

**Int. Cl.: 32**

**Prior U.S. Cls.: 45, 46 and 48**

**Reg. No. 3,282,520**

**United States Patent and Trademark Office**

**Registered Aug. 21, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

The logo consists of the word "FIJI" in a stylized, outlined font. The letters are tall and narrow, with a distinctive shape for the 'I' and 'J'.

PARAMOUNT INTERNATIONAL EXPORT, LTD.  
(CAYMAN ISLANDS COMPANY LIMITED BY  
SHARES)  
11444 W. OLYMPIC BLVD., 10TH FLOOR  
LOS ANGELES, CA 90064

OWNER OF U.S. REG. NOS. 2,703,620, 2,714,973  
AND OTHERS.

SEC. 2(F).

FOR: DRINKING WATER; NATURAL ARTE-  
SIAN WATER, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

SER. NO. 78-718,517, FILED 9-22-2005.

FIRST USE 5-17-1997; IN COMMERCE 5-17-1997.

ROSELLE HERRERA, EXAMINING ATTORNEY



UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

May 16, 2007

**NOTICE OF PUBLICATION UNDER 12(a)**

1. Serial No.:  
78/718,517
2. Mark:  
FIJI  
(Stylized)
3. International Class(es):  
32
4. Publication Date:  
Jun 5, 2007
5. Applicant:  
PARAMOUNT INTERNATIONAL EXPORT, LTD.

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

---

Correspondence Address:

Barbara Velasco, Esq./Christine Lofgren,  
PomWonderful LLC  
11444 W. Olympic Blvd., 10th Floor  
Los Angeles CA 90064

TMP&I

## Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

### OVERVIEW

SERIAL NUMBER	78718517	FILING DATE	09/22/2005
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WILLISTON, JENNIFER LY	L.O. ASSIGNED	102

### PUB INFORMATION

RUN DATE	04/03/2007		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	04/02/2007		
LITERAL MARK ELEMENT	FIJI		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	YES	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FIJI

MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	11-SUBSEQUENT OWNER AFTER REGISTRATION
NAME	PARAMOUNT INTERNATIONAL EXPORT, LTD.
ADDRESS	11444 W. OLYMPIC BLVD., 10TH FLOOR LOS ANGELES, CA 90064
ENTITY	99-COMPANY LIMITED BY SHARES
CITIZENSHIP	Cayman Islands

### GOODS AND SERVICES

INTERNATIONAL CLASS	032
DESCRIPTION TEXT	Drinking Water; Natural Artesian Water

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	032	FIRST USE DATE	05/17/1997	FIRST USE IN COMMERCE DATE	05/17/1997	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
OWNER OF US REG NOS	2703620 2703802 2714973

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/02/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
04/02/2007	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	015
03/30/2007	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	014
03/30/2007	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	013
03/30/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	012
03/30/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
03/30/2007	ALIE	A	ASSIGNED TO LIE	010
02/23/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/21/2007	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	008

02/21/2007	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	007
10/30/2006	RCSC	S	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	006
10/25/2006	ASGN	I	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	005
03/27/2006	CNSL	F	LETTER OF SUSPENSION MAILED	004
03/24/2006	CNSL	R	SUSPENSION LETTER WRITTEN	003
03/22/2006	DOCK	D	ASSIGNED TO EXAMINER	002
09/29/2005	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Barbara Velasco, Esq./Christine Lofgren, Esq.
CORRESPONDENCE ADDRESS	Barbara Velasco, Esq./Christine Lofgren, PomWonderful LLC 11444 W. Olympic Blvd., 10th Floor Los Angeles CA 90064
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Fiji Water Company LLC
ADDRESS	11444 W. Olympic Blvd., 10th Floor Los Angeles, CA 90064
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

FIJI

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	78718517	FILING DATE	09/22/2005
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WILLISTON, JENNIFER LY	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	04/03/2007		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	04/02/2007		
LITERAL MARK ELEMENT	FIJI		

