

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

U.S. Application Serial No. 79269097

Mark: ANGEL CAKES

Correspondence Address:

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Applicant: Individual entrepreneur; Tiutkova Alina ETC.

Reference/Docket No. N/A

Correspondence Email Address:

NONFINAL OFFICE ACTION

International Registration No. 1491293

Notice of Provisional Full Refusal

Deadline for responding. The USPTO must receive applicant's response **within six months of the "date on which the notification was sent to WIPO (mailing date)"** located on the WIPO cover letter, or the U.S. application will be abandoned. To confirm the mailing date, go to the USPTO's Trademark Status and Document Retrieval (TSDR) database, select "US Serial, Registration, or Reference No.," enter the U.S. application serial number in the blank text box, and click on "Documents." The mailing date used to calculate the response deadline is the "Create/Mail Date" of the "1B-1st Refusal Note."

Respond to this Office action using the USPTO's Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Discussion of provisional full refusal. This is a provisional full refusal of the request for extension of protection to the United States of the international registration, known in the United States as a U.S. application based on Trademark Act Section 66(a). *See* 15 U.S.C. §§1141f(a), 1141h(c).

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

SUMMARY OF ISSUES

- Section 2(d) Partial Refusal – Likelihood of Confusion (Class 30)
- Section 2(e)(1) Refusal – Merely Descriptive (Generic Advisory)
- Prior Filed Application
- Description of Mark – Omitted
- Legal Nature – Omitted
- Applicant's Name
- Identification
- U.S.-Licensed Attorney Required

SECTION 2(d) PARTIAL REFUSAL – LIKELIHOOD OF CONFUSION (CLASS 30)

Registration of the applied-for mark is partially refused, for the goods in Class 30, because of a likelihood of confusion with the mark in

- **U.S. Registration No. 4794233 ANGEL BAKERIES**
- **U.S. Registration No. 4830376 SINCE 1927 ANGEL BAKERIES**

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 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). Only those factors that are "relevant and of record" need be considered. *M2 Software, Inc. v. M2 Commc'ns, Inc.*, 450 F.3d 1378, 1382, 78 USPQ2d 1944, 1947 (Fed. Cir. 2006) (citing *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241, 73 USPQ2d 1350, 1353 (Fed. Cir. 2004)); *see In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1744 (TTAB 2018).

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 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 services and differences in the marks.”); TMEP §1207.01.

Comparison of Marks

Applicant’s and registrant’s marks are similar because they sound and look similar. Applicant’s mark is ANGEL CAKES in standard characters. Registrant’s marks are ANGEL BAKERIES in standard characters (U.S. Registration No. 4794233) and SINCE 1927 ANGEL BAKERIES in stylized form (U.S. Registration No. 4423810).

The marks sound similar because they share the only inherently distinctive word, ANGEL. Similarity in sound alone may be sufficient to support a finding that the marks are confusingly similar. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); see *In re 1st USA Realty Prof’ls, Inc.*, 84 USPQ2d 1581, 1586 (TTAB 2007); TMEP §1207.01(b)(iv). Therefore, the marks sound similar because the marks are identical in part.

The marks look similar because the wording ANGEL appears at the beginning of the marks and it is the more dominant part of the marks particularly when it precedes less significant generic wording. Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. See *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between VEUVE ROYALE and two VEUVE CLICQUOT marks in part because “VEUVE . . . remains a ‘prominent feature’ as the first word in the mark and the first word to appear on the label”); *Century 21 Real Estate Corp. v. Century Life of Am.*, 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed. Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because “consumers must first notice th[e] identical lead word”); see also *In re Detroit Athletic Co.*, 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding “the identity of the marks’ two initial words is particularly significant because consumers typically notice those words first”).

The addition of the words CAKE in applicant’s mark and BAKERIES in registrant’s marks does not change the similarity in the marks because these words are merely descriptive of applicant’s goods and therefore is typically given less significance in a likelihood of confusion analysis. Similarly, the wording SINCE 1927 provides no source identifying information because it merely conveys the registrant has been in existence since the year 1927. 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 Viterra Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Nat’l Data Corp.*, 753 F.2d 1056, 1058, 224 USPQ 749, 751 (Fed. Cir. 1985); TMEP §1207.01(b)(viii), (c)(ii). Disclaimed matter that is descriptive of or generic for a party’s services is typically less significant or less dominant when comparing marks. *In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Therefore, the marks look similar because the first word is identical and the remaining words are generic or descriptive of the goods.

