

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 88352444
Filing Date: March 22, 2019
Applicant: BESTOP PRP, LLC
International Class: 12
Mark: STATUS:
Examining Attorney: Shannon Twohig
Attorney Docket: BESP-20064

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Madam:

This is in response to the Office Action dated December 31, 2019 to which a timely six month response is due by June 30, 2020. Applicant requests reconsideration of the refusal to register. Applicant also files herewith a Notice of Appeal without prejudice.

Section 2(d) Refusal – Likelihood of Confusion

The Office Action states that registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 5513324 (“STATUS”, hereinafter Reg. ‘324) under Trademark Act Section 2(d), 15 U.S.C. §1052(d); See TMEP §§1207.01 *et seq.*

The Examining Attorney indicates that two factors are most relevant in this case - similarity of the marks and similarity and nature of the goods.

Applicant maintains that when determining likelihood of confusion under Section 2(d), certain elements, when relevant, must be considered such as: (1) the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression; (2) the similarity or dissimilarity of the goods or services as described in an application or registration in connection with which a prior mark is in use; (3) the similarity or dissimilarity of established, likely-to-continue trade channels; (4) the conditions under which and buyers to whom sales are made; (5) the fame of the prior mark; (6) the number and nature of similar marks in use on similar goods or services; (7) the nature and extent of any actual confusion; (8) the length of time during and conditions under which there has been concurrent use without evidence of actual confusion; (9) the variety of goods or services on which a mark is or is not used; (10) the market interface between Applicant and the owner of a prior mark; (11) the extent to which the Applicant has a right to exclude others from use of its mark on its goods or services; (12) the extent of potential confusion; and (13) any other established fact probative of the effect of use. See *In re E. I. Du Pont de Nemours & Co.*, 476 F.2d 1357, 177 U.S.P.Q. 563 (C.C.P.A. 1973).

There is no mechanical test for determining likelihood of confusion and "each case must be decided on its own facts." *Du Pont*, 476 F.2d at 1361, 177 USPQ at 567. A determination that there is no likelihood of confusion may be appropriate, even where the marks are similar and the goods/services are related, because these factors are outweighed by other factors, such as differences in the relevant trade channels of the goods/services. See TMEP 1207.01.

The Office Action maintains that the applied-for mark is "STATUS:" and the registered mark "STATUS" is nearly identical.

Regarding the first item of the DuPont test - the similarity *or dissimilarity* of the marks in their entireties as to appearance, sound, connotation and commercial impression - when the marks are considered in their entireties, Applicant maintains that when a consumer encounters the applied-for-mark as a whole, the ":" and its placement would be additionally impressed upon a consumer as the image ":" could have many uses giving various connotations and overall commercial impressions to the mark viewed as a whole. When comparing the marks, "[a]ll relevant facts pertaining to appearance, sound, and connotation must be considered before similarity as to one or more of those factors may be sufficient to support a finding that the marks are similar or dissimilar." *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1899 (Fed. Cir. 2000); TMEP § 1207.01(b).

The second item of the DuPont test is the similarity *or dissimilarity* of the goods or services as described in a registration in connection with which a prior mark is in use. The Examining Attorney contends that the goods in the application and registrations are at least partially identical, and, therefore, the identified goods are presumed to travel in the same channels of trade to the same class of purchasers for related goods.

The Reg. '324 is for "Automobile vehicle wheels" in Class 012
by (REGISTRANT) JUST WHEELS & TIRES CO., a CALIFORNIA CORPORATION

The Reg. '324 is limited to these automobile vehicle wheels, which is thought to be in the tire industry. A consumer would not believe that current Applicant's goods are related to the Reg. '324 mark as a source for *automobile vehicle wheels*. The differences are not

inconsequential. In addition, Applicant previously amended the goods without prejudice to recite the limitation, "all of the above excluding vehicle wheels and vehicle tires". Whereas a search of what appears to be the website of '324 Registrant's - Just Wheels & Tires Co. - indicates that Just Wheels & Tires Co's registered STATUS mark is directed to automotive vehicle wheels in the tire industry or tire dealer industry sold through direct sales channels. *See Appendix A.* The Reg. '324 is limited to automobile vehicle wheels.

In contrast to Reg. '324, Applicant's identification of goods is not directed to any exterior component, specifically, wheels. Instead, Applicant's identification of goods is directed to interior *seating* and explicitly excludes vehicle wheels and vehicle tires. In particular, the present identification of goods recites: Automotive vehicle components, namely, vehicle *seats*, vehicle *seat* shells, vehicle *seat* frames, vehicle *seat* hardware, fitted *seat* covers for vehicles, vehicle *seat* upholstery, vehicle *seat* cushions, vehicle *seat* head restraints, vehicle *seat* headrests, vehicle *seat* mountings, and vehicle *seat* accessories, namely, fitted fabric covers for vehicle *seat* belts, safety belts for vehicle *seats* and *seat* safety harnesses for vehicles; *all of the above excluding vehicle wheels and vehicle tires*. Thus, the two sets of goods and the recitations thereof are different. A consumer would not believe current Applicant's seat goods are related to the Reg. '324 mark as a source for automobile vehicle wheels.

As to the Examining Attorney's evidence, "www.4wheelparts.com" is directed to a third-party parts dealer of hundreds of brands across several industries. *See Appendix B.* As to the www.pepboys.com evidence, the evidence is directed to a third-party parts dealer and

on-site mechanic services. *Id.* None of the evidence is from websites of manufacturers. All appear to be third-party part suppliers selling parts.

The Examining Attorney opines that, while the goods are not identical, they are related; both Applicant and Registrant offer vehicle parts. The Examining Attorney attached USPTO third-party registrations and indicates the uses are in connection with the same or similar goods. The Examining Attorney states that the evidence shows that the goods listed therein, namely vehicle wheels (registrant's goods) and vehicle seats, headrests for vehicle seats, vehicle seat cushions (applicant's goods), are of a kind that may emanate from a single source under a single mark. Applicant respectfully maintains that vehicles are comprised of thousands of vehicle parts. See Appendix C, which are screen prints of webpages mentioning there are at least 30,000 components, and at least 1800 different vehicle parts. Applicant respectfully submits that Reg. '324 is directed to only "Automobile vehicle wheels" out of at least about 1800 to 30,000 parts; "vehicle parts" the Office Action mentions. See also Appendix D including screen prints from what appears to be the Reg. No. 5735124 Registrant's website (Crov.com) where it appears Registrant is a wholesale distributor or wholesale center provider of over 36,000 products; from home and garden, baby supplies, pet supplies, musical instruments, beauty, to automotive and beyond. Various registrations of Crov Inc. include some of the laundry list of the 36,000 products offered through wholesale sales channels. Applicant's representative had previously attempted to similarly locate webpages for the other registrant's of registrations attached to the first Office Action and each registered mark previously attached as evidence for vehicle wheels (registrant's goods) and vehicle seats, headrests for vehicle seats, vehicle seat cushions, but none were located.

The third item of the DuPont test is the similarity or *dissimilarity* of established, likely-to-continue trade channels. The description of goods are outlined above, and further remarks are set forth, which weigh against a determination of a likelihood of confusion since the trade channels are dissimilar. Applicant submits there is not a likelihood of confusion since there is no apparent marketing channel overlapped. See also the remarks in the fourth item below.

The fourth item of the DuPont test is "the conditions under which and buyers to whom sales are made." With respect to Reg. No. '324, it can only be speculated based on the description of goods and Registrant's webpage that the buyers will be limited to sales through direct sales channels with clients wanting automobile vehicle wheels. Wheels being the exterior foundation of a vehicle to ground surface and with mileage, tread, driving conditions, geography, seasons, temperatures, safety, testing, models, vehicle types, aesthetics, costs, etc all taken into consideration, and involving regulatory standards. Applicant's amended recitation of goods excludes vehicle wheels and vehicle tires. In addition, Applicant's sales (made in conjunction with this mark) are directed to consumers of the vehicle-specific vehicle seats, vehicle seat shells, vehicle seat frames, vehicle seat hardware, fitted seat covers for vehicles, vehicle seat upholstery, vehicle seat cushions, vehicle seat head restraints, vehicle seat headrests, vehicle seat mountings, and vehicle seat accessories, namely, fitted fabric covers for vehicle seat belts, safety belts for vehicle seats and seat safety harnesses for vehicles; all of the above excluding vehicle wheels and vehicle tires. The respective goods are goods which are considered and purchased with deliberation and the exercise of greater than average care, especially given the amount of vehicle-specific compatibility considerations, capital, financing, loans, equity or other assets and time it takes to first purchase or lease a vehicle,

and then to keep it running, maintain it, and provide a means of transportation to carry out one's day-to-day responsibilities and desires. Under such circumstances, owners are likely to know the goods providers with whom they are dealing and would not be prone to being confused, as to the source of the respective goods, by '324 Registrant's and Applicant's marks at issue. Purchasing of the actual goods insures careful, deliberate selection by discriminating purchasers. "This is not the sort of purchasing environment in which confusion flourishes." *Oreck Corp. v. U.S. Floor Systems, Inc.* 803 F2d 166, 231 USPQ 634 (5th Cir. 1986). Consumers are most certainly highly discriminating purchasers who are virtually certain to be informed, deliberate buyers expected to exert a high degree of care and who are not easily confused. *Id.* The consumers would not purchase the goods on an impulse, but only after deliberate and careful consideration, knowing exactly with whom they are dealing.

