

Request for Reconsideration after Final Action

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| SERIAL NUMBER | 85749462 |
| LAW OFFICE ASSIGNED | LAW OFFICE 101 |
| MARK SECTION | |
| MARK | http://tmng-al.uspto.gov/resting2/api/img/85749462/large |
| LITERAL ELEMENT | BVLAND |
| STANDARD CHARACTERS | YES |
| USPTO-GENERATED IMAGE | YES |
| MARK STATEMENT | The mark consists of standard characters, without claim to any particular font style, size or color. |
| ARGUMENT(S) | |
| SEE PDF VERSION BECAUSE CUTTING AND PASTING REMOVED TABLE INSERTS | |
| Responsive to the Final Office Action dated May 13, 2015, Applicant, Beveland, S.A. (“Beveland”) responds as follows, requesting reconsideration: | |
| The Examining Attorney issued a final refusal under Section 2(d) of the Trademark Act, alleging a likelihood of confusion with U.S. Trademark Registration Nos. 0847433, 1675265, 2209222, 2221848, 3026764, 3265910, 3353205, 40433096, 4455716, and 4556404 (hereinafter, the “2(d) Citations”). Reconsideration is in order for the following reasons: | |
| I. <u>The Mark and the 2(d) Citations are Dissimilar</u> | |
| Beveland’s mark is BVLAND (Word Mark) in Class 033 for schnapps (hereinafter, “Applicant’s Mark”). As noted by the Board in <i>Bell’s Brewery, Inc. v. Bell Hill Vineyards, LLC</i> , 2009 TTAB LEXIS 699 (TTAB 2009), “the similarities and dissimilarities of the marks [are examined] in their appearance, sound, meaning, and commercial impression.” <i>See id.</i> at *12 (citing <i>Palm Bay Imports Inc. v. Veuve Clicquot Ponsardin Maison Fondee en 1772</i> , 73 USPQ 2d 1689, 1692 (Fed. Cir. 2005)). The marks have to be “sufficiently similar in their entirety.” <i>Id.</i> | |
| a. <u>The Appearance of the Marks is Different</u> | |

The Applicant's Mark should to be read as a unitary word: BVLAND instead of BV + LAND. But, assuming, *arguendo*, that it is not read as a unitary word, the addition of the term "LAND" would give off the commercial impression of a place or location. This is the position that the Board took in *Bell's Brewery* :

"Opposer's basic position is that the marks share the word BELL. While it is true that the applicant's mark begins with this word, which can serve to increase similarity, in this case **we read applicant's mark as a unitary phrase BELL HILL which has the connotation and commercial impression of a place.** This is very different from opposer's mark that evokes bells when viewed in concert with its design element or simply a last name when viewing the word element by itself, as the dominant element in opposer's mark."

See id. at *12-13 (emphasis added and citation omitted). As noted herein, the BV in the 2(d) Citations is not a word at all. Moreover, the 2(d) Citations are an unpronounceable letter combination that refers to the initials of Beaulieu Vineyards. This is quite different from Applicant's Mark from an appearance and commercial impression standpoint.

The ordinary American consumer is used to viewing the letter "V" and reading it as it were a letter "U." This is nothing new. As such, it is more than just conceivable that an ordinary consumer would view (and pronounce) the Applicant's Mark as BULAND. This BULAND pronunciation and view—which cannot be discounted as a possibility—would wholly remove the Applicant's Mark from being seen as confusingly similar to the 2(d) Citations. To prove the point, U.S. Trademark Reg. No. 3712921 would have never registered if BU and BV were confusingly similar. *See* Exhibit "A." There are many BV-formative trademarks in the USPTO that treat the "V" as a "U." *See* Exhibit "B" (annexing live and dead trademarks that are BV-formative and treat the letter "V" as a "U"). An iconic example of this is the BVLGARI trademark.

b. The Sound of the Marks is Different

As a starting point, it is axiomatic that "there is no such thing as a correct or proper pronunciation of a trademark." *See, e.g., ConAgra Inc. v. Saavedra*, 4 USPQ 2d 1245, 1247 (TTAB 1987)(citations omitted). That being said, since the Applicant's Mark is unitary, the ordinary consumer will try to pronounce it in its entirety, giving effect to each letter.[1] If Applicant's Mark were dissected as the Examining Attorney views it, it could be pronounced as "BEE VEE LAND." BULAND or BUVLAND or BAY VAY LAND are all possibilities for the sound. Either way, the addition of the common and recognizable –LAND suffix will set it apart from all of the 2(d) Citations.

c. The Meaning of the Marks is Different: BV is Not a Word but the Initials of the Owner of the 2(d) Citations

On the other hand, the 2(d) Citations are clearly a combination of letters, B and V—and the initials of Beaulieu Vineyards. As noted by the U.S. Court of Customs and Patent Appeals in *Vitamin Corporation of America v. American Home Products Corp.*, 76 U.S.P.Q. 611 (CCPA 1948), "monopoly on letters of the alphabet may be rightly secured by no one." *Id.* at 611. Here, the 2(d) Citations are merely letters and while registered the Applicant's Mark is not a mere combination of letters. **The Examiner posits that "[t]he applicant's mark is highly similar to the registrant's marks because they all include the identical wording BV."** However, the BV mark is not a "word" or "wording." It represents letters or initials—nothing more or nothing less.

Specifically, the 2(d) Citations—as noted in Applicant’s last Office Action response—are initials that stand for “Beaulieu Vineyards.” As such the meaning of the BV (assuming it is “BEE VEE”) has to be quite different because the initials stand for different words. *See* McCarthy at §23:33. The Examining Attorney compares the 2(d) Citations and BVLAND with cases in which words were confusingly similar with other words, *e.g.*, where the marks do not represent a mere combination of letters. *See Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB), *aff’d sub nom, Canadian Imperial Bank of Commerce v. Wells Fargo Bank, N.A.*, 1 USPQ2d 1813, 1817 (Fed Cir. 1987)(COMMCASH v. COMMUNICASH); *In re Corning Glass Works*, 229 USPQ 65, 66 (TTAB 1985)(CONFIRM v. CONFIRMCELLS); and *In re Pellerin Milnor Corp.*, 221 USPQ 558, 560 (TTAB 1983). It is respectfully submitted that BV is not a word and cannot be pronounced as one for purposes of the likelihood of confusion exercise.

Reverting to the an argument raised in Applicant’s prior office action response, namely that BVONCRISTIANI and Design and/or BVB 09 and Design would have never published if the Examiner was correct, a new trademark should be added to that list:

(The TESS printout for this mark is included within Exhibit “D”). This mark was only recently examined and the examiner for this matter found “no conflicting marks that would bar registration under Trademark Act Section 2(d).” Needless to say, this mark is for goods in Class 033. How this much closer mark could be allowed (it should be if the Office Action on non-2(d) grounds is responded to in a timely fashion) and Applicant’s Mark—which is vastly different—is beyond the Applicant.

II. Assuming, *arguendo*, that the Examiner does not Accept Applicant’s Reconsideration Request, the 2(d) Citations should be Narrowed for Appeal

The 2(d) Citations are:

| MARK | REG. NO. | GOODS | WHY THE MARKS ARE DISSIMILAR |
|------|----------|----------------------|---|
| | 0847533 | Wines and champagnes | This 2(d) Citation can only be pronounced by the individual letters, <i>e.g.</i> , “BEE VEE.” Applicant’s Mark, however, is different in sight, sound and commercial impression. It may also be pronounced as in BULAND if consumers view the V as a stylized letter “U” as in the well-known trademark BULGARI (BVLGARI). Moreover, this ornate design of the initials of the owner of the 2(d) Citation would set it apart from BVLAND. |
| | 1675265 | Wines | Here, the 2(d) Citation is so ornate that if it is to be read as “BV” it is lost within the design. Moreover, the V is of a greater size; hence, the 2(d) Citation here is more likely to be seen by consumers as VB instead of |

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| | | | BV. Either way, the letters are lost within the ornate designs that appear as part of the overall design and “letters.” As noted by Professor McCarthy, “highly stylized, highly contrasting letter design logos tend to fall on the no likelihood of confusion side of the line[.]” See McCarthy at §23:33. |
| | 2209222 | Wine | See comments above for the ‘433 Registration. |
| BV (Word Mark) | 2221848 | Wines | This 2(d) Citation can only be pronounced by the individual letters, e.g., “BEE VEE.” Applicant’s Mark, however, is different in sight, sound and commercial impression. It may also be pronounced as in BULAND if consumers view the V as a stylized letter “U” as in the well-known trademark BULGARI (BVLGARI). Further, this mark would be recognized as the initials of the owner of the 2(d) Citations. |
| Word Mark | 3026764 | Alcoholic beverages, namely, wines | See comments above for the ‘433 Registration. Also, the inclusion of the wording BEAULIEU VINEYARD and COASTAL ESTATES would cause consumers to associate the BV as initials and with Beaulieu Vineyards. This would not be confusingly-similar to BVLAND. |
| | 3265910 | Alcoholic beverages, namely, wines | See comments above for the ‘433 Registration. |
| BV COASTAL ESTATES (Word Mark) | 3353205 | Alcoholic beverages, namely, wines | See comments for the ‘764 registration. |
| DELIGHT IN THE RICHNESS OF BV | 4043096 | Wines | See comments for the ‘848 registration. Also, the inclusion of the other words, e.g., “DELIGHT IN THE RICHNESS OF” will convey to clients that the mark is pronounced BEE VEE. |
| BV BEAUROUGE | 4455716 | Alcoholic beverages except beers | See comments for the ‘848 registration. Also, the inclusion of the BEAUROUGE (not a descriptive term), will set this mark apart from BVLAND and will convey to consumers that the product is a |

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| | | | Beaulieu Vineyards' wine. To Applicant, this would counter the Examiner's contention that "the identification of goods...is written broadly enough to encompass the applicant's goods." The term is translated as "beautiful red" in the '404 registration below but not translated in this registration. |
| | 4556404 | Alcoholic beverages except beers | See comments above for the '433 '716 and '764 registrations. |

II. Schnapps and Wine are not *Per Se* Related

The Examining Attorney argues that schnapps and wine are related goods. While both contain alcohol and are classified within Class 33, there is no *per se* rule mandating that all alcoholic beverages be viewed as similar goods for purposes of the likelihood of confusion analysis. *See, e.g., In re Reubens Brews LLC*, Ser. No. 86066711 (TTAB, Oct. 27, 2015)(non-precedential). Each case, however, must be decided on its own evidence. Here, given the difference in the Marks—like with BELL'S and BELL HILL where beer and wine were not seen as related *per se*—wine and schnapps should not be seen as related.

