

To: Starseed Commodities, Inc.(starseedcommodities@gmail.com)
Subject: U.S. Trademark Application Serial No. 97119361 - STARSEED
COMMODITIES, INC.
Sent: August 26, 2022 02:11:37 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[5401684](#)
[5406620](#)
[screenshot-www-bedbathandbeyond-com-store-category-health-beauty-13493-16612828987741](#)
[screenshot-www-kmart-com-en_us-beauty-health-html-16612829252451](#)
[screenshot-www-samsclub-com-c-pharmacy-health-beauty-1585-16612829544471](#)
[screenshot-www-merriam-webster-com-dictionary-commodities-16612844984881](#)

**United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application**

U.S. Application Serial No. 97119361

Mark: STARSEED COMMODITIES, INC.

Correspondence Address:

STARSEED COMMODITIES, INC.
C/O BTS 1400 112TH AVE SE ST 100
BELLEVUE WA 98004 UNITED STATES

Applicant: Starseed Commodities, Inc.

Reference/Docket No. N/A

Correspondence Email Address: starseedcommodities@gmail.com

NONFINAL OFFICE ACTION

The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be abandoned. Respond using the Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Issue date: August 26, 2022

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SUMMARY OF ISSUES:

- Likelihood of Confusion Refusal – Section 2(d)
- Specimen Issue
- Identification of Services Amendment
- Description of the Mark Amendment
- Disclaimer Requirement
- A.K.A. Advisory

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 5401684 and 5406620. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registrations.

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Any evidence of record related to those factors need be considered; however, “not all of the *DuPont* factors are relevant or of similar weight in every case.” *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods and/or services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks.”); TMEP §1207.01.

The applied-for mark is STARSEED COMMODITIES, INC. with a design element for “On-line retail store services featuring natural goods including health and beauty products and e-books” in International Class 35.

The registered marks are

U.S. Registration No. 5401684: STARSEED with a design element for “Nutritional, dietary and food supplements ;Nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement, protein

dietary supplements, namely, sacha inchi protein food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs; protein powders for human consumption for use as a food additive; Protein supplements; Nutritional supplement shakes; Dietary supplements; Vitamin supplements; ground sacha inchi seed fiber for use as a dietary supplement” in International Class 5.

U.S. Registration No. 5406620: STARSEED in standard characters for “Nutritional, dietary and food supplements; Nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; protein dietary supplements, namely, sacha inchi protein; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs; protein powders for human consumption for use as a food additive; Protein supplements; Nutritional supplement shakes; Dietary supplements; Vitamin supplements; ground sacha inchi seed fiber for use as a dietary supplement” in International Class 5.

Similarity of the Marks

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Inn at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)), *aff’d per curiam*, 777 F. App’x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

When comparing marks, “[t]he proper test is not a side-by-side comparison of the marks, but instead whether the marks are sufficiently similar in terms of their commercial impression such that [consumers] who encounter the marks would be likely to assume a connection between the parties.” *Cai v. Diamond Hong, Inc.*, 901 F.3d 1367, 1373, 127 USPQ2d 1797, 1801 (Fed. Cir. 2018) (quoting *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1368, 101 USPQ2d 1713, 1721 (Fed. Cir. 2012)); TMEP §1207.01(b). The proper focus is on the recollection of the average purchaser, who retains a general rather than specific impression of trademarks. *In re Ox Paperboard, LLC*, 2020 USPQ2d 10878, at *4 (TTAB 2020) (citing *In re Bay State Brewing Co.*, 117 USPQ2d 1958, 1960 (TTAB 2016)); *In re Inn at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018); TMEP §1207.01(b); *see In re St. Helena Hosp.*, 774 F.3d 747, 750-51, 113 USPQ2d 1082, 1085 (Fed. Cir. 2014).