Finally, registrant’s minimal font stylization is also given less significance in a likelihood of confusion analysis. 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)).

Thus, there is a likelihood of confusion because the marks sound similar, look similar, and share the only inherently distinctive word.

Comparison of Goods

A likelihood of confusion also exists because the goods are closely related and travel through the same trade channels. Applicant provides “baozi [stuffed buns]; bread rolls; tortillas”. Registrant provides “pita; pita bread”. The goods are closely related because they both provide types of bread products. The attached evidence from the Merriam Webster Dictionary demonstrates that a “tortilla” is “a thin round of unleavened cornmeal or wheat flour bread” and a “pita” is “a thin flat bread”. Thus, not only do both parties provide types of breads but they both provide thin flat breads. Moreover, both provide traditional items found in bakery and bread aisles at supermarkets as demonstrated by the attached evidence from supermarket websites harristeeter.com, wegmans.com, shoprite.com, walmart.com, and instacart.com.

Where the goods of an applicant and registrant are identical or virtually identical, the degree of similarity between the marks required to support a finding that confusion is likely declines. See *Cai v. Diamond Hong, Inc.*, ___ F.3d ___, 127 USPQ2d 1797, 1801 (Fed. Cir. 2018) (quoting *In re Viterra Inc.*, 671 F.3d 1358, 1363, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012)); TMEP §1207.01(b).

Thus, there is a likelihood of confusion because the goods are closely related and travel through the same trade channels.

Therefore, purchasers are likely to be confused as to the source of applicant’s goods because the marks are confusingly similar and the goods are related. Thus, registration is refused pursuant to Section 2(d) of the Trademark Act.

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, applicant must also respond to the refusal set forth below.

SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE (GENERIC ADVISORY)

Registration is refused because the applied-for mark ANGEL CAKES merely describes a characteristic of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); see TMEP §§1209.01(b), 1209.03 et seq.

A mark is merely descriptive if it describes a function, feature, characteristic, or purpose of an applicant's goods. TMEP §1209.01(b); *see, e.g., In re TriVita, Inc.*, 783 F.3d 872, 874, 114 USPQ2d 1574, 1575 (Fed. Cir. 2015) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005) (citing *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 543 (1920)). Terms that describe the function or purpose of a service may be merely descriptive. TMEP §1209.03(p); *see, e.g., In re Hunter Fan Co.*, 78 USPQ2d 1474, 1477 (TTAB 2006) (holding ERGONOMIC merely descriptive of ceiling fans); *In re Wallyball, Inc.*, 222 USPQ 87, 89 (TTAB 1984) (holding WALLYBALL merely descriptive of sports clothing and game equipment); *In re Orleans Wines, Ltd.*, 196 USPQ 516, 517 (TTAB 1977) (holding BREADSPRED merely descriptive of jams and jellies).

Here, applicant's mark is merely descriptive because it is descriptive of a characteristic of applicant's goods. The attached evidence from the American Heritage Dictionary defines ANGEL CAKE as "angel food cake" and ANGEL FOOD CAKE as "a light sponge cake made of egg whites, sugar, and flour". See attached. Similarly, the attached evidence from the Merriam Webster Dictionary and Wikipedia define ANGEL CAKE as "a white sponge cake made of flour, sugar, white of eggs, and usually flavoring;" vocabulary.com defines ANGEL CAKE as "a light sponge cake made without egg yolks;" and The Free Dictionary defines ANGEL CAKE as "angel food cake". See attached. Applicant provides "cakes; pastries; tarts". Therefore, ANGEL CAKE merely describes a characteristic of applicant's goods, namely, the mark refers directly to the type of goods applicant provides.

Therefore, potential consumers, upon encountering the mark used in connection with the goods, would immediately understand the mark to describe the goods and not serve as a source indicator for the goods. Thus, registration is refused pursuant to Section 2(e)(1) of the Trademark Act because the mark is merely descriptive, if not generic, of applicant's goods.

