

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79130383
LAW OFFICE ASSIGNED	LAW OFFICE 103
MARK SECTION (no change)	
ARGUMENT(S)	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_3867194146-20140905192737294352_._Request_for_Reconsideration_-_plasticine.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\303\79130383\xml10\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\303\79130383\xml10\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\303\79130383\xml10\RFR0004.JPG
ORIGINAL PDF FILE	evi_1-3867194146-20140905192737294352_._Prior_Materials_Registrations.pdf
CONVERTED PDF FILE(S) (25 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\303\79130383\xml10\RFR0005.JPG
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	\\TICRS\EXPORT16\IMAGEOUT16\791\303\79130383\xml10\RFR0029.JPG
DESCRIPTION OF EVIDENCE FILE	Argument and prior registrations using "modelling materials"
GOODS AND/OR SERVICES SECTION (008)(no change)	
GOODS AND/OR SERVICES SECTION (016)(current)	
INTERNATIONAL CLASS	016
DESCRIPTION	
Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; instructional and teaching materials in the field of modelling and crafts	
GOODS AND/OR SERVICES SECTION (016)(proposed)	
INTERNATIONAL CLASS	016
TRACKED TEXT DESCRIPTION	
Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; instructional and teaching materials in the field of modelling and crafts ; <u>printed</u>	

[instructional and teaching materials in the field of modelling and crafts](#)

FINAL DESCRIPTION

Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; printed instructional and teaching materials in the field of modelling and crafts

GOODS AND/OR SERVICES SECTION (028)(current)

INTERNATIONAL CLASS	028
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DESCRIPTION

Toys, games and playthings, namely, hobby and modelling sets, comprised of modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards

GOODS AND/OR SERVICES SECTION (028)(proposed)

INTERNATIONAL CLASS	028
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TRACKED TEXT DESCRIPTION

~~Toys, games and playthings, namely, hobby and modelling sets, comprised of modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards;~~ [Toys, games and playthings, namely, hobby and modelling sets, comprised of toy modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards](#)

FINAL DESCRIPTION

Toys, games and playthings, namely, hobby and modelling sets, comprised of toy modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards

ADDITIONAL STATEMENTS SECTION

DESCRIPTION OF THE MARK
(and Color Location, if applicable)

The mark consists of a white, cloud shaped thought bubble, outlined in grey, with the word PLASTICINE in stylized lettering, where the P is red, the L is green, the A is purple, the S is pink, the T is blue, the first I is orange, the C is green, the second I is purple, the N is pink, and the E is red. Beneath the word PLASTICINE in smaller grey type is the phrase IMAGINE THE FUN!. Two additional smaller white thought bubbles outlined in grey appear below the bottom right of the main bubble. All of the mark is on a red background.

SIGNATURE SECTION

RESPONSE SIGNATURE	/colleenfgoss/
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SIGNATORY'S NAME	Colleen Flynn Goss
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SIGNATORY'S POSITION	Attorney of record, Ohio bar member
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SIGNATORY'S PHONE NUMBER	216.363.9000
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DATE SIGNED	09/05/2014
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AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Sep 05 19:52:26 EDT 2014
TEAS STAMP	USPTO/RFR-38.67.194.146-2 0140905195226894235-79130 383-500376881eb6177427dc8 ade57d6c5cc69c873239692ae cb78781c7060e6-N/A-N/A-20 140905192737294352

PTO Form 1960 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 07/31/2017)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79130383** has been amended as follows:

ARGUMENT(S)

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

EVIDENCE

Evidence in the nature of Argument and prior registrations using "modelling materials" has been attached.

Original PDF file:

[evi_3867194146-20140905192737294352_.Request_for_Reconsideration_-_plasticine.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

Original PDF file:

[evi_1-3867194146-20140905192737294352_.Prior_Materials_Registrations.pdf](#)

Converted PDF file(s) (25 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)
[Evidence-7](#)
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[Evidence-24](#)
[Evidence-25](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 016 for Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; instructional and teaching materials in the field of modelling and crafts

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; ~~instructional and teaching materials in the field of modelling and crafts~~; [printed instructional and teaching materials in the field of modelling and crafts](#)

Class 016 for Craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; printed instructional and teaching materials in the field of modelling and crafts

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

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

Current: Class 028 for Toys, games and playthings, namely, hobby and modelling sets, comprised of modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture

cards

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Toys, games and playthings, namely, hobby and modelling sets, comprised of modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards;~~ Toys, games and playthings, namely, hobby and modelling sets, comprised of toy modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards

Class 028 for Toys, games and playthings, namely, hobby and modelling sets, comprised of toy modelling material, shape cutters, shaping tools, molds, play mats, plastic rollers, picture trays, and picture cards

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

ADDITIONAL STATEMENTS

Description of mark

The mark consists of a white, cloud shaped thought bubble, outlined in grey, with the word PLASTICINE in stylized lettering, where the P is red, the L is green, the A is purple, the S is pink, the T is blue, the first I is orange, the C is green, the second I is purple, the N is pink, and the E is red. Beneath the word PLASTICINE in smaller grey type is the phrase IMAGINE THE FUN!. Two additional smaller white thought bubbles outlined in grey appear below the bottom right of the main bubble. All of the mark is on a red background.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /colleenfgoss/ Date: 09/05/2014

Signatory's Name: Colleen Flynn Goss

Signatory's Position: Attorney of record, Ohio bar member

Signatory's Phone Number: 216.363.9000

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: 79130383

Internet Transmission Date: Fri Sep 05 19:52:26 EDT 2014

TEAS Stamp: USPTO/RFR-38.67.194.146-2014090519522689
4235-79130383-500376881eb6177427dc8ade57
d6c5cc69c873239692aeb78781c7060e6-N/A-N
/A-20140905192737294352

Request for Reconsideration



SN 79130383

September 5, 2014

On March 5, 2014, the Examining Attorney issued a Final refusal to register the mark  in light of the prior registration for IMAGINE THE FUN. Applicant respectfully requests reconsideration of this refusal. In addition, Applicant has made some but not all requested changes to the identification of goods for the reasons noted below. Applicant also respectfully requests that the Examining Attorney accept the goods as now stated.

Section 2(d) Refusal

The Examining Attorney is correct when she states that (1) “the *mere* addition of a term to a registered mark *generally* does not obviate the similarity between the marks” (emphasis added); (2) in “a composite mark containing both words and a design, the word portion may be more likely to be impressed upon a purchaser’s memory and to be used when requesting the goods and/or services”; and (3) the focus of a consumer “is on the recollection of the average purchaser, who normally retains a general rather than specific impression of trademarks.” However, it appears that the Examining attorney’s application of these principles is not commensurate with the realities of this application. Applicant respectfully request reconsideration of the refusal to register based on the following arguments.

