

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	79149536
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/79149536/large">http://tmng-al.uspto.gov/resting2/api/img/79149536/large</a>
<b>LITERAL ELEMENT</b>	FIVER
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ARGUMENT(S)</b>	
<p>The Examiner has finally refused registration for the mark in this application because of a likelihood of confusion with MEFIVER, registration no. 4334780 for the goods of coats of denim; Denim jackets; Denims; Jeans. The applicant respectfully disagrees and along with this response is filing a Notice of Appeal.</p> <p>The applicant's mark is FIVER. This is a word with various meanings. Please see the attached evidence and the record of the last response. MEFIVER is not a familiar word. It has no dictionary meaning. The registrant even claims it is not a word. Consumer's are capable of distinguishing real words from non words. Consumers generally can differentiate familiar words from unfamiliar words, National Distillers &amp; Chem Corp v. William Grant &amp; Sons, Inc. 184 USPQ 34 (CCPA 1974). MEFIVER would be thought of as one word because it appears as one word. FIVER and MEFIVER are not the same in look sound, meaning, or commercial impression.</p> <p>The registrant states that their trademark is not a word, but to them it means "give me five" as in "give me a high five". From the dictionary meanings "high five" is not one of the meanings of "fiver". Given that MEFIVER has the meaning of "give me a high five" then MEFIVER is closer to registration 4643221 for HIGHFIVE or M.I.FIVE registration nos 4752332 and 4752321 than FIVER is to MEFIVER. MEFIVER exists in the market place and on the principal register with HIGHFIVE and M.I.FIVE resulting in the assumption that there is no likelihood of confusion. There would also be no likelihood of confusion of FIVER with MEFIVER.</p>	

The Examiner claims ME FIVER is a possessive version of fiver. If so, it still has a different connotation than FIVER. It is ones personal fiver which is not the same as a fiver. It is a specific fiver. The Examiner cites *In re Binion*, 93 USPQ2d 1531, 1534 (TTAB 2009) (noting that “[t]he absence of the possessive form in applicant’s mark . . . has little, if any, significance for consumers in distinguishing it from the cited mark”). This case involved the marks BINION and BINION’S. Adding an apostrophe “s” to indicate possession results in a word much closer to the original word than adding a new word such as “me”.

Also, there are many examples of marks on the principal register, in class 25, where both the mark and a possessive form of the mark are both registered by different entities. For example, HAPPY (allowed) and MEHAPPY and MYHAPPY, My SONG and S.O.N.G., DESTINY and MY DESTINY, HERO and MY HERO, EGO and MY EGO, STARS and MY STAR, OCEAN and MY OCEAN, PRO and MY PRO, KLYMIT and MYCLIMATE, MO’S and myMO (allowed). Registration is prima facie evidence that the mark is not confusingly similar to other registered marks *Liberty Mut. Ins Co. v. Liberty Ins Co.*, 127 USPQ 312 (E.D. Ark 1960). If there is no likelihood of confusion between these marks then there should also be none between FIVER and MEFIVER. MEFIVER is even less similar in meaning to FIVER than “my fiver” would be because of it being one word, it not having dictionary meaning, and its incorrect usage of English grammar to show possession.

MEFIVER has a different connotation. Using “me” to indicate possession gives an urban feel to MEFIVER. FIVER does not give this feeling. FIVER has meaning as a real word. Likelihood of confusion generally does not exist when the marks in their entireties project dissimilar commercial impressions, *Citigroup Inc. v. Capital City Bank Group., Inc* 98 USPQ2d 1253 (Fed. Cir. 2011) . Especially, in relation to its goods of denim MEFIVER has an urban connotation which FIVER does not. Connotation is taken in respect of the goods. *In re Shawnee Milling Co.*, 225 USPQ 747, 749 (TTAB 1985)

The goods of the applicant and the registrant are distinguishable. The registrant’s goods are limited to denim. Applicant’s goods are general clothing articles, that are not specific in a way that gives meaning to the mark FIVER. The examining attorney asserts that the nature of the goods and services are closely related, which would cause consumers encountering both marks to assume the marks come from the same source, however, goods may fall under the same general product category but operate in distinct niches. When two products are part of distinct sectors of a broad product category, they can be sufficiently unrelated that consumers are not likely to assume the products originate from the same mark. *Checkpoint systems, Inc. v. Check Point Software Technologies, Inc.*, 60 USPQ2d 1609 (3rd Cir. 2001).

The registration is a design mark which is distinctive compared to applicant’s mark. Besides the differences in the letters making up the mark there is also a difference in the look of the mark. Sound is less important if the prospective purchasers are likely to encounter the marks visually rather than aurally. *First Int’l Servs Corp. v. Chuckles Inc.* (5 USPQ2d 1628, 1632 TTAB 1988). Consumers will see the trademark on labels and tags attached to the clothing.

There would be no likelihood of confusion between the trademarks FIVER and MEFIVER. They have a different look, pronunciation, connotation, goods and commercial impression. There are other marks on the principal register which are closer to MEFIVER than FIVER is and there are many marks with both a word and the possessive form of the word registered by different entities for the same goods. These reasons in combination lead to a conclusion of no likelihood of confusion between the two marks.

**EVIDENCE SECTION****EVIDENCE FILE NAME(S)**

<b>ORIGINAL PDF FILE</b>	<a href="#">evi_10854181106-20151102144034871502 . t75045.otherregistrations.pdf</a>
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<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/cecelia m. perry/
<b>SIGNATORY'S NAME</b>	Cecelia M. Perry
<b>SIGNATORY'S POSITION</b>	attorney of record, New Jersey bar member
<b>DATE SIGNED</b>	11/02/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Nov 02 14:47:14 EST 2015
<b>TEAS STAMP</b>	USPTO/RFR-108.54.181.106-20151102144714597802-79149536-5401a18aacd9560494d3452461e8eab40c695eab1be19c0a98e6538bf54f69951da-N/A-N/A-20151102144034871502

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

Application serial no. **79149536** FIVER(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79149536/large>) has been amended as follows:

### **ARGUMENT(S)**

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

The Examiner has finally refused registration for the mark in this application because of a likelihood of confusion with MEFIVER, registration no. 4334780 for the goods of coats of denim; Denim jackets; Denims; Jeans. The applicant respectfully disagrees and along with this response is filing a Notice of Appeal.