[1] The Applicant's Mark is not an unpronounceable letter combination like the 2(d) Citations. "Where the conflicting marks are unpronounceable letter combinations, they may be difficult to remember and more susceptible to confusion than are word marks." *See* 4 J. Thomas McCarthy, McCarthy on Trademarks and Unfair Competition at §23:33 (2015 Thomson Reuters)(hereinafter, "McCarthy"). The -LAND suffix portion of Applicant's Mark will make the mark more familiar to the ordinary consumer and will lead to a pronunciation of the whole. In terms of frequency, the word "land" ranks 583rd in the English language as a noun and 2075th as a verb. *See* Exhibit "C" (annexing pages from Routledge's *A Frequency Dictionary of Contemporary American English*).

EVIDENCE SECTION

EVIDENCE FILE NAME(S)

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| DESCRIPTION OF EVIDENCE FILE | second (complete version) of argument with tables and Exhibits thereto |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /Ryan A. McGonigle/ |
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| SIGNATORY'S NAME | Ryan A. McGonigle |
| SIGNATORY'S POSITION | Attorney of Record, New Jersey and New York Bar Member |
| SIGNATORY'S PHONE NUMBER | 6462187537 |
| DATE SIGNED | 11/13/2015 |
| AUTHORIZED SIGNATORY | YES |
| CONCURRENT APPEAL NOTICE FILED | YES |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Fri Nov 13 17:32:18 EST 2015 |
| TEAS STAMP | USPTO/RFR-151.181.4.5-201 51113173218949798-8574946 2-540b8fb4516ca4aafde9ec9 ca2d622a414a02e8b4c3efc60 eebf5f4be5b7e086c-N/A-N/A -20151113172023099323 |

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

Application serial no. **85749462** BVLAND(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/85749462/large>) has been amended as follows:

ARGUMENT(S)

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

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"Opposer's basic position is that the marks share the word BELL. While it is true that the applicant's mark begins with this word, which can serve to increase similarity, in this case **we read applicant's mark as a unitary phrase BELL HILL which has the connotation and commercial impression of a place.** This is very different from opposer's mark that evokes bells when viewed in concert with its design element or simply a last name when viewing the word element by itself, as the dominant element in opposer's mark."

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| | 3265910 | Alcoholic beverages, namely, wines | See comments above for the ‘433 Registration. |
| BV COASTAL ESTATES (Word Mark) | 3353205 | Alcoholic beverages, namely, wines | See comments for the ‘764 registration. |
| DELIGHT IN THE | 4043096 | Wines | See comments for the ‘848 |

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|----------------|---------|----------------------------------|--|
| RICHNESS OF BV | | | registration. Also, the inclusion of the other words, <i>e.g.</i> , “DELIGHT IN THE RICHNESS OF” will convey to clients that the mark is pronounced BEE VEE. |
| BV BEAUROUGE | 4455716 | Alcoholic beverages except beers | See comments for the ‘848 registration. Also, the inclusion of the BEAUROUGE (not a descriptive term), will set this mark apart from BVLAND and will convey to consumers that the product is a Beaulieu Vineyards’ wine. To Applicant, this would counter the Examiner’s contention that “the identification of goods...is written broadly enough to encompass the applicant’s goods.” The term is translated as “beautiful red” in the ‘404 registration below but not translated in this registration. |
| | 4556404 | Alcoholic beverages except beers | See comments above for the ‘433 ‘716 and ‘764 registrations. |

II. Schnapps and Wine are not *Per Se* Related

The Examining Attorney argues that schnapps and wine are related goods. While both contain alcohol and are classified within Class 33, there is no *per se* rule mandating that all alcoholic beverages be viewed as similar goods for purposes of the likelihood of confusion analysis. *See, e.g., In re Reubens Brews LLC*, Ser. No. 86066711 (TTAB, Oct. 27, 2015)(non-precedential). Each case, however, must be decided on its own evidence. Here, given the difference in the Marks—like with BELL’S and BELL HILL where beer and wine were not seen as related *per se*—wine and schnapps should not be seen as related.

[1] The Applicant’s Mark is not an unpronounceable letter combination like the 2(d) Citations. “Where the conflicting marks are unpronounceable letter combinations, they may be difficult to remember and more susceptible to confusion than are word marks.” *See* 4 J. Thomas McCarthy, McCarthy on Trademarks and Unfair Competition at §23:33 (2015 Thomson Reuters)(hereinafter, “McCarthy”). The –LAND suffix portion of Applicant’s Mark will make the mark more familiar to the ordinary consumer and will lead to a pronunciation of the whole. In terms of frequency, the word “land” ranks 583rd in the English language as a noun and 2075th as a verb. *See* Exhibit “C” (annexing pages from Routledge’s *A Frequency Dictionary of Contemporary American English*).

EVIDENCE

Evidence in the nature of second (complete version) of argument with tables and Exhibits thereto has been attached.

Original PDF file:

[evi_15118145-20151113172023099323_. ArgumentReconsideration_BVLAND_11.13.15.pdf](#)

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[Evidence-1](#)

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SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Ryan A. McGonigle/ Date: 11/13/2015

Signatory's Name: Ryan A. McGonigle

Signatory's Position: Attorney of Record, New Jersey and New York Bar Member

Signatory's Phone Number: 6462187537

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

Serial Number: 85749462

Internet Transmission Date: Fri Nov 13 17:32:18 EST 2015

TEAS Stamp: USPTO/RFR-151.181.4.5-201511131732189497

98-85749462-540b8fb4516ca4aafde9ec9ca2d6

22a414a02e8b4c3efc60eebf5f4be5b7e086c-N/

A-N/A-20151113172023099323

Responsive to the Final Office Action dated May 13, 2015, Applicant, Beveland, S.A. (“Beveland”) responds as follows, requesting reconsideration:

The Examining Attorney issued a final refusal under Section 2(d) of the Trademark Act, alleging a likelihood of confusion with U.S. Trademark Registration Nos. 0847433, 1675265, 2209222, 2221848, 3026764, 3265910, 3353205, 40433096, 4455716, and 4556404 (hereinafter, the “2(d) Citations”). Reconsideration is in order for the following reasons:

I. The Mark and the 2(d) Citations are Dissimilar

Beveland’s mark is BVLAND (Word Mark) in Class 033 for schnapps (hereinafter, “Applicant’s Mark”). As noted by the Board in *Bell’s Brewery, Inc. v. Bell Hill Vineyards, LLC*, 2009 TTAB LEXIS 699 (TTAB 2009), “the similarities and dissimilarities of the marks [are examined] in their appearance, sound, meaning, and commercial impression.” *See id.* at *12 (citing *Palm Bay Imports Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 73 USPQ 2d 1689, 1692 (Fed. Cir. 2005)). The marks have to be “sufficiently similar in their entireties.” *Id.*

a. The Appearance of the Marks is Different

The Applicant’s Mark should to be read as a unitary word: BVLAND instead of BV + LAND. But, assuming, *arguendo*, that it is not read as a unitary word, the addition of the term “LAND” would give off the commercial impression of a place or location. This is the position that the Board took in *Bell’s Brewery*:

“Opposer’s basic position is that the marks share the word BELL. While it is true that the applicant’s mark begins with this word, which can serve to increase similarity, in this case **we read applicant’s mark as a unitary phrase BELL HILL which has the connotation and commercial impression of a place.** This is very different from opposer’s mark that evokes bells when viewed in concert with its design element or simply a last name when viewing the word element by itself, as the dominant element in opposer’s mark.”

See id. at *12-13 (emphasis added and citation omitted). As noted herein, the BV in the 2(d) Citations is not a word at all. Moreover, the 2(d) Citations are an unpronounceable letter combination that refers to the initials of Beaulieu Vineyards. This is quite different from Applicant’s Mark from an appearance and commercial impression standpoint.

The ordinary American consumer is used to viewing the letter “V” and reading it as it were a letter “U.” This is nothing new. As such, it is more than just conceivable that an ordinary consumer would view (and pronounce) the Applicant’s Mark as BULAND. This BULAND pronunciation and view—which cannot be discounted as a possibility—would wholly remove the Applicant’s Mark from being seen as confusingly similar to the 2(d) Citations. To prove the point, U.S. Trademark Reg. No. 3712921 would have never registered if BU and BV were confusingly similar. *See* Exhibit “A.” There are many BV-formative trademarks in the USPTO that treat the “V” as a “U.” *See* Exhibit “B” (annexing live and dead trademarks that are BV-

formative and treat the letter “V” as a “U”). An iconic example of this is the BVLGARI trademark.

b. The Sound of the Marks is Different

As a starting point, it is axiomatic that “there is no such thing as a correct or proper pronunciation of a trademark.” *See, e.g., ConAgra Inc. v. Saavedra*, 4 USPQ 2d 1245, 1247 (TTAB 1987)(citations omitted). That being said, since the Applicant’s Mark is unitary, the ordinary consumer will try to pronounce it in its entirety, giving effect to each letter.¹ If Applicant’s Mark were dissected as the Examining Attorney views it, it could be pronounced as “BEE VEE LAND.” BULAND or BUVLAND or BAY VAY LAND are all possibilities for the sound. Either way, the addition of the common and recognizable –LAND suffix will set it apart from all of the 2(d) Citations.

c. The Meaning of the Marks is Different: BV is Not a Word but the Initials of the Owner of the 2(d) Citations

On the other hand, the 2(d) Citations are clearly a combination of letters, B and V—and the initials of Beaulieu Vineyards. As noted by the U.S. Court of Customs and Patent Appeals in *Vitamin Corporation of America v. American Home Products Corp.*, 76 U.S.P.Q. 611 (CCPA 1948), “monopoly on letters of the alphabet may be rightly secured by no one.” *Id.* at 611. Here, the 2(d) Citations are merely letters and while registered the Applicant’s Mark is not a mere combination of letters. **The Examiner posits that “[t]he applicant’s mark is highly similar to the registrant’s marks because they all include the identical wording BV.” However, the BV mark is not a “word” or “wording.” It represents letters or initials—nothing more or nothing less.**

Specifically, the 2(d) Citations—as noted in Applicant’s last Office Action response—are initials that stand for “Beaulieu Vineyards.” As such the meaning of the BV (assuming it is “BEE VEE”) has to be quite different because the initials stand for different words. *See* McCarthy at §23:33. The Examining Attorney compares the 2(d) Citations and BVLAND with cases in which words were confusingly similar with other words, *e.g.*, where the marks do not represent a mere combination of letters. *See Crocker Nat’l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB), *aff’d sub nom, Canadian Imperial Bank of Commerce v. Wells Fargo Bank, N.A.*, 1 USPQ2d 1813, 1817 (Fed Cir. 1987)(COMMASH v. COMMUNICASH); *In re Corning Glass Works*, 229 USPQ 65, 66 (TTAB 1985)(CONFIRM v.

