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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	76676410
Applicant	U.S. VISION, INC.
Correspondence Address	Sherry H. Flax Saul Ewing LLP Suite 900500 E. Pratt St. Baltimore, MD 21202 UNITED STATES sflax@saul.com
Submission	Appeal Brief
Attachments	int3C99.PDF ( 3 pages )(29455 bytes ) int3C9A.PDF ( 21 pages )(529876 bytes )
Filer's Name	Sherry Flax
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Signature	/sherry flax/
Date	12/17/2008

The Examining Attorney has refused registration of SUN SPOT for sunglasses on the basis of two registered marks: SUNSPOT (& DESIGN), U.S. Reg. No. 1864634, for jewelry, water bottles and mugs, and t-shirts, sweatshirts, sweaters, hats, headbands, and jackets; and SUN SPOTS, U.S. Reg. No. 2425822, for wearing apparel, namely, women's bathing suits, cover-ups, dresses, shirts, pants, shorts, skirts, jackets, rompers, jumpsuits.

"In assessing likelihood of confusion, the mere fact that two marks may share words in common is not determinative." *Clairol, Inc. v. Cosmair, Inc.*, 592 F. Supp. 811, 815 (S.D.N.Y. 1984). *See also In re Software Design, Inc.*, 220 U.S.P.Q. 662 (T.T.A.B. 1983). Other factors, including the relative similarity of the goods, must also be considered in determining whether there is a likelihood that sources of the goods will be confused by consumers. *DuPont*, 177 USPQ at 567. Even where the marks themselves are identical, other factors, including the similarity of the services associated with the marks and the channels of trade, must also be considered in determining whether there is a likelihood that marks will be confused. *DuPont*, 177 USPQ at 567. "Trademark law is not inflexible, and there is no hard and fast rule that likelihood of confusion must automatically be found to exist if there is a similarity in any one of the three elements [sound, appearance, or meaning]."

SUNSPOT and its component terms, SUN and SPOT, are not distinctive or unique and hence are not strong marks that are entitled to protection other than as applied to their goods. The differences between them are significant enough to allow the registration of SUNSPOT and SUN SPOT for the same goods – wearing apparel, namely shirts and jackets. Indeed, the USPTO has registered dozens of marks comprised of SUNSPOT or SUN SPOT. *See, e.g.*, SUNSPOT, U.S. Reg. No. 2860271; SUNSPOTS, U.S. Reg. No. 3085339; SUNSPOTS, U. S. Reg. No. 3152942; SUNSPOT, U.S. Reg. No. 3211313. Copies of the TESS records are submitted herewith. These

registrations indicate the willingness of the USPTO to register this term for use in connection with many related goods and services.

In support of her refusal, the Examining Attorney relies on the registration of two nearly identical marks -- SUNSPOT and SUN SPOTS -- for apparel in International Class 25. The registration of these marks indicates that the USPTO recognizes enough difference between these marks to allowed them to be registered by *different* registrants for use in connection with the *same* goods. Accordingly, there is absolutely no basis to apply these registrations to bar registration of a similar mark, SUN SPOT, for distinguishable goods.

Finally, the Examining Attorney has not provided evidence that the coexistence of these marks will create a likelihood of consumer confusion. She relies on registrations of marks that include apparel and sunglasses to support her conclusion that the goods are sufficiently related to be likely to be confused. But there are dozens of identical marks that are separated registered and owned by different registrants for sunglasses and apparel. Compare ELLIPSE, U.S. Reg. No. 2078330, with ELLIPSE, U.S. Reg. No. 2976302; SELECT, U.S. Reg. No. 2723577, with SELECT, U.S. Reg. No. 3331032; OCEANO, U.S. Reg. No. 1192167, with OCEANO, U.S. Reg. No. 3153187; GAMEPOINT, U.S. Reg. No. 2691843, with GAME POINT, U.S. Reg. No. 3486378; DECADE, U.S. Reg. No. 3308912, with DECADE DESIGNS, U.S. Reg. No. 2410908; GRANDE, U.S. Reg. No. 3472247, with GRAND, U.S. Reg. No. 2763331; and SOLE MATES, U.S. Reg. No. 1872585, SOUL MATES, U.S. Reg. No. 2756625, SOLE MATES, U.S. Reg. No. 2935370, SOULMATE, U.S. Reg. No. 3306078, and SOULMATES, U.S. Reg. No. 3348255, to name just a few. Copies of these TESS records are submitted herewith. Despite the fact that these goods may be sold in the same channels of trade, the USPTO recognizes that