The Examining Attorney makes the foregoing statement and then cites several cases for the foregoing proposition. However, one must look to the facts of those cases and to the realities of the instant situation. The marks which the Board considered in the cases cited by the Examining Attorney involved the addition of a term to the shared *first term*. The Examining Attorney has applied case law that does not fit the current facts. The holding in the case cited by the Examining Attorney and the cases cited therein was actually: “Our precedent instructs that adding a term to a shared first term does not necessarily obviate likelihood of confusion. *See, In re Chatam Int’l Inc.*, 380 F.3d 1340, 71 USPQ2d 1944 (Fed. Cir. 2004) (GASPAR’S ALE and JOSE GASPAR GOLD); *Cola-Cola Bottling Co. v. Joseph E. Seagrams & Sons, Inc.*, 526 F.2d 556, 188 USPQ 105 (CCPA 1975) (BENGAL and BENGAL LANCER); *Lilly Pulitzer, Inc. v. Lilli Ann Corp.*, 376 F.2d 324, 153 USPQ 406 (CCPA 1967) (THE LILLY and LILLI ANN); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (“CAREER IMAGE” AND “CREST CAREER IMAGES”); *In re Riddle*, 225 USPQ 630 (TTAB 1985) (“ACCUTUNE” and “RICHARD PETTY’S ACCU TUNE”). Generally, the cases which stand for the proposition that one cannot merely add a word to an already registered mark to create a new protectable mark, deal with a descriptive or laudatory term added to a distinctive term. *See for example, American Express Marketing & Development Corp. v. Gilad Development Corp.*, 94 USPQ2d 1294 (TTAB 2010) (addition of laudatory term GRAND). In the instant case, the word PLASTICINE appears with the phrase IMAGINE THE FUN. This is the addition of a distinctive

It is well settled that one feature of a mark may be more significant than another, and it is not improper to give more weight to the dominant term in determining the commercial impression created by the mark. *In re National Data Corp.*, 753 F.2d 1056, 224 USPQ 749, 751 (Fed. Cir. 1985) (“There is nothing improper in stating that, for rational reasons, more or less weight has been given to a particular feature of a mark, provided the ultimate conclusion rests on consideration of the marks in their entireties. Indeed, this type of analysis appears to be unavoidable.”). *See Hewlett-Packard Co. v. Packard Press*,

Request for Reconsideration



SN 79130383

September 5, 2014

Inc., 281 F.3d 1261, 62 USPQ2d 1001, 1004 (Fed. Cir. 2002). Where Applicant and the Examining Attorney diverge is considering what the dominant portion of the mark is. The already registered mark PLASTICINE is clearly the dominant portion of the mark. The slogan IMAGINE THE FUN is somewhat weak as applied to toys. After all, the point of toys is to have fun. However, descriptive words in slogans are not required to be disclaimed. Given the somewhat descriptive nature of the slogan, Applicant's mark is clearly dominated by the term PLASTICINE.

One cannot disregard the common phrase IMAGINE THE FUN in comparing the marks. However, in the comparison of the respective marks as a whole, the phrase is entitled to less weight than the distinguishing term PLASTICINE in the likelihood of confusion analysis. Contrary to the Examining

Attorney's assertion that consumers "upon seeing the [] trademark are likely to believe its use is related to use of the Imagine The Fun trademark" is just not realistic. It is almost like Imagine The Fun is an afterthought in Applicant's mark. The average consumer sees PLASTICINE. That is what the average consumer will remember. That is how the average consumer will call for the product. This combined with the fact that the cited registration is for services NOT a product, no matter that they are both in the toy field, distinguishes the marks. To find otherwise strains the bounds of credulity. Again, As the court in *Pocket Books, Inc. v. Dell Publishing Co.*, 49 Misc. 2d 596, 268 N.Y.S. 2d 46, 149 USPQ 466 (1966) held, "there simply must be some limits to the claimed asininity of the buying public."

Moreover, the Examining Attorney has refused the registration of  in all classes. There is no real basis for refusal in classes 8 and 16. The goods in these classes are: *hand tools and hand implements for use in modelling and in working modelling material, namely plastic and wooden modelling tools for cutting, trimming, shaping and forming modelling material and craft paper; craft paper articles and cardboard articles namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and crafts; books in the field of modelling and crafts; paint brushes; modelling clay; instructional and teaching materials in the field of modelling and crafts.* The services recited in the cited registration are: *retail services through direct solicitation by salespersons directed to end-users featuring toys, balls and toy sports equipment.* It is understandable that there might be points to argue that the cited services might be related to goods in class 28. However, the Examining Attorney has cited no evidence and there is no evidence that the goods in classes 8 and/or 16 are related enough to the cited services to even raise a concern. At a minimum, the registration should go forward with these classes.

Identification of Goods

Applicant has included the word "written" in the class 16 identification of goods and the word "toy" in the class 28 identification. However, Applicant has not changed the word "material" to "dough." Applicant believes that this may not be an accurate description of its goods.

Applicant is the owner of Registration No. 3705388 for the mark PLASTICINE. The '388 registration covers *Toys, games and playthings, namely, hobby craft and modeling kits comprising modeling material, shape cutters, shaping tools, moulds, play mats, plastic rollers, picture trays and picture card.*

Request for Reconsideration



SN 79130383

September 5, 2014

TMEP §1402.01(a) - General Guidelines for Acceptable Identifications of Goods or Services states:

With few exceptions, an identification of goods and services will be considered acceptable if it:

- Describes the goods and/or services so that an English speaker could understand what the goods and/or services are, even if the grammar or phrasing is not optimal;
- Meets the *standards* (not necessarily the language) set forth in the ID Manual;
- Is not a class heading; and
- Is in the correct class, i.e., there is no language in the identification that makes classification difficult or ambiguous; each class lists goods or services that are clearly in a single class.

Deference should be given to the language set forth by the applicant in the original application.

The term modeling material is found in prior registrations on the Principal Register, copies of which are attached. There is no technological advancement that would render these previously acceptable identifications no longer acceptable. The word describes the goods and meets the standards of the ID Manual. Indeed the term is used in class 16. The addition of the word "toy" places the goods in the appropriate class. There is no reason that the word "dough" needs to be used to describe the product.

Moreover, TMEP §702.03(a)(iii) Companion Registrations states in part: "Generally, in the later application, the examining attorney should act consistently with the registration, unless it would be clear error (see TMEP §706.01) to act consistently." Applicant respectfully requests consistency regarding the identification of goods among its marks.