Generic Advisory

In addition to being merely descriptive, the applied-for mark appears to be generic in connection with the identified goods and, therefore, incapable of functioning as a source-identifier for applicant's goods. *In re Gould Paper Corp.*, 834 F.2d 1017, 5 USPQ2d 1110 (Fed. Cir. 1987); *In re Empire Tech. Dev. LLC*, 123 USPQ2d 1544 (TTAB 2017); *see* TMEP §§1209.01(c) et seq., 1209.02(a). Under these circumstances, neither an amendment to proceed under Trademark Act Section 2(f) nor an amendment to the Supplemental Register can be recommended. *See* TMEP §1209.01(c).

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, applicant must also respond to the requirements set forth below.

PRIOR FILED APPLICATION

The filing date of pending

- **U.S. Application Serial No. 87263177 CAKE ANGELS HEAVENLY CREATIONS**

precedes applicant's filing date. See attached referenced application. If the mark in the referenced application registers, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion between the two marks. *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 et seq. Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced application.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the mark in the referenced application. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

DESCRIPTION OF MARK – OMITTED

Applicant must submit a description of the mark, because one was not included in the application. 37 C.F.R. §2.37; *see* TMEP §§808.01, 808.02. Applications for marks not in standard characters must include an accurate and concise description of the entire mark that identifies all the literal and design elements. *See* 37 C.F.R. §2.37; TMEP §§808.01, 808.02, 808.03(b). In this case, a description of the mark is required because the drawing of the mark is not in standard characters.

The following description is suggested, if accurate: **The mark consists of the stylized wording "Angel Cake".**

LEGAL NATURE – OMITTED

Applicant must specify its form of business or type of legal entity and its national citizenship or foreign country of organization or incorporation. *See* 37 C.F.R. §§2.32(a)(3)(i)-(ii), 7.25(a)-(b); TMEP §§803.03, 803.04, 1904.02(a). This information is required in all U.S. trademark applications, including those filed under Trademark Act Section 66(a) (also known as "requests for extension of protection of international registrations to the United States"). *See* 37 C.F.R. §§2.32(a)(3)(i)-(ii), 7.25(a)-(b); TMEP §§803.03, 803.04, 1904.02(a).

Acceptable entity types include an individual, a partnership, a corporation, a joint venture, or the foreign equivalent. *See* 37 C.F.R. §2.32(a)(3)(i)-(ii); TMEP §§803.03 et seq.

If applicant's entity type is an individual, applicant must indicate his or her national citizenship for the record. *See* 37 C.F.R. §2.32(a)(3)(i); TMEP §803.04. If applicant's entity type is a corporation, association, partnership, joint venture, or the foreign equivalent, applicant must set forth the foreign country under whose laws applicant is organized or incorporated. 37 C.F.R. §2.32(a)(3)(ii); TMEP §§803.03(b)-(c), 803.04. For an association, applicant must also specify whether the association is incorporated or unincorporated, unless the foreign country and the designation or description "association/associazione" appear in Appendix D of the *Trademark Manual of Examining Procedure* (TMEP). TMEP §803.03(c).

If applicant is organized under the laws of a foreign province or geographical region, applicant should specify both the foreign province or geographical region and the foreign country in which the province or region is located. *See* TMEP §803.04. To provide this information online via the Trademark Electronic Application System (TEAS) response form, applicant must (1) locate the "Entity Type" heading and select "Other;" (2) locate the "Specify Entity Type" heading and select "Other" under the Foreign Entity option, and enter in the free-text field below both applicant's entity type and the foreign province or geographical region of its organization (e.g., partnership of Victoria); and (3) locate the "State or Country Where Legally Organized" heading and select the appropriate foreign country (e.g., Australia) under the Non-U.S. Entity option. *See id.*

APPLICANT'S NAME

The application identifies applicant as "Individual entrepreneur Tiutkova Alina Andreevna". This appears to combine the individual's name "Tiutkova Alina Andreevna" with a descriptive characteristic of the applicant "individual entrepreneur". Therefore, the wording "individual entrepreneur" should be deleted if it is not part of the applicant's name.

