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Mark: TUBERCOOL

TUBERCOOL

US Serial Number: 88607979

Application Filing Date: Sep. 06, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: A fourth request for extension of time to file a Statement of Use has been granted.

Status Date: Sep. 15, 2021

Publication Date: Jan. 14, 2020

Notice of Allowance Date: Mar. 10, 2020

Mark Information

Mark Literal Elements: TUBERCOOL

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: Ceiling fans; Electric fans

International Class(es): 011 - Primary Class

U.S Class(es): 013, 021, 023, 031, 034

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: JOI Holding LLC

Owner Address: 68 Remington Way
Hickory, KENTUCKY UNITED STATES 42051

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country KENTUCKY
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Julie Tennyson

Docket Number: JOI

Attorney Primary jtennyson@marcumtennyson.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Julie Tennyson
Name/Address: MARCUM TENNYSON PLLC
PO BOX 9551
PADUCAH, KENTUCKY UNITED STATES 42002

Phone: 270-534-5135

Correspondent e-mail: jtennyson@marcumtennyson.com jultenn6@yahoo.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 17, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 15, 2021	EXTENSION 4 GRANTED	98765
Sep. 15, 2021	EXTENSION 4 FILED	98765
Sep. 15, 2021	TEAS EXTENSION RECEIVED	
Sep. 14, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 10, 2021	EXTENSION 3 GRANTED	98765
Sep. 10, 2021	EXTENSION 3 FILED	98765
Sep. 10, 2021	TEAS EXTENSION RECEIVED	
Mar. 12, 2021	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 10, 2021	EXTENSION 2 GRANTED	98765
Mar. 10, 2021	EXTENSION 2 FILED	98765
Mar. 10, 2021	TEAS EXTENSION RECEIVED	
Sep. 02, 2020	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 31, 2020	EXTENSION 1 GRANTED	98765
Aug. 31, 2020	EXTENSION 1 FILED	98765
Aug. 31, 2020	TEAS EXTENSION RECEIVED	
Mar. 10, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 14, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 14, 2020	PUBLISHED FOR OPPOSITION	
Dec. 25, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 09, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 09, 2019	ASSIGNED TO EXAMINER	92563
Sep. 23, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 10, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: JACKSON, SHA-KARA ELOU

Law Office LAW OFFICE 120
Assigned:

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Mar. 10, 2020

Proceedings

Summary

Number of
Proceedings: 2

Type of Proceeding: Opposition

Proceeding
Number: [91265416](#)

Filing Date: Oct 14, 2020

Status: Terminated

Status Date: Oct 01, 2021

Interlocutory
Attorney: JENNIFER ELGIN

Defendant

Name: Delta T, LLC

Correspondent
Address: ANDREW D. DORISIO
DICKINSON WRIGHT PLLC
300 WEST VINE STREET, SUITE 1700
LEXINGTON KY UNITED STATES , 40507

Correspondent e-mail: dwtrademarks@dickinsonwright.com , adorisio@dickinsonwright.com , ncoleman@dickinsonwright.com , lsvain@dickinsonwright.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
POWERCOOL	Published For Opposition	88816716	

Plaintiff(s)

Name: Jason Ingram and JOI Holding LLC

Correspondent
Address: JULIE TENNYSON
MARCUM TENNYSON PLLC
PO BOX 9551
PADUCAH KY UNITED STATES , 42002

Correspondent e-mail: jtennyson@marcumtennyson.com , jultenn6@yahoo.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MR. COOL - STAY COOL	Section 8 and 15 - Accepted and Acknowledged	85387180	4170521
MRCOOL COMFORT MADE SIMPLE	Section 8 and 15 - Accepted and Acknowledged	86227539	4806473
MRCOOL	Registered	88276341	5827643
MRCOOL SMART HVAC CONTROLLER	Registered	88250365	5957370
GEOCOOL RELIABLE ENERGY-SAVING COMFORT	Section 8 and 15 - Accepted and Acknowledged	85697286	4316665
COOLGUARD	Registered	88796945	6162563
MRCOOL BLADE BECAUSE WE BLOW MORE	Notice of Allowance - Issued	88614812	
TROPICOOOL	Second Extension - Granted	88849088	
TUBERCOOL	Fourth Extension - Granted	88607979	
COST TO COOL	ABANDONED-FAILURE TO RESPOND OR LATE RESPONSE	90047222	
	Report Completed Suspension Check - Case Still Suspended	90254698	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 14, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 14, 2020	Nov 23, 2020
3	INSTITUTED	Oct 14, 2020	
4	D MOT TO DISMISS: FRCP 12(B)	Nov 23, 2020	
5	SUSP PEND DISP OF OUTSTNDNG MOT	Dec 08, 2020	
6	P MOT TO AMEND PLEADING/AMENDED PLEADING	Dec 14, 2020	
7	ANSWER TO AMENDED PLEADING DUE	Jan 14, 2021	
8	ANSWER	Feb 12, 2021	
9	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 24, 2021	
10	SUSPENDED	Mar 24, 2021	

11	D CHANGE OF CORRESP ADDRESS	Jun 16, 2021
12	MOT TO AMEND APPLICATION	Sep 27, 2021
13	BD DECISION: OPP DISMISSED	Sep 30, 2021
14	TERMINATED	Oct 01, 2021

Type of Proceeding: Opposition

Proceeding Number: [91264430](#)

Filing Date: Aug 26, 2020

Status: Pending

Status Date: Aug 26, 2020

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Progenomics LLC

Correspondent Address: ANDREW T. RISSLER
PATEL & ALMEIDA, P.C.
16830 VENTURA BLVD., SUITE 360
ENCINO CA UNITED STATES , 91436

Correspondent e-mail: trademarks@paiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
COOL HUMAN	Opposition Pending	88742743	

Plaintiff(s)

Name: Joi Holding LLC and Jason Ingram

Correspondent Address: JULIE TENNYSON
MARCUM TENNYSON PLLC
PO BOX 9551
PADUCAH KY UNITED STATES , 42002

Correspondent e-mail: jtennyson@marcumtennyson.com , jultenn6@yahoo.com

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MRCOOL BLADE BECAUSE WE BLOW MORE	Notice of Allowance - Issued	88614812	
TROPICOOOL	Second Extension - Granted	88849088	
TUBERCOOL	Fourth Extension - Granted	88607979	
COST TO COOL	ABANDONED-FAILURE TO RESPOND OR LATE RESPONSE	90047222	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 26, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 26, 2020	Oct 05, 2020
3	INSTITUTED	Aug 26, 2020	
4	D APPEARANCE / POWER OF ATTORNEY	Oct 05, 2020	
5	ANSWER	Oct 05, 2020	
6	D MOT FOR EXT W/ CONSENT	Apr 02, 2021	
7	EXTENSION OF TIME GRANTED	Apr 02, 2021	
8	D MOT FOR EXT W/ CONSENT	Apr 30, 2021	
9	EXTENSION OF TIME GRANTED	Apr 30, 2021	
10	P MOT FOR EXT W/ CONSENT	Jul 30, 2021	

11	EXTENSION OF TIME GRANTED	Jul 30, 2021
12	P MOT FOR EXT W/ CONSENT	Sep 14, 2021
13	EXTENSION OF TIME GRANTED	Sep 14, 2021