The seventh item of the test is "the nature and extent of any actual confusion." There appears to be no evidence of actual confusion between the two marks weighing against a possibility of likelihood of confusion.

The eighth item of the test is "the length of time during and conditions under which there has been concurrent use without evidence of actual confusion." There appears to be no evidence of actual confusion between the two marks since their concurrent use of at least December 2017 weighing against a possibility of likelihood of confusion.

The ninth element of the DuPont test is "the variety of goods or services on which a mark is or is not used." Reg. No. '324 is not being used in connection with a large variety of goods. Both Applicant's mark and the marks of Reg. No. '324 are specifically being used in connection with a respective particular area of non-overlapping goods. That is, Applicant's

mark is for providing Automotive vehicle components, namely, vehicle *seats*, vehicle *seat* shells, vehicle *seat* frames, vehicle *seat* hardware, fitted *seat* covers for vehicles, vehicle *seat* upholstery, vehicle *seat* cushions, vehicle *seat* head restraints, vehicle *seat* headrests, vehicle *seat* mountings, and vehicle *seat* accessories, namely, fitted fabric covers for vehicle *seat* belts, safety belts for vehicle *seats* and *seat* safety harnesses for vehicles. To the contrary, the Reg. No. '324 is limited to *Automotive vehicle wheels*. Both marks are clearly being used in a specific market for buyers of the specific goods, as opposed to being used in a variety of markets, and also as opposed to the laundry lists of goods/services related to the evidence used in the office actions. Applicant had also previously amended the identification goods without prejudice to recite the limitation, "*all of the above excluding vehicle wheels and vehicle tires*".

Applicant submits that the subject mark is properly registerable and respectfully requests that the Examining Attorney remove the rejection and allow Applicant's mark to pass to publication.

Conclusion

Applicant respectfully submits that the likelihood of confusion rejection should be withdrawn in view of the remarks set forth above. Applicant further requests entry of the identification of goods amendments. Therefore, Applicant believes that the application is in condition for passing to publication and registration, which is herein requested.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.21 (Miscellaneous fee and charges) and/or credit any overpayment to our firm's Deposit Account No. 501612.

Examining Attorney: Shannon M. Twohig
Law Office: 105
Serial No. 8835244

The Examining Attorney is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

WARN PARTNERS, P.C.
Attorneys for Applicant(s)

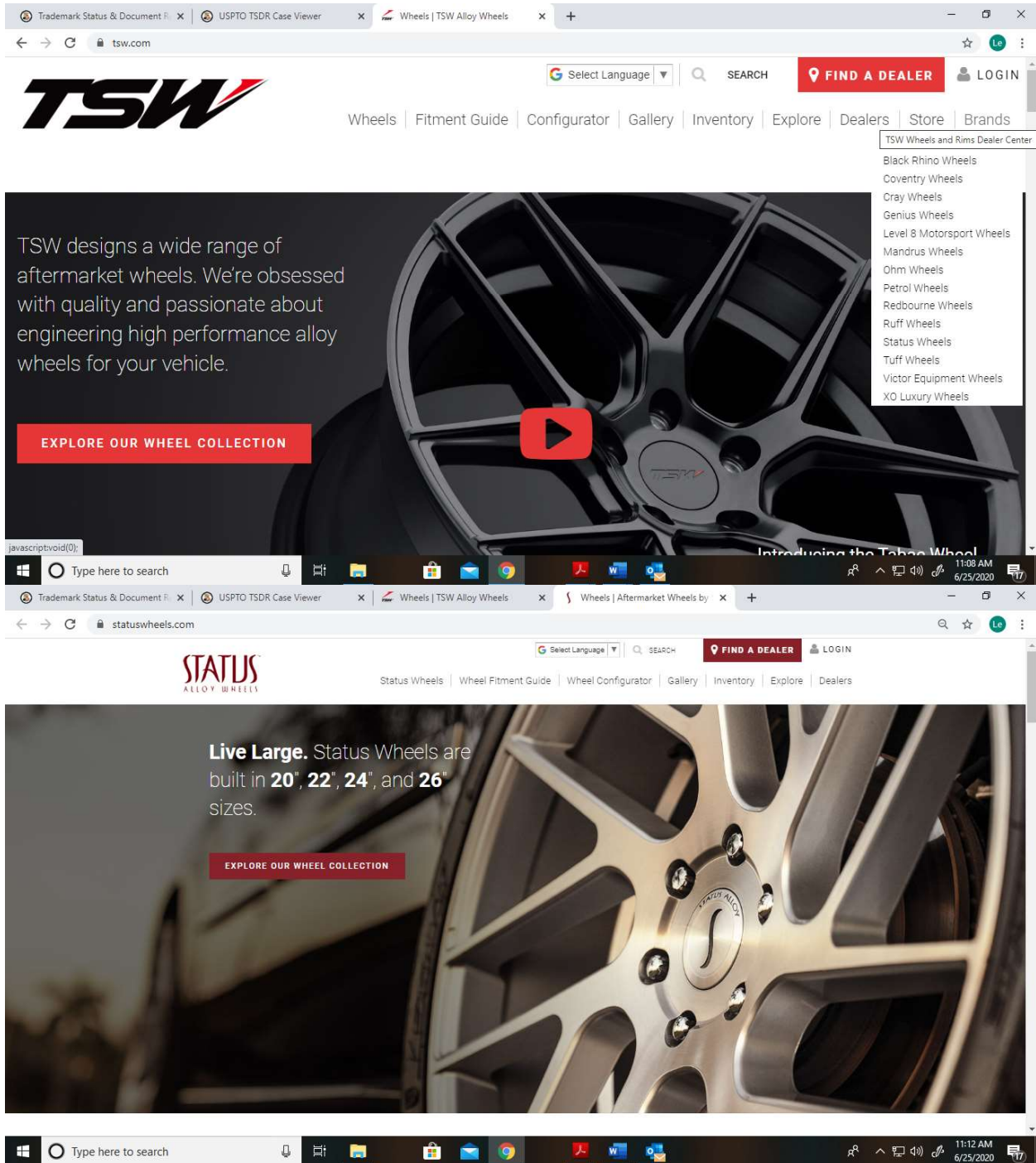
Dated: June 30, 2020

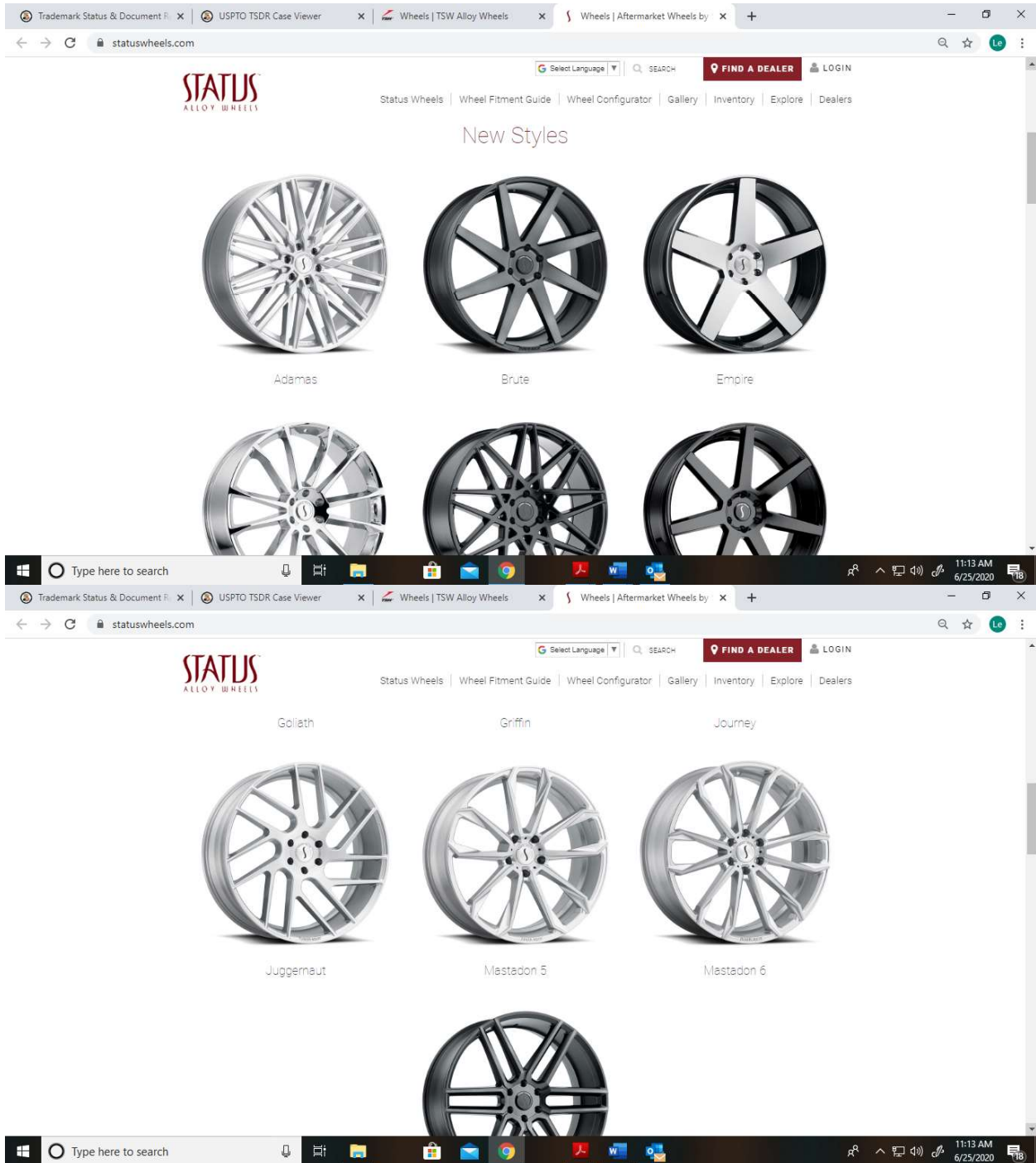
By: /Philip R. Warn - Reg. No. 32775/
Philip R. Warn
Reg. No. 32775