For these reasons, Applicant respectfully requests that the Examining Attorney withdraw the refusal under Section 2(d) and accept the identification of goods as currently drafted.



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PLASTICINE

Word Mark PLASTICINE

Goods and Services IC 008. US 023 028 044. G & S: Hand tools and hand implements for use in modeling and in working modeling material, namely, plastic and wooden modeling tools, namely, plastic and wooden cutters and shapers for use in working modeling material

IC 016. US 002 005 022 023 029 037 038 050. G & S: Craft paper; craft paper articles and cardboard articles, namely, pictures; printed matter, namely, magazines and leaflets relating to modeling and craft; books in the field of modeling and craft; stationery; paint brushes; modeling clay; printed instructional and teaching materials in the field of modeling and craft

IC 028. US 022 023 038 050. G & S: Toys, games and playthings, namely, hobby craft and modeling kits comprising modeling material, shape cutters, shaping tools, moulds, play mats, plastic rollers, picture trays and picture card

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Trademark Search Facility Classification Code SHAPES-MISC Miscellaneous shaped designs

Serial Number 79036983

Filing Date February 13, 2007

Current Basis 66A

Original Filing Basis 66A

Published for Opposition August 18, 2009

Registration Number 3705388

**International
Registration
Number** 0920204
**Registration
Date** November 3, 2009
Owner (REGISTRANT) Flair Leisure Products Plc Limited Company UNITED KINGDOM Anne Boleyn House
9-13 Ewell Road Cheam, Surrey SM3 8BZ UNITED KINGDOM
**Attorney of
Record** Christopher J. Schulte
**Description of
Mark** Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
**Live/Dead
Indicator** LIVE

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Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard and goods made from these materials, not included in other classes, namely, boxes of paper or cardboard; Printed matter, namely, paper signs, books, manuals, curriculum, newsletters, informational cards and brochures in the field of video and computer games; Bookbinding material; Photographs; Stationery; Adhesives for stationery or household purposes; Paint brushes; Typewriters and office requisites, namely, envelope sealing machines; Printed instructional and teaching material in the field of computer and video games; Plastic bags for packaging; Printers' type; Printing blocks; Absorbent sheets of paper or plastic for foodstuff packaging; Address plates for addressing machines; Address stamps; Addressing machines; Adhesive bands for stationery or household purposes; Adhesive tape dispensers; Adhesive tapes for stationery or household purposes; Adhesives for stationery or household purposes; Printed advertising boards of paper or cardboard; Albums for coins, photographs and stamps; Almanacs; Announcement cards; Apparatus for mounting photographs; Aquarelles; Architects' models; Artists' watercolor saucers; Atlases; Bags of paper or plastics, for packaging; Bags for microwave cooking; Balls for ball-point pens; Bibs of paper; Binding strips; Printed illustrations of biological samples for use in microscopy; Blackboards; Blotters; Bookbinding apparatus for creating hardcover books, namely, book covers, crack-and-peel binding paper, reinforcement strips, peel-and-stick labels, stapler and staples; Bookbinding cloth; Bookbinding cords; Bookbinding material; Bookbindings; Bookends; Booklets in the field of computer and video games; Bookmarkers; Books in the field of computer and video games; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; Boxes of cardboard or paper; Desktop Cabinets for stationery. Printed Calculating tables; Calendars; Canvas for painting; Carbon paper; Cardboard; Cardboard articles, namely, cardboard hang tags; Cardboard tubes; Blank Cards; Cases for stamps; Catalogues in the field of computer and video games; Chalk for lithography; Chalk holders in the nature of writing grips for holding a single piece of chalk; Chaplets; Charcoal pencils; Chart pointers, non-electronic; Chromolithographs known as Chromos; Cigar bands; Clipboards; Binder Clips for offices; Coasters of paper; Comic books; Compasses for drawing; Composing frames in the nature of stands specially adapted for holding arranged

printing type; Composing sticks specially adapted for arranging printing type; Conical paper bags; Copying paper; Correcting fluids for type; Correcting ink; Correcting tapes; Book Covers; Cream containers of paper; Non-electric manually operated Credit card imprinters; Decalcomanias; Diagrams for building computer circuits; Document files; Document holders; Document laminators for office use; Drawer liners of paper, perfumed or not; Drawing boards; Drawing instruments; Drawing materials for blackboards; Drawing pads; Drawing pens; Drawing rulers; Drawing sets comprised of drawing pads and pencils; Drawing squares; Drawing T-squares; Rotary Duplicators; Elastic bands for offices; Electrocardiograph paper; Electrotypes; Embroidery design patterns; Engraving plates; Engravings; Envelope sealing machines, for offices; Envelopes; Erasers; Stencils in the nature of erasing shields; Etching needles; Etchings; Fabrics for bookbinding; Face towels of paper; Figurines of paper mâché; Letter Files; Filter paper; Filtering materials, namely, paper filters for coffee makers; Finger-stalls; Flags of paper; Flower-pot covers of paper; Informational flyers; Folders for papers; Folders; Forms, printed; Fountain pens; French curves; Printers' Galley racks. Garbage bags of paper or of plastics; Geographical maps; Glue for stationery or household purposes; Gluten-based glues for stationery or household purposes; Graining combs; Graphic prints; Graphic representations; Graphic art reproductions; Greeting cards; Gummed cloth for stationery purposes; Gummed tape for stationery or household use; Gum Arabic glue for stationery or household purposes; Hand-held labelling devices; Hand paintbrush rests for painters; Handbooks in the field of computer and video games; Handkerchiefs of paper; Printed Handwriting specimen worksheets for copying; Hat boxes of cardboard; Hectographs; Histological sections for teaching purposes; Holders for checkbooks; Sleeves for holding stamps; House painters' paint rollers; Humidity control sheets of paper or plastic for foodstuff packaging; Index cards; Telephone Indexes; Indian inks; Drawing Ink; Ink sticks; Ink stones; Inking pads; Inking ribbons; Inking ribbons for computer printers; Inking sheets for document reproducing machines; Inking sheets for duplicators; Inkstands; Inkwells; Isinglass adhesives for stationery or household purposes; Paper Labels; Ledgers books; Letter trays; Paper letters for use in making signs, posters; Lithographic stones; Lithographic works of art; Lithographs; Loose-leaf binders; Luminous paper; Magazines in the field of computer and video games; Manifolds paper; Marking chalk; Marking pens; Paper Mats for beer glasses; Mimeographs; Modelling clay; **Modelling materials** for use by children; Modelling paste; Modelling wax, not for dental purposes; Moisteners in the nature of hand held devices for wetting gummed paper surfaces; Finger Moisteners; Molds for modelling clays; Money clips; Musical greeting cards; Napkins of paper for removing make-up. Newsletters in the field of computer and video games; Newspapers; Pen Nibs; Pen Nibs of gold; Note books; Numbering machines; Paper Numbers for use in making signs, posters; Office perforators; Office requisites, except furniture, namely, franking machines; Oleographs; Packaging material made of starches; Packing paper; Legal Pads; Paint boxes; Paint trays; Paintbrushes; Paintbrushes for painters; Painters' easels; Paintings, framed or unframed; Palettes for painters; Pamphlets in the field of computer and video games; Drawing Instruments, namely, Pantographs; Paper; Paper bows for gift wrap; Paper clasps in the nature of binder clips; Paper-clips; Paper filters for coffee makers; Paper for radiograms; Paper for recording machines; Paper knives; Paper ribbons; Paper sheets for note taking; Paper shredders for office use; Paper tapes and cards for the recordal of computer programmes; Paperweights; Paper mâché; Parchment paper; Passport holders; Pastels; Patterns for dressmaking; Patterns for making clothes; Pen cases; Pen clips; Cellulose wipers for pen ink marks; Pencil holders; Pencil lead holders; Pencil leads; Pencil sharpeners, electric or non-electric; Pencil sharpening machines, electric or non-electric; Pencils; Penholders; Pens; Perforated cards for Jacquard looms; Printed Periodicals in the field of computer and video games; Photo-engravings; Photograph stands; Pictures; Placards of paper or cardboard; Place mats of paper; Printed Plans; Plastic bubble packs for wrapping or packaging; Plastic cling film, extensible, for palletization; Plastic film for wrapping; Modeling compounds of plastic; Portraits; Postage meters for office use; Postage stamps; Postcards; Posters. Printed matter, namely, vinyl static cling sheets on which prayers are printed for affixation in windows and windshields; Printed publications, namely, books, hand-outs, workbooks in the field of computer and video games; Printed timetables; Printers' blankets, not of textile; Printers' reglets; Printing blocks; Portable Printing sets comprised of printing blocks and papers; Printing type; Prints; Prospectuses in the nature of pamphlets in the field of financial classification of companies and securities; Punches; Typewriter replacement parts in the nature of rollers; Rubber erasers; School supplies, namely, school writing books; Sealing compounds for stationery purposes; Envelope Sealing machines for offices; Sealing stamps; Sealing wax in the form of wafers; Sealing wax; Seals; Self-adhesive tapes for stationery or household purposes; Sheets of reclaimed cellulose for wrapping; Drawing Shields; Signboards of paper or cardboard; Silver paper; Slate pencils; Song books; Spools for inking ribbons; Drawing implements, namely, Square rulers; Stamp pads; Stamp stands; Ink Stamps; Stands for pens and pencils; Stapling