¹ The Applicant’s Mark is not an unpronounceable letter combination like the 2(d) Citations. “Where the conflicting marks are unpronounceable letter combinations, they may be difficult to remember and more susceptible to confusion than are word marks.” *See* 4 J. Thomas McCarthy, McCarthy on Trademarks and Unfair Competition at §23:33 (2015 Thomson Reuters)(hereinafter, “McCarthy”). The –LAND suffix portion of Applicant’s Mark will make the mark more familiar to the ordinary consumer and will lead to a pronunciation of the whole. In terms of frequency, the word “land” ranks 583rd in the English language as a noun and 2075th as a verb. *See* Exhibit “C” (annexing pages from Routledge’s *A Frequency Dictionary of Contemporary American English*).

CONFIRMCELLS); and *In re Pellerin Milnor Corp.*, 221 USPQ 558, 560 (TTAB 1983). It is respectfully submitted that BV is not a word and cannot be pronounced as one for purposes of the likelihood of confusion exercise.

Reverting to the an argument raised in Applicant’s prior office action response, namely that BVONCRISTIANI and Design and/or BVB 09 and Design would have never published if the Examiner was correct, a new trademark should be added to that list:

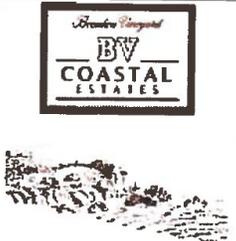


(The TESS printout for this mark is included within Exhibit “D”). This mark was only recently examined and the examiner for this matter found “no conflicting marks that would bar registration under Trademark Act Section 2(d).” Needless to say, this mark is for goods in Class 033. How this much closer mark could be allowed (it should be if the Office Action on non-2(d) grounds is responded to in a timely fashion) and Applicant’s Mark—which is vastly different—is beyond the Applicant.

II. Assuming, *arguendo*, that the Examiner does not Accept Applicant’s Reconsideration Request, the 2(d) Citations should be Narrowed for Appeal

The 2(d) Citations are:

| MARK | REG. NO. | GOODS | WHY THE MARKS ARE DISSIMILAR |
|---|----------|----------------------|---|
|  | 0847533 | Wines and champagnes | This 2(d) Citation can only be pronounced by the individual letters, e.g., “BEE VEE.” Applicant’s Mark, however, is different in sight, sound and commercial impression. It may also be pronounced as in BULAND if consumers view the V as a stylized letter “U” as in the well-known trademark BULGARI (BVLGARI). Moreover, this ornate design of the initials of the owner of the 2(d) Citation would set it apart from BVLAND. |
|  | 1675265 | Wines | Here, the 2(d) Citation is so ornate that if it is to be read as “BV” it is lost within the design. Moreover, |

| MARK | REG. NO. | GOODS | WHY THE MARKS ARE DISSIMILAR |
|--|----------|------------------------------------|--|
| | | | the V is of a greater size; hence, the 2(d) Citation here is more likely to be seen by consumers as VB instead of BV. Either way, the letters are lost within the ornate designs that appear as part of the overall design and "letters." As noted by Professor McCarthy, "highly stylized, highly contrasting letter design logos tend to fall on the no likelihood of confusion side of the line[.]" See McCarthy at §23:33. |
|  | 2209222 | Wine | See comments above for the '433 Registration. |
| BV (Word Mark) | 2221848 | Wines | This 2(d) Citation can only be pronounced by the individual letters, e.g., "BEE VEE." Applicant's Mark, however, is different in sight, sound and commercial impression. It may also be pronounced as in BULAND if consumers view the V as a stylized letter "U" as in the well-known trademark BULGARI (BVLGARI). Further, this mark would be recognized as the initials of the owner of the 2(d) Citations. |
|  Word Mark | 3026764 | Alcoholic beverages, namely, wines | See comments above for the '433 Registration. Also, the inclusion of the wording BEAULIEU VINEYARD and COASTAL ESTATES would cause consumers to associate the BV as initials and with Beaulieu Vineyards. This would not be confusingly-similar to BVLAND. |
|  | 3265910 | Alcoholic beverages, namely, wines | See comments above for the '433 Registration. |
| BV COASTAL | 3353205 | Alcoholic | See comments for the '764 |

| MARK | REG. NO. | GOODS | WHY THE MARKS ARE DISSIMILAR |
|---|----------|----------------------------------|--|
| ESTATES (Word Mark) | | beverages, namely, wines | registration. |
| DELIGHT IN THE RICHNESS OF BV | 4043096 | Wines | See comments for the '848 registration. Also, the inclusion of the other words, e.g., "DELIGHT IN THE RICHNESS OF" will convey to clients that the mark is pronounced BEE VEE. |
| BV BEAUROUGE | 4455716 | Alcoholic beverages except beers | See comments for the '848 registration. Also, the inclusion of the BEAUROUGE (not a descriptive term), will set this mark apart from BVLAND and will convey to consumers that the product is a Beaulieu Vineyards' wine. To Applicant, this would counter the Examiner's contention that "the identification of goods...is written broadly enough to encompass the applicant's goods." The term is translated as "beautiful red" in the '404 registration below but not translated in this registration. |
|  | 4556404 | Alcoholic beverages except beers | See comments above for the '433 '716 and '764 registrations. |

II. Schnapps and Wine are not *Per Se* Related

The Examining Attorney argues that schnapps and wine are related goods. While both contain alcohol and are classified within Class 33, there is no *per se* rule mandating that all alcoholic beverages be viewed as similar goods for purposes of the likelihood of confusion analysis. See, e.g., *In re Reubens Brews LLC*, Ser. No. 86066711 (TTAB, Oct. 27, 2015)(non-precedential). Each case, however, must be decided on its own evidence. Here, given the difference in the Marks—like with BELL'S and BELL HILL where beer and wine were not seen as related *per se*—wine and schnapps should not be seen as related.

Exhibit “A”



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Word Mark BU BRU·LI·AM WINE IS ELEMENTAL
Goods and Services IC 033. US 047 049. G & S: Wines. FIRST USE: 20090821. FIRST USE IN COMMERCE: 20090911
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.01.02 - Circles, plain single line; Plain single line circles
 26.01.15 - Circles, exactly three circles; Three circles
 26.01.16 - Circles touching or intersecting
 26.11.20 - Rectangles inside one another
 26.11.21 - Rectangles that are completely or partially shaded
Trademark Search Facility Classification Code LETS-2 BU-LI-AM Two letters or combinations of multiples of two letters
 LETTER-3-OR-MORE BRU Combination of three or more letters as part of the mark
 NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks
 SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles
 SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
 SHAPES-MISC Miscellaneous shaped designs
Serial Number 77510504
Filing Date June 27, 2008
Current Basis 1A
Original Filing Basis 1B
Published for Opposition December 23, 2008
Registration Number 3712921

Registration Date November 17, 2009

Owner (REGISTRANT) Bruliam Wines, LLC LIMITED LIABILITY COMPANY CALIFORNIA 5811 Folsom Drive La Jolla CALIFORNIA 92037

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a solid square with a narrow line around the border and three dots in the upper left hand corner and the stylized text "wine is elemental" in the bottom right corner; in the middle of the square the stylized text "Bu Bru.li.am" appears.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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BVNKUR

| | |
|------------------------------------|--|
| Word Mark | BVNKUR |
| Goods and Services | IC 004. US 001 006 015. G & S: Candles. FIRST USE: 20140630. FIRST USE IN COMMERCE: 20140630 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 86578100 |
| Filing Date | March 26, 2015 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | August 18, 2015 |
| Registration Number | 4845473 |
| Registration Date | November 3, 2015 |
| Owner | (REGISTRANT) Drew Clifford INDIVIDUAL UNITED STATES 11901 NE Prescott Portland OREGON 97220 |
| Attorney of Record | Jonathan Ward |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

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BVSIS

| | |
|------------------------------------|---|
| Word Mark | BVSIS |
| Goods and Services | IC 041. US 100 101 107. G & S: Disc jockey services. FIRST USE: 20140620. FIRST USE IN COMMERCE: 20140620 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 86473918 |
| Filing Date | December 8, 2014 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Owner | (APPLICANT) Colucci, Michael Andrew INDIVIDUAL UNITED STATES 8884 Paseo Ranchero Ct. Las Vegas NEVADA 89147 |
| Attorney of Record | Scott M. Haapala |
| Type of Mark | SERVICE MARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

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BVNDI

| | |
|------------------------------------|--|
| Word Mark | BVNDI |
| Goods and Services | IC 018. US 001 002 003 022 041. G & S: Fashion accessories, namely, belt-bags, fanny packs and handbags, made of leather or synthetic material. FIRST USE: 20140105. FIRST USE IN COMMERCE: 20140615 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 86464322 |
| Filing Date | November 25, 2014 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | May 5, 2015 |
| Registration Number | 4776851 |
| Registration Date | July 21, 2015 |
| Owner | (REGISTRANT) BVNDI, Inc. CORPORATION CALIFORNIA 535 7th Ave Santa Cruz CALIFORNIA 95062 |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |

Live/Dead
Indicator LIVE

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SAINT BVVIS

Word Mark SAINT BVVIS
Translations The wording "BVVIS" has no meaning in a foreign language.
Goods and Services IC 018. US 001 002 003 022 041. G & S: Rucksacks for mountaineers; backpacks; alpenstocks; canes; and walking stick handles

 IC 025. US 022 039. G & S: Mountaineering boots; winter boots; inner soles; soles for footwear; non-slipping devices for boots, namely, studs for boots; jumpers; parkas; underwear; underclothing; undershirts; ear muffs; winter gloves; socks; hoods; climbing trousers; climbing socks; climbing jacket; climbing vests; climbing caps; athletic footwear; rain coats; and sport shirts