IDENTIFICATION

Identification is Indefinite and Overbroad

The identification of services in International Class 43 is indefinite and overbroad because it is vague and could be classified in more than one international class. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03, 1904.02(c), (c)(ii). Specifically,

1. The wording "accommodation bureau services" is vague because it does not specify the type of accommodation services that are provided. For example, "boarding house services", "hotel accommodation services", "agency services for booking hotel accommodations", or "agency services for the reservation of temporary accommodation".
2. The wording "hotel reservations" is vague because it does not make clear that this service is being performed for others.
3. The wording "reception services for temporary accommodation [management of arrivals and departures]" is vague because it does not specify the nature of the accommodation. Moreover, this wording is misclassified because "reception services" are classified in class 35. For example, "organization for a third party of telephone welcoming services and of telephone receptionist services" in class 35.

Brackets

The identification of goods and/or services contains brackets. Generally, applicants should *not* use parentheses and brackets in identifications in their applications so as to avoid confusion with the USPTO's practice of using parentheses and brackets in registrations to indicate goods and/or services that have been deleted from registrations or in an affidavit of incontestability to indicate goods and/or services not claimed. *See* TMEP §1402.12. The only exception is that parenthetical information is permitted in identifications in an application if it serves to explain or translate the matter immediately preceding the parenthetical phrase in such a way that it does not affect the clarity or scope of the identification, e.g., "fried tofu pieces (abura-age)." *Id.*

Therefore, applicant must remove the brackets from the identification and incorporate any parenthetical or bracketed information into the description of the goods and/or services.

Suggestions

Applicant may adopt the following wording, if accurate:

International Class 30: Baozi [stuffed buns]; Bread rolls; cakes; Pastries; Macaroons; Gingerbread; Petits fours cakes; Tarts; Tortillas.

International Class 43: Boarding house **services**; Rental of temporary accommodation; Rental of meeting rooms; Tourist home services; **Making** hotel reservations **for others**; Temporary accommodation reservations; Hotel services; snack-bar services; Café services; Cafeteria services; Motel services; Rental of cooking apparatus; Rental of chairs, Tables, Table linen, Glassware; Rental of drinking water dispensers; Restaurant services; Self-service restaurant services; Food sculpting; Canteen services; Holiday camp services; Bar services; Providing campground facilities; Food and drink catering; Washoku restaurant services; Udon and soba restaurant services.

Advisories

Applicant may amend the identification to clarify or limit the goods and/or 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).

In a Trademark Act Section 66(a) application, classification of goods may not be changed from that assigned by the International Bureau of the World Intellectual Property Organization. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Additionally, classes may not be added or goods transferred from one class to another in a multiple-class Section 66(a) application. 37 C.F.R. §2.85(d); TMEP

§1401.03(d).

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.

U.S.-LICENSED ATTORNEY REQUIRED

Applicant must be represented by a U.S.-licensed attorney at the USPTO to respond to or appeal the provisional refusal. An applicant whose domicile is located outside of the United States or its territories is foreign-domiciled and must be represented at the USPTO by an attorney who is an active member in good standing of the bar of the highest court of a U.S. state or territory. 37 C.F.R. §§2.11(a), 11.14; *Requirement of U.S.-Licensed Attorney for Foreign-Domiciled Trademark Applicants & Registrants*, Examination Guide 4-19, at I.A. (Rev. Sept. 2019). An individual applicant's domicile is the place a person resides and intends to be the person's principal home. 37 C.F.R. §2.2(o); Examination Guide 4-19, at I.A. A juristic entity's domicile is the principal place of business; i.e., headquarters, where a juristic entity applicant's senior executives or officers ordinarily direct and control the entity's activities. 37 C.F.R. §2.2(o); Examination Guide 4-19, at I.A. Because applicant is foreign-domiciled, applicant must appoint such a U.S.-licensed attorney qualified to practice under 37 C.F.R. §11.14 as its representative before the application may proceed to registration. 37 C.F.R. §2.11(a). See [Hiring a U.S.-licensed trademark attorney](#) for more information.

To appoint or designate a U.S.-licensed attorney. To appoint an attorney, applicant should submit a completed Trademark Electronic Application System (TEAS) [Revocation, Appointment and/or Change of Address of Attorney/Domestic Representative](#) form. The newly-appointed attorney must submit a TEAS [Response to Examining Attorney Office Action](#) form indicating that an appointment of attorney has been made and address all other refusals or requirements in this action, if any. Alternatively, if applicant retains an attorney before filing the response, the attorney can respond to this Office action by using the appropriate TEAS response form and provide his or her attorney information in the form and sign it as applicant's attorney. See 37 C.F.R. §2.17(b)(1)(ii).