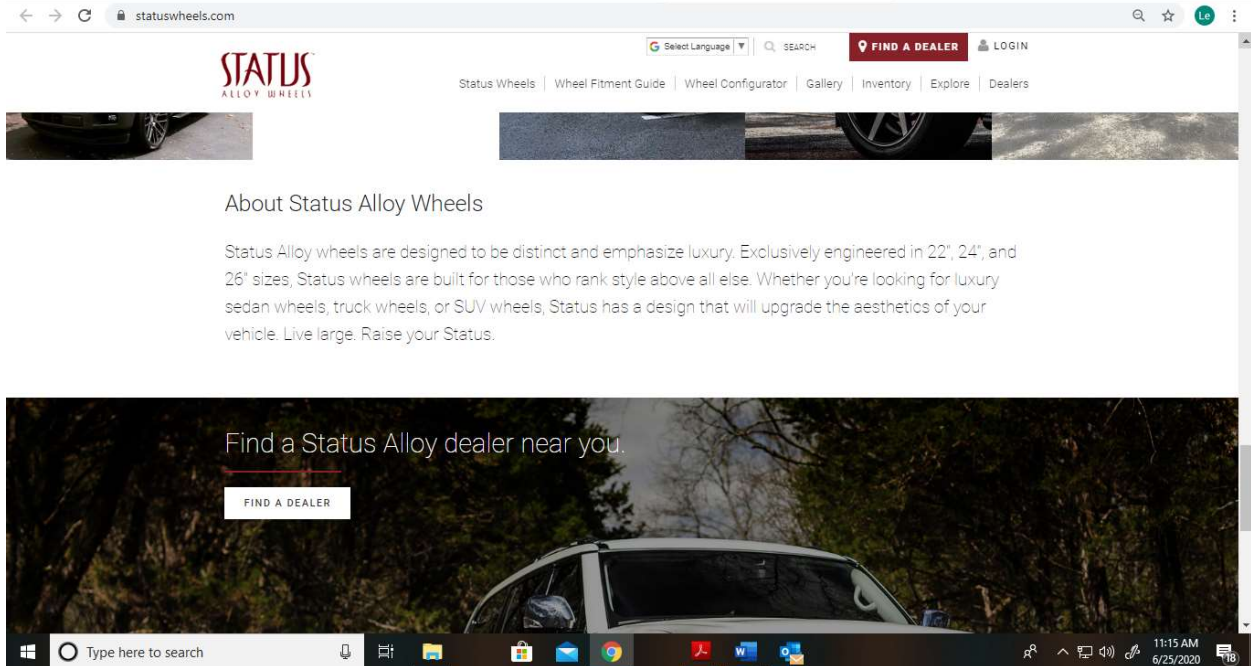
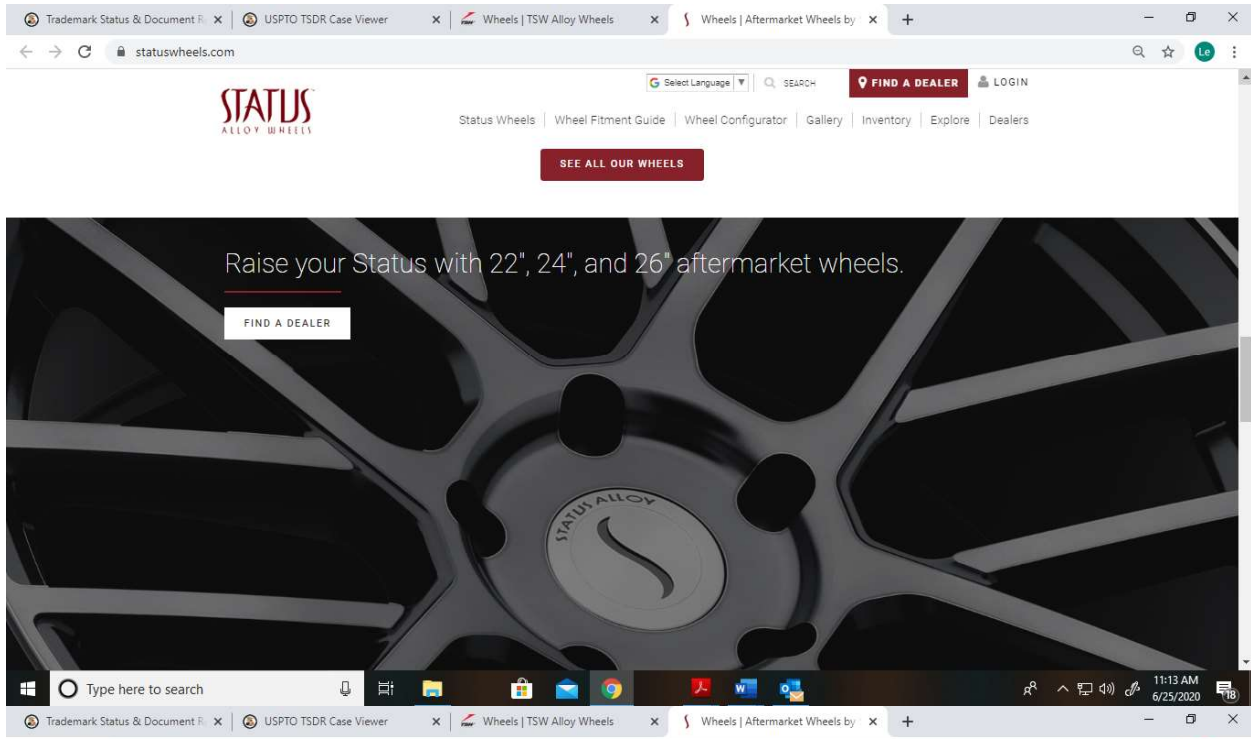
P.O. Box 70098
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PRW:LMF:acw

APPENDIX A







The image shows two screenshots of the Status Wheels website. The top screenshot is the homepage, featuring the Status Alloy Wheels logo, navigation links (Status Wheels, Wheel Fitment Guide, Wheel Configurator, Gallery, Inventory, Explore, Dealers), and a search bar. Below the navigation is a large banner image of a white SUV. Further down, there are sections for 'FIND A DEALER' (with ZIP CODE and FIND buttons), 'STAY INFORMED ABOUT STATUS WHEELS' (with EMAIL ADDRESS and GET UPDATES buttons), and 'CHANGE COUNTRY' (with a dropdown menu set to UNITED STATES). There are also social media icons for YouTube, Instagram, Facebook, Google+, and Twitter. An 'ASSOCIATE BRANDS' section lists various vehicle brands and compatible wheel models. The bottom screenshot shows a product listing page on shop.tsw.com. It features the TSW logo, a search bar with the placeholder 'Quick Search: Enter part #, style, or wheel spec', and navigation options like 'SHOP BY PRODUCT', 'SHOP BY YEAR | MAKE | MODEL', and 'MY ACCOUNT'. The main content area shows 388 products found, with three wheels displayed in a grid. Each wheel has a title, a short description, and inventory information. The bottom screenshot also shows a Windows taskbar with the time 3:41 PM on 6/25/2020.

STATUS WHEELS
 Select Language | SEARCH | FIND A DEALER | LOGIN

Status Wheels | Wheel Fitment Guide | Wheel Configurator | Gallery | Inventory | Explore | Dealers

FIND A DEALER
 ZIP CODE | FIND

STAY INFORMED ABOUT STATUS WHEELS
 EMAIL ADDRESS | GET UPDATES

CHANGE COUNTRY
 UNITED STATES

ASSOCIATE BRANDS

- Black Rhino Hard Alloys for Off-Road & SUV
- Bayern Wheels to fit BMW vehicles
- Mandus Wheels to fit Mercedes vehicles
- Victor Equipment Wheels to fit Porsche vehicles
- Petrol Wheels for the Democratization of Style
- Redbourne Wheels to fit Land Rover vehicles
- Coventry Wheels to fit Jaguar vehicles
- Ohm Wheels to fit Tesla vehicles
- Cray Wheels to fit Corvette vehicles
- Genius Wheels to fit Smart Cars
- TUFF A.T. Off-Road & SUV Wheels
- Status Alloy 20, 22, 24, & 26 Wheels
- Ruff Aftermarket Wheels
- XO Luxury Exclusive Luxury Wheels
- Level 8 Motorsports Off-Road Wheels

CA Residents only: Do not sell my personal information

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Type here to search

shop.tsw.com/all-brands-all-wheels/all-warehouses/all-wheel-diameter/all-width/all-bolt-pattern/all-offset/status/

Contact | Login

TSW Quick Search: Enter part #, style, or wheel spec

SHOP BY PRODUCT | SHOP BY YEAR | MAKE | MODEL | MY ACCOUNT

Shop by Product
 ALL PRODUCTS

YOUR SELECTION:
 BRAND
 X STATUS
 Clear selection

WAREHOUSES

- CALIFORNIA (242)
- WASHINGTON (81)
- TEXAS (186)
- UTAH (64)
- GEORGIA (148)
- Show all...

