

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

U.S. Application Serial No. 79285465

Mark: MIX IT

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Reference/Docket No. N/A

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NONFINAL OFFICE ACTION

International Registration No. 1530561

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 "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 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:

- Partial Refusal under Trademark Act Section 2(d) –Likelihood of Confusion
- Requirement for an Acceptable Identification of Goods
- Requirement for Description of the Mark
- Requirement for U.S. Attorney

PARTIAL SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark MIX IT is refused because of a likelihood of confusion with the marks:

1. MIX IT & MAKE IT in U.S. Registration No. 5771282 for "Cookie mixes, brownie mixes"
2. MIX IT UP. MASH IT UP. LIVE IT UP. in U.S. Registration No. 5577398 for "Candy"
3. MIX IT UP in U.S. Registration No. 4534910 for "Coffee; soft-serve ice cream and blended frozen confections"
4. MIX IT UP GLUTEN FREE (with GLUTEN FREE disclaimed) in U.S. Registration No. 4576903 for "Gluten-free mixes for baking batters"
5. MIX IT YOUR WAY in U.S. Registration No. 5491752 for "Restaurant services featuring soda and desserts in the nature of a drive-up and walk-up restaurant"

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 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 overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. See *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); see *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002).

Comparison of the Marks in General

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 (TTAB2014)), *aff’d per curiam*, 777 F. App’x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

Comparison of the Goods/Services in General

The goods and/or 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); TMEP §§1207.01, 1207.01(a)(vi).

Analysis of the Marks

Applicant’s mark, MIX IT, is confusingly similar to the MIX IT-formative registered marks in meaning or connotation and overall commercial impression. Each of the marks feature the identical wording MIX IT.

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 Viterro Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); TMEP §1207.01(b)(viii)(c)(ii). Disclaimed matter that is descriptive of or generic for a party’s goods (such as GLUTENFREE in one registrant’s mark) 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).

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 Fondee 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 OAMERICA 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”).

In this case, the marks share the identical wording MIX IT which is the dominant and initial or only portion of each of the marks. Marks may be confusingly similar in appearance where similar terms or phrases or similar parts of terms or phrases appear in the compared marks and create a similar overall commercial impression. See *Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB 1986), *aff’d sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat’l Ass’n*, 811 F.2d 1490, 1495, 1 USPQ2d 1813, 1817 (Fed. Cir. 1987) (finding COMM CASH and COMMUNICASH confusingly similar); TMEP §1207.01(b)(ii)-(iii).

Applicant has deleted wording in each registrant’s mark. Although applicant’s mark does not contain the entirety of the registered mark, applicant’s mark is likely to appear to prospective purchasers as a shortened form of registrant’s mark. See *In re Mighty Leaf Tea*, 601 F.3d 1342, 1348, 94 USPQ2d 1257, 1260 (Fed. Cir. 2010) (quoting *United States Shoe Corp.*, 229 USPQ 707, 709 (TTAB 1985)). Thus, merely omitting some of the wording from a registered mark may not overcome a likelihood of confusion. See *In re Mighty Leaf Tea*, 601 F.3d 1342, 94 USPQ2d 1257; *In re Optica Int’l*, 196 USPQ 775, 778 (TTAB 1977); TMEP §1207.01(b)(ii)-(iii). In this case, applicant’s mark does not create a distinct commercial impression from the registered marks because it contains some of the wording in the registered marks and does not add any wording that would distinguish it from the marks. While the terms MIX IT are common to these registrations, the terms MIX IT are exclusive to one; the marks are distinguishable from each other because of additional wording which applicant’s mark has none of.

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 Inn at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re St. Helena Hosp.*, 774 F.3d 747, 750-51, 113 USPQ2d 1082, 1085 (Fed. Cir. 2014); *Geigy Chem. Corp. v. Atlas Chem. Indus., Inc.*, 438 F.2d 1005, 1007, 169 USPQ 39, 40 (C.C.P.A. 1971)), *aff’d per curiam*, 777 F. App’x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

In this case, a consumer encountering the mark MIX IT in connection with applicant’s goods will incorrectly believe that the goods originate from the

same source as each registrant's MIX IT-formative goods.

Analysis of the Goods/Services

The compared goods/services need not be identical or even competitive to find a likelihood of confusion. See *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

Applicant's goods include:

