type: CORPORATION Where Organized:
Address: ONE BANKER TRUST PLAZA
NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: WHITE & CASE
Correspondent Name: MEREDITH SCHORR
Address: 1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-2787

Domestic Representative - Not Found

Assignment 5 of 14

Conveyance: RELEASE

Reel/Frame: [2254/0189](#)

Pages: 3

Date Recorded: Mar. 24, 1998

Supporting Documents: [assignment-tm-2254-0189.pdf](#)

Assignor

Name: [JACKSON NATIONAL LIFE INSURANCE COMPANY](#) Execution Date: Feb. 25, 1998
Legal Entity Type: CORPORATION State or Country No Place Where Organized Found
Where Organized:

Assignee

Name: [KAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1104 COUNTRY HILLS DRIVE, SUITE 300
OGDEN, UTAH 84403

Correspondent

Correspondent Name: WHITE & CASE

Correspondent Address: MEREDITH SCHORR
1155 AVENUE OF THE AMEIRCAS
NEW YORK, NY 10036-2787

Domestic Representative - Not Found

Assignment 6 of 14

Conveyance: RELEASE

Reel/Frame: [2475/0750](#)

Pages: 6

Date Recorded: Mar. 20, 2002

Supporting Documents: [assignment-tm-2475-0750.pdf](#)

Assignor

Name: [BANKERS TRUST COMPANY](#)

Execution Date: Jan. 25, 2002

Legal Entity Type: COMMERCIAL BANK

State or Country No Place Where Organized Found
Where Organized:

Assignee

Name: [MAKERS OF KAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1400 KEARNS BOULEVARD, 2ND
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: WHITE & CASE

Correspondent Address: DANICE KOWALCZYK, ESQ.
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 7 of 14

Conveyance: SECURITY INTEREST

Reel/Frame: [2475/0791](#)

Pages: 10

Date Recorded: Mar. 20, 2002

Supporting Documents: [assignment-tm-2475-0791.pdf](#)

Assignor

Name: [MAKERS OF KAL, INC.](#)

Execution Date: Feb. 11, 2002

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Assignee

Name:)" target="_new"> COOPERATIVE CENTRALE RAIFFEISEN-BOERNLEENBANK B.A ("RABOBANK INTERNATINAL")

Legal Entity Type: COMMERCIAL BANK

State or Country No Place Where Organized Found
Where Organized:

Address: 245 PARK AVENUE
NEW YORK, NEW YORK 10162-0062

Correspondent

Correspondent Name: WHITE & CASE

Correspondent Address: DANICE KOWALCZYK, ESQ.
1155 AVENUE OF THE AMERICAS

Domestic Representative - Not Found

Assignment 8 of 14

Conveyance: CHANGE OF NAME

Reel/Frame: [2948/0111](#)

Pages: 4

Date Recorded: Sep. 29, 2004

Supporting Documents: [assignment-tm-2948-0111.pdf](#)

Assignor

Name: [MAKERS OF KAL, INC.](#)

Execution Date: Dec. 30, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [NUTRAMARKS, INC.](#)

State or Country Where Organized: DELAWARE

Legal Entity Type: CORPORATION

Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: ALISON PITT

Correspondent Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UT 84060

Domestic Representative - Not Found

Assignment 9 of 14

Conveyance: SECURITY INTEREST

Reel/Frame: [6136/0930](#)

Pages: 36

Date Recorded: Aug. 23, 2017

Supporting Documents: [assignment-tm-6136-0930.pdf](#)

Assignor

Name: [FRESH VITAMINS, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [FUNFRESH FOODS, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [NUTRAMARKS, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [PIONEER NUTRITIONAL FORMULAS, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [VITADOLLAR, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [WOODLAND PUBLISHING, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [MONARCH NUTRACEUTICALS, INC.](#)

Execution Date: Aug. 23, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY](#)
Legal Entity Type: MUTUAL INSURANCE COMPANY **State or Country:** WISCONSIN
Where Organized:
Address: 720 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202

Correspondent

Correspondent Name: PROSKAUER ROSE LLP
Correspondent Address: 2049 CENTURY PARK EAST, SUITE 3200
C/O KIMBERLEY A. LATHROP
LOS ANGELES, CA 90067

Domestic Representative - Not Found**Assignment 10 of 14**

Conveyance: FIRST LIEN TRADEMARK SECURITY AGREEMENT
Reel/Frame: [6138/0886](#) **Pages:** 36
Date Recorded: Aug. 24, 2017
Supporting Documents: [assignment-tm-6138-0886.pdf](#)

