

# **BULKY DOCUMENTS**

**W/ Exhibits**  
(exceeds 300 pages)

**Proceeding/Serial No:** 91163556

**Filed:** 07-28-2006

**Title:** Stipulation of Certain Facts To Be Entered Into The Record and For Certain Documents and Testimony Be Admitted Into Evidence; and Exhibits.

**Part 3 of 4**

**Document contains multiple catalogs pertaining to proceeding.**

37 of 86 DOCUMENTS

Copyright 1998 PR Newswire Association, Inc.  
PR Newswire

November 16, 1998, Monday

**SECTION:** Lifestyle

**DISTRIBUTION:** TO FASHION, FEATURES AND RETAILING EDITORS

**LENGTH:** 431 words

**HEADLINE:** Forget Prada and Gucci These Days, Celebrities and Former Presidents are Wearing HaggarLEXIS-NEXIS Related Topicsno targeted Topics.

**DATELINE:** DALLAS, Nov. 16

**BODY:**

It's nice to be a celebrity. No matter what the event, from the Oscars to dinner and a movie, fashion designers are eager to get their clothes on your body. But, these days, many celebrities and sports figures, even former Presidents, are staying away from the Armani's and Gaultier's of the world and are opting for more mainstream clothing such as styles by Haggar Clothing Co.

Dallas-based Haggar Clothing Co. has been dressing some of the biggest (pun intended) names on the big screen and in football. Having just supplied Tommy Lee Jones with the khakis he'll be wearing in his new movie, "Double Jeopardy," Haggar Clothing Co. is also dressing all of the principal male actors in the upcoming HBO feature, "Deadly Rage," directed by Michael Norris, son of renowned martial arts champion and actor Chuck Norris, star of "Walker Texas Ranger." And, NBC news correspondent, Jack Ford, frequents the Spring Lake, New Jersey Haggar Clothing Co. store to purchase clothes for work as well as leisure activities.

Football players such as Washington Redskins guard, Tre' Johnson, Detroit Lions defensive end, Jerry Drake and New York Giants starting offensive tackle, Roman Oben, have all been sporting Haggar's Ultimate Pant around town lately.

"The Ultimate Pant is the perfect khaki for larger guys because of the roominess in the thigh area," explains Andrew Helfert, Haggar's merchandising manager of casual pants. "Haggar seems to be the clothing of choice these days for sports figures and celebrities who are looking for a more casual, comfortable look to match their lifestyles."

Even former Presidents prefer Haggar over the Donna Karan's and the Hugo Boss' of the world. Each Christmas, the folks at Haggar send a box of Haggar clothing to former President George Bush and his sons Texas governor George Bush, Jr. and Florida governor-elect Jeb Bush. Yes, Barbara herself calls in the order and Santa delivers it right under the ol' "Bush Family Christmas tree."

Haggar Clothing Co., a wholly-owned subsidiary of Haggar Corp. (Nasdaq: HGGR), is a leading marketer of men's casual and dress apparel, with its global headquarters in Dallas. Haggar maintains operations in the United Kingdom, South Africa, Canada, Mexico, Turkey, Japan and Indonesia. The brand is famous for its legendary innovations such as Haggar Wrinkle-Free Cottons(R).

SOURCE Haggar Clothing Co.

CONTACT: Tammy Palmer of LaForce & Stevens, 212-242-9353, for Haggar Clothing Co.; or Monica Neufang of Haggar Clothing Co., 214-956-4562

T 000686

LOAD-DATE: November 17, 1998

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Copyright 1996 Information Access Company, a Thomson Corporation Company  
ASAP

Copyright 1996 Capital Cities Media Inc.  
Daily News Record

January 19, 1996

SECTION: Vol. 26 ; No. 13 ; Pg. 5; ISSN: 0162-2161

LENGTH: 1052 words

HEADLINE: The best of WR slacks is yet to come for discounters; but department stores get first offerings of new, high performance products. Wrinkle-Resistant

BYLINE: Gellers, Stan

**BODY:**

NEW YORK - Department stores will have the next generation of soft, textured Wrinkle-Resistant cotton slacks this fall. But according to Alan Burks, senior vice-president, marketing, Hagggar Clothing Co., it may take as long as two years before mass merchants get their hands on the broad assortment of fashion slacks slated for their upstairs rivals.

However, in the meantime, Hagggar's Horizon division, which markets the Loafers by Reed st. James and John Weitz labels to the mass market, is launching several new Wrinkle-Free Cottons (its own label) for this format that are a taste of the future. Both are dressy casuals: a soft-finish twill and a brushed twill with the same luxury hand.

Discussing the Texas company's mass market business, Burks reports that the new textures and supersoft WR cottons entering department stores from its department store division will eventually trickle down to discounters. The reason for the delay, he explains, can be counted out in dollars and cents.

"The problem with either introducing a new product - or even one in its early stages - to the mass market level is this: who's going to pay for the development costs?"

He concedes that a new product, such as WR slacks, first finds its way into department stores because the cost of developing a new idea or product is offset by the higher retail prices and margins. As he puts it, "The development costs are paid for much faster."

This won't change, either, because of the rigid price differentials between department stores and discounters. Adds the Texas executive, "Still the mass market wants the same products as the department store - at the same time - and they want to see them at 30 percent less.

"Look what happened with our Wrinkle-Free slacks. It took two years before our Horizon division launched a comparable product in the mass market."

Burks continues that getting new WR slacks into the mass market is also a matter of how aggressive a manufacturer is. The established pattern, he reports, is that after a new product is developed and proved out at department stores, it gets into the discounters. That's when the business really explodes.

In the case of Hagggar's Wrinkle-Free Cottons slacks line, he points out that the department stores "paid" for the development of the item. The Wrinkle-Free slacks originally retailed at \$ 38, which gave the "greatest margin enhancement."

The company's new Wrinkle-Free fancies for department stores will sell in the low \$ 40's, but the out-the-door price is expected to be in the mid \$ 30's.

T 000688

Burks exclaims, "No way in the world could this happen in the mass market. A new product has to enter at the higher level and then trickle down."

The basic reason, he says, is the traditional price gap that exists between the two retail formats, and it can be substantial. In the case of WR slacks, discounters retail them for \$ 22 and less.

"As a rule of thumb, mass merchants feel that they need to have a minimum of a 25 percent to 35 percent price gap between themselves and department stores," he explains. "Sure, they want to get a new item right off the drawing board at the same time as department stores, but they still want that price gap."

Because of the rigid pricing in the mass market, Burks claims WR stiff doesn't have the degree of penetration that it does in department stores. In department stores, he estimates that up to 80 percent of the cotton pants sold are WR. And the only reason that it's not 100 percent is the price.

He says, "The entry level for our cotton Wrinkle-Free slacks is \$ 30, but there's still an established market for a \$ 25 garment in department stores and plain-finish cottons fill the bill."

The mass market is quite another story. He estimates that the penetration of WR slacks is only 50 percent to 60 percent of the casual slacks category. And the overwhelming preference is for all-cottons versus cotton/polyester blends.

In Burks' opinion, all-cotton WR slacks will grow at the discount level because of the lower prices offered by "desperate manufacturers."

Rather than playing the price game, Haggar is taking the new fabrics route to maintain volume.

Recalling that WR was a one-slacks business two years ago throughout the industry, Burks says the classification will change dramatically for the second half.

At this point Burks claims the consumer expects WR slacks as a matter of course. He notes, "But there's little incentive for him to buy those extra pairs once he buys the basic three colors offered in twill. The only way to keep the business going is to offer fashion replacements."

What are they? He continues, "The biggest difference is that we can now work with fighter weights and softer fabrics for department stores. For example, we're offering brushed twin in both a year-round and a spring weight.

"Then there's a softer corduroy which we introduced a year ago. But twill is still king.

Models, on the other hand, are fairly constant for the mass market, with the doublepleat the perennial cash cow.

As far as the department store business goes, Burks feels that the new soft, lightweight twill Wrinkle-Frees are the "ultimate" pants for department stores. But he quickly adds, "We can't do it for a while for the mass market because of the cost factor."

However, the mass market won't be neglected. For fall, Horizon is offering a new basic twill in Wrinkle-Free with the Loafers and John Weitz labels that's a lot softer. The original twill continues and, in addition, there's a new brushed twill.

"Just as the customer likes gabardine slacks, he also likes a Wrinkle-Free lightweight twill" Haggar's answer for future WR developments are new regular or washed-down colors for the mass market. As for the colors, Burks says that the washed-down process works best with darks, such as brown, blue, earth tones and some black. He refers to the basic five pure colors as "monster colors" and foresees few changes in the lineup.

"Black seems to grow, and there always seems to be new versions of greens and browns. So, because of this color situation, we have to keep developing new ideas in the fabrics."

But for the time being, department stores will get first crack at the newest wave of WR slacks.

GRAPHIC: Photograph

SIC: 2325 Men's and boys' trousers and slacks

IAC-NUMBER: IAC 17822311

IAC-CLASS: Trade & Industry

LOAD-DATE: March 19, 1996

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Copyright 2003 Daily News, L.P.  
Daily News (New York)

November 9, 2003, Sunday SPORTS FINAL EDITION

**SECTION: LIFELINE; Pg. 12 ON SALE!**

**LENGTH: 656 words**

**HEADLINE: FRENCH CONNECTION** Take advantage of A.P.C.'s overstock of designer clothing

**BYLINE: BY MILA ANDRE & BONNIE FRIEDMAN**

**BODY:**

A. P.C., the ultramodern French clothing store in SoHo, is setting up shop at a warehouse in Williamsburg for a gigantic sale that runs Friday, Saturday and Sunday. Stock up on always-in-style clothes and accessories for women and men at prices that are more Brooklyn than SoHo. Sweaters, originally priced at \$175, are now \$60-\$75; pants that were \$180 are now \$55-\$65. Get those extra T-shirts now. Tees originally priced between \$50-\$60, now go for \$20-\$25.

A.P.C. Overstock Sale, North Side Bank, 33 Grand St. (between Wythe and Kent Ave.), Brooklyn. (212) 966-9685.  
Hours: Fri.- Sat., 12-7 p.m.

**IT'S YOUR BAG** Accessorize like Renee Zellweger and Sarah Jessica Parker for a fraction of the cost. Thursday and Friday, sample purses, accessories, belts and sunglasses by Judith Leiber are half off the retail prices. Prices for a gem-encrusted pillbox and alligator clutch start at \$70 and go up to \$4,000.

Judith Leiber Sample Sale, 20 W. 33rd St. (between Fifth and Sixth Aves., second floor) Hours: Thurs., 8:30 a.m.-4 p.m.; Fri., 8:30 a.m.-3 p.m.

Cashmere crazy Comfy cashmere sweaters and scarves are on sale Wednesday, Thursday and Friday at Central Park West Cashmere Turtlenecks and V-necks, originally priced at \$150-\$160, are now \$75-\$90; cable sweaters, usually priced at \$210-\$300, are now \$90-\$120.

Central Park West Cashmere, 230 W. 39th St. (between Seventh and Eighth Aves., eighth floor). (212) 840-5041.  
Hours: Wed. and Thurs., 9 a.m.-6 p.m.; Fri., 9 a.m.-4 p.m.

**STRUT YOUR STUFF** Get over to the Vanessa Noel shoe sale this weekend and treat yourself without the guilt. All-new stretch boots, classic slingbacks, knee-high boots and jeweled evening shoes are priced at around \$150, originally marked at \$600-\$700. Stroll through a selection of sample shoes, all priced at \$50. If there are wedding bells in your future, browse through the bridal collection or take a sneak peak at the new styles for spring.

Vanessa Noel, 158 E. 64th St. (between Lexington and Third Aves.). (212) 906-0054. (212) 736-4244. Hours: Fri.-Mon.,

9 a.m.-5 p.m.

**BEST FOOT FORWARD** You can be stylish and comfortable thanks to Sacco, the place to shop for eclectic styles from Italy, especially during the November Madness sale Friday through Nov. 30. And, to celebrate the grand opening of its fifth store, on E. 59th St., the prices are even lower than usual on these fine fall fashions. Shearling-trimmed mules in black, brown and natural, sizes 6-11, usually \$175, are \$122; knee-high sleek black or brown wedge-heeled boots in leather and suede, usually \$285, are \$199; a selection of soft Nappa leather and suede daytime shoes in black, brown, tan or olive, usually \$155, are \$108.

T 000691

Daily News (New York) November 9, 2003, Sunday

Sacco, 118 E. 59th St. (between Park & Lexington Aves.); (212) 207-3152.

14 E. 17th St. (between Fifth Ave. & Broadway); (212) 243-2070

94 Seventh Ave. (at 16th St.); (212) 675-5180

111 Thompson St. (between Prince & Spring Sts.); (212) 925-8010

324 Columbus Ave. (at 75th St.); (212) 799-5229.

MOMMY CHIC Maternity designer Liz Lange's chic black pants, jersey wrap dresses and underbelly boot-cut jeans-the ultimate lowriders - make moms-to-be feel like fashion models. On Wednesday and Thursday, dresses, usually \$150-\$450, are on sale for \$50; sweaters, normally \$75-\$225, are going for \$40-\$50; blouses, originally \$110-\$195, are now \$25-40; skirts, normally \$95-\$150, can be snatched up for \$20-\$40, and pants, normally \$150-\$195, are now \$25-\$40.

Liz Lange Maternity, 315 W. 36th St. (between Eighth and Ninth Aves., fifth floor); (212) 879-2191. Hours: Wed. and Thurs., 8 a.m.-6:30 p.m.

To be listed, please fax DETAILED information to Mila Andre at (212) 210-2203 or (212) 210-1604 at least THREE WEEKS in advance.

GRAPHIC: PHOTOS BY TANYA BRAGANTI GO GET 'EM Clothes on sale at A.P.C. in SoHo.

LOAD-DATE: November 11, 2003

T 000692

1 of 20 DOCUMENTS

Copyright 2003 Times Media Limited  
Financial Mail (South Africa)

March 7, 2003

**SECTION:** Economy, Business & Finance; Pg. 20

**LENGTH:** 593 words

**HEADLINE:** Shopping. A PARLOUR FOR PEACOCKS

**BYLINE:** Linda Stafford

**BODY:**

...elite (Lancome chairman Cyril Ramaphosa, for one) have quickly ... well, cottoned on to the fact that there is a niche supplier of the ultimate shirt, the kind you find in Jermyn Street, London. It's in Illovo Square, adjacent to hot lunch spot Mastrantonio. And ...

2 of 20 DOCUMENTS

Copyright 2001 News World Communications, Inc.  
The Washington Times

July 29, 2001, Sunday, Final Edition

**SECTION:** PART A; NATION; Pg. A3

**LENGTH:** 639 words

**HEADLINE:** 'Tech-savvy' shirt rolls up own sleeve;  
Self-ironing fabric priced at \$3,500

**BYLINE:** Joyce Howard Price; THE WASHINGTON TIMES

**BODY:**

...it's a novel idea. Perhaps, Neiman Marcus will have the shirt in its Christmas catalog. It could promote it as the 'ultimate shirt that has sleeves that roll themselves up," he said.

3 of 20 DOCUMENTS

T 000693

Daily News Record January 8, 1997

7 of 20 DOCUMENTS

Copyright 1997 Information Access Company,  
a Thomson Corporation Company,  
ASAP

Copyright 1997 Capital Cities Media Inc.  
Daily News Record

January 8, 1997

**SECTION:** No. 4, Vol. 27; Pg. COV; ISSN: 0162-2161

**IAC-ACC-NO:** 19016714

**LENGTH:** 944 words

**HEADLINE:** Haggar targets women with \$ 8M media campaign; Haggar Clothing Company; million

**BYLINE:** Lohrer, Robert

**BODY:**

...introduced its Ultimate Pant, a premium cotton product with a \$ 50 retail price tag. The company is also presently shipping its Ultimate Shirt, a line that includes cotton oxfords and T's.

Overall sales, meanwhile, have grown from \$ 292 million in 1990 to \$ 437 ...

8 of 20 DOCUMENTS

Copyright 1996 Information Access Company,  
a Thomson Corporation Company,  
ASAP

Copyright 1996 Capital Cities Media Inc.  
Daily News Record

October 11, 1996

**SECTION:** No. 196, Vol. 26; Pg. 1; ISSN: 1041-1119

**IAC-ACC-NO:** 18758964

**LENGTH:** 1197 words

**HEADLINE:** Haggar moves to put out ad fire; douses first Ultimate spot but TV campaign to continue; Ultimate Pant ad pulled because of concerns from firefighters

**BYLINE:** Romero, Elena

T 000694

Daily News Record October 11, 1996

**BODY:**

...so be it."

The all-cotton Ultimate Pant is the first offering in the Ultimate category. Other products will include the Ultimate Shirt, Ultimate Short and Ultimate Pocket T. The advertisements for the other Ultimate products will begin in April and be broadcast ...

...pants retail at \$ 48 and the Dallas-based company plans to expand its arsenal for spring '97 to include the \$ 36 Ultimate Shirt, \$ 32 Ultimate Short and \$ 24 Ultimate Pocket-T.

The NFPA's Reynolds said Haggar reacted appropriately. "I think ...

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ASAP

Copyright 1996 Capital Cities Media Inc.  
WWD

October 11, 1996

**SECTION:** Vol. 172 ; No. 71 ; Pg. 16; ISSN: 0149-5380

**LENGTH:** 604 words

**HEADLINE:** Hot pants: Haggar pulls TV ad.Haggar Clothing; Brief Article

**BYLINE:** Romero, Elena

**NEW YORK** — People have come to expect controversy from Calvin Klein. And Benetton's edge is old hat.

But Haggar pants?

Haggar Clothing pulled the first in a \$ 15 million series of TV ads for its Ultimate Pant in response to concerns from fire fighters and civic leaders.

Haggar elected Wednesday to yank the 30-second TV commercial, which is fast moving, and, in the eyes of some, humorous — but in the eyes of others, dangerous. It started airing Oct. 3 on ESPN, TBS and TNT. The spot depicts a man fleeing and re-entering a burning house to save his Haggar pants.

"It created an impression that was at odds to what we've taught everybody about fire education," said George Burke, spokesperson for the International Association of Fire Fighters. "The basic premise is never go back in a burning house. That's a fire fighter's job."

Opposition to the spot reached a crescendo Monday, and Haggar temporarily halted the ads voluntarily. The company decided Wednesday afternoon to discontinue the spot completely.

"We obviously meant it to be tongue-in-cheek and humorous," said Alan Burks, Haggar's senior vice president of marketing. "We were contacted by the professional fire community in the last couple of days, and they expressed concern about the commercial because it depicted someone re- entering a burning house."

The decision to pull the commercial will move up the air dates for other spots in the campaign and "another commercial will air within the next few days," Burks said. The strategy behind the next commercials will follow that of the first: "These pants are very special and people will go to pretty amazing lengths to get them."

T 000695

Copyright 1994 Information Access Company, a Thomson Corporation Company  
ASAP  
Copyright 1994 Capital Cities Media Inc.  
Daily News Record

June 30, 1994

**SECTION:** Vol. 24 ; No. 125 ; Pg. 1; ISSN: 0162-2161

**LENGTH:** 268 words

**HEADLINE:** At 60, Armani redefines the '90s; unifies men's wear's many looks; Giorgio Armani, includes related articles

**BODY:**

...line between a shirt and a tailored jacket. Here were suits brought to an extraordinary level—a new suit that is the ultimate shirt-jacket, cut and shaped like a tailored piece, but made like a shirt to be worn just over ...

16 of 20 DOCUMENTS

Copyright 1993 Plain Dealer Publishing Co.  
Plain Dealer (Cleveland, Ohio)

September 30, 1993 Thursday, FINAL / ALL

**SECTION:** STYLE; Pg. 2C

**LENGTH:** 236 words

**HEADLINE:** SOUND OFF ON SHRTS

**BODY:**

...a favorite brand that you've worn for ages because it's one you can count on, or are you still looking for the ultimate shirt?

Or maybe you'd just like to complain about shirts in general ... scratchy collars, frayed seams, poorly made ...

17 of 20 DOCUMENTS

Copyright 1993 Plain Dealer Publishing Co.  
Plain Dealer (Cleveland, Ohio)

September 23, 1993 Thursday, FINAL / ALL

Plain Dealer (Cleveland, Ohio) September 23, 1993 Thursday, FINAL / ALL

**SECTION:** STYLE; Pg. 5E

**LENGTH:** 235 words

**HEADLINE:** SOUND OFF ON SHIRTS

**BODY:**

...a favorite brand that you've worn for ages because it's one you can count on, or are you still looking for the ultimate shirt?

Or maybe you'd just like to complain about shirts in general ... scratchy collars, frayed seams, poorly made ...

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Copyright 1991 Information Access Company, a Thomson Corporation Company  
ASAP

Copyright 1991 Capital Cities Media Inc.  
Daily News Record

February 4, 1991

**SECTION:** Vol. 21 ; No. 23 ; Pg. 16; ISSN: 0162-2161

**LENGTH:** 1032 words

**HEADLINE:** Traditional firms laud Lauren's WorldClass; Ralph Lauren adopts new style in men's tailored clothing

**BYLINE:** Gellers, Stan

**BODY:**

...We're going after a Savile Row approach, but Americanized. Our shoulder will be 20 inches, extremely sloping - the ultimate shirt-sleeve shoulder with some padding. The coat will have some drape in the chest and the waist will have a little suppression." ...

19 of 20 DOCUMENTS

Copyright 1988 John Fairfax Publications Pty Ltd  
Sydney Morning Herald

March 28, 1988 Monday

**SECTION:** Computers; Pg. 22

**LENGTH:** 1323 words

T 000697

Sydney Morning Herald March 28, 1988 Monday

**HEADLINE:** NEWSBYTES

**BYLINE:** Edited By Gareth Powell.

**BODY:**

...says it expects to market more IBM products in the future, and apparently says it with IBM Japan's blessing.

**THE ULTIMATE SHIRT POCKET**

Graham Earnshaw, who runs the Reuter's bureau in Tokyo, carries a pocket Casio calculator - which is as near as ...

20 of 20 DOCUMENTS

Copyright 1988 The New York Times Company  
The New York Times

March 20, 1988, Sunday, Late City Final Edition

**SECTION:** Section 6; Part 2, Page 72, Column 1; Men's Fashions of The Times Magazine

**LENGTH:** 1399 words

**HEADLINE:** SURE TIPS FOR SHIRTS

**BYLINE:** By Lauren R. Rublin; Lauren R. Rublin is a business writer based in New York City.

**BODY:**

Jay Gatsby, Fitzgerald's fictional dandy, was the ultimate shirt connoisseur. He had only to ring up his personal buyer, and a cornucopia of elegant linens, silks and flannels would arrive. Most American ...

T 000698

The Sentinel (Stoke) January 25, 2004

3 of 12 DOCUMENTS

Copyright 2004 The Sentinel (Stoke)  
The Sentinel (Stoke)

January 25, 2004

**SECTION:** Features, General; Others; Pg. 22

**LENGTH:** 309 words

**HEADLINE:** GADGET JACKET THAT'S TUNED FOR SOUND

**BODY:**

...s how one company is sizing up the future.

US-based SCOTTEVEST (www.scottevest.com) has just launched the ultimate jackets for gadget fans and internet addicts.

The jackets are equipped with what's called a 'personal area network' (PAN) to connect ...

4 of 12 DOCUMENTS

Copyright 2003 Stuart News Company  
Press Journal (Vero Beach, FL)

August 31, 2003 Sunday INDIAN RIVER COUNTY EDITION

**SECTION:** BUSINESS; Pg. D1

**LENGTH:** 990 words

**HEADLINE:** Just say Buzzoff!;  
Worried about mosquitoes?

**BYLINE:** Donna Balancia staff writer

**BODY:**

...just the actual production that is time consuming.

There has been many prototypes that have been passed back and forth between Chin and Baltes.

One example is the "Ultimate" jacket, which wholesales at \$37.

"We've been selling that jacket since 1995," said Baltes of the outdoor-lover's jacket designed with Duncan ...

U.S. News &amp; World Report June 16, 2003

5 of 12 DOCUMENTS

Copyright 2003 U.S. News & World Report  
U.S. News & World Report

June 16, 2003

**SECTION:** DIVERSIONS; SPOTLIGHT; Vol. 134 , No. 21; Pg. 62**LENGTH:** 184 words**HEADLINE:** Dressed to repel**BYLINE:** By Alex Markels; edited by Marc Silver**BODY:**

...only substance known to repel the ticks that carry Lyme disease. And it also wards off those pesky mosquitoes.

Buzz-off Ultimate Jacket (\$ 59, 800-640-3529). With tightly woven mesh and a hood with a zipper that closes face-high, this jacket ...