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86338919
Filing Date July 16, 2014
Current Basis 1B
Original Filing Basis 1B
Published for Opposition June 23, 2015
Owner (APPLICANT) Kantukan Co., Ltd. CORPORATION REPUBLIC OF KOREA Suite 4, Daseong Bldg. Busan REPUBLIC OF KOREA 611-070
Attorney of Record Michael Stein
Type of Mark TRADEMARK

Register PRINCIPAL
Live/Dead Indicator LIVE

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Bvllletin

| | |
|------------------------------------|--|
| Word Mark | BVLLETIN |
| Goods and Services | (ABANDONED) IC 009. US 021 023 026 036 038. G & S: Downloadable software in the nature of a mobile application for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 86181903 |
| Filing Date | February 1, 2014 |
| Current Basis | 1B |
| Original Filing Basis | 1B |
| Owner | (APPLICANT) Bvllletin, Inc. CORPORATION DELAWARE 1400 2nd Ave. N. #280 Seattle WASHINGTON 98109 |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | DEAD |
| Abandonment Date | November 12, 2014 |

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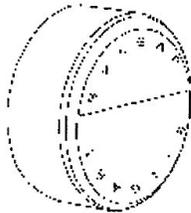
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| | |
|--|---|
| Word Mark | BVLGARI |
| Goods and Services | (CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: Perfumery; [soaps, for personal use; essential oils for personal use;] hair lotions and shampoo; [bath and shower gel and lotions] |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 10.09.01 - Capsules, medicinal/nonmedicinal; Pills; Tablets, medicines; Tablets, nonmedical products in tablet form |
| Serial Number | 79010480 |
| Filing Date | March 31, 2005 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| Published for Opposition | December 26, 2006 |
| Registration Number | 3218158 |
| International Registration Number | 0848233 |
| Registration Date | March 13, 2007 |
| Owner | (REGISTRANT) BULGARI SPA JOINT STOCK COMPANY ITALY Via Lungotevere Marzio, 11 I-00186 Roma ITALY |

Attorney of Record Natasha N. Reed
Priority Date October 8, 2004
Description of Mark Color is not claimed as a feature of the mark. The mark consists of product packaging in the form of a short cylinder, on the top of which one line runs from edge to edge through the center. The wording "BVLGARI" appears twice in the circle on the top of the cylinder, once in each half as divided by the line, and in each case in an arc that follows the curve of the circle.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECTION 71
Live/Dead Indicator DEAD
Cancellation Date March 31, 2015

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BVLGARI AQVA DIVINA

Word Mark BVLGARI AQVA DIVINA
Translations The wording "BVLGARI" has no meaning in a foreign language.
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Soaps; perfumery, essential oils, cosmetics, hair lotions; eau de cologne; lavender water; toilet water; scented linen water; adhesives for cosmetic purposes; amber perfume; aromatic being essential oils; balms other than for medical purposes, namely, lip balm, body balm; flower essences being bases for flower perfumes; hair dyes; cosmetics; cosmetic creams; boot cream; skin whitening creams; deodorants for human beings or for animals; mint essence being an essential oil; bergamot oil; ethereal essences; flower extracts being perfumes; hair spray; almond milk for cosmetic purposes; cleansing milk for toilet purposes; after-shave lotions; hair lotions; lotions for cosmetic purposes; musk being perfumery; cosmetic kits comprised of makeup, lipstick, body soap; oils for perfumes and scents; cosmetic preparations for baths; perfumes

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 79155705
Filing Date September 10, 2014
Current Basis 66A
Original Filing Basis 66A
Published for Opposition July 21, 2015
Registration Number 4824381
International Registration Number 1224623
Registration Date October 6, 2015
Owner (REGISTRANT) BVLGARI S.p.A. JOINT STOCK COMPANY ITALY Lungotevere Marzio, 11 I-00186

Roma ITALY
Attorney of Record Natasha N. Reed
Priority Date March 12, 2014
Prior Registrations 1682863;1693893;1694038;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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B V L G A R I

Word Mark
Goods and Services

BVLGARI
(CANCELLED) IC 039. US 100 105. G & S: [Transport by motor vehicle, boat, rail and air; packaging and storage of luggage, clothing, furniture, carpets, gymnastic and sporting articles for transportation; travel services, namely, arranging and coordinating travel plans, travel bookings, travel tours, travel excursions and cruises for individuals and for groups; travel services, namely, arranging for travel visa, passports and travel documents for domestic and international travelers]

IC 040. US 100 103 106. G & S: Treatment of materials, namely, metals, precious metals, silver, precious stones, [glass,] fabrics, [textiles,] * and * leather [and essential oils]

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETTER-3-OR-MORE BVL Combination of three or more letters as part of the mark

Serial Number 79044677
 Filing Date July 30, 2007
 Current Basis 66A
 Original Filing Basis 66A
 Published for Opposition July 8, 2008
 Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
 Registration Number 3505546
 International Registration Number 0761853

Registration Date September 23, 2008
Owner (REGISTRANT) BULGARI S.p.A. JOINT STOCK COMPANY ITALY Via Lungotevere Marzio, 11 ROME ITALY 00186
Attorney of Record Natasha N. Reed
Prior Registrations 2102804;2783515;2954459;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECTION 71
Live/Dead Indicator LIVE

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BVLGARI

Word Mark BVLGARI
Goods and Services IC 020. US 002 013 022 025 032 050. G & S: Non-luminous advertisement display boards of glass; non-luminous advertisement display boards of plastic; non-luminous advertisement display boards of porcelain [; bottle racks made of wood or made of porcelain; casks of wood for decanting wines]

(CANCELLED) IC 021. US 002 013 023 029 030 033 040 050. G & S: [Boxes for sweetmeats, not of precious metal; candy boxes, not of precious metal; corkscrews; decanters; dishes, not of precious metal; drinking glasses]

(CANCELLED) IC 034. US 002 008 009 017. G & S: [Cigar cases, not of precious metal; cigarette cases, not of precious metal; gas lighters for smokers; cigar lighters; cigarette lighters; pocket lighters for smokers; table lighters for smokers; tobacco pipes; tobacco for pipe smokers]

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

Trademark Search Facility Classification Code LETTER-3-OR-MORE BVL Combination of three or more letters as part of the mark

Serial Number 79054170

Filing Date July 30, 2007

Current Basis 66A

Original Filing Basis 66A

Published for Opposition February 24, 2009
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 3619579
International Registration Number 0494237
Registration Date May 12, 2009
Owner (REGISTRANT) BULGARI S.P.A. JOINT STOCK COMPANY ITALY Lungotevere Marzio, 11 Roma ITALY I00186
Attorney of Record Natasha N. Reed
Prior Registrations 2102804;2783515;2954459;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECTION 71
Live/Dead Indicator LIVE

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BVLGARI LE GEMME

Word Mark BVLGARI LE GEMME
Translations The English translation of the words "LE GEMME" in the mark is "THE GEM".
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Bleaching preparations and other substances for laundry use, namely, laundry starch, laundry detergent; cleaning, polishing, scouring and abrasive preparations; soaps, namely, laundry soap, beauty soap; perfumery, essential oils, cosmetics, hair lotions; dentifrices; fragrances and perfumes; perfumed extracts for perfumes; solid perfume; perfumes; oils for perfumes and scents; aromatic oils for perfumes; bases for flower perfumes, namely, flower essences; natural oils for perfumes

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79146785

Filing Date March 7, 2014

Current Basis 66A

Original Filing Basis 66A

Published for Opposition February 17, 2015

Registration Number 4729594

International Registration Number 1202615

Registration Date May 5, 2015

Owner (REGISTRANT) BULGARI S.p.A. joint stock company ITALY Lungotevere Marzio, 11 I-00186 Roma ITALY

Attorney of Record Natasha N. Reed
Priority Date February 4, 2014
Prior Registrations 3348876;3872972;4130218;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BVLGARI

| | |
|--|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 024. US 042 050. G & S: Textiles and textile goods, not included in other classes, namely, apparel fabrics, fabrics of imitation animal skins, fabrics for use in the manufacture of bags, of cases, of purses, [of umbrellas,] and of wallets; fabrics for shawls and scarves [; bath linen, fabrics for textile use; bed covers and bed linen; table covers, namely, table linen] |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Trademark Search Facility Classification Code | LETTER-3-OR-MORE BVLGARI Combination of three or more letters as part of the mark SHAPES-MISC Miscellaneous shaped designs |
| Serial Number | 79051324 |
| Filing Date | January 16, 2008 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| Published for Opposition | December 2, 2008 |
| Registration Number | 3576455 |
| International Registration Number | 0957188 |
| Registration Date | February 17, 2009 |
| Owner | (REGISTRANT) BULGARI S.p.A. CORPORATION ITALY Lungotevere Marzio, 11 I-00186 Roma ITALY |
| Attorney of | Natasha N. Reed |

Record

Prior Registrations 2954459;3218158;3348876;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECTION 71
Live/Dead Indicator LIVE

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BVLGARI

| | |
|--|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 034. US 002 008 009 017. G & S: Raw and manufactured tobacco; Smokers' articles, namely, snuff boxes, cigar and cigarette holders for smoking purposes, cigarette tubes, cigarette filters, cigar and cigarette cases and boxes not of precious metals, smoking pipe racks, smoking pipe cleaners, smoking pipe cleaners with pick, scraper and pipe tamper; Matches |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Serial Number | 79106293 |
| Filing Date | March 10, 2010 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| Published for Opposition | May 8, 2012 |
| Registration Number | 4177671 |
| International Registration Number | 0494237 |
| Registration Date | July 24, 2012 |
| Owner | (REGISTRANT) BULGARI S.P.A. JOINT STOCK COMPANY ITALY Lungotevere Marzio, 11 I-00186 Roma ITALY |
| Attorney of | |

