



BULKY DOCUMENTS

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Title: REQUEST FOR RECONSIDERATION AFTER
FINAL ACTION.

Part 1 of 1

77843525

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OMB No. 0651-.... (Exp. 08/31/2004)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77843525
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION (no change)	
ARGUMENT(S)	
<p><u>Request for Reconsideration After Final Action</u></p> <p><u>Introduction</u></p> <p>This responds to the Office Action dated July 22, 2010. Applicant acknowledges and appreciates the Examining Attorney's withdrawal of the requirement to amend the identification of goods.</p> <p>Applicant notes that the Examining Attorney has maintained and made final her refusal to register Applicant's mark based on likelihood of confusion with U.S. Trademark Reg. No. 3,553,017 for the mark TURBO.</p> <p>Applicant continues to respectfully disagree that its mark is likely to cause confusion with the mark cited by the Examining Attorney. For the following reasons, Applicant respectfully requests reconsideration and withdrawal of this final refusal.</p> <p><u>Proper Consideration of du Pont Factors.</u> The Examiner concludes in the instant Office Action that:</p> <p style="padding-left: 40px;">In this case, the following factors are the most relevant: similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services. <i>See In re Opus One, Inc.</i>, 60 USPQ2d 1812 (TTAB 2001); <i>In re Dakin's Miniatures Inc.</i>, 59 USPQ2d 1593 (TTAB 1999); <i>In re Azteca Rest. Enters., Inc.</i>, 50 USPQ2d 1209 (TTAB 1999); TMEP §§1207.01 <i>et seq.</i></p> <p>However, regarding the issue of likelihood of confusion, <i>all</i> circumstances surrounding the sale of the goods and/or services are considered. <i>See In re E. I. du Pont de Nemours & Co.</i>, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (CCPA 1973) (<i>emphasis added</i>). These circumstances include the marketing channels, the identity of the prospective purchasers, and the degree of similarity between the marks and between the goods and/or services. <i>See Indus. Nucleonics Corp. v. Hinde</i>, 475 F.2d 1197, 177 USPQ 386 (CCPA 1973); TMEP §1207.01,</p>	

It is clear that the Examiner has considered only three of the *du Pont* factors (namely, similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services) which resulted in her conclusion that there is a likelihood of confusion between Applicant's mark and the cited registration. However, by focusing on only three of the *du Pont* factors, the Examiner has not considered all circumstances surrounding the sale of the goods, which *du Pont* dictates *must* be considered in order to determine whether a likelihood of confusion exists. Therefore, Applicant respectfully submits that, by determining that the most relevant *du Pont* factors in this case are similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services, the Examiner has improperly dismissed and unduly diminished the weight given to other substantive factors that provide evidence of what happens in the market place – namely, “impulse” vs. careful, sophisticated purchasing, market interface between Applicant and the owner of a prior mark, and extent of potential confusion, i.e., whether *de minimis* or substantial. “[E]ven close similarity between two marks is not dispositive of the issue of likelihood of confusion. Rather, the similarity must be assessed in terms of its effect upon prospective purchasers.” *Lever Bros. Co. v. American Bakeries Co.*, 693 F. 2d 251, 257 (2d Cir. 1982). Consequently, the Examiner has failed to appropriately apply the *du Pont* analysis in the instant case, and Applicant submits that the proper application of the *du Pont* factors results in a very different outcome.

It is well-established law that when assessing the similarity of two marks, the marks must be considered not in the abstract, but in the context of the way in which they are actually presented to the public. See *Pignons S.A. de Mecanique de Precision v. Polaroid Corp.*, 657 F.2d 482, 487 (1st Cir. 1981) (“similarity is determined on the basis of total effect of the designation, rather than a comparison of individual features”). In *Pignons*, the court held that a camera sold under the name ALPA was not confusingly similar to cameras sold under the name ALPHA. In its holding, the court explained:

In the present case, the total effect of Polaroid's designation of its SX-70 Alpha cameras minimizes, if it does not eliminate, the possibility that Polaroid's mark might be confused with Pignon's. On the cameras themselves, and in Polaroid's advertising, the word 'Alpha' always appears in close proximity with an equally prominent and uniquely identifying designation, such as 'Polaroid SX-70 Land Camera Alpha 1' . . . 657 F.2d at 487.

In *Astra Pharmaceutical Prods. Inc. v. Bechman Instruments, Inc.*, 718 F.2d 1201 (1st Cir. 1983), the court again looked at the total effect of the mark rather than its individual elements. In this case, the court held that identical marks, ASTRA, both used for hospital products were not likely to lead to confusion. In its analysis, the court explained that the marks were used in conjunction with clearly displayed names and/or logos of the manufacturer such that no confusion was likely. Furthermore, in *Star Industries Inc. v. Bacardi & Co. Ltd.*, 75 USPQ2d 1098 (2d Cir. 2005), the court held that Bacardi's “O” design element, used on its label for rum and Star's “O” design element, used on its label for orange-flavored vodka, lacked similarity. The court reasoned that while the two “O” marks appear very similar when viewed in isolation, this similarity was tempered by the fact that the respective packaging is very different; the significance of the similarity of the “O” designs was undercut by the dissimilarity of the products' respective labels as a whole. *Id.* In the instant case, not only is the respective packaging utilized in connection with Applicant's mark and the cited mark very different, but even more importantly, the cited mark, TURBO, and Applicant's mark, TURBO WASH, do not appear at all similar when viewed in isolation. [See attached – *Turbo Wash and Turbo Eau de Parfum.*]

Jack Black is the owner of a number of trademarks – such as DRAGON ICE (RN: 3,887,681), MR. FIX IT (RN: 3,891,186), PIT BOSS (RN: 3,143,052), WELL-STOCKED BAR (3,320,199), SPLASH ON RESPONSIBLY (RN: 3,331,197), DRY DOWN POWDER (SN: 85-035015), and

BEARD LUBE (SN: 85-022203) -- that play to the men's personal care products consumer.
 [See chart below and attached corresponding TESS printouts.]

TM/SN/RN/Disclaimer	Status/Key Dates	Full Goods/Services	Owner
BEARD LUBE SN:85-022203 Disclaimer: "BEARD"	Pending - Suspension Letter Mailed August 9, 2010 Int'l Class: 3 First Use: January 25, 2000 In Commerce: April 1, 2000 Filed: April 23, 2010	(Int'l Class: 3) Pre-shave creams, pre-shave oils, namely, oils and lotions applied to the skin before shaving, shaving preparations, shaving creams, shaving balms, shaving lotions, skin creams, skin moisturizers, skin conditioners, skin refreshers, namely, pre-shave and after-shave lotions, sprays or creams, facial lotions, facial skin treatments, namely, pre-shave and after-shave facial moisturizers, facial hydrators and facial skin serum	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault, Suite 509 Carrollton, Texas 75006
DRAGON ICE SN:77-843308 RN:3,887,681	Registered December 7, 2010 Int'l Class: 5 First Use: February 28, 2010 Filed: October 7, 2009 Published: March 9, 2010 Allowed: June 1, 2010	(Int'l Class: 5) Analgesic balm; topical analgesics	Jack Black LLC (Delaware Limited Liability Company) Suite 509 2155 Chenault Carrollton, Texas 75006
DRY DOWN POWDER SN:85-035015 Disclaimer: "POWDER"	Allowed - Intent to Use Notice of Allowance Issued December 21, 2010 Filed: May 11, 2010 Published: October 26, 2010	(Int'l Class: 3) Body powder	Jack Black, LLC (Delaware Limited Liability Company) 2155 Chenault Drive, Suite 509 Carrollton, Texas 75006
MR. FIX IT SN:77-843506 RN:3,891,186	Registered December 14, 2010 Int'l Class: 5 First Use: February 28, 2010 Filed: October 7, 2009 Published: March 9, 2010 Allowed: June 1, 2010	(Int'l Class: 5) Wound dressings	Jack Black, LLC (Delaware Limited Liability Company) Suite 509 2155 Chenault Carrollton, Texas 75006
PERFORMANCE REMEDY SN:77-570785 Disclaimer: "REMEDY"	Allowed - Intent to Use 2nd Extension of Time Granted October 15, 2010 Filed: September 16, 2008 Published: July 21, 2009 Allowed: October 13, 2009	(Int'l Class: 3) Non-medicated foot creams, non-medicated foot sprays, body lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) Suite 509 2155 Chenault Drive Carrollton, Texas 75006
PERFORMANCE	Registered	(Int'l Class: 3) Body powders, body scrubs,	Jack Black, L.L.C.

REMEDY SN:77-980616 RN:3,881,720 Disclaimer: "REMEDY"	November 23, 2010 Int'l Class: 3, 5 First Use: February 28, 2010 Filed: September 16, 2008 Published: July 21, 2009	sunscreens (Int'l Class: 5) Muscle soaks, muscle relief balms	(Delaware Limited Liability Company) Suite 509 2155 Chenault Drive Carrollton, Texas 75006
PIT BOSS SN:78-419759 RN:3,143,052	Registered September 12, 2006 Int'l Class: 3 First Use: December 15, 2004 Filed: May 17, 2004 Published: April 12, 2005 Allowed: July 5, 2005	(Int'l Class: 3) Antiperspirants and deodorants; personal deodorants	Jack Black, L.L.C. (Delaware Limited Liability Corporation) 2155 Chenault Drive #509 Carrollton, Texas 75006
SHAVE SILK SN:76-501618 RN:3,004,725 Disclaimer: "SHAVE"	Registered October 4, 2005 Int'l Class: 3 First Use: August 1, 2003 Filed: March 28, 2003 Published: April 27, 2004 Allowed: July 20, 2004	(Int'l Class: 3) Shaving creams	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive, # 509 Carrollton, Texas 75006
SPLASH ON RESPONSIBLY SN:78-661878 RN:3,331,197	Registered November 6, 2007 Int'l Class: 3 First Use: October 1, 2005 Filed: June 30, 2005 Published: March 21, 2006 Allowed: June 13, 2006	(Int'l Class: 3) Fragrances for personal use	Jack Black, L.L.C. (Florida Limited Liability Company) Suite 509 2155 Chenault Drive Carrollton, Texas 75006
TRIPLE CUSHION SN:78-947252 RN:3,482,500	Registered August 5, 2008 Int'l Class: 3 First Use: October 1, 2006 Filed: August 8, 2006 Published: April 3, 2007 Allowed: June 26, 2007	(Int'l Class: 3) Shaving cream	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Dr., # 509 Carrollton, Texas 75006
TURBO WASH SN:77-843525	Pending - Final Refusal Mailed July 22, 2010	(Int'l Class: 3) Body washes; facial cleansers; hair shampoo	Jack Black, LLC (Delaware Limited Liability Company) Suite 509

Disclaimer: "WASH"	Int'l Class: 3 First Use: February 15, 2010 Filed: October 7, 2009		2155 Chenault Drive Carrollton, Texas 75006
WELL-STOCKED BAR SN:78-660187 RN:3,320,199	Registered October 23, 2007 Int'l Class: 3 First Use: October 1, 2005 Filed: June 28, 2005 Published: March 14, 2006 Allowed: June 6, 2006	(Int'l Class: 3) Fragrances for personal use	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive, Suite 509 Carrollton, Texas 75006
PURE PERFORMANCE SHAVE BRUSH SN:77-263390 RN:3,541,273 Disclaimer: "SHAVE BRUSH"	Registered December 2, 2008 Int'l Class: 21 First Use: November 1, 2007 Filed: August 24, 2007 Published: February 19, 2008 Allowed: May 13, 2008	(Int'l Class: 21) Shaving brushes	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive Suite 509 Carrollton, Texas 75006
PURESCIENCE SN:78-807260 RN:3,327,256	Registered October 30, 2007 Int'l Class: 3 First Use: May 1, 2006 Filed: February 4, 2006 Published: October 10, 2006 Allowed: January 2, 2007	(Int'l Class: 3) Astringents for cosmetic purposes; shaving creams; facial scrubs; hair shampoos; hair conditioners; and facial lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Dr. #509 Carrollton, Texas 75006
JACK'S GIRL SN:76-489848 RN:3,171,832	Registered November 14, 2006 Int'l Class: 3 First Use: August 1, 2003 Filed: February 12, 2003 Published: July 5, 2005 Allowed: September 27, 2005	(Int'l Class: 3) After-shave lotions; body creams; shaving creams; shaving gels; body lotions; hair lotions; non-medicated foot powders; shaving lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive #509 Carrollton, Texas 75006
JACK BLACK SN:75-731548 RN:2,742,396	Registered 8 & 15 August 3, 2009 Int'l Class: 3 First Use: April 24, 2000 Filed: June 17, 1999	(Int'l Class: 3) After-shave lotions; shaving balms; bath gels; skin cleansing lotions; colognes; eye creams; shaving creams; skin creams; facial scrubs; bath gels; shaving gels; shower gels; skin lotions; facial lotions; shaving lotions; skin cleansing lotions; face and body and wrinkle removing skin care preparations	Jack Black, L.L.C. (A Delaware Limited Liability Company) 5604 Champions Drive Plano, Texas 75093

	Published: January 11, 2000 Registered: July 29, 2003		
JACK BLACK SN:75-980726 RN:2,476,740	Registered 8 & 15 August 22, 2007 Int'l Class: 3 First Use: April 5, 2000 Filed: June 17, 1999 Published: January 11, 2000 Registered: August 7, 2001	(Int'l Class: 3) Sun block preparation, sun screen preparation, skin emollient, skin lotion, hand creams, skin moisturizer, and non-medicated lip balm	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive, #509 Carrollton, Texas 75006
JACK BLACK SN:77-193038 RN:3,619,937	Registered May 12, 2009 Int'l Class: 21 First Use: October 15, 2008 Filed: May 30, 2007 Published: April 8, 2008 Allowed: July 1, 2008	(Int'l Class: 21) Shaving brush holders; shaving brush stands; shaving brushes	Jack Black, L.L.C. (Delaware Limited Liability Company) #509 2155 Chenault Drive Carrollton, Texas 75006
JB JACK BLACK AUTHENTIC AND ORIGINAL and Design SN:76-976023 RN:2,823,989 Disclaimer: "AUTHENTIC AND ORIGINAL"	Registered March 16, 2004 Int'l Class: 25 First Use: July 1, 2003 Filed: September 21, 2001 Published: December 17, 2002	(Int'l Class: 25) Baseball caps, hats, headwear, knit shirts, shirts, sport shirts	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive Suite 509 Carrollton, Texas 75006

Jack Black's products are uniformly packaged and sold in Jack Black's highly recognizable and well-known trade dress, namely, its distinctive cobalt blue packaging and labels with diamond-shaped insignia inspired by masculine icons like premium liquor and cigars. Along with its distinctive trade dress, Jack Black consistently uses its house marks - JB JACK BLACK AUTHENTIC AND ORIGINAL and Design and PURESCIENCE or PERFORMANCE REMEDY -- in connection with each clever product-specific mark. [See attached -- Jack Black Products, Turbo Wash SoU and TESS printouts.]

Although Applicant was unable to find any evidence of actual use in commerce of the cited mark via a Google search, viewing the specimen submitted in connection with the cited mark (see attached -- Turbo Eau de Parfum), Registrant uses the term TURBO in large, neon green digital alarm clock-esque letters transposed over images of gauges found on a car or motorcycle dashboard, all of which are laid over the image of a motorcycle helmet and appear over a plain black background. No other marks are prominently displayed on the packaging. Registrant is obviously evoking an image of the revved-up adrenalin rush experienced when riding a motorcycle or driving a car at high speeds. This is in stark contrast to the sophisticated, classic feel of Jack Black's use of its TURBO WASH mark, which appears much less prominently on the product and is always used in connection with Jack Black's house mark and distinctive trade dress. In *In re Magic Muffler Service, Inc.*, 184 USPQ 125

(TTAB 1974), the TTAB ruled that "specimens of use presumably show how the average purchaser will encounter the mark under normal marketing conditions and, as such, the specimens are suggestive of the reaction of the average purchaser to this display of the mark." The manner in which Applicant and Registrant use their respective marks convey distinct commercial impressions such that the products would appeal to completely different consumers. Therefore, Registrant's use of the cited mark TURBO is highly *unlikely* to be confused with Applicant's use of its TURBO WASH mark, and there is no possibility that consumers would believe that products sold under the TURBO mark are in any way related to or manufactured or sold by the same source as those sold under the TURBO WASH mark. Just as consumers would not view the TURBO WASH mark and a body wash product sold by the makers of the TURBO branded product, neither would consumers be confused as to a potential affiliation between products sold under the TURBO mark and products sold under the TURBO WASH mark, whether those products were side by side on a store shelf or displayed individually in completely different stores.

A search for JACK BLACK TURBO WASH reveals the wide-spread availability of the product at well-known online retailers such as amazon.com, beauty.com, drugstore.com, as well as high-end luxury retailers such as Sephora.com, Nordstrom.com, NeimanMarcus.com. [See attached – jack black turbo wash - Google Search.] Whereas a search for TURBO WASH reveals a number of listings for a product claiming to be the "ultimate power pressure washer" much higher in the search results. This is indicative of the meaning most male consumers would associate with TURBO WASH, and the double entendre of Jack Black's use of the term would not be lost on its consumers. [See attached turbo wash - Google Search.] On the other hand, a search for MOSHE TURBO or SCENT-SATION TURBO produces no results related to the cited mark.

In the instant case, the practicalities of the commercial world would dictate that consumers associate Applicant's mark with Applicant, not with the cited mark. Upon consideration of the differences in the marks themselves as well as the manner in which the marks are used by their respective owners and made available to consumers, as discussed above, combined with the realities of the marketplace and sophistication of the consumers, as discussed in more detail below, it is clear that the marks would not be encountered in situations that would create the incorrect assumption that the services came from the same or related sources. Applying the principles of well established trademark law to the present case compels a determination that Applicant's mark will not create any likelihood of confusion. Accordingly, the marks should be allowed to co-exist.

Proper Comparison of the Marks.

Apparently, the Examiner has arbitrarily determined that TURBO is the dominant feature of the marks. However, according to TMEP §1207.01(b), the marks are compared in their entirety under a Trademark Act Section 2(d) analysis. Indeed, it is well established that an analysis of likelihood of confusion must consider the mark as a whole, and *undue weight must not be given to only a part of the mark in deciding likelihood of confusion. In re Hearst, 25 USPQ2d 1238, 1239 (Fed. Cir. 1992) (emphasis added); see also Leading Jewelers Guild Inc. v. LJOW Holdings LLC, 82 USPQ2d 1901 (TTAB 2007) (Common elements in marks do not end the inquiry, as the marks to be analyzed must be compared in their entirety).*

The fundamental inquiry in determining likelihood of confusion goes to the *cumulative* effect of the differences in the marks and the goods or services at issue. *Federated Foods, Inc. v. Fort Howard Paper Co., 192 USPQ 24, 29 (CCPA 1976) (emphasis added)*. In considering the differences in the marks, the focus should be on the effect of the sight, sound, meaning and commercial impressions created by the entire mark. *E.I. duPont* at 563. In comparing the marks, they should not be dissected, but rather the total commercial impression of each mark in relation to the goods or services to which it

is applied should be considered. *Recot, Inc. v. Becton*, 54 USPQ2d 1894 (Fed. Cir. 2000). It is the impression that the mark as a whole creates on the average reasonably prudent buyer and not the parts thereof, that is important. *Duluth News-Tribune v. Mesabi Publishing Co.*, 38 USPQ2d 1937 (8th Cir. 1996). As the Supreme Court observed, "the commercial impression of a trademark is derived from it as a whole, not from its elements separated and considered in detail. For this reason it should be considered in its entirety." *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 540-46 (1920).

Therefore, the Examiner has failed to compare the marks in their entireties and has given undue weight to only a part of the mark. By focusing solely on the individual portions of both marks, the Examiner altered the marks. Indeed, when viewed in their entireties, Applicant's mark and the cited mark present very different commercial impressions.

Applicant's mark as a whole creates a distinct impressive as a unitary mark not susceptible to dissection. A unitary mark is one that creates a commercial impression separate and apart from any unregistrable component, i.e., the elements are so merged together that they cannot be divided to be regarded as separable elements. TMEP § 1213.05. In determining whether the mark is a unitary mark, the Examiner must consider a number of factors: 1) whether the mark is physically connected by lines or other design features; 2) the relative location of the respective elements; and 3) the meaning of the terminology as used on or in connection with the goods or services. *Dena Corp. v. Belvedere International Inc.*, 950 F.2d 1555, 21 USPQ2d 1047 (Fed. Cir. 1991). Applicant's mark is unitary because the term TURBO WASH is a double entendre -- an expression that has a double connotation or significance as applied to Applicant's goods. The term TURBO WASH could mean using a mechanical sprayer that uses high-pressure water to clean and remove mold, grime, dust, mud, and dirt from surfaces and objects such as buildings, vehicles, and concrete road surfaces (*see attached Pressure washer - Wikipedia, the free encyclopedia*) or a quick way to get super-clean and energized in the bathtub or shower. Consumers -- especially male personal care product consumers -- will readily understand the play on words arising from Applicant using the mark TURBO WASH in conjunction with personal cleansers for men. The mark TURBO WASH as a whole has a suggestive significance which is distinctly different from the term "TURBO" or "WASH." In other words, any possible descriptive significance of the individual term "WASH" is lost in the mark as a whole. See *In re Symbra'ette, Inc.*, 189 USPQ 448 (TTAB 1975) (holding that SHEER ELEGANCE for panty hose is a registerable unitary expression).