consumers do not expect that products in retail establishments with the same name emanate from the same source.

In view of the foregoing, Applicant respectfully submits that the nature of the mark and the differences between the goods are sufficient to avoid the likelihood of confusion and respectfully requests that the refusal to register be reversed and the application remanded to the Examining Attorney for publication.



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Typed Drawing

Word Mark SUNSPOTS  
 Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: NEWLETTERS IN THE FIELD OF WEATHERING TESTING. FIRST USE: 19720500. FIRST USE IN COMMERCE: 19720500  
 Mark Drawing Code (1) TYPED DRAWING  
 Serial Number 78269873  
 Filing Date July 2, 2003  
 Current Filing Basis 1A  
 Original Filing Basis 1A  
 Published for Opposition April 13, 2004  
 Registration Number 2860271  
 Registration Date July 6, 2004  
 Owner (REGISTRANT) Atlas Material Testing Technology, L.L.C. LTD LIAB CO DELAWARE 4114 N. Ravenswood Avenue Chicago ILLINOIS 60613  
 Attorney of Record Angelo J. Bufalino  
 Type of Mark TRADEMARK  
 Register PRINCIPAL  
 Live/Dead Indicator LIVE

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# Sunspots

**Word Mark** SUNSPOTS  
**Goods and Services** IC 010. US 026 039 044. G & S: Disposable medical electrodes for recording and stimulation. FIRST USE: 20050510. FIRST USE IN COMMERCE: 20050510  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 78626334  
**Filing Date** May 10, 2005  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A;1B  
**Published for Opposition** January 31, 2006  
**Registration Number** 3085339  
**Registration Date** April 25, 2006  
**Owner** (REGISTRANT) Axon Systems, Inc. CORPORATION NORTH DAKOTA 400-2200 Oser Ave Hauppauge NEW YORK 11788  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# SUNSPOT

<b>Word Mark</b>	SUNSPOT
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Web-enabled photovoltaic (PV) solar energy monitoring system composed of revenue grade ANSI electric meters and selective spectrum temperature sensors. FIRST USE: 20030409. FIRST USE IN COMMERCE: 20030409
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	78565499
<b>Filing Date</b>	February 11, 2005
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 11, 2006
<b>Registration Number</b>	<b>3152942</b>
<b>Registration Date</b>	October 10, 2006
<b>Owner</b>	(REGISTRANT) THOMPSON, DANIEL S. INDIVIDUAL UNITED STATES 58 BROADVIEW DRIVE SAN RAFAEL CALIFORNIA 94901
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Craig M. Stainbrook
<b>Type of Mark Register</b>	TRADEMARK PRINCIPAL



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# SUNSPOT

<b>Word Mark</b>	SUNSPOT
<b>Goods and Services</b>	IC 031. US 001 046. G & S: grass seed. FIRST USE: 20050202. FIRST USE IN COMMERCE: 20050202
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78873129
<b>Filing Date</b>	May 1, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	December 5, 2006
<b>Registration Number</b>	<b>3211313</b>
<b>Registration Date</b>	February 20, 2007
<b>Owner</b>	(REGISTRANT) Allied Seed, LLC LTD LIAB JT ST CO IDAHO 1108 Hilldale Drive Macon MISSOURI 63552
<b>Attorney of Record</b>	Brian L. Smith, Attorney
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**Typed Drawing**