Vanilla flavorings for culinary purposes; flavorings, other than essential oils, for cakes; flavorings, other than essential oils, for beverages; coffee flavorings; food flavorings, other than essential oils; star aniseed; cereal bars; high-protein cereal bars; pancakes; buns; bread rolls; vanillin [vanilla substitute]; waffles; vermicelli; natural sweeteners; binding agents for ice cream; malt biscuits; cloves [spice]; mirror icing [mirror glaze]; cake frosting [icing]; glucose for culinary purposes; buckwheat, processed; gluten additives for culinary purposes; yeast; thickening agents for cooking foodstuffs; leaven; rice-based snack food; cereal-based snack food; artificial coffee; vegetal preparations for use as coffee substitutes; zephyr [confectionery]; fruit jellies [confectionery]; candy decorations for cakes; confectionery for decorating Christmas trees; cakes; pastries; peanut confectionery; almond confectionery; frozen yogurt [confectionery ices]; cocoa; cream of tartar for culinary purposes; caramels [sweets]; quinoa, processed; quiches; gluten prepared as foodstuff; flour-based dumplings; sweets; liquorice [confectionery]; peppermint sweets; mints for breath freshening; dulce de leche; cinnamon [spice]; coffee; starch for food; crackers; custard; hominy grits; semolina; oatmeal; crushed barley; groats for human food; corn, milled; corn, roasted; meat pies; turmeric; rice cakes; mayonnaise; macarons; maltose; hominy; piccalilli; marinades; marzipan; honey; royal jelly; ice cream; bean meal; buckwheat flour; tapioca flour; potato flour; corn flour; nut flours; flour; wheat flour; soya flour; barley meal; dessert mousses [confectionery]; chocolate mousses; muesli; mint for confectionery; cocoa beverages with milk; coffee beverages with milk; coffee-based beverages; cocoa-based beverages; chamomile-based beverages; tea-based beverages; chocolate beverages with milk; chocolate-based beverages; infusions, not medicinal; crushed oats; husked oats; onigiri; nutmegs; chocolate-coated nuts; stick liquorice [confectionery]; pastilles [confectionery]; molasses for food; pepper; allspice; peppers [seasonings]; cookies; petit-beurre biscuits; pies; pizzas; fondants [confectionery]; powders for making ice cream; baking powder; mustard meal; pralines; condiments; cereal preparations; oat-based food; propolis; gingerbread; spices; petits fours; puddings; cake powder; fruit coulis [sauces]; chewing gum; chewing gum for breath freshening; relish [condiment]; wheat germ for human consumption; sago; sugar; palm sugar; sesame seeds [seasonings]; linseed for culinary purposes [seasoning]; processed seeds for use as a seasoning; aniseed; agave syrup [natural sweetener]; golden syrup; confectionery; baking soda [bicarbonate of soda for cooking purposes]; malt for human consumption; salt for preserving foodstuffs; cooking salt; celery salt; sorbets [ices]; cranberry sauce [condiment]; apple sauce [condiment]; seasonings; chocolate-based spreads; chocolate spreads containing nuts; preparations for stiffening whipped cream; shaved ice with sweetened red beans; rusks; breadcrumbs; tapioca; dough; pastry dough; cake dough; chocolate decorations for cakes; vinegar; halvah; bread; unleavened bread; chips [cereal products]; corn flakes; oat flakes; chicory [coffee substitute]; tea; iced tea; chocolate; essences for foodstuffs, except etheric essences and essential oils; husked barley.

Registrant's goods/services are recited above. To the extent that both of the parties provide beverages, confections, and dessert goods/services or products used to make such, the goods are closely related **if not identical**. Furthermore, one registrant's restaurant services featuring desserts could feature applicant's various desserts and thus the goods/services are related.

Determining likelihood of confusion is based on the description of the goods stated in the application and registration at issue, not on extrinsic evidence of actual use. See *In re Detroit Athletic Co.*, 903 F.3d 1297, 1307, 128 USPQ2d 1047, 1052 (Fed. Cir. 2018) (citing *In re i.am.symbolic, llc*, 866 F.3d 1315, 1325, 123 USPQ2d 1744, 1749 (Fed. Cir. 2017)).

The attached Internet evidence, consisting of third party websites from **Nestlé, The Hershey Company Mars, and Kraft Heinz** establishes that the same entity commonly manufactures, produces, or provides the relevant goods/services and markets the goods/services under the same mark, that the relevant goods/services are sold or provided through the same trade channels and used by the same classes of consumers in the same fields of use, and that the goods/services are similar or complementary in terms of purpose or function, e.g., various foods and beverages and products to make the same and restaurants featuring such. Thus, applicant's and registrant's goods/services are considered related for likelihood of confusion purposes. See, e.g., *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Lastly, excerpts from applicant's own website attached confirms that these goods/services are closely related because applicant offers chocolate products which are the same or closely related to the goods/services identified by each registrant. Thus, the evidence of record confirms that the parties' goods/services are closely related/identical.

Summary of Analysis

A consumer encountering the mark MIX IT in connection with applicant's various foods and beverages and products to make the same will incorrectly believe that the goods originate from the same source as each registrant's MIX IT-formative various foods and beverages and related services. As a result, because of the confusingly similar marks and closely related and potentially identical goods/services, registration is refused under Trademark Act Section 2(d).

ADVISORY

The stated refusal refers to the goods recited above and does not bar registration for "noodle-based prepared meals; freeze-dried dishes with the main ingredient being pasta; freeze-dried dishes with the main ingredient being rice; bulgur; edible rice paper; edible paper; sausage binding materials; sea water for cooking; seaweed [condiment]; mustard; croûtons; dressings for salad; pasta; capers; curry [spice]; ketchup [sauce]; noodles; soba noodles;

udon noodles; ice for refreshment; ice, natural or artificial; edible ices; macaroni; bibimbap [rice mixed with vegetables and beef]; meat gravies; popcorn; meat tenderizers for household purposes; ravioli; rice; instant rice; spring rolls; ham glaze; soya sauce; tomato sauce; sauces [condiments]; pasta sauce; spaghetti; sushi; sandwiches; tabbouleh; hot dog sandwiches.”