6 of 12 DOCUMENTS

Copyright 2002 Newspaper Publishing PLC  
Independent on Sunday (London)

October 6, 2002, Sunday

**SECTION:** SPORT; Pg. 26**LENGTH:** 430 words**HEADLINE:** SPORTSACTIVE: GOOD GEAR: LIGHTWEIGHT COATS;  
INTO EVERY WALKER'S LIFE A LITTLE RAIN MUST FALL. ROBIN BARTON CHECKS OUT THE KIT TO  
KEEP YOU DRY WITHOUT WEIGHING YOU DOWN

**BYLINE:** Robin Barton Sprayway Compact Great value, fine in most weather on low-level walks. Stockists: 0800 606 050. Price: pounds 100; Patagonia Supercell A functional, competitively priced alternative to Gore. Stockists: 01629 583; 800. Price: pounds 140; Haglofs Ultimate Minimalism meets Paclite.; Recommended. Stockists: 01934 863 561. Price: pounds 210 Marmot Liquid Steel; Award-winning mountaineering jacket made from Gore XCR. Stockists: 01539; 739 314. Price: pounds 250

**BODY:**

...while weight falls. Paclite is Gore's hi-tech lightweight material. Weighing in at a paltry 350g, the Ultimate jacket is from Haglofs' Less is More (LIM) range and is one of the best Paclite jackets available. The LIM concept is to pare each item ...

T 000700

1 of 23 DOCUMENTS

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ASAP  
Copyright 2004 Fairchild Publications, Inc.  
WWD

March 25, 2004

**SECTION:** Pg. 8 ; ISSN: 0149-5380

**IAC-ACC-NO:** 114644318

**LENGTH:** 461 words

**HEADLINE:** BEYOND BUBBLEGUM; John Inn and Laura Hong launch brand of jeans; Interview

**BYLINE:** Greenberg, Julee

**BODY:**

...specialty retailers.

"Our customers are upscale and know their denim," Hong said. "He and she are fashion-savvy jeans veterans who are looking for the ultimate jean. They believe in 'You get what you pay for.' They'll recognize the value and quality in Tylerskye's fabric, construction and washes."

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Copyright 2003 Gale Group, Inc.  
ASAP  
Copyright 2003 Fairchild Publications, Inc.  
Daily News Record

November 10, 2003

**SECTION:** Pg. 20 ; ISSN: 1041-1119

**IAC-ACC-NO:** 110107672

**LENGTH:** 1200 words—

**HEADLINE:** 34TH STREET: A HOTBED FOR COOL CLOTHES.

**BYLINE:** GELLERS, STAN

T 000701

Daily News Record November 10, 2003

**BODY:**

...just hanging out" alcove with a lot of washed, rugged sportswear, corduroy and striped scarves.

Topping it off is the ultimate jeans statement called Denim Lab in the "Express Studio," and what a lineup for guys and gals on either side. ...

3 of 23 DOCUMENTS

Copyright 2003 Business Wire, Inc.  
Business Wire

November 6, 2003 Thursday

**DISTRIBUTION:** Business Editors

**LENGTH:** 1186 words

**HEADLINE:** VF Corporation Delivers Holiday Gift Solutions for Consumer Lifestyles

**DATELINE:** GREENSBORO, N.C., Nov. 6, 2003

**BODY:**

...western retailers, and mid-tier and sporting goods retailers at an average retail price of \$30.

The Sports Fanatic:

The ultimate jean for the ultimate fan! Supporting your favorite college, NFL, MLB or NHL team is as easy as slipping on a ...

5 of 23 DOCUMENTS

Copyright 2003 The Dallas Morning News  
The Dallas Morning News

May 15, 2003, Thursday SECOND EDITION

**SECTION:** TEXAS LIVING; Pg. 4E; ASK JAN

**LENGTH:** 836 words

**HEADLINE:** Joan Walters gets a name makeover

**BYLINE:** Jan Strimple

**BODY:**

T 000702

WHERE ARE THE KNOTTED HANKIES AND THE SOCKS WITH SANDALS? COME THE SUMMER IT SEEMS THE BRITS HAVE BECOME A LITTLE MORE STYLISH THESE DAYS. ALISON WHELAN AND STEPHANIE KING HIT THE STREETS OF LONDON AND MANCHESTER IN SEARCH OF EVIDENCE

**BYLINE:** Alison Whelan/ Stephanie King

**BODY:**

...DENIM

William Anstee, 38, retail manager

Jeans from? Fly

How much? pounds 110

What made you buy them? They're the ultimate jeans label in Japan - a sort of skate-style label - and they look great on

Vicki Spong, 22, TV ...

14 of 23 DOCUMENTS

Copyright 1999 The Manawatu Standard  
The Evening Standard (Palmarston North)

July 19, 1999, Monday

**SECTION:** FEATURES; BUSINESS; Pg. 12; IN BUSINESS

**LENGTH:** 678 words

**HEADLINE:** Keeping ahead in the retail jungle

**BYLINE:** MAHONEY Dave

**BODY:**

...1989 increased his retail portfolio by taking over the former Newmarket Post Office and transformed it Route 66: The Ultimate Jean Store, the country's biggest stockist for Levi jeans.

15 of 23 DOCUMENTS

Copyright 1997 The Chronicle Publishing Co.  
The San Francisco Chronicle

JUNE 26, 1997, THURSDAY, FINAL EDITION

T 000703

**SECTION:** DAILY DATEBOOK; Pg. E7

**LENGTH:** 1093 words

**HEADLINE:** Long Day's Journey Into Jeans  
Our reporter goes on a quest for the perfect pair

**BYLINE:** TRISH DONNALLY, Chronicle Fashion Editor

**BODY:**

...noticed, I asked, "So how do you like my new jeans?"

He of course knew about my quest for the ultimate jeans, so he gave me the critical up-and-down look.

"Those are custom?" Robert asked before turning his attention back to the NBA finals. "They ...

16 of 23 DOCUMENTS

Copyright 1997 Newspaper Publishing PLC  
The Independent (London)

April 9, 1997, Wednesday

**SECTION:** FASHION; Page 8,

**LENGTH:** 659 words

**HEADLINE:** What's in a name? Try pounds 135; For Levi's read Dolce & Gabbana; for Lee read Kenzo. For pounds 50 read pounds 265. For cowboys read bank robbers. As Calvin Klein might have said, nowadays nothing comes between you and your jeans ... except bankruptcy.

**BYLINE:** Melanie Rickey

**BODY:**

...Helmut Lang is beyond your reach, don't worry; now you can buy his jeans, with the option of huge turn-ups (the ultimate jeans fashion statement), for only pounds 75. Dolce & Gabbana too dressy for your tastes? Not a problem. ...

17 of 23 DOCUMENTS

~~Copyright 1996 The Austin American-Statesman  
Austin American-Statesman (Texas)~~

~~August 24, 1996~~

T 000704

**SECTION:** Lifestyle; Pg. E1

**LENGTH:** 586 words

**HEADLINE:** Hazardous waste has no County home

**BYLINE:** Jane S. Greig

**BODY:**

...End at (800) 353-4444 sells women's jeans for women up to a 36-inch inseam. The ultimate? Jeans from the Levi's Personal Air stores in Dallas and Houston (Galleria Centers). Customers are measured, and within two weeks a

19 of 23 DOCUMENTS

Copyright 1995 Times Newspapers Limited  
Sunday Times

June 11, 1995, Sunday

**SECTION:** Features

**LENGTH:** 1265 words

**HEADLINE:** Jean genius

**BYLINE:** David Hewson

**BODY:**

...jeans are for the woman who is discriminating about how her jeans fit or who is a denim connoisseur in search of the 'ultimate jean'."

Made-to-measure items are a tiny part of Levi's business, though some US analysts believe that bespoke clothing

20 of 23 DOCUMENTS

Copyright 1994 The Columbus Dispatch  
Columbus Dispatch (Ohio)

December 27, 1994, Tuesday

**SECTION:** FEATURES ACCENT & ENTERTAINMENT, Pg. 1D, RAG TIME

T 000705

**LENGTH:** 456 words

**HEADLINE:** JEANS THAT REALLY FIT NO LONGER JUST A DREAM

**BODY:**

...targeted to the woman who is discriminating about how her jeans fit or who is just a denim connoisseur in search of the 'ultimate jean.'" said Annette Lim, retail marketing services manager for Levi's Only Stores.

Marshall Hood is Dispatch fashion ...

23 of 23 DOCUMENTS

Copyright 1980 The New York Times Company  
The New York Times

July 13, 1980, Sunday, Late City Final Edition

**SECTION:** Section 11; Westchester; Page 15, Column 1; Westchester Weekly Desk

**LENGTH:** 756 words

**HEADLINE:** THE CAREFUL SHOPPER;  
**BY** JEANNE CLARE FERON;  
At Bed 'n Bath, A Bushel of Bargains

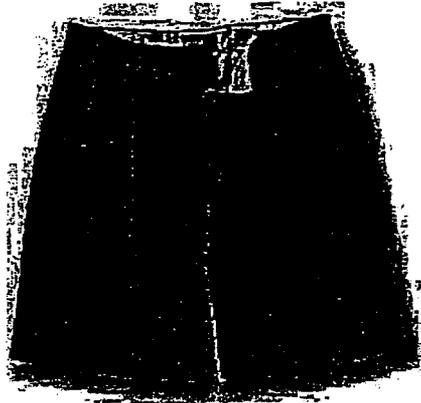
**BODY:**

...exchanges on special-order merchandise. Refunds within seven days with receipt.

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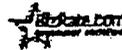


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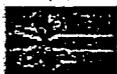
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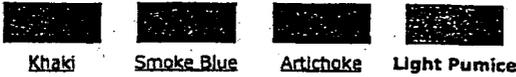
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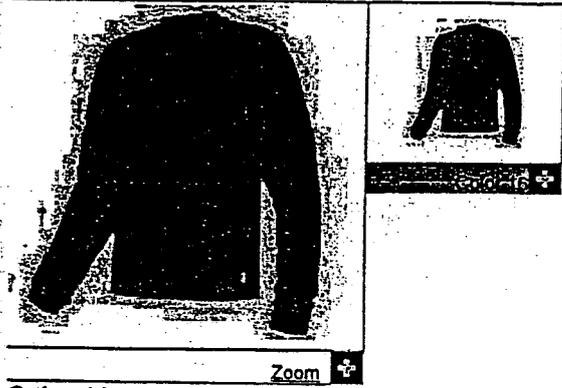
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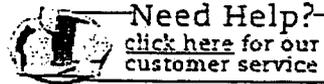
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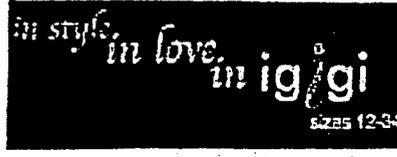
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PREV

Metro Collection - Bottoms

NEXT



### High Side Slit Ultimate Dance Pants

Bold and confident are these ultra comfortable yet totally hip pants . Detailed with 2.5" belt, that is a tailored elastic for a total comfort fit, and split at side seams high at the knees to show off those seductive legs.

- 100% Poly Matte Jersey Knit.
- Hand wash in cold water
- Available Colors: Black
- Style# 99655

- ▶ AVAILABLE COLORS
- ▶ LARGE VIEW
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- ▶ FIT / SIZE INFO

(Note: Fit/size information is product specific)

Color  Size  Quantity:

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#### Donatella Hot Pink Top

This flirty and edgy top shows off enough confidence and style to make any girl feel like ... \$43.00

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This sensual top is a definite must have in any fashionable girl's wardrobe ... \$45.00

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MAIN MENU

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Enlarged View

**ULTIMATE XC PANT--TEKRIDER**

Race Proven Design, Articulated Knees w/Armor, Articulated Butt Design w/Armor, Waterproof Dry Butt Design, Fully Seam-Sealed, Low-Cut Bib, Thin Shoulder Straps, Full Side Zippers, Rip Stop Nylon, Hydroflex Coating, Storm Cuff

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Giordana Solid Cycling Jerseys feature wicking material to keep you cool and dry while riding. Available in blue, red or yellow. Giordana Cycling apparel is the favorite among professional and amateur cyclists.

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Clothing -Giordana  
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 Giordana Tenax Laser Red Jersey  
 Giordana Tenax Laser White Sleeveless  
 Giordana RaceTech Yellow Jersey  
 Giordana RaceTech Red Jersey  
 Giordana Pronto MultiSport Top

Giordana Blue Solid Jersey  
 Giordana Red Solid Jersey  
 Giordana Yellow Solid Jersey  
 Size Chart

Clothing  
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 Giordana  
 Team Clothing  
 Cycling Shorts  
 Assos Clothing

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 Forks  
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 Pedals  
 Pumps  
 Saddles  
 Seatcoats  
 Stems  
 Tape

Sale Items

Hot Sheet

## Giordana Tenax Laser Short Sleeved White Jersey



Lightweight, breathable moisture management Moovix Fast Dry Power fabric

## Giordana Tenax Laser Short Sleeved Red Jersey



Lightweight, breathable moisture management Moovix Fast Dry Power fabric

## Giordana Tenax Laser Sleeveless White Jersey

### Description

Giordana unveils the ultimate jersey for warm weather. Using Laser technology, Giordana strategically places laser vents that rapidly wick moisture away from your body and dissipate body heat build-up quickly, allowing you to remain cool and dry.

Please refer to sizing chart for sizing. Available in White or Red.

Available Sizes:  
 Listed in shopping cart

Price  
**~~\$159.99~~**

[Buy It!](#)

### Description

Giordana unveils the ultimate jersey for warm weather. Using Laser technology, Giordana strategically places laser vents that rapidly wick moisture away from your body and dissipate body heat build-up quickly, allowing you to remain cool and dry.

Please refer to sizing chart for sizing. Available in White or Red.

Available Sizes:  
 Listed in shopping cart

Price  
**~~\$159.99~~**

[Buy It!](#)

### Description

Giordana unveils the ultimate SLEEVELESS jersey for hot weather.

Price  
**\$129.99**

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/570887

APPLICANT: Kohl's Illinois, Inc.

**\*76570887\***

**CORRESPONDENT ADDRESS:**  
NORMAN H. ZIVIN  
COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

**RETURN ADDRESS:**  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

MARK: ULTIMATE STAIN DEFENSE

CORRESPONDENT'S REFERENCE/DOCKET NO: 71815

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

**OFFICE ACTION**

**TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.**

Serial Number 76/570887

The assigned trademark examining attorney has reviewed the referenced application filed on January 16, 2004, and has determined the following.

**Search Results**

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

**Identification of Goods**

The current wording used to describe the goods needs clarification because "outerwear" is too vague. Applicant may adopt the following identification of goods, if accurate:

T 000721

CLOTHING, NAMELY, MEN'S OUTERWEAR in the nature of (*describe, e.g., jackets*), SHIRTS, AND PANTS.

TMEP §1402.01.

Please note that, while the identification of goods may be amended to clarify or limit the goods, adding to the goods or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, applicant may not amend the identification to include goods that are not within the scope of the goods set forth in the present identification.

**Standard Character Claim**

Applicant must submit the following standard character claim: "The mark is presented in standard characters without claim to any particular font style, size, or color." 37 C.F.R. §2.52(a).

If the applicant has any questions concerning this action, please contact the assigned Examining Attorney at the number below.

**NOTICE: TRADEMARK OPERATION RELOCATING OCTOBER AND NOVEMBER 2004**

The Trademark Operation is relocating to Alexandria, Virginia, in October and November 2004. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

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

Applicants, registration owners, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at [www.uspto.gov](http://www.uspto.gov).

/Ann Sappenfield/

Trademark Examining Attorney

Law Office 112

(703) 308-9112 Ext. 252

**How to respond to this Office Action:**

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.**

ser:asappenfie \*\*\*

|    | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search                                      |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---------------------------------------------|
| 01 | 3449           | N/A           | 0                      | 0                        | 0:05                          | *lt{v}m{v}t*[bi,ti]                         |
| 02 | 1276           | N/A           | 0                      | 0                        | 0:08                          | *{"sz"}ta{v}n*[bi,ti]                       |
| 03 | 11708          | N/A           | 0                      | 0                        | 0:02                          | *{"sz"}tan*[bi,ti]                          |
| 04 | 1242           | N/A           | 0                      | 0                        | 0:06                          | *d{v}f{v}n{"szc"}*[bi,ti]                   |
| 05 | 0              | 0             | 0                      | 0                        | 0:04                          | *d{v}ph{v}n{"szc"}*[bi,ti]                  |
| 06 | 797            | N/A           | 0                      | 0                        | 0:08                          | *r{v}le{v}{"szc"}*[bi,ti]                   |
| 07 | 9              | 0             | 9                      | 7                        | 0:01                          | 1 and (2 or 3 or 4 or 5 or 6) and live[lid] |
| 08 | 9              | N/A           | 0                      | 0                        | 0:01                          | (2 or 3) and (4 or 5 or 6) and live[lid]    |

Session started 8/6/2004 7:53:57 PM

Session finished 8/6/2004 7:58:27 PM

Total search duration 0 minutes 35 seconds

Session duration 4 minutes 30 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 76570887

T 000724

## FILING RECEIPT FOR TRADEMARK APPLICATION

Feb 10, 2004

This acknowledges receipt on the FILING DATE of the application for registration for the mark identified below. The FILING DATE is contingent upon all minimum filing date requirements being met. Your application will be considered in the order in which it was received. Action on the merits should be expected from the United States Patent and Trademark Office (USPTO) approximately six months from the FILING DATE. When inquiring about this application, include the SERIAL NUMBER, FILING DATE, OWNER NAME and MARK.

NORMAN H. ZIVIN  
COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

ATTORNEY  
REFERENCE NUMBER  
71815

### PLEASE REVIEW THE ACCURACY OF THE FILING RECEIPT DATA.

A request for correction to the filing receipt should be submitted within 30 days. Such request may be submitted by mail to: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3514; by fax to 703-308-9096; or by e-mail to [tmfiling.receipt@uspto.gov](mailto:tmfiling.receipt@uspto.gov). The USPTO will review the request and make corrections when appropriate.

SERIAL NUMBER: 76/570887  
FILING DATE: Jan 16, 2004  
REGISTER: Principal  
LAW OFFICE: 103  
MARK: ULTIMATE STAIN DEFENSE  
MARK TYPE(S): Trademark  
DRAWING TYPE: Stylized words, letters, or numbers  
FILING BASIS: Sect. 1(b) (Intent to Use)

ATTORNEY: Norman H. Zivin  
OWNER: Kohl's Illinois, Inc. (NEVADA, Corporation)  
New York Square  
4340 Fox Valley Center Drive  
Aurora, ILLINOIS 60504

FOR: CLOTHING, NAMELY, MEN'S OUTERWEAR, SHIRTS, AND PANTS  
INT. CLASS: 025

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED  
ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS

T 000725





01-16-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #67

Applicant : Kohl's Illinois, Inc.  
Business : New York Square  
Address : 4340 Fox Valley Center Drive  
Aurora, Illinois 60504  
Situs : Same  
Goods : CLOTHING, NAMELY, MEN'S OUTERWEAR,  
SHIRTS, AND PANTS, in International Class  
25

ULTIMATE STAIN DEFENSE

U.S. Patent & TM Ofc/TM



**76570887**

T 000727

76570887

TRADEMARK APPLICATION SERIAL NO.

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

01/23/2004 GTHDMAS2 00000013 76570887

01 FC:6001

335.00 DP

COOPER & DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036

TELEPHONE: (212) 278-0400

CHRISTOPHER C. DUNHAM  
NORMAN H. ZIVIN  
JOHN P. WHITE  
WILLIAM E. PELTON  
ROBERT D. KATZ  
DONNA A. TOBIN  
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AUDE GERSPACHER  
JEFFREY C. SHIEH\*  
NARESH SRITHARAN\*

FACSIMILE: (212) 391-0525  
(212) 391-0526  
(212) 391-0630

OF COUNSEL  
DONALD S. DOWDEN  
JOHN R. GARBER  
MARK A. FARLEY

SCIENTIFIC ADVISORS  
BRIAN J. AMOS, PH. D.  
NICHOLAS F. MUTO, PH. D.  
JOSEPH B. CRYSTAL, PH. D.  
ARMAND L. BALBONI, M. PHIL.  
MURIEL M. LIBERTO, PH. D.  
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ANTHONY C. KHONG, PH. D.  
JOHN X. HABERMAN, PH. D.

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January 13, 2004

\*NEW YORK STATE BAR ADMISSION PENDING

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

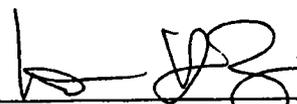
Re: Kohl's Illinois, Inc.  
TM ULTIMATE STAIN DEFENSE  
Int'l Class: 25  
Our Dkt. 71815

Sir:

Enclosed for filing is an application for service mark registration on behalf of Kohl's Illinois, Inc. and our check in the amount of \$335.00 to cover the filing fee of one (1) class. If the check is not enclosed, or the amount is incorrect, please charge our Deposit Account No. 03-3125. Also, enclosed is our return card which we would appreciate your stamping and returning to us.

Respectfully,

COOPER & DUNHAM LLP

By:   
Norman H. Zivin  
Attorney for Applicant

NHZ/ef  
Enclosures

T 000729

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
APPLICATION FOR TRADEMARK REGISTRATION

Mark : ULTIMATE STAIN DEFENSE  
Int'l Class : 25

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

Applicant : Kohl's Illinois, Inc.  
a Nevada corporation  
Business : New York Square  
Address : 4340 Fox Valley Center Drive  
Aurora, Illinois 60504  
Situs : Same

Sir:

The above-identified applicant has a bona fide intention to use in commerce the mark shown in the accompanying drawing for CLOTHING, NAMELY, MEN'S OUTERWEAR, SHIRTS, AND PANTS, in International Class 25, and requests that the mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

Applicant presently intends to use the mark on labels or hangtags attached to the goods.

POWER OF ATTORNEY

Applicant hereby appoints the firm of COOPER & DUNHAM LLP of 1185 Avenue of the Americas, New York, New York 10036, a firm consisting of Norman H. Zivin, Christopher C. Dunham, Ivan S. Kavrukov, Peter D. Murray, John P. White, Jay H. Maioli, William E. Pelton, Robert B.G. Horowitz, Donald S. Dowden, Robert D. Katz, Peter J. Phillips, Donna A. Tobin, Wendy E. Miller, Richard S. Milner, Robert T. Maldonado, Richard F. Jaworski, Eric D. Kirsch, Paul Teng, Alan J. Morrison and Gary J. Gershik, all members of the Bar of the State of New York, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration.

DECLARATION

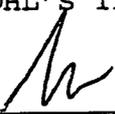
The undersigned, Sigrid E. Dynek, declares that she is Attorney in Fact of applicant corporation; she is authorized to execute this application on behalf of said corporation; she believes said corporation to be the owner of the mark sought to be registered or she believes applicant to be entitled to use the mark in commerce; to the best of her knowledge and belief, no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form, or in such near resemblance thereto, as to be likely, when applied to the services of such other person, to cause confusion, or to cause mistake, or to deceive; the facts set forth in this application are true or are believed to be true and further, that all statements made herein

are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

KOHL'S ILLINOIS, INC.

Dated: January 12, 2004

By

  
\_\_\_\_\_  
Sigrid E. Dynek  
Attorney in Fact

T 000732

Side - 1



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

NOTICE OF ABANDONMENT  
ISSUE DATE: 01-31-2003

The trademark application identified below was abandoned because a response to the Office Action mailed on 06-21-2002 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement must be received within two months from the issue date of this notice.

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 703-308-9000.

SERIAL NUMBER: 78110377  
MARK: ULTIMATE KHAKIS

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
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WILMINGTON, DE 19810

T 000733

# UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 78/110377

**APPLICANT:** Wrangler Apparel Corp.

**CORRESPONDENT ADDRESS:**  
Wrangler Apparel Corp.  
3411 Silverside Road,  
201 Baynard Building  
Wilmington DE 19810

**RETURN ADDRESS:**  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513  
**ecom102@uspto.gov**

**MARK:** ULTIMATE KHAKIS

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

**MAILING DATE:** June 21, 2002

**CORRESPONDENT EMAIL ADDRESS:**  
helen\_winslow@vfc.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Mailing date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and ZIP code.

## OFFICE ACTION

**TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.**

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/september11/tmelecresp.htm> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examiner's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.**

**RE:** Serial Number 78/110377

The assigned examining attorney has reviewed the referenced application and determined the following.

T 000734

**No Conflicting Marks Noted**

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

**Mark is Merely Descriptive**

The examining attorney refuses registration on the Principal Register because the proposed mark merely describes the goods. Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1); TMEP section 1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. 1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright-Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP section 1209.01(b).

The Trademark Trial and Appeal Board has adopted a three part test for determining whether or not a mark is descriptive. A mark is merely descriptive if it (1) conveys to consumers an immediate idea of the ingredients, qualities, or characteristics of the goods; (2) the use of the term has been so frequent that consumers are unlikely to perceive term when used in the manner of a trademark as indicating source of origin; (3) the use of the term deprives competitors from an apt description of their goods. A mark, which meets anyone of these criteria, may be found to be merely descriptive. *No Nonsense Fashions, Inc., v. Consolidated Foods Corp.*, 226 USPQ 502(TTAB 1985).