Assignor

Name: [NUTRAMARKS, INC.](#) **Execution Date:** Aug. 23, 2017
Legal Entity Type: CORPORATION **State or Country:** DELAWARE
Where Organized:

Assignee

Name: [ANTARES CAPITAL LP, AS COLLATERAL AGENT](#)
Legal Entity Type: LIMITED PARTNERSHIP **State or Country:** DELAWARE
Where Organized:
Address: 500 WEST MONROE STREET
CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: LATHAM & WATKINS LLP
Correspondent Address: 355 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071-1560

Domestic Representative - Not Found**Assignment 11 of 14**

Conveyance: RELEASE OF SECURITY INTEREST IN TRADEMARKS AT REEL/FRAME NO. 2475/0791
Reel/Frame: [6139/0573](#) **Pages:** 20
Date Recorded: Aug. 28, 2017
Supporting Documents: [assignment-tm-6139-0573.pdf](#)

Assignor

Name:), NEW YORK BRANCH)" target="_new"> COOPERATIEVE RABOBANK U.A., NEW YORK BRANCH (FORMERLY KNOWN AS COOPERATIEVE CENTRALE RAIFFEISEN-BOERENLEENBANK B.A., ("RABOBANK INTERNATIONAL"), NEW YORK BRANCH) **Execution Date:** Aug. 23, 2017
Legal Entity Type: NEW YORK BRANCH OF DUTCH COOPERATIVE **State or Country:** NETHERLANDS
Where Organized:

Assignee

Name: [NUTRAMARKS, INC., FORMERLY KNOWN AS MAKERS OF KAL, INC.](#)
Legal Entity Type: CORPORATION **State or Country:** DELAWARE
Where Organized:
Address: 1500 KEARNS BOULEVARD, SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 355 SOUTH GRAND AVENUE
LOS ANGELES, CA 90071-1560

Domestic Representative - Not Found

Assignment 12 of 14

Conveyance: SECURITY INTEREST

Reel/Frame: [7065/0247](#)

Pages: 20

Date Recorded: Sep. 30, 2020

Supporting Documents: [assignment-tm-7065-0247.pdf](#)

Assignor

Name: [NUTRAMARKS, INC.](#)

Execution Date: Sep. 30, 2020

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [OWL ROCK CAPITAL CORPORATION, AS COLLATERAL AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

Address: 399 PARK AVENUE
38TH FLOOR
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: LATHAM & WATKINS LLP, C/O JESSICA BAJADA

Correspondent Address: 885 THIRD AVE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 13 of 14

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [7065/0802](#)

Pages: 22

Date Recorded: Sep. 30, 2020

Supporting Documents: [assignment-tm-7065-0802.pdf](#)

Assignor

Name: [THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY](#)

Execution Date: Sep. 30, 2020

Legal Entity Type: MUTUAL INSURANCE COMPANY

State or Country Where Organized: WISCONSIN

Assignee

Name: [FRESH VITAMINS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [FUNFRESH FOODS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [PIONEER NUTRITIONAL FORMULAS, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [VITADOLLAR, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [WOODLAND PUBLISHING, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Name: [MONARCH NUTRACEUTICALS, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1777 SUN PEAK DRIVE
PARK CITY, UTAH 84098

Correspondent

Correspondent Name: CHRISTINE SLATTERY

Correspondent Address: PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE, 23RD FLOOR
BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 14 of 14

Conveyance: RELEASE OF SECURITY INTEREST IN TRADEMARK COLLATERAL AT R/F 6138/0886

Reel/Frame: [7076/0646](#)

Pages: 21

Date Recorded: Sep. 30, 2020

Supporting Documents: [assignment-tm-7076-0646.pdf](#)

Assignor

Name: [ANTARES CAPITAL LP, AS COLLATERAL AGENT](#)

Execution Date: Sep. 30, 2020

Legal Entity Type: LIMITED PARTNERSHIP

State or Country DELAWARE
Where Organized:

Assignee

Name: [NUTRAMARKS, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Address: 1500 KEARNS BLVD
SUITE B-200
PARK CITY, UTAH 84060