Record Natasha N. Reed
Prior Registrations 2102804;2783515;3619579;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
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BVLGARI SECRET DE GEMMES

| | |
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| Word Mark | BVLGARI SECRET DE GEMMES |
| Translations | The English translation of "SECRET DE GEMMES" in the mark is "GEMS SECRET". |
| Goods and Services | IC 003. US 001 004 006 050 051 052. G & S: cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions, dentifrices |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 79093534 |
| Filing Date | February 3, 2011 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| Published for Opposition | February 7, 2012 |
| Registration Number | 4130218 |
| International Registration Number | 1067392 |
| Registration Date | April 24, 2012 |
| Owner | (REGISTRANT) BULGARI S.p.A. SOCIETA' PER AZIONI ITALY Lungotevere Marzio, 11 I-00186 Roma ITALY |
| Attorney of Record | Natasha N. Reed |
| Priority Date | August 4, 2010 |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GEMMES" APART FROM THE MARK AS SHOWN |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

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BVLGARI

Word Mark
Goods and Services

BVLGARI
 IC 036. US 100 101 102. G & S: Real estate services, namely, financing of real estate development projects, real estate investment services in the nature of purchasing and selling of real estate for others, real estate financing services, real estate management, real estate leasing and real estate brokerage, all relating to apartments, flats, condominiums, time-share properties and real estate of all kinds, and facilities and amenities relating thereto; real estate management of vacation homes; lease-purchase financing, leasing of real estate and credit card services; issuance of credit cards; charitable fundraising and eleemosynary services in the field of monetary donations; eleemosynary services in the nature of provision of in-kind monetary contributions to public and private entities and individuals; providing memberships in undivided deed interest clubs, private residence clubs, right to use clubs, and long term lease projects at resort and vacation locations; real estate brokerage services, namely, facilitating the sale, exchange and trade of resort and vacation time for members of resort recreation clubs, real estate time sharing projects, undivided deed interest clubs, private residence clubs, right to use clubs, and long term lease projects; arranging for the exchange of occupancy rights between owners of resort properties

IC 043. US 100 101. G & S: Hotel services; restaurant, catering, bar and cocktail lounge services; resort lodging services; provision of general-purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; and reservation services for hotel accommodations for others; providing memberships in a club which provides temporary vacation residences; private residence club services, namely, provision to club members of temporary accommodations in company owned or leased private residences

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79092778

Filing Date August 19, 2010
Current Basis 66A
Original Filing Basis 66A
Published for Opposition September 27, 2011
Registration Number 4069230
International Registration Number 1065701
Registration Date December 13, 2011
Owner (REGISTRANT) BULGARI S.p.A. JOINT STOCK COMPANY ITALY Lungotevere Marzio, 11 I-00187 Roma ITALY
Attorney of Record Natasha N. Reed
Priority Date July 16, 2010
Prior Registrations 3505546
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BVLGARI GEM ESSENCE

| | |
|--|--|
| Word Mark | BVLGARI GEM ESSENCE |
| Goods and Services | IC 003. US 001 004 006 050 051 052. G & S: Soaps; [perfumery, essential oils,] cosmetics [, hair lotions; dentifrices] |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Trademark Search Facility Classification Code | LETTER-3-OR-MORE BVL Combination of three or more letters as part of the mark |
| Serial Number | 79034347 |
| Filing Date | December 18, 2006 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| Published for Opposition | September 18, 2007 |
| Registration Number | 3348876 |
| International Registration Number | 0912771 |
| Registration Date | December 4, 2007 |
| Owner | (REGISTRANT) BULGARI S.P.A. JOINT STOCK COMPANY ITALY Lungotevere Marzio, 11 I-00186 Roma ITALY |
| Attorney of Record | Natasha N. Reed |
| Priority Date | June 26, 2006 |
| Prior Registrations | 1693893;1848470;3218158;AND OTHERS |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GEM ESSENCE" APART FROM THE MARK AS |

Type of Mark SHOWN
Register TRADEMARK
Affidavit Text PRINCIPAL
Live/Dead SECT 15. SECTION 71
Indicator LIVE

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Word Mark BVONCRISTIANI
Goods and Services IC 033. US 047 049. G & S: Wine. FIRST USE: 20040100. FIRST USE IN COMMERCE: 20070417
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 07.01.01 - Castles; Forts; Palaces
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon
 24.09.07 - Advertising, banners; Banners
Trademark Search Facility Classification Code ART-07.01 Dwellings, cages or kennels
 LETS-2 BV Two letters or combinations of multiples of two letters
 SHAPES-HERALDRY Marks with shields, crests, emblems, insignias, and crowns
 SHAPES-SCROLLS An ornamental design that resembles a partially rolled scroll of paper
Serial Number 78577583
Filing Date March 1, 2005
Current Basis 1A
Original Filing Basis 1B
Published for Opposition January 3, 2006
Registration Number 3349480
Registration Date December 4, 2007

Owner (REGISTRANT) R. Buoncristiani Vineyard, LLC LIMITED LIABILITY COMPANY CALIFORNIA 79 Knight Drive R. Buoncristiani Vineyard, LLC San Rafael CALIFORNIA 94901

Attorney of Record Marcy J. Bergman

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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BVLGARI

| | |
|--|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 029. US 046. G & S: Jellies, jams, marmalades IC 030. US 046. G & S: Chocolate, chocolate candies, chocolate chips, chocolate pastes, chocolate truffles, chocolate based ready to eat candies and snacks, candy with cocoa, chocolate covered cocoa nibs |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Trademark Search Facility Classification Code | LETTER-3-OR-MORE BVL Combination of three or more letters as part of the mark |
| Serial Number | 77618659 |
| Filing Date | November 20, 2008 |
| Current Basis | 44E |
| Original Filing Basis | 1B;44D |
| Published for Opposition | May 19, 2009 |
| Registration | 3663077 |

Number
Registration Date August 4, 2009
Owner (REGISTRANT) BULGARI S.p.A. JOINT STOCK COMPANY ITALY 11, Lungotevere Marzio Rome ITALY
Attorney of Record Natasha N. Reed
Priority Date May 30, 2008
Prior Registrations 2102804;3218158;3348876;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BVLGARI

| | |
|--|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 029. US 046. G & S: Jellies, jams, marmalades IC 030. US 046. G & S: Chocolate, chocolate candies, chocolate chips, chocolate pastes, chocolate truffles, chocolate based ready to eat candies and snacks, candy with cocoa, chocolate covered cocoa nibs |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Trademark Search Facility Classification Code | LETTER-3-OR-MORE BVL Combination of three or more letters as part of the mark |
| Serial Number | 77618659 |
| Filing Date | November 20, 2008 |
| Current Basis | 44E |
| Original Filing Basis | 1B;44D |
| Published for Opposition | May 19, 2009 |
| Registration | 3663077 |

Number
Registration Date August 4, 2009
Owner (REGISTRANT) BULGARI S.p.A. JOINT STOCK COMPANY ITALY 11, Lungotevere Marzio Rome ITALY
Attorney of Record Natasha N. Reed
Priority Date May 30, 2008
Prior Registrations 2102804;3218158;3348876;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BVNDE

| | |
|------------------------------------|---|
| Word Mark | BVNDE |
| Goods and Services | (ABANDONED) IC 035. US 100 101 102. G & S: Computerized on-line ordering services in the field of jewelry |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 77372425 |
| Filing Date | January 15, 2008 |
| Current Basis | 1B |
| Original Filing Basis | 1B |
| Published for Opposition | May 27, 2008 |
| Owner | (APPLICANT) Bunde Corporation CORPORATION GEORGIA 2835 Tupelo Street Atlanta GEORGIA 30317 |
| Type of Mark | SERVICE MARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | DEAD |
| Abandonment Date | March 23, 2009 |

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CAFE BVLGARI

Word Mark CAFE BVLGARI
 Goods and Services (ABANDONED) IC 043. US 100 101. G & S: Bar and restaurant services. FIRST USE: 20070821. FIRST USE IN COMMERCE: 20070821
 Standard Characters Claimed
 Mark Drawing Code (4) STANDARD CHARACTER MARK
 Serial Number 77262135
 Filing Date August 22, 2007
 Current Basis 1A
 Original Filing Basis 1A
 Owner (APPLICANT) Cafe Bvlgari Inc. CORPORATION ILLINOIS 1600 Oakton st. Elk Grove Village ILLINOIS 60007
 Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE CAFE APART FROM THE MARK AS SHOWN
 Type of Mark SERVICE MARK
 Register PRINCIPAL
 Live/Dead Indicator DEAD
 Abandonment Date December 2, 2008

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BVLGARI

| | |
|------------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 025. US 022 039. G & S: Belts, ties, scarves, shawls, and stoles. FIRST USE: 19950300. FIRST USE IN COMMERCE: 19950300 |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 76583076 |
| Filing Date | March 23, 2004 |
| Current Basis | 1A |
| Original Filing Basis | 1B;44E |
| Published for Opposition | March 1, 2005 |
| Registration Number | 2954459 |
| Registration Date | May 24, 2005 |
| Owner | (REGISTRANT) BVLGARI S.p.A. CORPORATION ITALY Lungotevere Marzio 11 Rome ITALY |
| Attorney of Record | Natasha N. Reed |
| Prior Registrations | 1848470;2102804;2783545;AND OTHERS |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150522. |

Renewal 1ST RENEWAL 20150522
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BVLGARI

Word Mark BVLGARI
Goods and Services

IC 035. US 100 101 102. G & S: Retail shops and point-of sale [services] * kiosks * featuring jewelry, silverware, watches, clothing, leather goods, eyeglasses, perfumery, and desk and writing instruments; providing product information regarding the products for sale by others organized by sector via a global computer network [; licensing of computer software; franchising services,] namely, offering technical assistance in the establishment and/or operation of retail shops and points-of sale kiosks in the fields of jewelry, silverware, watches, clothing, leather goods, eyeglasses, perfumery, and desk and writing instruments; arranging and conducting [trade shows and] * trade show * exhibitions in the field of art, namely, [paintings, sculptures, photographs, graphic art designsand] jewelry; [arranging and conducting trade shows and exhibitions in the fields of fashion and protection of environment; organizing exhibitions for selected products of given sectors for commercial and advertising purposes;] business consulting services related to marketing, brand awareness and retail sale of luxury goods and services

(CANCELLED) IC 041. US 100 101 107. G & S: [Educational services, namely, conducting classes, workshops, conferences and seminars in the field of luxury products in the nature of jewelry, silverware, watches, clothing, leather goods, eyeglasses, perfumery, and desk and writing instruments and selling strategies for such products; entertainment services in the nature of live musical performances and sporting events, namely, tennis, golf, polo, basketball, football, soccer, gymnastics, horse-racing, skiing, car-racing, marathons and swimming; conducting entertainment exhibitions in the fields of art, namely, paintings, sculptures, photographs, designs, jewelry, and fashion; conducting educational exhibitions in the field of protection of the environment; providing facilities for exhibitions for educational purposes in the field of luxury goods in the nature of jewelry, silverware, watches, clothing, leather goods, eyeglasses, perfumery, and desk and writing instruments; production and distribution of motion pictures]