The determination of whether or not a mark is merely descriptive must be made, not in the abstract, but, rather, in relation to the goods or services for which registration is sought; the context in which the mark is used, or intended to be used, in connection with those goods or services; and the possible significance which the mark would have, because of that context, to the average purchaser of the goods or services in the marketplace. *In re Omaha National Corp.*, 819 F.2d 1117, 2 USPQ2d 1859 (Fed. Cir. 1987); *In re Abcor Development Corp.*, 588 F.2d 811, 200 USPQ 215 (CCPA 1978); *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985).

Laudatory terms, those which attribute quality or excellence to goods or services, are equivalent to other descriptive terms under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §1209.03(k). That is, laudatory terms are nondistinctive and unregistrable without proof of acquired distinctiveness. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); *In re Best Software Inc.*, 58 USPQ2d 1314 (TTAB 2001) (BEST and PREMIER); *In re Dos Padres Inc.*, 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); *In re Consolidated Cigar Co.*, 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); *General Foods Corp. v. Ralston Purina Co.*, 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND); *In re Wileswood, Inc.*, 201 USPQ 400 (TTAB 1978) (AMERICA'S FAVORITE POPCORN).

In this case, the proposed mark is ULTIMATE KHAKIS for clothing items that include "pants, slacks and trousers".

The term "ultimate" is defined as follows:

## ul·ti·mate

ul·ti·mate (ùl' tē-mīt) *adjective*

*Abbr. ult.*

1. Being last in a series, process, or progression: "As the ultimate arbiter of the Constitution, the Supreme Court occupies a central place in our scheme of government" (Richard A. Epstein).
2. Fundamental; elemental: *an ultimate truth*.
3. a. Of the greatest possible size or significance; maximum: *Has the ultimate diamond been found?* b. Representing or exhibiting the greatest possible development or sophistication: *the ultimate bicycle*. c. Utmost; extreme: *the ultimate insult*.
4. Being most distant or remote; farthest. See synonyms at last<sup>1</sup>.
5. Eventual: *hoped for ultimate victory*.

*noun*

1. The basic or fundamental fact, element, or principle.
2. The final point; the conclusion.
3. The greatest extreme; the maximum: *actions that represented the ultimate in political expediency*.

[Latin *ultimatus*, past participle of *ultimare*, to come to an end, from *ultimus*, last, superlative of *ulter*, on the other side.]<sup>1</sup>

The term "Khaki is defied as follows:

## khak·i

khak·i (kàk' ē, kâ' kē) *noun*

1. *Color*. A light olive brown to moderate or light yellowish brown.
2. a. A sturdy cloth of this color. b. **khakis**. A uniform made of this cloth.

[Urdu *khākī*, dusty, from Persian, from *khāk*, dust, from Middle Persian.]  
— khak' i *adjective*<sup>2</sup>

The mark is merely laudatory of the goods, namely, pants made of khaki material, that are touted as being the best or the greatest. Consequently, the mark is unregistrable on the Principal Register.

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

### New Electronic Response to Office Action Form

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On April 30, 2002, the Trademark Operation posted an electronic Response to Office Action form on the TEAS (Trademark Electronic Application System) web site. By using this new web-based TEAS form, customers can (1) respond to an Office Action based on an application or Statement of Use; or (2) pay an additional fee after a phone call from the Office, i.e., to enable an Examiner's Amendment. Upon receipt of the electronically-submitted response, the prosecution history will automatically be updated to show "TEAS Response to Office Action received." To access this new form, visit <<<http://eteas.uspto.gov/V2.0/oa200>>>. NOTE: This form cannot be used to respond to any actions from either the Intent-to-Use (ITU) or Post-Registration areas. Forms for that purpose will be available in the future.

**Response to Office Action**

Please note: If the applicant submits a response via email, an electronic signature is required. An applicant, registrant or attorney may sign an e-mail communication by entering a "symbol" that he or she has adopted as a signature between two slashes. In addition, the Office will accept an e-mail communication containing the "/s/" ("/(signature)/") notation in lieu of a signature. A scanned image of a document signed in ink is also acceptable, as long as the image is attached in .jpg or .gif format. TMEP Section 304.08

If the applicant has any questions or needs assistance in responding to the Office action, please telephone or email the assigned examining attorney.

/alrademacher/  
April L. Rademacher  
Examining Attorney  
Law Office 102  
(703) 308-9102 x206  
(703) 872-9166 (fax)  
april.rademacher@uspto.gov (informal)  
ecom102@uspto.gov (formal)

**Drawing Page**

**Serial Number:**

78110377

**Applicant:**

Wrangler Apparel Corp.  
3411 Silverside Road,  
201 Baynard Building  
Wilmington DE USA 19810



**Goods and Services:**

pants, slacks and trousers of of all lengths; shorts; skirts, shifts and other casual dresses; shirts, blouses, tops, vests, jackets; cloth belts and suspenders.

**Mark:**

ULTIMATE KHAKIS

T 000738

NO OCR



02-22-2002

**Drawing Page**

**Serial Number:**

78110377

**Applicant:**

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3411 Silverside Road,  
201 Baynard Building  
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**Mark:**

ULTIMATE KHAKIS

T 000739



NO OCR



02-22-2002

**Internet Transmission Date:**

2002/02/22

**Serial Number:**

78110377

**Filing Date:**

2002/02/22



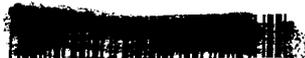
TRADEMARK APPLICATION

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

TOTAL FEES PAID: \$325

RAM SALE NUMBER: 244  
RAM ACCOUNTING DATE: 20020222

T 000740



NO OCR



02-22-2002

<SERIAL NUMBER> 78110377  
<FILING DATE> 02/22/2002

<DOCUMENT INFORMATION>  
<TRADEMARK/SERVICEMARK APPLICATION>  
<VERSION 1.24>

<APPLICANT INFORMATION>  
<NAME> Wrangler Apparel Corp.  
<STREET> 3411 Silverside Road,  
<LN2> 201 Baynard Building  
<CITY> Wilmington  
<STATE> DE  
<COUNTRY> USA  
<ZIP/POSTAL CODE> 19810  
<TELEPHONE NUMBER> 302-477-3930  
<FAX NUMBER> 302-477-3932  
<E-MAIL ADDRESS> helen\_winslow@vfc.com  
<AUTHORIZE E-MAIL COMMUNICATION> Yes

<APPLICANT ENTITY INFORMATION>  
<CORPORATION: STATE/COUNTRY OF INCORPORATION> Delaware

<TRADEMARK/SERVICEMARK INFORMATION>  
<MARK> ULTIMATE KHAKIS  
<TYPED FORM> Yes

\* Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). \*

<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>  
<INTENT TO USE: SECTION 1(b)> Yes

\* Applicant has a bona fide intention to use or use through a related company the mark in commerce on or in connection with the below-identified goods/services. (15 U.S.C. Section 1051(b), as amended.) \*

<INTERNATIONAL CLASS NUMBER> 025  
<LISTING OF GOODS AND/OR SERVICES> pants, slacks and trousers of of all lengths; shorts; skirts, shifts and other casual dresses; shirts, blouses, tops, vests, jackets; cloth belts and suspenders.

<FEE INFORMATION>  
<TOTAL FEES PAID> 325

<NUMBER OF CLASSES PAID> 1  
<NUMBER OF CLASSES> 1

**<LAW OFFICE INFORMATION>**

\* The USPTO is authorized to communicate with the applicant at the below e-mail address \*  
<E-MAIL ADDRESS FOR CORRESPONDENCE> helen\_winslow@vfc.com

**<SIGNATURE AND OTHER INFORMATION>**

\* PTO-Application Declaration: The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

\*

<USE E-SIGNATURE> Yes

<SIGNATURE>

/hlw/

<DATE>

02/22/2002

<NAME>

Helen L. Winslow

<TITLE>

Secretary

**<MAILING ADDRESS>**

<LINE> Wrangler Apparel Corp.  
<LINE> 3411 Silverside Road,  
<LINE> 201 Baynard Building  
<LINE> Wilmington DE 19810

**<RAM INFORMATION>**

<RAM SALE NUMBER> 244  
<RAM ACCOUNTING DATE> 20020222

**<SERIAL NUMBER INFORMATION>**

<SERIAL NUMBER> 78/110377  
<INTERNET TRANSMISSION DATE> Friday, 02-22-2002 11:53:14 EST  
<TEAS STAMP>

78110377

USPTO-1676448107-2002022211535591-78/110377-1245cf6bd8db90c63f8ee993ad27e0703e5-  
RAM-244-2002022210575591  
E-MAIL ADDRESS FOR ACKNOWLEDGMENT> helen\_winslow@vfc.com

78110377

02/27/2002 8:27 AM

**To:** Wrangler Apparel Corp. ([helen\\_winslow@vfc.com](mailto:helen_winslow@vfc.com))  
**Subject:** TRADEMARK APPLICATION NO: 78495154 - ULTIMATE KHAKIS - N/A  
**Sent:** 4/6/06 2:02:36 PM  
**Sent As:** ECOM106@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/495154

**APPLICANT:** Wrangler Apparel Corp.

**\*78495154\***

**CORRESPONDENT ADDRESS:**  
WRANGLER APPAREL CORP.  
3411 SILVERSIDE RD  
WILMINGTON, DE 19810-4812

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MARK:** ULTIMATE KHAKIS

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

**CORRESPONDENT EMAIL ADDRESS:**  
[helen\\_winslow@vfc.com](mailto:helen_winslow@vfc.com)

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

**OFFICE ACTION**

**RESPONSE TIME LIMIT:** TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

**MAILING/E-MAILING DATE INFORMATION:** If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

T 000744

Serial Number 78/495154

The status of this application is as follows.

The refusal based on prior pending application 76582772 is withdrawn. The application abandoned on January 6, 2006. The refusal under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), is now made FINAL for the reasons set forth below. 37 C.F.R. §2.64(a).

Registration was refused under Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1), because the Registration is refused because the proposed mark merely describes a feature of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §§1209 et seq. A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods/services. In re Gyulay, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); In re Bed & Breakfast Registry, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); In re MetPath Inc., 223 USPQ 88 (TTAB 1984); In re Bright#Crest, Ltd., 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b).

In the instant case, applicant seeks registration of "ULIMATE KHAKIS" for "pants, shorts and skirts". The term "ultimate" is not only descriptive of the goods but is also laudatory in nature. Laudatory terms, i.e., those terms that attribute quality or excellence to goods or services, are considered descriptive terms under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §1209.03(k). The term "ultimate" is defined as "[R] representing or exhibiting the greatest possible development". See the attached definition from The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.

Laudatory terms, phrases and slogans are nondistinctive and unregistrable without proof of acquired distinctiveness. In re Nett Designs Inc., 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); In re Boston Beer Co. L.P., 198 F.3d 1370, 53 USPQ2d 1056 (Fed. Cir. 1999) (THE BEST BEER IN AMERICA); In re Dos Padres Inc., 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); In re Consolidated Cigar Co., 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); General Foods Corp. v. Ralston Purina Co., 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND).

Applicant asserts that the word "ULTIMATE" would not be perceived by the purchasing public as a laudatorily descriptive term. Instead, applicant insists that the term "ultimate" is a suggestive word that requires consumers to envision concepts and draw conclusions as to what qualities, characteristics, or features of the product cause it to be "ultimate" for them.

Examining attorney is not suggesting that the use of the word "ultimate" in the proposed mark suggests the presence of certain attributes, only that the message to the consumer is that the goods are superior to all other goods of that variety. The attached evidence from Lexis-Nexus shows the term "ultimate" use in the fashion industry, and applied to pants in particular, as a descriptive term. Included are comments made by a focus group when asked what their idea of the "ultimate pants" were. The answers included characteristics of being "soft, all-cotton, roomy and appropriate for casual or dressy situations".

As stated in the first Office Action dated May 25, 2005, the term "ultimate" is defined as "[R] representing or exhibiting the greatest possible development". The American Heritage® Dictionary of the English Language: Fourth Edition. 2000. Therefore, it may be said that Applicant is claiming their goods to be the "greatest". To claim that one's goods are "greatest" and "unsurpassed" is equivalent to the claim that they are the best available goods, representing the superlative degree of quality. The Board has held that the word "best" is a merely laudatory epithet describing the claimed quality of a

T 000745

duct and not entitled to trademark protection in the absence of compelling proof that it has acquired a 'secondary meaning' to the relevant public. In re Wileswood, Inc., 201 USPQ 400 (TTAB 1978).

Applicant, in further support of their argument, points out that the Patent and Trademark Office has issued a number of registrations on the Principal Register which include the word "ultimate". Third-party registrations are not conclusive on the question of descriptiveness. Each case must be considered on its own merits. A proposed mark that is merely descriptive does not become registrable simply because other similar marks appear on the register. *In re Scholastic Testing Service, Inc.*, 196 USPQ 517 (TTAB 1977); TMEP §1209.03(a).

As evidenced by the specimen and identification of goods, the applicant has created pants, shorts and skirts that resist stains and wrinkles and retain their color. A potential purchaser of these goods may think they are buying the "greatest possible development" in khakis. Therefore, the proposed mark merely describes a feature of the goods and registration on the Principal Register must be refused under Trademark Act Section 2(e)(1).

### Supplemental Register

Although the trademark examining attorney has refused registration on the Principal Register, applicant may respond to the stated refusals under by amending the application to seek registration on the Supplemental Register. Trademark Act Section 23, 15 U.S.C. §1091; 37 C.F.R. §§2.47 and 2.75(a); TMEP §§801.02(b), 815 and 816 *et seq.*

/Julie M. Guttadauro/

Trademark Examining Attorney

Law Office 106

(571) 272-5875

(571) 273-9106 (Fax)

### **HOW TO RESPOND TO THIS OFFICE ACTION:**

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name.

T 000746

**NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date. To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.**

**STATUS OF APPLICATION:** To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR)-system at <http://tarr.uspto.gov>.

**VIEW APPLICATION DOCUMENTS ONLINE:** Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

**GENERAL TRADEMARK INFORMATION:** For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.**

108B8C

Print Request: Selected Document(s): 1,3,25,33,34,37,40,44,55,58

Time of Request: April 06, 2006 01:04 PM EDT

Number of Lines: 361

Job Number: 1841:92739281

Document ID/Project Name:

Research Information:

News, All (English, Full Text)  
"ultimate" "pants"

T 000747

Send to: GUTTADAURO, JULIE  
TRADEMARK LAW LIBRARY  
600 DULANY ST  
ALEXANDRIA, VA 22314-5782

1 of 245 DOCUMENTS

Copyright 1996 A/S/M Communications, Inc.

ADWEEK

October 7, 1996, Western Advertising News Edition

**LENGTH:** 185 words

**HEADLINE:** Haggar's Irresistible **Pants**

T 000748

**BYLINE:** By Teresa Ann Buyikian and Joan Voight

**DATELINE:** LOS ANGELES

**BODY:**

Haggar Clothing Co. in Dallas will emphasize a man's need for "The **Ultimate Pant**" in a new TV and print campaign.

The estimated \$ 10 million campaign, created by Goodby, Silverstein & Partners in San Francisco, focuses on Haggar's new "**Ultimate Pant**" line.

...In the agency's second campaign for the Dallas clothing company, a 30-second TV spot depicts a man running back into his burning home to rescue his beloved 100 percent cotton **Ultimate Pants**, and pondering whether to save his parakeet as well. The spot then cuts to a shot of the man and his wife in their new home, **pants** and parakeet intact.

Print ads focus on the softness of the **pants**. For example, one ad states that "Your wife's cat suddenly likes lying in your lap" as a result of the **pants'** comfort. The ads end with the tagline "If you just had one pair of **pants**, this would be it."

The TV spot will run from October through December.

**GRAPHIC:**

Advertisement, A man races to the rescue of his **Ultimate Pants** in a burning house.

3 of 245 DOCUMENTS

Copyright 1996, The Commercial Appeal

The Commercial Appeal (Memphis)

September 29, 1996, Sunday, Final Edition

**SECTION:** IMAGE (Sunday Only), Pg. 4F, IN STYLE

**LENGTH:** 585 words

**HEADLINE:** New Haggar slacks off and running

T 000749

**BYLINE:** Barbara Bradley, The Commercial Appeal Fashion Editor

**BODY:**

Haggar's new **Ultimate Pant** is the result of consumer focus group studies in which men described the **ultimate pants** as soft, all-cotton, roomy and appropriate for casual or dressy situations.

The **pants**, shipped to stores last week, are sanded cotton, come in eight muted colors, including khaki, and retail for \$ 48 at stores including J.C. Penney.

Haggar designed them with double pleats, ...

Haggar is having "incredible success" with the **pants**, said Becky Powell, spokesman for the company.

That's partly because the slacks are wrinkle-free, partly because of the relaxed fit, "and partly because we're advertising like crazy," she said.

Gary Aronson, vice president of merchandising and design for Haggar Clothing Co., calls khaki **pants** "the cornerstone of men's casual office wear," as indispensable to the businessman's wardrobe as the gray wool suit once was.

**Shoe bonanza**

... We certainly hope Imelda Marcos will be watching. If not, she'll miss the sale of her dreams - ...

**GRAPHIC:**

Photo,

Priced at \$ 48, **Ultimate Pants** can be casual or dress-up.,

25 of 245 DOCUMENTS

Copyright 1999 PR Newswire Association, Inc.

PR Newswire

T 000750

November 17, 1999, Wednesday

**SECTION: FINANCIAL NEWS**

**DISTRIBUTION: TO BUSINESS AND RETAILING EDITORS**

**LENGTH: 316 words**

**HEADLINE: Chefwear and Designer Nicole Miller Help Amateur and Professional Chefs Launch The New Year in Style; New 'Millennium' Pattern Now Available**

**DATELINE: CHICAGO, Nov. 17**

**BODY:**

...Years' celebrations," explained Juli Bark, Chefwear's marketing director.

Featuring the well-recognized Chefwear label, champagne bottles and caviar, the "Millennium" pattern is available in a variety of products, including: Chefwear's **Ultimate Pants**, 100% cotton bib apron, terry-lined oven mitts, classic-style toque with Velcro closure, one-size-fits-all baseball cap, tailored vest, and Chefwear's original neckerchief. "Millennium" is the newest addition to Miller's original collection for Chefwear, appropriately named "Italiano," "Vineyard," "Habanero," and "Round Up."

"Designing this pattern was the **ultimate** project for me because I simply incorporated all of my favorite things: champagne, caviar and cooking," explained Nicole Miller. "I love to cook and really enjoyed designing something for New Year's Eve ...

33 of 245 DOCUMENTS

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Business and Industry

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DNR

T 000751

January 19, 1996

**SECTION:** Vol. 26, No. 13; Pg. 5; ISSN: 1092-5511

**RDS-ACC-NO:** 450690

**LENGTH:** 1269 words

**HEADLINE:** The Best of WR Slacks Is Yet to Come for Discounters

**BODY:**

...margins. Because of rigid pricing in the mass market, Burks claims WR still doesn't have the degree of penetration that it does in department stores. In department stores, Burk estimates that up to 80% of the cotton **pants** sold are WR, but in the mass market, the penetration of WR slacks is 50-60% of the casual slacks category. Full text further looks at price structures/cost factors for slacks ...

...gap."

Because of the rigid pricing in the mass market, Burks claims WR still doesn't have the degree of penetration that it does in department stores. In department stores, he estimates that up to 80 percent of the cotton **pants** sold are WR. And the only reason that it's not 100 percent is the price.

He says, "The entry level for our cotton Wrinkle-Free slacks is \$30, but there's still an established market for a \$ ...

...hand, are fairly constant for the mass market, with the double-pleat the perennial cash cow.

As far as the department store business goes, Burks feels that the new soft, lighter-weight twill Wrinkle-Frees are the "**ultimate**" **pants** for department stores. But he quickly adds, "We can't do it for a while for the mass market because of the cost factor."

However, the mass market won't be neglected. For fall, Horizon is offering a ...

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T 000752



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Oct 20, 2005

**NOTICE OF ABANDONMENT**

TM101

NORMAN H. ZIVIN  
COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

ATTORNEY  
REFERENCE  
NUMBER:  
72154

---

|                       |                             |
|-----------------------|-----------------------------|
| <b>SERIAL NUMBER:</b> | 76/583416                   |
| <b>MARK:</b>          | ULTIMATE WRINKLE RESISTANCE |
| <b>APPLICANT:</b>     | Kohl's Illinois, Inc.       |

---

THE ABOVE IDENTIFIED TRADEMARK APPLICATION WAS ABANDONED ON 09/26/2005 FOR THE FOLLOWING REASON:

NO RESPONSE TO THE OFFICE ACTION MAILED ON 03/24/2005 WAS RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) WITHIN THE SIX-MONTH RESPONSE PERIOD. (15 U.S.C. 1062(b); TRADEMARK RULE 2.65(a)).

**YOU CAN REQUEST REINSTATEMENT OF THE APPLICATION FOR NO FEE IF:**

- \* YOU HAVE PROOF THAT YOUR RESPONSE WAS RECEIVED IN THE USPTO ON OR BEFORE THE DUE DATE - SUCH AS A POSTCARD WITH A USPTO MAILROOM DATE STAMP; OR,
- \* YOU MAILED OR FAXED THE RESPONSE ON OR BEFORE THE DUE DATE WITH A CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION, IN ACCORDANCE WITH USPTO RULE 2.197, 37 CFR SEC. 2.197.

**YOU MUST SUBMIT A COPY OF THE PREVIOUSLY SUBMITTED TIMELY RESPONSE WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE ALONG WITH ONE OF THE TYPES OF PROOF SET OUT ABOVE. YOU MAY FAX THIS INFORMATION TO 571-273-8950.**

**IF YOU DO NOT HAVE THE PROOF NECESSARY FOR REINSTATEMENT, YOU CAN REQUEST REVIVAL OF THE APPLICATION, UNDER USPTO RULE 2.66, 37 CFR SEC. 2.66, BY:**

- \* FILING A "PETITION TO REVIVE" WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE, INDICATING THAT THE REASON FOR THE DELAY IN RESPONDING BY THE DUE DATE WAS "UNINTENTIONAL";
- \* PAYING THE PETITION FEE OF \$100, MADE PAYABLE TO THE COMMISSIONER OF TRADEMARKS; AND
- \* INCLUDING A COPY OF THE RESPONSE TO THE OFFICE ACTION (IF YOU DID RECEIVE THE OFFICE ACTION - OTHERWISE, INCLUDE A STATEMENT THAT YOU DID NOT RECEIVE THE OFFICE ACTION.)

**FOR FURTHER INFORMATION CALL 1-800-786-9199**

T 000852A

August 4, 2001, Saturday

**SECTION:** Pg. 22

**LENGTH:** 514 words

**HEADLINE:** WARDROBE OF THE WEEK COLIN LENNOX

**BYLINE:** Gillian Welsh

**BODY:**

...short stroll from Queen Street Station to my office, bags of goodies sprout magically from my fingers. I honestly don't know how they get there.

Where do you buy your underwear?

Grey marl Sloggi. The **ultimate pant**. Bought exclusively from the king of shops, John Lewis.

Your most extravagant purchase?

A white suit that I've managed to wear twice (and one of those was to a fancy -dress party) was a little extravagant. ...

...suit by Zara, pounds 105 in the sale

can't leave home without

A silver pendant hand-made

by Annie Smith

favourite brand of underwear

Sloggi. Grey marl

**pants, GBP 8.95**

favourite make of shoe

Gucci, Prada, Patrick Cox. Gucci loafers, GBP 205

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T 000753

Hartford Courant (Connecticut)

October 16, 2002 Wednesday, STATEWIDE

**SECTION:** LIFE; Pg. D3

**LENGTH:** 197 words

**HEADLINE:** FOR ALL OCCASIONS: LOOK WHO'S WEARING THE PANTS

**BYLINE:** GREG MORAGO; Courant Staff Writer

**BODY:**

Listen up: You better put on some **pants**, Missy! That directive comes to you straight from Nordstrom, which is having a "Put on Some **Pants**" promotion this month at Westfarms mall.

What kind of **pants**? Caslon, of course (the store's exclusive brand). Three different Caslon styles are highlighted in the promotion: Caslon 8 Gore, Caslon Stretch Twill **Pant** and Caslon Stretch Bootleg Jean.

The Caslon 8 Gore is the line's "**ultimate pant**" -- a flattering cut in 62 percent polyester, 34 percent rayon and 4 percent heavyweight Spandex. It's available in black, urban green and heather gunmetal (\$88). The Stretch Twill is an any-occasion **pant** with contour waistband, made of 94 percent cotton and 6 percent Spandex. It comes in bamboo, urban green and black (\$55). The Bootleg Jean (98 percent cotton and 2 percent Spandex) ...  
...rise (\$52).