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

Biftu, Beniam
/Ben Biftu/
Trademark Examining Attorney
United States Patent & Trademark Office
Law Office 117
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RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to abandon.** A response or notice of appeal must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS and ESTTAmaintenance 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 needed, **find contact information for the supervisor** of the office or unit listed in the signature block.

DESIGN MARK

Serial Number

86492350

Status

REGISTERED

Word Mark

ANGEL BAKERIES

Standard Character Mark

Yes

Registration Number

4794233

Date Registered

2015/08/18

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Angel's Bakery USA LLC LIMITED LIABILITY COMPANY NEW JERSEY 110
Raskulinecz Rd. Carteret NEW JERSEY 07008

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Pita; Pita bread.
First Use: 1989/02/01. First Use In Commerce: 1989/02/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BAKERIES" APART FROM
THE MARK AS SHOWN.

Filing Date

2014/12/30

Examining Attorney

FIRST, VIVIAN MICZNIK

Attorney of Record

Matthew Ormsbee

Angel Bakeries

DESIGN MARK

Serial Number

86493119

Status

REGISTERED

Word Mark

SINCE 1927 ANGEL · BAKERIES ·

Standard Character Mark

No

Registration Number

4830376

Date Registered

2015/10/13

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner

Angel's Bakery USA LLC LIMITED LIABILITY COMPANY NEW JERSEY 110
Raskulinecz Rd. Carteret NEW JERSEY 07008

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Pita; Pita bread.
First Use: 1989/02/01. First Use In Commerce: 1989/02/01.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SINCE 1927" AND
"BAKERIES" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of three tiers of text. The first line is "SINCE 1927" in all caps. The second line consists of "ANGEL" in much larger and more prominent text, also in all caps, and with a shadow. The third line consists of "BAKERIES" in all caps with a single interpunct on either side of the word for design effect. All three lines of text gently curve so that the text is higher in the middle than at the beginning or end of each line.

Colors Claimed

Print: Dec 4, 2019

86493119

Color is not claimed as a feature of the mark.

Filing Date

2014/12/31

Examining Attorney

FIRST, VIVIAN MICZNIK

Attorney of Record

Matthew Ormsbee

SINCE 1927

ANGEL
• BAKERIES •

DESIGN MARK

Serial Number

87263177

Status

THIRD EXTENSION - GRANTED

Word Mark

CAKE ANGELS HEAVENLY CREATIONS

Standard Character Mark

No

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

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

Owner

Fiddes Payne Ltd limited company (ltd.) UNITED KINGDOM Unit 3a Thorpe Park, Thorpe Way Banbury, Oxfordshire UNITED KINGDOM OX164SP

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Edible decorations for cakes; candy for food; confectionery made of sugar and marshmallow confectionery; chocolate; fruit jelly candy.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CAKE" AND "CREATIONS" APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of a pink circle with scalloped edges containing the white stylized words "CAKE ANGELS HEAVENLY CREATIONS" where the word "CAKE" in white is stacked on top of the word "ANGELS" in white and the wording "HEAVENLY CREATIONS" is arranged in an upward arcing semi-circle in smaller white font underneath the word "ANGELS" in white, there are two white wings one on either side of the word "CAKE" in white and a white halo floats directly above the word "CAKE" in white, all the foregoing on a white background which is not claimed as a feature of the mark.

Colors Claimed

The color(s) pink and white is/are claimed as a feature of the mark.