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“my fiver” would be because of it being one word, it not having dictionary meaning, and its incorrect usage of English grammar to show possession.

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## **EVIDENCE**

### **Original PDF file:**

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[Evidence-2](#)

## **SIGNATURE(S)**

### **Request for Reconsideration Signature**

Signature: /cecelia m. perry/ Date: 11/02/2015

Signatory's Name: Cecelia M. Perry

Signatory's Position: attorney of record, New Jersey bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79149536

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TEAS Stamp: USPTO/RFR-108.54.181.106-201511021447145

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**HAPPY**

<b>Word Mark</b>	HAPPY
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Chef and cook staff clothing, namely, coats, pants, tunics, vests, shorts, scarves, hats, caps, gloves, caps, shirts, aprons, jackets, ties, skirts, and blouses, footwear, headwear, tuxedos
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77189601
<b>Filing Date</b>	May 24, 2007
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	July 21, 2015
<b>Owner</b>	(APPLICANT) The Happy Chef, Inc. CORPORATION NEW JERSEY 22 Park Place Butler NEW JERSEY 07405
<b>Attorney of Record</b>	Christopher J. McHattie
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# Me Happy

**Word Mark** ME HAPPY  
**Goods and Services** IC 025. US 022 039. G & S: Baseball caps and hats; Bathing suits; Blouses; Boxer shorts; Briefs; Coats; Fishing shirts; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Gloves; Golf caps; Golf shirts; Gym shorts; Hats; Jackets; Jerseys; Long underwear; Men's underwear; Mittens; Night shirts; Pants; Raincoats; Scarfs; Shirts; Shirts and short-sleeved shirts; Shorts; Socks; Sweaters; Sweatshirts; Swimsuits; T-shirts; Tee shirts; Thermal underwear; Ties; Turtle neck shirts; Turtleneck sweaters; Underwear; Vests. FIRST USE: 20130124. FIRST USE IN COMMERCE: 20130124

**Standard Characters Claimed**

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

**Serial Number** 85442363

**Filing Date** October 7, 2011

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** November 13, 2012

**Registration Number** 4318019

**Registration Date** April 9, 2013

**Owner** (REGISTRANT) Nexum Group, LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 7 Central Street Framingham MASSACHUSETTS 01701  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**TSDR** **ASSIGN Status** **TAB Status** ( Use the "Back" button of the Internet Browser to return to TESS)

# My Happy

**Word Mark** MY HAPPY  
**Goods and Services** IC 025. US 022 039. G & S: Athletic apparel, namely, shirts, pants, jackets, hats and caps, athletic uniforms; Button down shirts; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Golf shirts; Hats; Hats for infants, babies, toddlers and children; Hooded sweat shirts; Long-sleeved shirts; Shirts; Shirts and short-sleeved shirts; Sleep shirts; Sport shirts; Sports caps and hats; Sweat shirts; T-shirts; Tee shirts, none of the foregoing being, or being suitable for use as, chef of cook staff clothing. FIRST USE: 20070812. FIRST USE IN COMMERCE: 20100601

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 85123424  
**Filing Date** September 5, 2010  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** March 27, 2012  
**Registration Number** 4156415  
**Registration Date** June 12, 2012

**Owner** (REGISTRANT) Anderson, Eric Scott DBA My Happy INDIVIDUAL UNITED STATES 66 Wauregan Rd  
Brooklyn CONNECTICUT 06234

**Attorney of Record** Tobias Lederberg

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# MY SONG

**Word Mark** MY SONG  
**Goods and Services** (CANCELLED) IC 012. US 019 021 023 031 035 044. G & S: [ Vehicles and apparatus for locomotion by water, namely, boats, motorboats, water scooters, sailing boats, fishing boats, rowing boats, rubber boats, lifeboats; sailboats having a free sail system, namely, windsurfers ]  
IC 025. US 022 039. G & S: Clothing for men, women and children, namely, t-shirts, trousers, bathing suits, hats, caps, berets, gloves, scarves, shirts, overcoats, pullovers, shoes, shorts, blousons, suits, raincoats, blue jeans, swimsuits, sports shirts, polo shirts, overalls, jackets; waterproof clothing, namely, jackets, sweaters, pullovers, jumpers, shoes, overalls, caps, hats, blousons, trousers, gloves  
(CANCELLED) IC 028. US 022 023 038 050. G & S: [ Parlour games, toy model boats, card games, board games, chess sets, fishing tackle; body-building apparatus ]

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Trademark Search Facility Classification Code** SHAPES-MISC Miscellaneous shaped designs  
**Serial Number** 79041626  
**Filing Date** June 12, 2007  
**Current Basis** 66A  
**Original Filing Basis** 66A

**Published for Opposition** September 23, 2008  
**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 3543767  
**International Registration Number** 0932143  
**Registration Date** December 9, 2008  
**Owner** (REGISTRANT) LORO PIANA S.p.A. JOINT STOCK COMPANY ITALY Corso Rolandi, 10 I-13017 QUARONA (VC) ITALY  
**Attorney of Record** JOHN A. CLIFFORD  
**Priority Date** April 27, 2007  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECTION 71  
**Live/Dead Indicator** LIVE

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**S.O.N.G.**

**Word Mark** S.O.N.G.

**Goods and Services** IC 025. US 022 039. G & S: Footwear, sleepwear, underwear, lounge wear, hosiery, socks, jackets, T-shirts, shirts, jeans, shorts and skirts. FIRST USE: 20110114. FIRST USE IN COMMERCE: 20110114