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	YES	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	FIJI

MARK DRAWING CODE	5-AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	11-SUBSEQUENT OWNER AFTER REGISTRATION
NAME	PARAMOUNT INTERNATIONAL EXPORT, LTD.
ADDRESS	11444 W. OLYMPIC BLVD., 10TH FLOOR LOS ANGELES, CA 90064
ENTITY	99-COMPANY LIMITED BY SHARES
CITIZENSHIP	Cayman Islands

### GOODS AND SERVICES

INTERNATIONAL CLASS	032
DESCRIPTION TEXT	Drinking Water; Natural Artesian Water

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	032	FIRST USE DATE	05/17/1997	FIRST USE IN COMMERCE DATE	05/17/1997	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
OWNER OF US REG NOS	2703620 2703802 2714973

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/02/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
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03/30/2007	ALIE	A	ASSIGNED TO LIE	010
02/23/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/21/2007	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	008



02/21/2007	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	007
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10/25/2006	ASGN	I	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	005
03/27/2006	CNSL	F	LETTER OF SUSPENSION MAILED	004
03/24/2006	CNSL	R	SUSPENSION LETTER WRITTEN	003
03/22/2006	DOCK	D	ASSIGNED TO EXAMINER	002
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### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Barbara Velasco, Esq./Christine Lofgren, Esq.
CORRESPONDENCE ADDRESS	Barbara Velasco, Esq./Christine Lofgren, PomWonderful LLC 11444 W. Olympic Blvd., 10th Floor Los Angeles CA 90064
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Fiji Water Company LLC
ADDRESS	11444 W. Olympic Blvd., 10th Floor Los Angeles, CA 90064
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

FIJI

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	78718517	FILING DATE	09/22/2005
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	WILLISTON, JENNIFER LY	L.O. ASSIGNED	102

**PUB INFORMATION**

RUN DATE	03/31/2007		
PUB DATE	N/A		
STATUS	643-PREVIOUS ACTION/ALLOWANCE COUNT WITHDRAWN		
STATUS DATE	03/30/2007		
LITERAL MARK ELEMENT	FIJI		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	YES	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

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LITERAL MARK ELEMENT	FIJI

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DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/30/2007	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	014
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TM ATTORNEY	WILLISTON, JENNIFER LY	L.O. ASSIGNED	102

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SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

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1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
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LITERAL MARK ELEMENT	FIJI

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03/30/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	011
03/30/2007	ALIE	A	ASSIGNED TO LIE	010
02/23/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
02/21/2007	ARAA	I	ATTORNEY REVOKED AND/OR APPOINTED	008
02/21/2007	REAP	I	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	007
10/30/2006	RCSC	S	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	006



10/25/2006	ASGN	I	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	005
03/27/2006	CNSL	F	LETTER OF SUSPENSION MAILED	004
03/24/2006	CNSL	R	SUSPENSION LETTER WRITTEN	003
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09/29/2005	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Barbara Velasco, Esq./Christine Lofgren, Esq.
CORRESPONDENCE ADDRESS	Barbara Velasco, Esq./Christine Lofgren, PomWonderful LLC 11444 W. Olympic Blvd., 10th Floor Los Angeles CA 90064
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Fiji Water Company LLC
ADDRESS	11444 W. Olympic Blvd., 10th Floor Los Angeles, CA 90064
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

FIJI

# NOTE TO THE FILE

SERIAL NUMBER: 78718517

DATE: 03/30/2007

NAME: jwilliston

## NOTE:

- Checked LEXIS/NEXIS
- Searched internet using [insert search engine or web site]
- Checked with Law Library re surname.
- Checked geographic significance.
- Checked with translations branch.
- Checked ID with ID/Class
- Checked with Senior Attorney/Managing Attorney re: 2(f) Claim
- Telephoned attorney/applicant leaving message re: \_\_\_\_\_
- Telephoned attorney/applicant, application was signed on
- Personal interview conducted with attorney/applicant re \_\_\_\_\_
- Attorney/applicant called to discuss \_\_\_\_\_
- Bulky specimens with examiner.
- Acronym website searched.
- Changed Tradeups to add. 2(f) claim
- Changed Tradeups to delete. 2(f) in part
- OTHER (insert reason for Note)

