

# United States of America

United States Patent and Trademark Office

**Hyperion**  
Advanced Mist Concentrate

**Reg. No. 4,441,438**

MCLAUGHLIN GORMLEY KING COMPANY (MINNESOTA CORPORATION)  
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MINNEAPOLIS, MN 554274372

**Registered Nov. 26, 2013**

**Int. Cl.: 5**

FOR: PESTICIDES AND INSECTICIDES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

**TRADEMARK**

FIRST USE 5-17-2013; IN COMMERCE 5-17-2013.

**PRINCIPAL REGISTER**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ADVANCED MIST CONCENTRATE", APART FROM THE MARK AS SHOWN.

THE COLOR(S) DARK TEAL BLUE, TEAL BLUE, LIGHT TEAL BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A STYLIZED VERSION OF THE "HYPERION" MARK WHEREIN THE COLOR WHITE APPEARS IN TWO ANGULAR BANDS; THE FIRST WHITE ANGULAR BAND EXTENDS FROM THE UPPER RIGHT OF THE LETTER "Y" TO THE LOWER RIGHT OF THE LETTER "P" AND SEPARATES THE LETTER "P" INTO FIRST AND SECOND PORTIONS, THE SECOND WHITE ANGULAR BAND EXTENDS FROM THE UPPER RIGHT OF THE LETTER "E" TO THE LOWER LEFT OF THE LETTER "O" AND SEPARATES EACH OF THE LETTERS "R" AND "I" INTO FIRST AND SECOND PORTIONS; THE COLOR DARK TEAL BLUE APPEARS IN THE ENTIRETY OF THE LETTER "H", THE ENTIRETY OF THE LETTER "Y" AND THE FIRST PORTION OF THE LETTER "P"; THE COLOR TEAL BLUE APPEARS IN THE SECOND PORTION OF THE LETTER "P", THE ENTIRETY OF THE LETTER "E", THE FIRST PORTION OF THE LETTER "R" AND THE FIRST PORTION OF THE LETTER "I"; THE COLOR LIGHT TEAL BLUE APPEARS IN THE SECOND PORTION OF THE LETTER "R", THE SECOND PORTION OF THE LETTER "I", THE ENTIRETY OF THE LETTER "O" AND THE ENTIRETY OF THE LETTER "N"; THE DOT OF THE LETTER "I" IN THE FORM OF A DROPLET, THE DOT APPEARING IN THE COLOR LIGHT TEAL BLUE; THE STYLIZED "ADVANCED MIST CONCENTRATE" IN THE COLOR TEAL APPEARING BELOW THE STYLIZED "HYPERION".



*Deborah S. Cohn*

Commissioner for Trademarks of the  
United States Patent and Trademark Office

SN 85-819,313, FILED 1-9-2013.

LESLEY LAMOTHE, EXAMINING ATTORNEY

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**