A mark that connotes two meanings, one possibly descriptive, and the other suggestive of some other association, can be called suggestive, as the mark is not "merely" descriptive. *In re Colonial Stores Inc.*, 157 USPQ 382 (CCPA 1968); See TMEP § 1213.05(c) (providing that "the mark that comprises the "double entendre" will not be refused registration as merely descriptive if one of its meanings is not merely descriptive in relation to the goods or services."); See also J. Thomas McCarthy, *McCarthy on Trademarks and Unfair Competition*, § 11.19. For example, in *In re Colonial Stores Inc.*, the U.S. Court of Customs and Patent Appeals held that the mark SUGAR & SPICE for bakery products not only suggests ingredients, but stimulates an association with the nursery rhyme "Sugar and Spice and Everything Nice." In holding this use not a merely descriptive one, the court emphasized the mark's "reminiscent, suggestive, or associative connotation" with a non-descriptive idea. *Id.* In *Blisscraft of Hollywood v. United Plastics Company*, the U.S. Court of Appeals held that the mark POLY PITCHER was not merely descriptive because the mark on polyethylene pitchers both connotes a description of the plastic ingredient for the product and also is reminiscent or suggestive of Molly Pitcher of Revolutionary time. 131 USPQ 55 (2d Cir. 1961). In *Henry Siegel Co. v. M & R International Mfg. Co.*, the Trademark Trial and Appeal Board held that the mark CHIC for "women's clothing" is not merely descriptive because it projects a double meaning. The Board noted that while CHIC has a

descriptive significance (i.e., stylish, elegant) as applied to clothing, it was clear from the dictionary definitions and other evidence of record, that the term CHIC could also be regarded as a misspelling, and a phonetic equivalent of the word "chick" (which is defined as "a chicken," "any young bird," a child: term of endearment," and "a young woman.") 4 USPQ2d 1154 (TTAB 1987). The Trademark Trial and Appeal Board also held that the term HAY DOLLY for "self loading trailers for hauling hay bales," is not descriptive. The Board viewed the term HAY DOLLY as reminiscent of the famous Broadway hit HELLO DOLLY, giving the mark a commercial impression which transcends its potentially descriptive meaning. *In re Priefert Mfg. Co., Inc.*, 222 USPQ 731 (TTAB 1984). See also *Menashe v. V Secret Catalogue, Inc.*, 409 F.Supp.2d 412 (S.D.N.Y. 2006) (holding that the mark SEXY LITTLE THINGS is suggestive of lingerie because while the term describes the stimulating quality of the trademarked lingerie, it also calls to mind the phrase "sexy little thing" popularly used to refer to attractive lithe young women); *In re National Tea Co.*, 144 USPQ 286 (TTAB 1965) (holding that the mark NO BONES ABOUT IT for "boneless hams" has a double connotation or significance as applied to hams which might well attract the attention of a prospective customer, and is therefore, is registerable). Like these examples, the term WASH in Applicant's TURBO WASH mark is not merely descriptive because it projects a double meaning.

Where the matter that comprises the mark or relevant portion of the mark is unitary, no disclaimer of an element, whether descriptive, generic or otherwise, is required. TMEP § 1213.05 As stated in TMEP § 1213.05(c), a true "double entendre" is unitary by definition. An expression that is a "double entendre" should not be broken up for purposes of requiring a disclaimer. See *In re Kraft, Inc.*, 218 USPQ 571, 573 (TTAB 1983), where the Board found inappropriate a requirement for a disclaimer of "LIGHT" apart from the mark "LIGHT N' LIVELY" for reduced calorie mayonnaise, stating as follows:

The mark "LIGHT N' LIVELY" as a whole has a suggestive significance which is distinctly different from the merely descriptive significance of the term "LIGHT" per se. That is, the merely descriptive significance of the term "LIGHT" is lost in the mark as a whole. Moreover, the expression as a whole has an alliterative lilting cadence which encourages persons encountering it to perceive it as a whole.

See also *In re Symbra'ette, Inc.*, 189 USPQ 448 (TTAB 1975) (SHEER ELEGANCE for panty hose held to be a registrable unitary expression; thus, no disclaimer of "SHEER" considered necessary). TMEP § 1213.05(c). See also *In re J.R. Carlson Laboratories, Inc.*, 183 USPQ 509 (TTAB 1974) (E GEM for bath oil containing vitamin E held unitary; thus, no disclaimer of "E").

In the initial Office Action issued on January 7, 2010, the Examiner requested that Applicant disclaimer of the term WASH. In Applicant's Response to the Office Action, Applicant agreed to a disclaimer of the term WASH. However upon further consideration and based on the foregoing, Applicant hereby withdraws its disclaimer of the term WASH and respectfully requests reconsideration of this matter.

Similarity of the Marks

The Examiner states that prior decisions and actions of other trademark examining attorneys in registering different marks have little evidentiary value and are not binding upon the Office. However, third-party registrations are useful as evidence of the suggestiveness of particular elements of marks under consideration and can serve as a dictionary to show how language is used in a particular trade or industry. *Sweats Fashions, Inc. v. Pannill Knitting Co.*, 4 USPQ2d 1793 (Fed. Cir. 1987). As the Board recognized in *In Re Hamilton Bank*, 222 USPQ 174 (TTAB 1984), such third-party registrations demonstrate "... that the term or feature common to the marks has a normally understood meaning or

suggestiveness in the trade and that marks containing the term or feature have been registered for the same or closely related goods or services *because the remaining portions of the marks are sufficient to distinguish the marks as a whole from one another.*" *Id.* at 177. (emphasis added) See also *American Hospital Supply Corporation v. Air Products and Chemicals, Inc.*, 194 USPQ 340 (TTAB 1977).

Applicant previously provided the Examiner with a list of trademarks that already co-exist (or have co-existed in the case of TURBOSCRUB) on the Principal Register, all of which contain the term TURBO. That list is repeated here for ease of reference:

TM/SN/RN/Disclaimer	Status/Key Dates	Brief Goods/Services	Owner
THE TURBO VOLUM' EXPRESS SN:77-780362 RN: 3,905,143	Registered January 11, 2011 Filed: July 15, 2009 Published: September 8, 2009 Allowed: December 1, 2009	(Int'l Class: 3) Mascara	L'oreal Usa Creative, Inc. (Delaware Corp.) 575 Fifth Avenue New York, New York 10017
TURBO SN:77-362841 RN:3,553,017	Registered December 30, 2008 Int'l Class: 3 First Use: January 2, 2008 Filed: January 2, 2008 Published: October 14, 2008	(Int'l Class: 3) Colognes and perfumes	Moshe Inc, Dba Scent-Station (California Corp.) 906 S. Los Angeles Street Los Angeles, California 90015
TURBO BOOSTER BRIGHTENING POWDER SN:77-700168 Disclaimer: "BRIGHTENING POWDER"	Allowed - Intent to Use 2nd Extension of Time Granted November 10, 2010 Filed: March 26, 2009 Published: August 11, 2009 Allowed: November 3, 2009	(Int'l Class: 3) Non- medicated skin care preparations	Philosophy, Inc. (Arizona Corp.) 3809 East Watkins Street Phoenix, Arizona 85034
TURBO BOOSTER C POWDER SN:77-160792 RN:3,524,949 Disclaimer: "POWDER"	Registered October 28, 2008 Int'l Class: 3 First Use: September 26, 2007 Filed: April 19, 2007 Published: April 22, 2008 Allowed: August 19, 2008	(Int'l Class: 3) Non- medicated skin care preparations	Philosophy, Inc. (Arizona Corp.) 3809 East Watkins Street Phoenix, Arizona 85034
TURBO INSERT SN:79-065057 RN:3,746,985 Disclaimer:	Registered February 9, 2010 Filed: September 24, 2008 Published:	(Int'l Class: 3) Soaps, essential oils, cosmetics, namely, lipsticks; lotions, namely, skin lotions, hair lotions, face lotions, body lotions, hair waving	Rexam Dispensing Systems (France Societe Par Actions Simplifiee a Associe Unique (Sasu)) 15 Bis, Route Nationale F-76470 Le Treport

"INSERT" APART FROM THE MARK AS SHOWN AS TO THE GOODS IN CLASS 21."	November 24, 2009 Priority Claim Date: September 22, 2008	lotions, beauty... (and other goods in Int'l Classes 5, 20 & 21)	France
TURBO RECHARGER SN:77-251082 RN:3,541,234	Registered December 2, 2008 Int'l Class: 3 First Use: January, 2008 Filed: August 9, 2007 Published: January 22, 2008 Allowed: April 15, 2008	(Int'l Class: 3) Non-medicated skincare preparation	L'oreal (France Societe Anonyme) 14 Rue Royale Paris 75008 France
TURBOLASH SN:77-406244 RN: 3,805,242	Registered June 22, 2010 Int'l Class: 3 First Use: July 16, 2008 Filed: February 26, 2008 Published April 6, 2010	(Int'l Class: 3) Cosmetics	Estee Lauder Inc. (Delaware Corp.) 767 Fifth Avenue New York, New York 10153
TURBOSHAVE SN:78-063424 RN:2,664,650	Registered 8 & 15 December 15, 2008 Int'l Class: 3 First Use: April 26, 2002 Filed: May 14, 2001 Published: September 25, 2001 Allowed: December 18, 2001 Registered: December 17, 2002	(Int'l Class: 3) Shaving gel	Jocott Enterprises, Inc. (California Corp.) 16217 Kittridge Street Van Nuys, California 91406
TURBOSCRUB SN: 75-573459 RN: 2,352,763	Cancelled December 24, 2010 Int'l Class: 3 First Use: September 9, 1999 Filed: October 19, 1998 Published: May 25, 1999 Registered: May 23, 2000	(Int'l Class: 3) Body scrub for cosmetic use	Woodbridge Labs, Inc. (Delaware Corp.) 16217 Kittridge Street Van Nuys, California 91406
VOLUM' EXPRESS TURBO BOOST SN:78-302305 RN:2,934,223	Registered 8 & 15 May 5, 2010 Int'l Class: 3 First Use: January, 2004 Filed: September 18, 2003	(Int'l Class: 3) Cosmetics, namely, mascara	L'oreal Usa Creative, Inc. (Delaware Corp.) 575 Fifth Avenue New York, New York 10017

Published: May 4, 2004		
Allowed: July 27, 2004		
Registered: March 15, 2005		

On January 2, 2008, at the time Registrant of the cited mark filed its application to register TURBO per se for colognes, perfumes and cosmetics and a long list of fragrance-related products, there were five prior TURBO combination marks in class 3 for personal care products that were pending or registered. Thus, at the time Registrant filed its TURBO application, it can be implied that Registrant's claim of right to exclusive use of TURBO was sufficiently different from and did not conflict with the already existing TURBO combination marks, especially TURBOSCRUB, TURBOSHAVE and TURBO RECHARGER. [See attached Tess printouts.] The fact that no office action was citing these prior marks issued demonstrates that the examining attorney took that position and the fact that none of the prior owners of TURBO combination marks sought to oppose Registrant's TURBO application suggests that none of them believed that Registrant's rights to TURBO would conflict with their present or future use of TURBO combination names. Thus, if TURBO was not confusingly similar to TURBOSHAVE, TURBOSCRUB or TURBO RECHARGER, where the goods of interest were all closely related, it is difficult to see how TURBO WASH could be in conflict with TURBO. Applicant respectfully submits that the scope of protection for TURBO was already greatly limited at the time Registrant filed its application and that in this case the Examiner, unlike any of the other attorneys who have considered subsequent TURBO combination marks and have allowed them to proceed to publication, is granting Registrant rights to TURBO that greatly exceed the scope to which it is entitled.

The Examiner states that the other TURBO marks that co-exist on the Principal Register each present a different commercial impression than Applicant's mark, citing the inclusion of other distinctive terms in the marks. Applicant respectfully submits that not all of the other TURBO marks include other distinctive terms; namely, Applicant submits that the term SHAVE in U.S. Registration No. 2,664,650 for the mark TURBOSHAVE used in connection with "shaving gel", the term LASH in U.S. Registration No. 3,805,242 for the mark TURBOLASH used in connection with cosmetics, namely mascara, and the term SCRUB in the recently cancelled U.S. Registration No. 2,352,763 for the mark TURBOSCRUB used in connection with "body scrub for cosmetic use" are not distinctive terms, and are indeed generic or descriptive in connection with the applicable goods. [See attached TESS printouts.] Applicant further submits that TURBOSHAVE used in connection with "shaving gel", TURBOLASH used in connection with cosmetics, namely mascara, and TURBOSCRUB used in connection with "body scrub for cosmetic use" are the equivalent of TURBO WASH used in connection with "body washes, facial cleansers, and hair shampoo."

To allow TURBOSHAVE, TURBOLASH, TURBOSCRUB and TURBO to co-exist but refuse registration of TURBO WASH is an unjust result. As the USPTO has obviously determined that TURBOSHAVE used in connection with "shaving gel", TURBOLASH used in connection with cosmetics, namely mascara, TURBOSCRUB used in connection with "body scrub for cosmetic use", and TURBO used in connection with "colognes and perfumes" present different commercial impressions and can co-exist on the register, even though they are used in connection with personal care products, indicates that TURBO WASH should also be allowed to co-exist with the cited mark.

That TURBOSHAVE, TURBOLASH and TURBOSCRUB do not have a space between the two distinct words TURBO and SHAVE or LASH or SCRUB and that TURBO WASH does have a space between the two distinct words TURBO and WASH is irrelevant in this instance. TURBOSHAVE, TURBOLASH, TURBOSCRUB and TURBO WASH are all unitary marks, and

whether the marks consist of two distinct words that are represented as one word, such as in the compound word marks TURBOSHAVE, TURBOLASH and TURBOSCRUB, or an expression capable of more than one interpretation, such as the double entendre TURBO WASH, both marks will have the same commercial impressions on consumers -- namely, that of unitary marks. In other words, consumers will not view TURBOSHAVE, TURBOLASH or TURBOSCRUB differently than they view TURBO WASH, as each of the three marks would be viewed as the word TURBO combined with a term that is descriptive of the personal care products with which it is used.

In this case, Applicant's TURBO WASH mark and the above-referenced TURBOSHAVE, TURBOLASH or TURBOSCRUB marks all present a significant difference in commercial impression from the cited mark, especially in light of the numerous other TURBO registrations used in connection with the same or similar goods and co-existing on the Principal Register. Upon visual inspection, the marks are distinguishable because they create different commercial impressions. *See, e.g., Lebow Bros. v. Lebole Euroconf*, 503 F. Supp. 209 (E.D. Pa. 1980) (LEBOW and LEBOLE not confusingly similar even though they are arguably phonetically similar). Therefore, the different sound and appearance presented by the cited mark for TURBO in addition to the number and nature of marks containing the term "TURBO" leads to the conclusion that the simultaneous use by different entities of marks containing the term "TURBO" in connection with personal care products will not result in consumer confusion. Thus, Applicant's use of the mark TURBO WASH is not, ipso facto, confusingly similar to the cited mark for TURBO. Applicant's mark is as distinct, if not more so than the references cited above (particularly given the suggestive nature of Applicant's mark, which is evocative of a power pressure washer used to wash cars and other outdoor articles such as patio furniture and driveways (*see attached – turbo wash Google search*)). The differences in Applicant's mark and the cited mark as outlined above, combined with the vast number of other marks incorporating the term TURBO indicate that there would be no likelihood of confusion between Applicant's mark and the referenced mark. Surely, if the referenced marks are allowed to co-exist, Applicant's mark should likewise be allowed.

Relatedness of the Goods

The Examiner submits copies of printouts from the USPTO X-Search database which show third-party registrations of marks used in connection with the same or similar goods as those of Applicant and Registrant in this case which the Examiner states serve to suggest that the goods listed therein, namely, perfume soap, body washes, perfume, facial cleansers, oils for perfumes and scents and hair shampoo, are of a kind that may emanate from a single source. Furthermore, the Examiner states that "registrant's cosmetics goods are identified broadly and may encompass the goods specifically identified by applicant. However, Applicant submits that on or about February 17, 2010, Registrant filed a Section 7 Request to amend the cited registration to delete all of the goods except "colognes and perfumes." [*See attached Section 7 Request Form.*] Therefore, Registrant's goods are no longer identified broadly and now encompass a very narrow category of personal care products.

As Applicant has previously submitted, colognes and perfumes are the subject of extremely individual taste and preference, and consumers are likely to exercise greater care when purchasing a product associated with a specific fragrance or scent. This fact is readily apparent during a visit to any department store, discount retail store or any other store that sells colognes, perfumes and/or other personal care products such as soap or shampoo, as customers selecting a new personal care product - especially one that is scented - is almost certain to test the scent or open the bottle, jar or other package to sniff the scent before purchasing a product or putting it in their shopping cart. Therefore, it is highly unlikely that a consumer seeking a cologne or perfume featuring a specific scent associated with the TURBO mark will be confused when confronted with Applicant's skin cleansers, facial cleansers and hair shampoo that are not so scented. Indeed, the court in *Lucien Lelong, Inc. v. Lenel, Inc.*, 85 USPQ 117, 118 (5th Cir. 1950), held that BELAIZA for cologne not infringed by BELEZZA for cologne, in

part because "buyers of such commodities are meticulous."

As Registrant's goods are cologne and perfume, Applicant's body wash, facial cleanser, and hair shampoo are specifically non-competitive with the goods sold under the cited mark. While the goods under the cited mark fall under the general category of personal care products, they are not interchangeable with Applicant's goods. Additionally, Applicant's goods will be sold under Applicant's house mark JB JACK BLACK AUTHENTIC AND ORIGINAL and Design as well as Applicant's PURESCIENCE or PERFORMANCE REMEDY mark in connection with Applicant's distinctive trade dress (*see attached – Jack Black Products and Turbo Wash SoU*), whereas TURBO is apparently the only mark used in association with the goods sold under the cited mark. Because it is not reasonable to believe that purchasers are willing or ready to substitute Applicant's goods for the goods sold under the cited mark, Applicant's goods cannot be said to be competitive with those of the cited mark. The mere fact that both are generally related to personal care products does not render the goods at issue related. Consumers must be likely to believe that the goods come from the same source or are somehow connected with or sponsored by a common company. *Communications Satellite Corp. v. Comcat, Inc.*, 166 USPQ 353 (4th Cir. 1970), cert. denied, 167 USPQ 705 (1970). In fact, the Trademark Trial and Appeal Board has previously rejected arguments of confusing similarity based solely on the fact that the goods or services share an overall general purpose. For example, in *Electronic Data Systems Corp. v. EDSA Micro Corp.*, 23 USPQ2d 1460, 1463 (TTAB 1992), the Board held that "the issue of whether or not two products are related does not revolve around the question of whether a term can be used that describes them both, or whether both can be classified under the same general category."

In the present application, it is not reasonable to believe that prospective purchasers are likely to think that Applicant's goods emanate from the same company that owns the cited mark merely because these marks are generally related to personal care products. This common general category of goods is not sufficient to conclude that Applicant's body wash, facial cleanser, and hair shampoo are related to the cologne or perfume sold under the cited mark. Because the marks at issue are used on unrelated and non-competitive goods, any likelihood of confusion is therefore obviated.

Conclusion

It is incumbent upon the Examiner to adhere to the standard set forth by the Federal Circuit: "We are not concerned with mere theoretical possibilities of confusion, deception or mistake or with de minimis situations but with the practicalities of the commercial world, with which the trademark laws deal." *Electronic Design & Sales, Inc. v. Electronic Data Systems Corp.*, 21 USPQ2d 1388, 1391 (Fed. Cir. 1992) (quoting *Witco Chem. Co. v. Whitfield Chem. Co.*, 164 USPQ 43 (CCPA 1969)). The purpose of the Register is to reflect commercial reality, and to allow third parties to be on notice as to the marks in actual commercial use. As stated in *In re Four Seasons Hotels, Ltd.*, 26 USPQ2d 1071, 1072 (Fed. Cir. 1993):

[T]he PTO's role is to protect owners of trademarks by allowing them to register their marks. Denial of registration does not deny the owner the right to use the mark, and thus, will not serve to protect the public from confusion.

To warrant refusal under Section 2(d) of the Trademark Act, there must be an *actual* likelihood of confusion, *not the mere possibility thereof*. See *Electronic Design & Sales*, 21 USPQ2d 1388, 1391; *NEC Electronics, Inc. v. New England Circuit Sales*, 13 USPQ2d 1059 (D. Mass. 1989). In the case at hand, the total effect of the use of the marks clearly indicates no likelihood of confusion is present. Use of Applicant's mark cannot be reviewed in a vacuum. Rather, one must look at the total effect of the mark and its use, not just the individual features of the mark.

Therefore, while Applicant's mark and the cited mark share the term TURBO, actual use of the marks reduces, if not eliminates, any likelihood of confusion. Upon review of the marks in their entireties and under an appropriate review of all relevant *du Pont* factors, it is clear that Applicant's mark and the cited mark do not convey the same overall impression and, in fact, convey significantly different commercial impressions, and likelihood of confusion in the instant case is at best a mere, remote possibility and, thus, unlikely. When all of these factors are considered, it is apparent that despite any similarities in the marks or goods, Applicant's use will not likely lead to confusion. In other words, the marks will not confuse people into believing that the goods they identify come from the same source, thus satisfying the Examiner's overriding concern to prevent both buyer confusion as to the source of the goods as well as to protect Registrant from adverse commercial impact due to use of a similar mark by a newcomer.

All matters in the Office Action having been addressed above, passage of this application to publication is respectfully requested. Should the Examining Attorney have any questions with regard to this Response or this Application in general, a telephone call or e-mail to the undersigned attorney would be greatly appreciated.

EVIDENCE SECTION

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DESCRIPTION OF EVIDENCE FILE	Turbo Wash - Digitally scanned/photographed image of Applicant's goods for Applicant's mark; Turbo Eau de Parfum - Digitally scanned/photographed image of Registrant's specimen of use of the cited mark; TESS Printouts of Applicant's marks; Jack Black Products - Digitally scanned/photographed screenshot from Applicant's website of Applicant's goods; Turbo Wash SoU - Digitally scanned/photographed image of Applicant's specimen of use for Applicant's mark; jack black turbo wash Google search - Digitally scanned/photographed screenshot of Google search results; turbo wash Google search - Digitally scanned/photographed screenshot of Google search results; Pressure washer - Digitally scanned/photographed screenshot Wikipedia encyclopedia search results; TESS Printouts of other TURBO marks; Section 7 Request Form - Digitally scanned/photographed image of Registrant's Section 7 Request
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Please delete the disclaimer currently of record.
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Danica L. Mathes/
SIGNATORY'S NAME	Danica L. Mathes
SIGNATORY'S POSITION	Attorney of Record, Texas bar member
DATE SIGNED	01/21/2011
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Jan 21 23:48:57 EST 2011
TEAS STAMP	USPTO/RFR-174.47.169.130- 20110121234857529034-7784 3525-4705016c2955fa2ddd35 4385316cbe296a-N/A-N/A-20 110121232851106534

PTO Form (Rev 4/2000)

OMB No. 0651-..... (Exp. 08/31/2004)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. 77843525 has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Request for Reconsideration After Final Action

Introduction

This responds to the Office Action dated July 22, 2010. Applicant acknowledges and appreciates the Examining Attorney's withdrawal of the requirement to amend the identification of goods.

Applicant notes that the Examining Attorney has maintained and made final her refusal to register Applicant's mark based on likelihood of confusion with U.S. Trademark Reg. No. 3,553,017 for the mark TURBO.

Applicant continues to respectfully disagree that its mark is likely to cause confusion with the mark cited by the Examining Attorney. For the following reasons, Applicant respectfully requests reconsideration and withdrawal of this final refusal.