## Response to Office Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	78718517
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 102
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>This follows the Notice of Suspension dated March 24, 2006. The Examining Attorney suspended Applicant's application pending the disposition of App. Serial Nos. 78/616,067 and 78/620,415. App. Nos. 78/616,067 for TASTE OF FIJI and 78/620,415 for YOUR SMOOTH TROPICAL TASTE OF FIJI were refused registration based on Applicant's prior registrations for Applicant's family of FIJI marks. Accordingly, App. No. 78/620,415 was abandoned on February 7, 2007 and App. No. 78/616,067 was abandoned on February 11, 2007 for failure to respond to the outstanding Office Actions.</p> <p>In view of the foregoing, it is respectfully requested that Applicant's application No. 78/718,517 be removed from suspension and approved for publication.</p>	
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/christine l lofgren/
SIGNATORY'S NAME	Christine L. Lofgren
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	02/23/2007
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Feb 23 22:44:30 EST 2007
TEAS STAMP	USPTO/ROA-63.107.117.10-2 0070223224430814950-78718 517-36068f9d612fd6a8d42a5 80ac3be956e29f-N/A-N/A-20 070223224234330162

## **Response to Office Action To the Commissioner for Trademarks:**

Application serial no. **78718517** has been amended as follows:

### **Argument(s)**

In response to the substantive refusal(s), please note the following:

This follows the Notice of Suspension dated March 24, 2006. The Examining Attorney suspended Applicant's application pending the disposition of App. Serial Nos. 78/616,067 and 78/620,415. App. Nos. 78/616,067 for TASTE OF FIJI and 78/620,415 for YOUR SMOOTH TROPICAL TASTE OF FIJI were refused registration based on Applicant's prior registrations for Applicant's family of FIJI marks. Accordingly, App. No. 78/620,415 was abandoned on February 7, 2007 and App. No. 78/616,067 was abandoned on February 11, 2007 for failure to respond to the outstanding Office Actions.

In view of the foregoing, it is respectfully requested that Applicant's application No. 78/718,517 be removed from suspension and approved for publication.

### **Response Signature**

Signature: /christine l lofgren/ Date: 02/23/2007

Signatory's Name: Christine L. Lofgren

Signatory's Position: Attorney of Record

Serial Number: 78718517

Internet Transmission Date: Fri Feb 23 22:44:30 EST 2007

TEAS Stamp: USPTO/ROA-63.107.117.10-2007022322443081

4950-78718517-36068f9d612fd6a8d42a580ac3

be956e29f-N/A-N/A-20070223224234330162

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

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

Input Field	Entered
<b>SERIAL NUMBER</b>	78718517
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 102
<b>MARK SECTION</b>	
<b>MARK</b>	FIJI (stylized and/or with design)
<b>ATTORNEY SECTION</b>	
<b>ORIGINAL ADDRESS</b>	FIJI WATER COMPANY LLC 11444 W OLYMPIC BLVD FL 10 LOS ANGELES, CA 90064-1557 310-966-5758 310-966-5700
<b>CORRESPONDENCE SECTION</b>	
<b>ORIGINAL ADDRESS</b>	FIJI WATER COMPANY LLC 11444 W OLYMPIC BLVD FL 10 LOS ANGELES, CA 90064-1557 310-966-5758 310-966-5700
<b>NEW ATTORNEY ADDRESS</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned hereby APPOINTS the following new attorney:
<b>NAME</b>	Barbara Velasco, Esq./Christine Lofgren, Esq.
<b>FIRM NAME</b>	PomWonderful LLC
<b>STREET</b>	11444 W. Olympic Blvd., 10th Floor
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	90064
<b>PHONE</b>	310-966-5726

