

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Wayfair LLC
Address	:	4 Copley Place, Floor 7 Boston, MA 02116
Serial No.	:	90/536,538
Date Filed	:	February 19, 2021
Mark	:	SAND & STABLE
Class Nos.	:	6, 11, 14, 16, 19, 20, 21, 24, 27, 35
Notice of Allowance Mailing Date	:	November 23, 2021

ALLEGATION OF USE UNDER 15 U.S.C. § 1051(d)

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended).

A Request to Divide under 37 CFR 2.87 is not being submitted with this statement.

The Applicant is now using the mark in commerce on or in connection with the following goods and services listed in the Notice of Allowance:

Class 6: Baskets of common metal

Class 11: Lamps; floor lamps; table lamps; lighting fixtures; bathroom lighting fixtures

Class 14: Clocks; wall clocks

Class 16: Art prints; framed art prints; wall stickers

Class 20: Furniture; furniture, namely, accent chests and accent cabinets, chairs, coffee tables, console tables, end tables, mirrors, sideboards and buffets, benches, bar stools, bed frames, bedroom sets comprising bedroom furniture, beds, bunk beds, daybeds, armoires, dressers and chests of drawers, bed headboards, and nightstands, dining sets comprising tables, chairs and benches, dining chairs, tables, entertainment centers, television stands, bookcases, office furniture, computer desks, desks, filing cabinets, storage cabinets, office chairs, chaise lounges, rocking chairs, loveseats, ottomans, recliners, sectional sofas, sleeper sofas, and sofas; kitchen furniture, namely, ready to assemble mobile kitchen carts and kitchen islands; accent pillows, nesting tables, side tables; picture frames; works of art of wood, wax, plaster or plastic; coat racks; shelving, bathroom furniture, namely, cabinets, shelving; outdoor furniture

Class 21: Baskets for domestic use, not of metal; bowls; works of art made of glass or porcelain; serving trays; candle holders; kitchenware, namely, dishes, plates, bowls, cups, jars and canisters, namely, glass storage jars and canister sets; laundry hampers for domestic or household use

Class 24: Bed sheets, pillow cases, pillow shams, comforters, bed blankets and blanket throws, bedspreads, duvets, crib sheets, baby blankets; draperies; curtains; shower curtains; bath linens; kitchen linens; table linens not of paper, fabric table runners

Class 27: Carpets, rugs, mats and matting for covering existing floors; wallpaper

Class 35: On-line retail store services in the field of home furnishings, home goods, home accessories and general consumer goods and general consumer merchandise

The Applicant is NOT using the mark in commerce on or in connection with the following goods listed in the Notice of Allowance, and requests that they be deleted from the application:

Class 6: Metal pulls for cabinets and drawers; doors of metal

Class 11: Faucets

Class 19: Non-metal tiles for walls and floors; wall panels not of metal; doors of wood; doors of vinyl; non-metal doors, namely, doors of glass; vinyl flooring; wood flooring; ceramic flooring; tile flooring, not of metal, namely, porcelain flooring

Class 20: Multimedia storage cabinets; wine racks; towel stands; knobs, not of metal, namely, cabinet knobs; knobs, not of metal, namely, drawer knobs

Class 21: Waste baskets; serving platters; napkin rings, napkin holders; toilet paper holders

Class 24: Bed skirts, table dinner napkins of textile, cocktail table napkins of textile, tablecloths not of paper

The date of first use of the mark both anywhere and in commerce on or in connection with the goods in use in Classes 6, 11, 14, and 24 is at least as early as February 1, 2021.

The date of first use of the mark both anywhere and in commerce on or in connection with the goods in use in Class 16 is at least as early as December 8, 2020.

The date of first use of the mark both anywhere and in commerce on or in connection with the goods in use in Class 20 is at least as early as December 7, 2020.

The date of first use of the mark both anywhere and in commerce on or in connection with the goods in use in Class 21 is at least as early as January 22, 2021.

The date of first use of the mark both anywhere and in commerce on or in connection with the goods in use in Class 27 is at least as early as January 27, 2021.

The date of first use of the mark both anywhere and in commerce in connection with the services in use in Class 35 is at least as early as September 18, 2020.

Applicant is the owner of the mark sought to be registered, and the applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with the goods and services listed in either the application or Notice of Allowance, or as subsequently modified, as evidenced by the attached specimens showing the mark as currently used in commerce.

The undersigned, being hereby 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 resulting registration, declares that the undersigned is properly authorized to execute this document on behalf of the Applicant; and all statements in this document made of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true.

Wayfair LLC

May 6, 2022
Date

By: /Amanda B. Slade/
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Title: Attorney for Applicant