Filing Date

Print: Dec 4, 2019

87263177

2016/12/09

Examining Attorney
LEE, REBECCA

Attorney of Record
Laura M. Knokel



9:22:35 AM 12/4/2019

merriam-webster.com/dictionary/tortilla



SINCE 1828

GAMES

BROWSE THESAURUS

WORD OF THE DAY

WORDS AT PLAY

tortilla

DICTIONARY

THESAURUS

tortilla noun



Save Word

tor·ti·lla | \ tór-'tē-yə \

Definition of *tortilla*

: a thin round of unleavened cornmeal or wheat flour bread usually eaten hot with a topping or filling (as of ground meat or cheese)

<https://www.merriam-webster.com/dictionary/tortilla>

9:23:49 AM 12/4/2019

merriam-webster.com/dictionary/pita



SINCE 1828

GAMES

BROWSE THESAURUS

WORD OF THE DAY

WORDS AT PLAY

pita

DICTIONARY

THESAURUS

pita noun (2)

Definition of *pita* (Entry 2 of 2)

: a thin flat bread that can be separated easily into two layers to form a pocket
— called also *pita bread*

<https://www.merriam-webster.com/dictionary/pita>



The AMERICAN HERITAGE[®] dictionary of the English Language

angel cake

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n.
Angel food cake.

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Indo-European Roots

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The Indo-European appendix covers nearly half of the Indo-European roots that have left their mark on English words. A more complete treatment of Indo-European roots and the English words derived from them is available in our [Dictionary of Indo-European Roots](#).



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angel food cake

n.

A light sponge cake made of egg whites, sugar, and flour.

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GAMES

BROWSE THESAURUS

WORD OF THE DAY

WORDS AT PLAY

angel cake

DICTIONARY

THESAURUS

angel cake noun



Save Word

variants: *or* **angel food** *or* **angel food cake**

Definition of *angel cake*

: a white sponge cake made of flour, sugar, whites of eggs, and usually flavoring (such as vanilla or almond)

<https://www.merriam-webster.com/dictionary/angel%20cake>



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Angel food cake

From Wikipedia, the free encyclopedia

For the similarly named British cake, see Angel cake.



Angel food cake, or **angel cake**, is a type of sponge cake made with egg whites, flour, and sugar. A whipping agent, such as cream of tartar, is commonly added. It differs from other cakes because it uses no butter. Its aerated texture comes from whipped egg white. Angel food cake originated in the United States^[1] and first became popular in the late 19th century.^[2] It gained its unique reputation along with its name due to its light and fluffy texture.

Angel food cake



Angel food cake with chocolate

Type	Sponge cake
Place of origin	United States
Main ingredients	Sugar, flour, egg whites, cream of tartar

 Cookbook: Angel food cake

 Media: Angel food cake

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DEFINITIONS ▾

angel cake



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angel food cake

noun

- 1 a white sponge cake with a light, delicate texture obtained by using stiffly beaten egg whites and cream of tartar.

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angel cake (redirected from *angel cakes*)

Also found in: [Thesaurus](#).

angel cake

n.

Angel food cake.

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angel cake *or* angel food cake

n.

(Cookery) a very light sponge cake made without egg yolks

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Noun 1. angel cake - a light sponge cake made without egg yolks

[≡](#) angel food cake

[↔](#) sponge cake - a light porous cake made with eggs and flour and sugar without shortening



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angel cake

Definitions of
angel cake



1.



a light sponge cake made without egg yolks

Synonyms: [angel food cake](#)

Type of: [sponge cake](#)

a light porous cake made with eggs and flour and sugar without shortening

[Harris Teeter](#) > [Grocery](#) > Bakery

Bakery Subcategories

Bagels	>
Bread - Cinnamon	>
Bread - French/Italian	>
Bread - Other	>
Bread - Pita/Flat	>
Bread - Rye	>
Bread - Wheat/Grain	>
Bread - White	>
Bread Crumbs	>
Bread Sticks	>
Buns & Rolls	>
Croutons	>
Dessert - Cakes/Pies	>
Dessert - Coffee Cakes	>
Dessert - Cookies	>
Dessert - Pastries	>
Dessert - Sweet Rolls	>
Doughnuts	>
English Muffins	>
Muffins & Scones	>
Pizza & Focaccia	>
Snack Cakes & Pies	>
Stuffing	>
Tortillas & Tacos	>



Father Sam's
Pita Pockets, Whole
Wheat, Fat Free

★★★★★ 1 review

Not available at Pittsford
14.0 oz.



Atie's Bakery
Pocket Pita Bread,
Whole Wheat

★★★★★

Not available at Pittsford
5 oz.



SHILLA BAKERY
Bun, Red Bean

★★★★★

Not available at Pittsford
4.2 oz.