Correspondent

Correspondent Name: LATHAM & WATKINS LLP, C/O JESSICA BAJADA

Correspondent Address: 885 THIRD AVE
NEW YORK, NY 10022

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2022-11-23 15:04:32 EST

Mark: DYNO-MINS

US Serial Number: 73615416

Application Filing Date: Aug. 18, 1986

US Registration Number: 1456058

Registration Date: Sep. 08, 1987

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Sep. 30, 2017

Publication Date: Jun. 16, 1987

Mark Information

Mark Literal Elements: DYNO-MINS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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: DIETARY FOOD SUPPLEMENT

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 01, 1986

Use in Commerce: Jul. 01, 1986

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: NATURAL ORGANICS, INC.
Owner Address: 548 Broadhollow Road
 Melville, NEW YORK UNITED STATES 11747
Legal Entity Type: CORPORATION **State or Country** NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Ross Q. Panko **Docket Number:** 038463.00422
Attorney Primary Email Address: tmocket@arentfox.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Ross Q. Panko
 Arent Fox LLP
 1717 K Street, NW
 Washington, DISTRICT OF COLUMBIA UNITED STATES 20006-5344
Phone: (202) 857-6000 **Fax:** (202) 857-6395
Correspondent e-mail: tmocket@arentfox.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 30, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 30, 2017	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	67110
Sep. 30, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67110
Sep. 30, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67110
Aug. 25, 2017	TEAS SECTION 8 & 9 RECEIVED	
May 03, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 03, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 08, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 02, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Sep. 02, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 11, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 20, 2007	REVIEW OF CORRESPONDENCE COMPLETE	73296
Aug. 01, 2007	PAPER RECEIVED	
Jul. 22, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Jul. 22, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 11, 2007	ASSIGNED TO PARALEGAL	59136
Jun. 15, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 15, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 15, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 19, 2007	CASE FILE IN TICRS	
Aug. 02, 1993	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 07, 1993	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 08, 1987	REGISTERED-PRINCIPAL REGISTER	
Jun. 16, 1987	PUBLISHED FOR OPPOSITION	
May 15, 1987	NOTICE OF PUBLICATION	
Apr. 20, 1987	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 10, 1987	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 24, 1986	NON-FINAL ACTION MAILED	
Dec. 16, 1986	ASSIGNED TO EXAMINER	61486

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 30, 2017

Generated on: This page was generated by TSDR on 2022-11-23 15:05:28 EST

Mark: FIT DINOSAUR



US Serial Number: 87011952

Application Filing Date: Apr. 24, 2016

US Registration Number: 5283607

Registration Date: Sep. 12, 2017

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Sep. 12, 2017

Publication Date: Mar. 28, 2017

Mark Information

Mark Literal Elements: FIT DINOSAUR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the top half of a cartoon dinosaur to the right of the stylized words "FIT DINOSAUR", all contained within a triangle with rounded corners.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.25.01 - Dinosaurs without wings; Brontosaurus; Prehistoric animals (excluding flying animals); Stegosaurus; Triceratops; Velociraptor; Tyrannosaurus
26.05.02 - Triangles, plain single line; Plain single line triangles

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: Baby foods; Cod liver oil; Dietary fiber to aid digestion; Dietary and nutritional supplements; Glucose dietary supplements; Lacteal flour for babies; Mineral supplements; Powdered milk for babies; Vitamin supplements

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 14, 2015

Use in Commerce: Oct. 14, 2015

For: Chocolate-based beverages; Chocolate sauce; Fruit jelly candy; Golden syrup; Gum sweets; Honey; Oatmeal; Rice-based snack foods

International 030 - Primary Class

U.S Class(es): 046

Class(es):**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Oct. 14, 2015**Use in Commerce:** Oct. 14, 2015**For:** Alcohol free aperitifs; Aloe juice beverages; Cola; Fruit-based soft drinks flavored with tea; Fruit juices and fruit drinks; Non-alcoholic fruit juice beverages; Soy-based beverages not being milk substitutes; Vegetable juices**International Class(es):** 032 - Primary Class**U.S Class(es):** 045, 046, 048**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Oct. 14, 2015**Use in Commerce:** Oct. 14, 2015

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Filed ITU:** No**Currently ITU:** No**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: Pharmatech Asia Group Ltd.**Owner Address:** 8A City Hotel Building
Minle Science Park, Meiban Road
Longhua, Shenzhen CHINA**Legal Entity Type:** CORPORATION**State or Country** CHINA
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None**Correspondent****Correspondent Name/Address:** ZBJ NETWORK INC.
10611 HARWIN DRIVE
SUITE 402
HOUSTON, TEXAS UNITED STATES 77036**Correspondent e-mail:** trademark.zbj@gmail.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found**