Applicant may respond to the stated refusal by submitting evidence and arguments against the refusal. In addition, applicant may respond by doing one of the following:

- (1) Deleting the goods to which the refusal pertains; or
- (2) Filing a Request to Divide Application form (form #3) to divide out the goods that have not been refused registration, so that the mark may proceed toward publication for opposition for those goods to which the refusal does not pertain. See 37 C.F.R. §2.87. See generally TMEP §§1110 *et seq.* (regarding the requirements for filing a request to divide). If applicant files a request to divide, then to avoid abandonment, applicant must also file a timely response to all outstanding issues in this Office action, including the refusal. 37 C.F.R. §2.87(e).

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 requirement(s) set forth below.

IDENTIFICATION AND CLASSIFICATION OF GOODS

The identification of goods must be clarified because some of the wording is indefinite and could include goods in more than one International Class or is otherwise unacceptable. See TMEP §1402.01. For example, “turmeric” encompasses “turmeric for food” in Class 030 and “turmeric used as a colorant” in Class 002; applicant may only identify goods in Class 030.

The suggested identification below contains further guidance in bold. Applicant may adopt any or all of the suggestions in bold so long as they are accurate. If applicant does not adopt a suggestion, then applicant must amend the identification so that it is as specific as the suggestions and language found in the U.S. Acceptable Identification of Goods and Services Manual.

Advisory on Wording and Punctuation

The identification 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 that have been deleted from registrations or in an affidavit of incontestability to indicate goods not claimed. See TMEP §1402.12. Therefore, applicant must remove the brackets from the identification and incorporate any bracketed information into the identification.

The wording “**star aniseed**” in the identification of goods appears to be misspelled and is thus indefinite; the spelling must be corrected or the wording further clarified. See 37 C.F.R. §2.32(a)(6); TMEP §1402.01(a). Applicant may substitute the following wording for the incorrect spelling, if accurate: “star anise” or “star anise seed” or “aniseed.”

Applicant may adopt the following identification, if accurate:

“Vanilla flavorings for culinary purposes; flavorings, other than essential oils, for cakes; flavorings, other than essential oils, for beverages; coffee flavorings, **namely, syrup used in making food beverages**; food flavorings, other than essential oils; **star anise**; cereal bars; high-protein cereal bars; pancakes; noodle-based prepared meals; freeze-dried dishes with the main ingredient being pasta; freeze-dried dishes with the main ingredient being rice; buns; bulgur; bread rolls; edible rice paper; edible paper; vanillin **as a vanilla substitute for use as a food flavoring**; waffles; vermicelli; natural sweeteners; sausage binding materials **in the nature of bread crumbs**; **starch-based** binding agents for ice cream; sea water for cooking; seaweed **for use as a condiment**; malt biscuits; cloves **as spice**; mirror icing **as mirror glaze**; cake frosting **as icing**; glucose for culinary purposes; mustard; croûtons; buckwheat, processed; gluten additives for culinary purposes; yeast; thickening agents for cooking foodstuffs; leaven, **namely, food leavening agents**; rice-based snack food; cereal-based snack food; artificial coffee; vegetal preparations for use as coffee substitutes; dressings for salad; zephyr **as confectionery**; **fruit jelly candy as confectionery**; candy decorations for cakes; confectionery for decorating Christmas trees; cakes; pastries; peanut confectionery, **namely, peanut butter confectionery chips**; almond confectionery, **namely, confectionery chips for baking**; pasta; frozen yogurt **as confectionery ices**; cocoa; cream of tartar for culinary purposes; capers; caramels **as sweets**; curry **as spice**; ketchup **as sauce**; quinoa, processed; quiches; gluten prepared as foodstuff, **namely, gluten additives for culinary purposes**; flour-based dumplings; sweets; liquorice **as confectionery**; peppermint sweets; mints for breath freshening; dulce de leche; cinnamon **as spice**; coffee; starch for food; crackers; custard; hominy grits; **processed** semolina; oatmeal; crushed barley; groats for human food; corn, milled; corn, roasted; meat pies; turmeric **for food**; noodles; soba noodles; udon noodles; ice for refreshment; ice, natural or artificial; edible ices; rice cakes; mayonnaise; macarons; macaroni; maltose **for food**; hominy; piccalilli; marinades; marzipan; honey; royal jelly **for food purposes**; ice cream; bean meal; buckwheat flour; tapioca flour; potato flour; corn flour; nut flours; flour; wheat flour; soya flour; barley meal; dessert mousses **as confectionery**; chocolate mousses; muesli; **candy mint** for confectionery; cocoa beverages with milk; coffee beverages with milk; coffee-based beverages; cocoa-based beverages; chamomile-based beverages; tea-based beverages; **chocolate-based** beverages with milk; chocolate-based beverages; **herbal** infusions, not medicinal; crushed oats; husked oats; onigiri; nutmegs; chocolate-coated nuts; stick liquorice **as confectionery**; pastilles **as confectionery**; molasses for food; pepper; allspice; peppers **as seasonings**; cookies; petit-beurre biscuits; bibimbap **as rice mixed with vegetables and beef**; pies; pizzas; meat gravies; fondants **as confectionery**; popcorn; powders for making ice cream; baking powder; mustard meal; pralines; condiments, **namely, coca-based condiments for food and drink**; meat tenderizers for household purposes; cereal preparations, **namely, processed cereals**; oat-based food, **namely, oat flakes**; propolis; gingerbread; spices; petits fours; puddings; cake powder **in the nature of cake mixes**; fruit coulis **as sauces**; ravioli; chewing gum; chewing gum for breath freshening; relish **as condiment**; rice; instant rice; wheat germ for human consumption; spring rolls; sago; sugar; palm sugar; sesame seeds **for use as a seasonings**; linseed for culinary purposes **for use as a seasoning**; processed seeds for use as a seasoning; aniseed **for use as a flavoring in food and drinks**; agave syrup **for use as a natural sweetener**; golden syrup; confectionery, **namely, candy and chocolate**; baking soda as bicarbonate of soda for cooking purposes; malt extract **for food** for human consumption; salt