presses; Starch paste for stationery or household purposes; Stationery; Steatite tailor's chalk; Stencils in the nature of Steel letters; Steel pens; Stencil cases; Stencil plates; Stencils; Stickers; Table linen of paper; Table napkins of paper; Tablecloths of paper; Tablemats of paper; Tags for index cards; Tailors' chalk; Printed Teaching materials in the field of computer and video games; Terrestrial globes; Thumbtacks; Printed Tickets; Toilet paper; Towels of paper; Drawing instrument, namely, Tracing cloth; Tracing needles for drawing purposes; Tracing paper; Printed Tracing patterns; Trading cards other than for games; Paper Transparencies. Trays for sorting and counting money; Typewriter keys; Typewriter ribbons; Typewriters, electric or non-electric; Viscose sheets of reclaimed cellulose for wrapping; Waxed paper; Wood pulp cardboard; Wood pulp paper; Wristbands for the retention of writing instruments; Writing board erasers; Writing brushes; Writing cases for pencils and pens; Writing chalk; Writing instruments; Writing materials, namely, pens and pencils; Blank notebooks for Writing or drawing; Writing pads; Writing paper; Writing slates; Xuan paper for Chinese painting and calligraphy; Non-magnetically encoded gift cards; Printed Gift vouchers

IC 025. US 022 039. G & S: Clothing, namely, aprons, bandanas, bath robes, bathing caps, bathing suits, bathing trunks, beachwear, beach shoes, belts, bibs not of paper, boots, caps, headwear, coats, dresses, dressing gowns, ear muffs, football boots, gloves, hats, headbands, jackets, jumpers, pullovers, masquerade costumes, money belts, neckties, overalls, overcoats, pajamas, pants, paper hats for use as clothing, sandals, sarongs, shirts, shoes, short-sleeve shirts, shower caps, ski boots, ski gloves, skirts, sleep masks, slippers, slippers, socks, soles for footwear, stockings, suits, sun visors, sweaters, sweatshirts, swimsuits, tee-shirts, tights, trousers, under garments, underpants, underwear, uniforms, vests, waistcoats, wristbands; Footwear

IC 028. US 022 023 038 050. G & S: Christmas tree ornaments and decorations; coin-operated amusement machines, automatic amusement machines; game apparatus, namely, bases, bats, and balls for playing indoor and out-door games; gymnastic apparatus; arcade video game machines; archery quivers, archery targets artificial snow for Christmas trees; ascenders; backgammon games; bags especially designed for skis and surfboards; balls for games; barbells; baseball gloves; batting gloves; bells for Christmas trees; billiard balls; billiard cue tips; billiard cues; billiard markers; billiard table cushions; billiard tables; bingo cards; bite indicators; bite sensors; board games; bob-sleighs; body boards; body-building apparatus; bowling apparatus and machinery; bows for archery; boxing gloves; toy building blocks; building games; butterfly nets; camouflage screens; candle holders for Christmas trees; caps for toy pistols; chalk for billiard cues; checkerboards; checkers; chess games; chessboards; chips for gambling; Christmas tree stands; Christmas trees of synthetic material; clay pigeon traps; clay pigeons; climbers' harness; coin operated billiard tables; confetti; magic tricks in the nature of a conjuring apparatus; controllers for game consoles; cosques toy fireworks; counters for games; fishing creels; bags specially designed to hold cricket equipment; cups for dice; darts; dice; discuses for sports; divot repair tools; dolls; dolls' beds; dolls' clothes; dolls' feeding bottles; dolls' houses; dolls' rooms; dominoes; edges of skis; elbow guards for athletic use; electronic targets for games and sports; exercise machines; fairground amusement rides; fencing gloves; fencing masks; fencing weapons; fish hooks; fishing tackle; flippers for swimming; floats for fishing; flying discs. games, namely, action skill games, arcade games, ball games, boule games, card games, coin operated games, dart games, dice games, electronic board games, electronic games, electronic games for teaching of children, handheld computer games, handheld electronic games, handheld electronic video games, handheld games with liquid crystal displays, handheld pinball games, hockey games, horseshoe games, Mah-jong games, manipulative games, musical games, mechanical games, paddle ball games, party games, Pinball games, quiz games, racing car games, ring games, ring toss games, role play games, skill and action games, sports games, target games, toy card games; gaming machines for gambling; football gloves, bowling gloves, hockey gloves, karate gloves, racquet ball gloves, weight lifting gloves; golf bags, with or without wheels; golf clubs; golf gloves; gut for fishing; guts for rackets; hang gliders; harness for sailboards; scuba equipment, namely, spearfishing harpoon guns; hockey sticks; horseshoe games; hunting game calls; ice skates; inline roller skates; jigsaw puzzles; kaleidoscopes; kite reels; kites; knee guards for athletic use; landing nets for anglers; lines for fishing; lures for hunting or fishing; machines for physical exercises; mah-jong; marbles for games; masts for sailboards; Men's athletic supporters; mobiles for children; nets for sports; ninepins; novelties for parties and dances in the nature of bugs in boxes, crackers, toy face masks, toy fake teeth, paper hats, streamers, vampire teeth, foam fingers; ornaments for Christmas trees, except illumination articles and confectionery; pachinkos; paintball guns; paintballs; paper party hats; paragliders; parlor games; pinatas; play balloons; playing balls; playing cards; plush toys. poles for pole vaulting; portable games with liquid