**Standard Characters Claimed**

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

**Serial Number** 85181137

**Filing Date** November 19, 2010

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** February 22, 2011

**Registration Number** 4068502

**Registration Date** December 6, 2011

**Owner** (REGISTRANT) It Jeans, Inc. CORPORATION CALIFORNIA 5251 S. Sante Fe Avenue Vernon, CALIFORNIA 90058

**Attorney of Record** Mary Catherine Merz

**Prior Registrations** 3848910

**Type of Mark** TRADEMARK

Register PRINCIPAL  
Live/Dead Indicator LIVE

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# DESTINEE

<b>Word Mark</b>	DESTINEE
<b>Goods and Services</b>	IC 025. US 022 039. G & S: T-shirts; Tank tops. FIRST USE: 20081100. FIRST USE IN COMMERCE: 20081100
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77274977
<b>Filing Date</b>	September 8, 2007
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	March 11, 2008
<b>Registration Number</b>	3752718
<b>Registration Date</b>	February 23, 2010
<b>Owner</b>	(REGISTRANT) Lim, Cecilia INDIVIDUAL UNITED STATES 148 1028 N. Turner Ave., Ontario CALIFORNIA 91764  (REGISTRANT) Lam, Carol INDIVIDUAL UNITED STATES 148 1028 N. Turner Ave., Ontario CALIFORNIA 91764  (LAST LISTED OWNER) LAM, CAROL INDIVIDUAL UNITED STATES 1028 N. TURNER AVE., #148 ONTARIO CALIFORNIA 91764
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED

Type of Mark           TRADEMARK  
Register                PRINCIPAL  
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# Typed Drawing

**Word Mark** DESTINY

**Goods and Services** IC 025. US 022 039. G & S: shoes. FIRST USE: 19951213. FIRST USE IN COMMERCE: 19951213

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 74550884

**Filing Date** July 18, 1994

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** April 18, 1995

**Registration Number** 1981604

**Registration Date** June 18, 1996

**Owner** (REGISTRANT) DYNASTY FOOTWEAR, LTD. CORPORATION CALIFORNIA 110 East Ninth Street, Suite C-786 Los Angeles CALIFORNIA 90079

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060915.

**Renewal** 1ST RENEWAL 20060915

**Live/Dead Indicator** LIVE

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# MY DESTINY

**Word Mark** MY DESTINY

**Goods and Services** IC 025. US 022 039. G & S: Clothing, namely, jeans, pants, shirts, t-shirts, shorts, skirts, dresses, tank tops, muscle tops, polo shirts, bathing suits, fleece tops and bottoms, short sets; pant sets comprised primarily of pants; jogging sets for men, women and children comprised primarily of jogging outfits. FIRST USE: 20100401. FIRST USE IN COMMERCE: 20100401

**Standard Characters Claimed**

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

**Serial Number** 85076616

**Filing Date** July 1, 2010

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** July 26, 2011

**Registration Number** 4037194

**Registration Date** October 11, 2011

**Owner** (REGISTRANT) ALLURA IMPORTS INC. CORPORATION NEW YORK SUITE 1127 112 WEST 34TH STREET NEW YORK NEW YORK 10120  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**TSDR** **ASSIGN Status** **TTAB Status** ( Use the "Back" button of the Internet Browser to return to TESS)

# Hero

- Word Mark** HERO
- Goods and Services** IC 004. US 001 006 015. G & S: Lubricating oil for automotive vehicles including engine oil; Automotive greases, lubricants and fuels; Non-chemical additives for automotive fuels
- IC 009. US 021 023 026 036 038. G & S: Protective helmets for use in land vehicles; speedometers and cables therefor; Electrical wires, electrical cables, electrical cables with integrated fittings, fuses, electric sensors, electric switches, batteries, electric coils, electric horns, remote control starters, electric connectors, electric meters, armatures for use in electrical apparatus, all the foregoing for land vehicles
- IC 012. US 019 021 023 031 035 044. G & S: Motorized fuel land vehicles and structural parts and fittings thereof, excluding chassis and transmissions; Apparatus for locomotion by land, air or water, namely, motorcycles, automobiles, trucks, scooters, boats, airplanes, cars, vans, sports utility vehicles, excluding electric and environment friendly vehicles and their components
- IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed matters, namely, stationery; publications, namely, guides, manuals, books, magazines, brochures, pamphlets, stickers, and posters, all in the automotive field
- IC 025. US 022 039. G & S: Footwear, headwear, clothing, namely, shirts, pants, jackets, t-shirts, jerseys, wrist bands, head bands, boots, shoes, sports shoes, slippers, hats and caps, gloves for apparel, socks, excluding those relating to cycling
- IC 028. US 022 023 038 050. G & S: Sporting articles and apparatus, excluding those relating to cycling, namely, Cricket bats, golf clubs, hockey sticks, ice hockey pucks, tennis rackets, badminton rackets, squash rackets, lacrosse sticks, baseball bats, softball bats; balls for use in sports, namely, baseballs, basketballs, billiard balls, cricket balls, field hockey balls, footballs, rugby balls, hand balls, net balls,

soccer balls, table tennis balls and volleyballs; ice skates, billiard cues, billiard cue tips, roller skates, cricket stumps, soccer nets and poles; batting pads for cricket, wicket keeping pads for cricket, thigh guards for athletic use, gloves for soccer and hockey, leg guards for soccer and hockey, chest protectors and abdominal protectors for athletic use; sporting support devices in the nature of arm bands, knee bands and ankle bands; leg guards for athletic use; elbow pads for athletic use; bags especially adapted for sports equipment, namely, cricket bags, boxing bags, golf bags, tennis, badminton and squash racket bags and hockey stick bags

IC 035. US 100 101 102. G & S: Business management, business administration, business consulting, and market research and analysis, all in the automotive field; Wholesale and Retail store services featuring vehicles, its parts, fittings and accessories; Advertising, marketing and promotion services in the automotive field via electronic media and television shopping programs; mail order catalogue services featuring automotive parts

IC 037. US 100 103 106. G & S: Automotive repair and maintenance services; emergency roadside assistance services, namely, responding to calls for roadside assistance, flat tire changing, emergency fuel supplying, and battery jump starting

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

**Serial Number** 85636134

**Filing Date** May 25, 2012

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** May 14, 2013

**Owner** (APPLICANT) Hero InvestCorp Limited CORPORATION INDIA Hero CR Division, Sua Road, Hero Nagar Ludhiana INDIA 141003

**Attorney of Record** Elizabeth A. Linford

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the word "HERO" in stylized font.

