

EXHIBIT B

United States of America

United States Patent and Trademark Office



Reg. No. 4,887,846

Registered Jan. 19, 2016

Int. Cl.: 33

TRADEMARK

PRINCIPAL REGISTER

E. & J. GALLO WINERY (CALIFORNIA CORPORATION)
600 YOSEMITE BOULEVARD
MODESTO, CA 95354

FOR: ALCOHOLIC BEVERAGES EXCEPT BEERS, IN CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 8-31-2009; IN COMMERCE 8-31-2009.

THE MARK CONSISTS OF A THREE-DIMENSIONAL CONFIGURATION OF A GREEN BOTTLE HAVING A SILVER COVER ON THE NECK OF THE BOTTLE, AT THE BASE OF WHICH IS A LIGHT BLUE NECK LABEL, ON WHICH APPEARS, IN SILVER INK, A CROWN AND CURLICUES ON BOTH SIDES OF THE CROWN, ALONG WITH A DOUBLE-LINED BORDER ALSO IN SILVER INK ALONG THE TOP AND BOTTOM EDGES OF THE NECK LABEL; AND, A LIGHT BLUE SQUARE BOTTLE LABEL WHICH ALSO CONTAINS THE CROWN AND CURLICUES ON BOTH SIDES OF THE CROWN, ALONG WITH A DOUBLE-LINED BORDER AROUND ALL THE EDGES OF THE LABEL, ALL IN SILVER INK. THE BROKEN LINES DEPICTING THE OVERALL SHAPE OF THE BOTTLE INDICATE PLACEMENT OF THE MARK ON THE GOODS AND ARE NOT PART OF THE MARK.

THE COLOR(S) GREEN, SILVER AND LIGHT BLUE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 86-453,970, FILED 11-13-2014.

JULIE GUTTADAURO, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

For assistance with TSDR, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Processing Wait Times: Please note that due to an extraordinary surge in applications, processing times are longer than usual. See [current trademark processing wait times](#) for more information.

STATUS **DOCUMENTS** **MAINTENANCE**

[Back to Search](#) [Print](#)

Generated on: This page was generated by TSDR on 2022-05-11 14:44:17 EDT

Mark:



US Serial Number: 86453970

US Registration Number: 4887846

Filed as TEAS Plus: Yes

Register: Principal

Mark Type: Trademark



**TM5 Common Status
Descriptor:**

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Application Filing Date: Nov. 13, 2014

Registration Date: Jan. 19, 2016

Currently TEAS Plus: Yes

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Nov. 28, 2021

Publication Date: Nov. 03, 2015

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a three-dimensional configuration of a green bottle having a silver cover on the neck of the bottle, at the base of which is a light blue neck label, on which appears, in silver ink, a crown and curlicues on both sides of the crown, along with a double-lined border also in silver ink along the top and bottom edges of the neck label; and, a light blue square bottle label which also contains the crown and curlicues on both sides of the crown, along with a double-lined border around all the edges of the label, all in silver ink. The broken lines depicting the overall shape of the bottle indicate placement of the mark on the goods and are not part of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) green, silver and light blue is/are claimed as a feature of the mark.

Design Search Code(s): 19.09.02 - Jars with bulging or protruding sides; Flasks with bulging or protruding sides; Bottles, jars or flasks with bulging, protruding or rounded sides
24.11.01 - Crowns closed at the top
26.09.20 - Squares inside one another
26.09.21 - Squares that are completely or partially shaded
26.17.09 - Lines, curved; Curved line(s), band(s) or bar(s); Bars, curved; Bands, curved

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: Alcoholic beverages except beers

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 2009

Use in Commerce: Aug. 31, 2009

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

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

Currently 66A: No
 Currently No Basis: No

Current Owner(s) Information

Owner Name: E. & J. Gallo Winery
 Owner Address: 600 Yosemite Boulevard
 Modesto, CALIFORNIA UNITED STATES 95354
 Legal Entity Type: CORPORATION
 State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record
 Attorney Name: Kristi W. Whalen
 Attorney Primary Email tm.group@ejgallo.com
 Address:
 Docket Number: USNAL4-007-e
 Attorney Email Authorized: Yes

Correspondent
 Correspondent Name/Address: Kristi W. Whalen
 E. & J. GALLO WINERY
 600 YOSEMITE BOULEVARD
 MODESTO, CALIFORNIA UNITED STATES 95354
 Phone: 209-341-6349
 Correspondent e-mail: tm.group@ejgallo.com
 Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description
Nov. 28, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED
Nov. 28, 2021	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.

Proceeding Number

64591

Privacy - Terms

Status Search SN 4,887,846

5/11/22, 2:46 PM

Nov. 28, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Aug. 25, 2021	TEAS SECTION 8 & 15 RECEIVED	
Jan. 19, 2021	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 14, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 14, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 19, 2016	REGISTERED-PRINCIPAL REGISTER	
Nov. 03, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2015	PUBLISHED FOR OPPOSITION	
Oct. 14, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 30, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Sep. 30, 2015	ASSIGNED TO LIE	70138
Sep. 03, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 02, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 01, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 01, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 14, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 14, 2015	NON-FINAL ACTION E-MAILED	6325
Apr. 14, 2015	NON-FINAL ACTION WRITTEN	80800
Feb. 18, 2015	ASSIGNED TO EXAMINER	80800
Nov. 22, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Nov. 21, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Nov. 28, 2021

Assignment Abstract Of Title Information - Click to Load

Privacy - Terms

Status Search SN 4,887,846

Proceedings - Click to Load

5/11/22, 2:46 PM

Privacy - Terms