

United States of America

United States Patent and Trademark Office

VIVANT

JAMES E FULTON, MD, PHD

Reg. No. 6,468,453

Registered Aug. 31, 2021

Int. Cl.: 5

Trademark

Principal Register

Vivant Skin Care, LLC (FLORIDA LIMITED LIABILITY COMPANY)
5757 Nw 158th Street
Miami Lakes, FLORIDA 33014

CLASS 5: Medicated skin care preparations

FIRST USE 11-1-2020; IN COMMERCE 11-1-2020

The mark consists of two lines, the top line being the word "VIVANT" in capital letters, and the second line being "James E Fulton, MD, PHD" in a smaller font.

The English translation of "VIVANT" in the mark is "living".

The name(s), portrait(s), and or signature(s) shown in the mark does not identify a particular living individual.

SER. NO. 90-334.636, FILED 11-21-2020



A handwritten signature in black ink, appearing to read "Dennis H. H. H. H.", is written over a light blue rectangular background.

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION
WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

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

Grace Period Filings*

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

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

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

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

Recording your trademark registration with U.S. Customs and Border Protection

Why record your registration

Some imported goods bear trademarks that are counterfeits or infringing versions of federally registered trademarks. The importation of such goods threatens the U.S. economy, the competitiveness of our businesses, and in some cases, the health and safety of consumers.

If your business's products are likely targets for international counterfeiters (e.g., popular or high-demand products), consider applying to record your trademark registration with U.S. Customs and Border Protection (CBP). Recording your trademark registration helps CBP detain and seize imported goods if they violate your recorded trademark. The recordation process is a critical tool in CBP's efforts to protect intellectual property rights at the border.

How to record your registration

To record with CBP, you must:

- **Own a federally registered trademark.** Your trademark must be on the Principal Register. It must be registered for use on goods.
- **Apply for recordation.** You can apply through CBP's Intellectual Property Rights e-Recordation system: <https://iprr.cbp.gov>.

- **Pay the application fee.** There is a fee for recording your trademark registration with CBP.
- **Periodically apply to renew.** To maintain your recordation, you must apply for renewal and pay renewal fees at regular intervals that correspond to your trademark registration renewal at the United States Patent and Trademark Office.

Trademark owners who record with CBP often provide information to CBP about authorized manufacturers and importers as well as potential unauthorized shipments to aid in CBP's efforts to detain and seize infringing goods before they enter the U.S. market.

Additional resources

For assistance with the recordation application process, contact CBP's Intellectual Property Rights Branch at iprrquestions@cbp.dhs.gov or 202-325-0020.

For more about CBP's role in protecting intellectual property rights, visit www.cbp.gov/trade/priority-issues/ipr/.

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Why our emails are important

Your registration may expire or be canceled unless you maintain it. We use email to:

- Send you courtesy reminders of upcoming deadlines for necessary maintenance filings.
- Notify you if someone files a petition to cancel your registration with the Trademark Trial and Appeal Board.

We do **not** send reminders by regular mail. Put the USPTO on your "approved-senders list" so email from us is not treated as junk mail.

How to stay up to date

Your email address may change over time. Update it with us whenever it changes, including if an attorney represented you before your trademark registered but now no longer does.

Use the Trademark Electronic Application System (TEAS) Change Address or Representation form at <https://teas.uspto.gov/wna/ccr/car>.

Beware of potentially misleading offers and notices.

All **official correspondence** about your registration will be from the "**United States Patent and Trademark Office**" in Alexandria, VA, and, if by email, from the domain "**@uspto.gov.**" Our email reminders will direct you to make all necessary filings and pay all associated fees through TEAS, and will not request any fees by mail.

Private companies **not** associated with the USPTO often use trademark application and registration information from our databases to mail or email trademark-related solicitations. These mailings may offer legal services, trademark monitoring services, recording trademarks with U.S. Customs and Border Protection, and "registering" trademarks in a private registry. Most require "fees" to be paid.

These companies may have names similar to the USPTO and include the terms "United States," "U.S.," "Trademark," "Patent," "Registration," "Office," or "Agency." Some companies attempt to make their offers and notices look like official government documents by using data publicly available from USPTO records.

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Where to report misleading offers and notices.

If you receive a trademark-related offer or notice that you believe is misleading, please immediately file a consumer complaint with the Federal Trade Commission (FTC) at www.FTC.gov and retain the notice and the envelope it came in. We also encourage recipients of misleading trademark-related mailings to contact their state consumer protection authorities.

For more information, including examples, visit our "**Caution: misleading notices**" webpage at www.uspto.gov/TrademarkSolicitations. If the company that contacted you is not identified on our webpage, please email TMScams@uspto.gov and attach a digital photograph of the notice and the envelope it came in, so that we may consider adding the example to our webpage. Unfortunately, we do not have the legal authority to pursue refunds from a private company for you if you paid money or signed up for services based on a misleading offer or notice.



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Caution: misleading notices

Don't be fooled by potentially misleading offers and notices from private companies

Some trademark applicants and registrants have paid fees to private companies, mistakenly thinking they were paying fees required by the USPTO. We do not endorse any of these private companies and you are not required to use them. Keep reading for information on potentially misleading offers and notices—also called solicitations—and how to identify them.

- [What is a trademark-related solicitation?](#)
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