Prosecution History

Date	Description	Proceeding Number
Sep. 12, 2022	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Sep. 12, 2017	REGISTERED-PRINCIPAL REGISTER	
Aug. 06, 2017	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 31, 2017	CHANGES/CORRECTIONS AFTER PUB APPROVAL ENTERED	65294
Jul. 21, 2017	ASSIGNED TO PETITION STAFF	65294
Jul. 13, 2017	TEAS POST PUBLICATION AMENDMENT RECEIVED	1111
Apr. 25, 2017	EXTENSION OF TIME TO OPPOSE RECEIVED	
Mar. 28, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 28, 2017	PUBLISHED FOR OPPOSITION	
Mar. 08, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 14, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 09, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	88889

Feb. 08, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 08, 2017	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 09, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 09, 2016	NON-FINAL ACTION E-MAILED	6325
Aug. 09, 2016	NON-FINAL ACTION WRITTEN	73363
Aug. 09, 2016	ASSIGNED TO EXAMINER	73363
Apr. 29, 2016	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Apr. 28, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 27, 2016	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: Sep. 12, 2017

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [87011952](#)

Filing Date: Apr 25, 2017

Status: Terminated

Status Date: Aug 06, 2017

Interlocutory Attorney:

Defendant

Name: Pharmatech Asia Group Ltd.

Correspondent Address: ZBJ NETWORK INC.
10611 HARWIN DRIVE
SUITE 402
HOUSTON TX , 77036

Correspondent e-mail: trademark.zbj@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
FIT DINOSAUR	Registered	87011952	5283607

Potential Opposer(s)

Name: Lotus Bakeries

Correspondent Address: Thomas J. Mango
Cantor Colburn LLP
20 Church Street, 22nd Floor
Hartford CT UNITED STATES , 06103

Correspondent e-mail: tmango@cantorcolburn.com

Prosecution History

Entry Number	History Text	Date	Due Date
4	EXTENSION OF TIME GRANTED	May 30, 2017	
3	INCOMING - EXT TIME TO OPPOSE FILED	May 30, 2017	
2	EXTENSION OF TIME GRANTED	Apr 25, 2017	
1	INCOMING - EXT TIME TO OPPOSE FILED	Apr 25, 2017	

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Mark: GIVE HER THE DINO'S AMINOS

Give Her The Dino's AminOs

US Serial Number: 97247873

Application Filing Date: Feb. 01, 2022

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Oct. 18, 2022

Publication Date: Oct. 18, 2022

Mark Information

Mark Literal Elements: GIVE HER THE DINO'S AMINOS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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: Dietary supplements containing amino acids

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: Jan. 01, 2022

Use in Commerce: Jan. 01, 2022

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: Knights Toys
Owner Address: 5524 KEARNY VILLA ROAD
San Diego, CALIFORNIA UNITED STATES 92123
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: MARC BAUMGARTNER
Attorney Primary Email Address: MARC@BAPALAW.COM
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARC BAUMGARTNER
BAUMGARTNER PATENT LAW
2900 NW CLEARWATER DR.
SUITE 200
BEND, OREGON UNITED STATES 97703
Correspondent e-mail: MARC@BAPALAW.COM
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 18, 2022	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 18, 2022	PUBLISHED FOR OPPOSITION	
Sep. 28, 2022	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 10, 2022	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 09, 2022	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 08, 2022	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 08, 2022	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 06, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Sep. 06, 2022	NON-FINAL ACTION E-MAILED	
Sep. 06, 2022	NON-FINAL ACTION WRITTEN	94062
Aug. 31, 2022	ASSIGNED TO EXAMINER	94062
Feb. 07, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 04, 2022	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: WOLFE, YOUNG J
Law Office Assigned: LAW OFFICE 122

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Sep. 12, 2022

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Mark: DYNO VITES

US Serial Number: 75583036

Application Filing Date: Nov. 04, 1998

US Registration Number: 2533243

Registration Date: Jan. 29, 2002

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Apr. 03, 2022

Publication Date: Nov. 06, 2001

Mark Information

Mark Literal Elements: DYNO VITES

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1456058

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: Nutritional supplement for adults in the nature of a multi-nutrient dietary supplement

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 1980

Use in Commerce: Apr. 01, 1980

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: NATURAL ORGANICS INC.