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# MY HERO

**Word Mark** MY HERO  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: DIGITAL VIDEO DISCS FEATURING HISTORICAL AND BIOGRAPHICAL INFORMATION ABOUT ADMIRABLE PEOPLE OR PROJECTS WORTHY OF EMULATION. FIRST USE: 20040300. FIRST USE IN COMMERCE: 20070131  
 IC 016. US 002 005 022 023 029 037 038 050. G & S: PRINTED PUBLICATIONS, NAMELY, BOOKS FEATURING HISTORICAL AND BIOGRAPHICAL INFORMATION ABOUT ADMIRABLE PEOPLE OR PROJECTS WORTHY OF EMULATION. FIRST USE: 20051100. FIRST USE IN COMMERCE: 20051200  
 IC 025. US 022 039. G & S: APPAREL, NAMELY, T-SHIRTS. FIRST USE: 20020100. FIRST USE IN COMMERCE: 20070100  
 IC 041. US 100 101 107. G & S: ENTERTAINMENT SERVICES, NAMELY, PRODUCING TELEVISION SHOWS FEATURING HISTORICAL AND BIOGRAPHICAL INFORMATION ABOUT ADMIRABLE PEOPLE OR PROJECTS WORTHY OF EMULATION. FIRST USE: 20040300. FIRST USE IN COMMERCE: 20070100

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Trademark Search Facility Classification Code** SHAPES-MISC Miscellaneous shaped designs  
**Serial Number** 78395792  
**Filing Date** April 2, 2004  
**Current Basis** 1A

**Original Filing Basis** 1A;1B  
**Published for Opposition** November 15, 2005  
**Registration Number** 3592939  
**Registration Date** March 17, 2009  
**Owner** (REGISTRANT) The My Hero Project, Inc. CORPORATION CONNECTICUT 1278 Glenneyre #286 Laguna Beach CALIFORNIA 92651  
**Attorney of Record** Michael J. MacDermott  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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**HERO**

**Word Mark** HERO

**Goods and Services** IC 006. US 002 012 013 014 023 025 050. G & S: Metal ornaments, namely, metal key rings; metal key fobs; metal name badges and badge mountings, all of the aforesaid goods being exclusively related to motor sports

IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; data processors and computers; fire-extinguishers; pre-recorded electronic media featuring motor sports; computer hardware and firmware; computer software for use in connection with the promotion of and participation in organized events in the field of motor sports; software downloadable from the Internet for use in connection with the promotion of and participation in organized events in the field of motor sports; downloadable electronic publications in the nature of magazines, newsletters and periodical in the field of motor sports and classic automobiles; compact discs featuring motor sports; digital music downloadable from the internet; telecommunications apparatus, namely, mobile phones, PDAs and hand held computers; computer games equipment adapted for use with an external display screen or monitor; mouse mats; mobile phone accessories, namely, headphones, ear jacks and mobile phone covers; contact lenses, spectacles and sunglasses; clothing for protection against injury, accident, irradiation or fire; compact disc and DVD cases, all of the aforesaid goods being exclusively related to motor sports

IC 014. US 002 027 028 050. G & S: Clocks, watches, watch bracelets, watch chains, jewelry; articles made of precious stones, and articles made of precious metals or coated therewith, namely, plates, cups, medals; cufflinks, tie pins, tie fasteners; pendants, all of the aforesaid good being exclusively related to motor sports

IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper, cardboard printed matter, namely, books, periodicals, magazines, newsletters, leaflets, maps, newspapers; book binding material; photographs;

stationery; adhesives for stationery or household purposes; artists' materials, namely, brushes, pastels pencils, pens, canvas panels; paint brushes; typewriters; printers' type; printing blocks; disposable nappies of paper for babies; printed publications, namely, books, periodicals, magazines, newsletters, leaflets, maps, newspapers on the subject of motor sports; paint boxes for children; check book holders, all of the aforesaid goods being exclusively related to motor sports

IC 018. US 001 002 003 022 041. G & S: Bags, namely, backpacks, garment bags for travel, travelling bags, carry bags, tote bags; pocket wallets, key fobs made of leather or of imitation leather and purses not of precious metals and not coated therewith; luggage; umbrellas, all of the aforesaid goods being exclusively related to motor sports

IC 021. US 002 013 023 029 030 033 040 050. G & S: Tankards, goblets, serving trays; flasks and dishes, all being domestic utensils or containers and none of precious metals or coated therewith; drinking glasses, decanters, mugs, brushes, namely, hair brushes, clothes brushes, sweeping and hand brushes; combs; china and glass ornaments

IC 025. US 022 039. G & S: Clothing, namely, anoraks, bathrobes, beachwear, belts, Bermuda shorts, blazers, blouses, board shorts, boxer briefs, boxer shorts, briefs, cardigans, coats, dresses, fleece jackets, fleece pullovers, fleece shorts, foul weather gear, gaiters, galoshes, gloves, hosiery, socks, jackets, jeans, jenkins, jerseys, jogging pants, jogging suits, light reflecting coats and jackets, jumpers, jumpsuits, knickers, loungewear, pajamas, panties, pants, parkas, polo shirts, pullovers, rainwear, scarves, shirts, shorts, short-sleeved or long-sleeved T-shirts, sweat shirts, sweat pants, tank tops, tights, top coats, trousers, underclothes, underpants, undershirts, underwear, vests, waterproof jackets and pants, wind coats, wind resistant jackets; footwear; headwear

IC 026. US 037 039 040 042 050. G & S: Ornamental novelty badges for wear, ornaments for personal wear, namely, hair and shoe ornaments; buckles and buttons, all in the nature of clothing fasteners; brooches and, all being clothing accessories other than jewelry; none made of precious metals or coated therewith, all of the aforesaid goods being exclusively related to motor sports

IC 034. US 002 008 009 017. G & S: Tobacco; smokers' articles, namely, match books, cigarette holders, cigarette boxes, cigarette-making machines, tobacco pouches, matches

IC 037. US 100 103 106. G & S: Repair and maintenance services, all relating to vehicles; emergency roadside assistance services, namely, responding to calls for roadside assistance, flat tire changing, emergency fuel supplying, and battery jump starting

IC 041. US 100 101 107. G & S: Entertainment services, namely, conducting entertainment exhibitions in the nature of automotive vehicle displays and demonstrations; arranging and conducting competitions for motor sports; sporting and cultural activities, namely, automotive tours, races and rallies, all of the aforesaid services being exclusively related to motor sports

