



Naturally Splendid Provides Update On NATERA Trademark

Vancouver, British Columbia – Accesswire – February 26, 2021 - Naturally Splendid Enterprises Ltd. ("Naturally Splendid", "NSE" or "the Company") (FRANKFURT:50N) (TSXV:NSP) (OTC:NSPDF) provides the following update in regards to the NATERA trademark.

Naturally Splendid, a supplier of vegetarian meat substitutes, sports and energy bars and hemp-based products, has appealed a decision of the Federal Court of Canada relating to its Canadian trademark application to register its mark NATERA.

Naturally Splendid's Canadian Trademark Application No. 1,635,350 was filed on July 16, 2013 covering a variety of food products. After winding its way through the Canadian Intellectual Property Office, the application was opposed by Brandstorm Inc. on June 5, 2015. Brandstorm alleged that it had used the mark NATIERRA for goji berries, salt, cocoa powder and trail mix in Canada before 2013. In its decision dated August 29, 2018, the Canadian Trademark Opposition Board dismissed Brandstorm's opposition and would have allowed Naturally Splendid's trademark application to proceed.

Brandstorm appealed the Opposition Board decision to the Federal Court and submitted new evidence in the appeal. In its judgment released January 22, 2021, the Federal Court noted that Brandstorm's affiant had not been cross-examined and accepted Brandstorm's assertions of previous use in Canada of the NATIERRA mark on certain products. The Federal Court allowed the appeal and instructed the Canadian Intellectual Property Office to reject Naturally Splendid's trademark application.

The rejection of Naturally Splendid's Canadian trademark application would not affect the right to continue using its long-established NATERA mark in the Canadian marketplace. Nonetheless, Naturally Splendid is appealing the Federal Court decision.

Company CEO Mr. J. Craig Goodwin states, *"Even though this decision does not affect our right to continue using the NATERA mark and to further enhance the brand, we still value the additional protection of a Canadian trademark registration. We believe we have a strong case for appeal and are currently proceeding with our application to appeal."*

The Federal Court decision did not take into account the co-existence in Canada of third-party trademarks that are based on the word "nature": no such evidence was before the Opposition Board or the Federal Court and it will also not be before the Federal Court of Appeal.

Naturally Splendid Enterprises, Ltd.

#108-19100 Airport Way,
Pitt Meadows, BC V3Y 0E2
Tel: 604-570-0902
Email: info@naturallysplendid.com
Website: www.naturallysplendid.com



However, one of the grounds of appeal filed by Naturally Splendid is that the Federal Court erred in how it factored in the nature of the specific foods in question. The Court effectively held that because they might all be sold in grocery stores, the use of NATERA on products such as hemp seeds, beverages and pet food would be confusing with the mark NATIERRA in association with goji berries, Himalayan salt, cocoa powder and trail mix. That issue is anticipated to be a focal point of the appeal.

The appeal is in the early stages and a decision is not expected for at least several months.

About Naturally Splendid Enterprises Ltd.

Founded in 2010, NSE operates a Safe Quality Food Level 2 certified food manufacturing facility just outside Vancouver, BC in Canada. The Company has established numerous healthy, functional foods under recognized brands such as Natera Sport™, Natera Hemp Foods, CHII, Elevate Me™ and Woods Wild Bar™, and most recently Natera Plant Based Foods, a line of delicious plant-based meat alternatives for the rapidly growing plant-based market segment.

The Company has a myriad of new products and line extensions under development that are approaching launch. NSE, through its joint venture Plasm Pharmaceutical, has been approved for conducting a phase 2 clinical trial approved by Health Canada for treatment of COVID-19.

NSE has also developed proprietary technologies for the extraction of high demand, healthy omega 3 and 6 oils from hemp.

NSE contract manufacturers for healthy, functional food products and ingredients focusing on plant-based ingredients. The Company provides contract manufacturing services for many healthy food companies, private labeling a wide variety of nutritional food products destined for global healthy food markets.

For more information e-mail info@naturallysplendid.com or call Investor Relations at 604-465-0548 ext.105

On Behalf of the Board of Directors

Mr. J. Craig Goodwin
CEO, Director

Contact Information

Naturally Splendid Enterprises Ltd.
(NSP – TSX Venture; NSPDF – OTCQB; 50N - Frankfurt)
#108-19100 Airport Way
Pitt Meadows, BC, V3Y 0E2

Naturally Splendid Enterprises, Ltd.
#108-19100 Airport Way,
Pitt Meadows, BC V3Y 0E2
Tel: 604-570-0902
Email: info@naturallysplendid.com
Website: www.naturallysplendid.com



Office: (604) 465-0548

Fax: (604) 465-1128

E-mail: info@naturallysplendid.com

Website: www.naturallysplendid.com

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