Owner Address: 548 Broadhollow Road
Melville, NEW YORK UNITED STATES 11747

Legal Entity Type: CORPORATION

State or Country: NEW YORK
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Ross Q. Panko

Docket Number: 038463.00404

Attorney Primary Email Address: tmddocket@arentfox.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Ross Q. Panko
Arent Fox LLP
1717 K Street, NW
Washington, DISTRICT OF COLUMBIA UNITED STATES 20006-5344

Phone: (202) 857-6000

Fax: (202) 857-6395

Correspondent e-mail: tmddocket@arentfox.com
ross.panko@arentfox.com craig.horak@arentfox.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 03, 2022	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	73376
Apr. 03, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Apr. 03, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Dec. 06, 2021	TEAS SECTION 8 & 9 RECEIVED	
Jan. 29, 2021	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 03, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 03, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 27, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Mar. 27, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Mar. 27, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Mar. 26, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Mar. 05, 2012	TEAS SECTION 8 & 9 RECEIVED	
Aug. 11, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 12, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	59136
May 10, 2007	ASSIGNED TO PARALEGAL	59136
Apr. 12, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 12, 2007	TEAS SECTION 8 & 15 RECEIVED	
Apr. 10, 2007	CASE FILE IN TICRS	
Jan. 29, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 06, 2001	PUBLISHED FOR OPPOSITION	
Oct. 17, 2001	NOTICE OF PUBLICATION	
Jun. 07, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2001	EXAMINER'S AMENDMENT MAILED	

Jan. 24, 2001 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jan. 04, 2001 FINAL REFUSAL MAILED
 Aug. 18, 2000 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Oct. 19, 1999 LETTER OF SUSPENSION MAILED
 Sep. 02, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 02, 1999 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Jun. 11, 1999 NON-FINAL ACTION MAILED
 May 26, 1999 ASSIGNED TO EXAMINER

72617

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Apr. 03, 2022

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92029340](#)

Filing Date: Sep 02, 1999

Status: Terminated

Status Date: Jul 28, 2000

Interlocutory Attorney: JYLL S TAYLOR

Defendant

Name: A. GLENN BRASWELL

Correspondent Address: A. GLENN BRASWELL
 520 WASHINGTON BLVD. SUITE 212
 MARINA DEL REY CA UNITED STATES , 90292

Associated marks

Mark	Application Status	Serial Number	Registration Number
DYNAVITE	Cancelled - Section 18	72045156	685018

Plaintiff(s)

Name: NATURAL ORGANICS INC.

Correspondent Address: JAMES M. GIBSON
 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK NY UNITED STATES , 10112

Associated marks

Mark	Application Status	Serial Number	Registration Number
DYNO VITES	REGISTERED AND RENEWED	75583036	2533243

Prosecution History

Entry Number	History Text	Date	Due Date
8	TERMINATED	Jul 28, 2000	
7	COMM'RS. ORDER CANCELLING REGISTRATION	Jul 28, 2000	
6	BOARD'S DECISION: GRANTED	May 15, 2000	
5	P'S MOTION FOR DEFAULT JUDGEMENT	Apr 10, 2000	
4	NOTICE OF DEFAULT	Jan 20, 2000	
3	PENDING, INSTITUTED	Sep 15, 1999	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Sep 15, 1999	Oct 25, 1999
1	FILED AND FEE	Sep 02, 1999	

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Mark: DR. DINO KIDS

Dr. Dino Kids

US Serial Number: 97211987

Application Filing Date: Jan. 10, 2022

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Oct. 31, 2022

Mark Information

Mark Literal Elements: DR. DINO KIDS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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: Health food supplements; Dietary supplements for urinary health

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: Jan. 01, 2022

Use in Commerce: Jan. 01, 2022

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

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: MINDDOSE LLC
Owner Address: 29160 Heathercliff Rd Fl 1 #6215
Malibu, CALIFORNIA UNITED STATES 90264
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Owner Name: Aref, Azar
Owner Address: 29160 Heathercliff Rd Fl 1 #6215
Malibu, CALIFORNIA UNITED STATES 90264
Legal Entity Type: INDIVIDUAL
Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: MINDDOSE LLC
29160 HEATHERCLIFF RD FL 1 #6215
MALIBU, CALIFORNIA UNITED STATES 90264

Phone: 805-764-1752

Correspondent e-mail: MINDDOSE1@GMAIL.COM RAS.YASHAR@GM
AIL.COM

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 31, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 31, 2022	NON-FINAL ACTION E-MAILED	6325
Oct. 31, 2022	NON-FINAL ACTION WRITTEN	74301
Oct. 17, 2022	ASSIGNED TO EXAMINER	74301
Jan. 18, 2022	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 13, 2022	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: PEREZ, STEVEN M

Law Office Assigned: LAW OFFICE 101

File Location

Current Location: TMEG LAW OFFICE 101 - EXAMINING
ATTORNEY ASSIGNED

Date in Location: Oct. 31, 2022

Exhibit C

Dyno - definition of Dyno by The Free Dictionary

<https://www.thefreedictionary.com/Dyno>

dynamometer (redirected from *Dyno*)

Also found in: [Thesaurus](#), [Medical](#), [Encyclopedia](#).

dy·na·mom·e·ter (dī'nə-mŏm'ī-tər)

n.