WHEEL DIAMETER

- 20 (53)
- 22 (151)
- 24 (127)
- 26 (57)

388 product(s) found | View: [Grid] | Sort by: Quantity Available - descending

Product Name	SKU	Short description	Available Inventory	In Transit
STATUS JOURNEY 24x10.0 5/115 ET15 CB74.1 MACHINE/BLACK	2410JUR155115F74	00195338038754	75	0
STATUS JOURNEY 24x10.0 5/115 ET15 CB74.1 BLACK	2410JUR155115B74	00195338038747	52	0
STATUS GOLIATH 22X9.5 6/114.3 ET30 CB66.1 GLOSS BLACK	2295GTH306114B66	00195338038129	63	0

not available | not available | not available

Type here to search

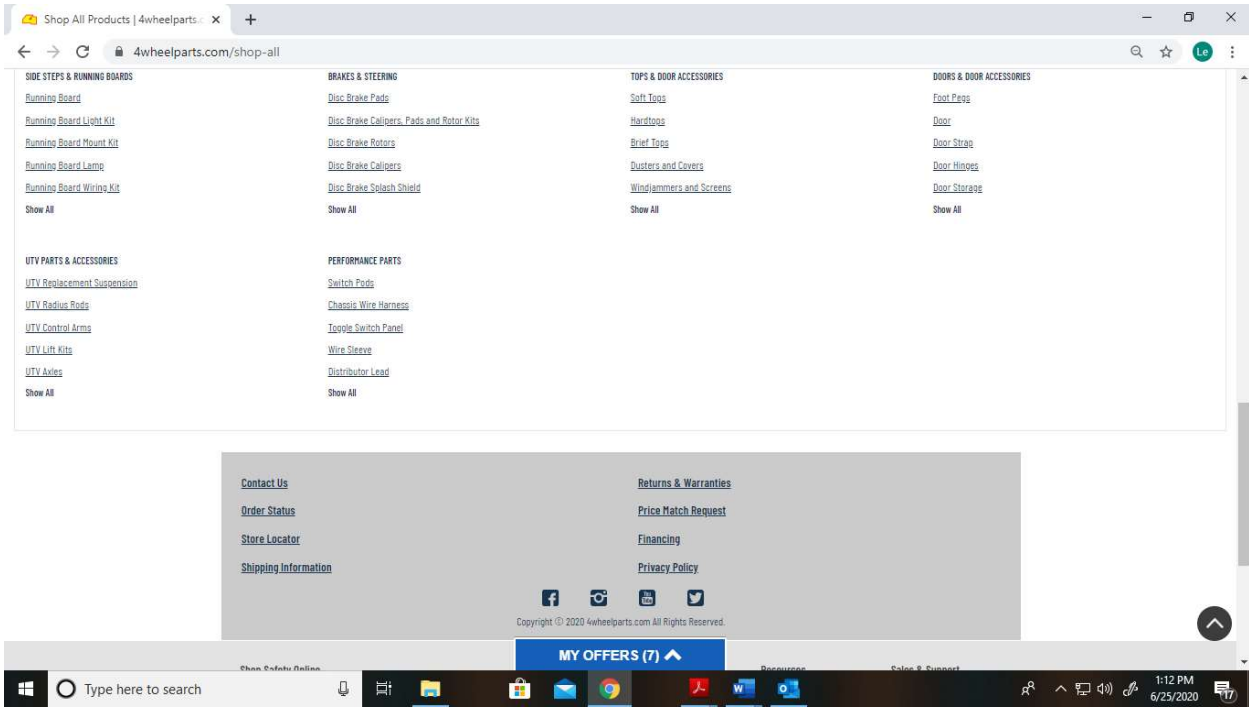
3:41 PM 6/25/2020

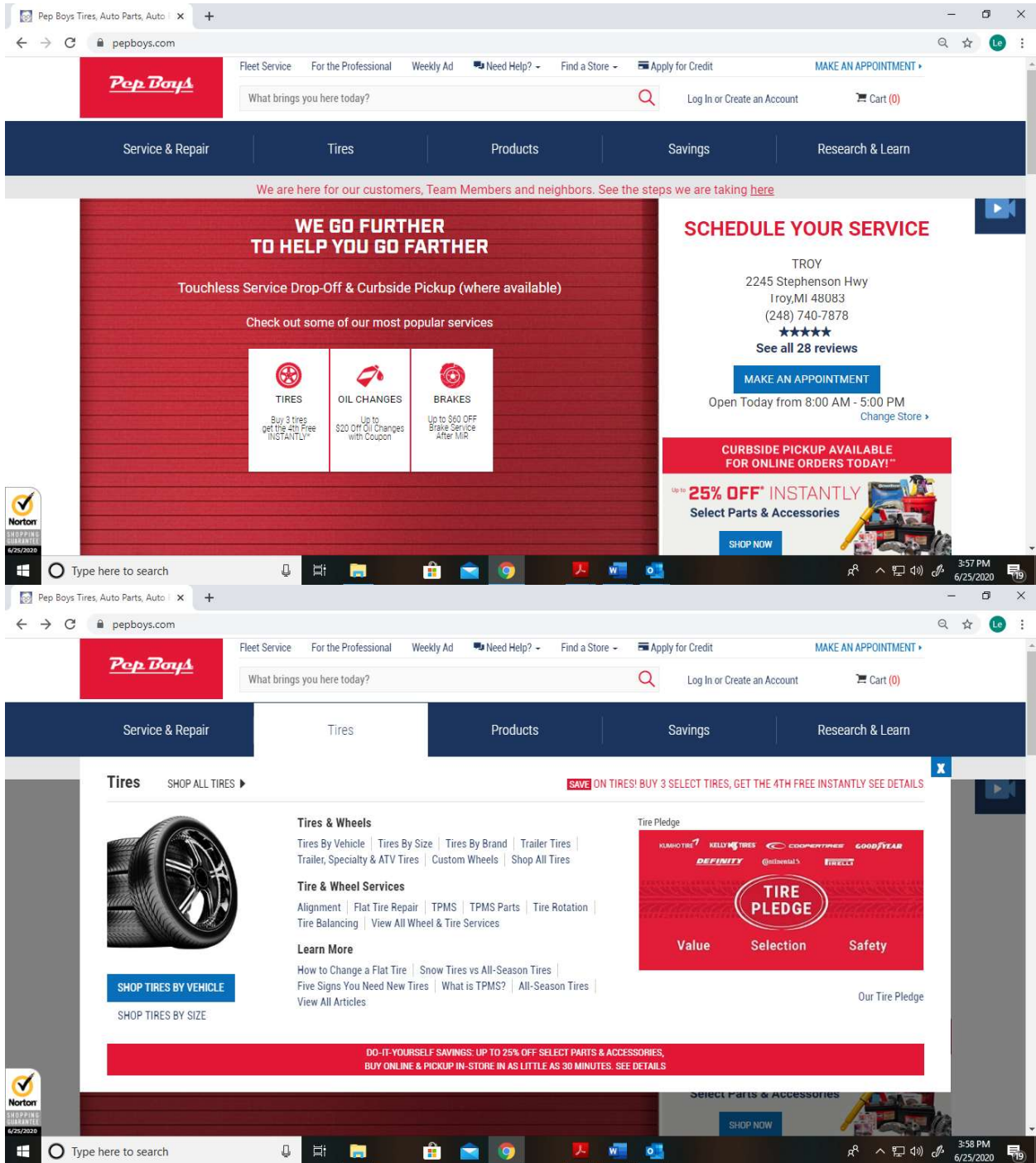
APPENDIX B

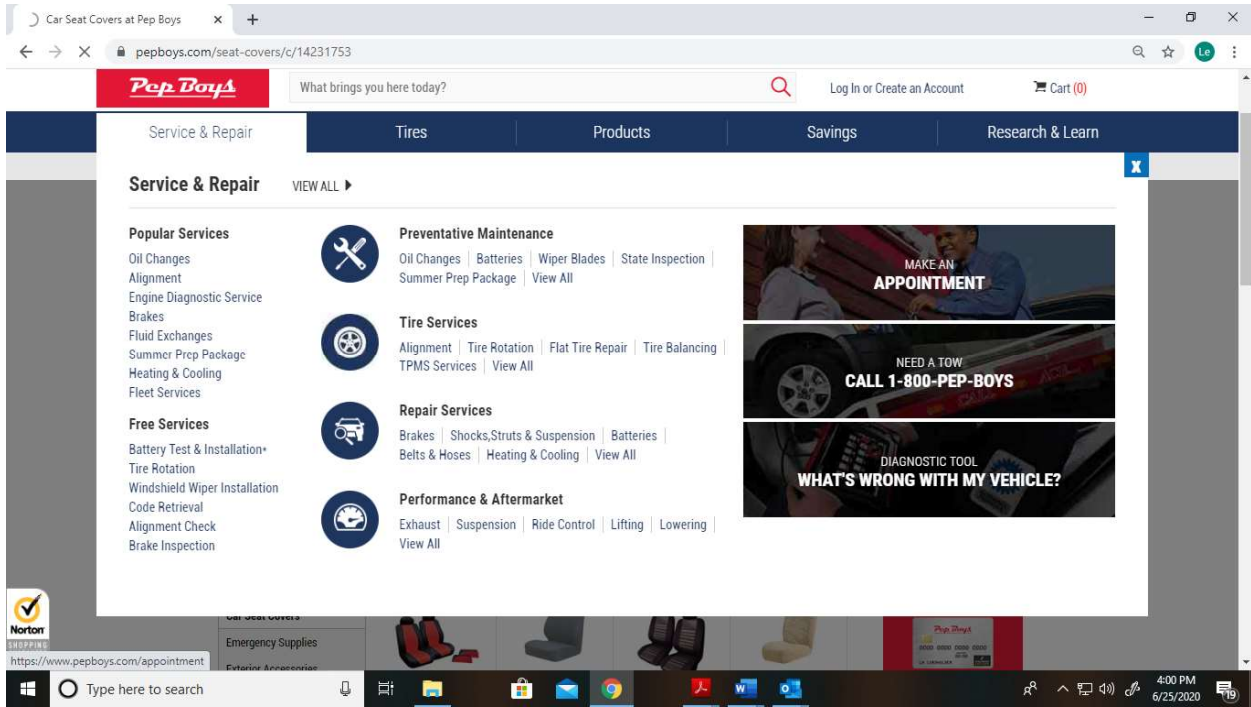
The screenshot displays the 4Wheelparts.com website with a grid of product categories. The categories are organized into four columns:

