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TSDR

ASSIGN Status

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VEDIC BOTANICALS

Word Mark VEDIC BOTANICALS

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Non-medicated skin creams; essential oils; cosmetic and hair oils; scented room sprays. FIRST USE: 20170600. FIRST USE IN COMMERCE: 20170600

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87616484

Filing Date September 20, 2017

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register July 31, 2018

Registration Number 5572351

Registration Date September 25, 2018

Owner (REGISTRANT) Little Bit Enterprises, LLC DBA Vedic Botanicals LIMITED LIABILITY COMPANY MASSACHUSETTS 18 Warwick St. Quincy MASSACHUSETTS 02170

Attorney of Record Daniel E. Kattman

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BOTANICALS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register SUPPLEMENTAL

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OXYGEN BOTANICALS

Word Mark OXYGEN BOTANICALS

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Skin and body topical lotions, creams and oils for cosmetic use containing plant botanical extracts which are infused with oxygen; skin cleansers and skin conditioners for cosmetic use containing plant botanical extracts which are infused with oxygen; and skin moisturizers, skin soaps and skin toners containing plant botanical extracts which are infused with oxygen. FIRST USE: 20111031. FIRST USE IN COMMERCE: 20111201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86219290

Filing Date March 12, 2014

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register November 19, 2015

Registration Number 5019395

Registration Date August 9, 2016

Owner (REGISTRANT) Visibelle Derma Institute, Inc. DBA Sybaritic, Inc. CORPORATION MINNESOTA 9220 James Avenue South Bloomington MINNESOTA 55431

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BOTANICALS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

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Start List At: OR Jump to record: **Record 10 out of 11**

[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)*(Use the "Back" button of the Internet Browser to return to TESS)***RAINFOREST BOTANICALS**

Word Mark RAINFOREST BOTANICALS
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Essential oil blend for personal use, essential oils for use in the manufacture of scented products and cosmetics. FIRST USE: 20080729. FIRST USE IN COMMERCE: 20080729
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Trademark Search Facility SHAPES-MISC Miscellaneous shaped designs
Classification Code
Serial Number 77463315
Filing Date May 1, 2008
Current Basis 1A
Original Filing Basis 1B
Date Amended to Current Register March 4, 2009
Registration Number 3610597
Registration Date April 21, 2009
Owner (REGISTRANT) AromaLand, Inc. CORPORATION NEW MEXICO 1326 Rufina Circle Santa Fe NEW MEXICO 87507
Attorney of Record Justin R. Jackson
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "**BOTANICALS**" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register **SUPPLEMENTAL**
Affidavit Text SECT 8 (6-YR).
Live/Dead Indicator LIVE

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To: Harris Hawaii Property Management Inc. (chris@daylawfirm.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85723682 - HAWAIIAN BOTANICALS - N/A
Sent: 2/15/2013 9:56:37 AM
Sent As: ECOM106@USPTO.GOV
Attachments:

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

U.S. APPLICATION SERIAL NO. 85723682

MARK: HAWAIIAN BOTANICALS

85723682

CORRESPONDENT ADDRESS:

Christopher J. Day
Law Office of Christopher Day
9977 North 90th Street, Suite 155
Scottsdale AZ 85258

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Harris Hawaii Property Management Inc.

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

N/A

CORRESPONDENT E-MAIL ADDRESS:
chris@daylawfirm.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 2/15/2013

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE: Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. See 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

This Office action is in response to applicant's communication filed on January 23rd, 2013.

Applicant is advised that, as the application is amended to seek registration on the Supplemental Register, applicant must disclaim "botanicals" because such wording appears to be generic in the context of applicant's goods and/or services. See 15 U.S.C. §1056(a); *In re Wella Corp.*, 565 F.2d 143, 196 USPQ 7 (C.C.P.A. 1977); *In re Creative Goldsmiths of Wash., Inc.*, 229 USPQ 766 (TTAB 1986); TMEP §1213.03(b). Please see prior attached definition(s) of "botanicals."

The following is the standardized format for a disclaimer:

No claim is made to the exclusive right to use "botanicals" apart from the mark as shown.

TMEP §1213.08(a)(i).

Applicant is encouraged to telephone or e-mail the assigned trademark examining attorney to resolve the issues raised in this Office action by examiner's amendment. Although a formal response may never be submitted by e-mail, an applicant may communicate informally by phone or e-mail with the trademark examining attorney to agree to a proposed amendment to the application that will immediately place the application in condition for publication for opposition, issuance of a registration, or suspension. *See* TMEP §707.

/s/Dominick J. Salemi
Dominick J. Salemi
Trademark Examining Attorney
Law Office 106
571-272-9330
dominick.salemi@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

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

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: Harris Hawaii Property Management Inc. (chris@daylawfirm.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85723682 - HAWAIIAN BOTANICALS - N/A
Sent: 2/15/2013 9:56:38 AM
Sent As: ECOM106@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **2/15/2013** FOR U.S. APPLICATION SERIAL NO. 85723682

Please follow the instructions below:

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

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

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **2/15/2013** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

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

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

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

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