(CANCELLED) IC 042. US 100 101. G & S: [Consultation in the fields of intellectual property, computers and product development; licensing of intellectual property, including know-how, trade secrets, trademarks, service marks and product designs; personal shopping and selection of luxury goods for others; computer software design for others; design of new products for others; hotel services; providing temporary housing accommodations; travel agency services, namely, making reservations and booking for temporary lodging; beauty salons]

Mark Drawing Code (1) TYPED DRAWING
Serial Number 76020579
Filing Date April 7, 2000
Current Basis 44E
Original Filing Basis 1B;44D
Published for Opposition August 26, 2003
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 2783515
Registration Date November 18, 2003
Owner (REGISTRANT) Bulgari S.p.A. CORPORATION ITALY 11, Lungotevere Marzio Rome ITALY
Attorney of Record Natasha N. Reed
Priority Date October 15, 1999
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20130923.
Renewal 1ST RENEWAL 20130923
Live/Dead Indicator LIVE

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B V O N O

Word Mark BVONO
Goods and Services (CANCELLED) IC 025. US 022 039. G & S: Overcoats, suits, jackets, skirts, trousers, shirts, t-shirts, underclothing, underwear, scarves, gloves, neckties, belts, suspenders, socks, shoes, slippers, head wear
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 76226477
Filing Date March 19, 2001
Current Basis 44E
Original Filing Basis 1B;44D
Published for Opposition August 10, 2004
Registration Number 2898520
Registration Date November 2, 2004
Owner (REGISTRANT) Buono S.n.c. di Buono Eustachio e Isonzo Maria Pia Maria Pia ISONZO; Francesca BUONO; Rocco Luigi BUONO, all citizens of Italy PARTNERSHIP ITALY 60, Via del Corso Matera ITALY 1-75100
Attorney of Record Mark E Fejer
Priority Date September 20, 2000
Type of Mark TRADEMARK

Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date June 3, 2011

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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 042. US 100 101. G & S: retail store services featuring jewelry, watches, knives and spoons, pens clocks, gift items and perfumery. FIRST USE: 18840000. FIRST USE IN COMMERCE: 19701100 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75087734 |
| Filing Date | April 15, 1996 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | July 15, 1997 |
| Registration Number | 2102804 |
| Registration Date | October 7, 1997 |
| Owner | (REGISTRANT) Bulgari S.p.A. CORPORATION ITALY Lungotevere Marzio 11 Rome ITALY |
| Attorney of Record | Natasha N. Reed |
| Prior Registrations | 1652464;1682863;1848470;AND OTHERS |
| Type of Mark | SERVICE MARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070423. |
| Renewal | 1ST RENEWAL 20070423 |
| Live/Dead Indicator | LIVE |

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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Translations | The English translation of "eau de parfum" is "scented water". |
| Goods and Services | IC 003, US 051. G & S: eau de parfum. FIRST USE: 19930408. FIRST USE IN COMMERCE: 19930408 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 74423943 |
| Filing Date | August 10, 1993 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | May 17, 1994 |
| Registration Number | 1848470 |
| Registration Date | August 9, 1994 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI S.P.A. CORPORATION ITALY Via Gregoriana 5 Rome ITALY |
| | (LAST LISTED OWNER) BULGARI S.P.A. JOINT STOCK COMPANY BY CHANGE OF NAME ITALY LUNGOTEVERE MARZIO 11 ROME ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Natasha N. Reed |
| Prior Registrations | 1652464;1682863;1694038;1694380;1736428;AND OTHERS |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140611.
Renewal 2ND RENEWAL 20140611
**Live/Dead
Indicator** LIVE

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Typed Drawing

Word Mark BVLGARI

Goods and Services (CANCELLED) IC 008. US 023 028 044. G & S: [knives and spoons made of precious metals]. FIRST USE: 19330000. FIRST USE IN COMMERCE: 19760600

IC 014. US 002 027 028 050. G & S: key rings, money clips, [drinking glasses, coasters, candlesticks, service plates, vases, bowls, decanters, carafes,] non-electric [cigar and] cigarette lighters, [cigar cutters, cigarette and cigar cases,] and clothing buttons, all made wholly or in part of precious metal. FIRST USE: 19330000. FIRST USE IN COMMERCE: 19711200

Mark Drawing Code (1) TYPED DRAWING

Serial Number 74329013

Filing Date November 5, 1992

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 7, 1993

Change in Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 1826133

Registration Date March 15, 1994

Owner (REGISTRANT) Partecipazioni Bulgari S.P.A. CORPORATION ITALY Via Gregoriana 5 Rome ITALY

(LAST LISTED OWNER) BULGARI S.P.A. ITALIAN JOINT-STOCK COMPANY BY CHANGE OF NAME ITALY LUNGOTEVER MARZIO 11 ROME ITALY

Assignment ASSIGNMENT RECORDED

Recorded
Attorney of Record Natasha N. Reed
Prior Registrations 1404546;1652464;1682863;1694038;1694380;1736428;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040527. PARTIAL SECTION 8(10-YR) 20140204.
Renewal 2ND RENEWAL 20140204
Live/Dead Indicator LIVE

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Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | BVLGARI |
| Goods and Services | IC 014. US 028. G & S: jewelry. FIRST USE: 18840000. FIRST USE IN COMMERCE: 19700000 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 74195274 |
| Filing Date | August 15, 1991 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | May 12, 1992 |
| Registration Number | 1736428 |
| Registration Date | December 1, 1992 |
| Owner | (REGISTRANT) Partecipazioni Bulgari S.P.A. CORPORATION ITALY via Gregoriana 5 Rome ITALY |
| | (LAST LISTED OWNER) BULGARI S.P.A. CORPORATION BY CHANGE OF NAME FROM ITALY LUNGOTEVERE MARZIO 11 ROME ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Natasha N. Reed |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 8 (6-YR). SECTION 8(10-YR) 20120409. |
| Renewal | 2ND RENEWAL 20120409 |
| Live/Dead Indicator | LIVE |



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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 018. US 001 002 003 022 041. G & S: ATTACHE CASES, [BEACH BAGS, CANE HANDLES, CANES,] TOTE BAGS, [LEATHER SHOPPING BAGS, SATCHELS, LUGGAGE, TRUNKS, WALKING STICKS,] PURSES, VALISES, WALLETS, [UMBRELLAS AND PARASOLS, ANIMAL SKINS, HIDES, WHIPS, HARNESSSES AND SADDLERY] |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779789 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | March 24, 1992 |
| Registration Number | 1694380 |
| Registration Date | June 16, 1992 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 (LAST LISTED OWNER) BULGARI S.P.A. ITALIAN JOINT-STOCK COMPANY BY change of name from Lungotevere Marzio 11 Rome ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Amy C. Ziegler |
| Prior Registrations | 1184684;1285791;1404546 |

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120406.
Renewal 2ND RENEWAL 20120406
Live/Dead Indicator LIVE

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Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | BVLGARI |
| Goods and Services | IC 009, US 021 023 026 036 038, G & S: [BINOCULARS, COMPASSES,] EYEGLASSES, [EYEGLASS CHAINS, EYEGLASS CORDS,] EYEGLASS FRAMES, EYEGLASS CASES, [KALEIDOSCOPES, PINCE-NEZ, PINCE-NEZ CHAINS, PINCE-NEZ CASES, PINCE-NEZ CORDS, PINCE-NEZ MOUNTINGS,] SUNGLASSES, SUNGLASS FRAMES, SUNGLASS CASES [, SUNGLASS CHAINS] |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779787 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | March 24, 1992 |
| Registration Number | 1694038 |
| Registration Date | June 16, 1992 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 (LAST LISTED OWNER) Bulgari S.p.A. CORPORATION By change of name from ITALY Lungotevere Marzio 11 Rome ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Amy C. Ziegler |
| Prior | 1184684;1285791;1404546 |

Registrations

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120406.
Renewal 2ND RENEWAL 20120406
Live/Dead Indicator LIVE

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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 016. US 002 005 022 023 029 037 038 050. G & S: [FOUNTAIN PENS,] PENS, [PENCILS, LETTER OPENERS,] * AND * PEN CASES [, PEN CLIPS, PEN WIPERS, STANDS FOR PENCILS AND PENS; STATIONERY; NAMELY, ANNOUNCEMENT CARDS, NOTEBOOK COVERS, ENVELOPES, GREETING CARDS, NOTE BOOKS AND WRITING PAPER, SEALING WAX, SEALS, WRITING CASES, WRITING PADS; BOOKMARKERS, GIFT WRAPPING PAPER, PLACE CARD HOLDERS] |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779790 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | January 21, 1992 |
| Registration Number | 1682863 |
| Registration Date | April 14, 1992 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 (LAST LISTED OWNER) BULGARI S.P.A. CORPORATION BY CHANGE OF NAME FROM ITALY LUNGOTEVERE MARZIO 11 ROME ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Natasha N. Reed |

Prior Registrations 1184684;1285791;1404546;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120315.
Renewal 2ND RENEWAL 20120315
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Typed Drawing

Word Mark BVLGARI
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: [COSMETICS; NAMELY, FOUNDATIONS, CREAMS, ROUGES, EYE LINER, EYE SHADOW, EYEBROW PENCILS, MASCARA, LIPSTICKS, FACE POWDER, FACE CREAM, MAKE-UP REMOVER CREAM, LIP LINERS, SUN-TANNING LOTIONS, FALSE EYELASHES, NAIL POLISH, NAIL POLISH REMOVER;] TOILETRIES; NAMELY, [BATH SALTS,] BATH [OILS AND] CREAMS, [BEAUTY MARKS,] TOILET SOAP, SKIN LOTIONS, [NAIL POLISH, NAIL CREAM, POMADES,] SHAMPOOS, SHAVING [CREAMS AND] LOTIONS, [COSMETIC KITS CONTAINING LIPSTICK, CLEANSING MILK, COTTON STICKS, LOTIONS, EYEBROW PENCIL, FALSE EYELASHES, FACE POWDER, MAKEUP REMOVER, NAIL POLISH, SHAVING SOAP, NAIL POLISH REMOVER]