- REPLACEMENT PARTS:** 7J Grand Cherokee Model 30 Front Axle, XJ Cherokee Model 30 Front Axle, Vintage Model 30 Front Axle, Vintage Model 44 1948-89, 7J Grand Cherokee Model 44 Rear Axle.
- AIR COMPRESSORS, AIR TANKS & AIR ACCESSORIES:** Portable Air Compressor, Onboard Air System - OBA, Air Horn Compressor Kit, Air Compressor, Air Compressor Mounting Bracket.
- FENDERS & FLARES:** Fender Flares, Fender Liners, Fender Flare Hardware Kit, Fender Deflector, Fender Flare Trims.
- BODY PARTS, ROLL CAGES & FRAMES:** Replacement Tailgate, Tailgate Lock Cylinder, Replacement Tailgate Seals, Tailgate Gasket, Tailgate Latch Bracket.
- FABRICATION & TOOLS:** Control Arm Mount, Axle Truss, Axle Ball Gussets, Axle Bracket, Leaf Spring Perch.
- HEATING & COOLING:** Radiator, Water Pump, Hose Clamp, Auto Trans Oil Cooler, Electric Cooling Fan.
- LIGHTING & LIGHTING ACCESSORIES:** Headlights, Housings and Conversions, Reverse / Backup Lights, Roof Marker Light, Side Marker Light Assembly, Tail & Brake Lights.
- ATVs PARTS & ACCESSORIES:** ATV Tires, ATV Wheels, ATV Gravel Skid Kits, ATV Flow Base / Tube Assembly, ATV Flow Blade Control Flag.

Additional categories visible include OVERLANDING & CAMPING, ARMOR & PROTECTION, BUMPERS, TIRE CARRIERS & WINCH MOUNTS, and LIFT KITS, SUSPENSION & SHOCKS. A blue banner for 'MY OFFERS (7)' is positioned in the center of the grid. The browser's address bar shows '4wheelparts.com/shop-all' and the system tray at the bottom indicates the time is 1:11 PM on 6/25/2020.







Appendix C

reference.com/vehicles/many-parts-average-car-84981ee597c85b91

≡ Reference*

Home > Vehicles > Car Parts & Maintenance >

How Many Parts Does the Average Car Have?

Share Tweet Pin Email

[CARiD® - Official Site - CARiD.com](#)
Ad - www.CARiD.com
Everything for Cars, Trucks, & SUVs Auto Parts & Accessories Superstore
★★★★★ rating for carid.com

The average car is made up of about 1,800 separate parts. This includes some large components, such as the engine, which is inserted as a unit during the car-making process but contains thousands of individual pieces itself.

Each car generally requires between 4,500 and 4,800 welds to fit together the required pieces. A standard car takes about 19 hours to assemble in a factory. However, the assembly systems are huge, with thousands of employees on shift work. Robots and rolling assembly tracks are also part of the process. Numerous cars are put together in a manufacturing plant at one time. A normal production day yields about 1,450 cars.

toyota.co.jp/en/kids/faq/d/01/04/

TOYOTA Return to the Children's Web Site homepage

Children's -Question Room-

Q How many parts is each car made of? Back

A single car has about 30,000 parts, counting every part down to the smallest screws. Some of these parts are made at Toyota, but we also have lots of suppliers that make many of these parts. The 30,000 or so parts use different raw materials and different manufacturing processes. Making good parts requires a lot of research and development. Having the parts made by companies that have expertise in their own fields allows us to obtain high-quality parts. Toyota's suppliers make seats, wheels, steering wheels, windshields, headlights, and meters, for example.

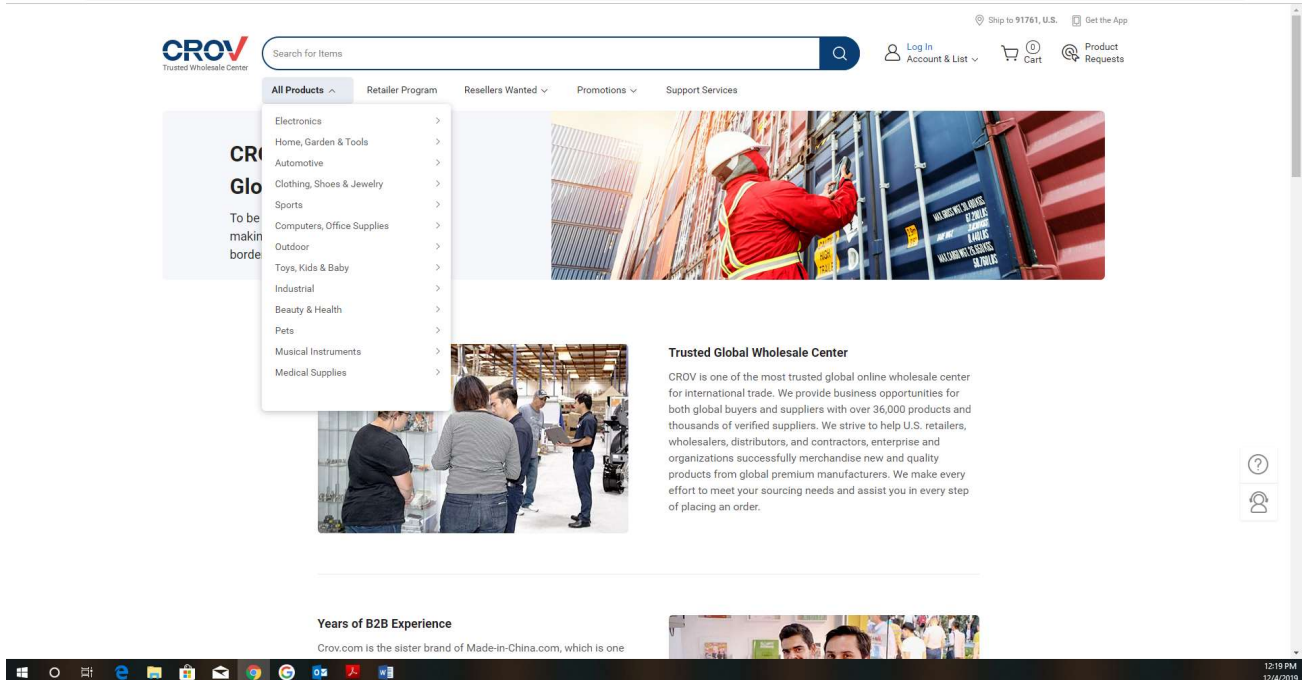
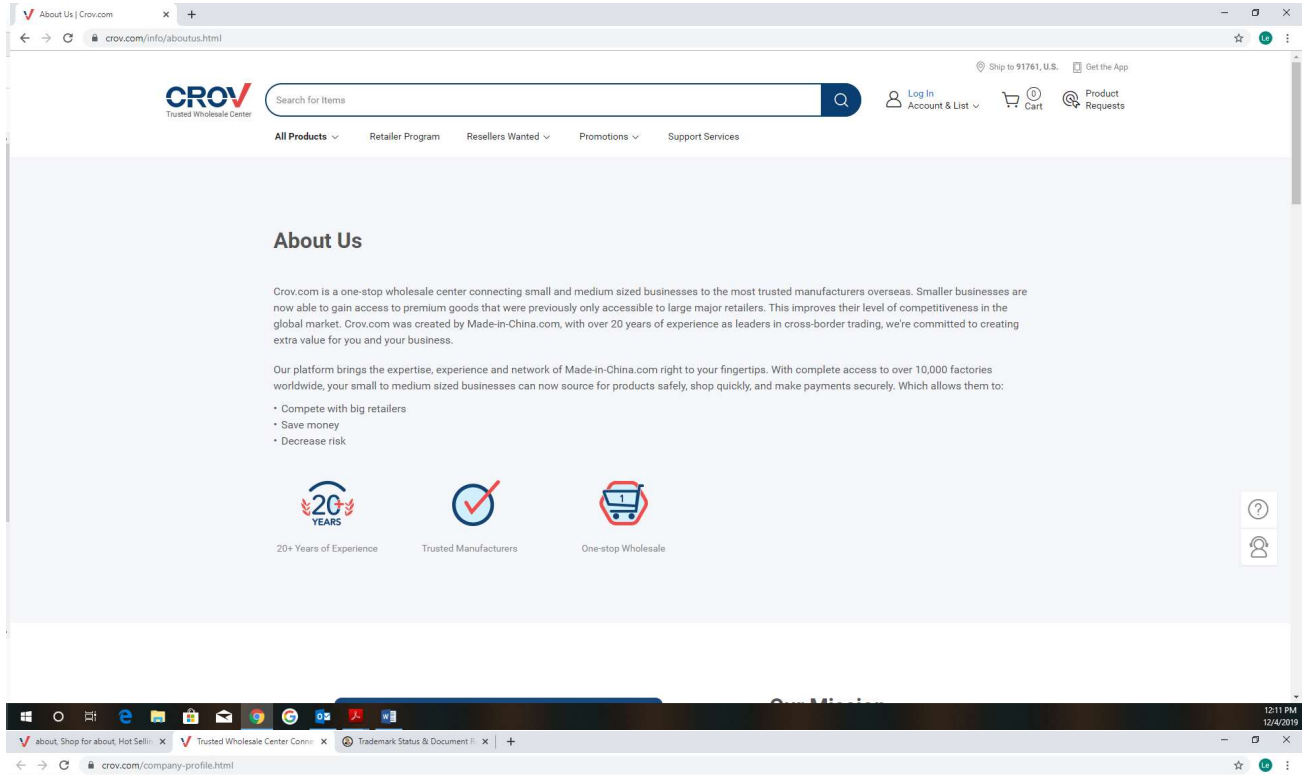
Toyota uses a system in which the necessary parts are made in the needed amounts at the right times. A card called a "kanban" is attached to each parts box and describes the types and quantity of parts needed. This card also prevents the parts factories from making too many parts and the assembly process from having to allocate space to store parts that are not immediately needed.