**Word Mark** ELLIPSE  
**Goods and Services** IC 025. US 022 039. G & S: clothing, namely lingerie  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 74657817  
**Filing Date** April 10, 1995  
**Current Filing Basis** 44E  
**Original Filing Basis** 1B;44D  
**Published for Opposition** April 22, 1997  
**Registration Number** 2078330  
**Registration Date** July 15, 1997  
**Owner** (REGISTRANT) Naranjo, Juan Guillermo Correa INDIVIDUAL COLOMBIA Carrera 51 #9-C-Sur-61 Guayabal Medellin, Antioquia COLOMBIA  
  
(LAST LISTED OWNER) C.I. ELLIPSE S.A. CORPORATION COLOMBIA CARRERA 51 NO. 9C SUR 61 MEDELLIN COLOMBIA  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Arturo Perez-Guerrero  
**Priority Date** December 14, 1994  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 8 (6-YR). SECTION 8(10-YR) 20070419.  
**Renewal** 1ST RENEWAL 20070419  
**Live/Dead Indicator** LIVE

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**ELLIPSE**

<b>Word Mark</b>	ELLIPSE
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Ophthalmic lenses; spectacle lenses, including plastics lenses, mineral lenses, corrective lenses, progressive lenses, sunglass lenses, polarizing lenses, tinted lenses, light-sensitive lenses, photochromic lenses, treated lenses, coated lenses, anti-reflective lenses, semi-finished lenses; spectacle lens blanks; semi-finished spectacle lens blanks; cases for all the aforesaid goods
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	79002049
<b>Filing Date</b>	February 9, 2004
<b>Current Filing Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	March 1, 2005
<b>Registration Number</b>	2976302
<b>International Registration Number</b>	0823012
<b>Registration Date</b>	July 26, 2005
<b>Owner</b>	(REGISTRANT) ESSILOR INTERNATIONAL (COMPAGNIE GENERALE D'OPTIQUE) SOCIETE ANONYME FRANCE 147, rue de Paris F-94220 CHARENTON LE PONT FRANCE
<b>Priority Date</b>	August 13, 2003
<b>Type of Mark</b>	TRADEMARK



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<b>Word Mark</b>	SELECT
<b>Goods and Services</b>	IC 025. US 022 039. G & S: sports clothing, namely t-shirts, polo shirts, shorts, caps, gloves, sweat-suits; sports uniforms. FIRST USE: 19980115. FIRST USE IN COMMERCE: 19980115
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.05.28 - Miscellaneous designs with overall triangular shape; Triangular shape (miscellaneous overall shape)
<b>Serial Number</b>	76375874
<b>Filing Date</b>	February 25, 2002
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	March 18, 2003
<b>Registration Number</b>	<b>2723577</b>
<b>Registration Date</b>	June 10, 2003
<b>Owner</b>	(REGISTRANT) Select Sport A/S CORPORATION DENMARK Fabriksparken 46 2600 Glostrup DENMARK
<b>Attorney of Record</b>	Lawrence E. Abelman
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE



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# SELECT

**Word Mark** SELECT

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Protective eyewear, namely, safety eyeglasses, sunglasses and goggles; respirators, not for artificial respiration; hearing protective devices, namely, earplugs, and ear muffs. FIRST USE: 20050800. FIRST USE IN COMMERCE: 20050800

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78629748

**Filing Date** May 13, 2005

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** October 10, 2006

**Registration Number** 3331032

**Registration Date** November 6, 2007

**Owner** (REGISTRANT) Cabot Safety Intermediate Corporation CORPORATION DELAWARE 650 Dawson Drive Newark DELAWARE 19713

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** George A. Pelletier, Jr.