Each style comes in petite sizes 0 to 16 and regular sizes 2 to 16 (also includes plus sizes). During the promotion -- presumably, while you're busy putting on some **pants** -- Nordstrom is giving away a free candle set with the purchase of \$100 or more of Caslon. While supplies last, naturally.

**GRAPHIC:**

**PHOTO:** 1 color; MOOD INDIGO -- Nordstrom's Caslon Stretch Bootleg Jeans are among the Caslon **pant** styles featured in this month's "Put on Some **Pants**" promotion.

40 of 245 DOCUMENTS

T 000754

October 12, 2000 Thursday Final Edition

**SECTION:** LIFE; Pg. B05

**LENGTH:** 481 words

**HEADLINE:** Here's how to find the perfect **pants**

**BYLINE:** Karen Williams Alexander

**BODY:**

**Q:** I have recently relocated from an office where women were encouraged to only wear skirts and dresses to a firm where women freely wear **pants**.

I have ventured out to the mall to shop for some stylish **pant** suits but was frustrated with trying to find a style that I liked and that fit properly. Needless to say, I didn't make a purchase. I am an average size and height, but ...

...for trousers to be a real pain in the derriere, even when you know what you're looking for. Take heart, this mission-almost-impossible can be successful.

First of all, you need to find out what style of **pants** suits you. This will require some time and patience. If you can find a few hours to browse through the stores that carry the merchandise you like, try every style of **pants** they have. Don't hesitate to try on a style you think won't look good on you, because the truth is, you never know -- they could be THE pair.

When you reject a style, ask yourself what it is about them that isn't working for you? ...

...loops are stitched properly, the pockets don't gape open when you sit or add bulk to your hip area even when standing. Also, check the seams around the hip area to ensure they are smooth and rounded.

Notice the fabric. Do the **pants** drape and fit properly? Is the fabric so heavy that it looks like it's pulling?

When you find the perfect trousers and they happen to be too long, it's absolutely worth the extra few dollars to get them shortened -- that's the least of ...

...Beware those dreaded visible panty lines that ruin the look of a beautiful pair of trousers; opt for a full brief that will stay in place, pantyhose or try a thong. If your **pants** have belt loops, wear a belt, otherwise it looks like you forgot to put one on.

Identifying the **ultimate pants** is likened to locating a needle in the haystack, so when you do finally find yours, buy as many pairs in different colours and patterns as you can afford -- you'll thank yourself every morning, thereafter. ...

44 of 245 DOCUMENTS

Copyright 1996 The Columbus Dispatch

Columbus Dispatch (Ohio)

December 31, 1996, Tuesday

**SECTION:** FEATURES ACCENT & ENTERTAINMENT, Pg. 2B, MALE CALL

**LENGTH:** 646 words

**HEADLINE:** KHAKIS CORRECT FOR OFFICE AND CASUAL DRESSING

**BYLINE:** Lois, Fenton

**BODY:**

...jeans in the summer, but I have felt slightly underdressed. The only other man in the office is the president, and he always wears a suit, so I have little to go by. Do you think khaki **pants** would be an appropriate choice?

A. You are right on target. Khakis are an essential part of a man's wardrobe.

...Friday wear, for working in the yard, or to throw on with a polo shirt and sweater when he wants to look good and still feel relaxed.

Khakis are more comfortable than jeans, less so than sweat **pants**, more presentable than either, and thus acceptable for more occasions. They suit social situations and are also right for business casual.

Everyone is getting into the act; companies are scrambling to make the **ultimate** khakis. Haggar offers what it calls "the **Ultimate Pant**." It has the laundered-in softness of an old pair of **pants**, a relaxed fit and a fine hand.

Levi Strauss believes men want more than just one style of khakis. Their Dockers Khakiware includes **pants** with various fabrics, fits and finishes - from a traditional twill to a dressier **pant** called "Class A Khaki." It has a supersoft feel with a sueded finish and an added wrinkle-free property. Despite the name, Khakiware colors range from off-white through olive, ...

T 000756

55 of 245 DOCUMENTS

Copyright 1998 Information Access Company,

a Thomson Corporation Company;

ASAP

Copyright 1998 Capital Cities Media Inc.

Daily News Record

June 29, 1998

**SECTION:** No. 77; Pg. 8 ; ISSN: 1041-1119

**IAC-ACC-NO:** 20879761

**LENGTH:** 813 words

**HEADLINE:** THE MESSAGE AT PITTI UOMO: DON'T PUT DOWN BETTER PANTS; DEMAND IN U.S. GROWING FOR FINE TROUSERS THAT RETAIL FOR \$ 200 AND UP.

**BYLINE:** Ilari, Alessandra

**BODY:**

...companies have built solid businesses and healthy reputations on precision-cut jackets with sartorial finishes, the same attention isn't always paid to trousers. That's why retailers are increasingly turning to manufacturers whose piece de resistance is **pants** that fit like a glove and incorporate all those small, precious details that make Italian tailoring so special.

The list of bells and whistles is long and usually prefaced with the phrase "Nobody does this kind of work," so ...

"Men who lead a certain lifestyle wear custom-made shoes and hand-sewn shirts and want to sport **pants** of the same level," said Irma Valentini, co-owner of Valentini, a **pants** manufacturer based in Southern Italy.

Among the leaders is Incotex, which sounds like the name of a genetic engineering firm but manufactures about 600,000 units a year at two factories ...

...suit. Trousers have eight belt loops instead of six or seven, and to listen to the company's sales staff, the handwork on the waistband and lining could easily be confused with the engineering under the hood of a Ferrari.

"I consider this the **ultimate pants** in the market," said Ralph Auriemma, who represents the line in New York at the David Glazer showroom. Auriemma said they're designed to last a lifetime, or "until you get tired of ...

...Ciro, thinks that because today's silhouettes are so clean and lean, it's details that make the difference. "Men are more aware of details because they jump out more against the cleaner shapes," said Paone.

T 000757

To elevate the quality of its **pants** production, Neapolitan tailor Kiton acquired a small bottega (workshop) that only makes handmade **pants**. "In a custom-made suit, the focus is always more on the jacket than on the **pants**," said Silverio Paone, product manager. "With this new acquisition, for the first time we will produce extremely high-quality **pants** sold individually that men can mix-and-match as they please."

In the new lab, 20 artisans patiently cut and sew, turning out a pair every three and a half hours. "We hope to produce 150 pairs of **pants** a day," conceded Paone. For next summer, the focus is on butter-colored linens, lightweight pinstriped wools and early 1960s-inspired bermuda shorts in checked or striped shirting fabrics. ...

...export share.

"The U.S. market is extremely receptive to our product. When it comes to quality, Americans don't question the price," said Valentini.

Rota, another high-caliber resource, was banking on slim-legged **pants** cobbled with wool blended with either linen, mohair or cashmere. "We've been making high-end **pants** since 1962 and though the trends have changed, our clientele has always stuck to **pants** made with top standards," said owner Emilio Rota. To allow retailers to personalize their orders, Rota offered linings in five different colors they can match with the **pants** as they wish. Though wholesale prices average \$ 200 for a pair of **pants**, last year Rota also produced 80,000 pieces. About 10 percent went to the U.S. market.

58 of 245 DOCUMENTS

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ASAP

Copyright 2005 Fairchild Publications, Inc.

Daily News Record

August 29, 2005

SECTION: Pg. 106 ; ISSN: 1041-1119

IAC-ACC-NO: 135761765

T 000758

LENGTH: 901 words

**HEADLINE:** FROM GLOBETROTTING TO MEN'S WEAR; NATIONAL GEOGRAPHIC SOCIETY TO OFFER A NEW APPAREL LINE IN THE U.S. MARKET THIS FALL.

**BYLINE:** Lloyd, Brenda

**BODY:**

...Cerf Brothers Bag Co., in spring 2006. Dumbacher says National Geographic hopes to launch a women's collection later as well.

The first offerings for the U.S. market are a selection of "ultimate" men's wear pieces, all of which incorporate Schoeller's 3X Dry finish to give them moisture-wicking and quick-drying properties.

The "ultimate" field jacket offers men a dozen pockets, most of which are on the inside. There are pockets for iPods, film, passports, airline tickets and other important items, as well as an oversized pocket on the outside back for maps or magazines.

The "ultimate" sport jacket, which doesn't have the oversized pocket, is a little dressier but still has the functionality and versatility of the photographer's field jacket, Dumbacher says.

The "ultimate" pant is a cotton khaki, also made with 3X Dry, as well as anti-stain properties and 2 percent Lycra stretch. The "ultimate" shirt also has 3X Dry, anti-stain and stretch properties, but offers more-versatile tailored styling that allows it to be worn for business and casual.

The collection also includes woven and knit shirts and shorts and pants in a variety of fabrics.

The jackets retail for \$ 150, pants for \$ 50 and shirts for \$ 40 to \$ 50, depending on the style.

National Geographic will add shorts, lightweight shirts and other warm-weather apparel to the spring '06 collection. Dumbacher says the ...

...world and bring back great stories for all of us."

Caption(s): National Geographic's debut men's wear collection is licensed to Block Industries and features outerwear, woven and knit shirts, shorts, pants and watches.

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\*\*\*\*\* Print Completed \*\*\*\*\*

Time of Request: April 06, 2006 01:04 PM EDT

Print Number: 1841:92739281

Number of Lines: 361

Number of Pages:

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| #  | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search                          |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---------------------------------|
| 01 | 1721           | N/A           | 0                      | 0                        | 0:03                          | *ultimate*[bi,ti] not dead [ld] |
| 02 | 60             | N/A           | 0                      | 0                        | 0:03                          | *khaki*[bi,ti] not dead [ld]    |
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| 04 | 99             | 0             | 99                     | 61                       | 0:02                          | 1 and (A B 200 "025")[ic]       |

Session started 4/6/06 1:59:28 PM  
Session finished 4/6/06 2:01:16 PM  
Total search duration 0 minutes 9 seconds  
Session duration 1 minutes 48 seconds  
Default NEAR limit=1ADJ limit=1  
Sent to TICRS as Serial Number: 78495154

Side - 1



**NOTICE OF REVIVAL**  
**MAILING DATE: Feb 22, 2006**

The trademark application identified below has been revived to pending status. The application file will be forwarded to the appropriate section of the Office for further processing.

To verify the status and location of your application, please wait approximately three weeks and check the USPTO website at <http://tarr.uspto.gov/> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 78495154  
**MARK:** ULTIMATE KHAKIS  
**OWNER:** Wrangler Apparel Corp.  
**REVIVAL DATE:** Feb 22, 2006

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
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WRANGLER APPAREL CORP  
3411 SILVERSIDE RD  
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T 000762

## Response to Office Action

The table below presents the data as entered.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
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| <b>SERIAL NUMBER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 78495154       |
| <b>LAW OFFICE ASSIGNED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | LAW OFFICE 106 |
| <b>MARK SECTION (no change)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
| <b>ARGUMENT(S)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |
| <p>Examiner has cited application no. 76582772, the intent-to-use application filed March 22, 2004 by Kohl's Illinois, Inc., which application now stands abandoned. Therefore, Applicant believes that the instant application no. 78495154 filed by Applicant based on use in commerce dating back to at least April 10, 2003 should be permitted to proceed to registration.</p> <p>Examiner further indicated that Applicant's mark is subject to a descriptiveness refusal, which observation Applicant respectfully requests Examiner to reconsider in light of the following information.</p> <p style="padding-left: 40px;">Applicant respectfully submits that the term "ultimate" is not descriptive in relation to clothing but rather is suggestive and therefore capable of functioning as a trademark. Examiner is correct that the word "ultimate" appears in dictionaries, which contain explanations not only for descriptive terms but also for suggestive terms and even trademarks. By way of example, note the following entry set forth in <i>The American Heritage® Dictionary of the English Language, Fourth Edition</i>:</p> <p style="padding-left: 40px;"><b>Ko-dak</b> (P) Pronunciation Key (k d k)<br/> A trademark used for a hand-held camera and camera film.<br/> Source: <i>The American Heritage® Dictionary of the English Language, Fourth Edition</i><br/> Copyright © 2000 by Houghton Mifflin Company.<br/> Published by Houghton Mifflin Company. All rights reserved.</p> <p>Therefore, the appearance of the term "ultimate" in dictionaries is not conclusive evidence that the term is descriptive in the context of Applicant's trademark.</p> <p>In the context of Applicant's trademark, ULTIMATE KHAKIS, the term "ultimate" is a suggestive word that requires consumers to envision concepts and draw conclusions as to what qualities, characteristics, or features of the product cause it to be "ultimate" for them. The Trademark Office itself sets forth that "Suggestive marks are those that, when applied to the goods or services at issue, require imagination, thought or perception to reach a conclusion as to the nature of those goods or services. Thus, a suggestive term differs from a descriptive term, which immediately tells something about the goods or services." (see TMEP § 1209.01(a).) Applicant agrees that "khakis" describes a feature or quality of the product, and Applicant has correspondingly disclaimed exclusive rights to use of the term "khakis." However, "ultimate" is a nebulous concept that calls upon individual consumers to draw upon their own personal perceptions, formulate their own visions, and draw their own conclusions as to the sense and significance of "ultimate." "Ultimate" is a suggestive term that suggests different things to different people, especially in the context of applying that word to clothing.</p> |                |

Further support for the view that "ultimate" is a suggestive term has been consistently provided by The U.S. Patent & Trademark Office ("USPTO") itself. Through various Trademark Examiners, the USPTO has granted numerous international class 25 registrations on the Principal Register for similarly positioned marks in the names of various parties. By way of example, note the following active class 25 trademark registrations:

- registration no. 2250983 of ULTIMATE TRAVEL SKIRT for skirts in the name of Travelsmith Outfitters, Inc.;
- registration no. 2853261 of ULTIMATE SWIMWEAR for swimwear in the name of Ultimate Swimwear, Inc.;
- registration no. 2418111 for THE ULTIMATE SOCK for hosiery, socks and tights in the name of Shalom International Corp.;
- registration no. 2057039 of ULTIMATE WORKWEAR for clothing namely jackets, coveralls, shorts, shirts, socks, pants, gloves in the name of Work'n Gear LLC;
- registration no. 2194758 for ULTIMATE COMFORT BAND previously in class 25 and now in related class 24 for elastic yarns in the name of Georgia Narrow Fabrics LLC;
- registration no. 2003656 for ULTIMATE COTTON for sweatshirts, t-shirts and shirts made in whole or substantial part of cotton in the name of Sara Lee Corporation;
- registration no. 2416301 for THE ULTIMATE TIGHT for tights and hosiery in the name of Shalom International Corp.;
- registration no. 2942491 for THE ULTIMATE SHIRT for men's shirts in the name of Oxford Industries, Inc.;
- registration no. 2137636 for THE ULTIMATE SWEATER for sweaters in the name of Travelsmith Outfitters, Inc.;
- registration no. 2881672 for THE ULTIMATE FIT JEAN for clothing namely casual pants, jeans and shorts in the name of The H.D. Lee Company, Inc.;
- registration no. 2416302 for THE ULTIMATE LEGWEAR for men's, women's and children's socks, hosiery, tights, slippers, slipper socks, and footwear in the name of Shalom International Corp.

Copies of the said registration certificates are submitted with Applicant's response.

A portion of said third-party registrations on the Principal Register existed at the time that Applicant adopted ULTIMATE KHAKIS as a trademark in 2002, with the remainder of those registrations having issued since then. Such registrations support Applicant's belief that ULTIMATE KHAKIS functions as a trademark comprised of the descriptive term "khakis" and suggestive term "ultimate." Since adoption, Applicant has continually invested significant monies, efforts, and time promoting and selling Applicant's products under the ULTIMATE KHAKIS trademark, including annual advertising/promotion expenses exceeding \$266,000 per year for each of the past three years and annual sales exceeding \$15,000,000 for each of the past three years.

Applicant believes ULTIMATE KHAKIS to be Applicant's trademark entitled to registration on the Principal Register. With submission of the foregoing facts, Applicant respectfully requests the Examining Attorney allow the instant application serial no. 78495154 to proceed toward registration.

|                                   |                                                                                                                                         |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>EVIDENCE SECTION</b>           |                                                                                                                                         |
| DESCRIPTION OF EVIDENCE FILE      | images of registration certificates for referenced third-party trademark registrations                                                  |
| <b>SIGNATURE SECTION</b>          |                                                                                                                                         |
| RESPONSE SIGNATURE                | /hlw/                                                                                                                                   |
| SIGNATORY NAME                    | Helen L. Winslow                                                                                                                        |
| SIGNATORY POSITION                | Secretary and Authorized Signatory                                                                                                      |
| SIGNATURE DATE                    | 02/21/2006                                                                                                                              |
| <b>FILING INFORMATION SECTION</b> |                                                                                                                                         |
| SUBMIT DATE                       | Tue Feb 21 18:04:37 EST 2006                                                                                                            |
| TEAS STAMP                        | USPTO/ROA-216.164.136.91-<br>20060221180437541442-7849<br>5154-32095263fd5fe698c672<br>d5cdc7f93d89842-N/A-N/A-2<br>0060221174513679996 |

PTO Form 1957 (Rev. 5/2005)  
ONIX Control #0651-0050 (Exp. 04/30/2006)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. 78495154 has been amended as follows:

#### Argument(s)

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

Examiner has cited application no. 76582772, the intent-to-use application filed March 22, 2004 by Kohl's Illinois, Inc., which application now stands abandoned. Therefore, Applicant believes that the instant application no. 78495154 filed by Applicant based on use in commerce dating back to at least April 10, 2003 should be permitted to proceed to registration.

Examiner further indicated that Applicant's mark is subject to a descriptiveness refusal, which observation Applicant respectfully requests Examiner to reconsider in light of the following information.

Applicant respectfully submits that the term "ultimate" is not descriptive in relation to clothing but rather is suggestive and therefore capable of functioning as a trademark. Examiner is correct that the word "ultimate" appears in dictionaries, which contain explanations not only for descriptive terms but also for suggestive terms and even trademarks. By way of example, note the following entry set forth in *The American*

T 000765

Heritage® Dictionary of the English Language, Fourth Edition:

**Ko-dak (P) Pronunciation Key (k d k)**

A trademark used for a hand-held camera and camera film.

Source: *The American Heritage® Dictionary of the English Language, Fourth Edition*

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Published by Houghton Mifflin Company. All rights reserved.

Therefore, the appearance of the term "ultimate" in dictionaries is not conclusive evidence that the term is descriptive in the context of Applicant's trademark.

In the context of Applicant's trademark, ULTIMATE KHAKIS, the term "ultimate" is a suggestive word that requires consumers to envision concepts and draw conclusions as to what qualities, characteristics, or features of the product cause it to be "ultimate" for them. The Trademark Office itself sets forth that "Suggestive marks are those that, when applied to the goods or services at issue, require imagination, thought or perception to reach a conclusion as to the nature of those goods or services. Thus, a suggestive term differs from a descriptive term, which immediately tells something about the goods or services." (see TMEP §1209.01(a).) Applicant agrees that "khakis" describes a feature or quality of the product, and Applicant has correspondingly disclaimed exclusive rights to use of the term "khakis." However, "ultimate" is a nebulous concept that calls upon individual consumers to draw upon their own personal perceptions, formulate their own visions, and draw their own conclusions as to the sense and significance of "ultimate." "Ultimate" is a suggestive term that suggests different things to different people, especially in the context of applying that word to clothing.

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- registration no. 2057039 of ULTIMATE WORKWEAR for clothing namely jackets, coveralls, shorts, shirts, socks, pants, gloves in the name of Work'n Gear LLC;
- registration no. 2194758 for ULTIMATE COMFORT BAND previously in class 25 and now in related class 24 for elastic yarns in the name of Georgia Narrow Fabrics LLC;
- registration no. 2003656 for ULTIMATE COTTON for sweatshirts, t-shirts and shirts made in whole or substantial part of cotton in the name of Sara Lee Corporation;
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- registration no. 2137636 for THE ULTIMATE SWEATER for sweaters in the name of Travelsmith Outfitters, Inc.;
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T 000766

ctions as a trademark comprised of the descriptive term "khakis" and suggestive term "ultimate." Since adoption, Applicant has continually invested significant monies, efforts, and time promoting and selling Applicant's products under the ULTIMATE KHAKIS trademark, including annual advertising/promotion expenses exceeding \$266,000 per year for each of the past three years and annual sales exceeding \$15,000,000 for each of the past three years.

Applicant believes ULTIMATE KHAKIS to be Applicant's trademark entitled to registration on the Principal Register. With submission of the foregoing facts, Applicant respectfully requests the Examining Attorney allow the instant application serial no. 78495154 to proceed toward registration.

**Evidence**

Evidence in the nature of images of registration certificates for referenced third-party trademark registrations has been attached.

**Response Signature**

Signature: /hlw/ Date: 02/21/2006

Signatory's Name: Helen L. Winslow

Signatory's Position: Secretary and Authorized Signatory

Serial Number: 78495154

Internet Transmission Date: Tue Feb 21 18:04:37 EST 2006

TEAS Stamp: USPTO/ROA-216.164.136.91-200602211804375

41442-78495154-320952e3fd5fe698c672d5cdc

7f93d89842-N/A-N/A-20060221174513679996

## Petition To Revive Abandoned Application - Failure To Respond Timely To Office Action

The table below presents the data as entered.

|                                      |  |                                                                                                                                                                                             |
|--------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SERIAL NUMBER</b>                 |  | 78495154                                                                                                                                                                                    |
| <b>LAW OFFICE ASSIGNED</b>           |  | LAW OFFICE 106                                                                                                                                                                              |
| <b>DATE OF NOTICE OF ABANDONMENT</b> |  | 12/21/2005                                                                                                                                                                                  |
| <b>PETITION</b>                      |  |                                                                                                                                                                                             |
| <b>PETITION STATEMENT</b>            |  | Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application. |
| <b>PAYMENT SECTION</b>               |  |                                                                                                                                                                                             |
| <b>TOTAL AMOUNT</b>                  |  | 100                                                                                                                                                                                         |
| <b>TOTAL FEES DUE</b>                |  | 100                                                                                                                                                                                         |
| <b>SIGNATURE SECTION</b>             |  |                                                                                                                                                                                             |
| <b>RESPONSE SIGNATURE</b>            |  | /hlw/                                                                                                                                                                                       |
| <b>SIGNATORY NAME</b>                |  | Helen L. Winslow                                                                                                                                                                            |
| <b>SIGNATORY POSITION</b>            |  | Secretary and Authorized Signatory                                                                                                                                                          |
| <b>SIGNATURE DATE</b>                |  | 02/21/2006                                                                                                                                                                                  |
| <b>FILING INFORMATION SECTION</b>    |  |                                                                                                                                                                                             |
| <b>SUBMIT DATE</b>                   |  | Tue Feb 21 17:43:57 EST 2006                                                                                                                                                                |
| <b>TEAS STAMP</b>                    |  | USPTO/POA-216.164.136.91-<br>20060221174357458064-7849<br>5154-32042604cd1e2bb76407<br>cb343ec3e28d149-CC-542-20<br>060221173720889773                                                      |

## Petition To Revive Abandoned Application - Failure To Respond Timely To Office Action

To the Commissioner for Trademarks:

Application serial no. 78495154 is amended as follows:

**PETITION**

**Petition Statement**

Applicant has firsthand knowledge that the failure to respond to the Office Action by the specified deadline was unintentional, and requests the USPTO to revive the abandoned application.

(s) in the amount of \$100 is being submitted.

**Petition/Response Signature**

Signature: /hlw/ Date: 02/21/2006

Signatory's Name: Helen L. Winslow

Signatory's Position: Secretary and Authorized Signatory

Serial Number: 78495154

Internet Transmission Date: Tue Feb 21 17:43:57 EST 2006

TEAS Stamp: USPTO/POA-216.164.136.91-200602211743574

58064-78495154-32042604cd1e2bb76407cb343

ec3e28d149-CC-542-20060221173720889773

T 000769

RAM SALE NUMBER: 542  
RAM ACCOUNTING DATE: 20060222

INTERNET TRANSMISSION DATE:  
2006/02/21

SERIAL NUMBER:  
78/495154

| Description | Fee<br>Code | Transaction | Total Fees<br>Paid |
|-------------|-------------|-------------|--------------------|
| POA         | 7005        | 2006/02/21  | 100                |

T 000770

Side - 1



**NOTICE OF ABANDONMENT**  
**MAILING DATE: Dec 21, 2005**

The trademark application identified below was abandoned because a response to the Office Action mailed on May 25, 2005 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 78495154  
**MARK:** ULTIMATE KHAKIS  
**OWNER:** Wrangler Apparel Corp.