Mark Drawing Code (1) TYPED DRAWING

Serial Number 73779788

Filing Date February 7, 1989

Current Basis 44E

Original Filing Basis 44E

Published for Opposition March 24, 1992

Registration Number 1693893

Registration Date June 16, 1992

Owner (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187

(LAST LISTED OWNER) BULGARI S.P.A. CORPORATION By change of name from ITALY Lungotevere Marzio 11 Rome ITALY

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Natasha N. Reed
Prior Registrations 1184684;1285791;1404546
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 8 (6-YR). SECTION 8(10-YR) 20120404.
Renewal 2ND RENEWAL 20120404
Live/Dead Indicator LIVE

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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 018. US 001 002 003 022 041. G & S: ATTACHE CASES, [BEACH BAGS, CANE HANDLES, CANES,] TOTE BAGS, [LEATHER SHOPPING BAGS, SATCHELS, LUGGAGE, TRUNKS, WALKING STICKS,] PURSES, VALISES, WALLETS, [UMBRELLAS AND PARASOLS, ANIMAL SKINS, HIDES, WHIPS, HARNESSSES AND SADDLERY] |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779789 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | March 24, 1992 |
| Registration Number | 1694380 |
| Registration Date | June 16, 1992 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 (LAST LISTED OWNER) BULGARI S.P.A. ITALIAN JOINT-STOCK COMPANY BY change of name from Lungotevere Marzio 11 Rome ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Amy C. Ziegler |
| Prior Registrations | 1184684;1285791;1404546 |

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120406.
Renewal 2ND RENEWAL 20120406
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark BVLGARI
Goods and Services IC 009, US 021 023 026 036 038. G & S: [BINOCULARS, COMPASSES,] EYEGLASSES, [EYEGLASS CHAINS, EYEGLASS CORDS,] EYEGLASS FRAMES, EYEGLASS CASES, [KALEIDOSCOPES, PINCE-NEZ, PINCE-NEZ CHAINS, PINCE-NEZ CASES, PINCE-NEZ CORDS, PINCE-NEZ MOUNTINGS,] SUNGLASSES, SUNGLASS FRAMES, SUNGLASS CASES [, SUNGLASS CHAINS]
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73779787
Filing Date February 7, 1989
Current Basis 44E
Original Filing Basis 44E
Published for Opposition March 24, 1992
Registration Number 1694038
Registration Date June 16, 1992
Owner (REGISTRANT) PARTECIPAZIONI BULGARI S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187
 (LAST LISTED OWNER) Bulgari S.p.A. CORPORATION By change of name from ITALY Lungotevere Marzio 11 Rome ITALY
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Amy C. Ziegler
Prior 1184684;1285791;1404546

Registrations

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120406.
Renewal 2ND RENEWAL 20120406
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Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | IC 016. US 002 005 022 023 029 037 038 050. G & S: [FOUNTAIN PENS,] PENS, [PENCILS, LETTER OPENERS,] * AND * PEN CASES [, PEN CLIPS, PEN WIPERS, STANDS FOR PENCILS AND PENS; STATIONERY; NAMELY, ANNOUNCEMENT CARDS, NOTEBOOK COVERS, ENVELOPES, GREETING CARDS, NOTE BOOKS AND WRITING PAPER, SEALING WAX, SEALS, WRITING CASES, WRITING PADS; BOOKMARKERS, GIFT WRAPPING PAPER, PLACE CARD HOLDERS] |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779790 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | January 21, 1992 |
| Registration Number | 1682863 |
| Registration Date | April 14, 1992 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 (LAST LISTED OWNER) BULGARI S.P.A. CORPORATION BY CHANGE OF NAME FROM ITALY LUNGOTEVERE MARZIO 11 ROME ITALY |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | Natasha N. Reed |

Prior Registrations 1184684;1285791;1404546;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120315.
Renewal 2ND RENEWAL 20120315
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Typed Drawing

Word Mark BVLGARI

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: [COSMETICS; NAMELY, FOUNDATIONS, CREAMS, ROUGES, EYE LINER, EYE SHADOW, EYEBROW PENCILS, MASCARA, LIPSTICKS, FACE POWDER, FACE CREAM, MAKE-UP REMOVER CREAM, LIP LINERS, SUN-TANNING LOTIONS, FALSE EYELASHES, NAIL POLISH, NAIL POLISH REMOVER;] TOILETRIES; NAMELY, [BATH SALTS,] BATH [OILS AND] CREAMS, [BEAUTY MARKS,] TOILET SOAP, SKIN LOTIONS, [NAIL POLISH, NAIL CREAM, POMADES,] SHAMPOOS, SHAVING [CREAMS AND] LOTIONS, [COSMETIC KITS CONTAINING LIPSTICK, CLEANSING MILK, COTTON STICKS, LOTIONS, EYEBROW PENCIL, FALSE EYELASHES, FACE POWDER, MAKEUP REMOVER, NAIL POLISH, SHAVING SOAP, NAIL POLISH REMOVER]

Mark Drawing Code (1) TYPED DRAWING

Serial Number 73779788

Filing Date February 7, 1989

Current Basis 44E

Original Filing Basis 44E

Published for Opposition March 24, 1992

Registration Number 1693893

Registration Date June 16, 1992

Owner (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187

(LAST LISTED OWNER) BULGARI S.P.A. CORPORATION By change of name from ITALY Lungotevere Marzio 11 Rome ITALY

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Natasha N. Reed
Prior Registrations 1184684;1285791;1404546
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 8 (6-YR). SECTION 8(10-YR) 20120404.
Renewal 2ND RENEWAL 20120404
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Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | BVLGARI |
| Goods and Services | (CANCELLED) IC 025. US 039. G & S: CLOTHING FOR MEN AND WOMEN, NAMELY, SCARVES, NECKTIES, DRESS SHIRTS, SPORT SHIRTS, BATHROBES, BATHING SUITS, BELTS, BOAS, CAMISOLES, OVERCOATS, GLOVES, GOWNS, DRESSES, HOSIERY, JACKETS, JERSEYS, SWEATERS, PANTS, SASHES, LINGERIE, SOCKS, VESTS, UNDERWEAR, SUITS, TROUSERS, TOPCOATS, RAINCOATS, TUXEDOS, SHAWLS, GARTERS, SHOES, SLIPPERS, SANDALS, BOOTS, VEILS, HATS, CAPS, HEADBANDS, FUR COATS, FUR JACKETS, FUR STOLEES |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73779791 |
| Filing Date | February 7, 1989 |
| Current Basis | 44E |
| Original Filing Basis | 44E |
| Published for Opposition | May 7, 1991 |
| Registration Number | 1652464 |
| Registration Date | July 30, 1991 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI, S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY 00187 |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | ROBERT ALPERT |
| Prior Registrations | 1184684;1285791;1404546 |
| Type of Mark | TRADEMARK |

Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date February 3, 1998

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B V L G A R I

| | |
|---------------------------------|---|
| Word Mark | BVLGARI |
| Goods and Services | (CANCELLED) IC 003. US 051. G & S: PERFUME. FIRST USE: 19841113. FIRST USE IN COMMERCE: 19841113 |
| | (CANCELLED) IC 025. US 039. G & S: CLOTHING, NAMELY, PANTS AND SHIRTS. FIRST USE: 19841113. FIRST USE IN COMMERCE: 19841113 |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Serial Number | 73510273 |
| Filing Date | November 23, 1984 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | May 20, 1986 |
| Registration Number | 1404546 |
| Registration Date | August 12, 1986 |
| Owner | (REGISTRANT) PARTECIPAZIONI BULGARI S.P.A. CORPORATION ITALY VIA GREGORINA 5 ROME ITALY |
| Attorney of Record | ROBERT ALPERT |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |

Live/Dead Indicator DEAD

Cancellation Date August 18, 1993

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BVDS

| | |
|------------------------------|---|
| Word Mark | BVDS |
| Goods and Services | IC 030. US 046. G & S: SOLID CHOCOLATE CONFECTIONS. FIRST USE: 18930000. FIRST USE IN COMMERCE: 18930000 |
| Mark Drawing Code | (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM |
| Serial Number | 71016122 |
| Filing Date | January 11, 1906 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Registration Number | 0055254 |
| Registration Date | August 7, 1906 |
| Owner | (REGISTRANT) H.O. WILBUR & SONS COMPOSED OF HENRY O. WILBUR AND WILLIAM N. WILBUR, CITIZENS OF THE UNITED STATES FIRM PENNSYLVANIA NO. 233 NORTH THIRD STREET PHILADELPHIA PENNSYLVANIA (LAST LISTED OWNER) CARGILL COCOA & CHOCOLATE, INC. CORPORATION DELAWARE 20 NORTH BROAD STREET LITITZ PENNSYLVANIA 17543 |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of | |

Record THOMAS W. LINDBERG
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 12C. SECT 15. SECTION 8(10-YR) 20060613.
Renewal 5TH RENEWAL 20060613
Live/Dead Indicator LIVE

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Exhibit “C”

a **FREQUENCY** dictionary of
**CONTEMPORARY
AMERICAN ENGLISH**

word sketches, collocates, and thematic lists

Mark Davies
Dee Gardner

- Practical: the top 5,000 most frequently-used words in American English
- Insightful: the most frequent collocates show the meaning and use of each word
- Useful: thematic boxes give the top words for 30 specific topics

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Library of Congress Cataloging in Publication Data
Davies, Mark, 1963 Apr. 22

A frequency dictionary of contemporary American English : word sketches, collocates,
and thematic lists / Mark Davies, Dee Gardner.—1st ed.
p. cm.—(Routledge frequency dictionaries)
Includes bibliographical references and index
English language—Word frequency—Dictionaries. I. Gardner, Dee. II. Title.
PE1691.D35 2010
423'.1—dc22

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ISBN 13: 978-0-415-49063-4 (pbk)
ISBN 13: 978-0-203-88088-3 (ebk)

576 certain j

noun thing, amount, way, kind, time, type, point, area, level, group, extent, condition
misc such, almost, absolutely, fairly, under, from, virtually
 62856 | 0.97

577 either r

.or, interest, .search, .modify, .directly, choice, .negative, assign, .indirectly, classify, randomly, .explicitly, .unwilling, .physically
 62432 | 0.97