crystal displays; protective padding for playing cricket, field hockey, handball, skates, inline skates, skateboarding, roller skating, football, ice-hockey, roller hockey, volleyball, mountain biking, cycling, polo; punching bags; puppets; quoits; rackets; radio-controlled toy vehicles; baby rattles; reels for fishing; ring games; rocking horses; rods for fishing; roller skates; rollers for stationary exercise bicycles; rosin used by athletes; roulette wheels; sailboards; scale model kits; scale model vehicles; scent lures for hunting or fishing; toy scooters; scrapers for skis; scratch cards for playing lottery games; coverings for skis, namely, seal skins; shin guards for athletic use; shuttlecocks; skateboards; skating boots with skates attached; ski bindings; skis; skittles; playground slides, climbing slides, water slides; sling shots; slot machines; snow globes; snowboards; snow shoes; bubble making wand and solution sets; sole coverings for skis; spinning tops; spring boards; starting blocks for sports; stationary exercise bicycles; strings for rackets; stuffed toys; surf boards; surf skis; surfboard leashes; swimming belts; swimming jackets; swimming kick boards; inflatable swimming pools, paddling pools, play swimming pools; swings; tables for indoor football; tables for table tennis; targets; teddy bears; tennis ball throwing apparatus; tennis nets; theatrical masks; toy masks; toy pistols; toy vehicles; toys, namely, action figures, air pistols. bath toys, bathtub toys, battery-operated action toys, battery operated toys, electric action toys, electronic action toys, electronic activity toys, flying discs, infant development toys, inflatable toys, mechanical action toys, miniature car models, model cars, multipart construction toys, musical toys, non-motorized toys for riding, pet toys, rattles, puzzles, punching toys, sandbox toys, stuffed animals, stuffed bean-filled toys, stuffed toys, scale model cars, scale model kits, whistles, water toys, wooden toys; toys for domestic pets; trampolines; twirling batons; arcade, mobile and home video game machines; water wings; waterskis; wax for skis; weight lifting belts

IC 041. US 100 101 107. G & S: Educational services, namely, conducting classes, seminars, workshops in the field of computers, computer games; Training in the field of computers, computer games; Entertainment, namely, providing on-line computer games; Entertainment in the nature of computer games, namely, providing temporary use of non-downloadable computer games; Entertainment, namely, providing non-downloadable computer games online; Entertainment services, namely, providing temporary use of non-downloadable interactive games; Entertainment services, namely, providing temporary use of non-downloadable electronic games; Entertainment services, namely, providing a website featuring games and puzzles; Entertainment services, namely, providing online video games; Sporting and cultural activities, namely, in the field of computer games; Amusement parks; Arranging and conducting workshops for educational purposes in the fields of computers, graphic arts and video games; Providing casino and gambling facilities; Providing information relating to educational services, namely, tutoring services, pre-school classes; Educational examination; Electronic desktop publishing; Entertainment services, namely, live, televised and movie appearances by a professional entertainer; Film production, other than advertising films; Gambling services; Providing on-line computer games via a computer network; Games equipment rental; Operating lotteries; Organization of sport and electronic games competitions; Party planning; Production of music; Entertainment, namely, production of television shows; Providing amusement arcade services; Hosting social entertainment events, namely, karaoke parties for others; Non-downloadable electronic publications in the nature of e-books, online magazines, online newspapers, electronic journals, blogs, podcasts and mobile applications in the field of computer and video games; Publication of books; Publication of electronic books and journals on-line; Providing recreation facilities; Scriptwriting services for non-advertising purposes. Writing of texts; Electronic games services provided by means of a global computer network; Entertainment services, namely, providing online electronic games; Entertainment services, namely, providing online electronic games for use on mobile phones, tablets and other electronic mobile devices; providing information on-line relating to computer games and computer enhancements for computer games; Entertainment services, namely, providing temporary use of non-downloadable single and multi-player electronic interactive games via the internet, electronic communication networks or via a global computer network; Multimedia publishing of software, specifically of computer game software, electronic games and video game software

Mark Drawing Code

(2) DESIGN ONLY

Design Search Code

02.01.31 - Men, stylized, including men depicted in caricature form
 02.01.32 - Astronauts (men); Frogmen; Men, other, including frogmen, men wearing space suits and men wearing monocles; Monocles (men wearing)
 02.11.06 - Beards; Hair; Hair extensions; Human hair, locks of hair, wigs, beards, mustaches; Mustaches;

Toupees; Wigs
 10.03.02 - Canes, walking; Shepherds crook (staff); Walking sticks and canes
 21.03.06 - Baseball mitts; Boxing gloves; Catcher's mitt; Gloves, baseball; Gloves, boxing; Gloves, hockey; Hockey gloves; Mitts (baseball)

Serial Number 85844467
Filing Date February 8, 2013
Current Basis 44E
Original Filing Basis 1B;44D
Published for April 8, 2014
Opposition
Registration Number 4554275
Registration Date June 24, 2014
Owner (REGISTRANT) King.com Limited CORPORATION MALTA Aragon House 4th Floor, Dragonara Road St. Julian's MALTA STJ3140
Attorney of Record Andrew S. Ehard
Priority Date February 1, 2013
Description of Mark The color(s) black, white, gold, blue, light blue, dark blue, peach, orange, red and brown is/are claimed as a feature of the mark. The mark consists of a fictional character on a brown pole. The fictional character is wearing a red and black hat, white shirt with a blue tie, red and blue jacket, dark blue and light blue pants, black, white and gold shoes, peach hands and face, and orange hair, beard, and mustache and is wearing a black monocle. The entire character is outlined in gold.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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DERWENT ACADEMY FLIP!