When evaluating a composite mark consisting of words and a design, the word portion is normally accorded greater weight because it is likely to make a greater impression upon purchasers, be remembered by them, and be used by them to refer to or request the goods and/or services. *In re Aquitaine Wine USA, LLC*, 126 USPQ2d 1181, 1184 (TTAB 2018) (citing *In re Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012)); TMEP §1207.01(c)(ii). Thus, although marks must be compared in their entireties, the word portion is often considered the dominant feature and is accorded greater weight in determining whether marks are confusingly similar, even where the word portion has been disclaimed. *In re Viterra Inc.*, 671 F.3d at 1366-67, 101 USPQ2d at 1911 (citing *Giant Food, Inc. v. Nation’s Foodservice, Inc.*, 710 F.2d 1565, 1570-71, 218 USPQ2d 390, 395 (Fed. Cir. 1983)).

In this case, the word portion of the compared marks is STARSEED COMMODITIES, INC. and STARSEED. Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Matter that is descriptive of or generic for a party's goods and/or services is typically less significant or less dominant in relation to other wording in a mark. *See Anheuser-Busch, LLC v. Innvopak Sys. Pty Ltd.*, 115 USPQ2d 1816, 1824-25 (TTAB 2015) (citing *In re Chatam Int'l Inc.*, 380 F.3d 1340, 1342-43, 71 USPQ2d 1944, 1946 (Fed. Cir. 2004)).

As further explained below, the wording "COMMODITIES, INC." in the applied-for mark is merely descriptive of or generic for applicant's services. Thus, this wording is less significant in terms of affecting the mark's commercial impression, and renders the wording STARSEED the more dominant element of the mark.

Incorporating the entirety of one mark within another does not obviate the similarity between the compared marks, as in the present case, nor does it overcome a likelihood of confusion under Section 2(d). *See Wella Corp. v. Cal. Concept Corp.*, 558 F.2d 1019, 1022, 194 USPQ 419, 422 (C.C.P.A. 1977) (holding CALIFORNIA CONCEPT and surfer design and CONCEPT confusingly similar); *Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc.*, 526 F.2d 556, 557, 188 USPQ 105, 106 (C.C.P.A. 1975) (holding BENGAL LANCER and design and BENGAL confusingly similar); *Double Coin Holdings, Ltd. v. Tru Dev.*, 2019 USPQ2d 377409, at *6-7 (TTAB 2019) (holding ROAD WARRIOR and WARRIOR (stylized) confusingly similar); *In re Mr. Recipe, LLC*, 118 USPQ2d 1084, 1090 (TTAB 2016) (holding JAWS DEVOUR YOUR HUNGER and JAWS confusingly similar); TMEP §1207.01(b)(iii). In the present case, the marks are identical in part.

Because the marks look similar and create the same commercial impression, the marks are considered similar for likelihood of confusion purposes.

Relatedness of the Goods and Services

The goods and services are compared to determine whether they are similar, commercially related, or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §§1207.01, 1207.01(a)(vi).

Consumers are likely to be confused by the use of similar marks on or in connection with goods and with services featuring or related to those goods. TMEP §1207.01(a)(ii); *see In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1051 (Fed. Cir. 2018) (finding retail shops featuring sports team related clothing and apparel related to various clothing items, including athletic uniforms); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (finding retail grocery and general merchandise store services related to furniture); *In re United Serv. Distribs., Inc.*, 229 USPQ 237 (TTAB 1986) (finding distributorship services in the field of health and beauty aids related to skin cream); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (finding various items of men's, boys', girls' and women's clothing related to restaurant services and towels); *Steelcase Inc. v. Steelcare Inc.*, 219 USPQ 433 (TTAB 1983) (finding refinishing of furniture, office furniture, and machinery related to office furniture and accessories); *Mack Trucks, Inc. v. Huskie Freightways, Inc.*, 177 USPQ 32 (TTAB 1972) (finding trucking services related to motor trucks and buses).

The use of similar marks on or in connection with both products and retail-store services has been held likely to cause confusion where the evidence showed that the retail-store services featured the same type of products. See *In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1051 (Fed. Cir. 2018) (holding the use of similar marks for various clothing items, including athletic uniforms, and for retail shops featuring sports team related clothing and apparel likely to cause confusion); *In re Country Oven, Inc.*, 2019 USPQ2d 443903, at *12 (TTAB 2019) (holding the use of identical marks for bread buns and retail bakery stores and shops likely to cause confusion); *In re House Beer, LLC*, 114 USPQ2d 1073, 1078 (TTAB 2015) (holding the use of identical marks for beer and for retail store services featuring beer likely to cause confusion); TMEP §1207.01(a)(ii).