<b>FAX</b>	310-966-5758
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NAME</b>	Barbara Velasco, Esq./Christine Lofgren, Esq.
<b>FIRM NAME</b>	PomWonderful LLC
<b>STREET</b>	11444 W. Olympic Blvd., 10th Floor
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	90064
<b>PHONE</b>	310-966-5726
<b>FAX</b>	310-966-5758
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/craig cooper/
<b>SIGNATORY NAME</b>	Craig B. Cooper
<b>SIGNATORY DATE</b>	02/21/2007
<b>SIGNATORY POSITION</b>	Sr. Vice President
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Feb 21 17:55:46 EST 2007
<b>TEAS STAMP</b>	USPTO/RAA-66.161.125.41-2 0070221175546324423-78712 299-360d16e4915e88ab788ec 4538554a94f9d-N/A-N/A-200 70221174054983964

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## **Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative**

To the Commissioner for Trademarks:

**MARK:** FIJI (stylized and/or with design)

**SERIAL NUMBER:** 78718517

**The original attorney**

FIJI WATER COMPANY LLC  
11444 W OLYMPIC BLVD FL 10  
LOS ANGELES, CA 90064-1557  
310-966-5758  
310-966-5700

**Original Correspondence Address :**

FIJI WATER COMPANY LLC  
11444 W OLYMPIC BLVD FL 10  
LOS ANGELES, CA 90064-1557  
310-966-5758  
310-966-5700

By submission of this request, the undersigned hereby APPOINTS the following new attorney:

**Newly Appointed Attorney:**

Barbara Velasco, Esq./Christine Lofgren, Esq.  
PomWonderful LLC  
11444 W. Olympic Blvd., 10th Floor  
Los Angeles, California 90064  
United States  
310-966-5726  
310-966-5758

**The following is to be used as the correspondence address:**

Barbara Velasco, Esq./Christine Lofgren, Esq.  
PomWonderful LLC  
11444 W. Olympic Blvd., 10th Floor  
Los Angeles, California 90064  
United States

310-966-5726  
310-966-5758



Signature: /craig cooper/ Date: 02/21/2007

Signatory's Name: Craig B. Cooper

Signatory's Position: Sr. Vice President

Serial Number: 78718517

Internet Transmission Date: Wed Feb 21 17:55:46 EST 2007

TEAS Stamp: USPTO/RAA-66.161.125.41-2007022117554632

4423-78712299-360d16e4915e88ab788ec45385

54a94f9d-N/A-N/A-20070221174054983964

# UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 78/718517

**APPLICANT:** Fiji Water Company LLC

**\*78718517\***

**CORRESPONDENT ADDRESS:**

FIJI WATER COMPANY LLC  
11444 W OLYMPIC BLVD FL 10  
LOS ANGELES, CA 90064-1557

**RETURN ADDRESS:**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

**MARK:** FIJI

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

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

Serial Number 78/718517

## NOTICE OF SUSPENSION

**SUSPENSION PROCEDURE:** This suspension notice serves to suspend action on the application for the reason(s) specified below. No response is needed. 37 C.F.R. §2.67. However, the examining attorney will conduct periodic status checks and may issue inquiries at 6 month intervals from the mailing date of this notice. TMEP §716.05. If a status inquiry Office action issues, applicant will have 6 months from the mailing or e-mailing date of the status inquiry to respond. 15 U.S.C. §1062(b); 37 C.F.R. §2.62.