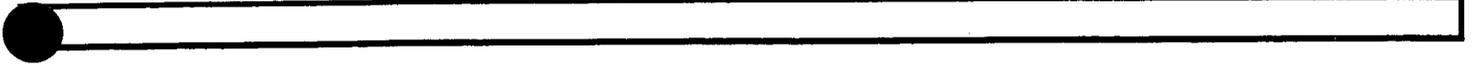
Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

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WRANGLER APPAREL CORP  
3411 SILVERSIDE RD  
WILMINGTON, DE 19810-4812

T 000771



T 000772

To: Wrangler Apparel Corp. (helen\_winslow@vfc.com)  
Subject: TRADEMARK APPLICATION NO. 78495154 - ULTIMATE KHAKIS - N/A  
Sent: 5/25/05 12:06:22 PM  
Sent As: ECOM106@USPTO.GOV  
Attachments: Attachment - 1  
Attachment - 2  
Attachment - 3  
Attachment - 4

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/495154

**APPLICANT:** Wrangler Apparel Corp.

**\*78495154\***

**CORRESPONDENT ADDRESS:**

WRANGLER APPAREL CORP.  
3411 SILVERSIDE RD  
WILMINGTON, DE 19810-4812

**RETURN ADDRESS:**

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

**MARK:** ULTIMATE KHAKIS

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

**CORRESPONDENT EMAIL ADDRESS:**  
helen\_winslow@vfc.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

**OFFICE ACTION**

**RESPONSE TIME LIMIT:** TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

T 000773

Serial Number 78/495154

The assigned trademark examining attorney has reviewed the referenced application and has determined the following:

### Search Results

The Office records have been searched and no similar *registered* mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02. However, please be advised that a potentially conflicting mark in a prior-filed pending application may present a bar to registration. Please see attached registration.

### Section 2(e)(1) - Descriptive Refusal

Registration is refused because the proposed mark merely describes a feature of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §§1209 *et seq.* A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods/services. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright#Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b).

In the instant case, applicant seeks registration of "ULIMATE KHAKIS" for "pants, shorts and skirts". The term "ultimate" is not only descriptive of the goods but is also laudatory in nature. Laudatory terms, i.e., those terms that attribute quality or excellence to goods or services, are considered descriptive terms under Trademark Act Section 2(e)(1), 15 U.S.C.

§1052(e)(1); TMEP §1209.03(k). The term "ultimate" is defined as "[R] representing or exhibiting the greatest possible development". See the attached definition from The American Heritage® Dictionary of the English Language: Fourth Edition: 2000.

Laudatory terms, phrases and slogans are nondistinctive and unregistrable without proof of acquired distinctiveness. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); *In re Boston Beer Co. L.P.*, 198 F.3d 1370, 53 USPQ2d 1056 (Fed. Cir. 1999) (THE BEST BEER IN AMERICA); *In re Dos Padres Inc.*, 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); *In re Consolidated Cigar Co.*, 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); *General Foods Corp. v. Ralston Purina Co.*, 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND).

As evidenced by the specimen and identification of goods, the applicant has created pants, shorts and skirts that resist stains and wrinkles and retain their color. A potential purchaser of these goods may think they are buying the "greatest possible development" in khakis. Therefore, the proposed mark merely describes a feature of the goods and registration on the Principal Register must be refused under Trademark Act Section 2(e)(1).

Although the trademark examining attorney has refused registration on the Principal Register, applicant may respond to the stated refusal(s) under 2(e)(1) by amending the application to seek registration on the Supplemental Register. Trademark Act Section 23, 15 U.S.C. §1091; 37 C.F.R. §§2.47 and 2.75(a); TMEP §§801.02(b), 815 and 816 *et seq.*

T 000774

**NOTICE: FEE CHANGE**

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

(1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS);  
or

(2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

**NOTICE: TRADEMARK OPERATION RELOCATION**

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

**Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451**

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Julie M. Guttadauro/

Trademark Examining Attorney

Law Office 106

(571) 272-5875

(571) 273-9106 (Fax)

**HOW TO RESPOND TO THIS OFFICE ACTION:**

- **ONLINE RESPONSE:** You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://www.uspto.gov/teas/index.html> and follow the instructions, but if the Office Action issued via email you must wait 72 hours after receipt of the Office Action to respond via TEAS).
- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above and include the serial number, law office number and examining attorney's name in your response.

**STATUS OF APPLICATION:** To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

**VIEW APPLICATION DOCUMENTS ONLINE:** Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

**GENERAL TRADEMARK INFORMATION:** For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.**



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< [ultima](#)

[ultimately](#) >

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The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.

# ultimate

SYLLABICATION: ul-ti-mate

PRONUNCIATION: ul'tə-mīt

ADJECTIVE: 1. Being last in a series, process, or progression: *"As the ultimate arbiter of the Constitution, the Supreme Court occupies a central place in our scheme of government"* (Richard A. Epstein). 2. Fundamental; elemental: *an ultimate truth*. 3a. Of the greatest possible size or significance; maximum: *Has the ultimate diamond been found?* b. Representing or exhibiting the

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greatest possible development or sophistication: *the ultimate bicycle*. c.  
Utmost, extreme: *the ultimate insult*. 4. Being most distant or remote;  
farthest. See synonyms at last<sup>1</sup>. 5. Eventual: *hoped for ultimate victory*.

NOUN: 1. The basic or fundamental fact, element, or principle. 2. The final point; the  
conclusion. 3. The greatest extreme; the maximum: *actions that represented  
the ultimate in political expediency*.

ETYMOLOGY: Latin *ultimatus*, past participle of *ultimare*, to come to an end, from *ultimus*,  
last, superlative of *\*ulter*, on the other side. See al<sup>1</sup> in Appendix I.

The American Heritage<sup>®</sup> Dictionary of the English Language, Fourth Edition. Copyright © 2000 by Houghton Mifflin Company. Published by the  
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[ultimately](#) >

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**DESIGN MARK**

**Serial Number**  
76582772

**Status**  
OPPOSITION PENDING

**Word Mark**  
ULTIMATE KHAKI

**Standard Character Mark**  
Yes

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
Kohl's Illinois, Inc. CORPORATION NEVADA New York Square 4340 Fox  
Valley Center Drive Aurora ILLINOIS 60504

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: CLOTHING,  
NAMELY, MEN'S AND BOY'S PANTS AND SHORTS.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "KHAKI" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2004/03/22

**Examining Attorney**  
SHEFFIELD, SHARI

**Attorney of Record**  
NORMAN H. ZIVIN

ULTIMATE KHAKI

T 000780

User:jguttadaur \*\*\*

|    | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search            |
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| 02 | 59             | N/A           | 0                      | 0                        | 0:01                          | *khakis*[bi,ti]   |
| 03 | 2              | 1             | 1                      | 1                        | 0:01                          | 1 and 2           |
| 04 | 134            | 77            | 57                     | 23                       | 0:01                          | *khak*[bi,ti]     |
| 05 | 4061           | N/A           | 0                      | 0                        | 0:01                          | *ultima*[bi,ti]   |
| 06 | 1815           | N/A           | 0                      | 0                        | 0:02                          | 5 not dead [ld]   |
| 07 | 396            | 0             | 396                    | 181                      | 0:02                          | 6 and ("025"){cc} |

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Session finished 5/19/05 5:09:39 PM

Total search duration 0 minutes 9 seconds

Session duration 8 minutes 31 seconds

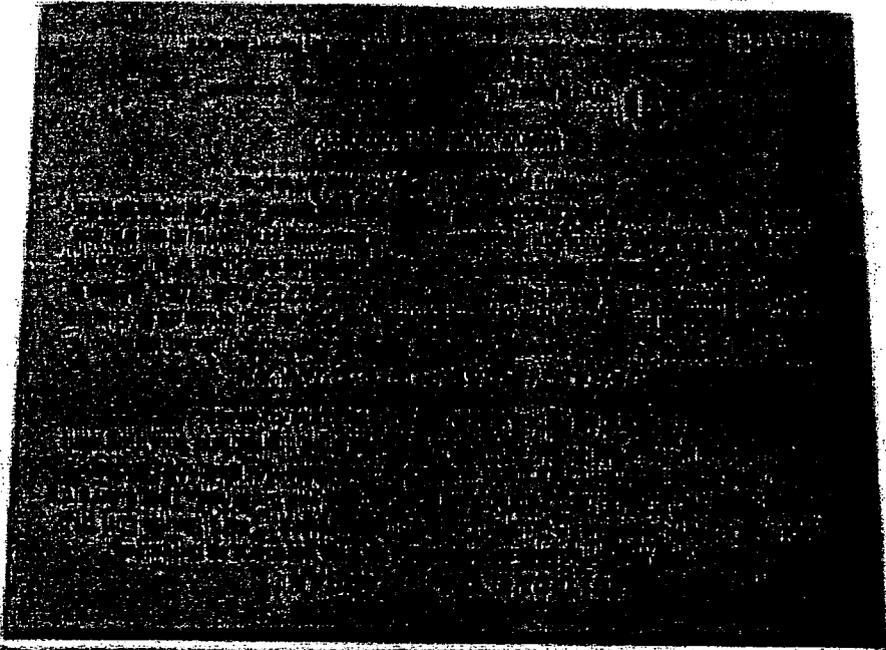
Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78495154

T 000781

# ULTIMATE KHAKIS

T 000782



TIMBER CREEK  
BY  
WRANGLER

ULTIMATE  
CHANGE

STAINBLOCKER

MADE FROM  
100% COTTON  
CLOTH WITH  
POWERFUL STAIN  
RESISTANT  
PROTECTION

PLEATED  
À PLIS

## Trademark/Service Mark Application, Principal Register

Serial Number: 78495154

Filing Date: 10/06/2004

The table below presents the data as entered.

| MARK SECTION                   |                                                                                                        |
|--------------------------------|--------------------------------------------------------------------------------------------------------|
| MARK                           | ULTIMATE KHAKIS                                                                                        |
| STANDARD CHARACTERS            | YES                                                                                                    |
| USPTO-GENERATED IMAGE          | YES                                                                                                    |
| LITERAL ELEMENT                | ULTIMATE KHAKIS                                                                                        |
| MARK STATEMENT                 | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| OWNER SECTION                  |                                                                                                        |
| NAME                           | Wrangler Apparel Corp.                                                                                 |
| STREET                         | 3411 Silverside Road                                                                                   |
| CITY                           | Wilmington                                                                                             |
| STATE                          | DE                                                                                                     |
| ZIP/POSTAL CODE                | 19810                                                                                                  |
| COUNTRY                        | United States                                                                                          |
| PHONE                          | 302-477-3930 ext. 229                                                                                  |
| FAX                            | 302-477-3932                                                                                           |
| EMAIL                          | helen_winslow@vfc.com                                                                                  |
| AUTHORIZED EMAIL COMMUNICATION | Yes                                                                                                    |
| LEGAL ENTITY SECTION           |                                                                                                        |
| TYPE                           | CORPORATION                                                                                            |
| STATE/COUNTRY OF INCORPORATION | Delaware                                                                                               |
| GOODS AND/OR SERVICES SECTION  |                                                                                                        |
| INTERNATIONAL CLASS            | 025                                                                                                    |
| DESCRIPTION                    | pants, shorts and skirts                                                                               |
| FILING BASIS                   | Section 1(a)                                                                                           |

|                                      |                                                                                                                                  |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| FIRST USE ANYWHERE DATE              | At least as early as 04/04/2003                                                                                                  |
| FIRST USE IN COMMERCE DATE           | At least as early as 04/10/2003                                                                                                  |
| SPECIMEN FILE NAME(S)                | \\tigrs\EXPORT11\IMAGEOUT 11\784\951\78495154\xml1\APP0003.JPG                                                                   |
| SPECIMEN DESCRIPTION                 | labelling attached to the products sold                                                                                          |
| <b>ADDITIONAL STATEMENTS SECTION</b> |                                                                                                                                  |
| DISCLAIMER                           | No claim is made to the exclusive right to use khakis apart from the mark as shown.                                              |
| <b>SIGNATURE SECTION</b>             |                                                                                                                                  |
| SIGNATURE                            | /hlw/                                                                                                                            |
| SIGNATORY NAME                       | Helen L. Winslow                                                                                                                 |
| SIGNATORY DATE                       | 10/06/2004                                                                                                                       |
| SIGNATORY POSITION                   | Secretary and Authorized Signatory                                                                                               |
| <b>PAYMENT SECTION</b>               |                                                                                                                                  |
| NUMBER OF CLASSES                    | 1                                                                                                                                |
| NUMBER OF CLASSES PAID               | 1                                                                                                                                |
| SUBTOTAL AMOUNT                      | 335                                                                                                                              |
| TOTAL AMOUNT                         | 335                                                                                                                              |
| <b>CORRESPONDENCE SECTION</b>        |                                                                                                                                  |
| NAME                                 | Wrangler Apparel Corp.                                                                                                           |
| STREET                               | 3411 Silverside Road                                                                                                             |
| CITY                                 | Wilmington                                                                                                                       |
| STATE                                | DE                                                                                                                               |
| ZIP/POSTAL CODE                      | 19810                                                                                                                            |
| COUNTRY                              | United States                                                                                                                    |
| EMAIL                                | helen_winslow@vfc.com                                                                                                            |
| AUTHORIZED EMAIL COMMUNICATION       | Yes                                                                                                                              |
| <b>FILING INFORMATION</b>            |                                                                                                                                  |
| SUBMIT DATE                          | Wed Oct 06 08:26:43 EDT 2004                                                                                                     |
| TEAS STAMP                           | USPTO/BAS-167644732-20041<br>006082643423004-78495154-<br>2005e576c579270b59619b27e<br>b32afc217-CC-716-20041006<br>072437253041 |

T 000785

**Trademark/Service Mark Application, Principal Register****Serial Number: 78495154****Filing Date: 10/06/2004****To the Commissioner for Trademarks:****MARK: (Standard Characters, see mark)**

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of **ULTIMATE KHAKIS**.

The applicant, Wrangler Apparel Corp., a corporation of Delaware, residing at 3411 Silverside Road, Wilmington, DE, United States, 19810, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 025: pants, shorts and skirts

In International Class 025, the mark was first used at least as early as 04/04/2003, and first used in commerce at least as early as 04/10/2003, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) labelling attached to the products sold.

**Specimen - 1**

No claim is made to the exclusive right to use khakis apart from the mark as shown.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: helen\_winslow@vfc.com.

A fee payment in the amount of \$335 will be submitted with the application, representing payment for 1 class(es).

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /hlw/ Date: 10/06/2004

Signatory's Name: Helen L. Winslow

Signatory's Position: Secretary and Authorized Signatory

Mailing Address:

Wrangler Apparel Corp.

3411 Silverside Road

Wilmington, DE 19810

RAM Sale Number: 716

RAM Accounting Date: 10/06/2004

T 000786

Serial Number: 78495154

Internet Transmission Date: Wed Oct 06 08:26:43 EDT 2004

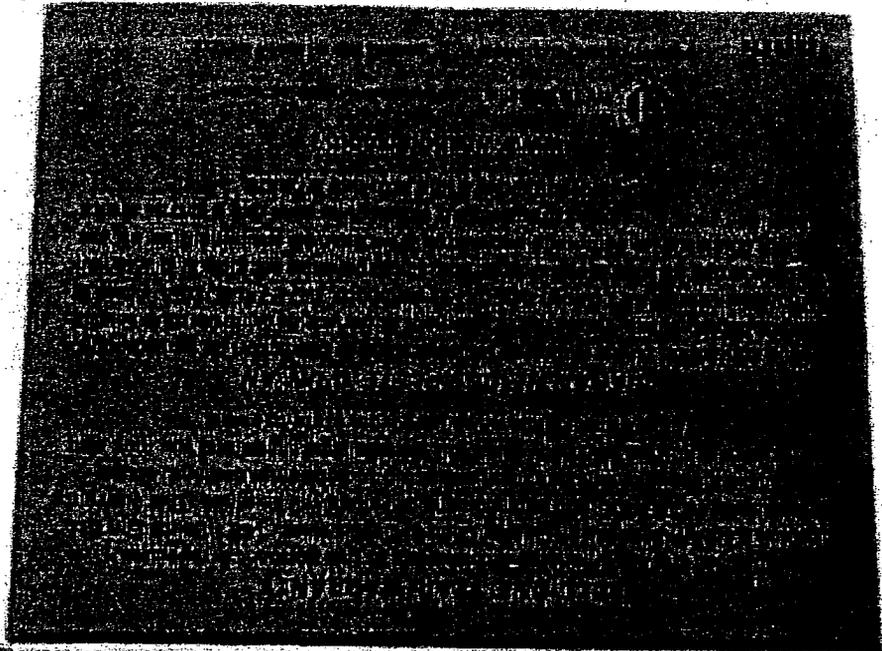
TEAS Stamp: USPTO/BAS-167644732-20041006082643423004

-78495154-2005e576c579270b59619b27eb32af

c217-CC-716-20041006072437253041

T 000787

# ULTIMATE KHAKIS



TIMBER CREEK  
BY  
WRANGLER

ULTIMATE  
KHAKIS

STAIN-RESISTANT

PLEATED  
À PLIS

T 000789

**From:** Kohl's Illinois, Inc. ([nzivin@cooperdunham.com](mailto:nzivin@cooperdunham.com))  
**Subject:** TRADEMARK APPLICATION NO: 76582772 - ULTIMATE KHAKI - 72128  
**Sent:** 6/8/05 3:43:11 PM  
**Sent As:** ECOM110@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 76/582772

**APPLICANT:** Kohl's Illinois, Inc.

**\*76582772\***

**CORRESPONDENT ADDRESS:**  
NORMAN H. ZIVIN  
COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MARK:** ULTIMATE KHAKI

**CORRESPONDENT'S REFERENCE/DOCKET NO:** 72128

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**  
[nzivin@cooperdunham.com](mailto:nzivin@cooperdunham.com)

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

**OFFICE ACTION**

**RESPONSE TIME LIMIT:** TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

Serial Number 76/582772

The examining attorney apologizes for the delay in the issuing of this first action.

The assigned examining attorney has reviewed the referenced application and determined the following.  
**NO CONFLICTING MARK FOUND**

examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP Section 1105.01.

### MARK IS MERELY DESCRIPTIVE

However, the examining attorney refuses registration on the Principal Register because the proposed mark merely describes the goods. Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1); TMEP section 1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. 1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant <sup>^</sup>. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright#Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP section 1209.01(b).

The examining attorney must consider whether a mark is merely descriptive in relation to the identified goods, not in the abstract. *In re Omaha National Corp.*, 819 F.2d 1117, 2 USPQ2d 1859 (Fed. Cir. 1987); *In re Abcor Development Corp.*, 588 F.2d 811, 200 USPQ 215 (CCPA 1978); *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985).

The applicant applied to register ULTIMATE KHAKI for "CLOTHING, NAMELY, MEN'S AND BOY'S PANTS AND SHORTS."

ULTIMATE means:

1. Being last in a series, process, or progression: "*As the ultimate arbiter of the Constitution, the Supreme Court occupies a central place in our scheme of government*" (Richard A. Epstein).
2. Fundamental; elemental: *an ultimate truth*.
3. a. Of the greatest possible size or significance; maximum: *Has the ultimate diamond been found?* b. Representing or exhibiting the greatest possible development or sophistication: *the ultimate bicycle*. c. Utmost; extreme: *the ultimate insult*. [1]

KHAKI is defined as 2.a. A sturdy cloth of this color. b. khakis. A uniform made of this cloth. [2]

The examining attorney refers to the excerpted articles from the examining attorney's search of the LEXIS/NEXIS ® computerized database in which ultimate appeared in 75 or more articles regarding clothing. Attached are (10) representative stories. See attachments.

The proposed mark is merely descriptive of khaki clothing.

Consequently, the examining attorney refuses registration on the Principal Register because the proposed mark merely describes the goods. Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1); TMEP section 1209 *et seq.*

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

### NOTICE: FEE CHANGE

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS); or

(2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

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**Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451**

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Shari L. Sheffield/

Shari Sheffield

Trademark Attorney

Law Office 110

571-272-9373

**HOW TO RESPOND TO THIS OFFICE ACTION:**

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T 000792

**STATUS OF APPLICATION:** To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

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108B8C

Print Request: Selected Document(s): 1,6,9,12,14,15,21,25,29

Time of Request: June 08, 2005 11:16 AM EDT

Number of Lines: 75

Job Number: 1841:47825530

Client ID/Project Name:

Note:

Research Information:

News - Combined Sources  
ultimate w/2 clothing

T 000793

Send to: SHEFFIELD, SHARI  
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ARLINGTON, VA 22202-4600

1. The San Francisco Chronicle, APRIL 17, 2005, SUNDAY,, FINAL EDITION, NEWS,, Pg. A1, 1496 words, Jeans? \$400? Lowly denim has moved uptown; Once-humble attire now runs gamut -- casual to dressy, Diana Walsh once the most utilitarian of clothing, have become the ultimate in high fashion -- with ...

6. Pensacola News Journal (Pensacola, FL), September 9, 2003 Tuesday, SPORTS; Pg. 3D, 814 words, Local hunter gives new products a shot, Lee Robinson, Freelance OK  
Alberta, Canada, this fleece clothing is "the ultimate in quiet warmth ...

9. Radio Times, May 24, 2003, Pg. 10, 126 words, LOOSE FORSYTE;  
Marylebone, London. But her ultimate comfort clothing is a little more ...

12. Austin American-Statesman (Texas), March 6, 2003, Thursday, Lifestyle; Pg. E3, 537 words, Wearing a sad heart on their sleeve Tributes to fallen stars become a fashion trend, Leigh-Ann Jackson, AMERICAN-STATESMAN STAFF

T 000794

a T-shirt -- the ultimate comfort clothing and the No. 1 way to ...

14. Charlotte Observer (North Carolina), November 25, 2002 Monday ONE-THREE EDITION, SPORTS; RON GREEN SR. - COMMENTARY; Pg. 2C, 430 words, PANTHERS LEAVE ME FEELING A BIT QUEASY, RON GREEN SR. Charlotte - the ultimate dining, ultimate clothing, ultimate everything. One item that ...

15. Retail Week, August 23, 2002, Pg.11, 370 words, Tesco all set to take Cherokee into battle., Alison Clements, Features editor. press positions Cherokee as the ultimate 'relaxed clothing', but doesn't even ...

21. The Dallas Morning News, January 18, 2001, Thursday, THIRD EDITION, F!D;, Pg. 1G, 1645 words, What, this old thing?; With age-inspired clothes on every runway, some of fashion's savviest shoppers are skipping the look-alikes and going straight for the real deal., Kendall Morgan tag to match. "Vintage is the ultimate individual clothing," says Cameron Silver, ...

25. The Italian Voice, November 25, 1999, Vol. 68; No. 26; Pg. 3, 0200ITTP 093 000050, 606 words, Italian Apparel for Children at International Kids Fashion Show , Weiss, Alfred Everyone knows that Italian clothing and accessories are the ultimate in fashion for ...

29. Hartford Courant (Connecticut), May 26, 1999 Wednesday, 7 HARTFORD NORTH FINAL, TOWN NEWS; Pg. B1, 618 words, STUDENTS WEAVE A PATH OF UNITY, LEE FOSTER; Courant Staff Writer, EAST HARTFORD -- Abercrombie and Fitch casual clothing, the ultimate in preppy cool, ...

108B8C

Print Request: Selected Document (s): 9,13,20,22,27,28

Time of Request: June 08, 2005 11:29 AM EDT

T 000795

Number of Lines: 44  
Job Number: 1822:47829153

Client ID/Project Name:

Note:

Research Information:

News, All (English, Full Text)  
ultimate w/2 pants

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9. Albuquerque Journal (New Mexico), September 23, 2004 Thursday, JOURNAL SANTA FE; Pg. B1, 1094 words, STRUTTING THEIR STUFF, Daily Crawford Journal Staff Writer  
son's menswear-inspired pants and skirts. The ultimate luxury casual combo ...

13. The Jackson Sun, August 3, 2004 Tuesday Madison co. and West tn Editions, LIVING; 1149 words, School's still out but fashion's in, GWENDA ANTHONY  
get away from them. The denim pants are the ultimate must-have in any ...

20. Daily News (New York), April 4, 2004 Sunday, SPORTS FINAL EDITION, LIFELINE; Pg. 4, 298 words, FLOWER CHILDREN The Knicks City Kids - & friends - don this year's sweetest styles for Spring, BY ESTHER GROSS KREMER  
all at Macy's; ultimate cargo pants, \$11.99 at ...

22. The Atlanta Journal-Constitution, November 22, 2003 Saturday, Home Edition, Pg. 1FE, 923 words, Make light duty of mailing gifts, MICHELLE C. BROOKS  
chef's hat, \$16.95, ultimate pants, \$15.99-\$39.99. Available ...

27. The News of the World, July 27, 2003, 535 words, ARE YOU FIT FOR GAMES?, Caroline Cullen  
bikini top and jogging pants are the ultimate in "street kool". ...

28. DSN Retailing Today, June 9, 2003, No. 11, Vol. 42; Pg. 77; ISSN: 1530-6259, 15136 words, A force even category killers can't catch; Wal-Mart The Category King: A New Era of Excellence., Troy, Mike  
mass-market Dickies Ultimate Work Pant is designed to appeal to a ...