for preserving foodstuffs; cooking salt; celery salt; sorbets **as** ices; ham glaze; cranberry sauce **as** condiment; soya sauce; tomato sauce; apple sauce **as** condiment; sauces **as** condiments; pasta sauce; spaghetti; seasonings; chocolate-based spreads; chocolate spreads containing nuts; preparations **in the nature of starch-based thickeners** for stiffening whipped cream; shaved ice with sweetened red beans; rusks; breadcrumbs; sushi; sandwiches; tabbouleh; tapioca; dough; pastry dough; cake dough; chocolate decorations for cakes; vinegar; halvah; bread; unleavened bread; **grain-based chips as** cereal products; corn flakes; oat flakes; hot dog sandwiches; chicory **as a** coffee substitute; tea; iced tea; chocolate; **coffee** essences for foodstuffs, except etheric essences and essential oils; husked barley” in Class 030

ADVISORY ON SCOPE: Applicant may amend the identification to clarify or limit the goods, but not to broaden or expand the goods 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 may not later be reinserted. See TMEP §1402.07(e). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau).

ADVISORY ON CLASS: The classification of goods may not be changed from that assigned by the International Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

ADVISORY ON WORDING: Descriptions of goods found acceptable in earlier-filed applications and registrations do not always remain acceptable when adopted in later-filed applications. See TMEP §§702.03(a)(iv), 1402.14. Identifications of goods are examined in accordance with the Trademark Rules of Practice and the USPTO’s policies and procedures in effect on the date an application is filed (although an applicant may voluntarily choose to follow policies and procedures adopted *after* the application was filed). See 37 C.F.R. §2.85(e)(1)-(e)(2); TMEP §§1401.09, 1402.14.

The USPTO’s rules and policies with respect to identifications of goods are updated periodically to reflect changes in the marketplace and technology as well as changes to the international classification system. See TMEP §1402.14. For guidance on drafting acceptable identifications of goods, use the USPTO’s online *U.S. Acceptable Identification of Goods and Services Manual* (ID Manual), which is continually updated in accordance with prevailing rules and policies. See TMEP §1402.04.

DESCRIPTION OF MARK REQUIRED

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, the drawing of the mark is not in standard characters.

The following description is suggested, if accurate:

The mark consists of the stylized wording “MIX IT”.

STANDARD CHARACTER ADVISORY

The drawing of the mark in the Section 66(a) application appears to be in standard characters (i.e., text only with no particular font style, size, or color). However, the application does not appear to include the required claim of standard characters and will be treated as a special form drawing only. See TMEP §807.03(h). Any registration issuing from this application will thus be limited to the particular appearance and text style shown in the drawing. See TMEP §§807.04 *et seq.*

A mark registered in standard characters, however, would provide protection of a text mark in any lettering style, size, and color. See 37 C.F.R. §2.52(a); TMEP §807.03(a). A mark in the international registration and corresponding U.S. application may meet the USPTO’s requirements for a standard character drawing even though no claim to standard characters was included in the application. TMEP §807.03(h). The absence of a standard character claim could be due to the differences in requirements for such claims in different countries. *Id.*

If applicant seeks to register the mark in standard characters in the United States, applicant must submit the following two statements:

- (1) **Under the laws of the country of the basic application and/or registration, the basic application and/or registration includes, and thus the international registration includes, the legal equivalent of a standard character claim.**
- (2) **The mark consists of standard characters without claim to any particular font style, size, or color.**

See 37 C.F.R. §2.52(a); TMEP §807.03(a), (h).

If applicant does not provide these two statements, the USPTO will consider the mark drawing to be in special form. See TMEP §807.03(h).

U.S. 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.

Only a U.S.-licensed attorney can take action on an application on behalf of a foreign-domiciled applicant. 37 C.F.R. §2.11(a). Accordingly, the USPTO will not communicate further with applicant about the application beyond this Office action or permit applicant to make future submissions in this application. And applicant is not authorized to make amendments to the application.

To appoint or designate a U.S.-licensed attorney. To appoint an attorney, applicant should submit a completed Trademark Electronic Application System (TEAS) Change Address or Representation 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.