Proper Consideration of *du Pont* Factors. The Examiner concludes in the instant Office Action that:

In this case, the following factors are the most relevant: similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services. See *In re Opus One, Inc.*, 60 USPQ2d 1812 (TTAB 2001); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593 (TTAB 1999); *In re Azteca Rest. Enters., Inc.*, 50 USPQ2d 1209 (TTAB 1999); TMEP §§1207.01 *et seq.*

However, regarding the issue of likelihood of confusion, *all* circumstances surrounding the sale of the goods and/or services are considered. See *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (CCPA 1973) (*emphasis added*). These circumstances include the marketing channels, the identity of the prospective purchasers, and the degree of similarity between the marks and between the goods and/or services. See *Indus. Nucleonics Corp. v. Hinde*, 475 F.2d 1197, 177 USPQ 386 (CCPA 1973); TMEP §1207.01,

It is clear that the Examiner has considered only three of the *du Pont* factors (namely, similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or services) which resulted in her conclusion that there is a likelihood of confusion between Applicant's mark and the cited registration. However, by focusing on only three of the *du Pont* factors, the Examiner has not considered all circumstances surrounding the sale of the goods, which *du Pont* dictates *must* be considered in order to determine whether a likelihood of confusion exists. Therefore, Applicant respectfully submits that, by determining that the most relevant *du Pont* factors in this case are similarity of the marks, similarity of the goods and/or services, and similarity of trade channels of the goods and/or

services, the Examiner has improperly dismissed and unduly diminished the weight given to other substantive factors that provide evidence of what happens in the market place – namely, “impulse” vs. careful, sophisticated purchasing, market interface between Applicant and the owner of a prior mark, and extent of potential confusion, i.e., whether *de minimis* or substantial. “[E]ven close similarity between two marks is not dispositive of the issue of likelihood of confusion. Rather, the similarity must be assessed in terms of its effect upon prospective purchasers.” *Lever Bros. Co. v. American Bakeries Co.*, 693 F. 2d 251, 257 (2d Cir. 1982). Consequently, the Examiner has failed to appropriately apply the *du Pont* analysis in the instant case, and Applicant submits that the proper application of the *du Pont* factors results in a very different outcome.

It is well-established law that when assessing the similarity of two marks, the marks must be considered not in the abstract, but in the context of the way in which they are actually presented to the public. *See Pignons S.A. de Mecanique de Precision v. Polaroid Corp.*, 657 F.2d 482, 487 (1st Cir. 1981) (“similarity is determined on the basis of total effect of the designation, rather than a comparison of individual features”). In *Pignons*, the court held that a camera sold under the name ALPA was not confusingly similar to cameras sold under the name ALPHA. In its holding, the court explained:

In the present case, the total effect of Polaroid’s designation of its SX-70 Alpha cameras minimizes, it if does not eliminate, the possibility that Polaroid’s mark might be confused with Pignon’s. On the cameras themselves, and in Polaroid’s advertising, the word ‘Alpha’ always appears in close proximity with an equally prominent and uniquely identifying designation, such as ‘Polaroid SX-70 Land Camera Alpha 1’ . . . 657 F.2d at 487.

In *Astra Pharmaceutical Prods. Inc. v. Bechman Instruments, Inc.*, 718 F.2d 1201 (1st Cir. 1983), the court again looked at the total effect of the mark rather than its individual elements. In this case, the court held that identical marks, ASTRA, both used for hospital products were not likely to lead to confusion. In its analysis, the court explained that the marks were used in conjunction with clearly displayed names and/or logos of the manufacturer such that no confusion was likely. Furthermore, in *Star Industries Inc. v. Bacardi & Co. Ltd.*, 75 USPQ2d 1098 (2d Cir. 2005), the court held that Bacardi’s “O” design element, used on its label for rum and Star’s “O” design element, used on its label for orange-flavored vodka, lacked similarity. The court reasoned that while the two “O” marks appear very similar when viewed in isolation, this similarity was tempered by the fact that the respective packaging is very different; the significance of the similarity of the “O” designs was undercut by the dissimilarity of the products’ respective labels as a whole. *Id.* In the instant case, not only is the respective packaging utilized in connection with Applicant’s mark and the cited mark very different, but even more importantly, the cited mark, TURBO, and Applicant’s mark, TURBO WASH, do not appear at all similar when viewed in isolation. [See attached – *Turbo Wash and Turbo Eau de Parfum.*]

Jack Black is the owner of a number of trademarks – such as DRAGON ICE (RN: 3,887,681), MR. FIX IT (RN: 3,891,186), PIT BOSS (RN: 3,143,052), WELL-STOCKED BAR (3,320,199), SPLASH ON RESPONSIBLY (RN: 3,331,197), DRY DOWN POWDER (SN: 85-035015), and BEARD LUBE (SN: 85-022203) -- that play to the men’s personal care products consumer. [See chart below and attached corresponding TESS printouts.]

TM/SN/RN/Disclaimer	Status/Key Dates	Full Goods/Services	Owner
BEARD LUBE SN:85-022203 Disclaimer: "BEARD"	Pending - Suspension Letter Mailed August 9, 2010 Int'l Class: 3 First Use:	(Int'l Class: 3) Pre-shave creams, pre-shave oils, namely, oils and lotions applied to the skin before shaving, shaving preparations, shaving creams, shaving balms, shaving lotions, skin creams, skin moisturizers, skin conditioners, skin refreshers, namely, pre-	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault, Suite 509 Carrollton, Texas

	January 25, 2000 In Commerce: April 1, 2000 Filed: April 23, 2010	shave and after-shave lotions, sprays or creams, facial lotions, facial skin treatments, namely, pre-shave and after-shave facial moisturizers, facial hydrators and facial skin serum	75006
DRAGON ICE SN:77-843308 RN:3,887,681	Registered December 7, 2010 Int'l Class: 5 First Use: February 28, 2010 Filed: October 7, 2009 Published: March 9, 2010 Allowed: June 1, 2010	(Int'l Class: 5) Analgesic balm; topical analgesics	Jack Black LLC (Delaware Limited Liability Company) Suite 509 2155 Chenault Carrollton, Texas 75006
DRY DOWN POWDER SN:85-035015 Disclaimer: "POWDER"	Allowed - Intent to Use Notice of Allowance Issued December 21, 2010 Filed: May 11, 2010 Published: October 26, 2010	(Int'l Class: 3) Body powder	Jack Black, LLC (Delaware Limited Liability Company) 2155 Chenault Drive, Suite 509 Carrollton, Texas 75006
MR. FIX IT SN:77-843506 RN:3,891,186	Registered December 14, 2010 Int'l Class: 5 First Use: February 28, 2010 Filed: October 7, 2009 Published: March 9, 2010 Allowed: June 1, 2010	(Int'l Class: 5) Wound dressings	Jack Black, LLC (Delaware Limited Liability Company) Suite 509 2155 Chenault Carrollton, Texas 75006
PERFORMANCE REMEDY SN:77-570785 Disclaimer: "REMEDY"	Allowed - Intent to Use 2nd Extension of Time Granted October 15, 2010 Filed: September 16, 2008 Published: July 21, 2009 Allowed: October 13, 2009	(Int'l Class: 3) Non-medicated foot creams, non-medicated foot sprays, body lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) Suite 509 2155 Chenault Drive Carrollton, Texas 75006
PERFORMANCE REMEDY SN:77-980616 RN:3,881,720 Disclaimer: "REMEDY"	Registered November 23, 2010 Int'l Class: 3, 5 First Use: February 28, 2010 Filed: September 16, 2008 Published: July 21, 2009	(Int'l Class: 3) Body powders, body scrubs, sunscreens (Int'l Class: 5) Muscle soaks, muscle relief balms	Jack Black, L.L.C. (Delaware Limited Liability Company) Suite 509 2155 Chenault Drive Carrollton, Texas 75006
PIT BOSS	Registered September 12, 2006	(Int'l Class: 3) Antiperspirants and deodorants; personal deodorants	Jack Black, L.L.C. (Delaware Limited

SN:78-419759 RN:3,143,052	Int'l Class: 3 First Use: December 15, 2004 Filed: May 17, 2004 Published: April 12, 2005 Allowed: July 5, 2005		Liability Corporation) 21 55 Chenault Drive #509 Carrollton, Texas 75006
SHAVE SILK SN:76-501618 RN:3,004,725 Disclaimer: "SHAVE"	Registered October 4, 2005 Int'l Class: 3 First Use: August 1, 2003 Filed: March 28, 2003 Published: April 27, 2004 Allowed: July 20, 2004	(Int'l Class: 3) Shaving creams	Jack Black, L.L.C. (Delaware Limited Liability Company) 21 55 Chenault Drive, # 509 Carrollton, Texas 75006
SPLASH ON RESPONSIBLY SN:78-661878 RN:3,331,197	Registered November 6, 2007 Int'l Class: 3 First Use: October 1, 2005 Filed: June 30, 2005 Published: March 21, 2006 Allowed: June 13, 2006	(Int'l Class: 3) Fragrances for personal use	Jack Black, L.L.C. (Florida Limited Liability Company) Suite 509 21 55 Chenault Drive Carrollton, Texas 75006
TRIPLE CUSHION SN:78-947252 RN:3,482,500	Registered August 5, 2008 Int'l Class: 3 First Use: October 1, 2006 Filed: August 8, 2006 Published: April 3, 2007 Allowed: June 26, 2007	(Int'l Class: 3) Shaving cream	Jack Black, L.L.C. (Delaware Limited Liability Company) 21 55 Chenault Dr., # 509 Carrollton, Texas 75006
TURBO WASH SN:77-843525 Disclaimer: "WASH"	Pending - Final Refusal Mailed July 22, 2010 Int'l Class: 3 First Use: February 15, 2010 Filed: October 7, 2009	(Int'l Class: 3) Body washes; facial cleansers; hair shampoo	Jack Black, LLC (Delaware Limited Liability Company) Suite 509 21 55 Chenault Drive Carrollton, Texas 75006
WELL-STOCKED BAR SN:78-660187 RN:3,320,199	Registered October 23, 2007 Int'l Class: 3 First Use: October 1, 2005	(Int'l Class: 3) Fragrances for personal use	Jack Black, L.L.C. (Delaware Limited Liability Company) 21 55 Chenault Drive, Suite 509 Carrollton, Texas

	Filed: June 28, 2005 Published: March 14, 2006 Allowed: June 6, 2006		75006
PURE PERFORMANCE SHAVE BRUSH SN:77-263390 RN:3,541,273 Disclaimer: "SHAVE BRUSH"	Registered December 2, 2008 Int'l Class: 21 First Use: November 1, 2007 Filed: August 24, 2007 Published: February 19, 2008 Allowed: May 13, 2008	(Int'l Class: 21) Shaving brushes	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive Suite 509 Carrollton, Texas 75006
PURESCIENCE SN:78-807260 RN:3,327,256	Registered October 30, 2007 Int'l Class: 3 First Use: May 1, 2006 Filed: February 4, 2006 Published: October 10, 2006 Allowed: January 2, 2007	(Int'l Class: 3) Astringents for cosmetic purposes; shaving creams; facial scrubs; hair shampoos; hair conditioners; and facial lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Dr. #509 Carrollton, Texas 75006
JACK'S GIRL SN:76-489848 RN:3,171,832	Registered November 14, 2006 Int'l Class: 3 First Use: August 1, 2003 Filed: February 12, 2003 Published: July 5, 2005 Allowed: September 27, 2005	(Int'l Class: 3) After-shave lotions; body creams; shaving creams; shaving gels; body lotions; hair lotions; non-medicated foot powders; shaving lotions	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive #509 Carrollton, Texas 75006
JACK BLACK SN:75-731548 RN:2,742,396	Registered 8 & 15 August 3, 2009 Int'l Class: 3 First Use: April 24, 2000 Filed: June 17, 1999 Published: January 11, 2000 Registered: July 29, 2003	(Int'l Class: 3) After-shave lotions; shaving balms; bath gels; skin cleansing lotions; colognes; eye creams; shaving creams; skin creams; facial scrubs; bath gels; shaving gels; shower gels; skin lotions; facial lotions; shaving lotions; skin cleansing lotions; face and body and wrinkle removing skin care preparations	Jack Black, L.L.C. (A Delaware Limited Liability Company) 5604 Champions Drive Plano, Texas 75093
JACK BLACK SN:75-980726 RN:2,476,740	Registered 8 & 15 August 22, 2007 Int'l Class: 3 First Use: April 5, 2000 Filed:	(Int'l Class: 3) Sun block preparation, sun screen preparation, skin emollient, skin lotion, hand creams, skin moisturizer, and non-medicated lip balm	Jack Black, L.L.C. (Delaware Limited Liability Company) 2155 Chenault Drive, #509 Carrollton, Texas 75006

	June 17, 1999 Published: January 11, 2000 Registered: August 7, 2001		
JACK BLACK SN:77-193038 RN:3,619,937	Registered May 12, 2009 Int'l Class: 21 First Use: October 15, 2008 Filed: May 30, 2007 Published: April 8, 2008 Allowed: July 1, 2008	(Int'l Class: 21) Shaving brush holders; shaving brush stands; shaving brushes	Jack Black, L.L.C. (Delaware Limited Liability Company) #509 21 55 Chenault Drive Carrollton, Texas 75006
JB JACK BLACK AUTHENTIC AND ORIGINAL and Design SN:76-976023 RN:2,823,989 Disclaimer: "AUTHENTIC AND ORIGINAL"	Registered March 16, 2004 Int'l Class: 25 First Use: July 1, 2003 Filed: September 21, 2001 Published: December 17, 2002	(Int'l Class: 25) Baseball caps, hats, headwear, knit shirts, shirts, sport shirts	Jack Black, L.L.C. (Delaware Limited Liability Company) 21 55 Chenault Drive Suite 509 Carrollton, Texas 75006

Jack Black's products are uniformly packaged and sold in Jack Black's highly recognizable and well-known trade dress, namely, its distinctive cobalt blue packaging and labels with diamond-shaped insignia inspired by masculine icons like premium liquor and cigars. Along with its distinctive trade dress, Jack Black consistently uses its house marks - JB JACK BLACK AUTHENTIC AND ORIGINAL and Design and PURESCEIENCE or PERFORMANCE REMEDY -- in connection with each clever product-specific mark. [See attached -- Jack Black Products, Turbo Wash SoU and TESS printouts.]

Although Applicant was unable to find any evidence of actual use in commerce of the cited mark via a Google search, viewing the specimen submitted in connection with the cited mark (*see attached -- Turbo Eau de Parfum*), Registrant uses the term TURBO in large, neon green digital alarm clock-esque letters transposed over images of gauges found on a car or motorcycle dashboard, all of which are laid over the image of a motorcycle helmet and appear over a plain black background. No other marks are prominently displayed on the packaging. Registrant is obviously evoking an image of the revved-up adrenalin rush experienced when riding a motorcycle or driving a car at high speeds. This is in stark contrast to the sophisticated, classic feel of Jack Black's use of its TURBO WASH mark, which appears much less prominently on the product and is always used in connection with Jack Black's house mark and distinctive trade dress. In *In re Magic Muffler Service, Inc.*, 184 USPQ 125 (TTAB 1974), the TTAB ruled that "specimens of use presumably show how the average purchaser will encounter the mark under normal marketing conditions and, as such, the specimens are suggestive of the reaction of the average purchaser to this display of the mark." The manner in which Applicant and Registrant use their respective marks convey distinct commercial impressions such that the products would appeal to completely different consumers. Therefore, Registrant's use of the cited mark TURBO is highly *unlikely* to be confused with Applicant's use of its TURBO WASH mark, and there is no possibility that consumers would believe that products sold under the TURBO mark are in any way related to or manufactured or sold by the same source as those sold under the TURBO WASH mark. Just as consumers would not view the TURBO WASH mark and a body wash product sold by the makers of the TURBO branded product, neither would consumers be confused as to a potential affiliation between products sold under the TURBO mark and products sold under the TURBO WASH mark, whether those products were side

by side on a store shelf or displayed individually in completely different stores.

A search for JACK BLACK TURBO WASH reveals the wide-spread availability of the product at well-known online retailers such as amazon.com, beauty.com, drugstore.com, as well as high-end luxury retailers such as Sephora.com, Nordstrom.com, NeimanMarcus.com. [See attached – jack black turbo wash - Google Search.] Whereas a search for TURBO WASH reveals a number of listings for a product claiming to be the “ultimate power pressure washer” much higher in the search results. This is indicative of the meaning most male consumers would associate with TURBO WASH, and the double entendre of Jack Black’s use of the term would not be lost on its consumers. [See attached turbo wash - Google Search.] On the other hand, a search for MOSHE TURBO or SCENT-SATION TURBO produces no results related to the cited mark.

In the instant case, the practicalities of the commercial world would dictate that consumers associate Applicant’s mark with Applicant, not with the cited mark. Upon consideration of the differences in the marks themselves as well as the manner in which the marks are used by their respective owners and made available to consumers, as discussed above, combined with the realities of the marketplace and sophistication of the consumers, as discussed in more detail below, it is clear that the marks would not be encountered in situations that would create the incorrect assumption that the services came from the same or related sources. Applying the principles of well established trademark law to the present case compels a determination that Applicant’s mark will not create any likelihood of confusion. Accordingly, the marks should be allowed to co-exist.

Proper Comparison of the Marks.

Apparently, the Examiner has arbitrarily determined that TURBO is the dominant feature of the marks. However, according to TMEP §1207.01(b), the marks are compared in their entirety under a Trademark Act Section 2(d) analysis. Indeed, it is well established that an analysis of likelihood of confusion must consider the mark as a whole, and *undue weight must not be given to only a part of the mark in deciding likelihood of confusion. In re Hearst*, 25 USPQ2d 1238, 1239 (Fed. Cir. 1992) (*emphasis added*); see also *Leading Jewelers Guild Inc. v. LJOW Holdings LLC*, 82 USPQ2d 1901 (TTAB 2007) (Common elements in marks do not end the inquiry, as the marks to be analyzed must be compared in their entirety).

The fundamental inquiry in determining likelihood of confusion goes to the *cumulative* effect of the differences in the marks and the goods or services at issue. *Federated Foods, Inc. v. Fort Howard Paper Co.*, 192 USPQ 24, 29 (CCPA 1976) (*emphasis added*). In considering the differences in the marks, the focus should be on the effect of the sight, sound, meaning and commercial impressions created by the entire mark. *E.I. duPont* at 563. In comparing the marks, they should not be dissected, but rather the total commercial impression of each mark in relation to the goods or services to which it is applied should be considered. *Recot, Inc. v. Becton*, 54 USPQ2d 1894 (Fed. Cir. 2000). It is the impression that the mark as a whole creates on the average reasonably prudent buyer and not the parts thereof, that is important. *Duluth News-Tribune v. Mesabi Publishing Co.*, 38 USPQ2d 1937 (8th Cir. 1996). As the Supreme Court observed, “the commercial impression of a trademark is derived from it as a whole, not from its elements separated and considered in detail. For this reason it should be considered in its entirety.” *Estate of P.D. Beckwith, Inc. v. Comm’r of Patents*, 252 U.S. 538, 540-46 (1920).

Therefore, the Examiner has failed to compare the marks in their entirety and has given undue weight to only a part of the mark. By focusing solely on the individual portions of both marks, the Examiner altered the marks. Indeed, when viewed in their entirety, Applicant’s mark and the cited mark present very different commercial impressions.

Applicant's mark as a whole creates a distinct impressive as a unitary mark not susceptible to dissection. A unitary mark is one that creates a commercial impression separate and apart from any unregistrable component, i.e., the elements are so merged together that they cannot be divided to be regarded as separable elements. TMEP § 1213.05. In determining whether the mark is a unitary mark, the Examiner must consider a number of factors: 1) whether the mark is physically connected by lines or other design features; 2) the relative location of the respective elements; and 3) the meaning of the terminology as used on or in connection with the goods or services. *Dena Corp. v. Belvedere International Inc.*, 950 F.2d 1555, 21 USPQ2d 1047 (Fed. Cir. 1991). Applicant's mark is unitary because the term TURBO WASH is a double entendre -- an expression that has a double connotation or significance as applied to Applicant's goods. The term TURBO WASH could mean using a mechanical sprayer that uses high-pressure water to clean and remove mold, grime, dust, mud, and dirt from surfaces and objects such as buildings, vehicles, and concrete road surfaces (*see attached Pressure washer - Wikipedia, the free encyclopedia*) or a quick way to get super-clean and energized in the bathtub or shower. Consumers -- especially male personal care product consumers -- will readily understand the play on words arising from Applicant using the mark TURBO WASH in conjunction with personal cleansers for men. The mark TURBO WASH as a whole has a suggestive significance which is distinctly different from the term "TURBO" or "WASH." In other words, any possible descriptive significance of the individual term "WASH" is lost in the mark as a whole. See *In re Symbra'ette, Inc.*, 189 USPQ 448 (TTAB 1975) (holding that SHEER ELEGANCE for panty hose is a registerable unitary expression).

A mark that connotes two meanings, one possibly descriptive, and the other suggestive of some other association, can be called suggestive, as the mark is not "merely" descriptive. *In re Colonial Stores Inc.*, 157 USPQ 382 (CCPA 1968); See TMEP § 1213.05(c) (providing that "the mark that comprises the "double entendre" will not be refused registration as merely descriptive if one of its meanings is not merely descriptive in relation to the goods or services."); See also J. Thomas McCarthy, *McCarthy on Trademarks and Unfair Competition*, § 11.19. For example, in *In re Colonial Stores Inc.*, the U.S. Court of Customs and Patent Appeals held that the mark SUGAR & SPICE for bakery products not only suggests ingredients, but stimulates an association with the nursery rhyme "Sugar and Spice and Everything Nice." In holding this use not a merely descriptive one, the court emphasized the mark's "reminiscent, suggestive, or associative connotation" with a non-descriptive idea. *Id.* In *Blisscraft of Hollywood v. United Plastics Company*, the U.S. Court of Appeals held that the mark POLY PITCHER was not merely descriptive because the mark on polyethylene pitchers both connotes a description of the plastic ingredient for the product and also is reminiscent or suggestive of Molly Pitcher of Revolutionary time. 131 USPQ 55 (2d Cir. 1961). In *Henry Siegel Co. v. M & R International Mfg. Co.*, the Trademark Trial and Appeal Board held that the mark CHIC for "women's clothing" is not merely descriptive because it projects a double meaning. The Board noted that while CHIC has a descriptive significance (i.e., stylish, elegant) as applied to clothing, it was clear from the dictionary definitions and other evidence of record, that the term CHIC could also be regarded as a misspelling, and a phonetic equivalent of the word "chick" (which is defined as "a chicken," "any young bird," a child: term of endearment," and "a young woman.) 4 USPQ2d 1154 (TTAB 1987). The Trademark Trial and Appeal Board also held that the term HAY DOLLY for "self loading trailers for hauling hay bales," is not descriptive. The Board viewed the term HAY DOLLY as reminiscent of the famous Broadway hit HELLO DOLLY, giving the mark a commercial impression which transcends its potentially descriptive meaning. *In re Priefert Mfg. Co., Inc.*, 222 USPQ 731 (TTAB 1984). See also *Menashe v. V Secret Catalogue, Inc.*, 409 F.Supp.2d 412 (S.D.N.Y. 2006) (holding that the mark SEXY LITTLE THINGS is suggestive of lingerie because while the term describes the stimulating quality of the trademarked lingerie, it also calls to mind the phrase "sexy little thing" popularly used to refer to attractive lithe young women); *In re National Tea Co.*, 144 USPQ 286 (TTAB 1965) (holding that the mark NO BONES ABOUT IT for "boneless hams" has a double connotation or significance as applied to hams which might well attract the attention of a prospective customer, and is therefore, is registerable). Like these examples, the term WASH in Applicant's TURBO WASH mark is not merely descriptive because it projects a double meaning.