In this case, the applied-for retail services are for "natural goods including health and beauty products." The registrant's goods include "nutritional, dietary and food supplements" and "vitamin supplements." The attached internet evidence from Bed, Bath & Beyond, Sam's Club, and K Mark establishes that these goods are health and beauty products. The relatedness is also demonstrated by applicant's specimen, which shows that the mark is used in connection with "health & beauty gummies," which are essentially "vitamin supplements."

Accordingly, the goods and services are considered related for purposes of the likelihood of confusion analysis.

Conclusion

Because the marks are similar and the goods and/or services are related/legally identical, there is a likelihood of confusion as to the source of applicant's services. Therefore, applicant's mark is not entitled to registration.

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration. However, if applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

SPECIMEN ISSUE

Specimen does not show use of the mark in commerce. Registration is refused because the specimen does not show the applied-for mark as actually used in commerce in International Class 35. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a), 1301.04(g)(i). An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark as actually used in commerce for each international class of services identified in the application or amendment to allege use. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

Specifically, the provided specimen consist of a digital version of a label for vitamins and a photo of the label on a jar of vitamins. These specimens are insufficient because they do not demonstrate that applicant is offering "retail services." The specimens demonstrate that applicant is offering "health and beauty products" featuring the mark, but not services. That is, the material do not show the mark in the sale or rendering of the applied-for services.

Examples of specimens. Specimens for services must show a direct association between the mark and the services and include: (1) copies of advertising and marketing material, (2) a photograph of business signage or billboards, or (3) materials showing the mark in the sale, rendering, or advertising of the

services. *See* 37 C.F.R. §2.56(b)(2), (c); TMEP §1301.04(a), (h)(iv)(C). Any webpage printout or screenshot submitted as a specimen must include the webpage's URL and the date it was accessed or printed on the specimen itself, within the TEAS form that submits the specimen, or in a verified statement under 37 C.F.R. §2.20 or 28 U.S.C. §1746 in a later-filed response. *See* 37 C.F.R. §2.56(c); TMEP §§904.03(i), 1301.04(a).

Response options. Applicant may respond to this refusal by satisfying one of the following for each applicable international class:

(1) Submit a different specimen (a verified “[substitute](#)” specimen) that (a) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use and (b) shows the mark in actual use in commerce for the services identified in the application or amendment to allege use. A “verified substitute specimen” is a specimen that is accompanied by the following statement made in a signed affidavit or supported by a declaration under 37 C.F.R. §2.20: “The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application or prior to the filing of the amendment to allege use.” The substitute specimen cannot be accepted without this statement.

(2) Amend the filing basis to [intent to use under Section 1\(b\)](#) (which includes withdrawing an amendment to allege use, if one was filed), as no specimen is required before publication. This option will later necessitate additional fee(s) and filing requirements, including a specimen.

For an overview of the response options referenced above and instructions on how to satisfy these options using the online Trademark Electronic Application System (TEAS) form, see the [Specimen webpage](#).

IDENTIFICATION OF SERVICES AMENDMENT

Applicant's identification of goods and services includes wording that is indefinite, overly broad, and/or includes goods or services in multiple classes as explained below. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03.

Note, in the identification of goods and services, applicant must use the common commercial or generic names for the goods or services, be as complete and specific as possible, and avoid the use of indefinite words and phrases. TMEP §1402.03(a); *see* 37 C.F.R. §2.32(a)(6).

The wording “On-line retail store services featuring natural goods including health and beauty products and e-books” in the identification of services is indefinite and must be deleted and replaced with a definite term, such as “namely,” “consisting of,” “particularly,” or “in particular.” *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03(a). The identification must be specific and all-inclusive. This wording is an open-ended term (e.g., “including” and “such as”) that is not acceptable because it fails to identify specific services. *See* TMEP §1402.03(a).

Applicant may substitute the following wording, if accurate: “On-line retail store services featuring natural goods, namely, health and beauty products, and e-books.”