**Standard Characters Claimed**

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

**Serial Number** 77878087

**Filing Date** November 20, 2009

**Current Basis** 44E

**Original Filing Basis** 1B

**Published for Opposition** April 16, 2013

**Registration Number** 4420211  
**Registration Date** October 22, 2013  
**Owner** (REGISTRANT) Hero Club Limited COMPANY GREAT BRITAIN Fifth Floor, St James Street London UNITED KINGDOM SW1A1HB  
**Attorney of Record** Brian R. McGinley  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# Typed Drawing

**Word Mark** EGO

**Goods and Services** IC 025. US 022 039. G & S: clothing, namely, men's underwear. FIRST USE: 19930500. FIRST USE IN COMMERCE: 19930500

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 74730025

**Filing Date** September 18, 1995

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** October 7, 1997

**Registration Number** 2124708

**Registration Date** December 30, 1997

**Owner** (REGISTRANT) Ego Underwear Company, The CORPORATION FLORIDA 5859 NW 34th Way Boca Raton FLORIDA 33496

(LAST LISTED OWNER) ZULLO, JOSEPH INDIVIDUAL CANADA 3003 Rock Creek Court GASTONIA NORTH CAROLINA 28056

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Trevor P. Schmidt

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080708.

**Renewal** 1ST RENEWAL 20080708

**Live/Dead Indicator** LIVE

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# Typed Drawing

<b>Word Mark</b>	MY EGO
<b>Goods and Services</b>	IC 025. US 022 039. G & S: MEN'S, LADIES AND CHILDREN'S CLOTHING NAMELY, JEANS, SHORTS AND PANTS, TOPS NAMELY, SPORTSHIRTS, DRESS SHIRTS, BLOUSES AND TEE SHIRTS, UNISEX JACKETS, AND MENS TIES. FIRST USE: 20000609. FIRST USE IN COMMERCE: 20010606
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	78082440
<b>Filing Date</b>	September 4, 2001
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	September 17, 2002
<b>Registration Number</b>	2818290
<b>Registration Date</b>	February 24, 2004
<b>Owner</b>	(REGISTRANT) Rand, Steven INDIVIDUAL UNITED STATES 990 Avenue of the Americas Suite 11-H New York NEW YORK 10018
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Affidavit Text</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130403.
<b>Renewal</b>	1ST RENEWAL 20130403
<b>Live/Dead Indicator</b>	LIVE

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TSDR ASSIGN Status TTAB Status ( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark** EGO  
**Goods and Services** IC 025. US 022 039. G & S: Baseball caps and hats; Short-sleeved or long-sleeved t-shirts. FIRST USE: 20120913. FIRST USE IN COMMERCE: 20120913  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design** 01.07.01 - Globes with outlines of continents  
**Search Code** 24.17.16 - Prohibition symbol; Universal prohibition symbol  
**Serial Number** 85820677  
**Filing Date** January 10, 2013  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** March 3, 2015  
**Registration Number** 4737329  
**Registration Date** May 19, 2015  
**Owner** (REGISTRANT) Webber, Anthony D. INDIVIDUAL UNITED STATES 614 Sligo Ave., #T1 Silver Spring MARYLAND 20910

**Description of Mark** The color(s) green, blue, white, and black is/are claimed as a feature of the mark. The mark consists of The symbol is of a world globe with blue water and green land. Over top of that is the word "ego" written in white letters with black trim around the letters. Diagonally across the letter "g" from top left to bottom right is a thick black line. This line is connected at both ends to a black circle which is around the globe. The inside and outside of the circle and diagonal line are trimmed with a thin green boarder.

**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# MY STAR

**Word Mark** MY STAR

**Goods and Services** IC 014. US 002 027 028 050. G & S: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, namely, jewelry and precious stones; horological and chronometric instruments

IC 025. US 022 039. G & S: Clothing, namely, shirts, pants, jeans, jackets, skirts and dresses, tee shirts, underwear, corsets and hats; footwear not including children's shoes and sneakers

**Standard Characters Claimed**

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

**Serial Number** 79079012

**Filing Date** December 23, 2009

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** March 27, 2012

**Registration Number** 4156162

**International Registration Number** 1029040

**Registration Date** June 12, 2012

**Owner** (REGISTRANT) Graziella Paletta SOLE PROPRIETORSHIP ITALY Via Vassallo Giarola, 8 I-15121 ALESSANDRIA ITALY

**Priority Date** July 22, 2009

**Type of Mark** TRADEMARK

Register PRINCIPAL  
Live/Dead Indicator LIVE

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Word Mark STARS

Translations The wording "STARS" has no meaning in a foreign language.

Goods and Services IC 025. US 022 039. G & S: Bandanas; Belts of textile; Blazers; Body suits; Capris; Cardigans; Coats; Corsets; Dress shirts; Dresses; Ear muffs; Fabric belts; Footwear; Garter belts; Gloves; Golf shirts; Gowns; Halter tops; Headwear; Jeans; Jumpers; Jumpsuits; Leather belts; Leg-warmers; Leggings; Leotards and tights for women, men and children of nylon, cotton or other textile fibers; Lingerie; Men's and women's jackets, coats, trousers, vests; Neckerchiefs; Night shirts; Overalls; Pants; Polo shirts; Ponchos; Pullovers; Robes; Rugby shirts; Scarfs; Scarves; Shawls; Shirts; Shirts for suits; Shorts; Skirts; Slacks; Socks; Sports jerseys; Suits; Suspenders; Sweat jackets; Sweat pants; Sweat shirts; Sweaters; Swim wear; T-shirts; Tank tops; Ties; Track suits; Tunics; Turtle neck shirts; Undergarments; Underwear; Vests; Visors. FIRST USE: 20110628. FIRST USE IN COMMERCE: 20110703

Mark

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

Design 01.01.03 - Star - a single star with five points

Search Code 26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles 26.01.21 - Circles that are totally or partially shaded.

