

marketed, manufactured and distributed, throughout the United States, laundry detergent called FAB.

2. Opposer is the owner of the following U.S. Trademark Registrations and subsisting Applications: Registration No. 139,710 for the mark FAB, for “soaps,” in Class 3; Registration No. 2,188,522 for the mark FAB SENSITIVE SKIN, for “laundry detergent,” in Class 3; Registration No. 522,356 for the mark FAB (stylized letters), for “Sudsing cleaner, and detergent and for soaps for laundry and household use,” in Class 3; Registration No. 2,77,362 for FAB & Design, for “laundry detergent” in Class 3; Serial No. 78/098,626 for the mark FAB COUNTRY BREEZE, for “laundry detergent”, in Class 3; Serial No. 78/061,275 for the mark FAB OCEAN FRESH, “laundry detergent”, in Class 3; and Serial No. 76/027,586 for the mark FAB RAIN FOREST & Design, “laundry detergent”, in Class 3 (hereinafter, the “FAB Marks”).
3. Each of the registrations listed in paragraph 2 above are valid and in full force and effect.
4. Opposer’s products sold under the FAB Marks have been extensively advertised and promoted throughout the United States and to the relevant trade and public.
5. By reason of Opposer’s aforesaid extensive promotion, advertising and sales of its products under the FAB Marks, Opposer’s FAB Marks have become famous and have acquired great recognition and renown and the relevant trade and public have come to recognize said marks as signifying Opposer exclusively.

6. Upon information and belief, Applicant's claimed trademark FABUSA, as applied to the goods identified in application Serial No. 78/056616, is so similar to Opposer's registered FAB Marks as to be likely to cause confusion, mistake or deception, all to the damage of Opposer and in violation of Section 2(d) of the Trademark Act.

7. Upon information and belief, in view of the identity between Applicant's claimed mark FABUSA and Opposer's FAB Marks, the use and registration of Applicant's claimed trademark may falsely suggest a connection with Opposer in violation of Section 2(a) of the Trademark Act.

WHEREFORE, Opposer believes that it will be damaged by the registration of the claimed trademark in Application Serial No. 78/056616 in International Classes 3, 8, 14 and 25 and prays that such registration be denied.

This Notice of Opposition is filed in triplicate and the required fee is to be charged against our Deposit Account No. 03-2460.

Respectfully submitted,

COLGATE-PALMOLIVE COMPANY



Felicia G. Traub
Attorney for Opposer
300 Park Avenue
New York, New York 10022
(212) 310-3272

IN TRIPLICATE

Dated: November 12, 2002

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" Mailing Label Number: E1686908030US

Date of Deposit: November 12, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'EXPRESS MAIL POST OFFICE TO ADDRESSEE' Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, Attention: Box TTAB NO FEE.

Janice U. Mottley
(Typed or printed Name of Person Mailing Paper or Fee)

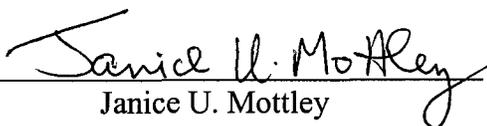
Janice U. Mottley
(Signature of Person Mailing Paper or Fee)

CERTIFICATE OF SERVICE

I hereby certify that the within NOTICE OF OPPOSITION was served on Petitioner by sending true copies of the same to counsel for Petitioner via Prepaid First Class Mail of the United States Postal Service to:

MABLE SPORTSWEAR, INC.
9465 Wilshire Blvd. Suite 850
Beverly Hills, CA 90212-2607

this 12th day of November, 2002



Janice U. Mottley

TTAB



11-12-2002
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #47

300 Park Avenue
New York, NY 10022
Telephone 212-310-3272
Fax 212-310-3406
felicia_traub@colpal.com

Felicia G. Traub
Associate Counsel, Trademark & Copyright
Trademark

November 12, 2002

VIA EXPRESS MAIL EL686908030US

The Honorable Assistant Commissioner
for Trademarks
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Attention: Box TTAB FEE

Re: Colgate-Palmolive Company
NOTICE OF OPPOSITION, TM Application No. 78/056,616 of Mable Sportswear,
Inc. for registration of FAB USA in International Class 3, 8, 14 and 25, filed
April 3, 2001, published in the Official Gazette of July 16, 2002, page TM 361

RECEIVED
NOV 12 2002
MAIL ROOM
COMMUNICATIONS SECTION

Dear Sir/Madam:

We attach the following:

1. NOTICE OF OPPOSITION in triplicate;
2. Authorization to Charge Deposit Account No. 03-2460 for the fee of \$300.00 per Class; and
3. Postal Card to be returned after being date-stamped by the U.S. Patent and Trademark Office, as evidence of receipt of the enclosures.

Respectfully submitted,

Felicia G. Traub
Felicia G. Traub

Encs.

cc: Alexandra Gerber
Jeff Williams (Fabric care)