Applicant may amend the identification to clarify or limit the services, but not to broaden or expand the goods and/or services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [*U.S. Acceptable Identification of Goods and Services Manual*](#). *See* TMEP §1402.04.

DESCRIPTION OF MARK AMENDMENT REQUIRED

Applicant must submit an amended description of the mark because the current one uses broad, vague language that does not accurately describe the mark. 37 C.F.R. §2.37; *see* TMEP §§808.01, 808.02. Descriptions must be accurate and identify all the literal and design elements in the mark. *See* 37 C.F.R. §2.37; TMEP §808.02. In this case, the description is vague because it does not describe all literal elements and colors in the mark.

The following description is suggested, if accurate: **The mark consists of the wording "STARSEED COMMODITIES, INC." where "STARSEED" appears in large bold red font wrapped around the top of a design and "COMMODITIES, INC." appears in small red stylized font wrapped around the bottom. The design consists of a circular tree of life design in yellow and white containing a stick figure person in orange sitting in a meditative crossed legs position with seven filled circles representing the seven chakras in the colors light purple, purple, blue, green, yellow, orange, and red from top to bottom vertically within the stick figure.**

Color Claim: The colors red, yellow, white, orange, purple, blue, green are claims as a feature of the mark.

DISCLAIMER REQUIRED

Applicant must disclaim the wording "COMMODITIES, INC." because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services. *See* 15 U.S.C. §1052(e)(1); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

The attached evidence from Merriam-Webster shows the word "COMMODITIES" refers to economic goods in general. This wording is merely generic for economic goods includes those offered as part of the applicant's retail store services. Accordingly, this wording is generic and must be disclaimed.

Applicant must disclaim the abbreviation "INC." because it merely designates the legal character or family business structure of an entity and does not indicate the source of applicant's goods and/or services. *See* 15 U.S.C. §§1051-1053, 1127; *In re Piano Factory Grp., Inc.*, 85 USPQ2d 1522, 1526 (TTAB 2006); *In re Patent & Trademark Servs., Inc.*, 49 USPQ2d 1537, 1539-40 (TTAB 1998); TMEP §1213.03(d).

Business type designations and abbreviations such as "Corporation," "Inc.," "Company," "LLC," and "Ltd." or family business designations such as "& Sons" or "Bros." must be disclaimed, because they merely indicate applicant's business type or structure and generally have no source-indicating capacity. TMEP §1213.03(d); *see, e.g., Goodyear's India Rubber Glove Mfg. Co. v. Goodyear Rubber Co.*, 128

U.S. 598, 602-03 (1888); *In re Piano Factory Grp., Inc.*, 85 USPQ2d at 1526; *In re Patent & Trademark Servs., Inc.*, 49 USPQ2d at 1539-40.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use “COMMODITIES, INC.” apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

A.K.A. ADVISORY

Applicant's name is set forth as Starseed Commodities, Inc. but includes an A.K.A. section featuring a URL. An applicant's name should be set out in the correct legal form. TMEP §803.02. Here, a full URL including "https://" is unlikely to be a name that applicant is known by. Applicant should amend the ownership information section accordingly.

RESPONSE GUIDELINES

Please call or email the assigned trademark examining attorney with questions about this Office action.

How to respond. [Click to file a response to this nonfinal Office action.](#)

/Cameron Rocha/
Cameron Rocha
(571) 272-7245
cameron.rocha@uspto.gov

RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or [unforeseen circumstances](#) could affect an applicant's ability to timely respond.
- [Responses signed by an unauthorized party](#) are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

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



Mark Punctuated

STARSEED

Translation

Goods/Services

- IC 005. US 006 018 044 046 051 052.G & S: Nutritional, dietary and food supplements; Nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement; protein dietary supplements, namely, sachinchi protein; food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs; protein powders for human consumption for use as a food additive; Protein supplements; Nutritional supplement shakes; Dietary supplements; Vitamin supplements; ground sachinchi seed fiber for use as a dietary supplement. FIRST USE: 20140922. FIRST USE IN COMMERCE: 20140922

Mark Drawing Code

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

Design Code

050525

Serial Number

87572819

Filing Date

20170817

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20171128

Registration Number

5401684

Date Registered

20180213

Owner

(REGISTRANT) AMAZON HEALTH PRODUCTS SAC CORPORATION PERU de Colonizacion las Vertientes Calle Uno Manzana O Lote 5 Cooperativa Lima PERU 15842