/Ms. Tasneem Hussain/
Trademark Examining Attorney
Law Office 130
tasneem.hussain@uspto.gov (preferred)
571.272.8273

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 ESTT 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**. 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.

Print: May 19, 2020

85902285

DESIGN MARK

Serial Number

85902285

Status

REGISTERED

Word Mark

MIX IT UP GLUTEN FREE

Standard Character Mark

Yes

Registration Number

4576903

Date Registered

2014/07/29

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Avila, Judy INDIVIDUAL UNITED STATES 230 Florence St. Sunnyvale
CALIFORNIA 94086

Owner

Avila, Richard INDIVIDUAL UNITED STATES 230 Florence St. Sunnyvale
CALIFORNIA 94086

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Gluten-free mixes
for baking batters. First Use: 2014/05/08. First Use In Commerce:
2014/05/08.

Disclaimer Statement

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

Filing Date

2013/04/12

Examining Attorney

CROWLEY, PAUL

Print: May 19, 2020

85902285

Attorney of Record

Matthew H. Swyers

MIX IT UP GLUTEN FREE

Print: May 19, 2020

86027439

DESIGN MARK

Serial Number

86027439

Status

REGISTERED

Word Mark

MIX IT UP

Standard Character Mark

Yes

Registration Number

4534910

Date Registered

2014/05/20

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

QTR CORPORATION CORPORATION OKLAHOMA 4705 SOUTH 129TH EAST AVENUE
TULSA OKLAHOMA 74134

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Coffee; soft-serve
ice cream and blended frozen confections. First Use: 2014/01/15.
First Use In Commerce: 2014/01/15.

Prior Registration(s)

4138136

Filing Date

2013/08/02

Examining Attorney

GILBERT, REBECCA

Attorney of Record

Rachel Blue

MIX IT UP

Print: May 19, 2020

87748551

DESIGN MARK

Serial Number

87748551

Status

REGISTERED

Word Mark

MIX IT UP. MASH IT UP. LIVE IT UP.

Standard Character Mark

Yes

Registration Number

5577398

Date Registered

2018/10/02

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Promotion In Motion, Inc. CORPORATION DELAWARE P.O. Box 8 25 Commerce Drive Allendale NEW JERSEY 07401

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Candy. First Use: 2018/04/17. First Use In Commerce: 2018/04/17.

Filing Date

2018/01/09

Examining Attorney

MONINGHOFF, KIM

Attorney of Record

Richard M. Goldberg

MIX IT UP. MASH IT UP.
LIVE IT UP.

DESIGN MARK

Serial Number

87980711

Status

REGISTERED

Word Mark

MIX IT & MAKE IT

Standard Character Mark

Yes

Registration Number

5771282

Date Registered

2019/06/04

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Mason Jar Cookie Company, LLC LIMITED LIABILITY COMPANY DELAWARE Suite
402 2240 West Woolbright Road Boynton Beach FLORIDA 33426

Goods/Services

Class Status -- ACTIVE. IC 030. US 046. G & S: Cookie mixes,
brownie mixes. First Use: 2018/09/15. First Use In Commerce:
2018/09/15.

Filing Date

2018/03/15

Examining Attorney

HILL, JAMES T

Attorney of Record

Timothy M. Kenny

MIX IT & MAKE IT

Print: May 19, 2020

87673513

DESIGN MARK

Serial Number

87673513

Status

REGISTERED

Word Mark

MIX IT YOUR WAY

Standard Character Mark

Yes

Registration Number

5491752

Date Registered

2018/06/12

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

Beachin' Soda Shack Utah LLC LIMITED LIABILITY COMPANY UTAH 60 East
Union Street Manti UTAH 84642

Goods/Services

Class Status -- ACTIVE. IC 043. US 100 101. G & S: Restaurant
services featuring soda and desserts in the nature of a drive-up and
walk-up restaurant. First Use: 2015/02/00. First Use In Commerce:
2015/02/00.

Filing Date

2017/11/06

Examining Attorney

DINALLO, KEVIN

Attorney of Record

Daniel S. Sam

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Nestlé Good Food, Good Life



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Our Brands

Most people know us through our brands. Our portfolio covers almost every food and beverage category – offering products and services for all stages of life, every moment of the day, helping people care for themselves and their families. Here is a sample of some of our brands. For more information, visit our [Brands](#) section.

Baby foods

[Cerelac](#), [Gerber](#), [NaturNes](#)

Bottled water

[Nestlé Pure Life](#), [Perrier](#), [Poland Spring](#), [S.Pellegrino](#)

Cereals

[Cheerios](#), [Fitness](#), [Lion](#), [Nesquik Cereal](#)



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Aero, Cailler, KitKat, Milkybar, Nestlé Les Recettes de l'Atelier, Orion, Quality Street, Smarties, Toll House

Coffee

Nescafé, Nescafé 3 in 1, Nescafé Cappuccino, Nescafé Classic, Nescafé Decaff, Nescafé Dolce Gusto, Nescafé Gold, Nespresso