SHILLA BAKERY
Bun, Butter Cream

★★★★★

Not available at Pittsford
4.5 oz.



SHILLA BAKERY
Bun, Almond Butter
Cream

★★★★★

Not available at Pittsford
4.5 oz.



SHILLA BAKERY
Roll Cake, Original,
Single

★★★★★

Not available at Pittsford
4 oz.



Father Sam's
Pita Pockets, Mini,
White

★★★★★

Not available at Pittsford
12 oz.



SHILLA BAKERY
Honey Castella

★★★★★

Not available at Pittsford
4.5 oz.



SHILLA BAKERY
Roll Cake, Original,
Single

★★★★★

Not available at Pittsford
5.5 oz.



SHILLA BAKERY
Bun, Strawberry Butter
Cream

★★★★★

Not available at Pittsford
4 oz.



FLATOUT
Foldit Flatbread,
Traditional White

★★★★★

Not available at Pittsford
9 oz.



SHILLA BAKERY
Pound Cake, Cream
Cheese

★★★★★

Not available at Pittsford
19 oz.



SHILLA BAKERY
Cake, Walnut, Soft

★★★★★

Not available at Pittsford
14.5 oz.



SHILLA BAKERY
Bun, Mocha Butter
Cream

★★★★★

Not available at Pittsford
5.5 oz.



Toufayan
Wraps, Gluten Free,
Savory Tomato

★★★★★

Not available at Pittsford
11 oz.



FLATOUT
Foldit Flatbread,
Rosemary & Olive Oil

★★★★★

Not available at Pittsford
9 oz.



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Bread & Bakery Subcategories

- [Bagels](#) >
- [Croissant](#) >
- [Croutons](#) >
- [Dessert & Pastries](#) >
- [Flatbreads & Wraps](#) >
- [Fresh Bakery Bread](#) >
- [Packaged Bread](#) >
- [Pizza Dough & Crust](#) >
- [Pre-Packaged Rolls & Buns](#) >

Bakery

Bread

Tortillas & Flat Bread

Buns & Rolls

Breakfast Bakery

Bakery Desserts

Bread



Dave's Killer Bread 21 Whole Grains and Seeds Organic Bread
27 oz



Food for Life Ezekiel 4:9 Bread Organic Sprouted Whole Grain
24 oz



Dave's Killer Bread Good Seed Organic Bread
27 oz



Dave's Killer Bread 21 Seeds
20.5 oz

Tortillas & Flat Bread



Mission Super Soft Soft Taco Flour Tortillas
10 ct



Mission Flour Burrito Tortillas, Large
8 ct



Mission Carb Balance Soft Taco Flour Tortillas
8 each



Mission V Flour Tortillas
10 ct

Buns & Rolls





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- ☐ \$5 - \$10
- ☐ \$10 - \$20
- ☐ \$20 - \$50
- ☐ \$50 - \$100
- ☐ \$100 - \$150
- ☐ \$150 - \$200
- ☐ \$200 - \$250
- ☐ \$250 - \$500

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Customer Rating



In-store purchase only

Tina's Red Hot Beef Burrito, 4.69 oz

★★★★★ (6)

[See Details](#)


In-store purchase only

Mission Fajita Homestyle Flour Tortillas, 16 Count

[See Details](#)


In-store purchase only

OLE Mexican Foods Xtreme Wellness Wrap Spinach & Herbs 8" Tortillas, 8 ct

★★★★★ (14)

[See Details](#)


In-store purchase only

El Monterey® Beef & Bean Chimichangas (8ct)

★★★★★ (25)

[See Details](#)


In-store purchase only

Sam's Choice White Greek Style Pita, 16.8oz, 6 count

★★★★★ (24)

[See Details](#)


In-store purchase only

Mission Gluten Free Soft Taco Tortillas, 6 Count

★★★★★ (14)



In-store purchase only

Mission Yellow Corn Tortillas, 30 Count

★★★★★ (1)



In-store purchase only

Mission Extra Thin Yellow Corn Tortillas, 24 Count

★★★★★ (1)



In-store purchase only

Sam's Choice White Pocket Pita

★★★★★ (6)



In-store purchase only

Mission Street Taco Corn Tortillas, 24 Count

★★★★★ (1)