Word Mark DERWENT ACADEMY FLIP!

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Stationery, namely, writing and drawing instruments, pens, pencils, pencil sharpeners, erasers, drawing rulers, thumb tacks, paper clips, paper fasteners, document files, file sorters, paper labels; adhesives for stationery and household purposes; artist materials, namely, drawing instruments, water colour pencils, sketching pencils, colouring pencils, oil pastels, soft pastel crayons, printing blocks, paint brushes, drawing and sketching pads and paper, artists' **modelling materials**, namely, modelling clay and modelling wax for use in art; painting palettes; painting canvas, palettes for painting, artist blocks, drawing ink, crayons and easels; sketching pencils, colour pencils; water colour pencils; arts and craft water colour paint kits

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85845150

Filing Date February 8, 2013

Current Basis 44E

Original Filing Basis 1B;44D

Published for Opposition May 27, 2014

Registration Number 4582594

Registration Date August 12, 2014
Owner (REGISTRANT) ACCO UK Limited limited company (Ltd.) UNITED KINGDOM Oxford House, Oxford Road Aylesbury Buckinghamshire UNITED KINGDOM HP218SZ
Attorney of Record Katherine A. McGowan
Priority Date February 5, 2013
Prior Registrations 1792566;3275860;3688263;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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SCIENCE PUTTY

Word Mark SCIENCE PUTTY

Goods and Services IC 016. US 002 005 022 023 029 037 038 050. G & S: Modeling compounds; moulding preparations in the nature of clay; modeling compounds for artistic use; plastics compounds for modeling; plastic moulding modeling compounds; modeling clay; modeling materials and compounds for use by children

IC 028. US 022 023 038 050. G & S: toy modeling dough; plastic **modeling materials** being toys, stress relief balls and stress squeeze toys; toys, games and plaything, namely, toy putty, toy moulds and toy cutting and shaping apparatus to be used in connection with toy modeling compounds

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85520684

Filing Date January 19, 2012

Current Basis 44E

Original Filing Basis 44E

Published for Opposition December 4, 2012

Registration Number 4291155

Registration Date February 19, 2013
Owner (REGISTRANT) China Industries Limited limited company (Ltd.) UNITED KINGDOM Creative Industries Centre Wolverhampton Science Park WOLVERHAMPTON UNITED KINGDOM WV109TG
Attorney of Record Jennifer L Jolley
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUTTY" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark CARE BEARS
Goods and Services (CANCELLED) IC 028. US 016 022. G & S: **Modeling Materials** and Compounds for Use by Children, Equipment Sold as a Unit for Playing a Board Game and Equipment Sold as a Unit for Playing a Card Game. FIRST USE: 19820811. FIRST USE IN COMMERCE: 19820811
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73469939
Filing Date March 12, 1984
Current Basis 1A
Original Filing Basis 1A
Published for Opposition October 16, 1984
Registration Number 1311223
Registration Date December 25, 1984
Owner (REGISTRANT) American Greetings Corporation CORPORATION OHIO 10500 American Rd. Cleveland OHIO 44144
Assignment Recorded ASSIGNMENT RECORDED
Prior Registrations 1191263;1271459;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD

**Cancellation
Date** March 28, 1991

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Typed Drawing

Word Mark BANANAMAN

Goods and Services (CANCELLED) IC 025. US 039. G & S: T-SHIRTS; CHILDREN'S CLOTHING NAMELY, BELTS, FOOTWEAR, JEANS, BABY BUNTINGS, BATHING SUITS, BATHING TRUNKS, BATHROBES, CLOTH BIBS, BOOTIES, CAPS, CARDIGANS, INFANT CLOTH DIAPERS, HALLOWEEN COSTUMES, MASQUERADE COSTUMES, COVERALLS, COVER-UPS, CREEPERS, DRESSES, EARMUFFS, NIGHTGOWNS, JUMPERS, JUMP SUITS, LEG WARMERS, LEGGINGS, LEOTARDS, MITTENS, MUFFLERS, OVERALLS, PAJAMAS, PANTIES, PANTS, PINAFORES, PLAY SUITS, PULLOVERS, ROMPERS, KNIT SHIRTS, POLO SHIRTS, SHORTS, SKIRTS, SLACKS, SLEEPWEAR, SMOCKS, SWEATERS, TOPS, OUTERWEAR NAMELY, OVERCOATS, SPORT COATS, TOPCOATS, HATS, HOODS, WIND RESISTANT JACKETS, PARKAS, RAIN COATS, RAINWEAR

(CANCELLED) IC 028. US 022 023 038 050. G & S: TOY BAGS, PLAYGROUND BALLS, BASEBALLS, EQUIPMENT SOLD AS A UNIT FOR PLAYING A BOARD GAME, CARD GAMES, BINGO CARDS, COMPUTER GAME CARTRIDGES, COMPUTER GAME EQUIPMENT CONTAINING MEMORY DEVICES NAMELY DISCS, COMPUTER GAME PROGRAMS, COMPUTER GAME TAPES, BASEBALL GLOVES, BATTING GLOVES, SOFTBALL GLOVES, TOY AIRPLANES, BALLOONS, TOY BANKS, BEAN BAGS, BINGO GAME PLAYING EQUIPMENT, TOY BUILDING BLOCKS, TOY CONSTRUCTION BLOCKS, TOY CAP PISTOLS, CHECKER SETS, CHESS SETS, GAMING EQUIPMENT NAMELY CHIPS, DOLL CLOTHING, TOY BAKEWARE AND COOKWARE, CHILDREN'S PLAY COSMETICS, DOLLS AND ACCESSORIES THEREFOR, DOLL CASES, DOLL HOUSE FURNISHINGS, HAND HELD UNIT FOR PLAYING AN ELECTRONIC GAME, JIGSAW PUZZLES, KITES, MOBILES FOR CHILDREN, MODEL TOY TRAIN SETS, **MODELING MATERIALS** AND COMPOUNDS FOR USE BY CHILDREN, ELECTRONICALLY OPERATED TOY MOTOR VEHICLES, MUSIC BOX TOYS, MUSICAL TOYS, TOY NOISEMAKERS, PARTY FAVORS IN THE NATURE OF SMALL TOYS, PUPPETS, ROCKING HORSES, TEDDY BEARS, BATH TOYS, INFLATABLE RIDE-ON TOYS, WATER SQUIRTING TOYS, WINDUP TOYS, TOY ACTION FIGURES AND ACCESSORIES THEREFOR, YO-YOS