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**NOTICE OF ABANDONMENT**  
**MAILING DATE: Aug 8, 2005**

The trademark application identified below was abandoned because a response to the Office Action mailed on Jan 7, 2005 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement must be received within two months from the mailing date of this notice.

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 78427275  
**MARK:** ULTIMATE GEAR  
**OWNER:** TUFF, Inc.

Side - 2

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**Attachments:** Attachment - 1  
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Attachment - 23

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/427275

**APPLICANT:** TUFF, Inc.

**\*78427275\***

**CORRESPONDENT ADDRESS:**  
TUFF, Inc.  
7426 Cherry Avenue, Suite 250  
Fontana, CA 92336

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

MARK: ULTIMATE GEAR

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:  
jgrushkin@cwlawyers.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

## OFFICE ACTION

**TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.**

Serial Number 78/427275

The assigned examining attorney has reviewed the referenced application and determined the following:

### **REFUSAL: LIKELIHOOD OF CONFUSION**

The examining attorney refuses registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), because the applicant's mark, when used on or in connection with the identified goods, so resembles the mark in U.S. Registration No. 2304741 as to be likely to cause confusion, to cause mistake, or to deceive. TMEP section 1207. See the enclosed registration.

The examining attorney must analyze each case in two steps to determine whether there is a likelihood of confusion. First, the examining attorney must look at the marks for similarities in appearance, sound, connotation and commercial impression. *In re E. I. DuPont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973). Second, the examining attorney must compare the goods or services to determine if they are related or if the activities surrounding their marketing are such that confusion as to origin is likely. *In re August Storck KG*, 218 USPQ 823 (TTAB 1983); *In re International Telephone and Telegraph Corp.*, 197 USPQ 910 (TTAB 1978); *Guardian Products Co., v. Scott Paper Co.*, 200 USPQ 738 (TTAB 1978).

The applicant has applied to register the mark, ULTIMATE GEAR for clothing, namely pants, shirts, caps, jackets and jerseys.

The registered mark is ULTIMATE LIDS HEADGEAR with design for hats and caps.

### *Similarity of the Marks*

The applicant's and registrant's marks create a similar commercial impression because they share the identical dominant wording ULTIMATE. The only difference between the marks is applicant's substitution of the disclaimed terms, LIDS HEADGEAR with the equally descriptive GEAR, and the deletion of the design element. However, when a mark consists

T 000814

word portion and a design portion, the word portion is more likely to be impressed upon a purchaser's memory and to be used in calling for the goods or services. Therefore, the word portion is controlling in determining likelihood of confusion. *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1596 (TTAB 1999); *In re Appetito Provisions Co.*, 3 USPQ2d 1553 (TTAB 1987); *Amoco Oil Co. v. Amerco, Inc.*, 192 USPQ 729 (TTAB 1976); TMEP §1207.01(c)(ii).

Since the marks share the dominant word, ULTIMATE, as well as the variation of GEAR, the differences do not present a separate commercial impression nor obviate the similarity of the marks.

#### *Similarity of the Goods*

The applicant's caps are identical to registrant's caps.

Additionally, applicant's clothing is highly related to registrant's hats and caps because the goods are highly related. The decisions in the clothing field have held many different types of apparel to be related under Section 2(d). *Cambridge Rubber Co. v. Cluett, Peabody & Co., Inc.*, 286 F.2d 623, 128 USPQ 549 (C.C.P.A. 1961) ("WINTER CARNIVAL" for women's boots v. men's and boys' underwear); *Jockey Int'l, Inc. v. Mallory & Church Corp.*, 25 USPQ2d 1233 (TTAB 1992) ("ELANCE" for underwear v. "ELAAN" for neckties); *In re Melville Corp.* 18 USPQ2d 1386 (TTAB 1991) ("ESSENTIALS" for women's pants, blouses, shorts and jackets v. women's shoes); *In re Pix of America, Inc.*, 225 USPQ 691 (TTAB 1985) ("NEWPORTS" for women's shoes v. "NEWPORT" for outer shirts); *In re Mercedes Slacks, Ltd.*, 213 USPQ 397 (TTAB 1982) ("OMEGA" for hosiery v. trousers); *In re Cook United, Inc.*, 185 USPQ 444 (TTAB 1975) ("GRANADA" for men's suits, coats, and trousers v. ladies' pantyhose and hosiery); *Esquire Sportswear Mfg. Co. v. Genesco Inc.*, 141 USPQ 400 (TTAB 1964) ("SLEEX" for brassieres and girdles v. slacks for men and young men).

The marks are highly related. The goods are highly related, if not identical. The similarities of the marks and relatedness of the goods are so great as to create a likelihood of confusion among consumers. The examining attorney must resolve any doubt regarding a likelihood of confusion in favor of the prior registrant. *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988). Accordingly, the mark is refused registration on the Principal Register under Section 2(d).

Applicant should note the following additional ground for refusal.

#### **REFUSAL: PROPOSED MARK MERELY DESCRIPTIVE**

The examining attorney refuses registration on the Principal Register because the proposed mark merely describes the goods. Trademark Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1); TMEP section 1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), if it describes an ingredient quality, characteristic, function, feature, purpose or use of the relevant goods. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.* 223 USPQ 88 (TTAB 1984); *In re Bright#Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b).

The examining attorney must consider whether a mark is merely descriptive in relation to the identified goods, not in the abstract. *In re Omaha National Corp.*, 819 F.2d 1117, 2 USPQ2d 1859 (Fed. Cir. 1987); *In re Abcor Development Corp.* 588 F.2d 811, 200 USPQ 215 (C.C.P.A. 1978); *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985); *In re American Greetings Corp.*, 226 USPQ 365 (TTAB 1985). TMEP §1209.01(b).

The applicant's mark is merely descriptive because it immediately conveys to prospective consumers a feature and nature of the goods, namely, that its clothing, or GEAR,[1] is the best or ULTIMATE.[2] Essentially, applicant's mark is mandatory, i.e., terms that attribute quality or excellence to goods or services, are considered descriptive terms under

Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §1209.03(k). That is, laudatory terms, phrases and slogans nondistinctive and unregistrable without proof of acquired distinctiveness. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); *In re Best Software Inc.*, 58 USPQ2d 1314 (TTAB 2001) (BEST and PREMIER); *In re Dos Padres Inc.*, 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); *In re Consolidated Cigar Co.*, 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); *General Foods Corp. v. Ralston Purina Co.*, 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND). See attached Internet search results wherein the term, ULTIMATE is commonly used by clothing/sports industries to describe clothing. See also, third party registrations wherein GEAR is routinely disclaimed as descriptive for clothing.

A mark that combines descriptive terms may be registrable if the composite creates a unitary mark with a separate, nondescriptive meaning. *In re Sun Microsystems Inc.*, 59 USPQ2d 1084 (TTAB 2001); *In re Putman Publishing Co.*, 39 USPQ2d 2021 (TTAB 1996); *In re Copytele Inc.*, 31 USPQ2d 1540 (TTAB 1994); *In re Entenmann's Inc.*, 15 USPQ2d 1750 (TTAB 1990), *aff'd per curiam*, 928 F.2d 411 (Fed. Cir. 1991); *In re Serv-A-Portion Inc.*, 1 USPQ2d 1915 (TTAB 1986); *In re Wells Fargo & Co.*, 231 USPQ 95 (TTAB 1986); *In re Ampco Foods, Inc.*, 227 USPQ 331 (TTAB 1985). TMEP §1209.03(d).

Here, the applicant has merely combined descriptive terms for their descriptive meaning. Accordingly, the examining attorney refuses registration on the Principal Register under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), because the mark is merely descriptive.

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration. If the applicant chooses to respond to the refusals to register, the applicant must also respond to the following.

#### **SUPPLEMENTAL REGISTER**

Although the trademark examining attorney has refused registration on the Principal Register, applicant may respond to the stated refusal(s) under Section 2(e)(1) by amending the application to seek registration on the Supplemental Register. Trademark Act Section 23, 15 U.S.C. §1091; 37 C.F.R. §§2.47 and 2.75(a); TMEP §§801.02(b), 815 and 816 *et seq.*

#### **DISCLAIMER**

However, applicant must insert the required disclaimer if registration of the mark is sought on the Supplemental Register or on the Principal Register under Section 2(f), because GEAR is generic in the context of applicant's clothing goods. *In re Wella Corp.*, 565 F.2d 143, 196 USPQ 7 (C.C.P.A. 1977); *In re Creative Goldsmiths of Washington, Inc.*, 229 USPQ 766 (TTAB 1986); *In re Carolyn's Candies, Inc.*, 206 USPQ 356 (TTAB 1980); TMEP §1213.03(b).

The term GEAR is clearly generic for applicant's GEAR, namely clothes. See attached definitions and third party registrations wherein GEAR is disclaimed as generic.

The computerized printing format for the *Trademark Official Gazette* requires a standard form for a disclaimer. TMEP section 1213.09(a)(i). A properly worded disclaimer should read as follows:

No claim is made to the exclusive right to use "GEAR" apart from the mark as shown.

See *In re Owatonna Tool Co.*, 231 USPQ 493 (Comm'r Pats. 1983).

Please note, a disclaimer does not remove the disclaimed matter from the mark. It is simply a statement that the applicant does *not* claim exclusive rights in the disclaimed wording or design apart from the mark as shown in the drawing.

**SIGNIFICANCE OF MARK**

Applicant must specify whether the wording "ULTIMATE GEAR" has any significance in the trade or industry or as applied to the goods described in the application. 37 C.F.R. §2.61(b).

**NOTICE: TRADEMARK OPERATION RELOCATION**

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

**Commissioner for Trademarks  
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Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

If applicant has any questions or needs assistance in responding, applicant is encouraged to telephone or email the assigned examining attorney.

Kelly A Choe

/KAC/

Trademark Attorney

USPTO Law Office 113

Tel. 571. 272.9429

Response. [www.uspto.gov/teas](http://www.uspto.gov/teas)

**How to respond to this Office Action:**

You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://eteas.uspto.gov/V2.0/oa242/WIZARD.htm> and follow the instructions therein, but you must wait until at least 72 hours after receipt if the office action issued via e-mail). PLEASE NOTE: Responses to Office Actions on applications filed under the Madrid Protocol (Section 66(a)) CANNOT currently be filed via TEAS.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

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[2]Representing or exhibiting the greatest possible development or sophistication: *the ultimate bicycle*. *The American Heritage® Dictionary of the English Language, Third Edition* copyright © 1992 by Houghton Mifflin Company. Electronic version licensed from INSO Corporation; further reproduction and distribution restricted in accordance with the Copyright Law of the United States. All rights reserved.

Print: Jan 3, 2005

75425771

**DESIGN MARK**

**Serial Number**  
75425771

**Status**  
REGISTERED

**Word Mark**  
ULTIMATE LIDS HEADGEAR

**Standard Character Mark**  
No

**Registration Number**  
2304741

**Date Registered**  
1999/12/28

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
HAT WORLD, INC. CORPORATION MISSOURI 8142 WOODLAND DRIVE INDIANAPOLIS  
INDIANA 46278

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: hats and caps.  
First Use: 1998/02/00. First Use In Commerce: 1998/02/00.

**Prior Registration(s)**  
2174170

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIDS" and "HEADGEAR"  
APART FROM THE MARK AS SHOWN.

**Filing Date**  
1998/01/29

**Examining Attorney**  
UNKNOWN

**Attorney of Record**

Print: Jan 3, 2005

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JOHN L WELCH





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Thesaurus

3 entries found for ultimate.  
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- ultimate[1, adjective]
- ultimate[2, noun]
- ultimate[3, verb]

Main Entry: **ultimate**

Pronunciation: 'sɪ-tɪ-mət

Function: *adjective*

Etymology: Medieval Latin *ultimatus* last, final, from Late Latin, past participle of *ultimare* to come to an end, be last, from Latin *ultimus* farthest, last, final, superlative of (assumed) Latin *ulter* situated beyond

1. a : most remote in space or time : **FARTHEST** b : last in a progression or series <their *ultimate* destination was Paris> c : **EVENTUAL** <they hoped for *ultimate* success> d : the best or most extreme of its kind : **UTMOST** <the *ultimate* sacrifice>

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Ultimate

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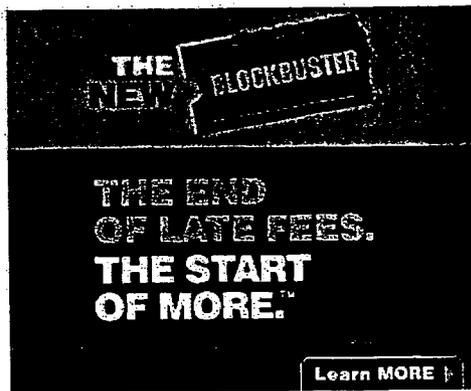
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most extreme of its kind : **ULTIMATE** <the *ultimate* sacrifice>  
2 : arrived at as the last result <the *ultimate* question>  
3 a : **BASIC, FUNDAMENTAL** <the *ultimate* nature of things --  
A. N. Whitehead> b : **ORIGINAL** <the *ultimate* source> c :  
incapable of further analysis, division, or separation  
4 : **MAXIMUM**  
synonym see **LAST**  
- **ultimate-ness** *noun*

For **More Information on "ultimate"** go to [Britannica.com](http://Britannica.com)  
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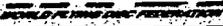
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| <a href="http://www.ultimatehandbook.com">www.ultimatehandbook.com</a>                             | Loads of info on drills, plays tactics and tips. A great site to improve your game.           |
| <a href="http://www.blockstack.co.uk">www.blockstack.co.uk</a>                                     | A new site from a group producing ultimate videos.                                            |
| <a href="http://www.unmedia.com/ultimatelocator">www.unmedia.com/ultimatelocator</a>               | Find a team near you with this easy to use Flash team locator                                 |
|                 | lookfly.com - New place to buy ultimate kit online. The difference being it is a UK supplier! |
| <a href="http://www.virtualfrisbee.co.uk/play/play.htm">www.virtualfrisbee.co.uk/play/play.htm</a> | Will keep you amused for about 1 min                                                          |

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learn more about this adult travel guide go to [www.AdultsOnlyTravel.com](http://www.AdultsOnlyTravel.com).

## Top Five Clothing Optional Travel Destinations

1) **Desert Shadows:** Palm Springs, California. Described by USA Today as "The jewel in the crown of nudist resorts," Desert Shadows is simply the ultimate clothing-free travel destination in the world today. Acres of landscaped grounds behind secluded gates offer panoramic views and immaculate sunshine, and it's all only a mile from downtown Palm Springs. While Desert Shadows may not be as decadent as some other destinations, it's certainly a place where first timers can get comfortable shedding their skins in front of others - and with the incredible facilities, unbeatable proximity to Los Angeles, and unbelievably low prices (rooms start at \$130 a night), this landmark tourist resort is a place to sit back, smear on some sunscreen, soak up the sun, forget about your troubles and enjoy getting back to the way nature intended. Desert Shadows, quite simply, has it all.  
(<http://www.desertshadows.com>)

2) **Hedonism III:** Runaway Bay, Jamaica. Some prefer seclusion and simplicity when they plan a romantic getaway. Others prefer to go somewhere that they can get lost in a crowd and act out their wildest fantasies every night. Hedonism III, a 225-room resort devoted to fulfilling your primal urges, is the perfect place for the latter, building on the 25-year tradition of excellence set by Hedonism II, and adding a new millennium twist that takes it to a whole new level of Roman opulence. Hedonism is all about getting what you want, when you want it. Everything (and we mean everything) is included in the price - food, alcohol, accommodation, you can even have them throw in a free wedding if you like - and tipping is forbidden, so once you're registered you really don't need to worry about anything for the rest of your trip. Rooms include mirrored ceilings, Roman Jacuzzis, the works - and in case you think no tipping means surly staff, guess again - this chain of luxury resorts has collected awards for best staff and service for two years running. Prices start at \$450 a night per couple. It's big, it's awesome, it's clothing free!  
(<http://www.superclubs.com>)

3) **Caribbean Reef Club:** Cancun, Mexico. Close enough to the tourist Mecca of Cancun to make travel simple, but far enough away from the madding crowds to allow total relaxation, the Caribbean Reef Club is much different from the mega-resorts like Superclubs, because it's limited to 30 suites. The rooms are all spacious, marble-floored, beachfront facilities, and the dining and sporting facilities are all amazingly complex for a resort of such an intimate nature. Perhaps the best thing about Caribbean Reef Club is it's just as all-inclusive as the bigger Hedonism III, in that once you've paid your room-rate, you never have to go into your pocket for anything again, and it manages to do so without sacrificing privacy. The perfect place for a romantic getaway, and incredible value at just \$260 a night per couple, Caribbean Reef Club is everything a small resort should be - immaculate, relaxing... and clothing optional.  
(<http://www.caribbeanreefclub.com>)

(<http://www.caribbeanreefclub.com>)

4) **Grand Lido Braco**: North Coast, Jamaica. Offering a private section with 52 rooms and suites in two buildings allows au naturel guests to enjoy their privacy. Grand Lido Braco has a completely private nude beach facility that includes the popular Neptune Bar. The resort also offers the best of the best in amenities, all of which are included in your stay. Five dining facilities allow you to dine as casual or formal as you desire. This resort is one in a chain of three Grand Lido all-inclusive resorts but is the only one of the three that has a completely separate area for those who desire a clothes free vacation. Spa facilities, fitness center, water sports, great food and drinks, nightlife - it's all here for any romantic couple to experience. Starting at \$700 a night per couple in the high season, the Grand Lido Braco is a little pricier than some other resorts mentioned but well worth the extra money for the added luxury. You may also be able to take advantage of some better deals through your travel agent or during low season. (<http://www.superclubs.com>)

5) **Hale Akua Shangri-La**: Maui, Hawaii. A little more 'new age' than others on the list, Hale Akua Shangri-La's secluded two acres sits on a 300 foot cliff, overlooking Maui and the surrounding waters, not to mention some magnificent ocean sunrises. With full bed and breakfast, a 60 foot ozonated swimming pool, and staff skilled in yoga, massage, healing and nature walks, astrology, adventure and oceanic tantra, it's hard to believe that rooms at this resort run as low as \$55 a night. Not as high a hedonist ratio as compared to others on the list, but if learning the art of tantric sex is your thing, there's nowhere better. (<http://www.haleakua.com>)



For more information, check out the "Adults Only Travel Guide" at [www.adultsonlytravel.com](http://www.adultsonlytravel.com).

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**Cycling Apparel** - Includes makers and distributors of road and mountain biking clothes.

## Directory Listings

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- [Behind the Bars Ultimate Bike Gear](#)**  
Secure the [ultimate clothing](#) for extreme cyclists by perusing the colorful catalog and ordering online. Features an event calendar.
- [Boure Bicycle Clothing](#)**  
Store for bicycle enthusiasts stocks vests, jackets, tights, jerseys, and shorts. Read FAQs, make a purchase, and review the company history.
- [BRATWEAR - Bicycle Patrol Officers](#)**  
Invented to meet the unique challenges of bicycle patrol officers. The clothing and accessories are durable, comfortable, and easily laundered.
- [Core Rat Bicycle Accessories](#)**  
Protect yourself with Core Rat body armor and your bike with chain ring protectors. Includes

**[Advanced AdWords Reports](#)**  
Easy-to-use, Excel based software for graphical reporting & analysis  
[www.adgraphs.co.uk](http://www.adgraphs.co.uk)

**[Keyword Advertising Tool](#)**  
New Tool Creates

[http://64.233.161.104/search?q=cache:\\_z\\_4ZW3BmNAJ:search.looksmart.com/p/browse/us1/us317834/us317899/us74545/us278482/us10032422/+2ultimate-thing2&hl=en&lr=lang\\_en](http://64.233.161.104/search?q=cache:_z_4ZW3BmNAJ:search.looksmart.com/p/browse/us1/us317834/us317899/us74545/us278482/us10032422/+2ultimate-thing2&hl=en&lr=lang_en) 01/07/2005 11:04:25 AM

Protect yourself with Core Rat body armor and your bike with chain ring protectors. Includes photos and ordering information.

5. **DeFeet International**

Socks for cycling can be customized for people or teams. Buy existing styles or send in artwork and a deposit to receive custom samples.

6. **Gjessegi - Cycling Wear**

Italian designer and manufacturer of amateur and pro riding apparel. Features men's and women's shorts, jerseys, and underwear.

7. **Jackson & Gibbens**

Small bicycle clothing manufacturer in Oregon design shorts, pants, wind and rainwear. Features a sizing chart and order form.

8. **Kucharik Bicycle Clothing**

Apparel for women, men, and children, with customizing available for clubs and teams. Order online or call, fax, or e-mail for more information.

9. **Louis Garneau Sports**

Canadian company provides a catalogue with cycling clothes and a decent selection of unique helmets. Features online ordering.

10. **Pace Sportswear**

Browse the colorful cyberstore for team jerseys, shorts, caps, mountain and winter wear, casual apparel, and accessories. Lists dealers.

.....  
Permuted Phrase  
Lists From Your  
Input Keyword  
Lists  
[www.ThePermutator.com](http://www.ThePermutator.com)

**Top 10 positions**  
In deze  
zoekmachine,  
bringt gewenste  
bezoekers.  
[www.bSeen.be](http://www.bSeen.be)

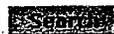
**Beat the Adwords  
System**  
Access 100 Million  
People in 10 Min  
The Definitive Fast  
Start Guide  
[AdwordsStrategy.com](http://AdwordsStrategy.com)

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T 000829

Print: Jan 7, 2005

75266552

**DESIGN MARK**

**Serial Number**

75266552

**Status**

REGISTERED

**Word Mark**

LA GEAR

**Standard Character Mark**

No

**Registration Number**

2352983

**Date Registered**

2000/05/30

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

L.A. Gear, Inc. CORPORATION CALIFORNIA 2850 Ocean Park Boulevard Santa Monica CALIFORNIA 90404

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: footwear and apparel products for men, women and children, namely, shoes, boots, pants, shorts, shirts, blouses, skirts, jackets, overalls, warm-up suits, sweatshirts, socks, hats, leotards, and tights. First Use: 1982/12/00. First Use In Commerce: 1987/02/00.

**Prior Registration(s)**

1325931;1815958;1856290;1959616;AND OTHERS

**Disclaimer Statement**

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

**Section 2f Statement**

as to "LA"

**Filing Date**

**Print: Jan 7, 2005**

**75266552**

1997/03/31

**Examining Attorney**  
WEIGELL, CHARLES

**Attorney of Record**  
PAUL F KILMER



**GEAR**

**DESIGN MARK**

**Serial Number**

75273690

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

GEAR FOR SPORTS

**Standard Character Mark**

No

**Registration Number**

2215793

**Date Registered**

1999/01/05

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

GESI, INC. CORPORATION DELAWARE 9700 Commerce Parkway Lenexa KANSAS  
66219

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: men's, ladies' children's and infant's apparel, namely, sweatshirts, T-shirts, shorts, coats, jackets, polo shirts, woven shirts, knit tops, warm up suits, sweaters, caps, pants and socks. First Use: 1997/02/00. First Use In Commerce: 1997/02/00.

**Prior Registration(s)**

1674293;1675149;1675150

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**Section 2f Statement**

2(F) ENTIRE MARK

**Filing Date**

**Print: Jan 7, 2005**

**75273690**

1997/04/14

**Examining Attorney**  
ALT, JILL C.

**Attorney of Record**  
LAWRENCE A SWAIN

GEAR  
  
FOR SPORTS

Print: Jan 7, 2005

76078082

**DESIGN MARK**

**Serial Number**  
76078082

**Status**  
REGISTERED

**Word Mark**  
NATURAL GEAR

**Standard Character Mark**  
No

**Registration Number**  
2667748

**Date Registered**  
2002/12/31

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
Natgear, LLC LIMITED LIABILITY COMPANY ARKANSAS 5310 S. Shackelford  
Road, Suite D Little Rock ARKANSAS 72204

**Goods/Services**  
Class Status -- ACTIVE. IC 024. US 042 050. G & S: printed cloth  
fabric for camouflage clothing. First Use: 1993/01/11. First Use In  
Commerce: 1993/01/14.

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: hunting  
garments, namely jackets, pants, shirts, hats, gloves, and camouflage  
head nets. First Use: 1993/01/11. First Use In Commerce: 1993/01/14.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GEAR" APART FROM THE  
MARK AS SHOWN.