Serial Number 77791668

Filing Date July 28, 2009

Current Basis 1A

**Original Filing Basis** 1B  
**Published for Opposition** December 29, 2009  
**Registration Number** 4102756  
**Registration Date** February 21, 2012  
**Owner** (REGISTRANT) Lloyd ,Robert, G AKA ROB NICE INDIVIDUAL UNITED STATES 3126 Redwood national drive apt 4106 Orlando FLORIDA 33859  
(REGISTRANT) Richards,Romayne,S AKA RUM INDIVIDUAL UNITED STATES 1048 East 219 Street BRONX NEW YORK 10469  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STARS" APART FROM THE MARK AS SHOWN  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of Circle with inner design of the word "Stars" combined forming a backwards "S" with a five point star below also in the circle with the word "Stars" outside of circle design,.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Word Mark** STARS  
**Goods and Services** IC 025. US 039. G & S: clothing; namely, T-shirts, sweaters, sweatshirts and caps. FIRST USE: 19900930. FIRST USE IN COMMERCE: 19901120  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 01.01.03 - Star - a single star with five points  
 01.01.11 - Incomplete stars; Stars, incomplete  
 27.03.05 - Objects forming letters or numerals  
**Serial Number** 74127381  
**Filing Date** January 2, 1991  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** July 14, 1992  
**Change in Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 1807615  
**Registration Date** November 30, 1993  
**Owner** (REGISTRANT) North Stars Hockey Club, Inc. CORPORATION DELAWARE Metropolitan Sports Center 7901 Cedar Avenue South Bloomington MINNESOTA 55425

(LAST LISTED OWNER) DSE HOCKEY CLUB, L.P. LIMITED PARTNERSHIP DELAWARE 2601 AVENUE OF THE STARS FRISCO TEXAS 75034

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Thomas H. Prochnow  
**Prior Registrations** 0940878;1103234  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140218.  
**Renewal** 2ND RENEWAL 20140218  
**Live/Dead Indicator** LIVE

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# MY OCEAN

**Word Mark** MY OCEAN  
**Goods and Services** IC 003. US 001 004 006 050 051 052. G & S: Soaps and non-medicated body products. FIRST USE: 20020100. FIRST USE IN COMMERCE: 20120200  
 IC 004. US 001 006 015. G & S: Candles, namely, decorative and scented candles. FIRST USE: 20120100. FIRST USE IN COMMERCE: 20120200  
 IC 021. US 002 013 023 029 030 033 040 050. G & S: Ceramics, namely, bowls, dinnerware, coasters, soap dishes. FIRST USE: 20020100. FIRST USE IN COMMERCE: 20120200  
 IC 025. US 022 039. G & S: Apparel, namely, sarongs, blouses, pants, robes. FIRST USE: 20020100. FIRST USE IN COMMERCE: 20120200

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 85646822  
**Filing Date** June 8, 2012  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** November 6, 2012  
**Registration Number** 4279428

**Registration Date** January 22, 2013  
**Owner** (REGISTRANT) My Ocean, Ltd. limited company (ltd.) BAHAMAS P.O. Box N-4084, Charlotte Street South Nassau BAHAMAS  
**Attorney of Record** Glenn E. Gold  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Typed Drawing**

**Word Mark** OCEAN

**Goods and Services** IC 025. US 039. G & S: MEN'S SWIMMING TRUNKS; BATHING SUITS FOR WOMEN AND JUNIORS; BATHING CAPS AND POOL CAPS FOR WOMEN, MEN AND JUNIORS; MEN'S AND LADIES' TERRY CLOTH ROBES; AND WARM UP SUITS AND SWEAT SUITS. FIRST USE: 19260312. FIRST USE IN COMMERCE: 19260312

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 72450059

**Filing Date** February 28, 1973

**Current Basis** 1A

**Original Filing Basis** 1A

**Registration Number** **0985060**

**Registration Date** May 28, 1974

**Owner** (REGISTRANT) OCEAN POOL SUPPLY COMPANY, INC. CORPORATION NEW YORK STEPAR PLACE HUNTINGTON STATION NEW YORK 11746  
  
(LAST LISTED OWNER) JADE SWIMWEAR, LP LIMITED PARTNERSHIP PENNSYLVANIA 34 WEST WYOMISSING AVENUE 4 FRONT STREET PLAZA MOHNTON PENNSYLVANIA 19540

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** MANNY D. POKOTILOW

**Prior Registrations** 0215424;0903543;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text Renewal** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140614.  
3RD RENEWAL 20140614

**Live/Dead  
Indicator**      LIVE

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**Word Mark** PRO  
**Goods and Services** IC 025. US 022 039. G & S: Baseball caps and hats; Sweaters; T-shirts. FIRST USE: 20140208. FIRST USE IN COMMERCE: 20140228  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design** 01.07.02 - Globes with meridians and parallels only  
**Search Code** 01.07.07 - Astronomic orbits; Globes with rings or orbits  
 01.09.03 - Moons (orbiting a planet); Planetary Rings; Solar system  
 26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders  
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved  
 26.19.01 - Spheres (geometric)  
**Serial Number** 86208387  
**Filing Date** March 1, 2014  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** February 3, 2015  
**Registration Number** 4722373  
**Registration Date** April 21, 2015

**Owner** (REGISTRANT) Joo, Brian DBA PRO LIFE INDIVIDUAL UNITED STATES 300 W 135 Street, Suite 10C  
New York NEW YORK 10030

**Description of Mark** The color(s) red, white, blue and black is/are claimed as a feature of the mark. The mark consists of the wording "PRO" in black within a white rectangular carrier, both of which are in the upper section of a blue sphere designed to look like a globe which has three curvy white lines within it going from top to bottom, three curvy white lines within it going from left to right and a bold red ring going across it from left to right in an upward, diagonal motion. The white background is used to show placement, and is not claimed as a feature of the mark.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# MY PRO

**Word Mark** MY PRO

**Goods and Services** IC 025. US 022 039. G & S: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Clothing for athletic use, namely, padded pants; Clothing for athletic use, namely, padded shirts; Clothing for athletic use, namely, padded shorts. FIRST USE: 20140100. FIRST USE IN COMMERCE: 20140100

IC 035. US 100 101 102. G & S: Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels; Pay per click (PPC) advertising management services; Promoting the goods and services of others by preparing and placing advertisements in an electronic magazine accessed through a global computer network; Providing and rental of advertising space on the internet. FIRST USE: 20140100. FIRST USE IN COMMERCE: 20140100

IC 041. US 100 101 107. G & S: Education services in the nature of courses at the university level; Entertainment and educational services in the nature of on-line competitions in the field of entertainment, education, culture, sports, and other non-business and non-commercial fields; Entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows; Information in the field of parenting concerning education of children. FIRST USE: 20140100. FIRST USE IN COMMERCE: 20140100