As just mentioned, about 30,000 parts are needed to make a car. Since Toyota makes cars exactly the way customers order them, each car is unique. That means that different parts have to be fitted in different cars. Using different parts results in different prices for the individual cars.

Return to the Children's Questions Room Top

CORPORATION SITE TOP Privacy Notice Cookies Policy © 1995 - 2019 TOYOTA MOTOR CORPORATION. All Rights Reserved.

Appendix D



← → | crov.com

Ship to 91761, U.S. | Get the App

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- ✓ Custom products

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Tell us what you want

What are you looking for

Select a Category

Your detailed requirements

[Send Your Product Request](#)

6:02 PM 12/4/2019

United States of America

United States Patent and Trademark Office

Trustmade

Reg. No. 5,863,976

Registered Sep. 17, 2019

Int. Cl.: 11, 20

Trademark

Principal Register

CROV INC. (DELAWARE CORPORATION)
1150 S. Milliken Ave.
Ontario, CALIFORNIA 91761

CLASS 11: Bath screens; Bath tub jets; Bath tubs; Baths, bathtubs, whirlpool baths and bath installations; Decorative ceramic cover for electric candle warmers; Decorative grills made of non-metal non-combustible materials for use in decorating evacuation ducts, air inlets, and hot air outlets of fireplaces; Decorative water fountains; Electric air dryers; Electric air sanitizing unit; Electric bath-water purifying apparatus for household purposes; Electric beverage heaters; Electric blankets not for medical purposes; Electric boilers; Electric bread cookers; Electric bulbs; Electric candle warmers; Electric candles; Electric casseroles; Electric clothes rack for drying clothing; Electric coffee brewers; Electric coffee makers; Electric coffee pots; Electric coffee urns; Electric cooking ovens; Electric cooking pots; Electric cooktops; Electric cookware, namely, roasters; Electric coolers; Electric cupcake makers; Electric dehydrators; Electric dish dryers; Electric dispensers for air fresheners and deodorizers to be plugged into wall outlets; Electric doughnut makers; Electric egg cookers; Electric fans; Electric fireplaces; Electric flashlights; Electric food steamers; Electric food warmers; Electric freezers; Electric fryers; Electric frying pans; Electric furnaces; Electric grills; Electric hair dryers; Electric heating fans; Electric holiday lights; Electric hot air hand dryers; Electric hot plates; Electric hot-water bottles; Electric ice cream makers; Electric kettles; Electric lanterns; Electric lighting fixtures; Electric lights for Christmas trees; Electric luminaires; Electric night lights; Electric popcorn poppers; Electric pressure cookers; Electric radiators; Electric ranges; Electric rice cooker; Electric roasters; Electric rotisseries; Electric sandwich makers; Electric saucepans; Electric skillets; Electric slow cookers; Electric soymilk makers; Electric space cooling apparatus; Electric space heaters; Electric stoves; Electric tea kettles; Electric tea pots; Electric toaster ovens; Electric toasters; Electric tortilla makers; Electric towel warmers; Electric waffle maker; Electric window fans; Electric yogurt makers; Electrically heated clothing; Electrically heated towel racks; Electrically-heated carpets; Electrically-heated garden hoses; Electronic facial steamers; Electronic fireplace dampers; Electronic generator for use in controlling the amount of humidity in the air by creating, removing or circulating small water particles or water vapor in the air; Faucet aerators; Faucet handles; Faucet sprayers; Faucets; Grill accessories, namely, warming trays; Lamp bases; Lamp bulbs; Lamp casings; Lamp chimneys; Lamp finials; Lamp glasses; Lamp globes; Lamp mantles; Lamp reflectors; Lamp shades; Lamps; LED and HID light fixtures; LED candles; LED flashlights; LED flood lights and LED work lights for construction settings; LED landscape lights; LED light assemblies for street lights, signs, commercial lighting, automobiles, buildings, and other architectural uses; LED light bulbs; LED light engines; LED light strips for decorative purposes; LED lighting assemblies for illuminated signs; LED lights for strings, flowers, branches and other ornamental decorations; LED luminaires; LED underwater lights; Plumbing fitting, namely, vacuum release safety valve for flow shutoff in pools and spas; Plumbing fittings, namely, baffles; Plumbing fittings, namely, bibbs; Plumbing fittings, namely, cocks; Plumbing fittings, namely, couplers; Plumbing fittings, namely, drains; Plumbing fittings, namely, fresh water fills for recreational vehicles;



Andrew L. ...
Director of the United States
Patent and Trademark Office

Plumbing fittings, namely, spouts; Plumbing fittings, namely, traps; Plumbing fittings, namely, valves; Plumbing fixtures, namely, shower mixers; Plumbing fixtures, namely, shower sprayers; Saunas; Showerheads and components thereof; Sink drainer system comprised of a drain tray, sink mount, kick stand and rod; Sink pedestals; Sinks; Toilet accessories, namely, handles that are affixed to toilet seats; Toilet bowls; Toilet cisterns; Toilet conversion kits for converting a single-flush toilet into a dual-flush toilet; Toilet seat adaptors for children in the nature of a plastic device that is specially adapted to rest on a toilet seat; Toilet seats; Toilet stool units with a washing water squirter; Toilet tank balls; Toilet tanks; Toilets; Tub parts, namely, tub overflows; Tub parts, namely, tub wastes; Tub spouts; Arm rests for use with toilet seats; Automatic flush valves for toilets; Barbecues and grills; Bathtub enclosures; Battery operated electric candles; Clothes drying machines; Coffee filters not of paper being part of electric coffee makers; Coffee roasters; Commercial and industrial cookware, namely, gas and electric boilers, gas and electric broilers, gas and electric roasters, gas and electric braising pans; Disinfectant dispensers for toilets; Electric lamps; Electrolytic water generators for electrically decomposing tap water to generate electrolytic water and for removing chlorine odor from tap water; Fabric steamers; Fairy lights for festive decoration; Filters, heaters and pumps sold in combination for use in hot tubs; Fitted liners for baths and showers; Flexible pipes being parts of bath plumbing installations; Flexible pipes being parts of sink plumbing installations; Flexible pipes being parts of basin plumbing installations; Flexible pipes being parts of shower plumbing installations; Fluorescent lamp tubes; Flush handles for toilets; Flushometer valves; Food steamers, electric; Footmuffs, electrically heated; Garment steamers; Gas grills; Gas-powered griddles; Grill accessories, namely, charcoal grill conversion units for converting charcoal grills to electric smokers; Heaters for warming up portable toilets in cold weather; Heating pads, electric, not for medical purposes; Hot tubs; Hydromassage bath apparatus; Incandescent lamps and their fittings; Industrial apparatus using air for drying and cleaning components in the electronics, semiconductor, circuit board, pharmaceutical, medical, and food and beverage industries; Infrared lamp fixtures; Lighted party-themed decorations, electric light decorative strings; Multi-purpose, electric countertop food preparation apparatus for cooking, baking, broiling, roasting, toasting, searing, browning, barbecuing and grilling food; Non-electric pocket warmers, namely, chemically-activated heating packets for warming hands; Plumbing fittings, namely, faucet filters; Plumbing fittings, namely, sink strainers; Plumbing fixtures, namely, sink sprayers; Plumbing fixtures, namely, sink traps; Plumbing supplies, namely, sink strainers; Portable electric heaters; Portable electric household appliance used to kill bacteria and viruses on food; Portable foot baths; Powered coffee, seed and cocoa bean roasters; Programmable electronic devices for setting temperatures and cook times which also feature recipes, sold as a component of gas cooking ovens, electric cooking ovens and electric deep fryers; Regulating accessories for water supply, namely, metered valves; Sauna bath installations; Sauna heater rocks; Shower faucet extensions; Shower tubs; Shower and bath cubicles; Shower enclosures; Side-entry baths; Single lever fixtures for lavatories and sinks; Socks, electrically heated; Solar powered lamps; Spouts for affixing on walls for baths, basins, bidets; Stainless steel bottom grids specially adapted and shaped for use in sinks; Stands for electric lighting fixtures; Steam valves; Strainers for plumbing drains; String lights for festive decoration; Suspension pendulums for suspension lamps; Taps being faucets; Thermostatic valves; Utility lighters for lighting grills, fireplaces and candles; Valves as part of radiators; Valves being parts of lawn sprinkler systems; Valves for air conditioners; Vanity top sinks; Washers for water faucets; Water faucet spout; Water control valves for faucets