Priority Date

Disclaimer Statement

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of the stylized wording "STARSEED" appearing beside a flower.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live Dead Indicator

LIVE

Attorney of Record

Jeffrey M. Furr

(4) STANDARD CHARACTER MARK

STARSEED

Mark Punctuated

STARSEED

Translation

Goods/Services

- IC 005. US 006 018 044 046 051 052.G & S: Nutritional, dietary and food supplements ;Nutritional meal replacements, namely, drink mixes, meal replacement bars, meal replacement powders, ready to drink meal replacement beverages and nutritional supplement, protein dietary supplements, namely, sachas inchi protein? food fortifications, namely, nutritional food supplements for enriching foods and beverages derived from nuts, seeds and herbs; protein powders for human consumption for use as a food additive; Protein supplements; Nutritional supplement shakes; Dietary supplements; Vitamin supplements; ground sachas inchi seed fiber for use as a dietary supplement. FIRST USE: 20140922. FIRST USE IN COMMERCE: 20140922

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Design Code

Serial Number

87533640

Filing Date

20170719

Current Filing Basis

1A

Original Filing Basis

1A

Publication for Opposition Date

20171205

Registration Number

5406620

Date Registered

20180220

Owner

(REGISTRANT) Amazon Health Products SAC CORPORATION PERU de Colonizacion las Vertientes de Tablad Calle Uno Manzana O Lote 5 Cooperativa Lima PERU 15842

Priority Date

Disclaimer Statement

Description of Mark

Type of Mark
TRADEMARK

Register
PRINCIPAL

Live Dead Indicator
LIVE

Attorney of Record
Jeffrey M. Furr

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skin care





hair care



hair styling tools



shaving & hair removal





mirrors & makeup organizers



travel size

everyday self-care





oral care



vitamins & supplements



body wash



massage & spa



fitness





medicine

shop by brand

waterpik

REVLON

MADISON REED*

PHILIPS

dyson

THE
SHARPER
IMAGE

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wellness

under
\$10
skin care

under
\$10
bath & body

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\$25
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clearance

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lovers



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with the right
product



tips on
shavers &
trimmers

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product

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trimmers

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Get professional results at home with hair styling tools from Conair®.

Looking and feeling your best can be simple with the wide selection of health and beauty products offered at Bed Bath & Beyond. Whether you're trying to better your health or giving yourself the beauty treatment at home, Bed Bath & Beyond has just what you need.

For instance, take the time to relax at the end of the long day with a plethora of massage, spa, and sleep accessories. From soothing massagers and massage pillows to sleep masks and sound machines, Bed Bath & Beyond has just what you and your body need to unwind, so you can wake up feeling refreshed and ready to face a new day. Not to mention, the convenience and cost-savings of owning these massagers should go far in helping you relax. Another important aspect of health & beauty is proper skincare. You will love our skin care products such as facial cleansers & treatments, facial moisturizers & creams, and, most importantly, our sun care products. With Bed Bath & Beyond's array of [skin care](#) products at your disposal, not only can you make sure your skin is protected, but you can also enhance it for a naturally healthy glow.

After taking care of your health and fitness, you should be ready to take care of your outward appearance with the wide selection of grooming items available at Bed Bath & Beyond. The first thing people notice is a person's smile, so enhance your 100-watt smile with [oral care](#) products galore. From brushing to flossing to whitening products, Bed Bath & Beyond ensures you have everything you need to keep your teeth sparkling clean.

Next, it's time to focus on a person's crowning glory, your hair. Bed Bath & Beyond's array of [hair care](#) products span hair coloring kits, shampoos & conditioners, hair treatments, and hair styling products. To achieve a picture-perfect style, we also offer hairdryer & styler combinations and hair dryers that are gentler on your hair for that perfect blowout. Here at Bed Bath & Beyond, we know that the right mirror is essential in the grooming ritual, so our mirrors come in a variety of magnifications, lighting, and maneuverability. Plus, it makes shaving or hair removal a little easier when you can easily see unwanted hair. Be sure to check out our popular brands in men's grooming kits, nail care, and hair removal options for that perfect finishing touch. All in all, Bed Bath & Beyond's health & beauty products are all designed to give you a holistic sense of well-being in the comfort of your home.

