

## **Filing Receipt for Amendment to Allege Use Form and Next Steps in the Application Process**

**Application serial no.** 88455350.

**Mark.** NUUN(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88455350/large>).

Thank you for submitting your form to the U.S. Patent and Trademark Office (USPTO). Please read this filing receipt carefully and keep a copy for your records. If you find an error, the [After You File](#) page gives information about correcting errors.

### **Next steps**

- 1. If you also need to respond to an Office action,** use the [Response to Office Action](#) form and in the Miscellaneous Statement field state that you filed an Amendment to Allege Use form. Filing only an Amendment to Allege Use is not considered a response to the Office action.
- 2. If you changed the owner name in the form,** visit our page on [trademark assignments and ownership](#).
- 3. In four to five days, please confirm that we received the documents submitted with this form** by checking [Trademark Status and Document Retrieval](#) (TSDR). If your documents do not appear in TSDR after four to five days, please email [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov).
- 4. Within one to two months, we will review your submission.**

**If your submission is accepted,** we will send you a notice that the Amendment to Allege Use has been accepted.

**If your submission is not accepted,** you will receive an Office action explaining why it was not accepted and listing your options for responding.

- 5. Continue to check [TSDR](#) every three to four months for any updates to your application status until you receive your registration certificate.**
- 6. Keep your addresses, including email addresses, current in USPTO records using the [address forms](#) on our website.**
- 7. Questions?** Please visit [our website](#), [email us](#), or call us at 1-800-786-9199 and select option 1.

### **The information submitted in the form appears below:**

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

PTO Form 1553 (Rev 09/2005)

OMB No. 0651-0054 (Exp 12/31/2020)

## **Trademark/Service Mark Amendment to Allege Use (15 U.S.C. Section 1051(c))**

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**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	88455350
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 110
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="https://tmng-al.uspto.gov/resting2/api/img/88455350/large">https://tmng-al.uspto.gov/resting2/api/img/88455350/large</a>
<b>LITERAL ELEMENT</b>	NUUN
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	nuun & company, Inc.
<b>STREET</b>	800 Maynard Ave S, #102
<b>CITY</b>	Seattle
<b>STATE</b>	Washington
<b>ZIP/POSTAL CODE</b>	98134
<b>STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	nuun & company, Inc.
<b>STREET</b>	800 Maynard Ave S, #102
<b>CITY</b>	Seattle
<b>STATE</b>	Washington
<b>ZIP/POSTAL CODE</b>	98134
<b>STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>EMAIL</b>	uspto-notifications@perkinscoie.com

**CORRESPONDENCE INFORMATION (current)**

<b>NAME</b>	Grace Han Stanton
<b>PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE</b>	pctrademarks@perkinscoie.com
<b>SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)</b>	NOT PROVIDED
<b>DOCKET/REFERENCE NUMBER</b>	72613-4000

**CORRESPONDENCE INFORMATION (proposed)**

<b>NAME</b>	Grace Han Stanton
<b>PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE</b>	pctrademarks@perkinscoie.com
<b>SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)</b>	NOT PROVIDED
<b>DOCKET/REFERENCE NUMBER</b>	72613-4000

**GOODS AND/OR SERVICES SECTION**

<b>INTERNATIONAL CLASS</b>	005
<b>CURRENT IDENTIFICATION</b>	Dissolving or effervescent tablets used to make electrolyte replacement drinks; mineral supplements; powdered electrolyte replacement drink mix; vitamin supplements; probiotic supplements; vitamin supplement in tablet form for use in making effervescent and non-effervescent beverages when added to water; dissolving or effervescent tablets and powders for making beverages to support digestive health, cognitive functionality, joints and overall health and well being
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS OR PROCESS ACCORDING TO REQUEST TO DIVIDE
<b>INTERNATIONAL CLASS</b>	021
<b>CURRENT IDENTIFICATION</b>	Reusable plastic water bottles sold empty; glass jars; drinking glasses
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS OR PROCESS ACCORDING TO REQUEST TO DIVIDE
<b>INTERNATIONAL CLASS</b>	025