Mark Drawing Code (1) TYPED DRAWING

Serial Number 73614060

Filing Date August 11, 1986
Current Basis 44E
Original Filing Basis 44E
Published for Opposition July 21, 1987
Registration Number 1507253
Registration Date October 4, 1988
Owner (REGISTRANT) D.C. THOMSON & CO. LIMITED CORPORATION UNITED KINGDOM ALBERT SQUARE DUNDEE SCOTLAND
Attorney of Record MARGARET FRENKEL GOLDSTEIN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date April 10, 1995

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Typed Drawing

Word Mark	PLASTICINE
Goods and Services	(CANCELLED) IC 028. US 001 022 050. G & S: HOBBY CRAFT KITS COMPRISING PLASTIC MODELING MATERIALS AND COMPOUNDS, SMALL TOY MOLDING TOOLS AND PLASTIC ACCESSORIES THEREFOR, SOLD AS A UNIT. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19860000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73770966
Filing Date	December 22, 1988
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	January 2, 1990
Registration Number	1589085
Registration Date	March 27, 1990
Owner	(REGISTRANT) PETER PAN PLAYTHINGS LIMITED COMPANY UNITED KINGDOM THE MULBERRYS, KEMBREG PARK SWINDON, WILSHIRE SN2 6YP ENGLAND PE3 8YA
Attorney of Record	FRANK P. PRESTA
Prior Registrations	0439109;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).

Live/Dead Indicator DEAD
Cancellation Date April 28, 2001

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Typed Drawing

Word Mark PLAYCLAY
Goods and Services (CANCELLED) **IC 028.** US 022 023 038 050. G & S: CHILDREN'S **MODELING MATERIAL.**
 FIRST USE: 19980901. FIRST USE IN COMMERCE: 19980901
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75563202
Filing Date October 1, 1998
Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 8, 1999
Registration Number 2274552
Registration Date August 31, 1999
Owner (REGISTRANT) COLORBOK PAPER PRODUCTS, INC. CORPORATION MICHIGAN 2716 Baker Road Dexter MICHIGAN 48130
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Michael A. Lisi
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date June 10, 2006

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Word Mark MR MODEL
Goods and Services (CANCELLED) **IC 028**. US 016 022. G & S: **Modelling Materials** and Compounds for Use by Children. FIRST USE: 19820321. FIRST USE IN COMMERCE: 19820401
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.01.06 - Circles, semi; Semi-circles
 26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles
Serial Number 73362607
Filing Date May 3, 1982
Current Basis 1A
Original Filing Basis 1A
Published for Opposition March 15, 1983
Registration Number 1241324
Registration Date June 7, 1983
Owner (REGISTRANT) Verve Enterprises Pty. Limited COMPANY AUSTRALIA Seven Hills, New South Wales AUSTRALIA
Attorney of Record Heinz Dawid

Description of Mark The lining and/or stippling shown in the mark on the drawing is for shading purposes only.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date October 27, 1989

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MANFREDI

Word Mark MANFREDI

Goods and Services (CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: [PERSONAL BATH SOAPS; PERFUMERY; AND COSMETICS, NAMELY LIPSTICKS, MASCARA, MAKEUP, POWDER FOUNDATION CREAMS, EYE SHADOW, BATH SALTS, ESSENTIAL OILS USED AS COSMETICS, FACE CREAMS, BODY CREAMS, AFTER BATHING AND AFTER SUN CREAMS, POWDERS AND LOTIONS, TALCUM POWDER, HAIR SHAMPOOS, SOFTENING BALSAMS FOR HAIR AND SKIN, CREAMS FOR PROTECTION FROM WIND, SUN AND COLD, HAIR-BODY -AND FACE LOTIONS]

(CANCELLED) IC 008. US 023 028 044. G & S: [CUTLERY, NAMELY FORKS; SPOONS; RAZORS; AND TABLE, POCKET, HUNTING, FISH, PAPER, FRUIT AND DINNER SERVICE KNIVES]

(CANCELLED) IC 011. US 013 021 023 031 034. G & S: [ELECTRIC LAMPS OF ALL KINDS]

IC 014. US 002 027 028 050. G & S: ARTICLES MADE FROM OR COATED WITH PRECIOUS METALS AND THEIR ALLOYS, NAMELY BOXES, CAKE DISHES, FRUIT DISHES, MATCH BOXES, BOTTLE RACKS, FLOWER STANDS, VANITY BOXES, ASHTRAYS, KEY RINGS, NEEDLE CASES, JEWEL CASES, CIGAR AND CIGARETTE HOLDERS AND CASES, DISHES, MEDALS, PLATES AND CUPS; JEWELRY, CUSTOM JEWELRY AND ARTISTIC JEWELRY; NATURAL AND ARTIFICIAL STONES; PRECIOUS AND SEMIPRECIOUS STONES; DRAWINGS OF PRECIOUS METALS, [PAINTINGS AND SCULPTURES;] WRIST WATCHES AND POCKET WATCHES; TABLE, TRAVELLERS' ALARM AND WATER CLOCKS; [CHRONOMETERS AND CHRONOGRAPHS; HANGING WATCHES AND CLOCKS; SANDGLASSES;] ORNAMENTAL OBJECTS TO BE WORN ON THE PERSON, NAMELY BRACELETS, NECKLACES, EARRINGS, PENDANTS, SMALL MEDALS, PINS, HAIR CLAMPS, GRIPS, PINS AND CLIPS; AND SUN DIALS

(CANCELLED) IC 016. US 011 022 023 037 038. G & S: BOOKS RELATING TO USAGES, CUSTOMS,

ARTS, HANDICRAFTS, GEOGRAPHY, GAMES AND ANTIQUES; PHOTOGRAPHS; PLAYING CARDS; STAMPS; INK PADS; DECORATIVE FIGURINES OF CARDBOARD; LETTER PAPER AND ENVELOPES; AND PAPERWEIGHTS

(CANCELLED) IC 018. US 003 041. G & S: ARTICLES OF GENUINE AND IMITATION LEATHER, SKINS AND HIDES AND OTHER MATERIALS, NAMELY BAGS, HANDBAGS, PURSES, WALLETS, TRAVEL BAGS, TABACCO POUCHES, BRIEFCASES, SCHOOL BAGS, SUITCASES, TRUNKS, KNAPSACKS, KEY HOLDERS, UMBRELLAS, PARASOLS, WALKING STICKS, WHIPS, TOTE BAGS, DRAWSTRING POUCHES, COSMETIC CASES SOLD EMPTY, VANITY CASES, LUGGAGE AND SHOULD BAGS AND LEADS