Any of several instruments used to measure mechanical power.

[French dynamomètre : Greek *dunamis*, *power*; see **dynamic** + *-mètre*, *-meter*.]

dy'na·mo·met'ric (-mō-mět'rīk), **dy'na·mo·met'ri·cal** (-rī-kəl) *adj.*

dy'na·mom'e·try *n.*

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dynamometer (,daɪnə'mɒmɪtə)

n

(General Physics) any of a number of instruments for measuring power or force

Collins English Dictionary – Complete and Unabridged, 12th Edition 2014 © HarperCollins Publishers 1991, 1994, 1998, 2000, 2003, 2006, 2007, 2009, 2011, 2014

dy·na·mom·e·ter (,daɪ nə'mɒm ɪ tər)

n.

1. a device for measuring mechanical force.
2. a device for measuring mechanical power, esp. the output or driving torque of a rotating machine.

[1800–10]

dy`na·mo·met'ric (-mou'mɛ trɪk) *adj.*

dy`na·mom'e·try, *n.*

Random House Kernerman Webster's College Dictionary, © 2010 K Dictionaries Ltd. Copyright 2005, 1997, 1991 by Random House, Inc. All rights reserved.

Thesaurus

Legend:  Synonyms  Related Words  Antonyms

Switch to [new thesaurus](#)

Noun 1. dynamometer - measuring instrument designed to measure power

 [ergometer](#)

[↔ measuring device, measuring instrument, measuring system](#) - instrument that shows the extent or amount or quantity or degree of something



Based on WordNet 3.0, Farlex clipart collection. © 2003-2012 Princeton University, Farlex Inc.

Translations

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to be used in place of a visit, consultation, or advice of a legal, medical, or any other professional.

Exhibit D

Vite - definition of vite by The Free Dictionary

<https://www.thefreedictionary.com/vite>

vite

Also found in: [Financial](#), [Acronyms](#), [Encyclopedia](#), [Wikipedia](#).

vite (vi:t) *music*

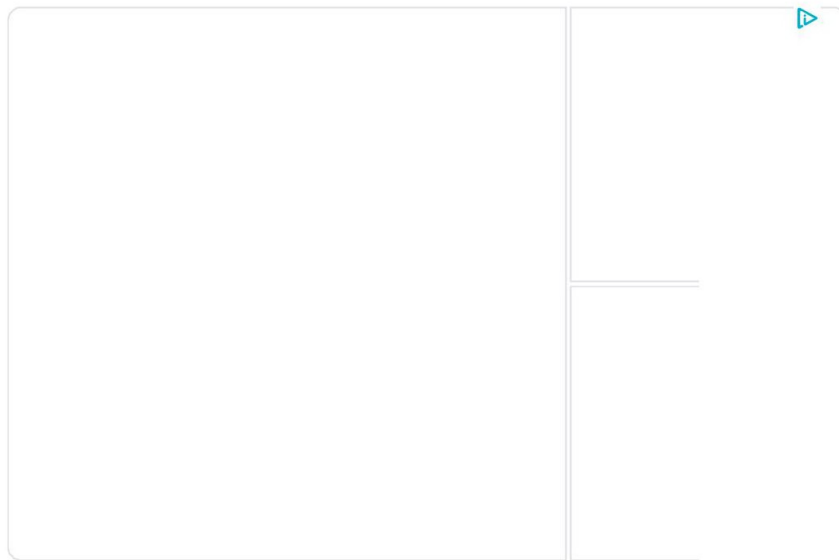
adj

(Classical Music) (of a piece of music) to be played in a quickened manner

adv

(Classical Music) in a quickened manner

Collins English Dictionary – Complete and Unabridged, 12th Edition 2014 © HarperCollins Publishers 1991, 1994, 1998, 2000, 2003, 2006, 2007, 2009, 2011, 2014



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