578 oil n

adj crude, hot, foreign, essential, offshore, domestic, imported, used *noun* price, .company, .gas, tablespoon, cup, vegetable, heat, .industry, olive, teaspoon *verb* add, .spill, drill, produce, sell, cook, pour, increase, reduce, sesame.
 67264 | 0.90 M

579 simply r

not, .because, put, rather, quite, .matter, .true, .ignore, than, .enough, .disappear, .afford, .vanish, .impossible
 62154 | 0.97

580 test n

adj standardized, nuclear, positive, diagnostic, genetic, medical, comprehensive, physical, specific, ultimate *noun* .score, result, blood, .achievement, drug, .DNA, .litmus. *verb* pass, .show, conduct, perform, fail, administer, .determine, measure, .indicate, .reveal
 65135 | 0.92 A

581 personal j

noun life, computer, experience, relationship, information, responsibility, trainer, communication, level, history, problem, interest *misc* own, professional, social, political, close, financial, private, individual
 62727 | 0.95

582 star n

adj bright, young, red, brightest, massive, rising, excellent, hot, extraordinary, central *noun* movie, .war, rock, .trek, film, cluster, neutron, light, pop, basketball. *verb* form, .shine, rise, orbit, explode, observe, surround, twinkle, earn, feature
 68290 | 0.88 M

583 land n

adj public, private, federal, holy, promised, agricultural, native, dry *noun* .use, acre, water, .mine, area, .management, forest, .reform, sea, resource *verb* own, buy, .sell, protect, purchase, acquire, clear, .belong, control, surround
 63801 | 0.94

584 third m

.world, second, .year, .party, .quarter, about, .fourth, .grade, .floor, finish, .base, .season, .baseman, .person
 61853 | 0.96

585 general j

noun attorney, manager, motor, office, public, education, counsel, assembly, population, election, accounting, hospital *misc* electric, former, assistant, united, vice, specific, elementary, cognitive, linear, theoretical
 63479 | 0.94 A

586 computer n

adj personal, digital, portable, sophisticated, interactive, handheld, used, complex, high-speed, faster *noun* .system, .screen, .program, .software, technology, .science, network, .game, .model *verb* use, buy, connect, generate, link, check, install, store, operate, display
 63867 | 0.93 M

587 movie n

adj favorite, classic, popular, scary, famous, upcoming, violent, animated, silent, made-for-TV *noun* .star, .theater, television, scene, studio, home, show, .house, video, horror. *verb* see, watch, love, direct, feature, film, rent, inspire, portray, review
 64171 | 0.93

588 worker n

adj social, American, skilled, united, temporary, foreign, hard, average, postal, medical *noun* health, job, construction, factory, care, farm, migrant, aid. *verb* hire, employ, lay, train, .earn, protect, represent, rescue, fire, expose
 64599 | 0.91

589 open j

noun door, space, window, eye, mouth, market, question, house, mind, field, forum, air *misc* leave, British, remain, swing, win, wide
 61429 | 0.96

590 catch v

noun .eye, .breath, fish, .glimpse, .attention, .fire, .sight, .ball, yard, light, .middle, arm, camera, .bus, .act *misc* before, finally, .cold, .myself, .steal, .off-guard, hurry, .red-handed, occasionally, .unawares
up .in, .with, get, finally, hurry, .sleep, eventually, .gossip, .paperwork, .academically
on quickly, finally, .fast, slow, eventually, .wildfire, instantly, slower.
 62569 | 0.94 F

591 type n

adj different, other, certain, various, specific, particular, common, similar, basic, sexual
noun .thing, .diabetes, people, .person, personality, body, blood, .error, material, sport *verb* identify, represent, determine, depend, vary, relate, distinguish, select, engage, classify.
 63528 | 0.93 A

592 support n

adj social, financial, public, strong, political, emotional, international, popular, military
noun .group, family, child, .system, service, community, life, .lack, network *verb* provide, need, receive, offer, win, show, gain, lend, maintain, obtain
 63548 | 0.93 A

593 north n

adj far, communist, due, temperate, near, indigenous, magnetic, frozen, industrialized, tropical *noun* south, mile, state, .side, east, west, .trade, .shore, coast, .agreement *verb* head, move, drive, travel, migrate, extend, invade, flee.
 61959 | 0.95

594 love n

adj romantic, tough, unconditional, lost, brotherly, passionate *noun* life, .affair, .story, song, .letter, sex, marriage, .scene, labor, respect *verb* fall, make,

2070 athlete n

adj female, high, professional, male, young, Olympic, great, black, best, competitive *noun* sport, coach, student, school, college, team, elite, woman, study, level *verb* .compete, indicate, .participate, train, .receive, .perform, identify, examine, influence, reveal 21786 | 0.69 A

2071 convince v

noun .people, .jury, .public, .voter, .American, .judge, .Congress, official, evidence, doctor, administration, campaign, .juror, .reader, argument *misc* try, .myself, .himself, able, 15555 | 0.97

2072 alternative n

adj other, only, viable, traditional, better, best, attractive, effective, cheap, healthy *noun* program, policy, education, energy, treatment, response, transportation, .violence, .prison *verb* offer, provide, consider, suggest, develop, choose, present, propose, .exist, discuss 16159 | 0.93 A

2073 pepper n

adj red, black, green, hot, white, cracked, grilled, stuffed, Italian, tender *noun* salt, teaspoon, bell, cup, onion, ground, garlic, cayenne, sauce, tablespoon *verb* .taste, add, chop, dice, sprinkle, roast, crush, grind, peel, drain 17923 | 0.84 M N

2074 cream n

adj sour, whipped, heavy, light, cold, shaving, whipping *noun* ice, cup, .cheese, vanilla, butter, chocolate, sugar, tablespoon, sauce, milk *verb* whip, add, serve, eat, beat, stir, shave, .soften, fill, melt 16588 | 0.90 M

2075 land v

noun job, plane, .airport, helicopter, .role, troop, .Mars, fish, aircraft, floor, .contract, .jail, flight, ball, ground *misc* .on, before, .near, .safely, fly, .softly, crash 15787 | 0.95

2076 technical j

noun assistance, support, skill, problem, information, difficulty, college, expertise, school, training, issue, term *misc* provide, scientific, financial, economic, require, highly, professional, legal 16572 | 0.91 A

2077 square n

adj public, central, main, downtown, ordinary, tiny, mean, wide, gray, framing *noun* time, .garden, town, city, market, street, red, park, center, village. *verb* cut, fill, place, form, gather, overlook, cross, surround, locate, frame 15750 | 0.95

2078 plenty p

(plenty of) .of, there, .time, .room, still, leave, .water, .money, .opportunity, sure, offer, .space, food, drink, 15886 | 0.94 M

2079 behind r

leave, from, far, fall, stay, close, child, lag, follow, remain, trail, grab, step, .payment 15824 | 0.95 F

2080 invest v

noun money, company, fund, .stock, dollar, business, capital, .technology, energy, .future, amount, resource,

firm, .education, saving *misc* .million, .heavily, much, billion, mutual, willing, save, fully, private, .wisely 16521 | 0.91 M

2081 mind v

noun .business, .asking, .store, .manner, joke, .saying, .cold *misc* do, you, never, if, come, bring, .own, seem, immediately, spring, nobody, 16021 | 0.93 F

2082 potential n

adj great, full, human, economic, enormous, greatest, tremendous, future, commercial, significant *noun* growth, .conflict, development, technology, market, energy, profit, .abuse, .violence, .success *verb* realize, reach, develop, recognize, offer, create, reduce, increase, exist, maximize, 16267 | 0.92 A

2083 regard v

noun American, .suspicion, expert, .threat, critic, being, .expression, .skepticism, observer, colleague, scholar, historian, .symbol, .hero, tendency *misc* as, highly, widely, generally, .themselves, tend, 15856 | 0.94 A

2084 intervention n

adj military, early, effective, divine, direct, human, medical, humanitarian, surgical, foreign *noun* program, government, group, .strategy, state, US, child, prevention, effect, assessment. *verb* design, require, implement, develop, support, suggest, focus, .reduce, target, .address 18820 | 0.79 A

2085 illegal j

noun drug, immigration, alien, activity, use, abortion, law, worker, act, trade, border, weapon *misc* legal, nothing, anything, hire, declare, engage, immoral, immigrant 15912 | 0.94

2086 lower v

noun .rate, head, .voice, .cost, .price, .level, eye, .risk, tax, .cholesterol, .pressure, .interest, .standard, hand, .temperature *misc* .your, raise, slowly, .himself, onto, .until 15816 | 0.94

2087 compete v

noun team, company, athlete, player, game, .attention, chance, firm, economy, .marketplace, .space, .championship, .tournament, competition, .prize *misc* .with, .against, .each, .other, able, must, allow, successfully 15941 | 0.93 N

2088 talent n

adj great, young, special, musical, artistic, natural, top, local, raw *noun* .development, ability, .show, pool, search, lot, .scout, interest, .agency *verb* develop, recognize, discover, display, possess, attract, lack, hide, acquire, encourage 16183 | 0.92

2089 guilty j

noun jury, charge, murder, plea, verdict, crime, defendant, party, court, pleasure, manslaughter, fraud *misc* not, plead, feel, find, innocent, until, proven, on-line 16221 | 0.91 S

2090 living j

noun thing, condition, space, room, quarter, will, area, organism, creature, expense *misc* every, dead,

Exhibit “D”



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| | |
|--|---|
| Word Mark | VB |
| Goods and Services | IC 033. US 047 049. G & S: Wine; brandy; aperitif; wine (drink); alcoholic fruit beverages; vodka; sake; consumption of alcohol (terms considered too vague by the International Bureau - rule 13.2.b) of the Common Regulations); cocktail; wine (liqueur) |
| Standard Characters Claimed | |
| Mark Drawing Code | (4) STANDARD CHARACTER MARK |
| Serial Number | 79172102 |
| Filing Date | November 25, 2014 |
| Current Basis | 66A |
| Original Filing Basis | 66A |
| International Registration Number | 1263882 |
| Owner | (APPLICANT) Shenzhen Boissonneau Wine Co., Ltd. CORPORATION CHINA Room No. 245, Building B1, Jinxiujiangnan Community,; North of Bulong Road Minzhi Sub-District,; Longhua New District, Shenzhen City; Guangdong Province PRC (Office Add) CHINA |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

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