**Section 2f Statement**  
2(F) ENTIRE MARK

**Filing Date**

Print: Jan 7, 2005

76078082

2000/06/26

**Examining Attorney**  
MATTHEWS, AMOS THOMAS

**Attorney of Record**  
Stephen D. Carver

**NATURAL GEAR**

T 000838

Print: Jan 7, 2005

76271292

**DESIGN MARK**

**Serial Number**  
76271292

**Status**  
REGISTERED

**Word Mark**  
CAP GEAR

**Standard Character Mark**  
No

**Registration Number**  
2647510

**Date Registered**  
2002/11/05

**Type of Mark**  
TRADEMARK

**Register**  
SUPPLEMENTAL

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

**Owner**  
Christian, Walter T. INDIVIDUAL UNITED STATES 8501 East Alameda Avenue  
# 917 Denver COLORADO 80230

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Headwear  
accessories, namely, fabric bands designed to attach magnets to hats  
for exposing the wearer's head to magnetic fields. First Use:  
2001/05/01. First Use In Commerce: 2001/04/12.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "GEAR" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2001/06/14

**Amended Register Date**  
2002/04/03

**Examining Attorney**  
RINGLE, JIM

Print: Jan 7, 2005

76271292

**Attorney of Record**  
Ramon L. Pizarro

CAP GEAR

er:kchoe \*\*\*

|    | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search                                         |
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| 06 | 371            | N/A           | 1                      | 1                        | 0:05                          | 5 and "025"[cc]                                |
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Session finished 1/3/05 9:01:22 AM

Total search duration 0 minutes 51 seconds

Session duration 14 minutes 29 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78427275

T 000842

# ULTIMATE GEAR

**ULTIMATE**

**GEAR**



**WORKWEAR  
HEADQUARTERS**

**DUSTY**





T 000845

## Trademark/Service Mark Application, Principal Register

Serial Number: 78427275

Filing Date: 05/28/2004

The table below presents the data as entered.

| MARK SECTION                   |                                                                                                        |
|--------------------------------|--------------------------------------------------------------------------------------------------------|
| MARK                           | ULTIMATE GEAR                                                                                          |
| STANDARD CHARACTERS            | YES                                                                                                    |
| USPTO-GENERATED IMAGE          | YES                                                                                                    |
| LITERAL ELEMENT                | ULTIMATE GEAR                                                                                          |
| MARK STATEMENT                 | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| OWNER SECTION                  |                                                                                                        |
| NAME                           | TUFF, Inc.                                                                                             |
| ADDRESS                        | 7426 Cherry Avenue, Suite 250                                                                          |
| CITY                           | Fontana                                                                                                |
| STATE                          | CA                                                                                                     |
| ZIP/POSTAL CODE                | 92336                                                                                                  |
| COUNTRY                        | USA                                                                                                    |
| EMAIL                          | jgrushkin@cwlawyers.com                                                                                |
| AUTHORIZED EMAIL COMMUNICATION | Yes                                                                                                    |
| LEGAL ENTITY SECTION           |                                                                                                        |
| TYPE                           | CORPORATION                                                                                            |
| STATE/COUNTRY OF INCORPORATION | California                                                                                             |
| GOODS AND/OR SERVICES SECTION  |                                                                                                        |
| INTERNATIONAL CLASS            | 025                                                                                                    |
| DESCRIPTION                    | Clothing, namely pants, shirts, caps, jackets and jerseys                                              |
| FILING BASIS                   | Section 1(a)                                                                                           |
| FIRST USE ANYWHERE DATE        | At least as early as 04/01/2004                                                                        |
| FIRST USE IN COMMERCE DATE     | At least as early as 04/01/2004                                                                        |

T 000846

|                                |                                                                                                                                     |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
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|                                | \\tirs\EXPORT10\IMAGEOUT 10\784\272\78427275\xml1\APP0004.JPG                                                                       |
| SPECIMEN DESCRIPTION           | Digitally photographed t-shirt; digitally photographed store sign                                                                   |
| <b>SIGNATURE SECTION</b>       |                                                                                                                                     |
| SIGNATORY FILE                 | \\tirs\EXPORT10\IMAGEOUT 10\784\272\78427275\xml1\APP0005.JPG                                                                       |
| <b>PAYMENT SECTION</b>         |                                                                                                                                     |
| NUMBER OF CLASSES              | 1                                                                                                                                   |
| NUMBER OF CLASSES PAID         | 1                                                                                                                                   |
| SUBTOTAL AMOUNT                | 335                                                                                                                                 |
| TOTAL AMOUNT                   | 335                                                                                                                                 |
| <b>CORRESPONDENCE SECTION</b>  |                                                                                                                                     |
| NAME                           | TUFF, Inc.                                                                                                                          |
| STREET                         | 7426 Cherry Avenue, Suite 250                                                                                                       |
| CITY                           | Fontana                                                                                                                             |
| STATE                          | CA                                                                                                                                  |
| ZIP/POSTAL CODE                | 92336                                                                                                                               |
| COUNTRY                        | USA                                                                                                                                 |
| EMAIL                          | jgrushkin@cwlawyers.com                                                                                                             |
| AUTHORIZED EMAIL COMMUNICATION | Yes                                                                                                                                 |
| <b>FILING INFORMATION</b>      |                                                                                                                                     |
| SUBMIT DATE                    | Fri May 28 18:44:40 EDT 2004                                                                                                        |
| TEAS STAMP                     | USPTO/BAS-206111248194-20<br>040528184440394578-784272<br>75-2002534ded9a89ecea3d1a<br>4fe23c613388-CC-367-20040<br>528183853402776 |

PTO Form 1478 (Rev 4-98)

OMB Control #0651-0009 (Exp. 09/30/2008)

**Trademark/Service Mark Application, Principal Register**

**Serial Number: 78427275**

**Filing Date: 05/28/2004**

T 000847

**To the Commissioner for Trademarks:**

**MARK:** (Standard Characters, see mark)

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The literal element of the mark consists of ULTIMATE GEAR.

The applicant, TUFF, Inc., a corporation of California, residing at 7426 Cherry Avenue, Suite 250, Fontana, CA, USA, 92336, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 025: Clothing, namely pants, shirts, caps, jackets and jerseys

In International Class 025, the mark was first used at least as early as 04/01/2004, and first used in commerce at least as early as 04/01/2004, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Digitally photographed t-shirt; digitally photographed store sign.

Specimen - 1

Specimen - 2

The USPTO is authorized to communicate with the applicant or its representative at the following email address: [jgrushkin@cwlawyers.com](mailto:jgrushkin@cwlawyers.com).

A fee payment in the amount of \$335 will be submitted with the application, representing payment for 1 class(es).

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature:

Signatory's Signature: Signature

Mailing Address:

TUFF, Inc.

7426 Cherry Avenue, Suite 250

Fontana, CA 92336

RAM Sale Number: 367

RAM Accounting Date: 06/01/2004

Serial Number: 78427275

Internet Transmission Date: Fri May 28 18:44:40 EDT 2004

TEAS Stamp: USPTO/BAS-206111248194-20040528184440394

578-78427275-2002534ded9a89ecea3d1a4fe23

c613388-CC-367-20040528183853402776

T 000848

# ULTIMATE GEAR

T 000849

**WORKWEAR**

**GEAR**





T 000851

APPLICANT NAME: TUFF, Inc.  
MARK: (standard characters)

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: Irish Mann Date: 5-27-04  
Signatory's Name: IRIS MANN  
Signatory's Position: C.F.O.

Go Back

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 76/583416

**APPLICANT:** Kohl's Illinois, Inc.

**\*76583416\***

**CORRESPONDENT ADDRESS:**  
NORMAN H. ZIVIN  
COOPER & DUNHAM LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MARK:** ULTIMATE WRINKLE RESISTANCE

**CORRESPONDENT'S REFERENCE/DOCKET NO:** 72154

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

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Serial Number 76/583416

Upon further review, the examining attorney has found the mark ULTIMATE WRINKLE RESISTANCE to be descriptive under Section 2(e)(1) of the Trademark Act.

The following potential refusals and requirements are CONTINUED: (1) the potentially conflicting marks in Application Serial Nos. 76582772 and 76407450 (previously sent); (2) identification of goods; (3) drawing requirement; and (4) disclaimer requirement. 37 C.F.R. §2.64(a).

***Substantive Refusal – Section 2(e)(1):***

Registration is refused because the proposed mark merely describes a of applicant's goods. Trademark Act Section 2(e)(1), U.S.C. §1052(e)(1); TMEP §§1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods and/or services. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright#Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b). A mark that describes an intended user of a product or service is also merely descriptive within the meaning of Section 2(e)(1). *Hunter Publishing Co. v. Caulfield Publishing Ltd.*, 1 USPQ2d 1996 (TTAB 1986); *In re Camel Mfg. Co., Inc.*, 222 USPQ 1031 (TTAB 1984); *In re Gentex Corp.*, 151 USPQ 435 (TTAB 1966).

"Ultimate," is defined as "Of the greatest possible size or significance; maximum." [1] "Wrinkle," is defined as "A small furrow, ridge, or crease on a normally smooth surface, caused by crumpling, folding, or shrinking." [2] "Resistance," is defined as "The act or an instance of resisting or the capacity to resist." [3]

Laudatory terms, i.e., those terms that attribute quality or excellence to goods or services, are considered descriptive terms under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §1209.03(k). That is, laudatory terms, phrases and slogans are nondistinctive and unregistrable without proof of acquired distinctiveness. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); *In re Best Software Inc.*, 58 USPQ2d 1314 (TTAB 2001) (BEST and PREMIER); *In re Dos Padres Inc.*, 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); *In re Consolidated Cigar Co.*, 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); *General Foods Corp. v. Ralston Purina Co.*, 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND). The word ULTIMATE is laudatory in nature.

The mark is descriptive because the wording identifies goods which include clothing items that are the ultimate in wrinkle resistance. Please see the attached evidence. The mark is therefore refused as descriptive under Section 2(e)(1) of the Trademark Act.

Although the trademark examining attorney has refused registration, applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

#### **Supplemental Register:**

A mark in an application under Trademark Act Section 1(b) is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use under 37 C.F.R. §2.76 or statement of use under 37 C.F.R. §2.88 has been filed. 37 C.F.R. §§2.47(d) and 2.75(b); TMEP §1102.03. When a Section 1(b) application is amended to the Supplemental Register, the effective filing date of the application is the date of filing of the allegation of use. 37 C.F.R. §2.75(b); TMEP §§206.01 and 1102.03.

#### **NOTICE: FEE CHANGE**

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

(1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS);  
or

(2) \$375 per international class if filed on paper

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

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Alexandria, VA 22313-1451**

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/agustason/

Trademark Examining Attorney

Law Office 114

(571) 272-9722

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- **ONLINE RESPONSE:** You may respond formally using the Office's Trademark Electronic Application System (TEAS) Response to Office Action form (visit <http://www.uspto.gov/teas/index.html> and follow the instructions, but if the Office Action issued via email you must wait 72 hours after receipt of the Office Action to respond via TEAS).
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Research Information:

News, All (English, Full Text)  
"ultimate" and "wrinkle resistance"

1 of 99 DOCUMENTS

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July 21, 1993

T 000856

**To:** Ultimate Resource ([ultresource@aol.com](mailto:ultresource@aol.com))  
**Subject:** TRADEMARK APPLICATION NO. 78420594 - ULTIMATE DESIGN - N/A  
**Sent:** 10/27/2005 2:21:38 PM  
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**[Important Email Information]**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 78/420594

**APPLICANT:** Ultimate Resource

**\*78420594\***

**CORRESPONDENT ADDRESS:**  
ULTIMATE RESOURCE

123 LEVERINGTON AVE  
PHILADELPHIA, PA 19127-2003

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MARK:** ULTIMATE DESIGN

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**  
ultresource@aol.com

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

**OFFICE ACTION**

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T 000859

Jurisdiction has been restored to the examining attorney pursuant to the granting of a Letter of Protest. Upon review, the examining attorney has found the mark ULTIMATE DESIGN to be merely descriptive under Section 2(e)(1) of the Trademark Act. Accordingly, the mark is now refused as follows:

**Mark is Merely Descriptive**

Registration is refused because the proposed mark merely describes a quality or characteristic of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §§1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods and/or services. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright#Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b). A mark that describes an intended user of a product or service is also merely descriptive within the meaning of Section 2(e)(1). *Hunter Publishing Co. v. Caulfield Publishing Ltd.*, 1 USPQ2d 1996 (TTAB 1986); *In re Camel Mfg. Co., Inc.*, 222 USPQ 1031 (TTAB 1984); *In re Gentex Corp.*, 151 USPQ 435 (TTAB 1966).

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Polo International Inc.*, 51 USPQ2d 1061 (TTAB 1999) (Board found that DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (CONCURRENT PC-DOS and merely descriptive of "computer programs recorded on disk;" it is unnecessary that programs actually run "concurrently," as long as relevant trade clearly uses the denomination "concurrent" as a descriptor of this particular type of operating system); *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985); *In re American Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985) ("Whether consumers could guess what the product is from consideration of the mark alone is not the test"); TMEP §1209.01(b).

Laudatory terms, i.e., those terms that attribute quality or excellence to goods or services, are considered descriptive terms under Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §1209.03(k). That is, laudatory terms, phrases and slogans are nondistinctive and unregistrable without proof of acquired distinctiveness. *In re Nett Designs Inc.*, 236 F.3d 1339, 57 USPQ2d 1564 (Fed. Cir. 2001) (THE ULTIMATE BIKE RACK); *In re Boston Beer Co. L.P.*, 198 F.3d 1370, 53 USPQ2d 1056 (Fed. Cir. 1999) (THE BEST BEER IN AMERICA); *In re Dos Padres Inc.*, 49 USPQ2d 1860 (TTAB 1998) (QUESO QUESADILLA SUPREME); *In re Consolidated Cigar Co.*, 35 USPQ2d 1290 (TTAB 1995) (SUPER BUY); *General Foods Corp. v. Ralston Purina Co.*, 220 USPQ 990 (TTAB 1984) (ORIGINAL BLEND).

A mark that combines descriptive terms may be registrable if the composite creates a unitary mark with a separate, nondescriptive meaning. However, if each component retains its descriptive significance in relation to the goods or services, the combination results in a composite that is itself descriptive. *In re Tower Tech, Inc.*, 64 USPQ2d 1314 (TTAB 2002) (SMARTTOWER merely descriptive of "commercial and industrial cooling towers and accessories therefor, sold as a unit"); *In re Sun Microsystems Inc.*, 59 USPQ2d 1084 (TTAB 2001) (AGENTBEANS merely descriptive of computer software for use in development and deployment of application programs on global computer network); *In re Putman Publishing Co.*, 39 USPQ2d 2021 (TTAB 1996) (FOOD & BEVERAGE ONLINE held to be merely descriptive of news and information service for the food processing industry); *In re Copytele Inc.*, 31 USPQ2d 1540 (TTAB 1994) (SCREEN

FAX PHONE merely descriptive of "facsimile terminals employing electrophoretic displays"); *In re Entenmann's Inc.*, 15 USPQ2d 1750 (TTAB 1990), *aff'd per curiam*, 928 F.2d 411 (Fed. Cir. 1991) (OATNUT held to be merely descriptive of bread containing oats and hazelnuts).

The applicant applied to register the mark ULTIMATE DESIGN, with a design element, for various items of clothing.

The term ULTIMATE is defined as, "Representing or exhibiting the greatest possible development or sophistication." *The American Heritage Dictionary of the English Language, Fourth Edition*. Copyright 2000 by Houghton Mifflin Company. (See attachments).

The examining attorney searched the Lexis® computerized database for the term ULTIMATE in relation to clothing and apparel and shirts and blouses and coats and jackets and pants and slacks and sweaters. Attached for the applicant's reference are copies of excerpts from representative articles which demonstrate the laudatory significance of the term ULTIMATE in relation to the applicant's identified clothing goods. (See attachments).

The examining attorney searched the Patent and Trademark Office computerized database for registered third party marks which disclaim the term ULTIMATE as descriptive in relation to clothing goods. Attached for the applicant's reference are copies of representative third party registrations which demonstrate that the term ULTIMATE has previously been treated as descriptive in relation to clothing goods. (See attachments).

The term DESIGN is defined as, "Something designed, especially a decorative or an artistic work." *The American Heritage Dictionary of the English Language, Fourth Edition*. Copyright 2000 by Houghton Mifflin Company. (See attachments).

The examining attorney searched the Lexis® computerized database for the term DESIGN in relation to clothing. Attached for the applicant's reference are copies of excerpts from representative articles which demonstrate the descriptive significance of the term design in relation to the applicant's identified clothing goods. (See attachments).

The examining attorney searched the Patent and Trademark Office computerized database for registered third party marks which disclaim the term DESIGN as descriptive in relation to clothing goods. Attached for the applicant's reference are copies of representative third party registrations which demonstrate that the term DESIGN has previously been treated as descriptive in relation to clothing goods. (See attachments).

The examining attorney searched the Lexis® computerized database for the term ULTIMATE DESIGN. Attached for the applicant's reference are copies of excerpts from representative articles which demonstrate the laudatory significance of the term ULTIMATE DESIGN in general and also in relation to clothing goods. (See attachments).

In this case, the mark ULTIMATE DESIGN merely combines descriptive terms without creating a new non-descriptive meaning. The term DESIGN would be understood as describing a feature of the goods, namely, that the goods are designer clothes, and the term ULTIMATE attributes laudatory qualities to those goods. The background carrier design element is not sufficiently striking, unique or distinctive as to create a commercial impression separate and apart from the unregistrable components of the mark, and thus is not sufficient to render the mark registrable. *In re Bonni Keller Collections Ltd.*, 6 USPQ2d 1224 (TTAB 1987); *In re Miller Brewing Co.*, 226 USPQ 666 (TTAB 1985); *In re Geo. A. Hormel & Company*, 227 USPQ 813 (TTAB 1985); *In re Cosmetic Factory, Inc.*, 220 USPQ 1103 (TTAB 1983); *In re Carolyn's Candies, Inc.*, 206 USPQ 356 (TTAB 1980). The mark ULTIMATE DESIGN is laudatory for a feature of the goods in that the mark describes clothing that is the best created or the ultimate design for the goods.

Accordingly, the mark is refused registration on the Principal Register under Section 2(e)(1) as merely descriptive of the goods.

Although the trademark examining attorney has refused registration, applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

/John Dwyer/

Examining Attorney

Law Office 116

Telephone 571-272-9155

Facsimile 571-273-9116

John.dwyer1@uspto.gov

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2. defultimat-2
3. defdesign-1
4. defdesign-2
5. lex1
6. lex2
7. lex3
8. lex4
9. lex5

Email 2 includes the following 17 attachments

1. lex6
2. lex7
3. lex8
4. lex9
5. lex10
6. lexu1
7. lexu2
8. lexu3
9. lexu4
10. lexu5
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14. lexp4
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The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.

# ultimate

**SYLLABICATION:** ul-ti-mate

**PRONUNCIATION:** ul'to-mīt

**ADJECTIVE:** 1. Being last in a series, process, or progression: *"As the ultimate arbiter of the Constitution, the Supreme Court occupies a central place in our scheme of government"* (Richard A. Epstein). 2. Fundamental; elemental: *an ultimate truth*. 3a. Of the greatest possible size or significance; maximum: *Has the ultimate diamond been found?* b. Representing or exhibiting the

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*ius the ultimate wisdom seen found: u. Representing or extending the greatest possible development or sophistication: the ultimate bicycle. c. Utmost, extreme: the ultimate insult. 4. Being most distant or remote; farthest. See synonyms at last<sup>1</sup>. 5. Eventual: hoped for ultimate victory.*

**NOUN:** 1. The basic or fundamental fact, element, or principle. 2. The final point, the conclusion. 3. The greatest extreme; the maximum: *actions that represented the ultimate in political expediency.*

**ETYMOLOGY:** Latin *ultimatus*, past participle of *ultimare*, to come to an end, from *ultimus*, last, superlative of *\*ulter*, on the other side. See *al<sup>1</sup>* in Appendix I

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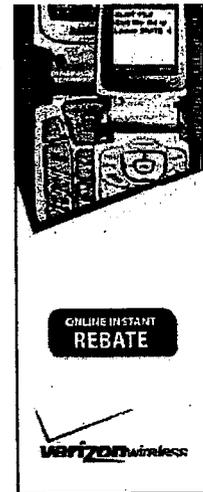
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## design

**SYLLABICATION:** de·sign

**PRONUNCIATION:** dī-zīn'

**VERB:** Inflected forms: **de·signed, de·signing, de·signs**

**TRANSITIVE VERB:** 1a. To conceive or fashion in the mind; invent: *design a good excuse for not attending the conference.* b. To formulate a plan for; devise: *designed a marketing strategy for the new product.* 2. To plan out in systematic, usually graphic form: *design a building; design a computer program.* 3. To create or contrive for a particular purpose or effect: *a game designed to appeal to all ages.* 4. To have as a goal or purpose; intend. 5. To create or execute in an artistic or highly skilled manner.

**INTRANSITIVE VERB:** 1. To make or execute plans. 2. To have a goal or purpose in mind. 3. To create designs.



**NOUN:** 1a. A drawing or sketch. b. A graphic representation, especially a detailed plan for construction or manufacture. 2. The purposeful or inventive arrangement of parts or details. *the aerodynamic design of an automobile; furniture of simple but elegant design.* 3. The art or practice of designing or making designs. 4. Something designed, especially a decorative or an artistic work. 5. An ornamental pattern. See synonyms at **figure**. 6. A basic scheme or pattern that affects and controls function or development. *the overall design of an epic poem.* 7. A plan; a project. See synonyms at **plan**. 8a. A reasoned purpose; an intent. *It was her design to set up practice on her own as soon as she was qualified.* b. Deliberate intention. *He became a photographer more by accident than by design.* 9. A secretive plot or scheme. Often used in the plural. *He has designs on my job.*

**ETYMOLOGY:** Middle English *designen*, from Latin *dēsīgnāre*, to designate. See **designate**.

**OTHER FORMS:** **de-sign'able** —ADJECTIVE



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*Ships, ahoy! The News-Messenger (Fremont, OH) February 8, 2001 Thursday*

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February 8, 2001 Thursday

**SECTION:** LOCAL; Pg. 9A

**LENGTH:** 794 words

**HEADLINE:** Ships, ahoy!

**BYLINE:** Amber Edds, Staff

**BODY:**

... a boat show at the Woodville Mall Feb. 15 through 25.

"It's a good show for new and used boats," Gottron said.

For the first time, the D.U.D.E. - Doin' **Ultimate Design Experiments** - concept boat will be on display at the Detroit show.

The D.U.D.E. is a full-size, 27-foot, water-ready boat. The pleasure boat has storage space for scuba equipment, wake boards, camping equipment and **clothing**.

"The future of boating is exciting," said Van Snider, MBIA president. "This boat is striking and will open a lot of eyes to the shape of boating to come."

The makers of this concept boat, Marine Design Resource Alliance and ...

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: [\(ultimate design\) w/50 \(clothing or apparel or dresses or shirts or parts or slacks or sweaters or sweatshirts or t-shirts or jackets or coats or blouses\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

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Date/Time: Wednesday, October 26, 2005 - 7:31 AM EDT

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*The Boston Globe, March 28, 1999*

Copyright 1999 Globe Newspaper Company  
The Boston Globe

March 28, 1999, Sunday, City Edition

**SECTION:** HOME & GARDEN; Pg. H28

**LENGTH:** 626 words

**HEADLINE:** Give your walls some extra pizzazz with texture paint

**BYLINE:** By Peter C. Hotton, Globe Staff

**BODY:**

... Process Corp. of Santa Ana, Calif., makers of Behr paints and stains, has come up with some textured walls that a home painter can manage. Such textures are not easy; they require three or more **coats** (up to five), special paints, and some artistic talent but not a lot; you don't have to be a Monet or a Mary Cassatt to achieve these textures. All you need is a bit of imagination, and skill at making interesting whirls, striations, and other markings in the texture paint to achieve the **ultimate design**.

There is a rule in painting that whatever you use - paint, stain, varnish, or other coating - make sure they are thin **coats**. There is one exception: texture paints. Such paints are very very thick in the can and must be put on thickly to achieve the textured effect.

To help the home painter with fancy walls, Behr has launched an innovative program ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

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View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 7:32 AM EDT

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*Jackson, Bulls Doing Just Fine Chicago Sun-Times January 9, 1994, SUNDAY, Late Sports Final Edition*

Copyright 1994 Chicago Sun-Times, Inc.  
Chicago Sun-Times

January 9, 1994, SUNDAY, Late Sports Final Edition

**SECTION:** SPORTS; LETTERS; Pg. 31

**LENGTH:** 690 words

**HEADLINE:** Jackson, Bulls Doing Just Fine

**BODY:**

... Mike McCaskey. I couldn't tell if I was reading the Sun-Times or Better Homes and Gardens.

I thought I would be hearing him talk about future designs on the Bears. Instead, I get the **ultimate design** on a kitchen. I also find out that he and his stuffed-shirt buddies like to ski!