Where the matter that comprises the mark or relevant portion of the mark is unitary, no disclaimer of an element, whether descriptive, generic or otherwise, is required. TMEP § 1213.05 As stated in TMEP § 1213.05(c), a true "double entendre" is unitary by definition. An expression that is a "double entendre" should not be broken up for purposes of requiring a disclaimer. See *In re Kraft, Inc.*, 218 USPQ 571, 573 (TTAB 1983), where the Board found inappropriate a requirement for a disclaimer of "LIGHT" apart from the mark "LIGHT N' LIVELY" for reduced calorie mayonnaise, stating as follows:

The mark "LIGHT N' LIVELY" as a whole has a suggestive significance which is distinctly different from the merely descriptive significance of the term "LIGHT" per se. That is, the merely descriptive significance of the term "LIGHT" is lost in the mark as a whole. Moreover, the expression as a whole has an alliterative lilting cadence which encourages persons encountering it to perceive it as a whole.

See also *In re Symbra'ette, Inc.*, 189 USPQ 448 (TTAB 1975) (SHEER ELEGANCE for panty hose held to be a registrable unitary expression; thus, no disclaimer of "SHEER" considered necessary). TMEP § 1213.05(c). See also *In re J.R. Carlson Laboratories, Inc.*, 183 USPQ 509 (TTAB 1974) (E GEM for bath oil containing vitamin E held unitary; thus, no disclaimer of "E").

In the initial Office Action issued on January 7, 2010, the Examiner requested that Applicant disclaimer of the term WASH. In Applicant's Response to the Office Action, Applicant agreed to a disclaimer of the term WASH. However upon further consideration and based on the foregoing, Applicant hereby withdraws its disclaimer of the term WASH and respectfully requests reconsideration of this matter.

Similarity of the Marks

The Examiner states that prior decisions and actions of other trademark examining attorneys in registering different marks have little evidentiary value and are not binding upon the Office. However, third-party registrations are useful as evidence of the suggestiveness of particular elements of marks under consideration and can serve as a dictionary to show how language is used in a particular trade or industry. *Sweats Fashions, Inc. v. Pannill Knitting Co.*, 4 USPQ2d 1793 (Fed. Cir. 1987). As the Board recognized in *In Re Hamilton Bank*, 222 USPQ 174 (TTAB 1984), such third-party registrations demonstrate ". . . that the term or feature common to the marks has a normally understood meaning or suggestiveness in the trade and that marks containing the term or feature have been registered for the same or closely related goods or services because the remaining portions of the marks are sufficient to distinguish the marks as a whole from one another." *Id.* at 177. (emphasis added) See also *American Hospital Supply Corporation v. Air Products and Chemicals, Inc.*, 194 USPQ 340 (TTAB 1977).

Applicant previously provided the Examiner with a list of trademarks that already co-exist (or have co-existed in the case of TURBOSCRUB) on the Principal Register, all of which contain the term TURBO. That list is repeated here for ease of reference:

TM/SN/RN/Disclaimer	Status/Key Dates	Brief Goods/Services	Owner
THE TURBO VOLUM' EXPRESS SN:77-780362 RN: 3,905,143	Registered January 11, 2011 Filed: July 15, 2009 Published: September 8, 2009 Allowed: December 1, 2009	(Int'l Class: 3) Mascara	L'oreal Usa Creative, Inc. (Delaware Corp.) 575 Fifth Avenue New York, New York 10017

TURBO SN:77-362841 RN:3,553,017	Registered December 30, 2008 Int'l Class: 3 First Use: January 2, 2008 Filed: January 2, 2008 Published: October 14, 2008	(Int'l Class: 3) Colognes and perfumes	Moshe Inc, Db a Scent-Sation (California Corp.) 906 S. Los Angeles Street Los Angeles, California 90015
TURBO BOOSTER BRIGHTENING POWDER SN:77-700168 Disclaimer: "BRIGHTENING POWDER"	Allowed - Intent to Use 2nd Extension of Time Granted November 10, 2010 Filed: March 26, 2009 Published: August 11, 2009 Allowed: November 3, 2009	(Int'l Class: 3) Non- medicated skin care preparations	Philosophy, Inc. (Arizona Corp.) 3809 East Watkins Street Phoenix, Arizona 85034
TURBO BOOSTER C POWDER SN:77-160792 RN:3,524,949 Disclaimer: "POWDER"	Registered October 28, 2008 Int'l Class: 3 First Use: September 26, 2007 Filed: April 19, 2007 Published: April 22, 2008 Allowed: August 19, 2008	(Int'l Class: 3) Non- medicated skin care preparations	Philosophy, Inc. (Arizona Corp.) 3809 East Watkins Street Phoenix, Arizona 85034
TURBO INSERT SN:79-065057 RN:3,746,985 Disclaimer: "INSERT" APART FROM THE MARK AS SHOWN AS TO THE GOODS IN CLASS 21."	Registered February 9, 2010 Filed: September 24, 2008 Published: November 24, 2009 Priority Claim Date: September 22, 2008	(Int'l Class: 3) Soaps, essential oils, cosmetics, namely, lipsticks; lotions, namely, skin lotions, hair lotions, face lotions, body lotions, hair waving lotions, beauty... (and other goods in Int'l Classes 5, 20 & 21)	Rexam Dispensing Systems (France Societe Par Actions Simpliffee a Associe Unique (Sasu)) 15 Bis, Route Nationale F-76470 Le Treport France
TURBO RECHARGER SN:77-251082 RN:3,541,234	Registered December 2, 2008 Int'l Class: 3 First Use: January, 2008 Filed: August 9, 2007 Published: January 22, 2008 Allowed: April 15, 2008	(Int'l Class: 3) Non- medicated skincare preparation	L'oreal (France Societe Anonyme) 14 Rue Royale Paris 75008 France
TURBOLASH SN:77-406244 RN: 3,805,242	Registered June 22, 2010 Int'l Class: 3 First Use: July 16, 2008	(Int'l Class: 3) Cosmetics	Estee Lauder Inc. (Delaware Corp.) 767 Fifth Avenue New York, New York 10153

	Filed: February 26, 2008 Published April 6, 2010		
TURBOSHAVE SN:78-063424 RN:2,664,650	Registered 8 & 15 December 15, 2008 Int'l Class: 3 First Use: April 26, 2002 Filed: May 14, 2001 Published: September 25, 2001 Allowed: December 18, 2001 Registered: December 17, 2002	(Int'l Class: 3) Shaving gel	Jocott Enterprises, Inc. (California Corp.) 16217 Kittridge Street Van Nuys, California 91406
TURBOSCRUB SN: 75-573459 RN: 2,352,763	Cancelled December 24, 2010 Int'l Class: 3 First Use: September 9, 1999 Filed: October 19, 1998 Published: May 25, 1999 Registered: May 23, 2000	(Int'l Class: 3) Body scrub for cosmetic use	Woodbridge Labs, Inc. (Delaware Corp.) 16217 Kittridge Street Van Nuys, California 91406
VOLUM' EXPRESS TURBO BOOST SN:78-302305 RN:2,934,223	Registered 8 & 15 May 5, 2010 Int'l Class: 3 First Use: January, 2004 Filed: September 18, 2003 Published: May 4, 2004 Allowed: July 27, 2004 Registered: March 15, 2005	(Int'l Class: 3) Cosmetics, namely, mascara	L'oreal Usa Creative, Inc. (Delaware Corp.) 575 Fifth Avenue New York, New York 10017

On January 2, 2008, at the time Registrant of the cited mark filed its application to register TURBO per se for colognes, perfumes and cosmetics and a long list of fragrance-related products, there were five prior TURBO combination marks in class 3 for personal care products that were pending or registered. Thus, at the time Registrant filed its TURBO application, it can be implied that Registrant's claim of right to exclusive use of TURBO was sufficiently different from and did not conflict with the already existing TURBO combination marks, especially TURBOSCRUB, TURBOSHAVE and TURBO RECHARGER. [See attached Tess printouts.] The fact that no office action was citing these prior marks issued demonstrates that the examining attorney took that position and the fact that none of the prior owners of TURBO combination marks sought to oppose Registrant's TURBO application suggests that none of them believed that Registrant's rights to TURBO would conflict with their present or future use of TURBO combination names. Thus, if TURBO was not confusingly similar to TURBOSHAVE, TURBOSCRUB or TURBO RECHARGER, where the goods of interest were all closely related, it is difficult to see how TURBO WASH could be in conflict with TURBO. Applicant respectfully submits that the scope of protection for TURBO was already greatly limited at the time Registrant filed its

application and that in this case the Examiner, unlike any of the other attorneys who have considered subsequent TURBO combination marks and have allowed them to proceed to publication, is granting Registrant rights to TURBO that greatly exceed the scope to which it is entitled.

The Examiner states that the other TURBO marks that co-exist on the Principal Register each present a different commercial impression than Applicant's mark, citing the inclusion of other distinctive terms in the marks. Applicant respectfully submits that not all of the other TURBO marks include other distinctive terms; namely, Applicant submits that the term SHAVE in U.S. Registration No. 2,664,650 for the mark TURBOSHAVE used in connection with "shaving gel", the term LASH in U.S. Registration No. 3,805,242 for the mark TURBOLASH used in connection with cosmetics, namely mascara, and the term SCRUB in the recently cancelled U.S. Registration No. 2,352,763 for the mark TURBOSCRUB used in connection with "body scrub for cosmetic use" are not distinctive terms, and are indeed generic or descriptive in connection with the applicable goods. [See attached TESS printouts.] Applicant further submits that TURBOSHAVE used in connection with "shaving gel", TURBOLASH used in connection with cosmetics, namely mascara, and TURBOSCRUB used in connection with "body scrub for cosmetic use" are the equivalent of TURBO WASH used in connection with "body washes, facial cleansers, and hair shampoo."

To allow TURBOSHAVE, TURBOLASH, TURBOSCRUB and TURBO to co-exist but refuse registration of TURBO WASH is an unjust result. As the USPTO has obviously determined that TURBOSHAVE used in connection with "shaving gel", TURBOLASH used in connection with cosmetics, namely mascara, TURBOSCRUB used in connection with "body scrub for cosmetic use", and TURBO used in connection with "colognes and perfumes" present different commercial impressions and can co-exist on the register, even though they are used in connection with personal care products, indicates that TURBO WASH should also be allowed to co-exist with the cited mark.

That TURBOSHAVE, TURBOLASH and TURBOSCRUB do not have a space between the two distinct words TURBO and SHAVE or LASH or SCRUB and that TURBO WASH does have a space between the two distinct words TURBO and WASH is irrelevant in this instance. TURBOSHAVE, TURBOLASH, TURBOSCRUB and TURBO WASH are all unitary marks, and whether the marks consist of two distinct words that are represented as one word, such as in the compound word marks TURBOSHAVE, TURBOLASH and TURBOSCRUB, or an expression capable of more than one interpretation, such as the double entendre TURBO WASH, both marks will have the same commercial impressions on consumers -- namely, that of unitary marks. In other words, consumers will not view TURBOSHAVE, TURBOLASH or TURBOSCRUB differently than they view TURBO WASH, as each of the three marks would be viewed as the word TURBO combined with a term that is descriptive of the personal care products with which it is used.

In this case, Applicant's TURBO WASH mark and the above-referenced TURBOSHAVE, TURBOLASH or TURBOSCRUB marks all present a significant difference in commercial impression from the cited mark, especially in light of the numerous other TURBO registrations used in connection with the same or similar goods and co-existing on the Principal Register. Upon visual inspection, the marks are distinguishable because they create different commercial impressions. See, e.g., *Lebow Bros. v. Lebole Euroconf*, 503 F. Supp. 209 (E.D. Pa. 1980) (LEBOW and LEBOLE not confusingly similar even though they are arguably phonetically similar). Therefore, the different sound and appearance presented by the cited mark for TURBO in addition to the number and nature of marks containing the term "TURBO" leads to the conclusion that the simultaneous use by different entities of marks containing the term "TURBO" in connection with personal care products will not result in consumer confusion. Thus, Applicant's use of the mark TURBO WASH is not, ipso facto, confusingly similar to the cited mark for TURBO. Applicant's mark is as distinct, if not more so than the references cited above (particularly given the suggestive nature of Applicant's mark, which is evocative of a power pressure

washer used to wash cars and other outdoor articles such as patio furniture and driveways (*see attached – turbo wash Google search*). The differences in Applicant's mark and the cited mark as outlined above, combined with the vast number of other marks incorporating the term TURBO indicate that there would be no likelihood of confusion between Applicant's mark and the referenced mark. Surely, if the referenced marks are allowed to co-exist, Applicant's mark should likewise be allowed.

Relatedness of the Goods

The Examiner submits copies of printouts from the USPTO X-Search database which show third-party registrations of marks used in connection with the same or similar goods as those of Applicant and Registrant in this case which the Examiner states serve to suggest that the goods listed therein, namely, perfume soap, body washes, perfume, facial cleansers, oils for perfumes and scents and hair shampoo, are of a kind that may emanate from a single source. Furthermore, the Examiner states that "registrant's cosmetics goods are identified broadly and may encompass the goods specifically identified by applicant. However, Applicant submits that on or about February 17, 2010, Registrant filed a Section 7 Request to amend the cited registration to delete all of the goods except "colognes and perfumes." [*See attached Section 7 Request Form.*] Therefore, Registrant's goods are no longer identified broadly and now encompass a very narrow category of personal care products.

As Applicant has previously submitted, colognes and perfumes are the subject of extremely individual taste and preference, and consumers are likely to exercise greater care when purchasing a product associated with a specific fragrance or scent. This fact is readily apparent during a visit to any department store, discount retail store or any other store that sells colognes, perfumes and/or other personal care products such as soap or shampoo, as customers selecting a new personal care product - especially one that is scented - is almost certain to test the scent or open the bottle, jar or other package to sniff the scent before purchasing a product or putting it in their shopping cart. Therefore, it is highly unlikely that a consumer seeking a cologne or perfume featuring a specific scent associated with the TURBO mark will be confused when confronted with Applicant's skin cleansers, facial cleansers and hair shampoo that are not so scented. Indeed, the court in *Lucien Lelong, Inc. v. Lenel, Inc.*, 85 USPQ 117, 118 (5th Cir. 1950), held that BELAIZA for cologne not infringed by BELEZZA for cologne, in part because "buyers of such commodities are meticulous."

As Registrant's goods are cologne and perfume, Applicant's body wash, facial cleanser, and hair shampoo are specifically non-competitive with the goods sold under the cited mark. While the goods under the cited mark fall under the general category of personal care products, they are not interchangeable with Applicant's goods. Additionally, Applicant's goods will be sold under Applicant's house mark JB JACK BLACK AUTHENTIC AND ORIGINAL and Design as well as Applicant's PURESCIENCE or PERFORMANCE REMEDY mark in connection with Applicant's distinctive trade dress (*see attached – Jack Black Products and Turbo Wash SoU*), whereas TURBO is apparently the only mark used in association with the goods sold under the cited mark. Because it is not reasonable to believe that purchasers are willing or ready to substitute Applicant's goods for the goods sold under the cited mark, Applicant's goods cannot be said to be competitive with those of the cited mark. The mere fact that both are generally related to personal care products does not render the goods at issue related. Consumers must be likely to believe that the goods come from the same source or are somehow connected with or sponsored by a common company. *Communications Satellite Corp. v. Comcat, Inc.*, 166 USPQ 353 (4th Cir. 1970), cert. denied, 167 USPQ 705 (1970). In fact, the Trademark Trial and Appeal Board has previously rejected arguments of confusing similarity based solely on the fact that the goods or services share an overall general purpose. For example, in *Electronic Data Systems Corp. v. EDSA Micro Corp.*, 23 USPQ2d 1460, 1463 (TTAB 1992), the Board held that "the issue of whether or not two products are related does not revolve around the question of whether a term can be used that describes them both, or whether both can be classified under the same general category."

In the present application, it is not reasonable to believe that prospective purchasers are likely to think that Applicant's goods emanate from the same company that owns the cited mark merely because these marks are generally related to personal care products. This common general category of goods is not sufficient to conclude that Applicant's body wash, facial cleanser, and hair shampoo are related to the cologne or perfume sold under the cited mark. Because the marks at issue are used on unrelated and non-competitive goods, any likelihood of confusion is therefore obviated.

Conclusion

It is incumbent upon the Examiner to adhere to the standard set forth by the Federal Circuit: "We are not concerned with mere theoretical possibilities of confusion, deception or mistake or with de minimis situations but with the practicalities of the commercial world, with which the trademark laws deal." *Electronic Design & Sales, Inc. v. Electronic Data Systems Corp.*, 21 USPQ2d 1388, 1391 (Fed. Cir. 1992) (quoting *Witco Chem. Co. v. Whitfield Chem. Co.*, 164 USPQ 43 (CCPA 1969)). The purpose of the Register is to reflect commercial reality, and to allow third parties to be on notice as to the marks in actual commercial use. As stated in *In re Four Seasons Hotels, Ltd.*, 26 USPQ2d 1071, 1072 (Fed. Cir. 1993):

[T]he PTO's role is to protect owners of trademarks by allowing them to register their marks. Denial of registration does not deny the owner the right to use the mark, and thus, will not serve to protect the public from confusion.

To warrant refusal under Section 2(d) of the Trademark Act, there must be an *actual* likelihood of confusion, *not the mere possibility thereof*. See *Electronic Design & Sales*, 21 USPQ2d 1388, 1391; *NEC Electronics, Inc. v. New England Circuit Sales*, 13 USPQ2d 1059 (D. Mass. 1989). In the case at hand, the total effect of the use of the marks clearly indicates no likelihood of confusion is present. Use of Applicant's mark cannot be reviewed in a vacuum. Rather, one must look at the total effect of the mark and its use, not just the individual features of the mark.

Therefore, while Applicant's mark and the cited mark share the term TURBO, actual use of the marks reduces, if not eliminates, any likelihood of confusion. Upon review of the marks in their entireties and under an appropriate review of all relevant *du Pont* factors, it is clear that Applicant's mark and the cited mark do not convey the same overall impression and, in fact, convey significantly different commercial impressions, and likelihood of confusion in the instant case is at best a mere, remote possibility and, thus, unlikely. When all of these factors are considered, it is apparent that despite any similarities in the marks or goods, Applicant's use will not likely lead to confusion. In other words, the marks will not confuse people into believing that the goods they identify come from the same source, thus satisfying the Examiner's overriding concern to prevent both buyer confusion as to the source of the goods as well as to protect Registrant from adverse commercial impact due to use of a similar mark by a newcomer.

All matters in the Office Action having been addressed above, passage of this application to publication is respectfully requested. Should the Examining Attorney have any questions with regard to this Response or this Application in general, a telephone call or e-mail to the undersigned attorney would be greatly appreciated.

EVIDENCE

Evidence in the nature of Turbo Wash - Digitally scanned/photographed image of Applicant's goods for

Applicant's mark; Turbo Eau de Parfum - Digitally scanned/photographed image of Registrant's specimen of use of the cited mark; TESS Printouts of Applicant's marks; Jack Black Products - Digitally scanned/photographed screenshot from Applicant's website of Applicant's goods; Turbo Wash SoU - Digitally scanned/photographed image of Applicant's specimen of use for Applicant's mark; jack black turbo wash Google search - Digitally scanned/photographed screenshot of Google search results; turbo wash Google search - Digitally scanned/photographed screenshot of Google search results; Pressure washer - Digitally scanned/photographed screenshot Wikipedia encyclopedia search results; TESS Printouts of other TURBO marks; Section 7 Request Form - Digitally scanned/photographed image of Registrant's Section 7 Request has been attached.

JPG file(s):Evidence-1**Original PDF file:**

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_001/evi_17447169130-232851106_.Turbo_Wash.pdf

Converted PDF file(s) (1 page)Evidence-1**Original PDF file:**

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_002/evi_1-17447169130-232851106_.TURBO_EAU_DE_PARFUM_Specimen.PDF

Converted PDF file(s) (1 page)Evidence-1**Original PDF file:**

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_003/evi_17447169130-232851106_.DOC210.PDF

Converted PDF file(s) (61 pages)Evidence-1Evidence-2Evidence-3Evidence-4Evidence-5Evidence-6Evidence-7Evidence-8Evidence-9Evidence-10Evidence-11Evidence-12Evidence-13Evidence-14Evidence-15Evidence-16Evidence-17Evidence-18Evidence-19Evidence-20Evidence-21Evidence-22Evidence-23Evidence-24Evidence-25Evidence-26

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Original PDF file:

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_004/evi_17447169130-232851106_. Jack_Black_Products.pdf

Converted PDF file(s) (3 pages)

Evidence-1

Evidence-2

Evidence-3

Original PDF file:

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_005/evi_17447169130-232851106_. jack_black_turbo_wash_-_Google_Search.pdf

Converted PDF file(s) (2 pages)

Evidence-1

Evidence-2

Original PDF file:

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_006/evi_17447169130-232851106_. turbo_wash_-_Google_Search_2_.pdf

Converted PDF file(s) (2 pages)

Evidence-1

Evidence-2

Original PDF file:

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_007/evi_17447169130-232851106_.Pressure_washer_-_Wikipedia_the_free_encyclopedia.pdf

Converted PDF file(s) (3 pages)

Evidence-1

Evidence-2

Evidence-3

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Converted PDF file(s) (35 pages)

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Original PDF file:

http://tgate/PDF/RFR/2011/01/21/20110121234857529034-77843525-009_009/evi_17447169130-

232851106_ . Section_7_Request_Form.pdf

Converted PDF file(s) (4 pages)

Evidence-1

Evidence-2

Evidence-3

Evidence-4

ADDITIONAL STATEMENTS

Please delete the disclaimer currently of record.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Danica L. Mathes/ Date: 01/21/2011

Signatory's Name: Danica L. Mathes

Signatory's Position: Attorney of Record, Texas bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77843525

Internet Transmission Date: Fri Jan 21 23:48:57 EST 2011

TEAS Stamp: USPTO/RFR-174.47.169.130-201101212348575

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- **General trademark information:** Please e-mail TrademarkAssistanceCenter@uspto.gov, or telephone either 571-272-9250 or 1-800-786-9199.
- **Technical help:** For instructions on how to use TDR, or help in resolving technical glitches, please e-mail TDR@uspto.gov. If outside of the normal business hours of the USPTO, please e-mail [Electronic Business Support](#), or call 1-800-786-9199.
- **Questions about USPTO programs:** Please e-mail [USPTO Contact Center \(UCC\)](#).

NOTE: Within any e-mail, please include your telephone number so we can talk to you directly, if necessary. Also, include the relevant serial number or registration number, if existing.

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:05:18 ET

Serial Number: 85022203 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

BEARD LUBE

(words only): BEARD LUBE

Standard Character claim: Yes

Current Status: An Office action suspending further action on the application has been sent (issued) to the applicant. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2010-10-13

Filing Date: 2010-04-23

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Attorney Assigned:
JACKSON STEVEN W

Current Location: L7X -TMEG Law Office 107 - Examining Attorney Assigned

Date In Location: 2010-10-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault, Suite 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Pre-shave creams, pre-shave oils, namely, oils and lotions applied to the skin before shaving, shaving preparations, shaving creams, shaving balms, shaving lotions, skin creams, skin moisturizers, skin conditioners, skin refreshers, namely, pre-shave and after-shave lotions, sprays or creams, facial lotions, facial skin treatments, namely, pre-shave and after-shave facial moisturizers, facial hydrators and facial skin serum

Basis: 1(a)

First Use Date: 2000-01-25

First Use in Commerce Date: 2000-04-01

ADDITIONAL INFORMATION

Disclaimer: "BEARD"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-10-13 - Notification Of Letter Of Suspension E-Mailed

2010-10-13 - LETTER OF SUSPENSION E-MAILED

2010-10-13 - Suspension Letter Written

2010-10-13 - Data Modification Completed

2010-10-13 - Assigned To LIE

2010-10-08 - Teas/Email Correspondence Entered

2010-10-08 - Communication received from applicant

- 2010-10-08 - TEAS Response To Suspension Inquiry Received
- 2010-08-09 - Notification Of Letter Of Suspension E-Mailed
- 2010-08-09 - LETTER OF SUSPENSION E-MAILED
- 2010-08-09 - Suspension Letter Written
- 2010-08-06 - Applicant amendment prior to exam entered
- 2010-08-06 - TEAS Voluntary Amendment Received
- 2010-08-06 - Notification Of Non-Final Action E-Mailed
- 2010-08-06 - Non-final action e-mailed
- 2010-08-06 - Non-Final Action Written
- 2010-08-03 - Assigned To Examiner
- 2010-04-29 - New Application Office Supplied Data Entered In Tram
- 2010-04-27 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Danica L. Mathes

Correspondent

DANICA L. MATHES
BELL NUNNALLY & MARTIN LLP
3232 MCKINNEY AVE STE 1400
DALLAS, TX 75204-7422
Phone Number: 214-740-1474
Fax Number: 214-740-1499

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:05:36 ET

Serial Number: 77843308 Assignment Information Trademark Document Retrieval

Registration Number: 3887681

Mark

Dragon Ice

(words only): DRAGON ICE

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-12-07

Filing Date: 2009-10-07

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2010-12-07

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-11-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black LLC

Address:

Jack Black LLC
Suite 509 2155 Chenault
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company**State or Country Where Organized:** Delaware**Phone Number:** 469-341-2700**Fax Number:** 469-341-2706

GOODS AND/OR SERVICES

International Class: 005**Class Status:** Active

Analgesic balm; Topical analgesics

Basis: 1(a)**First Use Date:** 2010-02-28**First Use in Commerce Date:** 2010-02-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-12-07 - Registered - Principal Register

2010-11-03 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-11-02 - Law Office Registration Review Completed

2010-11-01 - Allowed for Registration - Principal Register (SOU accepted)

2010-10-28 - Statement Of Use Processing Complete

2010-10-13 - Use Amendment Filed

2010-10-28 - Case Assigned To Intent To Use Paralegal
2010-10-13 - TEAS Statement of Use Received
2010-06-01 - NOA Mailed - SOU Required From Applicant
2010-03-09 - Notice Of Publication E-Mailed
2010-03-09 - Published for opposition
2010-02-01 - Law Office Publication Review Completed
2010-02-01 - Assigned To LIE
2010-01-08 - Approved For Pub - Principal Register
2010-01-07 - Assigned To Examiner
2009-10-15 - New Application Office Supplied Data Entered In Tram
2009-10-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
STE 100
900 JACKSON ST
DALLAS, TX 75202
Phone Number: 214-712-9534
Fax Number: 214-712-9540

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Serial Number: 85035015 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

DRY DOWN POWDER

(words only): DRY DOWN

Standard Character claim: Yes

Current Status: Review prior to registration completed.

Date of Status: 2011-01-21

Filing Date: 2010-05-11

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
MCBRIDE THEODORE M

Current Location: 650 -Publication And Issue Section

Date In Location: 2011-01-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, LLC

Address:

Jack Black, LLC
2155 Chenault Drive, Suite 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Body powder

Basis: 1(a)

First Use Date: 2010-08-15

First Use in Commerce Date: 2010-08-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-01-21 - Law Office Registration Review Completed

2011-01-20 - Allowed for Registration - Principal Register (SOU accepted)

2011-01-19 - Statement Of Use Processing Complete

2010-12-21 - Use Amendment Filed

2011-01-19 - Case Assigned To Intent To Use Paralegal

2010-12-21 - TEAS Statement of Use Received

2010-12-21 - NOA E-Mailed - SOU Required From Applicant

2010-10-26 - Notice Of Publication E-Mailed

2010-10-26 - Published for opposition
2010-09-17 - Law Office Publication Review Completed
2010-09-16 - Assigned To LIE
2010-09-08 - Approved For Pub - Principal Register
2010-08-25 - Teas/Email Correspondence Entered
2010-08-24 - Communication received from applicant
2010-08-24 - TEAS Response to Office Action Received
2010-08-24 - Notification Of Non-Final Action E-Mailed
2010-08-24 - Non-final action e-mailed
2010-08-24 - Non-Final Action Written
2010-08-24 - Assigned To Examiner
2010-05-14 - New Application Office Supplied Data Entered In Tram
2010-05-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Danica L. Mathes

Correspondent

DANICA L. MATHES
BELL NUNNALLY & MARTIN LLP
3232 MCKINNEY AVE STE 1400
DALLAS, TX 75204-7422
Phone Number: 214-740-1474
Fax Number: 214-740-1499

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:05:58 ET

Serial Number: 77843506 Assignment Information Trademark Document Retrieval

Registration Number: 3891186

Mark

Mr. Fix It

(words only): MR. FIX IT

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-12-14

Filing Date: 2009-10-07

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2010-12-14

Register: Principal

Law Office Assigned: LAW OFFICE 105

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-11-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, LLC

Address:

Jack Black, LLC
Suite 509 2155 Chenault
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 469-341-2700

Fax Number: 496-341-2706

GOODS AND/OR SERVICES

International Class: 005

Class Status: Active

Wound dressings

Basis: 1(a)

First Use Date: 2010-02-28

First Use in Commerce Date: 2010-02-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-12-14 - Registered - Principal Register

2010-11-09 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-11-08 - Law Office Registration Review Completed

2010-11-08 - Allowed for Registration - Principal Register (SOU accepted)

2010-11-01 - Statement Of Use Processing Complete

2010-10-15 - Use Amendment Filed

2010-11-01 - Case Assigned To Intent To Use Paralegal
2010-10-15 - TEAS Statement of Use Received
2010-06-01 - NOA Mailed - SOU Required From Applicant
2010-03-09 - Notice Of Publication E-Mailed
2010-03-09 - Published for opposition
2010-02-03 - Law Office Publication Review Completed
2010-02-03 - Assigned To LIE
2010-01-11 - Approved For Pub - Principal Register
2010-01-06 - Assigned To Examiner
2009-10-15 - New Application Office Supplied Data Entered In Tram
2009-10-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON ST STE 100
DALLAS, TX 75202-4452
Phone Number: 214-712-9534
Fax Number: 214-712-9540

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Serial Number: 77570785 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

Performance Remedy

(words only): PERFORMANCE REMEDY

Standard Character claim: Yes

Current Status: A second request for extension of time to file a Statement of Use has been granted.

Date of Status: 2010-10-15

Filing Date: 2008-09-16

The Notice of Allowance Date is: 2009-10-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 101

**Attorney Assigned:
CHUO EMILY M**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-10-13

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
Suite 509 2155 Chenault Drive
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware
Phone Number: 469-341-2700

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Non-medicated foot creams, non-medicated foot sprays, body lotions

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "REMEDY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-10-16 - Notice Of Approval Of Extension Request E-Mailed

2010-10-15 - Extension 2 granted

2010-10-13 - Extension 2 filed

2010-10-13 - TEAS Extension Received

2010-10-14 - Corrected Noa E-Mailed

2010-10-13 - Divisional processing completed

2010-07-20 - Divisional request received

2010-07-20 - TEAS Request To Divide Received

2010-06-11 - Notice Of Approval Of Extension Request E-Mailed
2010-06-10 - Extension 1 granted
2010-04-13 - Extension 1 filed
2010-06-10 - Case Assigned To Intent To Use Paralegal
2010-05-24 - Extension Received With TEAS Petition
2010-05-24 - Petition To Revive-Granted
2010-05-24 - TEAS Petition To Revive Received
2010-05-17 - Abandonment Notice Mailed - No Use Statement Filed
2010-05-17 - Abandonment - No use statement filed
2009-10-13 - NOA Mailed - SOU Required From Applicant
2009-07-21 - Published for opposition
2009-07-01 - Notice of publication
2009-06-12 - Law Office Publication Review Completed
2009-06-10 - Assigned To LIE
2009-06-10 - Approved For Pub - Principal Register
2009-06-08 - Teas/Email Correspondence Entered
2009-06-08 - Communication received from applicant
2009-06-08 - TEAS Response to Office Action Received
2008-12-19 - Combined Examiner's Amendment/Priority Action Entered
2008-12-19 - Assigned To LIE
2008-12-18 - Notification Of Examiner's Amendment/Priority Action E-Mailed
2008-12-18 - Examiner's Amendment/Priority Action E-Mailed
2008-12-18 - Examiners Amendment And/Or Priority Action - Completed
2008-12-17 - Assigned To Examiner
2008-09-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON STREET
SUITE 100
DALLAS, TX 75202-4452
Phone Number: 214.712.9534
Fax Number: 214.712.9540

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Serial Number: 77980616 Assignment Information Trademark Document Retrieval

Registration Number: 3881720

Mark

Performance Remedy

(words only): PERFORMANCE REMEDY

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-11-23

Filing Date: 2008-09-16

Transformed into a National Application: No

Registration Date: 2010-11-23

Register: Principal

Law Office Assigned: LAW OFFICE 101

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-10-18

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
Suite 509 2155 Chenault Drive
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware
Phone Number: 469-341-2700

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
Body powders, body scrubs, sunscreens
Basis: 1(a)
First Use Date: 2010-02-28
First Use in Commerce Date: 2010-02-28

International Class: 005
Class Status: Active
Muscle soaks, muscle relief balms
Basis: 1(a)
First Use Date: 2010-02-28
First Use in Commerce Date: 2010-02-28

ADDITIONAL INFORMATION

Disclaimer: "REMEDY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-11-23 - Registered - Principal Register

2010-10-19 - Notice Of Acceptance Of Statement Of Use E-Mailed

2010-10-18 - Law Office Registration Review Completed

2010-10-17 - Allowed for Registration - Principal Register (SOU accepted)

2010-10-13 - Statement Of Use Processing Complete

2010-09-20 - Use Amendment Filed
2010-10-13 - Divisional processing completed
2010-07-20 - Divisional request received
2010-07-20 - TEAS Request To Divide Received
2010-07-20 - TEAS Statement of Use Received
2010-06-11 - Notice Of Approval Of Extension Request E-Mailed
2010-06-10 - Extension 1 granted
2010-04-13 - Extension 1 filed
2010-06-10 - Case Assigned To Intent To Use Paralegal
2010-05-24 - Extension Received With TEAS Petition
2010-05-24 - Petition To Revive-Granted
2010-05-24 - TEAS Petition To Revive Received
2010-05-17 - Abandonment Notice Mailed - No Use Statement Filed
2010-05-17 - Abandonment - No use statement filed
2009-10-13 - NOA Mailed - SOU Required From Applicant
2009-07-21 - Published for opposition
2009-07-01 - Notice of publication
2009-06-12 - Law Office Publication Review Completed
2009-06-10 - Assigned To LIE
2009-06-10 - Approved For Pub - Principal Register
2009-06-08 - Teas/Email Correspondence Entered
2009-06-08 - Communication received from applicant
2009-06-08 - TEAS Response to Office Action Received
2008-12-19 - Combined Examiner's Amendment/Priority Action Entered
2008-12-19 - Assigned To LIE

2008-12-18 - Notification Of Examiner's Amendment/Priority Action E-Mailed

2008-12-18 - Examiner's Amendment/Priority Action E-Mailed

2008-12-18 - Examiners Amendment And/Or Priority Action - Completed

2008-12-17 - Assigned To Examiner

2008-09-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON STREET
SUITE 100
DALLAS, TX 75202-4452
Phone Number: 214.712.9534
Fax Number: 214.712.9540

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Serial Number: 78419759 Assignment Information Trademark Document Retrieval

Registration Number: 3143052

Mark

Pit Boss

(words only): PIT BOSS

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2006-09-12

Filing Date: 2004-05-17

Transformed into a National Application: No

Registration Date: 2006-09-12

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-08-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive #509
Carrollton, TX 75006
United States

Legal Entity Type: LIMITED LIABILITY CORPORATION**State or Country Where Organized:** Delaware**Phone Number:** 972-588-3388**Fax Number:** 972-588-3389

GOODS AND/OR SERVICES

International Class: 003**Class Status:** Active

Antiperspirants and deodorants; personal deodorants

Basis: 1(a)**First Use Date:** 2004-12-15**First Use in Commerce Date:** 2004-12-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-09-12 - Registered - Principal Register

2006-07-27 - Law Office Registration Review Completed

2006-07-21 - Assigned To LIE

2006-07-07 - Allowed for Registration - Principal Register (SOU accepted)

2006-07-07 - Statement Of Use Processing Complete

2006-06-16 - Use Amendment Filed

2006-06-16 - TEAS Statement of Use Received

2006-04-11 - Extension 1 granted

2006-01-03 - Extension 1 filed
2006-01-03 - TEAS Extension Received
2005-07-05 - NOA Mailed - SOU Required From Applicant
2005-04-12 - Published for opposition
2005-03-23 - Notice of publication
2005-01-13 - Law Office Publication Review Completed
2004-12-23 - Assigned To LIE
2004-12-21 - Approved For Pub - Principal Register
2004-12-15 - Assigned To Examiner
2004-05-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

Gordon K. Wright

Cooper & Scully, P.C.

Suite 100

900 Jackson Street

Dallas, TX 75202

Phone Number: 214-712-9534

Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

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Serial Number: 76501618 Assignment Information Trademark Document Retrieval

Registration Number: 3004725

Mark (words only): SHAVE SILK

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2005-10-04

Filing Date: 2003-03-28

Transformed into a National Application: No

Registration Date: 2005-10-04

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-08-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive, # 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 469-341-2700

Fax Number: 972-588-3389

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
shaving creams
Basis: 1(a)
First Use Date: 2003-08-01
First Use in Commerce Date: 2003-08-01

ADDITIONAL INFORMATION

Disclaimer: "SHAVE"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2005-10-04 - Registered - Principal Register
2005-08-25 - Law Office Registration Review Completed
2005-08-19 - Assigned To LIE
2005-08-15 - Allowed for Registration - Principal Register (SOU accepted)
2005-08-01 - Statement Of Use Processing Complete
2005-07-20 - Use Amendment Filed
2005-08-01 - Extension 2 granted
2005-07-12 - Extension 2 filed
2005-07-20 - TEAS Statement of Use Received
2005-07-12 - TEAS Extension Received
2005-01-21 - Extension 1 granted
2005-01-05 - Extension 1 filed
2005-01-05 - TEAS Extension Received

2004-07-20 - NOA Mailed - SOU Required From Applicant

2004-04-27 - Published for opposition

2004-04-07 - Notice of publication

2004-02-21 - Approved For Pub - Principal Register

2004-02-18 - EXAMINERS AMENDMENT E-MAILED

2003-09-12 - Non-final action e-mailed

2003-09-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON STREET, # 100
DALLAS, TX 75202
Phone Number: 214-712-9500
Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:07:05 ET

Serial Number: 78661878 Assignment Information Trademark Document Retrieval

Registration Number: 3331197

Mark

Splash on Responsibly

(words only): SPLASH ON RESPONSIBLY

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-11-06

Filing Date: 2005-06-30

Transformed into a National Application: No

Registration Date: 2007-11-06

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-10-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
Suite 509 2155 Chencault Drive
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Florida

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Fragrances for personal use

Basis: 1(a)

First Use Date: 2005-10-01

First Use in Commerce Date: 2005-10-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-11-06 - Registered - Principal Register

2007-10-02 - Law Office Registration Review Completed

2007-10-02 - Assigned To LIE

2007-09-03 - Allowed for Registration - Principal Register (SOU accepted)

2007-08-08 - Statement Of Use Processing Complete

2007-06-06 - Use Amendment Filed

2007-06-06 - TEAS Statement of Use Received

2006-11-30 - Extension 1 granted

2006-11-30 - Extension 1 filed

2006-11-30 - TEAS Extension Received
2006-06-13 - NOA Mailed - SOU Required From Applicant
2006-03-21 - Published for opposition
2006-03-01 - Notice of publication
2006-02-04 - Law Office Publication Review Completed
2006-02-04 - Assigned To LIE
2006-01-23 - Approved For Pub - Principal Register
2006-01-23 - Assigned To Examiner
2005-07-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON ST STE 100
DALLAS, TX 75202-4452
Phone Number: 214.712.9500
Fax Number: 214.712.9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:07:29 ET

Serial Number: 78947252 Assignment Information Trademark Document Retrieval

Registration Number: 3482500

Mark

Triple Cushion

(words only): TRIPLE CUSHION

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-08-05

Filing Date: 2006-08-08

Transformed into a National Application: No

Registration Date: 2008-08-05

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-07-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Dr., # 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 469-341-2700

Fax Number: 469-341-2706

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Shaving cream

Basis: 1(a)

First Use Date: 2006-10-01

First Use in Commerce Date: 2006-10-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-08-05 - Registered - Principal Register

2008-07-01 - Law Office Registration Review Completed

2008-07-01 - Assigned To LIE

2008-06-30 - Allowed for Registration - Principal Register (SOU accepted)

2008-06-27 - Statement Of Use Processing Complete

2008-06-27 - Extension 2 granted

2008-06-19 - Use Amendment Filed

2008-06-19 - Extension 2 filed

2008-06-19 - TEAS Extension Received
2008-06-19 - TEAS Statement of Use Received
2008-01-24 - Extension 1 granted
2007-12-26 - Extension 1 filed
2008-01-15 - Extension Received With TEAS Petition
2008-01-15 - Petition To Revive-Granted
2008-01-15 - TEAS Petition To Revive Received
2007-06-26 - NOA Mailed - SOU Required From Applicant
2007-04-03 - Published for opposition
2007-03-14 - Notice of publication
2007-02-12 - Law Office Publication Review Completed
2007-02-12 - Assigned To LIE
2007-01-09 - Approved For Pub - Principal Register
2007-01-03 - Assigned To Examiner
2006-08-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

Gordon K. Wright
COOPER & SCULLY, P.C.
900 JACKSON ST STE 100
DALLAS TX 75202-4433
Phone Number: 214-712-9534
Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:07:41 ET

Serial Number: 77843525 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

Turbo Wash

(words only): TURBO WASH

Standard Character claim: Yes

Current Status: A final Office action has been sent (issued) to the applicant. Applicant failed to satisfy all requirements and/or refusals raised previously. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2010-07-22

Filing Date: 2009-10-07

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 105

Attorney Assigned:
MCMORROW RONALD G

Current Location: L5X -TMEG Law Office 105 - Examining Attorney Assigned

Date In Location: 2010-11-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, LLC

Address:

Jack Black, LLC
Suite 509 2155 Chenault Drive
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 469-341-2700

Fax Number: 469-341-2706

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Body washes; Facial cleansers; Hair shampoo

Basis: 1(a)

First Use Date: 2010-02-15

First Use in Commerce Date: 2010-02-15

ADDITIONAL INFORMATION

Disclaimer: "WASH"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-11-05 - Notice Of Acceptance Of Amendment To Allege Use E-Mailed

2010-11-04 - Amendment to Use approved

2010-11-04 - Assigned To Examiner

2010-09-03 - Amendment To Use Processing Complete

2010-09-03 - Use Amendment Filed

2010-09-02 - TEAS Amendment of Use Received

2010-07-22 - Notification Of Final Refusal Emailed
2010-07-22 - Final refusal e-mailed
2010-07-22 - Final Refusal Written
2010-06-21 - Teas/Email Correspondence Entered
2010-06-21 - Communication received from applicant
2010-06-21 - TEAS Response to Office Action Received
2010-06-11 - Attorney Revoked And/Or Appointed
2010-06-11 - TEAS Revoke/Appoint Attorney Received
2010-01-07 - Notification Of Non-Final Action E-Mailed
2010-01-07 - Non-final action e-mailed
2010-01-07 - Non-Final Action Written
2010-01-06 - Assigned To Examiner
2009-10-15 - New Application Office Supplied Data Entered In Tram
2009-10-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Danica L. Mathes

Correspondent

Danica L. Mathes
Bell Nunnally & Martin LLP
3232 McKinney Avenue, Suite 1400
Dallas TX 75204
Phone Number: 214-740-1474
Fax Number: 214-740-1499

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:07:52 ET

Serial Number: 78660187 Assignment Information Trademark Document Retrieval

Registration Number: 3320199

Mark

WELL-STOCKED BAR

(words only): WELL-STOCKED BAR

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-10-23

Filing Date: 2005-06-28

Transformed into a National Application: No

Registration Date: 2007-10-23

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive, Suite 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
Fragrances for personal use
Basis: 1(a)
First Use Date: 2005-10-01
First Use in Commerce Date: 2005-10-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-23 - Registered - Principal Register
2007-09-19 - Law Office Registration Review Completed
2007-09-19 - Assigned To LIE
2007-08-15 - Allowed for Registration - Principal Register (SOU accepted)
2007-08-14 - Examiner's Amendment Entered
2007-08-14 - Notification Of Examiners Amendment E-Mailed
2007-08-14 - Examiners amendment e-mailed
2007-08-14 - SU-Examiner's Amendment Written
2007-08-13 - Statement Of Use Processing Complete
2007-08-13 - Extension 2 granted
2007-06-05 - Use Amendment Filed
2007-06-05 - Extension 2 filed

2007-06-05 - TEAS Extension Received
2007-06-05 - TEAS Statement of Use Received
2007-01-25 - Extension 1 granted
2006-11-30 - Extension 1 filed
2006-11-30 - TEAS Extension Received
2006-06-06 - NOA Mailed - SOU Required From Applicant
2006-03-14 - Published for opposition
2006-02-22 - Notice of publication
2006-02-10 - Assigned To Examiner
2006-01-26 - Law Office Publication Review Completed
2006-01-20 - Assigned To LIE
2006-01-19 - Approved For Pub - Principal Register
2006-01-19 - Assigned To Examiner
2005-07-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON STREET
SUITE 100
DALLAS, TX 75202-4452
Phone Number: 214.712.9500
Fax Number: 214.712.9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:08:05 ET

Serial Number: 77263390 Assignment Information Trademark Document Retrieval

Registration Number: 3541273

Mark

Pure Performance Shave Brush

(words only): PURE PERFORMANCE SHAVE BRUSH

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-12-02

Filing Date: 2007-08-24

Transformed into a National Application: No

Registration Date: 2008-12-02

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-10-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive Suite 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware
Phone Number: 469-341-2700
Fax Number: 469-341-2706

GOODS AND/OR SERVICES

International Class: 021
Class Status: Active
Shaving brushes
Basis: 1(a)
First Use Date: 2007-11-01
First Use in Commerce Date: 2007-11-01

ADDITIONAL INFORMATION

Disclaimer: "SHAVE BRUSH"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

- 2008-12-02 - Registered - Principal Register
- 2008-10-29 - Law Office Registration Review Completed
- 2008-10-28 - Allowed for Registration - Principal Register (SOU accepted)
- 2008-10-15 - Statement Of Use Processing Complete
- 2008-10-08 - Use Amendment Filed
- 2008-10-10 - Case Assigned To Intent To Use Paralegal
- 2008-10-08 - TEAS Statement of Use Received
- 2008-05-13 - NOA Mailed - SOU Required From Applicant

2008-02-19 - Published for opposition
2008-01-30 - Notice of publication
2008-01-16 - Law Office Publication Review Completed
2008-01-16 - Assigned To LIE
2007-12-04 - Approved For Pub - Principal Register
2007-12-04 - Examiner's Amendment Entered
2007-12-04 - Notification Of Examiners Amendment E-Mailed
2007-12-04 - Examiners amendment e-mailed
2007-12-04 - Examiners Amendment -Written
2007-12-03 - Assigned To Examiner
2007-08-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON ST STE 100
DALLAS, TX 75202-4452
Phone Number: 214-712-9500
Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:08:17 ET

Serial Number: 78807260 Assignment Information Trademark Document Retrieval

Registration Number: 3327256

Mark

PureScience

(words only): PURESCIENCE

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-10-30

Filing Date: 2006-02-04

Transformed into a National Application: No

Registration Date: 2007-10-30

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-09-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Dr. #509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware
Phone Number: 469.341.2700
Fax Number: 469.341.2706

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Astringents for cosmetic purposes; shaving creams; facial scrubs; hair shampoos; hair conditioners; and facial lotions

Basis: 1(a)

First Use Date: 2006-05-01

First Use in Commerce Date: 2006-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-10-30 - Registered - Principal Register

2007-09-24 - Law Office Registration Review Completed

2007-09-24 - Assigned To LIE

2007-08-21 - Allowed for Registration - Principal Register (SOU accepted)

2007-08-21 - Statement Of Use Processing Complete

2007-06-26 - Use Amendment Filed

2007-06-26 - TEAS Statement of Use Received

2007-01-02 - NOA Mailed - SOU Required From Applicant

2006-10-10 - Published for opposition

2006-09-20 - Notice of publication

2006-08-19 - Law Office Publication Review Completed

2006-08-08 - Assigned To LIE

2006-07-26 - Approved For Pub - Principal Register

2006-07-26 - Assigned To Examiner

2006-02-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT

COOPER & SCULLY, P.C.

900 JACKSON ST STE 100

DALLAS, TX 75202-4452

Phone Number: 214.712.9534

Fax Number: 214.712.9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:08:33 ET

Serial Number: 76489848 Assignment Information Trademark Document Retrieval

Registration Number: 3171832

Mark (words only): JACK'S GIRL

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2006-11-14

Filing Date: 2003-02-12

Transformed into a National Application: No

Registration Date: 2006-11-14

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-10-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive #509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 972-588-3388

Fax Number: 972-588-3389

GOODS AND/OR SERVICES

International Class: 003**Class Status:** Active

After-shave lotions; body creams; shaving creams; shaving gels; body lotions; hair lotions; non-medicated foot powders; shaving lotions

Basis: 1(a)**First Use Date:** 2003-08-01**First Use in Commerce Date:** 2003-08-01

ADDITIONAL INFORMATION

Name Portrait Consent: The mark does not identify a living individual.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2006-11-14 - Registered - Principal Register

2006-10-06 - Law Office Registration Review Completed

2006-10-02 - Assigned To LIE

2006-09-25 - Allowed for Registration - Principal Register (SOU accepted)

2006-09-17 - Statement Of Use Processing Complete

2006-08-23 - Use Amendment Filed

2006-08-23 - TEAS Statement of Use Received

2006-04-12 - Extension 1 granted

2006-03-21 - Extension 1 filed

2006-03-21 - TEAS Extension Received

2005-09-27 - NOA Mailed - SOU Required From Applicant

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication
2005-03-24 - Law Office Publication Review Completed
2005-03-24 - Assigned To LIE
2005-03-04 - Assigned To LIE
2005-02-27 - Approved For Pub - Principal Register
2004-08-26 - Report Completed Suspension Check Case Still Suspended
2004-03-26 - LETTER OF SUSPENSION E-MAILED
2004-02-26 - Communication received from applicant
2004-02-26 - PAPER RECEIVED
2004-02-24 - LETTER OF SUSPENSION E-MAILED
2003-12-24 - Communication received from applicant
2003-12-29 - Email Received
2003-07-24 - Non-final action e-mailed
2003-07-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
GORDON K WRIGHT

Correspondent
GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON STREET, SUITE 100
DALLAS TX 75202
Phone Number: 214-712-9500
Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:09:04 ET

Serial Number: 75731548 Assignment Information Trademark Document Retrieval

Registration Number: 2742396

Mark (words only): JACK BLACK

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2009-08-03

Filing Date: 1999-06-17

Transformed into a National Application: No

Registration Date: 2003-07-29

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-08-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. JACK BLACK, L.L.C.

Address:

**JACK BLACK, L.L.C.
2155 Chenault Drive, #509
Carrollton, TX 75006
United States**

**Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware
Phone Number: 469-341-2700**

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

After-shave lotions; shaving balms; bath gels; skin cleansing lotions; colognes; eye creams; shaving creams; skin creams; facial scrubs; bath gels; shaving gels; shower gels; skin lotions; facial lotions; shaving lotions; skin cleansing lotions; face and body and wrinkle removing skin care preparations

Basis: 1(a)

First Use Date: 2000-04-24

First Use in Commerce Date: 2000-04-24

ADDITIONAL INFORMATION

Name Portrait Consent: The name shown in the mark does not identify a living individual.

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0017885

International Registration Number: 1022220

International Registration Date: 2009-11-20

Original Filing Date with USPTO: 2009-11-20

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2009-12-24

International Registration Renewal Date: 2019-11-20

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

08-19-2010 - 22:58:10 - Subsequent Designation Processed By IB

07-21-2010 - 21:04:36 - Subsequent Designation Sent To IB

07-21-2010 - 17:08:02 - Subsequent Designation Received

12-24-2009 - 14:48:16 - Application For IR Registered By IB

11-23-2009 - 21:00:45 - IR Certified And Sent To IB

11-23-2009 - 08:48:59 - Manually Certified

11-20-2009 - 16:28:02 - New Application For IR Received

USPTO Reference Number: A0000413

International Registration Number: 0851501

International Registration Date: 2005-01-04

Original Filing Date with USPTO: 2005-01-04

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2005-07-14

International Registration Renewal Date: 2015-01-04

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

07-14-2005 - 14:53:57 - Application For IR Registered By IB

01-05-2005 - 15:50:27 - IR Certified And Sent To IB

01-05-2005 - 07:59:16 - Manually Certified

01-04-2005 - 15:05:38 - New Application For IR Received

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-08-03 - Section 8 (6-year) accepted & Section 15 acknowledged
2009-06-13 - Assigned To Paralegal
2009-06-08 - TEAS Section 8 & 15 Received
2009-06-08 - Applicant/Correspondence Changes (Non-Responsive) Entered
2009-06-08 - TEAS Change Of Owner Address Received
2003-07-29 - Registered - Principal Register
2003-05-23 - Allowed for Registration - Principal Register (SOU accepted)
2003-05-19 - Case File In TICRS
2003-04-09 - Statement Of Use Processing Complete
2002-10-01 - Use Amendment Filed
2003-04-09 - Extension 5 granted
2002-10-01 - Extension 5 filed
2002-10-01 - Extension 4 granted
2002-04-04 - Extension 4 filed
2002-04-04 - Extension 3 granted
2001-10-04 - Extension 3 filed
2001-10-04 - Extension 2 granted
2001-04-04 - Extension 2 filed
2003-02-10 - Petition To Revive-Granted
2003-01-14 - TEAS Change Of Correspondence Received
2002-10-01 - Communication Received From Petitioner
2002-10-02 - PAPER RECEIVED
2002-10-01 - PAPER RECEIVED

2002-05-17 - Petition to Revive - Incomplete petition letter mailed
2002-04-24 - Assigned To Examiner
2001-08-10 - Petition To Revive-Received
2001-06-21 - Abandonment - No use statement filed
2001-04-04 - Extension 1 granted
2000-09-27 - Extension 1 filed
2001-04-21 - Divisional processing completed
2000-09-27 - Divisional request received
2000-04-04 - NOA Mailed - SOU Required From Applicant
2000-01-11 - Published for opposition
1999-12-10 - Notice of publication
1999-10-19 - Approved For Pub - Principal Register
1999-10-06 - Examiner's amendment mailed
1999-09-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

Gordon K. Wright

COOPER & SCULLY, P.C.

900 JACKSON STREET, STE 100

DALLAS TX 75202

Phone Number: 214-712-9534

Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:09:15 ET

Serial Number: 75980726 Assignment Information Trademark Document Retrieval

Registration Number: 2476740

Mark (words only): JACK BLACK

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2007-08-22

Filing Date: 1999-06-17

Transformed into a National Application: No

Registration Date: 2001-08-07

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2007-08-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. JACK BLACK, L.L.C.

Address:

JACK BLACK, L.L.C.
2155 CHENAULT DRIVE, #509
CARROLLTON, TX 75006
United States

Legal Entity Type: Limited Liability Company
State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

sun block preparation, sun screen preparation, skin emollient, skin lotion, hand creams, skin moisturizer, and non-medicated lip balm

Basis: 1(a)

First Use Date: 2000-04-05

First Use in Commerce Date: 2000-04-05

ADDITIONAL INFORMATION

Name Portrait Consent: The name shown in the mark does not identify a living individual.

MADRID PROTOCOL INFORMATION

USPTO Reference Number: A0017885

International Registration Number: 1022220

International Registration Date: 2009-11-20

Original Filing Date with USPTO: 2009-11-20

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2009-12-24

International Registration Renewal Date: 2019-11-20

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

08-19-2010 - 22:58:10 - Subsequent Designation Processed By IB

07-21-2010 - 21:04:36 - Subsequent Designation Sent To IB

07-21-2010 - 17:08:02 - Subsequent Designation Received

12-24-2009 - 14:48:16 - Application For IR Registered By IB

11-23-2009 - 21:00:45 - IR Certified And Sent To IB

11-23-2009 - 08:48:59 - Manually Certified

11-20-2009 - 16:28:02 - New Application For IR Received

USPTO Reference Number: A0000413

International Registration Number: 0851501

International Registration Date: 2005-01-04

Original Filing Date with USPTO: 2005-01-04

International Registration Status: Application For IR Registered By IB

Date of International Registration Status: 2005-07-14

International Registration Renewal Date: 2015-01-04

Irregularity Reply by Date: (DATE NOT AVAILABLE)

Madrid History:

07-14-2005 - 14:53:57 - Application For IR Registered By IB

01-05-2005 - 15:50:27 - IR Certified And Sent To IB

01-05-2005 - 07:59:16 - Manually Certified

01-04-2005 - 15:05:38 - New Application For IR Received

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2007-08-22 - Section 8 (6-year) accepted & Section 15 acknowledged

2007-08-14 - Assigned To Paralegal

2007-07-26 - Section 8 (6-year) and Section 15 Filed

2007-07-26 - TEAS Section 8 & 15 Received

2007-02-12 - Case File In TICRS

2001-08-07 - Registered - Principal Register

2001-04-30 - Allowed for Registration - Principal Register (SOU accepted)

2001-04-21 - Statement Of Use Processing Complete

2001-04-21 - Extension 1 granted

2000-09-27 - Use Amendment Filed

2000-09-27 - Extension 1 filed

2001-04-21 - Divisional processing completed

2000-09-27 - Divisional request received

2000-04-04 - NOA Mailed - SOU Required From Applicant

2000-01-11 - Published for opposition

1999-12-10 - Notice of publication

1999-10-19 - Approved For Pub - Principal Register

1999-10-06 - Examiner's amendment mailed

1999-09-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

Gordon K. Wright
Cooper & Scully, P.C.

900 Jackson Street, Suite 100
Dallas TX 75202
Phone Number: 214-712-9500
Fax Number: 214-712-9540

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:09:26 ET

Serial Number: 77193038 Assignment Information Trademark Document Retrieval

Registration Number: 3619937

Mark

Jack Black

(words only): JACK BLACK

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2009-05-12

Filing Date: 2007-05-30

Transformed into a National Application: No

Registration Date: 2009-05-12

Register: Principal

Law Office Assigned: LAW OFFICE 117

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2009-04-07

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
#509 2155 Chenault Drive
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

Phone Number: 469-341-2700

Fax Number: 469-341-2706

GOODS AND/OR SERVICES

International Class: 021

Class Status: Active

Shaving brush holders; shaving brush stands; shaving brushes

Basis: 1(a)

First Use Date: 2008-10-15

First Use in Commerce Date: 2008-10-15

ADDITIONAL INFORMATION

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

Prior Registration Number(s):

2476740

2742396

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-05-12 - Registered - Principal Register

2009-04-07 - Law Office Registration Review Completed

2009-04-04 - Allowed for Registration - Principal Register (SOU accepted)

2009-01-12 - Statement Of Use Processing Complete

2008-12-22 - Use Amendment Filed

2009-01-12 - Case Assigned To Intent To Use Paralegal
2008-12-22 - TEAS Statement of Use Received
2008-07-01 - NOA Mailed - SOU Required From Applicant
2008-04-08 - Published for opposition
2008-03-19 - Notice of publication
2008-03-04 - Law Office Publication Review Completed
2008-03-03 - Assigned To LIE
2008-02-06 - Approved For Pub - Principal Register
2008-02-05 - Teas/Email Correspondence Entered
2008-02-04 - Communication received from applicant
2008-02-04 - TEAS Response to Office Action Received
2007-09-09 - Notification Of Non-Final Action E-Mailed
2007-09-09 - Non-final action e-mailed
2007-09-09 - Non-Final Action Written
2007-09-09 - Assigned To Examiner
2007-06-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
COOPER & SCULLY, P.C.
900 JACKSON ST STE 100
DALLAS, TX 75202-4452
Phone Number: 214-712-9534
Fax Number: 214-712-9540

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Serial Number: 76976023 Assignment Information

Trademark Document Retrieval

Registration Number: 2823989

Mark



(words only): JB JACK BLACK AUTHENTIC AND ORIGINAL

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2004-03-16

Filing Date: 2001-09-21

Transformed into a National Application: No

Registration Date: 2004-03-16

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2010-04-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Jack Black, L.L.C.

Address:

Jack Black, L.L.C.
2155 Chenault Drive Suite 509
Carrollton, TX 75006
United States

Legal Entity Type: Limited Liability Company**State or Country Where Organized:** Delaware**Phone Number:** 469-341-2700**Fax Number:** 469-341-2706

GOODS AND/OR SERVICES

International Class: 025**Class Status:** Active

baseball caps, hats, headwear, knit shirts, shirts, sport shirts

Basis: 1(a)**First Use Date:** 2003-07-01**First Use in Commerce Date:** 2003-07-01

ADDITIONAL INFORMATION

Disclaimer: "AUTHENTIC AND ORIGINAL"**Name Portrait Consent:** The name "JACK BLACK" does not identify a living individual.**Design Search Code(s):**

26.01.01 - Circles as carriers or as single line borders

Prior Registration Number(s):

2476740

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

(NOT AVAILABLE)

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gordon K. Wright

Correspondent

GORDON K. WRIGHT
Cooper & Scully, P.C.
900 JACKSON STREET, STE 100
DALLAS TX 75202
Phone Number: 214-712-9534
Fax Number: 214-712-9540



FACE LIPS HAND & BODY HAIR FRAGRANCE SUN GIFTS & SETS BEST SELLERS TRAVEL GEAR NEW

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This 2-in-1 hair and body cleanser jump-starts the body, awakens the mind and revitalizes the immune system for peak performance. Now in a 33 oz size with easy-to-use pump. A \$73 value.

- Certified organic ingredients
- Sulfate-free
- Paraben-free
- Vegan

[Details.>](#)

\$50.00

Quantity



Industrial Strength Hand Healer with Vitamins A & E

Rich, non-greasy formula helps heal, soothe and condition dry hands and cuticles.

- Vegan.
- PureScience formula.

[Details.>](#)

\$15.00 - 3 oz

Quantity



Industrial Strength Hand Healer with Vitamins A & E

A 16 oz. super size of our popular Hand Healer, the hardest-working hand cream on the market.

- Vegan.
- PureScience formula.

[Details.>](#)

\$45.00 - 16 oz

Quantity



Body Rehab Scrub & Muscle Soak with Eucalyptus, Arnica & Shea Butter

This 3-in-1 product does triple-duty to smooth skin, moisturize and soothe tired muscles.

- Paraben-free
- Certified Organic Ingredients
- Vegan

[Details.>](#)

\$35.00 - 14.25 oz. Jar

Quantity



Dragon Ice® Relief & Recovery Balm with Dragon's Blood, MSM & Willowherb

Soothing, pain-relieving cream penetrates deep to treat sore muscles and ease joint aches and strains, lessen discomfort from inflammation, and relieve tension.

- Certified organic ingredients
- Paraben-free
- Vegan



Mr. Fix It® Antimicrobial Wound Rescue Silver Gel

Crystal-clear, antimicrobial wound gel quickly heals wounds, scrapes, minor cuts, burns and abrasions.

- Paraben-free
- Vegan

[Details.>](#)

\$20.00 - 1 oz bellows bottle

Quantity

Details.>

\$22.00 - 4oz tube Quantity

\$14.00 - 2oz tube Quantity



Dry Down Friction-Free Powder with Pure Cornstarch, Lavender & Organic Green Tea

Ultra-fine, talc-free powder keeps skin silky, smooth and dry for enhanced comfort and chafe-free workouts.

- Certified organic ingredients
- Paraben-free
- Vegan

Details.>

\$18.00 - 6oz shaker Quantity



Turbo Wash Energizing Hair & Body Cleanser with Rosemary, Eucalyptus & Juniper Berry

This 2-in-1 hair and body cleanser jump-starts the body, awakens the mind and revitalizes the immune system for peak performance.

- Certified organic ingredients
- Sulfate-free
- Paraben-free
- Vegan

Details.>

\$22.00 - 10 oz tube Quantity

\$8.00 - 2 oz tube Quantity



Cool Moisture Body Lotion with Soy Protein, Vitamin E and Jojoba

Lightweight, quick-penetrating formula provides soothing, nourishing hydration for the entire body.

- Vegan.

Details.>

\$23.00 - 16 oz. Quantity



All-Over Wash for Face, Hair, and Body with Wheat Protein and Panthenol

The ultimate guy product. A body, face and hair wash in one.

- Paraben-free.
- Sulfate-free.
- Certified Organic Ingredients.
- Vegan.

Details.>

\$15.00 - 6 oz. Quantity

\$9.00 - 3.0 oz. Quantity



All Over Wash for Face, Hair and Body with Wheat Protein and Panthenol

The ultimate guy product. A body, face and hair wash in one.

- Paraben-free.
- Sulfate-free.
- Certified Organic Ingredients.
- Vegan.

Details.>



Pit Boss® Antiperspirant and Deodorant Sensitive Skin Formula

This invisible solid glides on easily, offering maximum odor and sweat control in a gentle formula that won't irritate skin.

- Paraben-free.
- Vegan.

Details.>

\$44.00 - 33 oz.

Quantity

\$16.00 - 2.75 oz.

Quantity



Clean & Cool Body Basics

Jack's most popular body care products in a signature bag. The set includes: Cool Moisture Body Lotion, All-Over Wash, Industrial Strength Hand Healer and Pit Boss® Antiperspirant and Deodorant. A \$69 value.

[Details.>](#)

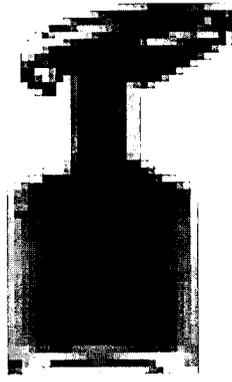
\$49.00

Quantity

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Jack Black creates superior, advanced skin care for men including shaving creams, moisturizers, grooming sets, cleansers, anti-aging, hair care, body care and sun care products specially formulated for a man's needs. Nothing complicated, nothing cosmetic, just real solutions that provide immediate visible results.





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www.Beauty.com/**JackBlack** Buy **Jack Black** & Pick Free Samples. Free Shipping with \$25 Purchase.
Beauty.com is rated ☆☆☆☆ (94 reviews)

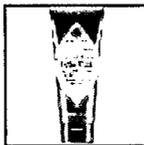
Amazon.com: Jack Black Performance Remedy(TM) Turbo Wash(TM) ...

☆☆☆☆ 1 review - \$22.00 - In stock
Jack Black Turbo Wash Energizing Hair & Body Cleanser 10 fl oz (295 ml) **Jack Black Turbo Wash** Energizing Cleanser for Face & Body 33 fl oz (975 ml) ...
www.amazon.com › Beauty › Skin Care - Cached

Jack Black Turbo Wash Energizing Hair and Body Cleanser - 20% Off ...

Aug 11, 2010 ... **Jack Black Turbo Wash** Energizing Hair and Body Cleanser and 5000+ other Skin care products at Skinstore: 115% Price Protection, ...
www.skinstore.com/p-14197-**jack-black-turbo-wash**-energizing-hair-and- body-cleanser.aspx - Cached

Shopping results for jack black turbo wash



Jack Black 'Turbo Wash' Energizing Cleanser for Hair & Body

\$21 - 15 stores - Nearby stores - In stock

Jack Black Turbo Wash Energizing Hair & Body Cleanser

\$22.00 - Neiman Marcus - Nearby stores

Jack Black Turbo Wash Energizing Cleanser for Hair & Body (33 oz.)

\$50 - 6 stores - Nearby stores - In stock

Turbo Wash Energizing Hair & Body Cleanser with - Men's skin care ...

Turbo Wash Energizing Hair & Body Cleanser with Rosemary, ...
Jack Black's Performance Remedy™ products combine acclaimed PureScience® technology with ...
www.get**jackblack**.com/jb/catalog.nsf/processorform?... - Cached

Sephora: Jack Black Performance Remedy™ Turbo Wash™ Energizing ...

What it is: An energizing two-in-one cleanser that jump-starts the body, awakens the mind, and helps revitalize the immune system.
www.sephora.com/browse/product.jhtml?id=P259950 - Cached

Buy Jack Black Turbo Wash Energizing Cleanser for Face & Body ...

\$50.00 - In stock
Shop online for **Jack Black Turbo Wash** Energizing Cleanser for Face & Body at Beauty.com today, where you will find a huge selection of Cleansers & Scrubs ...
www.drugstore.com/.../**jack_black/turbo_wash**

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Ads

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Energizing Hair & Body Cleanser. Free Ground Shipping over \$75.
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Jack Black Men's SkinCare

Free Same Day Shipping on Any Order
Jack Black Shave, Groom & SkinCare
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Jack Black - Ships Free

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BeautyBridge.com is rated ☆☆☆☆

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Jack Black Turbo Wash Sale

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BuyCheapr.com/**Jack+black+turbo+wash**

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Jack Black 'Turbo Wash'™ Energizing Cleanser for Hair & Body ...

Aug 4, 2010 ... **Jack Black 'Turbo Wash'™ Energizing Cleanser for Hair & Body (Nordstrom Exclusive) (\$73 Value)**
shop.nordstrom.com/s/3105072?origin=related-3105072-0-0-1 -
Cached

Jack Black Performance Remedy Turbo Wash Cleanser for Hair & Body ...

Jack Black Performance Remedy Turbo Wash Energizing Cleanser for Hair & Body. 10 oz. tube with Rosemary, Eucalyptus & Juniper Berry ...
www.themetroman.com/jack-black-turbo-wash-cleanser.html -
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Black Planet - Jack Black Turbo Wash Energizing Hair and Body Cleanser ...

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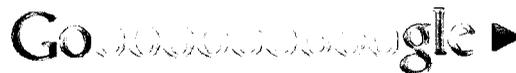
Jack Black - Turbo Wash Energizing Hair & Body Cleanser, 33 oz ...

\$50.00 - In stock
Visit NeimanMarcus.com for the **Jack Black Turbo Wash Energizing Hair & Body Cleanser, 33 oz..** This Turbo Wash Energizing Hair & Body Cleanser, ...
www.neimanmarcus.com/store/catalog/prod.jhtml?itemId... - Cached

Make A Splash With Jack Black's Turbo Wash ...



☆☆☆☆ - 28 sec - Aug 12, 2010 -
Uploaded by shopmasc
Make a splash with **Turbo Wash Energizing Cleanser** for the hair & body. Available at
www.shopmasc.com
www.youtube.com/watch?v=qQlp7wRXH10
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Turbo Wash - Turbowash

TURBO-WASH, the ultimate power pressure washer, makes any cleaning job quick ... www.turbowash.com/index.php/turbowash/turbo-wash-1.html - Cached

Show more results from turbowash.com

Shopping results for turbo wash



Turbo-Wash Pressure Washer

★★★★★9 reviews - \$25.72 - Amazon.com Hobart Left to Right 60" TurboWash II Wash Sink TWII-1086 \$11,238 - 4 stores Jack Black 'Turbo Wash' Energizing Cleanser for Hair & Body \$21 - 15 stores - Nearby stores - In stock

Amazon.com: Turbo-Wash Pressure Washer:

Automotive

★★★★★9 reviews - \$25.59 - In stock The TurboWash kit lets you power wash your cars, windows, patio furniture, trash cans, boats and more. The included industrial strength TurboWash soap is ... www.amazon.com › ... › Outdoor Power Tools › Pressure Washers - Cached

Powerwashing Service in Bergen County, New Jersey |

Turbo-Wash Inc.

Full service professional powerwashing service covering all of Bergen County, New Jersey. We use only the best equipment and materials to insure a job well ... www.turbo-wash.com/ - Cached - Similar

Sonic Turbo Wash Bearing Cleaner

This is the same bearing cleaner you would find in the Sonic Turbo Wash. This is replacement cleaner for that wash, the Bones cleaning unit or whichever ... www.inlinewarehouse.com/descpage-STW.html - Cached - Similar

Sonic Combo Pack - Turbo Wash and Super Oil

Pick up this Sonic combo pack and rejuvenate your bearings at once. Use the Sonic Turbo Wash to clean your bearings and then apply the Sonic Super Oil to ... www.aggressivemall.com › Browse by Brand › Sonic - Cached - Similar

Sephora: Jack Black Performance Remedy™ Turbo Wash™ Energizing ...

What it is: An energizing two-in-one cleanser that jump-starts the body, awakens the mind, and helps revitalize the immune system. www.sephora.com/browse/product.jhtml?id=P259950 - Cached

Ads

Turbo Wash at Amazon.com

Buy turbo wash at Amazon! Qualified orders over \$25 ship free Amazon.com Amazon.com is rated ★★★★★

Wash Turbo: Cheap

Everyone Wants to Pay a Low Price. Best Value for Wash Turbo! www.Nextag.com

Turbo Wash

Bid on Turbo Wash now! New eBay Buyer Protection Program. www.eBay.com eBay.com is rated ★★★★★

New: Turbo Wash -49%

Turbo Wash at low prices: Find infos, reviews & hot deals here! www.Turbo-Wash.News72.com

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Aug 20, 2007 ... **Turbo-wash** car wash reviews by consumers. See video product demonstrations from people like you and compare prices.
www.expotv.com/**Turbo-wash-car-wash/14-S1p** -
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Jack Black Turbo Wash Energizing Hair and Body Cleanser - 20% Off ...

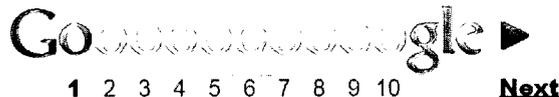
Aug 11, 2010 ... Jack Black **Turbo Wash** Energizing Hair and Body Cleanser and 5000+ other Skin care products at Skinstore: 115% Price Protection, ...
www.skinstore.com/p-14197-jack-black-**turbo-wash**-energizing-hair-and- body-cleanser.aspx - Cached

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The **TURBO-WASH®** handles cleaning jobs quick and easy. Just attach it to your garden hose and wash your Car, Truck, SUV, Patio Furniture, Trash Can, ...
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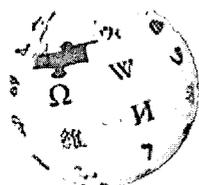
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Pressure washer

From Wikipedia, the free encyclopedia

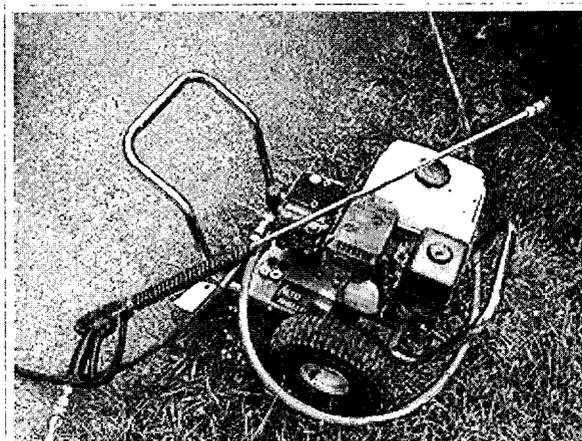


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A **pressure washer** is a mechanical sprayer that uses high-pressure water to clean and remove mold, grime, dust, mud, and dirt from surfaces and objects such as buildings, vehicles, and concrete road surfaces. Equipment can be rented or bought that produces pressures from 50 bars (750psi) up to 1200 bars (30,000psi) or more. A pressure washer differs from a parts washer in that a parts washer typically uses high-volume, low-pressure (20-150 psi) cleaning solutions in an enclosed cabinet to clean dirty parts.



A home-use pressure washer

The most basic pressure washer consists of:

- A motor which directly drives a water pump
- High-pressure hose
- Trigger gun-style switch

Just as a garden hose nozzle is used to increase the outflowing dynamic pressure of the liquid, a pressure washer adds its own power to force high-dynamic pressure. Note that the pump does not draw more water from the pipe to which the washer is connected than that source can provide; therefore, the water supply must be adequate for a given machine to be connected to it: its flow must be equal or superior to that of the washer, so that the pump is never starved (which can damage it).

Several different types of nozzles are available, each useful for a particular application. Some nozzles cause the water jet to be ejected in a triangular plane, while others emit a pencil-thin jet of water, which spirals around rapidly. Most nozzles attach directly to the trigger gun.

Some pressure washers, in combination with a particular nozzle, allow detergent to be introduced into the water stream, assisting in the cleaning process. Two types of chemical injectors are available: a low-pressure injector that introduces the chemical after the water leaves the pump (a downstream injector) and a high-pressure injector that introduces the chemical before water enters the pump (an upstream injector). The type of injector used is related to the type of detergent used as there are many chemicals that will damage a pump if an upstream injector is used.

Pressure washers are dangerous tools and should be operated with due regard to safety instructions. The water pressure near the nozzle is powerful enough to strip flesh from bone. Objects in the water supply can be ejected from the nozzle at great velocities. The cleaning process can propel objects from the surface being cleaned, also at great velocities. Pressure washers have a tendency to break

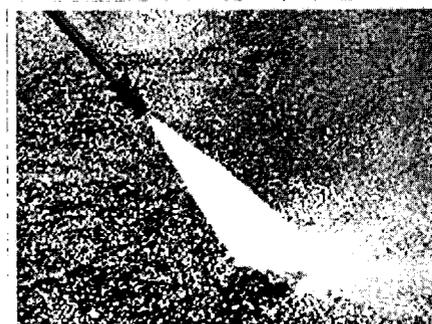
up asphalt if aimed directly at it, due to high pressure water entering cracks and voids in the surface. Most readily available consumer units (commonly found online or at hardware stores) are electric- or petrol powered. The electric ones plug into a normal outlet and use/produce cold water, and typically deliver pressure up to about 2000psi. Petrol powered units can often deliver twice that pressure, though due to the hazardous nature of the gasoline exhaust they are unsuitable for enclosed and/or indoor areas. Some models can generate hot water, which can be ideal for loosening and removing oil and grease.

Uses

[edit]

In its extreme high pressure form, water is used in many industrial cleaning applications requiring the removal of surface layers as well as dust-free cutting of some metals and concrete. For exterior applications, gas or propane powered pressure washers provide enhanced mobility not available in electric models, as they do not require use in proximity to an electrical outlet. However, for indoor applications, electric pressure washers produce no exhaust and are much quieter than their gas or propane powered counterparts.

High-pressure water at medium pressure, in combination with special chemicals, aids in the removal of graffiti. This process (especially when the water is hot) is used as a quick rinser of the softened graffiti. Sometimes people use a pressurized mixture of air/sand or water/sand to blast off the surface of the vandalized area, thus etching the surface and therefore making it extremely difficult for anyone to ever use high-pressure cleaning as a follow-up process. Sandblasting, when used in graffiti removals, often overcleans a surface and is capable of leaving a permanent scar on the building surface. Compare to sandblasting.



A pressure washer cleaning oil-logged asphalt

Types

[edit]

Pressure washers are classified into following groups based on the type of fuel/energy they consume.

- Electric pressure washer
- Diesel pressure washer
- Petrol pressure washer
- Gas pressure washer
- Ultra High Pressure Washers
- Hydraulic High Pressure Washers
- High Pressure Steam Cleaners

External links

[edit]

- NY Times article about selecting a pressure washer
- Pressure washer can save time

	Look up <i>pressure washer</i> in Wiktionary, the free dictionary.
---	--

Categories: Cleaning tools

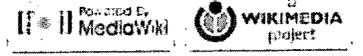
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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:11:56 ET

Serial Number: 77780362 Assignment Information Trademark Document Retrieval

Registration Number: 3905143

Mark

THE TURBO VOLUM' EXPRESS

(words only): THE TURBO VOLUM' EXPRESS

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2011-01-11

Filing Date: 2009-07-15

Transformed into a National Application: No

Registration Date: 2011-01-11

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-12-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. L'Oreal USA Creative, Inc.

Address:

L'Oreal USA Creative, Inc.
575 Fifth Avenue
New York, NY 10017
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
Mascara
Basis: 1(a)
First Use Date: 2010-06-00
First Use in Commerce Date: 2010-06-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
2221985
2934223
3551550

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-01-11 - Registered - Principal Register
2010-12-07 - Notice Of Acceptance Of Statement Of Use Mailed
2010-12-06 - Law Office Registration Review Completed
2010-12-06 - Assigned To LIE
2010-11-12 - Allowed for Registration - Principal Register (SOU accepted)
2010-11-12 - Statement Of Use Processing Complete
2010-10-25 - Use Amendment Filed

2010-11-08 - Case Assigned To Intent To Use Paralegal
2010-10-25 - TEAS Statement of Use Received
2010-01-11 - Extension 1 granted
2010-01-11 - Extension 1 filed
2010-01-11 - TEAS Extension Received
2009-12-01 - NOA Mailed - SOU Required From Applicant
2009-09-08 - Published for opposition
2009-08-19 - Notice of publication
2009-08-03 - Law Office Publication Review Completed
2009-07-31 - Assigned To LIE
2009-07-22 - Approved For Pub - Principal Register
2009-07-21 - Notice Of Pseudo Mark Mailed
2009-07-20 - Assigned To Examiner
2009-07-20 - New Application Office Supplied Data Entered In Tram
2009-07-18 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lisa M. Gigliotti

Correspondent

LISA M. GIGLIOTTI
L'OREAL USA CREATIVE, INC.
575 5TH AVE FL 34
NEW YORK, NY 10017-2422
Phone Number: 212-984-4177
Fax Number: 212-984-5082

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:12:33 ET

Serial Number: 77362841 Assignment Information Trademark Document Retrieval

Registration Number: 3553017

Mark

Turbo

(words only): TURBO

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-04-14

Filing Date: 2008-01-02

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2008-12-30

Register: Principal

Law Office Assigned: LAW OFFICE 101

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2010-04-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Moshe Inc

DBA/AKA/TA/Formerly: DBA Scent-Sation

Address:

Moshe Inc
906 S. Los Angeles Street
Los Angeles, CA 90015
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 213-622-3620

Fax Number: 213-622-4473

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Colognes, perfumes

Basis: 1(a)

First Use Date: 2008-01-02

First Use in Commerce Date: 2008-01-02

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-04-14 - TTAB Release Case To Trademarks

2010-04-14 - Cancellation terminated for Proceeding

2010-04-14 - Cancellation dismissed for Proceeding

2010-02-24 - Section 7 amendment issued

2010-02-19 - Case Assigned To Post Registration Paralegal

2010-02-17 - TEAS Section 7 Request Received
2009-11-24 - Cancellation Instituted No. 999999
2008-12-30 - Registered - Principal Register
2008-10-14 - Published for opposition
2008-09-24 - Notice of publication
2008-09-10 - Law Office Publication Review Completed
2008-09-10 - Approved for Pub - Principal Register (Initial exam)
2008-09-10 - Teas/Email Correspondence Entered
2008-09-10 - Communication received from applicant
2008-09-10 - Assigned To LIE
2008-09-03 - TEAS Voluntary Amendment Received
2008-03-04 - Notification Of Non-Final Action E-Mailed
2008-03-04 - Non-final action e-mailed
2008-03-04 - Non-Final Action Written
2008-03-03 - Assigned To Examiner
2008-01-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

MANNY D. POKOTILOW
CAESAR, RIVISE, BERNSTEIN, COHEN ET AL.
1635 MARKET STREET 11TH FLOOR
PHILADELPHIA, CA 19103-2212
Phone Number: 213-622-3620
Fax Number: 213-622-4473

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:13:26 ET

Serial Number: 77700168 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark

**TURBO BOOSTER BRIGHTENING
POWDER**

(words only): TURBO BOOSTER BRIGHTENING POWDER

Standard Character claim: Yes

Current Status: A second request for extension of time to file a Statement of Use has been granted.

Date of Status: 2010-11-09

Filing Date: 2009-03-26

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

The Notice of Allowance Date is: 2009-11-03

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

**Attorney Assigned:
BLANE SUZANNE M**

Current Location: 700 -Intent To Use Section

Date In Location: 2010-11-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. philosophy, inc.

Address:

philosophy, inc.
3809 East Watkins Street
Phoenix, AZ 85034
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Non-medicated skin care preparations

Basis: 1(b)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "BRIGHTENING POWDER"

Prior Registration Number(s):

3524949

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-11-10 - Notice Of Approval Of Extension Request E-Mailed

2010-11-09 - Extension 2 granted

2010-11-01 - Extension 2 filed

2010-11-09 - Case Assigned To Intent To Use Paralegal

2010-11-01 - TEAS Extension Received

2010-05-05 - Notice Of Approval Of Extension Request E-Mailed
2010-05-03 - Extension 1 granted
2010-05-03 - Extension 1 filed
2010-05-03 - TEAS Extension Received
2009-11-03 - NOA Mailed - SOU Required From Applicant
2009-08-11 - Published for opposition
2009-07-22 - Notice of publication
2009-07-08 - Law Office Publication Review Completed
2009-07-06 - Assigned To LIE
2009-06-27 - Approved For Pub - Principal Register
2009-06-18 - Teas/Email Correspondence Entered
2009-06-18 - Communication received from applicant
2009-06-18 - TEAS Response to Office Action Received
2009-05-23 - Notification Of Non-Final Action E-Mailed
2009-05-23 - Non-final action e-mailed
2009-05-23 - Non-Final Action Written
2009-05-13 - Assigned To Examiner
2009-03-31 - New Application Office Supplied Data Entered In Tram
2009-03-30 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark A. Carlino

Correspondent

MARK A. CARLINO
LAW OFFICE OF MARK A. CARLINO, P.C.
28150 N. ALMA SCHOOL PKWY.
SUITE 103/PMB 617
SCOTTSDALE, AZ 85262
Phone Number: (480) 683-0286

Fax Number: (480) 683-0309

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:13:48 ET

Serial Number: 77160792 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3524949

Mark

TURBO BOOSTER C POWDER

(words only): TURBO BOOSTER C POWDER

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-10-28

Filing Date: 2007-04-19

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2008-10-28

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-09-24

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. philosophy, inc.

Address:

philosophy, inc.
3809 East Watkins Street
Phoenix, AZ 85034
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Non-medicated skin care preparations

Basis: 1(a)

First Use Date: 2007-09-26

First Use in Commerce Date: 2007-09-26

ADDITIONAL INFORMATION

Disclaimer: "POWDER"

Prior Registration Number(s):

3012097

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-10-28 - Registered - Principal Register

2008-09-24 - Law Office Registration Review Completed

2008-09-19 - Allowed for Registration - Principal Register (SOU accepted)

2008-09-11 - Statement Of Use Processing Complete

2008-09-05 - Use Amendment Filed

2008-09-11 - Case Assigned To Intent To Use Paralegal
2008-09-05 - TEAS Statement of Use Received
2008-08-19 - NOA Mailed - SOU Required From Applicant
2008-07-07 - Extension Of Time To Oppose Process - Terminated
2008-04-25 - Extension Of Time To Oppose Received
2008-04-22 - Published for opposition
2008-04-02 - Notice of publication
2008-03-17 - Law Office Publication Review Completed
2008-03-17 - Assigned To LIE
2008-02-26 - Approved For Pub - Principal Register
2008-02-06 - TEAS Change Of Correspondence Received
2008-02-06 - Teas/Email Correspondence Entered
2008-02-06 - Communication received from applicant
2008-02-06 - TEAS Response to Office Action Received
2007-08-06 - Notification Of Non-Final Action E-Mailed
2007-08-06 - Non-final action e-mailed
2007-08-06 - Non-Final Action Written
2007-07-27 - Assigned To Examiner
2007-05-24 - TEAS Change Of Correspondence Received
2007-04-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark A. Carlino

Correspondent

Mark A. Carlino

Law Office of Mark A. Carlino, P.C.

28150 N. Alma School Pkwy.

Suite 103/PMB 617

Scottsdale AZ 85262
Phone Number: (480) 683-0286
Fax Number: (480) 683-0309

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:14:30 ET

Serial Number: 79065057 Assignment Information Trademark Document Retrieval

Registration Number: 3746985

Mark

TURBO INSERT

(words only): TURBO INSERT

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-02-09

Filing Date: 2008-09-24

Transformed into a National Application: No

Registration Date: 2010-02-09

Register: Principal

Law Office Assigned: LAW OFFICE 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-02-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. REXAM DISPENSING SYSTEMS

Address:

REXAM DISPENSING SYSTEMS
15 bis, route nationale F-76470 LE TREPORT
France

Legal Entity Type: Société par actions simplifiée à associé unique (SASU)
State or Country Where Organized: France

GOODS AND/OR SERVICES

International Class: 003**Class Status:** Active

Soaps, essential oils, cosmetics, namely, lipsticks; lotions, namely, skin lotions, hair lotions, face lotions, body lotions, hair waving lotions, beauty lotions, bathing lotions, after-sun lotions, sun care lotions, skin cleansing lotions, shaving lotions; creams, namely, cosmetic creams, beauty creams, beauty cream soap, cosmetic creams for skin care, face and body beauty creams, cream soaps, face creams for cosmetic use, face creams, facial creams, hair care creams, skin creams. make-up removing milk, gel, lotions and creams; skin care preparations, namely, skin creams. gel and mousse

Basis: 66(a)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 005**Class Status:** Active

Pharmaceutical preparations for use in dermatology, for cleaning, peeling, toning, and moisturizing skin, hair, face, and body; pharmaceutical preparations for use in augmentation of soft tissue; sanitary preparations for medical purposes; dietetic substances for medical purposes, namely, dietetic foods adapted for medical use

Basis: 66(a)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 020**Class Status:** Active

Non-metallic sealing caps; sealing devices made of plastic, namely, plastic bottle stoppers, clips and plugs, non-metallic closures for valves other than parts of machines, corks, non-metal and non-paper closures for bottles and containers, non-metallic caps for bottles, plastic lids

Basis: 66(a)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 021**Class Status:** Active

Glass closures for dispenser systems in the nature of glass stoppers; mini-sprays in the nature of plastic spray nozzles, empty spray bottles, aerosol dispensers not for medical use, perfume atomizers sold empty, perfume sprayers sold empty, vaporizers for perfume sold empty; bottles sold empty; small plastic shampoo bottles sold empty; plastic containers, namely, plastic soap containers, plastic containers for toiletries; closures made of plastic for containers; manually actuated metal pump dispensers for attachment to containers for use in dispensing perfumes and cosmetic products; manually actuated metal pump dispensers for attachment to containers for use in dispensing aerosols and other containers; manually actuated plastic pump dispensers for attachment to containers for use in dispensing aerosols and other containers; devices made of plastic to be fixed on containers for the distribution of the content of said containers, namely, manually actuated pump dispensers for attachment to containers for use in dispensing liquids, aerosol dispensers not for medical use, plastic spray nozzles, perfume sprayers and atomizers sold empty; manually actuated plastic pump dispensers

for attachment to containers for use in dispensing perfumes and cosmetic products; plastic dispenser systems, namely, manually actuated pump dispensers for attachment to containers for use in dispensing liquids, aerosol dispensers not for medical use, plastic spray nozzles, perfume sprayers and atomizers sold empty, dispensers for household use, namely, manually actuated plastic pump dispensers for attachment to containers for use in dispensing cosmetics, perfumes, toiletries, soaps, lotions, disinfectants, creams, gel, and foam

Basis: 66(a)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "INSERT" APART FROM THE MARK AS SHOWN AS TO THE GOODS "SEALING DEVICES MADE OF PLASTIC, NAMELY, PLASTIC BOTTLE STOPPERS; PLUGS; CORKS" IN CLASS 20 AND "GLASS CLOSURES FOR DISPENSER SYSTEMS IN THE NATURE OF GLASS STOPPERS; MINI-SPRAYS IN THE NATURE OF PLASTIC SPRAY NOZZLES; PERFUME ATOMIZERS SOLD EMPTY, PERFUME SPRAYERS SOLD EMPTY, VAPORIZERS FOR PERFUME SOLD EMPTY; MANUALLY ACTUATED METAL PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING PERFUMES AND COSMETIC PRODUCTS; MANUALLY ACTUATED METAL PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING AEROSOLS AND OTHER CONTAINERS; MANUALLY ACTUATED PLASTIC PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING AEROSOLS AND OTHER CONTAINERS; DEVICES MADE OF PLASTIC TO BE FIXED ON CONTAINERS FOR THE DISTRIBUTION OF THE CONTENT OF SAID CONTAINERS, NAMELY, MANUALLY ACTUATED PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING LIQUIDS, PERFUME SPRAYERS AND ATOMIZERS SOLD EMPTY; MANUALLY ACTUATED PLASTIC PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING PERFUMES AND COSMETIC PRODUCTS; PLASTIC DISPENSER SYSTEMS, NAMELY, MANUALLY ACTUATED PUMP DISPENSERS FOR ATTACHMENT TO CONTAINERS FOR USE IN DISPENSING LIQUIDS, PERFUME SPRAYERS AND ATOMIZERS SOLD EMPTY, DISPENSERS FOR HOUSEHOLD USE, FOR HEALTHCARE, COSMETIC AND PERSONAL PURPOSES SOLD EMPTY FOR DISPENSING COSMETICS, PERFUMES, TOILETRIES, SOAPS, LOTIONS, DISINFECTANTS, CREAMS, GEL, FOAM IN CLASS 21."

MADRID PROTOCOL INFORMATION

International Registration Number: 0992511

International Registration Date: 2008-09-24

Priority Claimed: Yes

Date of Section 67 Priority Claim: 2008-09-22

International Registration Status: Request For Extension Of Protection Processed

Date of International Registration Status: 2009-03-05

International Registration Renewal Date: 2018-09-24

Notification of Designation Date: 2009-03-05

Date of Automatic Protection: 2010-09-05

Date International Registration Cancelled: (DATE NOT AVAILABLE)

First Refusal: Yes

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-01 - Final Disposition Notice Sent To IB
2010-06-01 - Final Disposition Processed
2010-05-09 - Final Disposition Notice Created, To Be Sent To IB
2010-02-09 - Registered - Principal Register
2009-11-24 - Published for opposition
2009-11-04 - Notice of publication
2009-10-20 - Law Office Publication Review Completed
2009-10-20 - Assigned To LIE
2009-10-15 - Examiner's amendment mailed
2009-10-15 - Approved for Pub - Principal Register (Initial exam)
2009-10-15 - Examiner's Amendment Entered
2009-10-15 - Examiners Amendment - Written
2009-09-15 - Teas/Email Correspondence Entered
2009-09-15 - Communication received from applicant
2009-09-15 - Assigned To LIE
2009-09-11 - TEAS Response to Office Action Received
2009-04-03 - Refusal Processed By IB
2009-03-11 - Non-Final Action Mailed - Refusal Sent To IB
2009-03-11 - Refusal Processed By MPU
2009-03-11 - Non-Final Action (Ib Refusal) Prepared For Review
2009-03-10 - Non-Final Action Written
2009-03-10 - Application Filing Receipt Mailed
2009-03-06 - Assigned To Examiner

2009-03-06 - New Application Office Supplied Data Entered In Tram

2009-03-05 - Sn Assigned For Sect 66a Appl From IB

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CABINET STRATO-IP

(M. Sébastien HAUTIERE)

14 rue Soleillet - (BL 57)

F-75020 Paris

FRANCE

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:14:52 ET

Serial Number: 77251082 Assignment Information Trademark Document Retrieval

Registration Number: 3541234

Mark

TURBO RECHARGER

(words only): TURBO RECHARGER

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-12-02

Filing Date: 2007-08-09

Transformed into a National Application: No

Registration Date: 2008-12-02

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-10-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. L'Oreal

Address:

L'Oreal
14 Rue Royale
Paris 75008
France

Legal Entity Type: SOCIETE ANONYME

State or Country Where Organized: France

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Non-medicated skincare preparation

Basis: 1(a)

First Use Date: 2008-01-00

First Use in Commerce Date: 2008-01-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-12-02 - Registered - Principal Register

2008-10-30 - Law Office Registration Review Completed

2008-10-27 - Allowed for Registration - Principal Register (SOU accepted)

2008-10-06 - Statement Of Use Processing Complete

2008-10-02 - Use Amendment Filed

2008-10-06 - Case Assigned To Intent To Use Paralegal

2008-10-02 - TEAS Statement of Use Received

2008-04-15 - NOA Mailed - SOU Required From Applicant

2008-01-22 - Published for opposition

2008-01-02 - Notice of publication
2007-12-14 - Law Office Publication Review Completed
2007-12-14 - Assigned To LIE
2007-11-07 - Approved For Pub - Principal Register
2007-11-07 - Assigned To Examiner
2007-08-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Robert L. Sherman

Correspondent
ROBERT L. SHERMAN
PAUL, HASTINGS, JANOFSKY & WALKER LLP
75 E 55TH ST
NEW YORK, NY 10022-3404
Phone Number: 212-318-6037
Fax Number: 212-318-6847

Domestic Representative
Robert L. Sherman
Phone Number: 212-318-6037
Fax Number: 212-318-6847

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:15:02 ET

Serial Number: 77406244 Assignment Information Trademark Document Retrieval

Registration Number: 3805242

Mark

TURBOLASH

(words only): TURBOLASH

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-06-22

Filing Date: 2008-02-26

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: 2010-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 104

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. ESTEE LAUDER INC.

Address:

ESTEE LAUDER INC.

767 Fifth Avenue

New York, NY 10153

United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Delaware**Phone Number:** (212) 277-2321**Fax Number:** (212) 277-2355

GOODS AND/OR SERVICES

International Class: 003**Class Status:** Active

Cosmetics

Basis: 1(a)**First Use Date:** 2008-07-16**First Use in Commerce Date:** 2008-07-16

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-06-22 - Registered - Principal Register

2010-04-06 - Notice Of Publication E-Mailed

2010-04-06 - Published for opposition

2010-02-27 - Law Office Publication Review Completed

2010-02-26 - Approved for Pub - Principal Register (Initial exam)

2010-02-17 - Teas/Email Correspondence Entered

2010-02-17 - Communication received from applicant
2010-02-17 - TEAS Request For Reconsideration Received
2009-10-14 - Notification Of Final Refusal Emailed
2009-10-14 - Final refusal e-mailed
2009-10-14 - Final Refusal Written
2009-10-08 - Amendment to Use approved
2009-09-19 - Amendment To Use Processing Complete
2009-09-19 - Use Amendment Filed
2009-09-18 - TEAS Amendment of Use Received
2009-09-18 - Teas/Email Correspondence Entered
2009-09-18 - Communication received from applicant
2009-09-18 - TEAS Response to Office Action Received
2009-03-18 - Notification Of Non-Final Action E-Mailed
2009-03-18 - NON-FINAL ACTION E-MAILED
2009-03-18 - Non-Final Action Written
2008-11-22 - Report Completed Suspension Check Case Still Suspended
2008-11-22 - Assigned To LIE
2008-11-21 - Teas/Email Correspondence Entered
2008-11-21 - Communication received from applicant
2008-11-21 - TEAS Response To Suspension Inquiry Received
2008-05-22 - Notification Of Letter Of Suspension E-Mailed
2008-05-22 - Letter of suspension e-mailed
2008-05-22 - Suspension Letter Written
2008-05-22 - Assigned To Examiner
2008-03-01 - Notice Of Pseudo Mark Mailed

2008-02-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lesley A. Moradian

Correspondent

LESLEY A. MORADIAN
THE ESTEE LAUDER COMPANIES INC.
767 5TH AVE FL 36
NEW YORK, NY 10153-0003
Phone Number: (212) 277-2321
Fax Number: (212) 277-2355

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Serial Number: 78063424 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2664650

Mark (words only): TURBOSHAVE

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2008-12-15

Filing Date: 2001-05-14

Transformed into a National Application: No

Registration Date: 2002-12-17

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-12-15

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WOODRIDGE LABS, INC.

Address:

WOODRIDGE LABS, INC.
 16217 KITTRIDGE STREET
 VAN NUYS, CA 91406
 United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
 Shaving Gel
Basis: 1(a)
First Use Date: 2002-04-26
First Use in Commerce Date: 2002-04-26

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

- 2009-09-02 - Assignment Of Ownership Not Updated Automatically
- 2009-08-26 - Assignment Of Ownership Not Updated Automatically
- 2008-12-15 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2008-12-05 - Assigned To Paralegal
- 2008-12-02 - TEAS Section 8 & 15 Received
- 2008-10-08 - Assignment Of Ownership Not Updated Automatically
- 2008-09-03 - Automatic Update Of Assignment Of Ownership
- 2008-08-20 - Assignment Of Ownership Not Updated Automatically
- 2008-08-13 - Assignment Of Ownership Not Updated Automatically
- 2008-07-16 - Automatic Update Of Assignment Of Ownership
- 2007-12-28 - Case File In TICRS
- 2002-12-17 - Registered - Principal Register
- 2002-10-09 - Allowed for Registration - Principal Register (SOU accepted)
- 2002-06-25 - Communication received from applicant

- 2002-06-25 - PAPER RECEIVED
- 2002-07-25 - Letter of suspension mailed
- 2002-07-17 - Statement Of Use Processing Complete
- 2002-06-18 - Use Amendment Filed
- 2002-06-24 - PAPER RECEIVED
- 2002-06-21 - PAPER RECEIVED
- 2001-12-18 - NOA Mailed - SOU Required From Applicant
- 2001-09-25 - Published for opposition
- 2001-09-05 - Notice of publication
- 2001-08-10 - Approved For Pub - Principal Register
- 2001-08-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
ROD S BERMAN

Correspondent
ROD S BERMAN
JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of the Stars, 7th Floor
LOS ANGELES CA 90067
Phone Number: 310-203-8080
Fax Number: 310-203-0567

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Serial Number: 75573459 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2352763

Mark (words only): TURBOSCRUB

Standard Character claim: No

Current Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: 2010-12-24

Filing Date: 1998-10-19

Transformed into a National Application: No

Registration Date: 2000-05-23

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2007-01-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WOODRIDGE LABS, INC.

Address:

WOODRIDGE LABS, INC.
16217 KITTRIDGE STREET
VAN NUYS, CA 91406
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 003
Class Status: Section 8 - Cancelled
BODY SCRUB FOR COSMETIC USE
Basis: 1(a)
First Use Date: 1999-09-09
First Use in Commerce Date: 1999-09-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2010-12-24 - Canceled Section 8 (10-year)/Expired Section 9
2009-09-02 - Assignment Of Ownership Not Updated Automatically
2009-08-26 - Assignment Of Ownership Not Updated Automatically
2008-10-08 - Assignment Of Ownership Not Updated Automatically
2008-09-03 - Automatic Update Of Assignment Of Ownership
2008-08-13 - Assignment Of Ownership Not Updated Automatically
2007-04-11 - Automatic Update Of Assignment Of Ownership
2007-01-10 - Section 8 (6-year) accepted
2007-01-08 - Assigned To Paralegal
2006-11-04 - Section 8 (6-year) filed
2006-11-04 - TEAS Section 8 Received
2006-11-04 - TEAS Section 8 Received
2006-11-04 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-11-04 - TEAS Change Of Owner Address Received
2006-03-29 - Case File In TICRS
2000-05-23 - Registered - Principal Register
2000-03-06 - Allowed for Registration - Principal Register (SOU accepted)
2000-01-10 - Statement Of Use Processing Complete
1999-11-23 - Use Amendment Filed
1999-08-17 - NOA Mailed - SOU Required From Applicant
1999-05-25 - Published for opposition
1999-04-23 - Notice of publication
1999-02-24 - Approved For Pub - Principal Register
1999-02-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent
ALEXANDRA VOLKMANN
P.O. BOX 3383
CARMEL, CA 93921
Phone Number: 951-246-9335
Fax Number: 951-672-9963

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-01-21 23:19:50 ET

Serial Number: 78302305 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2934223

Mark (words only): VOLUM' EXPRESS TURBO BOOST

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2010-05-05

Filing Date: 2003-09-18

Transformed into a National Application: No

Registration Date: 2005-03-15

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: M20 -TMO Law Office 111

Date In Location: 2010-05-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. L'Oreal USA Creative, Inc.

Address:

L'Oreal USA Creative, Inc.
575 Fifth Avenue
New York, NY 10017
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 212-984-4177

Fax Number: 212-984-5082

GOODS AND/OR SERVICES

International Class: 003
Class Status: Active
 Cosmetics, namely, mascara
Basis: 1(a)
First Use Date: 2004-01-00
First Use in Commerce Date: 2004-01-00

ADDITIONAL INFORMATION

Prior Registration Number(s):
 2221985

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

- 2010-05-05 - Section 8 (6-year) accepted & Section 15 acknowledged
- 2010-05-05 - Case Assigned To Post Registration Paralegal
- 2010-04-21 - TEAS Section 8 & 15 Received
- 2005-03-15 - Registered - Principal Register
- 2004-12-07 - Law Office Registration Review Completed
- 2004-12-06 - Assigned To LIE
- 2004-11-30 - Allowed for Registration - Principal Register (SOU accepted)
- 2004-11-26 - Statement Of Use Processing Complete
- 2004-11-16 - Use Amendment Filed
- 2004-11-16 - TEAS Statement of Use Received
- 2004-07-27 - NOA Mailed - SOU Required From Applicant
- 2004-05-04 - Published for opposition
- 2004-04-14 - Notice of publication

2004-02-15 - Approved For Pub - Principal Register

2004-02-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lisa M. Gigliotti

Correspondent

Lisa M. Gigliotti

L'OREAL USA CREATIVE, INC.

575 FIFTH AVENUE

34TH FLOOR

NEW YORK NY 10017

Phone Number: 212-984-4177

Fax Number: 212-984-5082

Document Description: **TEAS Section 7 Request**Mail / Create Date: **17-Feb-2010**

Next Page

You are currently on page of PTO Form 1597 (Rev 11/2007)
OMB No. 0651-0055 (Exp. 12/31/2011)

Section 7 Request Form

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	3553017
LAW OFFICE ASSIGNED	LAW OFFICE 101
SERIAL NUMBER	77362841
MARK SECTION (current)	
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	TURBO
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	003
IDENTIFICATION	
Colognes, perfumes and cosmetics; Cosmetics in general, including perfumes; Disinfecting perfumed soaps; Eau de perfume; Essential oils as perfume for laundry purposes; Liquid perfumes; Oils for perfumes and scents; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfumed creams; Perfumed extracts for tissues and perfumes; Perfumed paste; Perfumed powder; Perfumed powders; Perfumed soap; Perfumed soaps; Perfumed talcum powder; Perfumes; Perfuming sachets	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/02/2008
FIRST USE IN COMMERCE DATE	At least as early as 01/02/2008
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	003
IDENTIFICATION	Colognes and perfumes
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 01/02/2008

FIRST USE IN COMMERCE DATE	At least as early as 01/02/2008
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Registrant respectfully requests to amend the identification of goods covered under United States Certificate of Registration No. 3,553,017. In accordance with the terms of an Agreement between Registrant and Petitioner, Estee Lauder, Inc., re Cancellation Proceeding No. 92051773, Registrant has agreed to amend its goods to colognes and perfumes. All other goods listed in the registration should be deleted. In light of the foregoing, Registrant respectfully requestes an Amended Registration.
PAYMENT SECTION	
TOTAL AMOUNT	100
TOTAL FEES DUE	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Moshe Yhudai/
SIGNATORY'S NAME	Moshe Yhudai
SIGNATORY'S POSITION	President
DATE SIGNED	02/17/2010
REQUEST SIGNATURE	/mdp/
SIGNATORY'S NAME	Manny D. Pokotilow
SIGNATORY'S POSITION	Attorney of Record, Pennsylvania Bar Member
DATE SIGNED	02/17/2010
AUTHORIZED SIGNATORY	YES
CONCURRENT § 8, 8 &15, OR 8 &9 FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Feb 17 15:21:09 EST 2010
TEAS STAMP	USPTO/S7R-38.98.192.82-20 100217152109749318-355301 7-4606580e69df6d851e627cb 776ed9a9f032-DA-1852-2010 0217122135212330

To the Commissioner for Trademarks:

The registrant requests the following amendment(s) to registration no. **3553017**

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Registrant proposes to amend the following class of goods/services in the application:

Current: Class 003 for Colognes, perfumes and cosmetics; Cosmetics in general, including perfumes; Disinfecting perfumed soaps; Eau de perfume; Essential oils as perfume for laundry purposes; Liquid perfumes; Oils for perfumes and scents; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfumed creams; Perfumed extracts for tissues and perfumes; Perfumed paste; Perfumed powder; Perfumed powders; Perfumed soap; Perfumed soaps; Perfumed talcum powder; Perfumes; Perfuming sachets

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The registrant is using the mark in commerce, or the registrant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/02/2008 and first used in commerce at least as early as 01/02/2008, and is now in use in such commerce.

Proposed: Class 003 for Colognes and perfumes

Filing Basis: Section 1(a), Use in Commerce: The registrant is using the mark in commerce, or the registrant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 01/02/2008 and first used in commerce at least as early as 01/02/2008, and is now in use in such commerce.

ADDITIONAL STATEMENTS

Miscellaneous Statement(s)

Registrant respectfully requests to amend the identification of goods covered under United States Certificate of Registration No. 3,553,017. In accordance with the terms of an Agreement between Registrant and Petitioner, Estee Lauder, Inc., re Cancellation Proceeding No. 92051773, Registrant has agreed to amend its goods to colognes and perfumes. All other goods listed in the registration should be deleted. In light of the foregoing, Registrant respectfully requestes an Amended Registration.

FEE(S)

Fee(s) in the amount of \$100 is being submitted.

SIGNATURE(S)

Declaration Signature

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or document or any resulting registration, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Signature: /Moshe Yhudai/ Date: 02/17/2010

Signatory's Name: Moshe Yhudai

Signatory's Position: President

Request Signature

Signature: /mdp/ Date: 02/17/2010

Signatory's Name: Manny D. Pokotilow

Signatory's Position: Attorney of Record, Pennsylvania Bar Member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the registrant's attorney or an associate thereof; and to the best of his/her

knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the registrant in this matter: (1) the registrant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the registrant has filed a power of attorney appointing him/her in this matter; or (4) the registrant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is NOT filing a Declaration of Use of Mark under Section 8; a Combined Declaration of Use of Mark under Sections 8 & 15; or a Combined Declaration of Use of Mark/Application for Renewal of Registration of Mark under Sections 8 & 9 in conjunction with this Section 7 Request.

RAM Sale Number: 1852

RAM Accounting Date: 02/18/2010

Serial Number: 77362841

Internet Transmission Date: Wed Feb 17 15:21:09 EST 2010

TEAS Stamp: USPTO/S7R-38.98.192.82-20100217152109749

318-3553017-4606580e69df6d851e627cb776ed

9a9f032-DA-1852-20100217122135212330

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- **Technical help:** For instructions on how to use TDR, or help in resolving **technical** glitches, please e-mail TDR@uspto.gov. If outside of the normal business hours of the USPTO, please e-mail [Electronic Business Support](#), or call 1-800-786-9199.
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Please Note:

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