IC 042. US 100 101. G & S: Providing a website allowing users to download music and music videos. FIRST USE: 20140100. FIRST USE IN COMMERCE: 20140100

**Standard Characters Claimed**

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

**Serial Number** 85873219

**Filing Date** March 11, 2013

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** January 14, 2014

**Registration Number** 4724289

**Registration Date** April 21, 2015

**Owner** (REGISTRANT) McGarry, Andrew S. DBA Pro Play INDIVIDUAL UNITED STATES 5317 Big East Fork Rd Franklin TENNESSEE 37064

**Attorney of Record** Robyn S. Lederman

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** KLYMIT  
**Goods and Services** IC 025. US 022 039. G & S: Clothing, namely, jackets, liners and vests. FIRST USE: 20090731. FIRST USE IN COMMERCE: 20090731  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 06.01.04 - Mountains (landscapes); Scenery with mountains  
 24.15.25 - Other arrows  
 26.01.21 - Circles that are totally or partially shaded.  
 26.01.28 - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference  
**Trademark Search Facility Classification Code** ART-24.15 Arrows  
 BLDG-AND-SCEN A type of building or a type of scenery  
 LETTER-3-OR-MORE KLYM Combination of three or more letters as part of the mark  
 SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles  
 SHAPES-MISC Miscellaneous shaped designs  
**Serial Number** 77979111  
**Filing Date** July 9, 2008  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** June 2, 2009

**Registration Number** 3797529  
**Registration Date** June 1, 2010  
**Owner** (REGISTRANT) Argon Technologies, Inc. CORPORATION UTAH 2440 Washnigton Blvd. Ogden UTAH 84401  
**Attorney of Record** Jonathan W. Richards  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of A circle with a mountain and "KLYMIT".  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Word Mark** KLYMIT  
**Goods and Services** IC 025. US 022 039. G & S: shirts and underwear. FIRST USE: 20070331. FIRST USE IN COMMERCE: 20100119  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 06.01.04 - Mountains (landscapes); Scenery with mountains  
 24.15.25 - Other arrows  
 26.01.21 - Circles that are totally or partially shaded.  
 26.01.28 - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference  
**Trademark** ART-24.15 Arrows  
**Search Facility Classification Code** BLDG-AND-SCEN A type of building or a type of scenery  
 SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles  
 SHAPES-MISC Miscellaneous shaped designs  
**Serial Number** 77518047  
**Filing Date** July 9, 2008  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** June 2, 2009  
**Registration Number** 3850622

**Registration Date** September 21, 2010  
**Owner** (REGISTRANT) Argon Technologies, Inc. CORPORATION UTAH 2440 Washnigton Blvd. Ogden UTAH 84401  
**Attorney of Record** Jonathan W. Richards  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of A circle with a mountain and "KLYMIT".  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# MYCLIMATE

**Word Mark** MYCLIMATE  
**Goods and Services** IC 025. US 022 039. G & S: Bottoms; Coats; Jackets; Tops; Vests. FIRST USE: 20140815.  
 FIRST USE IN COMMERCE: 20140815  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 86114348  
**Filing Date** November 8, 2013  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** March 4, 2014  
**Registration Number** 4650335  
**Registration Date** December 2, 2014  
**Owner** (REGISTRANT) Eddie Bauer Licensing Services LLC LIMITED LIABILITY COMPANY  
 DELAWARE 10401 Northeast 8th Street, Suite 500 Bellevue WASHINGTON 98004  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Miriam D. Trudell  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL

Live/Dead Indicator **LIVE**

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# Typed Drawing

**Word Mark** MO'S

**Goods and Services** IC 025. US 022 039. G & S: clothing and headgear; namely sweaters, sweatshirts, jackets, shirts, aprons, caps, hats, and shorts. FIRST USE: 19790101. FIRST USE IN COMMERCE: 19790101

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75388440

**Filing Date** November 12, 1997

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** April 9, 2002

**Registration Number** 2587019

**International Registration Number** 1031134

**Registration Date** July 2, 2002

**Owner** (REGISTRANT) NEWPORT PACIFIC CORPORATION CORPORATION OREGON P.O. Box 2151 Newport OREGON 97365

**Attorney of Record** Sheila Fox Morrison

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120730.

**Renewal** 1ST RENEWAL 20120730

**Live/Dead Indicator** LIVE

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**Word Mark** MYMO  
**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Bags made of textile, leather and materials similar to leather, namely, athletic bags, book bags, clutch bags, messenger bags; purses, rucksacks, traveling trunks, traveling bags, umbrellas, briefcases, pocket wallets; cosmetic bags and cases sold empty  
 IC 025. US 022 039. G & S: Clothing, namely, women's and men's outer jackets, blouses, suits, dresses, skirts, jackets, trousers, shirts, pullovers, neckties, coats, scarves, gloves, stockings, T-shirts, polo shirts; sportswear, namely, tracksuits, tank tops; swimwear; leather clothing, namely, jackets, coats and pants; headwear; shoes, boots, belts

**Standard Characters Claimed**

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

**Serial Number** 79131686

**Filing Date** May 15, 2013

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** April 22, 2014

**Registration Number** 4561828

**International Registration Number** 0993240

**Registration Date** July 8, 2014

**Owner** (REGISTRANT) MO Streetwear GmbH LIMITED LIABILITY COMPANY FED REP GERMANY Sorbenstr. 22 20537 Hamburg FED REP GERMANY

**Attorney of Record** Susan G. O'Neill  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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m . i . f i v e

**Word Mark** M . I . FIVE  
**Goods and Services** IC 025. US 022 039. G & S: clothing, namely, tops, bottoms, pants, shirts, dresses, t-shirts, scarves, sweaters, jackets. FIRST USE: 20150222. FIRST USE IN COMMERCE: 20150222  
**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM  
**Serial Number** 85849452  
**Filing Date** February 13, 2013  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** December 31, 2013  
**Registration Number** 4752332  
**Registration Date** June 9, 2015  
**Owner** (REGISTRANT) IP, MICHELINE M. INDIVIDUAL UNITED STATES 719 S. Los Angeles Street, Suite 600 Los Angeles CALIFORNIA 90014  
 (LAST LISTED OWNER) JMI, LLC LIMITED LIABILITY COMPANY DELAWARE 719 S. LOS ANGELES STREET LOS ANGELES CALIFORNIA 90014  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Philip Nulud  
**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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**m.i.five**