Are you on a mission to be the healthiest version of yourself? Taking your vitamins every day is not only beneficial for your looks but is also for your body and well-being. With a wide selection of [vitamins](#), herbal and other supplements, Bed Bath & Beyond is here to help you receive the nutrition that your body needs and can't produce on its own. If you are on the go, carry our healthy energy bars so you can avoid reaching for unhealthy snacks. Are you looking to shed a few pounds? Bed Bath & Beyond offers all the sought-after nutrition and diet products on the market like shakes, snacks, and fat burning products to help you maintain your fitness goals. Not to mention, Bed Bath & Beyond also carries a plethora of wellness items to promote healthy living. From scales and activity trackers to fitness equipment and yoga mats, our selection of workout items is an excellent way to ensure you remain active throughout the day. Plus, our wellness items don't stop there. With a wide selection of humidifiers, air purifiers, dehumidifiers, and aromatherapy diffusers, Bed Bath & Beyond ensure the air in your home always feels clean and pure.

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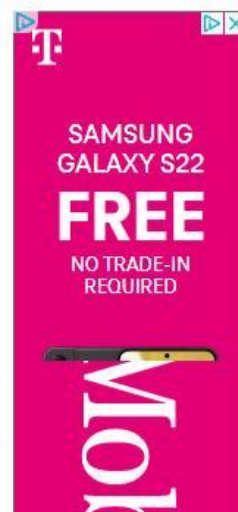
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Incontinence



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Daily Living Aids



Health Monitoring



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Posture & Support

pile

Take care of yourself with health and beauty products

When it comes to personal care, you want to make sure you have everything you need to take care of your mind and body. From health essentials to beauty products, Kmart has you covered with high quality items from top brands. You can find hair ties, headbands, shampoo, conditioner and more to keep your tresses styled and fabulous for a night on the town or a casual weekend at home with your [TV](#). You'll love the variety of hair care essentials so you can always look your best wherever your day takes you.

Of course, there are more beauty essentials than just hair care products. From makeup and nail maintenance products to face and body wash, Kmart has you covered so you can feel and look amazing every day. You can pick up everything you need to stay clean and refreshed, including deodorant and body sprays to help you feel your very best.

While you're shopping for beauty products, you can also pick up health care essentials for your home. You'll find toothpaste, toothbrushes, vitamins, supplements, first aid necessities and more to restock your [bathroom storage](#) cabinet with everything you use regularly. At Kmart, you can shop for health and beauty products for everyone in your family.



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\$8.39
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Moisturizer with SPF 25 (1.7 oz., 2...

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★★★★★ Free s

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★★★★★ Free shipping *Plus*

\$15⁹⁸ \$0.04/ea



Zyrtec Antihistamine Allergy Tablets 10 mg. (120 ct.)
★★★★★

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\$37⁹⁸ \$0.35/ea



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★★★★★ Free s

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\$46⁴⁸ \$17.88/fo



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\$59⁹⁸



Revlon Three Barrel Jumbo Waver
★★★★★ Free shipping *Plus*

\$27⁹⁸



SOL by Jergens Self-Tanning Mousse with Applicator Mitt, Choose your...
★★★★★ Free shipping *Plus*

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Olay Regenerist Niacinamide Peptide 24 Face Moisturizer
★★★★★ Free s

\$46⁴⁸ \$13.67/oz




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ICONIC Protein Shake, 12 pk. (Choose Your Flavor)
 ★★★★★ Free shipping *Plus*
\$37.98 \$3.17/ea



Poise Daily Liners, Very Light Absorbency, Long (132 ct.)
 ★★★★★
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Breathe Right Nasal Strength Tan, Help!
 ★★★★★ Free s
\$19.98 \$0.28/ea