(CANCELLED) IC 020. US 032. G & S: FURNITURE; MIRRORS; PICTURE FRAMES; ARTICLES MADE OF PLASTICS AND GENUINE AND IMITATION HORN, IVORY, SHELL, AMBER AND MOTHER-OF-PEARL, NAMELY PLASTIC STATUES

IC 021. US 002 013 023 029 030 033 040 050. G & S: [COMBS;] DISHES; TRAYS; FLOWER STANDS; [VANITY CASES;] GLASSWARE, CHINA, PORCELAIN [AND EARTHENWARE,] NAMELY VESSELS, DISHES, FLOWER STANDS, CAKE CASES, [JEWEL CASES,] PLATES, CUPS [AND ALL PURPOSE BOXES]

IC 025. US 022 039. G & S: CLOTHING OF ALL KINDS, NAMELY GLOVES, [HATS, STOCKINGS, SKIRTS, JACKETS, BLOUSES, SLACKS, DRESSES, SUITS, OVERCOATS, FURS,] SCARVES, NECKTIES, FOULARDS, [BATHING SUITS, COATS AND SHIRTS FOR MEN AND WOMEN, SHOES, SLIPPERS AND BOOTS]

(CANCELLED) IC 026. US 040. G & S: HAIR CLAMPS, CURLERS, GRIPS, PINS AND NEEDLE CASES

(CANCELLED) IC 027. US 020 042 050. G & S: CARPETS, RUGS, MOQUETTES, MATS, NAMELY DOORMATS, MATS FOR USE UNDER VASES, DISHES AND THE LIKE AND ORNAMENTAL TABLE MATS; AND FLOOR COVERINGS OF RUBBER, LINOLEUM AND WOOD

(CANCELLED) **IC 028**. US 022. G & S: ACTION TYPE TARGET GAMES, BOARD GAMES, CARD GAMES, MANIPULATION GAMES, PADDLE BALL GAMES, PARLOR GAMES AND PINBALL TYPE GAMES; TOY CONSTRUCTION SETS; HAND HELD UNITS FOR PLAYING AND ELECTRONIC GAMES; DOLLS; **MODELLING MATERIALS** AND COMPOUNDS FOR CHILDREN; AND MINIATURE FIGURINES FOR PLAYING AND COLLECTING

IC 034. US 002 008 009 017. G & S: CIGAR AND CIGARETTE HOLDERS [AND MOUTHPIECES;] TOBACCO POUCHES; SNUFF BOXES; POCKET AND TABLE CIGAR AND CIGARETTE CASES; LIGHTERS; CIGAR LIGHTERS; TOBACCO PIPE CLEANERS, [BRUSHES AND SCRAPERS;] CIGAR CUTTERS; [PIPE RACKS;] MATCH BOXES; ASHTRAYS

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

Design 26.11.27 - Oblongs not used as carriers for words, letters or designs

Search Code 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)

Serial Number 73595871

Filing Date April 29, 1986

Current Basis 44E

Original Filing Basis 44D;44E

Published for Opposition December 1, 1987

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 1477289
Registration Date February 23, 1988
Owner (REGISTRANT) GIOIELLERIA MANFREDI S.N.C. PARTNERSHIP ITALY VIA DEI CARANTANI 10 VARESE (VA) ITALY
(LAST LISTED OWNER) 212 S.R.L. CORPORATION ITALY VIA R. SANZIO 7 MILANO ITALY 20149
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Karin Segall and Andrew Baum
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20080202.
Renewal 1ST RENEWAL 20080202
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark VOLVIC

Goods and Services (CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: [COSMETICS, NAMELY - TOILET SOAP, PERFUME, ESSENTIAL OILS FOR PERSONAL USE, HAIR LOTIONS, DENTIFRICES, BABY OIL, BABY POWDER, BABY SHAMPOO, COLD CREAM, EYE REMOVER, BATH GEL, HAIR REMOVING CREAM, HAIR SPRAY, MAKEUP, EYE MAKEUP REMOVER, MASSAGE OIL, BABY OIL, BODY OIL, PERFUME, BABY POWDER, BODY POWDER, FACE POWDER, SHOWER GEL, SKIN CLARIFIER, SKIN CLEANSING CREAM, SKIN EMOLLIENT, SKIN LIGHTENER, SKIN MOISTURIZER, SKIN TONER, SUNTAN LOTION, TOILET WATER, VANISHING CREAM, AND WRINKLE REMOVING SKIN CARE PREPARATION]

(CANCELLED) IC 018. US 003. G & S: GARMENT TRUNKS FOR TRAVEL, GARMENT BAGS FOR TRAVEL, CARRY-ON BAGS, CLUTCH BAGS, DUFFEL BAGS, AND SHOULDER BAGS

(CANCELLED) IC 025. US 022 039. G & S: [BATHING SUITS, BATHING TRUNKS, BATHROBES,] BLOUSONS, SPORT COATS, FISHING VESTS, JOGGING SUITS, [BOXER SHORTS, GYM SHORTS, SWEAT SHORTS, SPORT COATS,] SPORT SHIRTS, [BATHING SUITS,] GYM SUITS, SKI SUITS, [VESTED SUITS,] SWEATERS, AND T-SHIRTS

(CANCELLED) **IC 028**. US 022 023 038 050. G & S: [AMUSEMENT PARK RIDES, STUFFED TOY ANIMALS, PLAYGROUND EQUIPMENT, NAMELY - CLIMBING UNITS, DOLL CLOTHING, CHILDREN'S PLAY COSMETIC, DOLL COSTUME, MODELLING COMPOUND, **MODELLING MATERIALS** AND COMPOUNDS FOR USE BY CHILDREN, INFLATABLE POOLS FOR RECREATIONAL USE, POOL RACKS, NON-SLIP RESIN SPRAY FOR USE BY ATHLETES, BABY MULTIPLE ACTIVITY TOYS, BATH TOYS, CHILDREN'S MULTIPLE ACTIVITY TOYS, RIDE-ON TOYS, STUFFED TOYS, AND TOY VEHICLES]

Mark Drawing Code (1) TYPED DRAWING

Serial Number 73766323

Filing Date November 29, 1988

Current Basis 44E

Original Filing Basis 44E
Published for Opposition December 19, 1989
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 1610976
Registration Date August 28, 1990
Owner (REGISTRANT) SOCIETE DES EAUX DE VOLVIC CORPORATION FRANCE VOLVIC FRANCE
Attorney of Record JEFFREY H. KAUFMAN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20010209.
Renewal 1ST RENEWAL 20010209
Live/Dead Indicator DEAD
Cancellation Date October 31, 2012

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