FIRST USE 4-5-2019; IN COMMERCE 4-5-2019

CLASS 20: Flower-pot pedestals; Furniture chests; Furniture drawer slides sold as integral parts of drawers; Furniture fittings, not of metal; Furniture for displaying goods; Furniture frames; Furniture moldings; Furniture partitions; Furniture parts; Furniture shelves; Furniture, mirrors, picture frames; Hangers in the nature of non-metal hooks used to hang a purse or bag from a table; Plant racks; Sofas; Stools; Baker's racks; Book holders; Bottle racks; Brackets, not of metal, for furniture; Bumper guards for furniture; Ceramic pulls for cabinets, drawers and furniture; Clothes hangers; Cushions; Decorative polymer spheres for use in flower arrangements; Display racks; Doors for furniture; Drawers as furniture parts; Felt pads for furniture legs; Fireplace screens; Fitted furniture covers not of fabric; Fitted fabric furniture covers; Fitted fabric slipcovers for furniture; Flower-stands; Free-standing panel units for

exhibitions, displays and partitioning; Free-standing tool racks; Futons; Head-rests; Hose hangers not of metal; Indoor window blinds being shades; Legs for furniture; Non-metal furniture casters; Non-metal furniture sliders; Non-metal hangers for electrical cords; Non-metal plant markers; Non-metal picture hangers; Non-metal plant hangers; Nonmetal mirror hangers; Office furniture; Outdoor furniture; Pet furniture; Piano benches; Plant stands; Plate racks; Portable bath seat; Pot racks; Residential and commercial furniture; Screens; Shoe racks; Shoe valets; Stakes, not of metal, for plants or trees; Stone pulls for cabinets, drawers and furniture; Storage racks; Tool boxes not of metal ; Towel racks; Towel stands; Toy boxes; Valet stands; Vinyl hanger used by the real estate industry to hang promotional material on doors; Wall-mounted panel units for exhibitions, displays and partitioning; Wall-mounted tool racks; Washstands; Wine racks

FIRST USE 7-1-2019; IN COMMERCE 7-1-2019

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-981,527, FILED 01-05-2018

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, July 10, 2018 00:16 AM
To: crystal.yuan@inqbrands.com
Subject: Official USPTO Notice of Allowance: U.S. Trademark SN 87745614: TRUSTMADE

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Jul 10, 2018

U.S. Serial Number: 87745614
Mark: TRUSTMADE
Docket/Reference Number:

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

SIX (6)-MONTH DEADLINE: Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING: An SOU may not be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.**

How to file SOU and/or Extension Request:

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <https://www.uspto.gov/trademarks-application-process/filing-online> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see <https://www.uspto.gov/trademarks-getting-started/process-overview/additional-information-post-notice-allowance-process>.

FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.

REVIEW APPLICATION INFORMATION FOR ACCURACY

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-APPROVAL/PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) AMENDMENT FORMS" category, available at <https://www.uspto.gov/trademarks-application-process/filing-online/post-approvalpublicationpost-notice-allowance-noa>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

Serial Number: 87745614
Mark: TRUSTMADE
Docket/Reference Number:
Owner: CROV INC.
1150 S. Milliken Ave.
Ontario, CALIFORNIA 91761
Correspondence Address: CROV INC.
CROV INC.
1150 S. MILLIKEN AVE.
ONTARIO, CA 91761

This application has the following bases, but not necessarily for all listed goods/services:
Section 1(a): NO Section 1(b): YES Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

011 - Bath screens; Bath tub jets; Bath tubs; Baths, bathtubs, whirlpool baths and bath installations; Decorative ceramic cover for electric candle warmers; Decorative grills made of non-metal non-combustible materials for use in decorating evacuation ducts, air inlets, and hot air outlets of fireplaces; Decorative water fountains; Electric air dryers; Electric air sanitizing unit; Electric bath-water purifying apparatus for household purposes; Electric beverage heaters; Electric

GOODS/SERVICES BY INTERNATIONAL CLASS

011 - Bath screens; Bath tub jets; Bath tubs; Baths, bathtubs, whirlpool baths and bath installations; Decorative ceramic cover for electric candle warmers; Decorative grills made of non-metal non-combustible materials for use in decorating evacuation ducts, air inlets, and hot air outlets of fireplaces; Decorative water fountains; Electric air dryers; Electric air sanitizing unit; Electric bath-water purifying apparatus for household purposes; Electric beverage heaters; Electric blankets not for medical purposes; Electric boilers; Electric bread cookers; Electric bulbs; Electric candle warmers; Electric casseroles; Electric clothes rack for drying clothing; Electric coffee brewers; Electric coffee makers; Electric coffee pots; Electric coffee urns; Electric cooking ovens; Electric cooking pots; Electric cooktops; Electric cookware, namely, roasters; Electric coolers; Electric cupcake makers; Electric dehydrators; Electric dish dryers; Electric dispensers for air fresheners and deodorizers to be plugged into wall outlets; Electric doughnut makers; Electric egg cookers; Electric fans; Electric fireplaces; Electric flashlights; Electric food steamers; Electric food warmers; Electric freezers; Electric fryers; Electric frying pans; Electric furnaces; Electric grills; Electric hair dryers; Electric heating fans; Electric holiday lights; Electric hot air hand dryers; Electric hot plates; Electric hot-water bottles; Electric ice cream makers; Electric kettles; Electric lanterns; Electric lighting fixtures; Electric lights for Christmas trees; Electric luminaires; Electric night lights; Electric popcorn poppers; Electric pressure cookers; Electric radiators; Electric ranges; Electric rice cooker; Electric roasters; Electric rotisseries; Electric sandwich makers; Electric saucepans; Electric skillets; Electric slow cookers; Electric soymilk makers; Electric space cooling apparatus; Electric space heaters; Electric stoves; Electric tea kettles; Electric tea pots; Electric toaster ovens; Electric toasters; Electric tortilla makers; Electric towel warmers; Electric waffle maker; Electric window fans; Electric yogurt makers; Electrically heated clothing; Electrically heated towel racks; Electrically-heated carpets; Electrically-heated garden hoses; Electronic facial steamers; Electronic fireplace dampers; Electronic generator for use in controlling the amount of humidity in the air by creating, removing or circulating