**MAILING/E-MAILING DATE INFORMATION:** If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

Action on this application is suspended pending the disposition of:

- Application Serial No(s). **78/616067 and 78/620415**

Since applicant's effective filing date is subsequent to the effective filing date of the above-identified application(s), the latter, if and when it registers, may be cited against this application in a refusal to register under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d). See 37 C.F.R. §2.83; TMEP

§§1208 et seq. A copy of information relevant to this pending application(s) **is attached.**

Applicant may submit a request to remove the application from suspension to present arguments related to the potential conflict between the relevant application(s) or other arguments related to the ground for suspension. TMEP §716.03. Applicant's election not to present arguments during suspension will not affect the applicant's right to present arguments later should a refusal in fact issue. If a refusal does issue, applicant will be afforded 6 months from the mailing or e-mailing date of the Office action to submit a response. 15 U.S.C. §1062(b); 37 C.F.R. §2.62.

**If applicant has questions about its application, please telephone the assigned trademark examining attorney directly at the number below.**

/Jennifer L. Williston/  
Jennifer L. Williston  
Trademark Examining Attorney  
USPTO Law Office 102  
(571) 272-5869 (Phone)  
(571) 273-9102 (Fax)

**Print: Mar 24, 2006**

**78616067**

**DESIGN MARK**

**Serial Number**

78616067

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

TASTE OF FIJI

**Standard Character Mark**

Yes

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Crystal Clear Mineral Water (Fiji) Limited CORPORATION FIJI Lot 20  
Waqadra Industrial Subdivision, P .O. Box 9303 Nadi Airport FIJI

**Goods/Services**

Class Status -- ACTIVE. IC 032. US 045 046 048. G & S: Natural  
spring and mineral water for drinking.

**Filing Date**

2005/04/25

**Examining Attorney**

DALIER, JOHN

**Attorney of Record**

Gregory Scott Smith

# TASTE OF FIJI

**Print: Mar 24, 2006**

**78620415**

**DESIGN MARK**

**Serial Number**

78620415

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

YOUR SMOOTH TROPICAL TASTE OF FIJI

**Standard Character Mark**

Yes

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Crystal Clear Mineral Water (Fiji) Limited CORPORATION FIJI Lot 20  
Waqadra Industrial - Namaka, P.O. Box 9303 Nadia Airport FIJI

**Goods/Services**

Class Status -- ACTIVE. IC 032. US 045 046 048. G & S: Natural  
spring and mineral water for drinking.

**Filing Date**

2005/04/29

**Examining Attorney**

TANNER, MICHAEL

**Attorney of Record**

Gregory Scott Smith

YOUR SMOOTH TROPICAL TASTE  
OF FIJI

\*\*\* User:jwilliston \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	16619	N/A	0	0	0:30	*{"fp"}\$2{"gj"}{"iye"}*[bi,ti]
02	5628	N/A	0	0	0:02	1 and "032"[cc]
03	2503	N/A	0	0	P/0:02	2 not dead [ld]
04	251	103	148	80	0:02	(*f{"iye"}{"gj"}{"iye"}* or *ph{"iye"}{"gj"}{"iye"}*)[bi,ti]

Session started 3/23/2006 12:27:14 PM

Session finished 3/23/2006 12:35:48 PM

Total search duration 0 minutes 36 seconds

Session duration 8 minutes 34 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78718517



# Trademark/Service Mark Application, Principal Register

Serial Number: 78718517

Filing Date: 09/22/2005

The table below presents the data as entered.

Input Field	Entered
<b>MARK SECTION</b>	
MARK FILE NAME	<a href="\\TICRS\EXPORT9\IMAGEOUT9\787\185\78718517\xml1\AP P0002.JPG">\\TICRS\EXPORT9\IMAGEOUT9\787\185\78718517\xml1\AP P0002.JPG</a>
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	FIJI
COLOR MARK	NO
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	497 x 634
<b>OWNER SECTION</b>	
NAME	Fiji Water Company LLC
STREET	11444 W. Olympic Blvd., 10th Floor
CITY	Los Angeles
STATE	California
ZIP/POSTAL CODE	90064
COUNTRY	United States
PHONE	310-966-5700
FAX	310-966-5758
AUTHORIZED EMAIL COMMUNICATION	No
<b>LEGAL ENTITY SECTION</b>	
TYPE	LIMITED LIABILITY COMPANY
STATE/COUNTRY UNDER WHICH ORGANIZED	Delaware

