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Mark: TART

TART

US Serial Number: 86890318

Application Filing Date: Jan. 28, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Aug. 15, 2017

Publication Date: Aug. 15, 2017

Mark Information

Mark Literal Elements: TART

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Eyewear; Cases for eyeglasses and sunglasses; Chains for eyeglasses; Eyeglass cords; Eyeglass frames; Eyeglass retaining cords; Frames for spectacles and sunglasses; Optical frames; Spectacle frames

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1948

Use in Commerce: Dec. 31, 1948

For: Retail optical store services; Online retail store optical services; Wholesale and retail store services featuring eye care related products and eyewear; Distributorship services in the field of eyewear

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1948

Use in Commerce: Dec. 31, 1948

For: Fitting of optical lenses; Optician services; Optometry services

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1948

Use in Commerce: Dec. 31, 1948

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name: Tart Optical Enterprises LLC

Owner Address: c/o Law Offices of Andrew C. Bagnall
21900 Burbank Blvd., Third Floor
Woodland Hills, CALIFORNIA 91367
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew C. Bagnall

Correspondent

Correspondent Name/Address: Andrew C. Bagnall
Law Offices of Andrew C. Bagnall
21900 Burbank Boulevard, Third Floor
Woodland Hills, CALIFORNIA 91367
UNITED STATES

Phone: 8189922991

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 15, 2017	PUBLISHED FOR OPPOSITION	
Jul. 26, 2017	NOTICE OF PUBLICATION	
Jul. 13, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jun. 30, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 07, 2017	TEAS/EMAIL CORRESPONDENCE ENTERED	70997
Jun. 07, 2017	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Jun. 02, 2017	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Feb. 09, 2017	LETTER OF SUSPENSION MAILED	
Feb. 08, 2017	SUSPENSION LETTER WRITTEN	76840
Feb. 08, 2017	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 08, 2017	WITHDRAWN FROM ISSUE - MANAGING ATTORNEY REQUEST	73714
Feb. 07, 2017	PUBLISHED FOR OPPOSITION	
Jan. 18, 2017	NOTICE OF PUBLICATION	
Jan. 04, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Dec. 14, 2016	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE MAILED	
Dec. 13, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 13, 2016	USE AMENDMENT ACCEPTED	76840
Dec. 12, 2016	AMENDMENT TO USE PROCESSING COMPLETE	70997
Dec. 12, 2016	USE AMENDMENT FILED	70997
Dec. 12, 2016	ASSIGNED TO LIE	70997
Nov. 09, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 08, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 08, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 08, 2016	TEAS AMENDMENT OF USE RECEIVED	
Jul. 15, 2016	NON-FINAL ACTION MAILED	
Jul. 15, 2016	NON-FINAL ACTION WRITTEN	76840

Jul. 15, 2016 PREVIOUS ALLOWANCE COUNT WITHDRAWN
 Jul. 14, 2016 EXTENSION OF TIME TO OPPOSE RECEIVED
 Jun. 21, 2016 PUBLISHED FOR OPPOSITION
 Jun. 01, 2016 NOTICE OF PUBLICATION
 May 12, 2016 APPROVED FOR PUB - PRINCIPAL REGISTER
 May 12, 2016 ASSIGNED TO EXAMINER
 Apr. 29, 2016 ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
 Apr. 29, 2016 TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
 Feb. 02, 2016 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
 Feb. 01, 2016 NEW APPLICATION ENTERED IN TRAM

76840

TM Staff and Location Information

TM Staff Information

TM Attorney: ERVIN, INGA MARIE

Law Office Assigned: LAW OFFICE 111

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 13, 2017

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Extension of Time

Proceeding Number: [86890318](#)

Filing Date: Jul 14, 2016

Status: Terminated

Status Date: Nov 04, 2016

Interlocutory Attorney:

Defendant

Name: Tart Optical Enterprises LLC

Correspondent Address: Andrew C. Bagnall
Law Offices of Andrew C. Bagnall
21900 Burbank Boulevard, Third Floor
Woodland Hills CA , 91367

Associated marks

Mark	Application Status	Serial Number	Registration Number
TART	Published For Opposition	86890318	

Potential Opposer(s)

Name: JD Fine & Company

Correspondent Address: Michael Martin
Fischbach, Perlstein, Lieberman & Almond, LLP
1925 Century Park East, Suite 2050
Los Angeles CA , 90067
UNITED STATES

Correspondent e-mail: mmartin@fplaw.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 14, 2016	
2	EXTENSION OF TIME GRANTED	Jul 14, 2016	

Type of Proceeding: Cancellation

Proceeding Number: [92063090](#)

Filing Date: Jan 28, 2016

Status: Terminated

Status Date: May 11, 2017

Interlocutory Attorney: ROBERT COGGINS

Defendant**Name:** JD Fine & Company**Correspondent Address:** MICHAEL P MARTIN
FISCHBACH PERLSTEIN LIEBERMAN & ALMOND
1925 CENTURY PARK EAST SUITE 2050
LOS ANGELES CA , 90067
UNITED STATES**Correspondent e-mail:** mmartin@fplaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TART	Registered	78921445	4064083

Plaintiff(s)**Name:** Tart Optical Enterprises, LLC**Correspondent Address:** ANDREW C BAGNALL
LAW OFFICES OF ANDREW C BAGNALL
21900 BURBANK BOULEVARD THIRD FLOOR
WOODLAND HILLS CA , 91367
UNITED STATES**Correspondent e-mail:** info@goablaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
TART OPTICAL ENTERPRISES OTE	Abandoned - Failure to Respond	76698748	
TART OPTICAL	Abandoned - Failure to Respond	77969435	
TART	Abandoned - Failure to Respond	85063832	
	Published For Opposition	86890318	
	Published For Opposition	86890357	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 28, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2016	Mar 14, 2016
3	PENDING, INSTITUTED	Feb 03, 2016	
4	ANSWER	Mar 07, 2016	
5	P REQ TO W/DRAW AS ATTORNEY	Apr 15, 2016	
6	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 22, 2016	May 22, 2016
7	P RESP TO BD ORDER/INQUIRY	Apr 29, 2016	
8	PROCEEDINGS RESUMED	May 09, 2016	
9	D MOT TO SUSP PEND DISP CIV ACTION	Jun 07, 2016	
10	SUSP PEND DISP OF CIVIL ACTION	Jul 19, 2016	
11	VOLUNTARY SURRENDER OF REGISTRATION	Feb 27, 2017	
12	BD DECISION: DISMISSED W/O PREJ	Mar 20, 2017	
13	COMMR ORDER CANCELLING REG	May 08, 2017	
14	TERMINATED	May 11, 2017	