

United States of America

United States Patent and Trademark Office

WHOLE
FOODS
MARKET

Reg. No. 6,289,838

Registered Mar. 09, 2021

Corrected Feb. 27, 2024

**Int. Cl.: 9, 16, 21, 35, 41, 43,
44**

Service Mark

Trademark

Principal Register

Amazon Technologies, Inc. (NEVADA CORPORATION)
ATTN: Trademarks
410 Terry Ave N
Seattle, WASHINGTON 98109

CLASS 9: Computer software, namely, computer application software for users to participate in a loyalty program, access and manage user's loyalty account, and access discount offers, price-comparison information, product and reviews, computer application software for meal planning, menu planning, generating shopping lists, devising personalized nutrition programs, locating grocery stores, placing orders for pick-up or delivery service, enabling users to make purchases via mobile device, and enabling users to make electronic payments for purchases, computer application software to enable users to access and interact with information in the fields of food, meal planning, and grocery shopping; downloadable pre-recorded audio and audiovisual files featuring information and commentary in the fields of cooking, nutrition, shopping, leisure, lifestyle, personal improvement, fitness, nature, gardening, environmental issues, conservation, food, wine, diet, health, wellness, popular culture, and consumer information about products and services of others; downloadable video recordings featuring information and commentary in the fields of cooking, nutrition, shopping, leisure, lifestyle, personal improvement, fitness, nature, gardening, environmental issues, conservation, food, wine, diet, health, wellness, popular culture, and consumer information about products and services of others; downloadable video and audiovisual content provided via computer and communications networks in the fields of shopping, leisure, lifestyle, personal improvement, fitness, nature, gardening, environmental issues, conservation, food, diet, health, recipes, meal planning, nutrition, cooking, wellness, grocery shopping, coupons, and special offers

FIRST USE 00-00-2014; IN COMMERCE 00-00-2014

CLASS 16: Plastic films and bags for wrapping and packaging; plastic bags for packaging; garbage bags of paper or of plastics; paper bags; plastic film for wrapping;

Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office



tissues of paper for removing make-up; toilet paper; towels of paper; waxed paper

FIRST USE 2-00-2011; IN COMMERCE 2-00-2011

CLASS 21: Cups; cups of plastic; glass vials being containers for household use; perfume sprayers sold empty

FIRST USE 11-6-2014; IN COMMERCE 11-6-2014

CLASS 35: Retail store services and online retail store services featuring fresh and prepared foods, cosmetics, cleaning supplies, beauty supplies, personal care products, pet products, pet food, tissues, toilet paper, and napkins; administration of customer loyalty program services which enable participants to obtain discounts on goods and services, discounted shipping, and expedited shipping; customer loyalty program services featuring rewards in the form of discounted shipping services; administration of a discount program enabling participants to obtain discounts on goods and services, discounted shipping, and expedited shipping; providing consumer information in the fields of food, nutrition, cooking, health, fitness, lifestyle, personal improvement, alternative health, wellness, the environment, agriculture, restaurants, and cultural activities via global computer networks

FIRST USE 9-30-1980; IN COMMERCE 9-30-1980

CLASS 41: Entertainment, namely, providing ongoing [online, segments,] * online segments * featuring news, comedy, commentary, advice, interviews, documentary information and stories in the fields of cooking, nutrition, shopping, leisure, lifestyle, personal improvement, fitness, nature, gardening, environmental issues, conservation, food, wine, diet, health, wellness, popular culture, and culture; conducting guided tours of grocery stores; providing classes, seminars and workshops in the field of cooking, nutrition, shopping, leisure, personal improvement, fitness, gardening, food, wine, diet, health, wellness; educational and entertainment services, namely, providing classes, seminars and workshops in the fields of food, nutrition, cooking, health, wellness, fitness, lifestyle, personal improvement, wellness, and cultural activities; providing a website featuring non-downloadable publications in the nature of articles in the fields of food, nutrition, cooking, health, lifestyle

FIRST USE 10-00-2004; IN COMMERCE 10-00-2004

CLASS 43: Services for providing food and drink; cafés; cafeterias; canteen services; food and drink catering; restaurants; self-service restaurants; snack-bar services; restaurant services; snack bar, coffee bar and coffee house, carry out restaurant, and take out restaurant services; catering services; preparation of carry out foods and beverages; providing information online in the fields of cooking, food preparation, wine characteristics, wine and food pairings, ingredients and recipes; providing online information in the fields of restaurants and information about restaurants providing local food and drink

FIRST USE 9-30-1980; IN COMMERCE 9-30-1980

CLASS 44: Flower arranging; massage

FIRST USE 4-00-2007; IN COMMERCE 4-00-2007

PRIORITY CLAIMED UNDER SEC. 44(D) ON TRINIDAD AND TOBAGO APPLICATION NO. 52869, FILED 06-16-2017

The mark consists of the stacked words "WHOLE FOODS MARKET" in stylized font with the word "MARKET" depicted in a smaller font, and a stylized design of a leaf coming off the top of the letter O in WHOLE.

No claim is made to the exclusive right to use the following apart from the mark as shown: "FOODS MARKET"

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>.