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<b>Word Mark</b>	<b>OCEANO</b>
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Ladies' Bathing Suits, [Skirts, Trousers and Blouses]. FIRST USE: 19741200. FIRST USE IN COMMERCE: 19760200
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders
<b>Serial Number</b>	73189085
<b>Filing Date</b>	October 12, 1978
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	March 3, 1981
<b>Registration Number</b>	1192167
<b>Registration Date</b>	March 16, 1982
<b>Owner</b>	(REGISTRANT) M B International S.p.A. JOINT STOCK COMPANY ITALY 2, Via Monti Granarolo Emilia, Bologna ITALY
	(LAST LISTED OWNER) LA PERLA S.R.L. LTD LIAB CO ITALY VIA DEL FONDITORE 12 BOLOGNA ITALY
<b>Assignment</b>	ASSIGNMENT RECORDED


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# OCEANO

<b>Word Mark</b>	OCEANO
<b>Translations</b>	The foreign wording in the mark translates into English as OCEAN.
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Eyeglasses; eyeglass frames; sunglasses; sport goggles for use in skiing, skydiving, snowboarding, climbing, and motorcross. FIRST USE: 20031212. FIRST USE IN COMMERCE: 20031212
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78606023
<b>Filing Date</b>	April 11, 2005
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	July 18, 2006
<b>Registration Number</b>	<b>3153187</b>
<b>Registration Date</b>	October 10, 2006
<b>Owner</b>	(REGISTRANT) MIRAGE S.p.A. CORPORATION ITALY Via Grazia Deledda 3 Venegono Inferiore, Varese ITALY 21040
<b>Attorney of Record</b>	Robert J. Patch
<b>Type of Mark</b>	TRADEMARK



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**Typed Drawing**

**Word Mark** GAMEPOINT  
**Goods and Services** IC 025. US 022 039. G & S: Clothing - namely shirts, sweatshirts, pants, shorts, jackets, sweatpants and hats. FIRST USE: 19990601. FIRST USE IN COMMERCE: 19990601  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 75836473  
**Filing Date** October 29, 1999  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** December 10, 2002  
**Registration Number** 2691843  
**Registration Date** March 4, 2003  
**Owner** (REGISTRANT) HANK PLAYER, INC. CORPORATION CALIFORNIA 11129 Vanowen Street North Hollywood CALIFORNIA 91605  
**Attorney of Record** Joseph L. Golden  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# GAME POINT

<b>Word Mark</b>	<b>GAME POINT</b>
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Eyeglasses and sunglasses; frames for eyeglasses and sunglasses; lenses and cases for eyeglasses and sunglasses; component parts for eyeglasses and sunglasses. FIRST USE: 20060730. FIRST USE IN COMMERCE: 20060730
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78842601
<b>Filing Date</b>	March 21, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	January 9, 2007
<b>Registration Number</b>	3486378
<b>Registration Date</b>	August 12, 2008
<b>Owner</b>	(REGISTRANT) Viva Optique, Inc. CORPORATION NEW JERSEY 3140 Route 22 West Somerville NEW JERSEY 08876
<b>Assignment</b>	



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# DECADE

**Word Mark** DECADE  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Protective and/or antiglare eyewear, namely, sunglasses, goggles and parts and accessories therefore, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; and cases specially adapted for protective and/or anti-glare eyewear. FIRST USE: 20060130. FIRST USE IN COMMERCE: 20060130

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78721839  
**Filing Date** September 27, 2005

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** January 2, 2007

**Registration Number** 3308912

**Registration Date** October 9, 2007

**Owner**  
(REGISTRANT) Dragon Optical, Inc. CORPORATION WASHINGTON 5803 Newton Drive, Suite C Carlsbad CALIFORNIA 92008

