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Word Mark CHOCOLATE CUPCAKE

Goods and Services IC 018. US 001 002 003 022 041. G & S: Schoolchildren's backpacks. FIRST USE: 20091215. FIRST USE IN COMMERCE: 20091215

IC 025. US 022 039. G & S: T-shirts. FIRST USE: 20091215. FIRST USE IN COMMERCE: 20091215

IC 041. US 100 101 107. G & S: Publication of books, of magazines, of journals, of newspapers, of periodicals, of catalogs, of brochures. FIRST USE: 20100407. FIRST USE IN COMMERCE: 20100407

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 05.09.08 - Cherries

Search 08.01.08 - Cakes (foodstuffs); Coffee cake; Muffins

Code 24.09.07 - Advertising, banners; Banners

25.03.05 - Backgrounds covered with dots; Dotted backgrounds

Serial Number 77930033

Filing Date February 8, 2010

Current Basis 1A

Original Filing Basis 1B

Published for June 22, 2010

Opposition

Registration Number 4077554

Registration Date December 27, 2011

Date

Owner (REGISTRANT) Chocolate Cupcake, LLC LIMITED LIABILITY COMPANY GEORGIA 4735 Brightwood Lane, SW Atlanta GEORGIA 30331

Description of Mark The color(s) Pink, Light Pink, Beige, Darker Beige, Medium Pink, Magenta, Orange, Brown, Black and Gray is/are claimed as a feature of the mark. The mark consists of "Cupcake" consisting of Beige cup with gray vertical lines, Pink cake with Brown topping and another orange topping, Pink ribbon that is outlined in black, with Brown, Pink, Medium Pink and Light Pink polka dots, "Chocolate Cupcake" text on ribbon in Brown, and Magenta, Beige and Magenta sprinkles on cupcake and Magenta cherry on top.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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