<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	032
DESCRIPTION	Drinking Water; Natural Artesian Water.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/17/1997
FIRST USE IN COMMERCE DATE	At least as early as 05/17/1997
SPECIMEN FILE NAME(S)	<a href="file:///TICRS/EXPORT9/IMAGEOUT9/787/185/78718517/xml1/AP%20P0003.JPG">\\TICRS\EXPORT9\IMAGEOUT9\787\185\78718517\xml1\AP P0003.JPG</a>
SPECIMEN DESCRIPTION	scanned/digitally photographed water bottle
<b>ADDITIONAL STATEMENTS SECTION</b>	
PRIOR REGISTRATION(S)	Applicant claims ownership of U.S. Registration Number(s) 2703620, 2714973, 2703802, and others.
SECTION 2(f), IN PART	FIJI has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce for at least the five years immediately before the date of this statement.
SECTION 2(f), IN PART	FIJI has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). 2703620, 2714973 & 2703802.
<b>SIGNATURE SECTION</b>	
SIGNATURE	/wmf/
SIGNATORY NAME	William M. Foltz, Jr.
SIGNATORY DATE	09/21/2005
SIGNATORY POSITION	Sr. Vice President
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
<b>CORRESPONDENCE SECTION</b>	

NAME	Fiji Water Company LLC
STREET	11444 W. Olympic Blvd., 10th Floor
CITY	Los Angeles
STATE	California
ZIP/POSTAL CODE	90064
COUNTRY	United States
AUTHORIZED EMAIL COMMUNICATION	No
<b>FILING INFORMATION</b>	
SUBMIT DATE	Thu Sep 22 15:03:50 EDT 2005
TEAS STAMP	USPTO/BAS-7113016762-2005 0922150350554346-78718517 -20089cbcd726d4f8339a0cf2 75966f395-DA-60-200509211 82439750735

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## Trademark/Service Mark Application, Principal Register

**Serial Number: 78718517**

**Filing Date: 09/22/2005**

### To the Commissioner for Trademarks:

**MARK:** FIJI (stylized and/or with design, see [mark](#))

The literal element of the mark consists of FIJI.

The applicant, Fiji Water Company LLC, a limited liability company organized under the laws of Delaware, residing at 11444 W. Olympic Blvd., 10th Floor, Los Angeles, California, United States, 90064, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 032: Drinking Water; Natural Artesian Water.

In International Class 032, the mark was first used at least as early as 05/17/1997, and first used in commerce at least as early as 05/17/1997, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) scanned/digitally photographed water bottle.

#### [Specimen - 1](#)

Applicant claims ownership of U.S. Registration Number(s) 2703620, 2714973, 2703802, and others.

FIJI has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce for at least the five years immediately before the date of this statement.

FIJI has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). 2703620, 2714973 & 2703802.

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /wmf/ Date: 09/21/2005

Signatory's Name: William M. Foltz, Jr.

Signatory's Position: Sr. Vice President

Mailing Address:

Fiji Water Company LLC

11444 W. Olympic Blvd., 10th Floor

Los Angeles, California 90064

RAM Sale Number: 60

RAM Accounting Date: 09/23/2005

Serial Number: 78718517

Internet Transmission Date: Thu Sep 22 15:03:50 EDT 2005

TEAS Stamp: USPTO/BAS-7113016762-2005092215035055434

6-78718517-20089cbcd726d4f8339a0cf275966

f395-DA-60-20050921182439750735

FIJI



FIJI





From the islands of Fiji  
**FIJI**  
NATURAL ARTESIAN WATER

LITER (1.05 QT)