(LAST LISTED OWNER) DRAGON ALLIANCE, LLC LTD LIAB CO DELAWARE 5803 NEWTON



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**Typed Drawing**

<b>Word Mark</b>	DECADE DESIGNS
<b>Goods and Services</b>	IC 025. US 022 039. G & S: women's clothing, namely dresses, pant suits, skirts, blouses and suits. FIRST USE: 19950500. FIRST USE IN COMMERCE: 19950500
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	74692170
<b>Filing Date</b>	June 22, 1995
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	March 5, 1996
<b>Change In Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	<b>2410908</b>
<b>Registration Date</b>	December 5, 2000
<b>Owner</b>	(REGISTRANT) DONNKENNY APPAREL, INC. CORPORATION NEW YORK 1411 Broadway New York NEW YORK 10018  (LAST LISTED OWNER) PACIFIC ALLIANCE USA, INC. CORPORATION DELAWARE 1450 BROADWAY NEW YORK NEW YORK 10018
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Claudia Cantarella, Esq.
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DESIGNS" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead</b>	LIVE



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# GRANDE

**Word Mark** GRANDE

**Translations** The English translation of "GRANDE" is grand, great, big.

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Antireflection coated eyeglasses; Calculators; Camera cases; Camera flashes; Carrying cases specially adapted for pocket calculators and cell phones; Cases for childrens eye glasses; Cases for electronic diaries; Cases for mobile phones; Cases for pocket calculators; Cases for spectacles and sunglasses; Cases for spectacles, for pince-nez and for contact lenses; Cases for telephones; Computerized time clock with fingerprint recognition; Contact lens cases; Electric luminescent display panels navigational instruments; Electric storage batteries; Electronic and magnetic ID cards for use in connection with payment for services; Emergency auto kits comprised of a hand held spotlight and battery charger; Emergency flares; Emergency signal transmitters; Emergency warning lights; Eyeglass cases; Eyeglass chains; Eyeglass frames; Eyeglass lenses; Eyeglasses; Frames for eyeglasses and pince-nez; Frames for spectacles and sunglasses; Glacier eyeglasses; Highway flares; Highway safety; Jump start cables; Jumper cables; Laser equipment designed for cutting drilling, marking, engraving and shaping optical lenses for eyeglasses, Laser equipment designed for drilling optical lenses for eyeglasses; Laser equipment designed for engraving and tinting optical lenses for eyeglasses; Length measuring gauges; Lenses for sunglasses; Luminous or mechanical road signs; Luminous signs; Pocket-sized electronic calculators; Pre-paid telephone calling cards, magnetically encoded; Protective eyeglasses; Radio controlled miniature aerial targets; Radio-frequency controlled locks; Reading eyeglasses; Rescue flares; Security lighting system for vehicles using radio frequency device; Spectacles eyeglasses and goggles; Sports training eyeglasses; Sunglass lenses; Sunglasses. FIRST USE: 20050701. FIRST USE IN COMMERCE: 20050701

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 24.17.18 - Yin-Yang symbol

**Trademark Search Facility** NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks

**Classification Code** SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles  
SHAPES-COLORS-3-OR-MORE Design listing or lined for three or more colors

**Serial Number** 78679007

**Filing Date** July 26, 2005

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** May 6, 2008

**Registration Number** **3472247**

**Registration Date** July 22, 2008

**Owner** (REGISTRANT) Lin, Pao Chen CORPORATION TEXAS 2420 Ravenhurst Dr. Plano TEXAS 75025

**Description of Mark** The color(s) red, white and blue is/are claimed as a feature of the mark. The color blue appears in the word "GRANDE" and in one half of the yin-yang symbol, the color red appears in the other half of the yin-yang symbol and the color white appears in the circles within the yin-yang symbol.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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### Typed Drawing

<b>Word Mark</b>	GRAND
<b>Goods and Services</b>	IC 025. US 022 039. G & S: CLOTHING, NAMELY, HATS, CAPS AND SHIRTS. FIRST USE: 20010100. FIRST USE IN COMMERCE: 20010100
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76294303
<b>Filing Date</b>	August 6, 2001
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	June 11, 2002
<b>Registration Number</b>	2763331
<b>Registration Date</b>	September 16, 2003
<b>Owner</b>	(REGISTRANT) HARTZ HOTEL SERVICES, INC. DBA Grand Hospitality CORPORATION NEW YORK 400 Plaza Drive Secaucus NEW JERSEY 07094
<b>Attorney of Record</b>	Robert G. Shepherd, Esq.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**Typed Drawing**