small water particles or water vapor in the air; Faucet aerators; Faucet handles; Faucet sprayers; Faucets; Grill accessories, namely, warming trays; Lamp bases; Lamp bulbs; Lamp casings; Lamp chimneys; Lamp finials; Lamp glasses; Lamp globes; Lamp mantles; Lamp reflectors; Lamp shades; Lamps; LED and HID light fixtures; LED candles; LED flashlights; LED flood lights and LED work lights for construction settings; LED landscape lights; LED light assemblies for street lights, signs, commercial lighting, automobiles, buildings, and other architectural uses; LED light bulbs; LED light engines; LED light strips for decorative purposes; LED lighting assemblies for illuminated signs; LED lights for strings, flowers, branches and other ornamental decorations; LED luminaires; LED underwater lights; Plumbing fitting, namely, vacuum release safety valve for flow shutoff in pools and spas; Plumbing fittings, namely, baffles; Plumbing fittings, namely, bibbs; Plumbing fittings, namely, cocks; Plumbing fittings, namely, couplers; Plumbing fittings, namely, drains; Plumbing fittings, namely, fresh water fills for recreational vehicles; Plumbing fittings, namely, spouts; Plumbing fittings, namely, traps; Plumbing fittings, namely, valves; Plumbing fixtures, namely, shower mixers; Plumbing fixtures, namely, shower sprayers; Saunas; Showerheads and components thereof; Sink drainer system comprised of a drain tray, sink mount, kick stand and rod; Sink pedestals; Sinks; Toilet accessories, namely, handles that are affixed to toilet seats; Toilet bowls; Toilet cisterns; Toilet conversion kits for converting a single-flush toilet into a dual-flush toilet; Toilet seat adaptors for children in the nature of a plastic device that is specially adapted to rest on a toilet seat; Toilet seats; Toilet stool units with a washing water squirter; Toilet tank balls; Toilet tanks; Toilets; Tub parts, namely, tub overflows; Tub parts, namely, tub wastes; Tub spouts; Arm rests for use with toilet seats; Automatic flush valves for toilets; Barbecues and grills; Bathtub enclosures; Battery operated electric candles; Clothes drying machines; Coffee filters not of paper being part of electric coffee makers; Coffee roasters; Commercial and industrial cookware, namely, gas and electric boilers, gas and electric broilers, gas and electric roasters, gas and electric braising pans; Disinfectant dispensers for toilets; Electric lamps; Electrolytic water generators for electrically decomposing tap water to generate electrolytic water and for removing chlorine odor from tap water; Fabric steamers; Fairy lights for festive decoration; Filters, heaters and pumps sold in combination for use in hot tubs; Fitted liners for baths and showers; Flexible pipes being parts of bath plumbing installations; Flexible pipes being parts of sink plumbing installations; Flexible pipes being parts of basin plumbing installations; Flexible pipes being parts of shower plumbing installations; Fluorescent lamp tubes; Flush handles for toilets; Flushometer valves; Food steamers, electric; Footmuffs, electrically heated; Garment steamers; Gas grills; Gas-powered griddles; Grill accessories, namely, charcoal grill conversion units for converting charcoal grills to electric smokers; Heaters for warming up portable toilets in cold weather; Heating pads, electric, not for medical purposes; Hot tubs; Hydromassage bath apparatus; Incandescent lamps and their fittings; Industrial apparatus using air for drying and cleaning components in the electronics, semiconductor, circuit board, pharmaceutical, medical, and food and beverage industries; Infrared lamp fixtures; Lighted party-themed decorations, electric light decorative strings; Multi-purpose, electric countertop food preparation apparatus for cooking, baking, broiling, roasting, toasting, searing, browning, barbecuing and grilling food; Non-electric pocket warmers, namely, chemically-activated heating packets for warming hands; Plumbing fittings, namely, faucet filters; Plumbing fittings, namely, sink strainers; Plumbing fixtures, namely, sink sprayers; Plumbing fixtures, namely, sink traps; Plumbing supplies, namely, sink strainers; Portable electric heaters; Portable electric household appliance used to kill bacteria and viruses on food; Portable foot baths; Powered coffee, seed and cocoa bean roasters; Programmable electronic devices for setting temperatures and cook times which also feature recipes, sold as a component of gas cooking ovens, electric cooking ovens and electric deep fryers; Regulating accessories for water supply, namely, metered valves; Sauna bath installations; Sauna heater rocks; Shower faucet extensions; Shower tubs; Shower and bath cubicles; Shower enclosures; Side-entry baths; Single lever fixtures for lavatories and sinks; Socks, electrically heated; Solar powered lamps; Spouts for affixing on walls for baths, basins, bidets; Stainless steel bottom grids specially adapted and shaped for use in sinks; Stands for electric lighting fixtures; Steam valves; Strainers for plumbing drains; String lights for festive decoration; Suspension pendulums for suspension lamps; Taps being faucets; Thermostatic valves; Utility lighters for lighting grills, fireplaces and candles; Valves as part of radiators; Valves being parts of lawn sprinkler systems; Valves for air conditioners; Vanity top sinks; Washers for water faucets; Water faucet spout; Water control valves for faucets -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

020 - Flower-pot pedestals; Furniture chests; Furniture drawer slides sold as integral parts of drawers; Furniture fittings, not of metal; Furniture for displaying goods; Furniture frames; Furniture moldings; Furniture partitions; Furniture parts; Furniture shelves; Furniture, mirrors, picture frames; Hangers in the nature of non-metal hooks used to hang a purse or bag from a table; Plant racks; Sofas; Stools; Baker's racks; Book holders; Bottle racks; Brackets, not of metal, for furniture; Bumper guards for furniture; Ceramic pulls for cabinets, drawers and furniture; Clothes hangers; Cushions; Decorative polymer spheres for use in flower arrangements; Display racks; Doors for furniture; Drawers as furniture parts; Felt pads for furniture legs; Fireplace screens; Fitted furniture covers not of fabric; Fitted fabric furniture covers; Fitted fabric slipcovers for furniture; Flower-stands; Free-standing panel units for exhibitions, displays and partitioning; Free-standing tool racks; Futons; Head-rests; Hose hangers not of metal; Indoor window blinds being shades; Legs for furniture; Non-metal furniture casters; Non-metal furniture sliders; Non-metal hangers for electrical cords; Non-metal plant markers; Non-metal picture hangers; Non-metal plant hangers; Nonmetal mirror hangers; Office furniture; Outdoor furniture; Pet furniture; Piano benches; Plant stands; Plate racks; Portable bath seat; Pot racks; Residential and commercial furniture; Screens; Shoe racks; Shoe valets; Stakes, not of metal, for plants or trees; Stone pulls for cabinets, drawers and furniture; Storage racks; Tool boxes not of metal; Towel racks; Towel stands; Toy boxes; Valet stands; Vinyl hanger used by the real estate industry to hang promotional material on doors; Wall-mounted panel units for exhibitions, displays and partitioning; Wall-mounted tool racks; Washstands; Wine racks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

COMMERCE DATE: NONE

021 -

Baked good tins sold empty for domestic use; Baking dishes; Baking mats; Bowls; Broom handles; Brooms; Butter coolers; Butter crocks; Butter dishes; Butter pans; Butter-dish and cheese-dish covers; Cleaning and polishing cloths; Cleaning brushes for sports equipment; Cleaning combs; Cleaning pads; Cleaning rags; Cleaning sponges; Cleaning, dusting and polishing cloths; Cocktail glasses; Cocktail picks; Cocktail shakers; Cocktail stirrers; Cooking pots; Cups; Dinnerware; Dish drying racks; Dish drainers; Glove stretchers; Grill presses; Grill scrapers; Heat-insulated containers for household use; Household scouring pads; Household utensils, namely, kitchen tongs; Household utensils, namely, skimmers; Household utensils, namely, spatulas; Household utensils, namely, strainers; Household utensils, namely, turners; Lunch boxes; Lunch pails; Mop buckets; Mop heads; Mop wringers; Mops; Nozzles for watering cans; Saucers; Atomizers for household use; Automobile wheel cleaning brushes; Baskets for household purposes; Bathroom fittings, namely, dispensing units for household purposes for dispensing wrapping materials for sanitary waste such as diapers, nappies, feminine hygiene products and incontinence products; Bottle openers; Boxes for dispensing paper towels for household use; Brushes used for cleaning medical instruments; Caddies for holding hair accessories for household and domestic use; Caddy bags, namely, organizers specially adapted to be wrapped around trash receptacles for holding cleaning supplies; Cages for household pets; Cake molds; Candy boxes; Carpet rakes; Ceramic sculptures, vases, vessels, bowls, plates and pots; Chocolate molds; Chopping boards for kitchen use; Cleaning brushes for household use; Cleaning pans for grill cooking grids and cooking grates, namely, grill soakers; Coal buckets for household use; Coffee scoops; Coffee services in the nature of tableware; Compostable and biodegradable plates, bowls, cups and trays; Containers for household or kitchen use; Cookie molds; Cookie cutters; Cooking utensils, namely, grill covers; Cooking utensils, namely, grills; Crockery, namely, pots, dishes, drinking cups and saucers, bowls, serving bowls and trays; Dishes; Dispensers for cleaning and disinfecting solutions; Dispensers for liquid soap; Disposable serving spoons; Drinking straws; Dryer balls that are placed in the clothes drying machine with the clothing to assist in the drying process; Drying racks for washing; Duster sleeves for cleaning; Egg separators, non electric, for household purposes; Electrically-heated hair brushes; Fabric clean room wipes; Floor polish applicators mountable on a mop handle; Flower vases and bowls; Fruit presses, non-electric, for household purposes; Funnels for kitchen use; Garden hose sprayers; General purpose storage bins for household use; Gloves for household purposes; Graters for household purposes; Hand-operated vaporizers for household purposes; Holders for household irons; Hose nozzles; Ice cream scoops; Ice cube moulds; Ice tongs; Interdental brushes for cleaning the teeth; Jar openers; Laundry bins for household purposes; Laundry hampers for domestic or household use; Laundry sorters for household use; Light duty utility gloves; Metal wool for cleaning; Mitts of fabric for cleaning; Napkin dispensers for household use; Non-electric egg crackers for household use; Non-electric food blenders; Non-electric food mixers; Non-electric warmers for use with tea candles to melt scented wax tarts; Non-metal recycling bins for household use; Non-stick barbecue grill cooking mats for use on grills; Non-woven fabric cosmetic wipes; Non-woven textile wipes for cleaning baby bottles and baby feeding equipment; Nozzles for sprinkler hose; Optical fiber connector cleaning cloths; Pancake molds; Paper baking cups; Paper cupcake baking liners; Paper muffin baking liners; Paper towel dispensers for household use; Pastry molds; Pepper pots, sugar bowls and salt shakers; Piggy banks; Plastic molds for household use in making soap; Plastic spray nozzles; Polishing gloves; Pouring spouts for household use; Pudding molds; Reusable self-sealing lids for household use for bowls, cups, containers and the storage of food; Roses for watering cans; Sandwich cutters; Scoops for household purposes; Scrapers for household purposes; Shut-off valves for water sprinkler nozzles; Silicone baking cups; Silicone cupcake baking liners; Silicone muffin baking liners; Sponges for household purposes; Sprayer nozzles for garden hoses; Sprayer wands for garden hoses; Squeegees; Stream deflector nozzles for garden hoses; Tea services in the nature of tableware; Trash containers for household use; Trays for household purposes; Waste bins for household use; Water apparatus for cleaning teeth and gums for home use; Whisks, non-electric, for household purposes; Wine openers; Wood cooking planks for use in grilling; Work gloves -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE