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Filing date: **12/04/2006**

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

Proceeding	78554795
Applicant	Cuban Cigar Brands, N.V.
Applied for Mark	CLASSIC COLLECTION
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Submission	Appeal Brief
Attachments	CLASSIC COLLECTION Appeal Brief.pdf ( 60 pages )(2285707 bytes )
Filer's Name	Charles W. Grimes
Filer's e-mail	Grimes@gandb.com, rutherford@gandb.com
Signature	/cwg/
Date	12/04/2006

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

In the Matter of Trademark Application Serial No. 78/554,795  
For the Mark CLASSIC COLLECTION  
By Applicant Cuban Cigar Brands, N.V.  
Filed on January 27, 2005

**EX PARTE APPEAL BRIEF**

GRIMES & BATTERSBY, LLP  
Charles W. Grimes, Esq.  
Jessica S. Rutherford, Esq.  
488 Main Avenue, Third Floor  
Norwalk, CT 06851  
(203) 849-8300

Attorneys for Applicant Cuban Cigar  
Brands, N.V.

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## **STATEMENT OF THE ISSUES**

The sole issue before the Board, pursuant to Section 2(e)(1) of the Lanham Act, is whether Applicant's mark, CLASSIC COLLECTION, when applied to Applicant's goods, is merely descriptive.

## **RECITATION OF THE FACTS**

### **A. PROCEDURAL HISTORY**

Applicant, Cuban Cigar Brands, N.V., filed its application, serial number 78/554,795, for U.S. federal registration of the CLASSIC COLLECTION trademark on the Principal Register in International Class 34 for "cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco" on or about January 27, 2005. The application was filed pursuant to Section 1(b) of the Lanham Act.

An Office Action, issued August 29, 2005, stated that the mark merely describes the goods and must be refused registration on the Principal Register, under Section 2(e)(1).

On February 28, 2006, Cuban Cigar Brands, N.V. filed a Response to the Office Action, contesting the Examining Attorney's claim that the mark is descriptive of the goods.

An Office Action, issued on April 6, 2006, made the refusal final under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1). The instant ex parte appeal was instituted on October 3, 2006.

### **B. EVIDENCE OF RECORD**

The file of the subject application, including the Office Action, dated August 29, 2005, Applicant's Response to the Office Action, dated February 28, 2006, the Office Action, dated April 6, 2006, and the Exhibits thereto are of record pursuant to 37 C.F.R. §2.142. Applicant further

submits copies of the following registrations, as well as applications for which notices of allowances have issued, for various marks that include the wording “classic collection” (Applicant’s Exhibit 1):

<u>Mark</u>	<u>Reg./Serial No.</u>	<u>Goods</u>	<u>Disclaimer</u>
THE CLASSIC COLLECTION	1,353,985	printed goods/ business card cases	collection
CLASSIC COLLECTION	2,457,951	wooden doors	collection
THE CLASSIC COLLECTION	1,602,105	lampshades	NONE
CLASSIC COLLECTION	1,488,450	business card cases	collection
CLASSIC LIVING COLLECTION	2,716,534	vinyl siding	collection
WALT DISNEY CLASSICS COLLECTION	3,094,956	figurines	collection
CLASSIC HOME COLLECTION	2,882,429	drapery hardware	collection
CLASSIC COLLECTION	1,623,454	decorative switch plate covers	NONE
CLASSIC COLLECTION	2,362,942	water closets/sinks/ lavatories	collection
CLASSIC COLLECTION	2,294,169	paints	collection
THE CLASSIC COLLECTION	1,648,544	cleaning implements	NONE
THE CLASSIC COLLECTION	78/399,207	travel agency tours	collection
SEGA CLASSICS COLLECTION	76/607,941	video game software	collection

## ARGUMENT

### APPLICANT'S CLASSIC COLLECTION MARK IS NOT MERELY DESCRIPTIVE OF APPLICANT'S GOODS

The Examining Attorney has refused to register Applicant's mark on the Principal Register on the ground that the mark merely describes the goods. Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1); TMEP §§ 1209 *et seq.* Applicant respectfully disagrees with the conclusion reached by the Examining Attorney and submits that the mark is not descriptive. Rather, it is arbitrary.

A mark is merely descriptive if it immediately conveys information concerning a significant ingredient, quality, characteristic, feature, function, purpose, subject matter or use of applicant's goods. *In re Gyulay*, 820 F.2d 1216, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987); *In re Abcor Development Corp.*, 588 F.2d 811, 200 U.S.P.Q. 215, 217 (C.C.P.A. 1978). Conversely, a mark is considered arbitrary if it is in common use but, when used with the goods in issue, it neither suggests nor describes any ingredient, quality or characteristic of those goods. *Tisch Hotels, Inc. v. Americana Inn, Inc.*, 350 F.2d 609 (7th Cir. 1965). To the extent that there are doubts on whether a mark is merely descriptive, said doubts are resolved in favor of the applicant. *In re Gourmet Bakers, Inc.*, 173 U.S.P.Q. 565 (T.T.A.B. 1972).

Section 2(e)(1) explicitly states that the mark must be considered in relation to the goods of the applicant. The descriptiveness of the mark seeking registration is determined on the basis of the goods or services as set forth in the application. *McCarthy on Trademarks and Unfair Competition* § 11:51 (2005); *In re Vehicle Information Network Inc.*, 32 U.S.P.Q.2d 1542 (T.T.A.B. 1994). Therefore, the Examining Attorney must consider the applicant's goods as identified in the application and those goods only.

In the present case, Applicant seeks registration of the mark CLASSIC COLLECTION for cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco. The Examining Attorney incorrectly considers the mark in relation to some presumed goods, not necessarily those of the Applicant. The Examining Attorney states that “the wording at issue indicates two characteristics of the applicant’s goods: they are of a well-known type, and they are grouped together” and goes on to proffer evidence demonstrating use of the terms “classic cigar” and “cigar collection.” However, Applicant in no way asserts that its cigars, little cigars, roll-your-own-tobacco, pipe tobacco and smokeless tobacco will be of a well-known type or that Applicant will group them together. In fact, there is no indication whatsoever of the type of cigars, little cigars, roll-your-own-tobacco, pipe tobacco and smokeless tobacco Applicant will offer for sale. Rather than describing Applicant’s goods, the CLASSIC COLLECTION mark is arbitrary.

In determining whether a mark is merely descriptive, it is instructive to look to *No Nonsense Fashions, Inc. v. Consolidated Foods Corp.*, 226 U.S.P.Q. 502, 507 (T.T.A.B. 1985), in which the Trademark Trial and Appeal Board adopted the following three-part test: 1) the degree of imagination; 2) competitor's use; and 3) competitor's need.

**A. APPLICANT’S MARK REQUIRES A DEGREE OF IMAGINATION  
(FIRST NO NONSENSE FACTOR)**

Under the degree of imagination test, the more imagination that is required on the customer's part to perceive the nature of the goods, the less likely it is that the mark will be considered descriptive. A descriptive term clearly conveys an immediate idea about the characteristics of the goods. *McCarthy* § 11:67. Conversely, an arbitrary mark, when used with the goods in issue, neither suggests nor describes any ingredient, quality or characteristic of those goods, though it may comprise a word in common linguistic use. *McCarthy* § 11:11.

Here, the mark is CLASSIC COLLECTION for use in connection with cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco. As stated above, there is no evidence in the record that the goods will be of a “classic” type (whatever that may be) or that they will be grouped together. In fact, the application does not even indicate that the cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco will be of any particular type, well-known or otherwise. Accordingly, the mark does not immediately convey the nature of Applicant's goods.

Furthermore, it is unclear what a “classic collection” of cigars, little cigars, roll-your-own tobacco, pipe tobacco or smokeless tobacco might be. According to the Examining Attorney’s dictionary definition, to the extent that any goods can be grouped together, they can form a “collection,” and to the extent that any type of good becomes well-known, it can be called “classic”. That would mean that the words “collection” and “classic” are de jure descriptive of any type of good at all and can never warrant trademark protection, which is most assuredly not true. The Sixth Circuit soundly rejected the fallacy that the word “classic” is “unworthy of protection” because it is a “common word.” *Wynn Oil Co. v. Thomas*, 839 F.2d 1183 (6th Cir. 1988). The same principle applies to the word “collection,” also a common word.

CLASSIC COLLECTION for Applicant’s cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco is an arbitrary mark worthy of trademark protection.

**B. APPLICANT’S COMPETITORS DO NOT NEED THE MARK TO DESCRIBE THEIR GOODS (SECOND NO NONSENSE FACTOR)**

The second prong for determining whether a mark is descriptive is the competitor's need test. Essentially, this test considers whether the applicant's competitors need the mark to describe their goods. The less need there is by competitors to use the mark, the less likely the mark is to be considered descriptive. *McCarthy* § 11:68.

Because the mark is arbitrary when used in connection with cigars, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco, competitors clearly do not need the wording "classic collection" to describe their goods. There is a wealth of other terms with which to describe these goods. Furthermore, competitors will not be deprived of the right to use the terms "classic" and "collection" in their descriptive, non-trademark connotation if, in fact, as the Examining Attorney alleges, use of these words would be appropriate when the goods in question are of a well-known type grouped together.

C. **APPLICANT'S COMPETITORS HAVE NOT USED THE MARK FOR SIMILAR GOODS (THIRD NO NONSENSE FACTOR)**

The third prong of the test for determining whether a mark is merely descriptive is the extent to which competitors have used the mark for similar goods. Frequent use by others is an indication that the mark is descriptive. *McCarthy* § 11:69.

Here, the Examining Attorney has not cited any prior usage (registered or otherwise) of the wording "classic collection" for goods in International Class 34. Instead, the Examining Attorney has submitted Internet evidence showing use of the terms "classic cigar" and "cigar collection." However, the Examining Attorney has failed to submit any evidence showing use of the wording "classic collection" in association with cigars, let alone cigars, little cigars, roll-your-own tobacco, pipe tobacco or smokeless tobacco.

The Examining Attorney's Internet evidence of excerpted articles do not even refer to any of the other goods described in the application, namely, little cigars, roll-your-own tobacco, pipe tobacco and smokeless tobacco. Accordingly, the evidence is irrelevant to the present inquiry with regard to these other tobacco products.

Furthermore, even use of the terms "classic cigar" and "cigar collection" certainly cannot be considered widespread or "so frequent that consumers are unlikely to perceive the terms when

used in the manner of a trademark as indicating source or origin." *No Nonsense Fashions*, 226 U.S.P.Q. at 507.

**D. APPLICANT'S CLASSIC COLLECTION MARK SHOULD NOT BE DENIED REGISTRATION ON THE PRINCIPAL REGISTER**

Applicant notes that several marks containing the wording "classic collection" were registered on the Principal Register for various goods and services and were not filed on a Section 2(f) basis or required to disclaim the entire term "classic collection" (*see* Applicant's Exhibit 1). Put another way, the registrants of these marks did not have to show that their purportedly otherwise descriptive marks had acquired distinctiveness.

While all of the prior registrations listed above (*see* App. Exh. 1) are believed to be relevant and are believed to support Applicant's request for allowance, the Board's attention is particularly directed to the following prior registrations, in which neither the word "classic" nor the word "collection" is disclaimed:

THE CLASSIC COLLECTION for "lampshades"

CLASSIC COLLECTION for "decorative switchplate covers and electric night lights"

THE CLASSIC COLLECTION for "cleaning implements, namely, brooms, brushes, mops and squeegees"

Presumably, i.e., applying the Examining Attorney's reasoning, each of these goods could be described as "classic" in some sense or other, and each of them can be grouped together as a "collection," as can almost any number of goods, if one is so inclined. The fact that each of these marks is nevertheless registered on the Principal Register without any disclaimer whatsoever demonstrates the fallacy of the Examining Attorney's position. The wording "classic collection" was not determined to be merely descriptive of these goods, just as it is not descriptive of Applicant's goods.

This evidence further confirms that Applicant's mark as a whole is not merely descriptive and is properly entitled to be registered on the Principal Register.

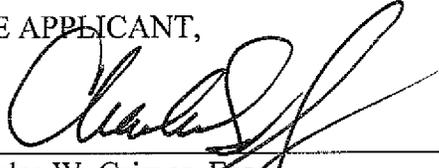
**SUMMARY**

For the reasons stated herein, Applicant respectfully urges the Board to sustain this Appeal and grant registration of Applicant's Application Serial No. 78/554,795.

Dated: Norwalk, Connecticut  
December 4, 2006

Respectfully submitted,

THE APPLICANT,

By: 

Charles W. Grimes, Esq.  
Jessica S. Rutherford, Esq.  
Grimes & Battersby LLP  
488 Main Avenue, Third Floor  
Norwalk, CT 06851  
(203) 849-8300  
Attorneys for the Applicant Cuban Cigar  
Brands, N.V.

Int. Cls.: 16 and 18

Prior U.S. Cls.: 3 and 37

**United States Patent and Trademark Office** **Reg. No. 1,353,985**  
Registered Aug. 13, 1985

**TRADEMARK  
PRINCIPAL REGISTER**

*The Classic Collection*

SAMSILL CORPORATION (TEXAS CORPORATION)  
4301 MANSFIELD HIGHWAY  
FORT WORTH, TX 76119

FOR: NOTEPAD COVERS AND HOLDERS,  
FIVE-YEAR PLANNING DESK ORGANIZERS,  
BINDERS, FILES FOR BUSINESS CARDS AND  
ADDRESSES, AND CHECKBOOK COVERS, IN  
CLASS 16 (U.S. CL. 37).

FIRST USE 1-0-1981; IN COMMERCE  
1-0-1981.

FOR: BRIEFCASE-TYPE PORTFOLIOS AND  
BUSINESS CARD CASES, IN CLASS 18 (U.S.  
CL. 3).

FIRST USE 1-0-1981; IN COMMERCE  
1-0-1981.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COLLECTION", APART  
FROM THE MARK AS SHOWN.

SER. NO. 498,294, FILED 9-7-1984.

DEBORAH S. COHN, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:10:17 ET**

**Serial Number:** 73498294 Assignment Information

**Registration Number:** 1353985

**Mark**

*The Classic Collection*

**(words only):** THE CLASSIC COLLECTION

**Standard Character claim:** No

**Current Status:** Registration canceled under Section 8.

**Date of Status:** 2006-05-20

**Filing Date:** 1984-09-07

**Transformed into a National Application:** No

**Registration Date:** 1985-08-13

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**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](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2005-12-07

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

---

1. SAMSILL CORPORATION

**Address:**

SAMSILL CORPORATION  
4301 MANSFIELD HIGHWAY  
FORT WORTH, TX 76119  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Texas

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**GOODS AND/OR SERVICES**

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**International Class:** 016

**Class Status:** Section 8 - Cancelled

NOTEPAD COVERS AND HOLDERS, FIVE-YEAR PLANNING DESK ORGANIZERS, BINDERS, FILES FOR BUSINESS CARDS AND ADDRESSES, AND CHECKBOOK COVERS

**Basis:** 1(a)

**First Use Date:** 1981-01-00

**First Use in Commerce Date:** 1981-01-00

**International Class:** 018

**Class Status:** Section 8 - Cancelled

BRIEFCASE-TYPE PORTFOLIOS AND BUSINESS CARD CASES

**Basis:** 1(a)

**First Use Date:** 1981-01-00

**First Use in Commerce Date:** 1981-01-00

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-05-20 - Canceled Section 8 (10-year)/Expired Section 9

1991-06-20 - Section 8 (6-year) accepted & Section 15 acknowledged

1991-05-23 - Response received for Post Registration action

1991-01-30 - Post Registration action mailed Section 8 & 15

1990-10-15 - Section 8 (6-year) and Section 15 Filed

1985-08-13 - Registered - Principal Register

1985-06-04 - Published for opposition

1985-05-03 - Notice of publication

1985-04-01 - Approved for Pub - Principal Register (Initial exam)

1985-02-13 - Communication received from applicant

1985-01-30 - Non-final action mailed

1984-12-27 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

JOHN W. MICHENER, JR.

**Correspondent**

CLARK R. COWLEY  
GANDY MICHENER SWINDLE  
3500 CITY CENTER TOWER II  
301 COMMERCE STREET  
FORTH WORTH, TX 76102-4135

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**Int. Cl.: 19**

**Prior U.S. Cls.: 1, 12, 33, and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,457,951**

**Registered June 5, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

*Classic* **COLLECTION**

**FLORIDA MADE DOOR COMPANY, INC.  
(FLORIDA CORPORATION)  
13700 VIRGINIA AVENUE  
ASTATULA, FL 34705**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COLLECTION" , APART FROM  
THE MARK AS SHOWN.**

**FOR: WOODEN DOORS, IN CLASS 19 (U.S. CLS. 1,  
12, 33 AND 50).**

**SN 75-597,382, FILED 12-1-1998.**

**FIRST USE 9-7-2000; IN COMMERCE 9-7-2000.**

**MARK T. MULLEN, EXAMINING ATTORNEY**

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

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**Serial Number: 75597382 Assignment Information**

**Registration Number: 2457951**

**Mark**

*Classic* **COLLECTION**

**(words only): CLASSIC COLLECTION**

**Standard Character claim: No**

**Current Status: Registered.**

**Date of Status: 2001-06-05**

**Filing Date: 1998-12-01**

**Transformed into a National Application: No**

**Registration Date: 2001-06-05**

**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: 40S -Scanning On Demand**

**Date In Location: 2006-10-13**

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

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1. Florida Made Door Company, Inc.

**Address:**

Florida Made Door Company, Inc.  
13700 Virginia Avenue  
Astatula, FL 34705  
United States

**Legal Entity Type: Corporation**

**State or Country of Incorporation:** Florida

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**GOODS AND/OR SERVICES**

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**International Class:** 019

**Class Status:** Active

WOODEN DOORS

**Basis:** 1(a)

**First Use Date:** 2000-09-07

**First Use in Commerce Date:** 2000-09-07

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-10-13 - Case File In TICRS

2001-06-05 - Registered - Principal Register

2001-01-18 - Allowed for Registration - Principal Register (SOU accepted)

2001-01-10 - Assigned To Examiner

2001-01-06 - Statement of use processing complete

2000-10-26 - Amendment to Use filed

2000-06-13 - Notice of allowance - mailed

2000-03-21 - Published for opposition

2000-02-18 - Notice of publication

2000-01-29 - Approved for Pub - Principal Register (Initial exam)

2000-01-18 - Examiner's amendment mailed

1999-08-09 - Non-final action mailed

1999-07-16 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Barry C. Kane

**Correspondent**

BARRY C KANE  
MILLER JOHNSON SNELL & CUMMISKEY PLC  
PO BOX 306  
250 MONROE AVENUE NW SUITE 800  
GRAND RAPIDS MICHIGAN 49501-0306

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**Int. Cl.: 11**

**Prior U.S. Cls.: 21 and 32**

**United States Patent and Trademark Office** **Reg. No. 1,602,105**  
**Registered June 19, 1990**

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**TRADEMARK  
PRINCIPAL REGISTER**

**THE CLASSIC COLLECTION**

**DIANE STUDIOS, INC. (NEW YORK CORPO-  
RATION)  
34 35TH STREET  
BROOKLYN, NY 11232**

**FIRST USE 7-0-1984; IN COMMERCE  
7-0-1984.**

**SER. NO. 73-743,815, FILED 8-3-1988.**

**FOR: LAMPSHADES, IN CLASS 11 (U.S. CLS.  
21 AND 32).**

**CANDICE ABATE, EXAMINING ATTORNEY**

Latest Status Info

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

This page was generated by the TARR system on 2006-11-30 12:10:38 ET

Serial Number: 73743815 Assignment Information

Registration Number: 1602105

Mark (words only): THE CLASSIC COLLECTION

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2001-01-26

Filing Date: 1988-08-03

Transformed into a National Application: No

Registration Date: 1990-06-19

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

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: 2001-01-29

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

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1. DIANE STUDIOS, INC.

**Address:**

DIANE STUDIOS, INC.  
34 35TH STREET  
BROOKLYN, NY 11232  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** New York

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**GOODS AND/OR SERVICES**

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**International Class:** 011

**Class Status:** Active

LAMPSHADES

**Basis:** 1(a)

**First Use Date:** 1984-07-00

**First Use in Commerce Date:** 1984-07-00

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2001-01-26 - First renewal 10 year  
2001-01-26 - Section 8 (10-year) accepted/ Section 9 granted  
2000-06-21 - Combined Section 8 (10-year)/Section 9 filed  
1996-09-07 - Section 8 (6-year) accepted & Section 15 acknowledged  
1996-06-12 - Section 8 (6-year) and Section 15 Filed  
1990-06-19 - Registered - Principal Register  
1990-03-27 - Published for opposition  
1990-03-01 - Notice of publication  
1990-01-18 - Approved for Pub - Principal Register (Initial exam)  
1989-08-21 - Petition To Revive-Granted  
1989-06-30 - Petition To Revive-Received  
1989-06-13 - Abandonment - Failure To Respond Or Late Response  
1988-09-27 - Non-final action mailed

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**  
GEORGE GOTTLIEB

**Correspondent**  
GEORGE GOTTLIEB  
GOTTLIEB, RACKMAN & REISMAN, P.C.  
270 MADISON AVENUE  
NEW YORK, NY 10016-0601

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Latest Status Info

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

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**Serial Number:** 73671334 Assignment Information

**Registration Number:** 1488450

**Mark (words only):** CLASSIC COLLECTION

**Standard Character claim:** No

**Current Status:** Section 8 and 15 affidavits have been accepted and acknowledged.

**Date of Status:** 1993-09-16

**Filing Date:** 1987-07-13

**Transformed into a National Application:** No

**Registration Date:** 1988-05-17

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**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:** 1993-10-26

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

---

1. SAMSILL CORPORATION

**Address:**

SAMSILL CORPORATION  
4301 MANSFIELD HIGHWAY  
FORT WORTH, TX 76119  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Texas

---

**GOODS AND/OR SERVICES**

---

**International Class:** 018

**Class Status:** Active

BRIEFCASE-TYPE PORTFOLIOS AND BUSINESS CARD CASES

**Basis:** 1(a)

**First Use Date:** 1981-01-00

**First Use in Commerce Date:** 1981-01-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "COLLECTION"

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

1993-09-16 - Section 8 (6-year) accepted & Section 15 acknowledged

1993-06-03 - Section 8 (6-year) and Section 15 Filed

1988-05-17 - Registered - Principal Register

1988-02-23 - Published for opposition

1988-01-22 - Notice of publication

1987-12-08 - Approved for Pub - Principal Register (Initial exam)

1987-11-16 - Communication received from applicant

1987-10-27 - Non-final action mailed

1987-09-22 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

CLARK R. COWLEY

**Correspondent**

CLARK R. COWLEY

3500 CITY CENTER TOWER II

301 COMMERCE STREET

FORT WORTH, TX 76102-4135

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**Int. Cl.: 19**

**Prior U.S. Cls.: 1, 12, 33, and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,716,534**

**Registered May 13, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**CLASSIC LIVING COLLECTION**

ALCOA INC. (PENNSYLVANIA CORPORATION)  
ALCOA CORPORATE CENTER  
201 ISABELLA STREET  
PITTSBURGH, PA 152125858

FOR: VINYL SIDING FOR SALE THROUGH  
BUILDING PRODUCT DISTRIBUTORS AND LUM-  
BER YARDS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND  
50).

FIRST USE 1-15-2001; IN COMMERCE 1-15-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COLLECTION", APART FROM  
THE MARK AS SHOWN.

SN 78-019,945, FILED 8-7-2000.

KELLY BOULTON, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:13:48 ET**

**Serial Number:** 78019945 Assignment Information

**Registration Number:** 2716534

**Mark (words only):** CLASSIC LIVING COLLECTION

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-05-13

**Filing Date:** 2000-08-07

**Transformed into a National Application:** No

**Registration Date:** 2003-05-13

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 102

**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:** 2003-05-19

---

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

---

1. ALCOA HOME EXTERIORS, INC

**Address:**  
ALCOA HOME EXTERIORS, INC  
1590 OMEGA DRIVE OMEGA CORPORATE CENTER  
PITTSBURGH, PA 15205  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Ohio

---

**GOODS AND/OR SERVICES**

---

**International Class:** 019  
**Class Status:** Active  
Vinyl siding for sale through building product distributors and lumber yards  
**Basis:** 1(a)  
**First Use Date:** 2001-01-15  
**First Use in Commerce Date:** 2001-01-15

---

**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-09-20 - Automatic Update Of Assignment Of Ownership

2006-08-23 - Attorney Revoked And/Or Appointed

2006-08-23 - TEAS Revoke/Appoint Attorney Received

2003-05-13 - Registered - Principal Register

2003-03-22 - Allowed for Registration - Principal Register (SOU accepted)

2003-02-19 - Communication received from applicant

2003-02-19 - PAPER RECEIVED

2002-12-20 - Non-final action mailed

2002-11-22 - Assigned To Examiner

2002-11-20 - Statement of use processing complete

2002-10-17 - Amendment to Use filed

2002-10-17 - TEAS Statement of Use Received

2002-08-13 - Notice of allowance - mailed

2002-05-21 - Published for opposition

2002-05-01 - Notice of publication

2002-01-17 - Approved for Pub - Principal Register (Initial exam)

2001-12-01 - Assigned To Examiner

2001-11-30 - Assigned To Examiner

2001-07-12 - Communication received from applicant

2001-06-25 - Final refusal mailed

2001-03-07 - Communication received from applicant

2001-01-17 - Non-final action mailed

2001-01-04 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

James H. Donoian, G. Roxanne Elings, David Greenberg, Jessica Turko, David Saenz, Anna Dalla Val, Dana Schuessler, Daniel Schloss and all attorneys

**Correspondent**

James H. Donoian, G. Roxanne Elings, Dav  
Greenberg Traurig LLP  
200 Park Avenue  
New York NY 10166  
Phone Number: 212 801 9200  
Fax Number: 212 801 6400

---

**Int. Cl.: 21**

**Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50**

**Reg. No. 3,094,956**

**United States Patent and Trademark Office**

**Registered May 23, 2006**

**TRADEMARK  
PRINCIPAL REGISTER**

**WALT DISNEY  
CLASSICS  
COLLECTION**

DISNEY ENTERPRISES, INC. (DELAWARE CORPORATION)  
500 SOUTH BUENA VISTA STREET  
BURBANK, CA 91521

OWNER OF U.S. REG. NO. 2,759,132.

FOR: FIGURINES MADE OF CERAMICS AND/OR PORCELAIN, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COLLECTION", APART FROM THE MARK AS SHOWN.

FIRST USE 12-31-1992; IN COMMERCE 12-31-1992.

THE NAME IN THE MARK DOES NOT IDENTIFY A LIVING INDIVIDUAL.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-420,024, FILED 5-17-2004.

MATTHEW PAPPAS, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:14:12 ET**

**Serial Number:** 78420024 Assignment Information

**Registration Number:** 3094956

**Mark**

WALT DISNEY  
CLASSICS  
COLLECTION

**(words only):** WALT DISNEY CLASSICS COLLECTION

**Standard Character claim:** Yes

**Current Status:** Registered.

**Date of Status:** 2006-05-23

**Filing Date:** 2004-05-17

**Transformed into a National Application:** No

**Registration Date:** 2006-05-23

**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](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2006-05-23

---

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

---

1. Disney Enterprises, Inc.

**Address:**

Disney Enterprises, Inc.  
500 South Buena Vista Street  
Burbank, CA 91521  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

**Phone Number:** 818-560-6636

**Fax Number:** 818-560-6636

---

**GOODS AND/OR SERVICES**

---

**International Class:** 021

**Class Status:** Active

Figurines made of ceramics and/or porcelain

**Basis:** 1(a)

**First Use Date:** 1992-12-31

**First Use in Commerce Date:** 1992-12-31

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "collection"

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

**Prior Registration Number(s):**

2759132

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-11-10 - TEAS Change Of Correspondence Received

2006-05-23 - Registered - Principal Register

2006-02-28 - Published for opposition

2006-02-08 - Notice of publication

2006-01-13 - Law Office Publication Review Completed

2006-01-13 - Assigned To LIE

2006-01-11 - Approved for Pub - Principal Register (Initial exam)

2006-01-05 - Amendment From Applicant Entered

2005-12-20 - Communication received from applicant

2005-12-20 - PAPER RECEIVED

2005-06-29 - NON-FINAL ACTION E-MAILED

2005-06-29 - Non-Final Action Written

2005-06-10 - Amendment From Applicant Entered  
2005-05-23 - Communication received from applicant  
2005-05-23 - PAPER RECEIVED  
2004-11-24 - Non-final action e-mailed  
2004-11-24 - Non-Final Action Written  
2004-11-19 - Assigned To Examiner  
2004-05-24 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Joseph Quigley

**Correspondent**

Steven Plotkin  
The Walt Disney Company  
500 South Buena Vista Street  
Burbank CA 91521  
Phone Number: 818-560-7646  
Fax Number: 818-848-6424

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**Int. Cl.: 20**

**Prior U.S. Cls.: 2, 13, 22, 25, 32, and 50**

**United States Patent and Trademark Office**

**Reg. No. 2,882,429**

**Registered Sep. 7, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**CLASSIC HOME COLLECTION**

HOUSE PARTS, INC. (GEORGIA CORPORATION)  
479 WHITEHALL STREET, SW  
ATLANTA, GA 30303

FOR: NON-METAL DRAPERY HARDWARE,  
NAMELY, FINIALS, MEDALLIONS, TIEBACKS,  
BRACKETS, DRAPERY POLES, AND RINGS, IN  
CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 4-29-2003; IN COMMERCE 4-29-2003.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "COLLECTION", APART FROM  
THE MARK AS SHOWN.

SN 76-421,466, FILED 6-14-2002.

KATHLEEN M. VANSTON, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:14:40 ET**

**Serial Number:** 76421466 Assignment Information

**Registration Number:** 2882429

**Mark (words only):** CLASSIC HOME COLLECTION

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2004-09-07

**Filing Date:** 2002-06-14

**Transformed into a National Application:** No

**Registration Date:** 2004-09-07

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 103

**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:** 2004-09-16

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

---

1. House Parts, Inc.

**Address:**

House Parts, Inc.  
479 Whitehall Street, SW  
Atlanta, GA 30303  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Georgia

---

**GOODS AND/OR SERVICES**

---

**International Class:** 020

**Class Status:** Active

Non-metal drapery hardware, namely, finials, medallions, tiebacks, brackets, drapery poles, and rings

**Basis:** 1(a)

**First Use Date:** 2003-04-29

**First Use in Commerce Date:** 2003-04-29

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2004-09-07 - Registered - Principal Register  
2004-06-15 - Allowed for Registration - Principal Register (SOU accepted)  
2004-06-03 - Statement of use processing complete  
2004-05-20 - Amendment to Use filed  
2004-05-28 - Case File In TICRS  
2004-05-20 - PAPER RECEIVED  
2004-01-06 - TEAS Change Of Correspondence Received  
2003-11-25 - Notice of allowance - mailed  
2003-09-02 - Published for opposition  
2003-08-13 - Notice of publication  
2003-06-24 - Approved for Pub - Principal Register (Initial exam)  
2003-04-29 - Communication received from applicant  
2003-04-30 - Communication received from applicant  
2003-04-30 - PAPER RECEIVED  
2002-10-29 - Non-final action mailed  
2002-10-22 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**  
Sumner C. Rosenberg

**Correspondent**  
SUMNER C. ROSENBERG  
NEEDLE & ROSENBERG, P.C.

Latest Status Info

Suite 1000  
999 Peachtree Street  
Atlanta GA 30309-3915  
Phone Number: 678-420-9300  
Fax Number: 678-420-9301

---

Int. Cls.: 9 and 11

Prior U.S. Cl.: 21

**United States Patent and Trademark Office** **Reg. No. 1,623,454**  
Registered Nov. 20, 1990

**TRADEMARK  
PRINCIPAL REGISTER**

*Classic  
Collection* \_\_\_\_\_

AMERICAN TACK & HARDWARE CO., INC.  
(NEW YORK CORPORATION)  
25 ROBERT PITT DRIVE  
MONSEY, NY 10952

FOR: DECORATIVE SWITCHPLATE  
COVERS, IN CLASS 9 (U.S. CL. 21).  
FIRST USE 11-30-1988; IN COMMERCE  
8-31-1989.

FOR: ELECTRIC NIGHT LIGHTS, IN CLASS  
11 (U.S. CL. 21).  
FIRST USE 11-30-1988; IN COMMERCE  
8-31-1989.

SER. NO. 74-029,444, FILED 1-16-1990.

LINDA E. BOHANNON, EXAMINING ATTOR-  
NEY

Latest Status Info

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

This page was generated by the TARR system on 2006-11-30 12:09:48 ET

Serial Number: 74029444 Assignment Information

Registration Number: 1623454

Mark

*Classic  
Collection*

(words only): CLASSIC COLLECTION

Standard Character claim: No

Current Status: Registration canceled under Section 8:

Date of Status: 1997-05-26

Filing Date: 1990-01-16

Transformed into a National Application: No

Registration Date: 1990-11-20

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

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](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 900 -File Repository (Franconia)

Date In Location: 1990-12-04

---

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

---

1. American Tack & Hardware Co., Inc.

**Address:**

American Tack & Hardware Co., Inc.

25 Robert Pitt Drive

Monsey, NY 10952

United States

Legal Entity Type: Corporation

**State or Country of Incorporation:** New York

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009  
**Class Status:** Section 8 - Cancelled  
DECORATIVE SWITCHPLATE COVERS  
**Basis:** 1(a)  
**First Use Date:** 1988-11-30  
**First Use in Commerce Date:** 1989-08-31

**International Class:** 011  
**Class Status:** Section 8 - Cancelled  
ELECTRIC NIGHT LIGHTS  
**Basis:** 1(a)  
**First Use Date:** 1988-11-30  
**First Use in Commerce Date:** 1989-08-31

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**ADDITIONAL INFORMATION**

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**Design Search Code(s):**  
26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)  
26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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1997-05-26 - Canceled Section 8 (6-year)  
1990-11-20 - Registered - Principal Register  
1990-08-28 - Published for opposition  
1990-07-28 - Notice of publication  
1990-06-02 - Approved for Pub - Principal Register (Initial exam)  
1990-06-02 - Assigned To Examiner  
1990-05-15 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**  
David Goldberg

**Correspondent**

David goldberg  
COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-6799

---

**Int. Cl.: 11**

**Prior U.S. Cls.: 13, 21, 23, 31, and 34**

**Reg. No. 2,362,942**

**United States Patent and Trademark Office**

**Registered June 27, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**

**CLASSIC COLLECTION**

CR/PL, L.L.C. (DELAWARE LIMITED LIABILITY  
COMPANY)  
1235 HARTREY AVENUE  
EVANSTON, IL 60202

FOR: WATER CLOSETS, SINKS, AND LAVATORIES,  
IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND  
34).

FIRST USE 7-0-1999; IN COMMERCE 7-0-1999.  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT  
TO USE "COLLECTION", APART FROM THE  
MARK AS SHOWN.

SN 75-469,431, FILED 4-17-1998.

SCOTT BALDWIN, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:04:12 ET**

**Serial Number:** 75469431 Assignment Information

**Registration Number:** 2362942

**Mark (words only):** CLASSIC COLLECTION

**Standard Character claim:** No

**Current Status:** Section 8 and 15 affidavits have been accepted and acknowledged.

**Date of Status:** 2006-09-11

**Filing Date:** 1998-04-17

**Transformed into a National Application:** No

**Registration Date:** 2000-06-27

**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:** 830 -Post Registration

**Date In Location:** 2006-09-11

---

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

---

1. CRANE PLUMBING LLC

**Address:**

CRANE PLUMBING LLC  
1235 HARTREY AVENUE  
EVANSTON, IL 60202  
United States

**Legal Entity Type:** Ltd Liab Co

**State or Country Where Organized:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 011

**Class Status:** Active

water closets, sinks, and lavatories

**Basis:** 1(a)

**First Use Date:** 1999-07-00

**First Use in Commerce Date:** 1999-07-00

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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- 2006-09-11 - Section 8 (6-year) accepted & Section 15 acknowledged
  - 2006-09-07 - Assigned To Paralegal
  - 2006-06-26 - Section 8 (6-year) and Section 15 Filed
  - 2006-06-26 - TEAS Section 8 & 15 Received
  - 2006-03-17 - Case File In TICRS
  - 2000-06-27 - Registered - Principal Register
  - 2000-05-11 - Allowed for Registration - Principal Register (SOU accepted)
  - 2000-04-18 - Assigned To Examiner
  - 2000-04-13 - Statement of use processing complete
  - 2000-02-17 - Amendment to Use filed
  - 1999-12-07 - Notice of allowance - mailed
  - 1999-09-14 - Published for opposition
  - 1999-08-13 - Notice of publication
  - 1999-06-07 - Approved for Pub - Principal Register (Initial exam)
  - 1999-05-10 - Communication received from applicant
  - 1999-02-09 - Non-final action mailed
  - 1999-01-29 - Assigned To Examiner
  - 1999-01-11 - Assigned To Examiner
- 

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**  
LAWRENCE A SWAIN

**Correspondent**

LAWRENCE A SWAIN  
SHUGHART THOMSON & KILROY PC  
9225 INDIAN CREEK PARKWAY, SUITE 1100  
OVERLAND PARK, KANSAS 66210

---



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
www.uspto.gov

REGISTRATION NO: 2294169 SERIAL NO: 75/485345 MAILING DATE: 12/06/2005  
REGISTRATION DATE: 11/23/1999  
MARK: CLASSIC COLLECTION  
REGISTRATION OWNER: Davis-Frost, Inc.

**CORRESPONDENCE ADDRESS:**

LAURA J. HEIN  
GRAY, PLANT, MOOTY, MOOTY & BENNETT, PA  
P.O. BOX 2906  
MINNEAPOLIS MN 55402-0906

**NOTICE OF ACCEPTANCE**

15 U.S.C. Sec. 1058(a)(1)

THE COMBINED AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

\*\*\*\*\*

**NOTICE OF ACKNOWLEDGEMENT**

15 U.S.C. Sec. 1065

THE AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 15 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1065.

ACCORDINGLY, THE SECTION 15 AFFIDAVIT IS ACKNOWLEDGED.

\*\*\*\*\*

**THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):**  
002.

ROBERTS, SHARON YVONNE  
PARALEGAL SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION  
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION  
ORIGINAL**

## **REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION**

### **I) SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

**Failure to file the Section 8 Affidavit will result in the cancellation of the registration.**

### **II) SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration.

**Failure to file the Application for Renewal will result in the expiration of the registration.**

**NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.**

Latest Status Info

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

This page was generated by the TARR system on 2006-11-30 12:05:02 ET

Serial Number: 75485345 Assignment Information

Registration Number: 2294169

Mark (words only): CLASSIC COLLECTION

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2005-12-06

Filing Date: 1998-05-14

Transformed into a National Application: No

Registration Date: 1999-11-23

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: 830 -Post Registration

Date In Location: 2005-12-06

---

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

---

1. Davis-Frost, Inc.

**Address:**

Davis-Frost, Inc.  
P.O. Box 10578 3416 Candler's Mountain Road  
Lynchburg, VA 245060578  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Minnesota

---

**GOODS AND/OR SERVICES**

---

**International Class:** 002

**Class Status:** Active

Protective and decorative interior and exterior coatings in the nature of paints

**Basis:** 1(a)

**First Use Date:** 1991-09-00

**First Use in Commerce Date:** 1991-09-00

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2005-12-06 - Section 8 (6-year) accepted & Section 15 acknowledged

2005-12-02 - Assigned To Paralegal

2005-08-31 - Section 8 (6-year) and Section 15 Filed

2005-08-31 - TEAS Section 8 & 15 Received

2004-11-05 - TEAS Change Of Correspondence Received

1999-11-23 - Registered - Principal Register

1999-05-13 - Extension Of Time To Oppose Received

1999-04-13 - Published for opposition

1999-03-12 - Notice of publication

1999-02-01 - Approved for Pub - Principal Register (Initial exam)

1999-01-26 - Examiner's amendment mailed

1999-01-22 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

LAURA J. HEIN

**Correspondent**

LAURA J. HEIN

GRAY, PLANT, MOOTY, MOOTY & BENNETT, PA

P.O. BOX 2906

MINNEAPOLIS MN 55402-0906

Phone Number: 612-632-3000

Fax Number: 612-632-4444

---

**Int. Cl.: 21**

**Prior U.S. Cl.: 29**

**United States Patent and Trademark Office**

**Reg. No. 1,648,544**

**Registered June 18, 1991**

**TRADEMARK  
PRINCIPAL REGISTER**

**THE CLASSIC COLLECTION**

SUNSHINE INDUSTRIES, INC. (OHIO CORPORATION)  
1111 EAST 200TH STREET  
CLEVELAND, OH 44117

FOR: CLEANING IMPLEMENTS; NAMELY,  
BROOMS, BRUSHES, MOPS AND SQUEEGEES,  
IN CLASS 21 (U.S. CL. 29).

FIRST USE 7-0-1990; IN COMMERCE  
7-0-1990.

SN 74-036,023, FILED 3-8-1990.

ELLEN A. RUBEL, EXAMINING ATTORNEY

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

**This page was generated by the TARR system on 2006-11-30 12:06:16 ET**

**Serial Number:** 74036023 Assignment Information

**Registration Number:** 1648544

**Mark (words only):** THE CLASSIC COLLECTION

**Standard Character claim:** No

**Current Status:** Registration canceled under Section 8.

**Date of Status:** 1997-12-22

**Filing Date:** 1990-03-08

**Transformed into a National Application:** No

**Registration Date:** 1991-06-18

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 13

**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:** 1996-06-04

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

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1. SUNSHINE INDUSTRIES, INC.

**Address:**

SUNSHINE INDUSTRIES, INC.

1111 East 200th Street

Cleveland, OH 44117

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Ohio

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**GOODS AND/OR SERVICES**

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**International Class:** 021

**Class Status:** Section 8 - Cancelled

cleaning implements; namely, brooms, brushes, mops and squeegees

**Basis:** 1(a)

**First Use Date:** 1990-07-00

**First Use in Commerce Date:** 1990-07-00

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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- 1997-12-22 - Canceled Section 8 (6-year)
- 1996-05-30 - Cancellation terminated for Proceeding
- 1996-05-30 - Cancellation dismissed for Proceeding
- 1994-12-05 - Cancellation Instituted No. 999999
- 1991-06-18 - Registered - Principal Register
- 1991-03-04 - Allowed for Registration - Principal Register (SOU accepted)
- 1991-02-28 - Assigned To Examiner
- 1991-02-19 - Statement of use processing complete
- 1991-01-28 - Amendment to Use filed
- 1990-11-20 - Notice of allowance - mailed
- 1990-08-28 - Published for opposition
- 1990-07-28 - Notice of publication
- 1990-06-26 - Approved for Pub - Principal Register (Initial exam)

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Daniel J. Sammon

**Correspondent**

Daniel J. Sammon  
Watts, Hoffmann, Fisher & Heinke Co.  
100 Erieview Plaza  
Suite 2850  
Cleveland, OH 44114-1824

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U.S. Patent and Trademark Office (USPTO)

NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Aug 2, 2005

Kevin G. Smith  
SUGHRUE MION, PLLC  
Suite 800  
2100 Pennsylvania Ave., N.W.  
Washington, DC 20037-3213

ATTORNEY  
REFERENCE NUMBER

S8470

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use " and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important informaton. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

**The following information should be reviewed for accuracy:**

SERIAL NUMBER: 78/399207  
MARK: THE CLASSIC COLLECTION (STANDARD CHARACTER MARK)  
OWNER: Expedia, Inc.  
Suite 400  
13810 SE Eastgate Way  
Bellevue , WASHINGTON 98005

This application has the following bases, but not necessarily for all listed goods/services:  
Section 1(a): NO                      Section 1(b): YES                      Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

039 - Organizing and arranging custom and packaged vacation trips, travel tours and sightseeing tours, and on-location golf, sports and entertainment activities and activities packages sold as a part thereof; wholesale and retail travel agency services, namely making reservations and bookings for air, ground and sea transportation services; organizing and arranging ground escorted and self-driving tours and excursions

043 - Wholesale and retail travel agency services, namely making reservations and booking for temporary lodging at hotels, resorts, condominiums

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

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ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS

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

**This page was generated by the TARR system on 2006-11-30 12:15:59 ET**

**Serial Number:** 78399207 Assignment Information

**Registration Number:** (NOT AVAILABLE)

**Mark**

**THE CLASSIC  
COLLECTION**

**(words only):** THE CLASSIC COLLECTION

**Standard Character claim:** Yes

**Current Status:** A request for the second extension of time to file a statement of use has been granted.

**Date of Status:** 2006-05-30

**Filing Date:** 2004-04-09

**The Notice of Allowance Date is:** 2005-08-02

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 117

**Attorney Assigned:**  
MATTHEWS AMOS THOMAS Employee Location

**Current Location:** 700 -Intent To Use Section

**Date In Location:** 2005-08-02

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

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1. Expedia, Inc.

**Address:**  
Expedia, Inc.  
Suite 400 13810 SE Eastgate Way  
Bellevue, WA 98005  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Washington

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**GOODS AND/OR SERVICES**

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**International Class:** 039

**Class Status:** Active

Organizing and arranging custom and packaged vacation trips, travel tours and sightseeing tours, and on-location golf, sports and entertainment activities and activities packages sold as a part thereof; wholesale and retail travel agency services, namely making reservations and bookings for air, ground and sea transportation services; organizing and arranging ground escorted and self-driving tours and excursions

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 043

**Class Status:** Active

Wholesale and retail travel agency services, namely making reservations and booking for temporary lodging at hotels, resorts, condominiums

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

**Prior Registration Number(s):**

1093417

1416966

1428765

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-05-30 - Extension 2 granted

2006-05-30 - Extension 2 filed

2006-05-30 - TEAS Extension Received

2006-01-30 - Extension 1 granted

2006-01-30 - Extension 1 filed

2006-01-30 - TEAS Extension Received

2005-08-02 - Notice of allowance - mailed

2005-05-10 - Published for opposition  
2005-04-20 - Notice of publication  
2005-01-25 - Law Office Publication Review Completed  
2004-12-17 - Approved for Pub - Principal Register (Initial exam)  
2004-12-17 - EXAMINERS AMENDMENT E-MAILED  
2004-12-17 - Examiners Amendment -Written  
2004-10-29 - Amendment From Applicant Entered  
2004-10-20 - Communication received from applicant  
2004-10-29 - Assigned To LIE  
2004-10-20 - PAPER RECEIVED  
2004-10-15 - PAPER RECEIVED  
2004-09-01 - Examiner's Amendment Entered  
2004-09-03 - Assigned To LIE  
2004-09-01 - Examiner's Amendment And/Or Priority Action E-Mailed  
2004-09-01 - SU - Examiner's Amendment And/Or Priority Action - Written  
2004-08-31 - Assigned To Examiner  
2004-04-20 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**  
Kevin G. Smith

**Correspondent**  
Kevin G. Smith  
SUGHRUE MION, PLLC  
Suite 800  
2100 Pennsylvania Ave., N.W.  
Washington, DC 20037-3213  
Phone Number: 202-775-7566  
Fax Number: 202-293-7860

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U.S. Patent and Trademark Office (USPTO)

**NOTICE OF ALLOWANCE**

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Oct 11, 2005

JAY K. MEADWAY  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
1735 MARKET ST FL 51  
PHILADELPHIA PA 19103-7599

ATTORNEY  
REFERENCE NUMBER

095782

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use " and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important informaton. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

**The following information should be reviewed for accuracy:**

SERIAL NUMBER: 76/607941  
MARK: SEGA CLASSICS COLLECTION (STANDARD CHARACTER MARK)  
OWNER: Kabushiki Kaisha Sega  
1-2-12, Haneda, Ohta-ku  
Tokyo , JAPAN

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

009 - video game software; computer game programs

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

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**ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS**

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

This page was generated by the TARR system on 2006-11-30 12:16:50 ET

Serial Number: 76607941 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

# SEGA CLASSICS COLLECTION

(words only): SEGA CLASSICS COLLECTION

Standard Character claim: Yes

**Current Status:** The final review before registration has been completed for this Intent to Use application and it will register in due course.

**Date of Status:** 2006-11-27

**Filing Date:** 2004-08-17

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 114

**Attorney Assigned:**  
STRASER RICHARD A Employee Location

**Current Location:** M5X -TMO Law Office 114 - Examining Attorney Assigned

**Date In Location:** 2006-11-15

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

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1. Kabushiki Kaisha Sega

**Address:**  
Kabushiki Kaisha Sega  
1-2-12, Haneda, Ohta-ku  
Tokyo  
Japan

**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Japan

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**GOODS AND/OR SERVICES**

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**International Class:** 009  
**Class Status:** Active  
video game software  
**Basis:** 1(a)  
**First Use Date:** 2005-03-22  
**First Use in Commerce Date:** 2005-03-22

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**ADDITIONAL INFORMATION**

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**Disclaimer:** "COLLECTION"

**Prior Registration Number(s):**  
1050573  
1566116  
2315166

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-11-27 - Law Office Registration Review Completed  
2006-11-24 - Assigned To LIE  
2006-11-15 - Allowed for Registration - Principal Register (SOU accepted)  
2006-11-15 - Amendment From Applicant Entered  
2006-11-01 - Communication received from applicant  
2006-11-01 - PAPER RECEIVED  
2006-06-05 - Assigned To Examiner  
2006-05-19 - Non-final action mailed  
2006-05-18 - SU - Non-Final Action - Written  
2006-04-16 - Statement of use processing complete  
2006-03-29 - Amendment to Use filed  
2006-03-29 - TEAS Statement of Use Received  
2005-10-11 - Notice of allowance - mailed  
2005-07-19 - Published for opposition

2005-06-29 - Notice of publication

2005-04-12 - Law Office Publication Review Completed

2005-04-01 - Assigned To LIE

2005-03-30 - Approved for Pub - Principal Register (Initial exam)

2005-03-18 - Assigned To Examiner

2004-08-31 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

JAY K. MEADWAY

**Correspondent**

JAY K. MEADWAY

BALLARD SPAHR ANDREWS & INGERSOLL, LLP

1735 MARKET ST FL 51

PHILADELPHIA PA 19103-7599

Phone Number: 215-864-8101

Fax Number: 215-864-9803

**Domestic Representative**

Ballard Spahr Andrews & Ingersoll, LLP

Phone Number: 215-665-8500

Fax Number: 215-864-8999

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