Culinary, chilled and frozen food

Buitoni, Herta, Hot Pockets, Lean Cuisine, Maggi, Stouffer's, Thomy

Dairy

Carnation, Coffee-Mate, La Laitière, Nido

Drinks

Milo, Nesquik, Nestea

Food services

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Food service

Chef, Chef-Mate, Maggi, Milo, Minor's, Nescafé, Nestea, Sjora, Lean Cuisine, Stouffer's

Healthcare nutrition

Boost, Nutren Junior, Peptamen, Resource

Ice cream

Dreyer's, Extrême, Häagen-Dazs, Mövenpick, Nestlé Ice Cream

Petcare

Alpo, Bakers Complete, Beneful, Cat Chow, Chef Michael's Canine Creations, Dog Chow, Fancy Feast, Felix, Friskies, Gourmet, Purina, Purina ONE, Pro Plan

Explore a selection of our brands



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Almonds Bar, 6-Pack,...

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HERSHEY'S Cookies 'N' Creme Bar

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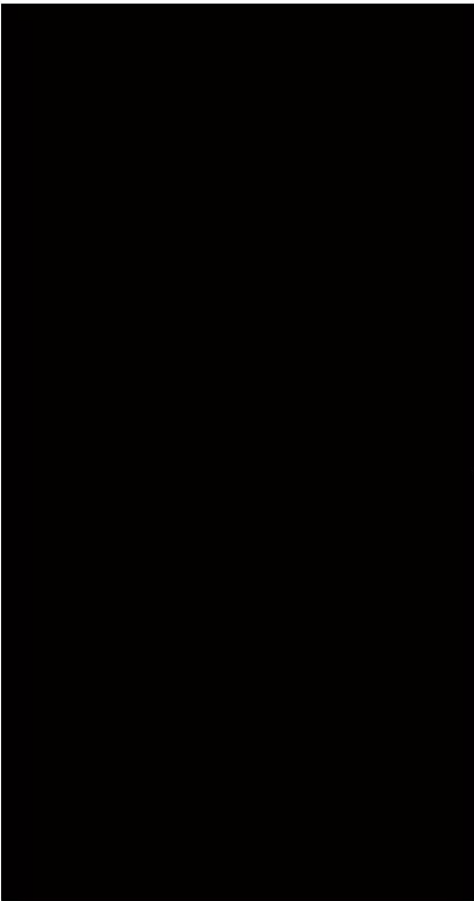
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HERSHEY'S Milk Chocolate &
REESE'S PIECES Candy Ki...

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Pretzels in Caramelized C...

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HERSHEY'S Milk Chocolate Bar with
Almonds, 1.45 oz

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REESE'S PIECES Candy Ba...



HERSHEY'S GOLD King Size Bar,
2.5 oz



HERSHEY'S Miniatures Assortment
Share Pack, 10.4 oz

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Where are HERSHEY products manufactured?

About 85% of what our company sells in the United States is manufactured in the U.S. at one of our eight factories across the country. In 2012, we completed a \$300 million expansion of our plant in West HERSHEY that enables us to make our iconic chocolates for the next 100 years right here in HERSHEY, PA.

TOP



Bringing Goodness to the World



Learn more about where your favorite candy comes from and what The HERSHEY Company is doing to spread the happiness.

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Simple Ingredients. Delicious Taste.

Our commitment to Simple starts at the source. HERSHEY uses simple ingredients to create the HERSHEY'S milk chocolate you love.

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MARS
Food





Mars Food

Food is so much more than what we eat. It's a way for families to bond, laugh, talk and teach each other how to make their favorite meals. For farmers, it's a way to make a living. These are facts that we're aware of when we make decisions about how we want to contribute to a more positive world. Therefore, our Associates are working hard on a number of initiatives:

- Receiving 100 percent of our rice from farmers working toward [Sustainable Rice Platform](#) standards by 2020.
- Working toward our ambition to deliver 1 billion more healthy meals around the globe by 2021.
- Helping children learn to cook and encouraging people to eat together.

What's our end goal? Making sure everyone around the world can enjoy a healthy, tasty, affordable, convenient and sustainably sourced meal.



Health & Wellness Report 2019

We've set ambitious goals to reduce sodium and added sugar, providing more of what's good for people like whole grains and legumes, as well as improving transparency and education about nutrition. See the strides we've made towards our target to put one billion more healthy meals on dinner tables around the world by 2021.

[Read The Full Report](#)

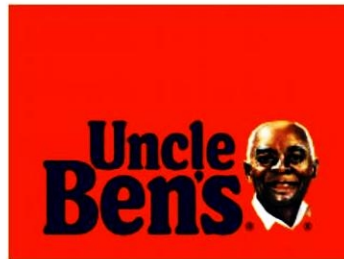


Our Business & Family of Brands

Headquartered in London, Mars Food is dedicated to providing better food today and a better world tomorrow. We seek to make everyday meals healthier, easier, more affordable and tastier, and to serve more communities responsibly. We employ roughly 2,000 Associates and have 12 manufacturing sites. Our 13 leading food brands are available in more than 30 countries, and include one billion-dollar brand, UNCLE BEN'S®, which is more than 70 years old.