**Word Mark** M.I.FIVE

**Goods and Services** IC 025. US 022 039. G & S: clothing, namely, tops, bottoms, pants, shirts, dresses, t-shirts, scarves, sweaters, jackets. FIRST USE: 20150222. FIRST USE IN COMMERCE: 20150222

**Standard Characters Claimed**

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

**Serial Number** 85827522

**Filing Date** January 18, 2013

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** December 24, 2013

**Registration Number** 4752321

**Registration Date** June 9, 2015

**Owner** (REGISTRANT) IP, MICHELINE M. INDIVIDUAL UNITED STATES 719 S. Los Angeles Street, Suite 600 Los Angeles CALIFORNIA 90014

(LAST LISTED OWNER) JMI, LLC LIMITED LIABILITY COMPANY DELAWARE 719 S. LOS ANGELES STREET LOS ANGELES CALIFORNIA 90014

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Philip Nulud

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

Live/Dead Indicator LIVE

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# HIGH FIVE

<b>Word Mark</b>	HIGH FIVE
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Sportswear, namely, jerseys, shorts, pants, jackets, caps, visors, socks, shirts. FIRST USE: 19901231. FIRST USE IN COMMERCE: 19901231
	IC 035. US 100 101 102. G & S: Retail store services and online retail store services featuring team jerseys, sportswear, sporting goods and athletic bags. FIRST USE: 19990501. FIRST USE IN COMMERCE: 19990501
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	85575684
<b>Filing Date</b>	March 21, 2012
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	September 9, 2014
<b>Registration Number</b>	4643221
<b>Registration Date</b>	November 25, 2014
<b>Owner</b>	(REGISTRANT) High 5 Sportswear, Inc. CORPORATION WASHINGTON 18200 Segale Park Drive B Seattle WASHINGTON 98188
<b>Attorney of Record</b>	Nicole M. Meyer
<b>Prior Registrations</b>	2986882;3538295;4068006;AND OTHERS

**Type of Mark**      TRADEMARK, SERVICE MARK  
**Register**            PRINCIPAL  
**Live/Dead Indicator**      LIVE

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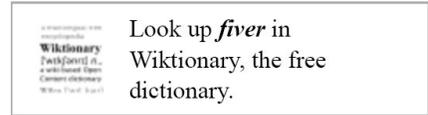
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# Fiver

From Wikipedia, the free encyclopedia

**Fiver** may be:

- A common slang term for:
  - An Australian five-dollar note
  - A British five-pound note
  - A five-euro note
  - A United States five-dollar bill
  - A [Half a Sawbuck...]
- A fifth columnist or saboteur, in wartime slang
- A large forehead, generally the height of five fingers placed horizontally on the forehead.
- Fiver (racing), a Swedish endurance racing team
- 5\*, a UK TV channel operated by Channel 5 formerly known as Fiver
- Fiver (puzzle), a math game played on a 5x5 grid, distantly related to *Conway's Game of Life*
- Fiver (Watership Down), a fictional rabbit in the Richard Adams novel *Watership Down*
- FIVER, a product, marketing and sales firm focused on the Youth Culture consumer
- The Fiver, a humorous daily football email by *The Guardian* newspaper
- Fiverr, a global online marketplace for buying and selling services starting at \$5
- Zaidiyyah Shi'a Muslims, who disagree with the majority of Shi'a on the identity of the Fifth Imam



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## Style

### Up and Coming Denim Brand Mefiver

By Taylor Arnold



If you're not yet familiar with the name "Mefiver," chances are you will be soon. The up-and-coming premium denim brand co-owners - Carly Spano Giammona and Veronica Tibbitts of Cary and Apex - are both award-winning NCSU College of Design + Textiles alums. Alana Vaughn is an International MBA and Ph.D. Fellow who is responsible for Mefiver's strategy, marketing, finance and media relations. "Mefiver targets the enlightened consumer," Alana says. "Our jeans are made with a proprietary process that is indigo-free and eco-friendly, made in the USA by local Carolina textile experts."

All of the jeans are designed in-house by Veronica and Carly, ranging from classic dark washes to executive workwear, bright color effects, stunning artistic translations and even 3D anaglyphs. The collection caters to a spectrum of visual styles, from edgy fashion-forward to the beautiful simplicity of a traditional dark denim.

So how exactly did these three come up with the unique name for their brand? "The name Mefiver started as an inside joke," Alana explains. "On a family vacation, Carly's brother was attempting to beat Veronica's score in a word game, and the only letters left that he could use were 'm-e-f-i-v-e-r.' He insisted that it was a real word for a high-five- as in 'Slap Mefiver!' It immediately became permanent in family vocabulary. We chose to name the company Mefiver because of the fun spirit of the word, and also because it resonated with the idea of the industry standard five-pocket jean, and with the five point back pockets. And it's a great way to say 'give me a high five!' - 'Slap ME-FIVER!'"

It seems their strategy has worked. The Mefiver team recently beat over 120 local companies to be awarded a prestigious North Carolina IDEA grant, and competed against over 400 startup companies worldwide to be named in the "Top 5 Most Promising Startups in the World" by Startup Open, an initiative of the Kauffman Foundation. Through Startup Open, Mefiver was also featured on CNBC's website as a company to watch.

Next up, Mefiver plans to begin selling their jeans in boutiques local to the Triangle. "At this stage, it is critical that we maximize our influence in the market and establish a great relationship with the boutique owner," Alana says. "After all, this is our town, and this is the store our friends and families will shop at, which makes it a top priority for us." They are also finalizing plans to launch a landmark denim boutique in New



York City, and they hope to expand to other urban areas including LA, DC, Chicago, Miami and Atlanta. The jeans will be competitively priced in line with other premium denim brands, in the \$200-\$400 range, depending on design complexity.

“Our approach to every aspect of the company begins with the design process,” Alana says. “We aim not only create a beautiful product, but one that is made by a thoughtful, enlightened process, which ultimately creates a solution and not just an object.”

For more information visit [www.mefiver.com](http://www.mefiver.com).



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