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commodities

Dictionary Thesaurus



commodity noun

Save Word

com·mod·i·ty | \kə-ˈmā-dā-tē\

plural **commodities**

Definition of *commodity*

- 1 : an economic good: such as
 - a : a product of agriculture or mining
// agricultural *commodities* like grain and corn
 - b : an article of *commerce* especially when delivered for shipment
// reported the damaged *commodities* to officials
 - c : a mass-produced unspecialized product
// *commodity* chemicals
// *commodity* memory chips
- 2
 - a : something useful or valued
// that valuable *commodity*, patience
also : **THING, ENTITY**
 - b : **CONVENIENCE, ADVANTAGE**
// ... the many *commodities* incidental to the life of a public office ...
— Charles Lamb
- 3 : a good or service whose wide availability typically leads to smaller profit margins and diminishes the importance of factors (such as brand name) other than price
- 4 : one that is subject to ready exchange or exploitation within a market
// ... stars as individuals and as *commodities* of the film industry.
— *Film Quarterly*
- 5 *obsolete* : **QUANTITY, LOT**



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tetchy

superficial

gregarious



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Synonyms for *commodity*

Synonyms

being, entity, existent, [individual](#), [individuality](#), [integer](#), object, reality, [something](#), substance, [thing](#)

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Examples of *commodity* in a Sentence

// agricultural *commodities* like grain and corn

// Oil is a *commodity* in high demand.

// Patience is a rare *commodity*.

Recent Examples on the Web

// What this also means is that vaccines will be a scarce *commodity* in the coming months, nowhere more so than in low-income countries.

— *Wired*, 10 Aug. 2022

// In London, bars and restaurants are likely to have an umbrella stand and a coat rack, but central air is a rare *commodity*.

— Anna Russell, *The New Yorker*, 20 July 2022

// At the time, an invitation to invest in Uber was a rare and valuable *commodity*.

— Sarah Ellison, *Washington Post*, 11 July 2022

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Phrases Containing *commodity*

[hot commodity](#)

First Known Use of *commodity*

15th century, in the meaning defined at [sense 1](#)



History and Etymology for *commodity*

Middle English *commoditee*, from Anglo-French, from Latin *commoditat-*, *commoditas*, from *commodus*

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Time Traveler for *commodity*



The first known use of *commodity* was in the 15th century

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When a dictionary talks to a museum

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LindaListenElaine · 6 August, 2011

...

I hear the word "commodity" being used to signify an object or thing that can be bought and sold, specifically in reference to women. But "commodity" can also signify something of value. The many facets of meaning of this word require it users to be clear about the definition they mean, don't you t...[See more](#)

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ConnieGoodwin · 2 June, 2011

...

Commodity- A good or service whose wide availability typically leads to smaller profit margins and diminishes the importance of factors (as brand name) other than price. Synonym: substance. I just never new what the formal definition was/is. For my info.

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 1 reply



LorrieFedericoNader · 9 October, 2011

...

I wanted to know id Ice Cream is considered a commodity. Is it?

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 2 replies

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Nglish: [Translation of commodity for Spanish Speakers](#)

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Britannica.com: [Encyclopedia article about commodity](#)

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WORDS AT PLAY



'Dunderhead' and Other



10 Words from Place



'Pride': The Word That



When Were Words First

'Nicer' Ways to Say Stupid

As illustrated by some very smart pups

Names

Bikini, bourbon, and badminton were places first

Went From Vice to Strength

Do you take pride in Pride?

Used?

Look up any year to find out

ASK THE EDITORS



Literally

How to use a word that (literally) drives some pe...



'All Intensive Purposes' or 'All Intents and Purposes'?

We're intent on clearing it up

We're intent on clearing it up



Lay vs. Lie

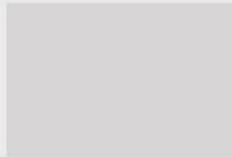
Editor Emily Brewster clarifies the difference.



Hot Mess

"The public is a hot mess"

WORD GAMES



What Are You Wearing?

Roll up your sleeves and identify these garments

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Name That Animal: Volume 2

Can you tell a meerkat from a wombat?

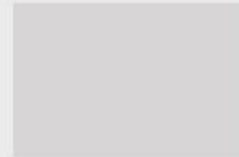
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- **Hiring a U.S.-licensed attorney.** If you do not have an attorney and are not required to have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.