Select a brand to learn more







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Mars Food

Report: Mars Food on Pace to Meet Target of One Billion More Healthy Meals on Dinner Tables Ahead of Schedule in 2019



Mars Food and Multisales Donates Over \$1.9M in Response to Coronavirus



Mars Food

10 Billion People Are Coming to Dinner



Mars Food

Today's Food Innovation for a Better World Tomorrow...



Mars Food

Mars Food Plants SEEDS OF CHANGE™ In Chicago With \$500,000 Grant





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starts with how we do business today

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DINING IN HERSHEY

Taste the many flavors of *Chocolatetown*® U.S.A with a visit to one of 11 deliciously unique and award-winning restaurants! Whether you are looking to have a casual meal with friends, a private dinner for two, or a fun, family breakfast, you'll find an ambience, menu, and tastes suited for whatever experience you're craving. Plus, all guests receive complimentary valet parking when dining with us!



WINE, FOOD & DESSERTS TO GO

Pickup delicious meals and desserts prepared by our award-winning culinary teams at some of your favorite Hershey Restaurants. Plus, bring home perfectly paired bottles of wine from *The Hotel Hershey*® and Houlihan's Restaurant + Bar. Convenient curbside pickup is available at all locations.

LEARN MORE



LET US DO THE COOKING

Enjoy the familiar taste of apps, grilled burgers, fresh salads, juicy steaks, kids' meals, and more from some of your favorite Hershey restaurants. Plus, convenient curbside pickup is available daily.

LEARN MORE




THE CIRCULAR

AT THE HOTEL HERSEY

Dine in a historic venue at *The Circular*®, built by Milton S. Hershey himself. Enjoy iconic tastes with a refined flair, a full-service bar offering an extensive wine and cocktail list, and desserts made from an award-winning pastry chef all while dining in an environment that blends the best of classic and modern.

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 Add to your trip




COCOA BEANERY

First coffee, then beer! Join us all day, every day at Cocoa Beanery for coffee, breakfast, lunch, dinner, and everything inbetween! Whether you are looking for a hand-crafted espresso beverage, craft beer, delicious bite, or a sweet treat you'll find it at our reclaimed caté meets biergarten getaway.

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HERSHEY GRILL

AT HERSHEY LODGE

Feed your curiosity at *Hershey Grill*™ where fresh, flavorful dishes highlight the best tastes of the season in creatively unexpected ways. Enjoy exceptional service, an expansive menu selection, a full bar with a daily happy hour, and the sweet satisfaction that can only come from a meal out in *Hershey The Sweetest Place On Earth*®

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HARVEST

AT THE HOTEL HERSHEY

Experience farm-to-fork freshness at *Harvest*™. With an ever-changing menu inspired by local and regional ingredients, you'll always get a delicious taste of something completely new. Plus, enjoy a variety of beverages including cocktails, wine, and micro-brews at the bar and an exciting and fun game room.

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REVELRY

AT HERSHEY LODGE

Revelry™ serves up classic and contemporary chophouse fare with premium cuts and the largest wine & spirits list in the house. *Revelry* is the perfect setting for a night out or, for guests of *Hershey Lodge*™, a night in. Settle into our dining room, claim a stool at the bar, or venture out to the rooftop patio during the warmer months, and savor a spirited evening of fine food and drinks.

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THE BEARS' DEN

AT HERSHEY LODGE

Cheer on the winningest team in the AHL while scoring on great taste at *The Bears' Den*™! With multiple games playing throughout the 39 HD TVs, including a 7'x 12' video wall, and a menu that serves up great options like burgers, steaks, pastas, and more –you're sure to have a dining experience for the record books.

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TREVI 5

AT THE HOTEL HERSHEY

Indulge your senses in authentically-modern Italian cuisine at *Trevi 5*™. The clean, Mediterranean ambience, five-flavor food combinations, and exceptional service will envelope you in the best of Italy – all while being wrapped up in the sweetness and hospitality of Hershey, PA.

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FIRE & GRAIN

AT HERSHEY LODGE

Experience the energetic and engaging atmosphere of *Fire & Grain*®, featuring gathering tables, a fire wall, and a full service bar. Enjoy an innovative breakfast and dinner menu of re-mastered comfort foods and cocktails perfect for breakfast with your family, dinner with friends, or cocktails with co-workers.

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IBERIAN LOUNGE

AT THE HOTEL HERSHEY

Cap off an evening of sweet attractions, activities, and events with a visit to *Iberian Lounge*™. Relax, unwind, and enjoy signature *Hershey's*-inspired cocktails, over 100 whiskies from around the world, and lite fare while gazing at the grand fireplace or



CHEF'S MARKET

AT THE HOTEL HERSHEY

Opening soon, our new all-day café. Guest can start or end their day with a wide variety of fresh coffee, chef-prepared food, decadent chocolate treats. Enjoy hand-crafted eats and drinks that satisfy, delight, and sustain on-the-go.




HOULIHAN'S RESTAURANT + BAR

AT THE HERSHEY PRESS BUILDING

Discover your next-favorite meal at Houlihan's of Hershey. Stylishly modern and laid back, Houlihan's serves up fresh, from-


Here while gazing at the grand fireplace or mingling with friends and fellow guests.

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and sustain on the go.

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scratch dishes, hand-crafted cocktails, and always delicious appetizers perfect for whatever dining experience you're craving.