<b>CURRENT IDENTIFICATION</b>	Hats; caps being headwear; caps with visors; swim caps; socks; wristbands as clothing; neck gaiters
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	12/00/2015
<b>FIRST USE IN COMMERCE DATE</b>	12/00/2015
<b>SPECIMEN FILE NAME(S)</b>	SPN2-19822100222-20200520 134405037599_._nuun_Wrist band_1_.jpg
	SPN2-19822100222-20200520 134405037599_._nuun_Wrist band_2_.jpg
<b>SPECIMEN DESCRIPTION</b>	photographs of the mark used on some of the goods
<b>INTERNATIONAL CLASS</b>	032
<b>CURRENT IDENTIFICATION</b>	Dissolving or effervescent tablets used to make sports drinks; dissolving or effervescent tablets used to make energy drinks; dissolving or effervescent tablets used to make protein drinks; powdered mixes for making sports drinks; powdered mixes for making energy drinks; powdered mixes for making protein drinks
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS OR PROCESS ACCORDING TO REQUEST TO DIVIDE
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Online retail store services featuring: apparel, headgear, accessories, neck gaiters, swim and athletic gear, wristbands, towels, decals, stickers, temporary tattoos; glassware, drinkware, jars; dissolving or effervescent tablets and powders used to make electrolyte replacement, protein, sports, energy drinks; dissolving or effervescent tablets and powders used to make beverages to support digestive health, cognitive functionality, joints and overall health and well being; and vitamin, mineral and probiotic supplements
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS OR PROCESS ACCORDING

	TO REQUEST TO DIVIDE
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Providing a website featuring blogs and non-downloadable publications in the nature of articles and brochures in the field of health and wellness, outdoor recreation, environmentalism, and exercise, fitness, and diet
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS OR PROCESS ACCORDING TO REQUEST TO DIVIDE
<b>REQUEST TO DIVIDE</b>	YES
<b>GOOD(S)/SERVICE(S) IN USE</b>	Class 25
<b>GOOD(S)/SERVICES INTENT TO USE</b>	Class 5, Class 21, Class 32, Class 35, Class 41
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES IN USE</b>	1
<b>SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]</b>	100
<b>REQUEST TO DIVIDE FEE</b>	100
<b>TOTAL AMOUNT</b>	200
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Winfield B. Martin/
<b>SIGNATORY'S NAME</b>	Winfield B. Martin
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Member Washington State Bar
<b>DATE SIGNED</b>	05/20/2020
<b>SIGNATORY'S PHONE NUMBER</b>	(206) 359-8000
<b>SUBMISSION SIGNATURE</b>	/Winfield B. Martin/
<b>SIGNATORY'S NAME</b>	Winfield B. Martin
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Washington state Bar member
<b>DATE SIGNED</b>	05/20/2020
<b>SIGNATORY'S PHONE NUMBER</b>	

<b>SIGNATORY'S PHONE NUMBER</b>	2063598000
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed May 20 14:31:01 ET 2020
<b>TEAS STAMP</b>	USPTO/AAU-198.22.100.222- 20200520143101498730-8845 5350-710dd912cec2115b1d37 8f69d235fcb3d6442e0c9f3b7 d2b7bcde71dc735fa3f-CC-30 592705-202005201344050375 99

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PTO Form 1553 (Rev 09/2005)

OMB No. 0651-0054 (Exp 12/31/2020)

## **Trademark/Service Mark Amendment to Allege Use (15 U.S.C. Section 1051(c))**

To the Commissioner for Trademarks:

**MARK:** NUUN(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88455350/large>)

**SERIAL NUMBER:** 88455350

### **OWNER AND/OR ENTITY INFORMATION**

**The owner proposes to amend the following:**

**Current:** nuun & company, Inc., having an address of  
800 Maynard Ave S, #102  
Seattle, Washington 98134  
United States

**Proposed:** nuun & company, Inc., having an address of  
800 Maynard Ave S, #102  
Seattle, Washington 98134  
United States  
Phone:  
Email: [uspto-notifications@perkinscoie.com](mailto:uspto-notifications@perkinscoie.com)

The owner is submitting the following allegation of use information:

For International Class 005:

Current identification: Dissolving or effervescent tablets used to make electrolyte replacement drinks; mineral supplements; powdered electrolyte replacement drink mix; vitamin supplements; probiotic supplements; vitamin supplement in tablet form for use in making effervescent and non-effervescent beverages when added to water; dissolving or effervescent tablets and powders for making beverages to support digestive health, cognitive functionality, joints and overall health and well being

All ITU goods/services in this class are to be deleted or processed according to a request to divide.