**Word Mark** SOLE MATES  
**Goods and Services** IC 025. US 022 039. G & S: footwear [ and hosiery ]. FIRST USE: 19931213. FIRST USE IN COMMERCE: 19931213  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 74475815  
**Filing Date** January 3, 1994  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** October 18, 1994  
**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 1872585  
**Registration Date** January 10, 1995  
**Owner** (REGISTRANT) SUSAN DUNN, INC. CORPORATION NEW YORK 10601 WILSHIRE BOULEVARD, SUITE 702 LOS ANGELES CALIFORNIA 90024  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** LARRY W. MCFARLAND  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050713.  
**Renewal** 1ST RENEWAL 20050713  
**Live/Dead Indicator** LIVE



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**Typed Drawing**

<b>Word Mark</b>	SOUL MATES
<b>Goods and Services</b>	IC 014. US 002 027 028 050. G & S: Jewelry, namely bracelets, brooches, chains, charms, costume jewelry, earrings, necklaces, pendants, lapel pins, rings, and wristwatches. FIRST USE: 20030128. FIRST USE IN COMMERCE: 20030222
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76015188
<b>Filing Date</b>	March 30, 2000
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	May 21, 2002
<b>Registration Number</b>	2756625
<b>Registration Date</b>	August 26, 2003
<b>Owner</b>	(REGISTRANT) philosophy, inc. CORPORATION ARIZONA 4602 East Hammond Lane Phoenix ARIZONA 85034  (LAST LISTED OWNER) JB-DM JEWELRY, LLC CORPORATION CALIFORNIA 1623 ALLESANDRO STREET LOS ANGELES CALIFORNIA 90026
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Jane Linowitz
<b>Type of Mark</b>	TRADEMARK



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**Typed Drawing**

<b>Word Mark</b>	SOLE MATES
<b>Goods and Services</b>	IC 014. US 002 027 028 050. G & S: Jewelry of precious and non-precious metals, namely pins, necklaces, earrings and bracelets in the shape of sandals. FIRST USE: 20030325. FIRST USE IN COMMERCE: 20030325
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76465669
<b>Filing Date</b>	November 12, 2002
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	December 2, 2003
<b>Registration Number</b>	2935370
<b>Registration Date</b>	March 22, 2005
<b>Owner</b>	(REGISTRANT) WATERSIDE PRODUCTIONS, INC. CORPORATION CALIFORNIA 2187 NEWCASTLE AVE. #204 CARDIFF CALIFORNIA 92007
	(LAST LISTED OWNER) JB-DM JEWELRY, LLC CORPORATION CALIFORNIA 1623 ALLESANDRO STREET LOS ANGELES CALIFORNIA 90026
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Jane Linowitz
<b>Type of Mark Register</b>	TRADEMARK PRINCIPAL



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# SOULMATES

<b>Word Mark</b>	SOULMATES
<b>Goods and Services</b>	IC 025. US 022 039. G & S: CLOTHING, NAMELY, PANTS, SHORTS, SKIRTS, BLOUSES, TOPS, JACKETS, DRESSES AND COATS. FIRST USE: 20000415. FIRST USE IN COMMERCE: 20000415
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78790506
<b>Filing Date</b>	January 12, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A;1B
<b>Published for Opposition</b>	September 19, 2006
<b>Registration Number</b>	<b>3348255</b>
<b>Registration Date</b>	December 4, 2007
<b>Owner</b>	(REGISTRANT) Big Strike, Inc. CORPORATION CALIFORNIA 151 West Rosecrans Avenue Gardena CALIFORNIA 90248
<b>Attorney of Record</b>	Matthew S. Solmon