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DEVON SEAFOOD + STEAK

AT THE HERSHEY PRESS BUILDING

Get a taste of fresh at Devon Seafood + Steak. Comfortably upscale and refined, Devon provides the perfect atmosphere to enjoy everything from deliciously simple fish dishes to premium steaks and salads, plus an impressive wine cellar list and cocktail menu to complement your one-of-a-kind dining experience.

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PRIVATE DINING

From work gatherings to birthday celebrations, anniversaries and more, Hershey is the sweetest place to hold a private dining event.

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DINING EVENTS

Make Hershey, PA your destination for culinary exploration all year long. Expand your palate, fill your plate, and broaden your flavor profile with events like wine and food pairings, dining deals, chocolate-covered events, and more – only in *Hershey The Sweetest Place On Earth*!

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ALL-NEW PLACES TO EAT & DRINK

Opening this summer at *Hersheypark*®, *Hershey's Chocolatetown*™ will be home to *The Chocolatier*™ Restaurant, Bar + Patio; *Milton's*™ Ice Cream Parlor; *The Sweeterie*™ Confectionery Kitchen; and more!



THE CHOCOLATIER RESTAURANT, BAR + PATIO

COMING TO HERSHEY PARK THIS SUMMER

The Chocolatier™ is a full-service restaurant and bar featuring past and present pieces from the *Hersheypark*® ride collection, one-of-a-kind views of neighboring attractions, and a second story patio that takes your dining experience to the next level. Classic family fare with a fun spin and hints of chocolate will be served from an open kitchen while bartenders craft cocktails



MILTON'S ICE CREAM PARLOR

COMING TO HERSHEY PARK THIS SUMMER

Milton's™ Ice Cream Parlor is inspired by one of Milton S. Hershey's earliest venture in sweetness - a malt shop on Philadelphia's Spring Garden Street. Our vintage-style ice cream parlor serves up scooped-to-order sundaes and shakes with a new-fashioned spin. Expert Ice Creamologists craft custom creations from more than 12 rotating flavors of house-made ice cream, an impressive selection of *Hershey's* candy toppings, decadent sauces, and more. Are you still hungry? Grab a quick bite from the



THE SWEETERIE CONFECTIONERY KITCHEN

COMING TO HERSHEY PARK THIS SUMMER

The Sweeterie™ is a scratch confectionery kitchen led by Chef Cher Harris, Corporate Pastry Chef. Watch as our team of Confectioners create mouthwatering sweets right before your eyes! Choose from more than 50 confections including chocolate-dipped treats, artisanal baked goods, signature hand-crafted fudge, and more - all made with love in *Hershey's Chocolatetown*™.

...time dessert eatery... behind a Carrousel-themed bar. But the ride doesn't end there! Save room for signature desserts menu crafted by our award-winning, Corporate Pastry Chef. At *The Chocolatier*, we celebrate the life and legacy of our founder, Milton S. Hershey, by continuing to bring people together for happiness, fun, and of course, chocolate.

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hungry? Grab a quick bite from the shareables menu featuring classic snacks that are big enough to share.

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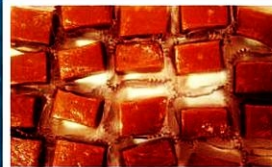
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Story

On October 15, 2013, the Russian Chocolate factory celebrated its 15th birthday. Today this is a powerful enterprise whose chocolate products are known and appreciated by customers, but let's find out how it all began. In 1998, porous chocolate from the Russian Chocolate factory first appeared on the confectionery market in Russia. At that time, the enterprise had only one production line and produced several types of porous chocolate from finished chocolate mass. Soon, the factory refused to purchase semi-finished products and began to produce them independently, which allowed to reduce production costs. So the areas of primary processing of cocoa beans, production of cocoa butter, cocoa powder and chocolate masses were launched. The factory was developing rapidly: it was expanding volumes, launched new lines and expanded its assortment. The development of the confectionery markets of other countries (Ukraine, Kazakhstan) was conducted, where the products of the factory were also in great demand. More than two tons of chocolate came off the assembly line every hour; 4 million chocolate bars were sent to stores every week. Soon the factory became the leading producer of porous chocolate in the country, and Russian Chocolate with the image of the Kremlin on the label became the hallmark of the enterprise. We can say that thanks to the excellent properties of the product, the company helped restore consumer confidence in domestic products. In 2007, the factory became part of the United Confectioners Holding and reached a new level of development. Chocolate lines Alyonka, Babaevsky Elite 75% of cocoa, Babaevsky dark with whole hazelnuts and Babaevsky dark with whole almonds began to be launched on

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Continued with growing, factory Line 1 of 2000, factory with milk chocolate machines and factory with milk chocolate began to be identified with its lines, and in 2012, the factory launched a new product - milk chocolate FELICITA, which became a real star of the country's confectionery market. The factory produces not only products of impeccable quality, which has repeatedly been confirmed by awards and diplomas of international exhibitions, but also provides other Holding enterprises with chocolate raw materials. Over the years, the factory staff has been working as a friendly and harmonious team. That is why confectionery products are of exceptional quality and are in demand by customers.

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