For International Class 021:

Current identification: Reusable plastic water bottles sold empty; glass jars; drinking glasses

All ITU goods/services in this class are to be deleted or processed according to a request to divide.

For International Class 025:

Current identification: Hats; caps being headwear; caps with visors; swim caps; socks; wristbands as clothing; neck gaiters

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/00/2015, and first used in commerce at least as early as 12/00/2015, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) photographs of the mark used on some of the goods.

1 [SPN2-19822100222-20200520134405037599\_.\_nuun\_Wristband\_1\_.jpg ]

2 [SPN2-19822100222-20200520134405037599\_.\_nuun\_Wristband\_2\_.jpg ]

For International Class 032:

Current identification: Dissolving or effervescent tablets used to make sports drinks; dissolving or effervescent tablets used to make energy drinks; dissolving or effervescent tablets used to make protein drinks; powdered mixes for making sports drinks; powered mixes for making energy drinks; powdered mixes for making protein drinks

All ITU goods/services in this class are to be deleted or processed according to a request to divide.

For International Class 035:

Current identification: Online retail store services featuring: apparel, headgear, accessories, neck gaiters, swim and athletic gear, wristbands, towels, decals, stickers, temporary tattoos; glassware, drinkware, jars; dissolving or effervescent tablets and powders used to make electrolyte replacement, protein, sports, energy drinks; dissolving or effervescent tablets and powders used to make beverages to support digestive health, cognitive functionality, joints and overall health and well being; and vitamin, mineral and probiotic supplements

All ITU goods/services in this class are to be deleted or processed according to a request to divide.

For International Class 041:

Current identification: Providing a website featuring blogs and non-downloadable publications in the nature of articles and brochures in the field of health and wellness, outdoor recreation, environmentalism, and exercise, fitness, and diet

All ITU goods/services in this class are to be deleted or processed according to a request to divide.

## **REQUEST TO DIVIDE**

The applicant is requesting to divide the application and specifies the following:

The following good(s) or service(s) is/are now in use: Class 25

The following good(s) or service(s) remain(s) under the Section 1(b), intent to use basis: Class 5, Class 21, Class 32, Class 35, Class 41

## **Correspondence Information (current):**

Grace Han Stanton



PRIMARY EMAIL FOR CORRESPONDENCE: pctrademarks@perkinscoie.com  
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

The docket/reference number is 72613-4000.

**Correspondence Information (proposed):**

Grace Han Stanton

PRIMARY EMAIL FOR CORRESPONDENCE: pctrademarks@perkinscoie.com  
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

The docket/reference number is 72613-4000.

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

A fee payment in the amount of \$100 has been submitted with the form, representing payment for the allegation of use for 1 class.

A fee payment in the amount of \$100 has been submitted with the form, representing payment for the request to divide fee.

**Declaration**

- The signatory believes that the applicant is the owner of the mark sought to be registered.  
**For a trademark or service mark application**, the mark is in use in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified.  
**For a collective trademark, collective service mark, collective membership mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified.  
**For a certification mark application**, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.
- The specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above

have evidentiary support.

- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Winfield B. Martin/ Date: 05/20/2020

Signatory's Name: Winfield B. Martin

Signatory's Position: Attorney of Record, Member Washington State Bar

Signatory's Phone: (206) 359-8000

**Submission Signature**

Signature: /Winfield B. Martin/ Date Signed: 05/20/2020

Signatory's Name: Winfield B. Martin

Signatory's Position: Attorney of Record, Washington state Bar member

Signatory's Phone: 2063598000

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Thank you,

The TEAS support team

Wed May 20 14:31:01 ET 2020

STAMP: USPTO/AAU-198.22.100.222-20200520143101498730-88455350-710dd912cec2115b1d378f69d235fcb3d6442e0c9f3b7d2b7bcde71dc735fa3f-CC-30592705-20200520134405037599