Maybe the next interview will cover the real issues concerning the owner of a pro sports team. Bob Vila is a friend of mind; Mike McCaskey is no Bob ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: **(ultimate design) w/50 (clothing or apparel or dresses or shirts or pants or slacks or sweaters or sweatshirts or t-shirts or jackets or coats or blouses)** ([Edit Search](#) | [Suggest Terms for My Search](#))

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Date/Time: Wednesday, October 26, 2005 - 7:33 AM EDT

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*Artist Relies on Memory and Instincts to Create Advertising Designs Memphis Business Journal June 3, 1991*

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Business Dateline;  
Memphis Business Journal

June 3, 1991

**SECTION:** Vol 13; No 3; Sec 1; pg 38

**LENGTH:** 963 words

**HEADLINE:** Artist Relies on Memory and Instincts to Create Advertising Designs

**BYLINE:** Scott Shepard

**DATELINE:** Memphis; TN; US

**BODY:**

est colleges" around the country, with this week's feature on Shelby State.

What follows is definitely unstuffy, like the nerd playing basketball in physical education class with a pocket protector on his gym shirt. There also are shots geared to warm a high schooler's heart, like everyone leaping from their desks in mid-lecture because the bell rings.

"If I've learned anything as an artist," says Biggers, "it's that you always think you'll find the **ultimate design**, but you never do. You just keep drawing, and your work gradually gets better over time."

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#)

Terms: **(ultimate design) w/50 (clothing or apparel or dresses or shirts or pants or slacks or sweaters or sweatshirts or t-shirts or jackets or coats or blouses)** ([Edit Search](#) | [Suggest Terms for My Search](#))

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T 000872

Chicago Tribune, November 22, 1987

Copyright 1987 Chicago Tribune Company  
Chicago Tribune

November 22, 1987 Sunday, FINAL EDITION

SECTION: HOME; Pg. 1; ZONE: C

LENGTH: 1406 words

HEADLINE: AND YOU THOUGHT MOM WAS BAD KRIZIA'S FASHION CZAR IS A MANIAC FOR NEATNESS

BYLINE: By Dylan Landis, Chicago Tribune.

DATELINE: MILAN

BODY:

a young German shepherd, which she had come to love, died.

"I was very grieved," Mandelli says, "and decided I didn't want to be involved." So it's not animals she loves now but animal forms, the **ultimate design**. They adorn the bathroom tiles she designs, and a new animal is featured on a Krizia **sweater** each year. By coincidence, Krizia's new headquarters, in a restored 15th Century palazzo, is across the street from the Milan zoo.

Mandelli's living room draws visitors like a breathtaking ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#)

Terms: [\(ultimate design\) w/50 \(clothing or apparel or dresses or shirts or pants or slacks or sweaters or sweatshirts or t-shirts or jackets or coats or blouses\)](#) [\(Edit Search\)](#) [Suggest Terms for My Search](#)

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10/26/2005 07:38:02 AM

*Greens could make golfers feel blue Pittsburgh Tribune Review June 15, 2005 Wednesday*

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Pittsburgh Tribune Review  
June 15, 2005 Wednesday

**LENGTH:** 889 words

**HEADLINE:** Greens could make golfers feel blue

**BYLINE:** Mike Dudurich

**BODY:**

... Opens, did some work at Pinehurst prior to the 1999 and this year's Opens.

... Jones' goal was to modernize the course without changing its character.

"Pinehurst is where Donald Ross lived and worked," said Jones. "No. 2 is his **ultimate design** because it is his most hands-on creation. Ross kept nurturing No. 2 and tweaking it throughout his life. Therefore, his design intent had to be preserved. That was our mission."

The results of which will be on display this week.

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Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#)   
Terms: [nocaps\(ultimate design\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))  
View: KWIC ± 25  
Date/Time: Wednesday, October 26, 2005 - 7:37 AM EDT

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10/26/2005 07:41:03 AM

*Self-contained; Apple introduces its latest streamlined iMac -- all LCD screen and precious little computer* *The San Francisco Chronicle*  
SEPTEMBER 1, 2004, WEDNESDAY,

Copyright 2004 The Chronicle Publishing Co.

## **San Francisco Chronicle**

The San Francisco Chronicle

SEPTEMBER 1, 2004, WEDNESDAY, FINAL EDITION

**SECTION:** BUSINESS; Pg. C1

**LENGTH:** 955 words

**HEADLINE:** Self-contained;

Apple introduces its latest streamlined iMac -- all LCD screen and precious little computer

**SOURCE:** Chronicle Staff Writer

**BYLINE:** Matthew Yi

**BODY:**

... Greg Joswiak, Apple's vice president of hardware marketing, looking at a 20-inch LCD screen model at the firm's retail store in downtown San Francisco. "I think this is the **ultimate design** expression of an all-in-one computer."

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: **nocaps(ultimate design)** ([Edit Search](#) | [Suggest Terms for My Search](#))

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Date/Time: Wednesday, October 26, 2005 - 7:40 AM EDT

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10/26/2005 07:48:09 AM

*Electric and eclectic, the guitar has defined, united generations The Dallas Morning News June 5, 2004, Saturday*

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Knight Ridder/Tribune News Service  
The Dallas Morning News

June 5, 2004, Saturday

SECTION: ENTERTAINMENT NEWS

KR-ACC-NO: K4226

LENGTH: 1533 words

HEADLINE: Electric and eclectic, the guitar has defined, united generations

BYLINE: By Thor Christensen

BODY:

but in the '50s, guitar-makers came up with slim, solid-body shapes to drool over, like the Fender Stratocaster and the Gibson Les Paul.

"Leo Fender didn't know he was coming up with the **ultimate design**. He just wanted it to be as functional as possible, for as little money as possible, and he got it right the first time," Clapton says.

"If the acoustic guitar is a 1948 Studebaker, then the electric guitar is a Corvette ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: **nocaps(ultimate design)** ([Edit Search](#) | [Suggest Terms for My Search](#))

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10/26/2005 07:49:14 AM

THE DALLAS MORNING NEWS March 4, 2004 Thursday

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**DallasNews.com**

THE DALLAS MORNING NEWS

March 4, 2004 Thursday  
SECOND EDITION

SECTION: TEXAS LIVING; Pg. 1E

LENGTH: 2496 words

HEADLINE: Arrivederci, Tom Texan Tom Ford departs from the world's leading luxury label, and fashion bids goodbye - for now - to its reigning king

BYLINE: TAMMY THEIS, Staff Writer

DATELINE: MILAN

BODY:

... next, and can lightning possibly strike twice at Gucci?

In the case of Mr. Ford, the next stop appears to be Hollywood. His earliest ambition was to act. And as long ago as 1995, he voiced aspirations to direct. "That is the **ultimate design** project," he told British Vogue. "You don't just get to design what people wear, but you design the whole world - and whether characters get to live or die. There is a permanence to film that fashion lacks."

Late last ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: [nocaps\(ultimate design\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 7:48 AM EDT

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10/26/2005 07:50:08 AM

*Food events Contra Costa Times (California) January 28, 2004 Wednesday*

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## CONTRA COSTA TIMES

Found on BayArea.com

Contra Costa Times (California)

January 28, 2004 Wednesday

**SECTION:** F; BRIEF; Pg. 4

**LENGTH:** 215 words

**HEADLINE:** Food events

**BODY:**

Watch executive pastry chefs from San Jose restaurants compete in the **ultimate design** challenge at the Tech Museum of Innovation from 10 a.m.-1 p.m. Thursday. See who can build the tallest, tastiest, most structurally sound dessert exhibit out of only treats from their kitchens. ...

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: **nocaps(ultimate design)** ([Edit Search](#) | [Suggest Terms for My Search](#))

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10/26/2005 07:52:45 AM

*Hey, fellas layer it on Omaha World-Herald (Nebraska) September 22, 2005, Thursday*

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# Omaha World-Herald

Omaha World-Herald (Nebraska)

September 22, 2005, Thursday METRO; SUNRISE EDITION

**SECTION:** LIVING; Pg. 22mg;

**LENGTH:** 342 words

**HEADLINE:** Hey, fellas layer it on

**BODY:**

... designers are showing blazers and sport coats in tweed, velvet, wool and corduroy, says Beth Reher of Younkers' Oak View. In young men's departments, the track jacket layered over the dress shirt is the new "dressy casual." The ultimate layered look: A Polo shirt under a dress shirt, topped with an argyle sweater vest and a blazer.

Dress shirt: Tartans and plaids are the latest news. Stripes are still important, but they aren't as strong as they have been, Rossi says.

" ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: [nocaps\(ultimate\) w/5 \(clothing or apparel or shirts or pants or skirts or blouses or coats or jackets or sweaters or t-shirts or slacks\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

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10/26/2005 07:53:40 AM

*The New York Post September 19, 2005 Monday*

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The New York Post

September 19, 2005 Monday

**SECTION:** All Editions; Pg. 33

**LENGTH:** 542 words

**HEADLINE:** DREAM TEAM - FASHION WEEK HITS YOU LL REALLY WANT; FIVE EASY PIECES - PUT THESE FASHION WEEK HITS ON YOUR SHOPPING LIST FOR SPRING AND SUMMER

**BYLINE:** ORLA HEALY, Post Fashion Editor

**BODY:**

... T-shirt and these short city shorts are next season's alternative to the leggy minis.

**4) RUFFLED SHIRT**

The look: Kenneth Cole's wrap, ruffled shirt and to-the-knee cropped pants.

Why buy it: The **ultimate** figure-flattering wrap shirt gets a fashion jolt from ruffles on the neck line and below the waist. Body conscious cropped pants are next season's freshest silhouette.

**5) CROCHET DRESS**

The look: Nicole ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

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Date/Time: Wednesday, October 26, 2005 - 7:53 AM EDT

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10/26/2005 07:55:07 AM

*The New York Post August 21, 2005 Sunday*

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The New York Post

August 21, 2005 Sunday

**SECTION:** All Editions; Pg. 91.

**LENGTH:** 471 words

**HEADLINE:** FEELING COOL - CAN 'JAY-Z'S SHIRT HOLD UP IN THE HEAT?

**BYLINE:** MICHAEL KANE

**BODY:**

Designer Joseph Kadi claims that, thanks to his revolutionary new "blow air" underweaving process (what?), these new beat-the-heat Joseph's Cloak poplins are the **ultimate** stay-cool summerwear.

"This **shirt** is so thin and light," he boasts, "changing into it will feel like you've stepped from the sunlight into the shade."

How thin are they?

The average cotton Oxford weighs approximately 16 to 18 ounces. Ever-popular and seemingly ...

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: [nocaps\(ultimate\) w/5 \(clothing or apparel or shirts or pants or skirts or blouses or coats or jackets or sweaters or t-shirts or slacks\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

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10/26/2005 07:55:48 AM

*IT'S IN THE DETAILS FINISHING TOUCHES ARE THE POINTS OF INTEREST IN 'FASHION FIRST' SHOW THE SEATTLE POST-INTELLIGENCER  
August 13, 2005, Saturday*

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THE SEATTLE POST-INTELLIGENCER

August 13, 2005, Saturday FINAL

**SECTION:** LIFE AND ARTS; Pg. E1

**LENGTH:** 393 words

**HEADLINE:** IT'S IN THE DETAILS  
FINISHING TOUCHES ARE THE POINTS OF INTEREST IN 'FASHION FIRST' SHOW

**BYLINE:** SUSAN PHINNEY P-I reporter

**BODY:**

... fun to watch. One male model let his sarong fall to reveal his tightie whities.

On a more serious note was a little black dress knit of silk and mohair - sort of an **ultimate sweater** dress from Encanto. A crochet vest that appeared to be made from gold braid was another stunner along with a ruched black "lampshade" skirt with a red tweed jacket from Alhambra.

Planet Lulu's contribution to the ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: [nocaps\(ultimate\) w/5 \(clothing or apparel or shirts or pants or skirts or blouses or coats or jackets or sweaters or t-shirts or slacks\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

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10/26/2005 07:56:48 AM

*Who needs hair? Bald is beautiful AH: 7-year-old girl deals with skin disease by simply living her life without tresses The Post and Courier (Charleston, SC) July 17, 2005 Sunday FINAL Edition*

Copyright 2005 The Post and Courier (Charleston, SC)  
The Post and Courier (Charleston, SC)

July 17, 2005 Sunday FINAL Edition

**SECTION:** LOCAL/STATE; Pg. 1B

**LENGTH:** 885 words

**HEADLINE:** Who needs hair? Bald is beautiful AH: 7-year-old girl deals with skin disease by simply living her life without tresses

**BYLINE:** HOLLY AUER Of The Post and Courier Staff

**BODY:**

home, where she generally slings her wigs over the back of her chair and only dons it to go other places in the building.

She did, however, look forward to the arrival of her human hair wig from the charity Locks of Love. It was to be the **ultimate** in dress-up **apparel**, a way to try out a whole different identity at the same time as feeling more like her old self.

The wig was assembled by hand in Jakarta, Indonesia, crafted to precisely ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: [nocaps\(ultimate\) w/5 \(clothing or apparel or shirts or pants or blouses or coats or jackets or sweaters or t-shirts or slacks\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 7:56 AM EDT

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T 000883

*Hartford Courant (Connecticut) October 18, 2005 Tuesday*

Copyright 2005 The Hartford Courant Company  
Hartford Courant (Connecticut)

October 18, 2005 Tuesday  
STATEWIDE EDITION

**SECTION:** LIFE; Pg. D1

**LENGTH:** 1143 words

**HEADLINE:** LITTLE IDIOT MAKES IT BIG;  
MOBY AND HIS OLDEST FRIENDS PUT TOGETHER THEIR ARTWORKS FOR A SHOW IN STAMFORD

**BYLINE:** ADRIAN BRUNÉ; SPECIAL TO THE COURANT

**BODY:**

albums or posters, Moby sketched an image of the Little Idiot. Realizing some of his illustrator friends needed a creative outlet, Moby spearheaded the Little Idiot collective, then the store, which now features various **clothing designs** from 10 artists based on a central character of their own creation.

But, as Milazzo says, the character still helps Moby clarify his overwhelming emotions toward the world. The postcard announcing the show features ...

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: **nocaps(clothing design)** ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 7:57 AM EDT

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T 000884

*Product makers migrate to China; Low costs for land, labor a magnet for all sizes of firms The Atlanta Journal-Constitution October 9, 2005 Sunday*

Copyright 2005 The Atlanta Journal-Constitution

## The Atlanta Journal-Constitution

The Atlanta Journal-Constitution

October 9, 2005 Sunday Home Edition

**SECTION:** Business; Pg. 1D;

**LENGTH:** 1134 words

**HEADLINE:** Product makers migrate to China;  
Low costs for land, labor a magnet for all sizes of firms.

**BYLINE:** CRAIG SIMONS

**BODY:**

extinguishers in June, they have not been delivered, he said.

Different norms

Protecting business secrets has been a more serious challenge. Last June, Harmon discovered that an employee had stolen technical data on **clothing designs** as well as a list of his customers. Soon after the employee left the company, she began marketing copycat products to his clients at cut-rate prices.

He is currently prosecuting the woman for theft and last December ...

Source: [News & Business > News > US Newspapers and Wires](#)

Terms: [nocaps\(clothing design\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 7:58 AM EDT

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T 000885

Los Angeles Times October 7, 2005 Friday

Copyright 2005 Los Angeles Times  
All Rights Reserved  
Los Angeles Times

October 7, 2005 Friday  
Home Edition

**SECTION:** CALENDAR; Calendar Desk; Part E; Pg. 28

**LENGTH:** 1014 words

**HEADLINE:** STYLE & CULTURE;  
SPRING 2006 COLLECTIONS;  
Dior stumbles, Rochas soars;  
John Galliano's Paris creations take a back seat to the wondrous Grand Palais, while Olivier Theyskens mimics Monet.

**BYLINE:** Booth Moore, Times Staff Writer

**DATELINE:** PARIS

**BODY:**

... John Galliano presented his Christian Dior collection at the newly reopened Grand Palais, it was a risk. Because as the spring runway shows continued here this week, there was more than one case of set design overshadowing **clothing design**.

The Grand Palais recently reopened to the public after a \$123-million, 12-year face-lift that anchored the edifice to bedrock and refurbished its glass and steel dome with shatter-proof panes. Built ...

Source: [News & Business > News > US Newspapers and Wires](#)   
Terms: [nocaps\(clothing design\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))  
View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 8:00 AM EDT

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T 000886

[https://www.lexis.com/research/retrieve?\\_m=82a2f403cb81b855efa652e03f37ac28&\\_browseType=TEXTONLY&docnum=6&fmt=VKWIC&startdoc=1&wchp=dGLbVzz-zSkAB&md5=0d03c392062b96c61919a62941ca14e0](https://www.lexis.com/research/retrieve?_m=82a2f403cb81b855efa652e03f37ac28&_browseType=TEXTONLY&docnum=6&fmt=VKWIC&startdoc=1&wchp=dGLbVzz-zSkAB&md5=0d03c392062b96c61919a62941ca14e0) 10/26/2005 08:01:11 AM

*Soon, solar purse could do the charging; ISU designer melds talents in fashion, engineering Des Moines Register (Iowa) October 4, 2005 Tuesday*

Copyright 2005 The Des Moines Register  
All Rights Reserved  
Des Moines Register (Iowa)

October 4, 2005 Tuesday

**SECTION:** BUSINESS; Pg. 1D

**LENGTH:** 690 words

**HEADLINE:** Soon, solar purse could do the charging;  
ISU designer melds talents in fashion, engineering

**BYLINE:** Vinluan Frank

**BODY:**

ISU's Virtual Reality Applications Center. Bryden, Hynek's adviser, said the student mentioned taking a textiles class last year.

Bryden supported him. Mechanical engineering students don't typically take **clothing design** classes, but the Virtual Reality Applications Center encourages interdisciplinary studies.

The purse started as a project for the class. Hynek later entered it in an annual contest sponsored by the ...

Source: [News & Business > News > US Newspapers and Wires](#) 

Terms: **nocaps(clothing design)** ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 8:00 AM EDT

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T 000887

[https://www.lexis.com/research/retrieve?\\_m=ecdfaf6a56c03145749955aba2d3a80c&\\_browseType=TEXTONLY&docnum=7&fmt=tr=VKWIC&\\_startdoc=1&wchp=dGLbVzz-zSkAB&\\_md5=377419c4c5dc3eaaae19496402447714](https://www.lexis.com/research/retrieve?_m=ecdfaf6a56c03145749955aba2d3a80c&_browseType=TEXTONLY&docnum=7&fmt=tr=VKWIC&_startdoc=1&wchp=dGLbVzz-zSkAB&_md5=377419c4c5dc3eaaae19496402447714) 10/26/2005 08:01:57 AM

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*The Washington Times* October 2, 2005 Sunday

Copyright 2005 News World Communications, Inc.  
The Washington Times

October 2, 2005 Sunday

**SECTION:** FAMILY TIMES; FASHION; Pg. D04

**LENGTH:** 955 words

**HEADLINE:** Tres 'Chic' - made in China;  
Fashion, jewelry designers showcase their artistry at Kennedy Center exhibit

**BYLINE:** By Ann Geracimos, THE WASHINGTON TIMES

**BODY:**

performing artists and has taken four years to plan, according to Alicia Adams, the Center's vice president for dance and international programming.

A fashion exhibit is not unprecedented at the institution, although fabric and **clothing design** normally are not linked with the performing arts. Still mannequins, not runway models, will display the goods so the public can get close-up views of the designers' work. Organizers promise that the exhibit - ...

Source: [News & Business](#) > [News](#) > [US Newspapers and Wires](#) 

Terms: [nocaps\(clothing design\)](#) ([Edit Search](#) | [Suggest Terms for My Search](#))

View: KWIC ± 25

Date/Time: Wednesday, October 26, 2005 - 8:01 AM EDT

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T 000888

Print: Oct 26, 2005

73599941

**DESIGN MARK**

**Serial Number**

73599941

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

LOUNGE LIZARDS THE ULTIMATE LEISURE GENUINE LIZARD SKIN SHOES AND ACCESSORIES

**Standard Character Mark**

No

**Registration Number**

1460999

**Date Registered**

1987/10/13

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

LOUNGE LIZARDS INC. CORPORATION FLORIDA SUITE A 2625 N.E. 14TH AVENUE  
WILTON MANORS FLORIDA 33334

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 039. G & S: REPTILE SKIN SHOES,  
NAMELY, YACHT SHOES AND WOMEN'S PUMPS. First Use: 1985/10/00. First  
Use In Commerce: 1985/10/00.

**Prior Registration(s)**

1367692

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "THE ULTIMATE LEISURE  
GENUINE LIZARD SKIN SHOES AND ACCESSORIES" APART FROM THE MARK AS  
SHOWN.

**Filing Date**

1986/05/21

**Examining Attorney**

**Print: Oct 26, 2005**

**73599941**

MORRIS CRAIG K

**Attorney of Record**  
FRED CARY



Print: Oct 26, 2005

74390956

**DESIGN MARK**

**Serial Number**  
74390956

**Status**  
REGISTERED AND RENEWED

**Word Mark**  
STRENGTH THE ULTIMATE LEG TRAINING SYSTEM

**Standard Character Mark**  
No

**Registration Number**  
1868369

**Date Registered**  
1994/12/20

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
Strength Systems, Inc. CORPORATION LOUISIANA 201 James Drive East St.  
Rose LOUISIANA 70087

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 039. G & S: footwear. First  
Use: 1990/05/00. First Use In Commerce: 1990/05/00.

**Prior Registration(s)**  
1473271

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "THE ULTIMATE LEG  
TRAINING SYSTEM" APART FROM THE MARK AS SHOWN.

**Filing Date**  
1993/05/17

**Examining Attorney**  
CLARK, ROBERT C.

**Attorney of Record**

**Print: Oct 26, 2005**

**74390956**

Stephen R. Doddy



**DESIGN MARK**

**Serial Number**

75360588

**Status**

REGISTERED

**Word Mark**

XANTHIPPI PETRA THE ULTIMATE STYLE

**Standard Character Mark**

No

**Registration Number**

2559087

**Date Registered**

2002/04/09

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

{3} DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**

Xanthippi Petra Inc. CORPORATION CANADA 4600 Thimens Blvd. Montreal, Quebec CANADA H4R 2B2

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: wearing apparel, namely, skirts, shirts, shorts, dresses, slacks, tops, jackets and blouses. First Use: 1983/00/00. First Use In Commerce: 1998/08/00.

**Disclaimer Statement**

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

**Description of Mark**

The mark consists of the words "XANTHIPPI PETRA" and "THE ULTIMATE STYLE" in stylized typeface surrounded by a double circle enclosure and an arbitrary assortment of bubbles in the background.

**Translation Statement**

The word "PETRA" translates from Greek to English as "stone".

**Print: Oct 26, 2005**

**75360588**

**Filing Date**

1997/09/22

**Examining Attorney**

ROBINSON, ELLIOTT

**Attorney of Record**

HOWARD N. ARONSON



Print: Oct 26, 2005

75679468

**DESIGN MARK**

**Serial Number**

75679468

**Status**

REGISTERED

**Word Mark**

WATERSHED TAKE SHELTER IN THE ULTIMATE RAINWEAR

**Standard Character Mark**

No

**Registration Number**

2370615

**Date Registered**

2000/07/25

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

Red Steer Glove Company CORPORATION OREGON 2895 Valpak Road N.E. Salem  
OREGON 97303

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: clothing,  
namely, rainwear. First Use: 1983/10/27. First Use In Commerce:  
1983/10/27.

**Prior Registration(s)**

1046441

**Disclaimer Statement**

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

**Filing Date**

1999/04/12

**Examining Attorney**

STOIDES, KATHERINE

**Print: Oct 26, 2005**

**75679468**

**Attorney of Record**  
Walter W. Karnstein



T 000900

Print: Oct 26, 2005

75752560

**DESIGN MARK**

**Serial Number**

75752560

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

UCM ULTIMATE COMFORT MANAGEMENT SYSTEM BY CHIPPEWA THE COLLECTION

**Standard Character Mark**

No

**Registration Number**

2353730

**Date Registered**

2000/05/30

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

Boot Royalty Company, L.P. LIMITED PARTNERSHIP DELAWARE 610 WEST  
DAGGETT AVENUE Fort Worth TEXAS 76104

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: footwear,  
namely boots. First Use: 1998/12/01. First Use In Commerce:  
1998/12/01.

**Prior Registration(s)**

0773714;1327152;1661779;2198056;AND OTHERS

**Disclaimer Statement**

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

**Filing Date**

1999/07/16

**Examining Attorney**

DE JONGE, KATHY

**Print: Oct 26, 2005**

**75752560**

**Attorney of Record**  
Charles S. Cotropia



Print: Oct 26, 2005

76244236

**DESIGN MARK**

**Serial Number**

76244236

**Status**

REGISTERED

**Word Mark**

GIUSEPPE ZANOTTI DESIGN

**Standard Character Mark**

No

**Registration Number**

2561664

**Date Registered**

2002/04/16

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

VICINI S.P.A. CORPORATION ITALY VIA CAGNONA, 207-47030 SAN MAURO  
PASCOLI (FO) ITALY

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Footwear,  
shoes, boots. First Use: 1998/09/00. First Use In Commerce:  
1998/09/00.

**Disclaimer Statement**

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

**Name/Portrait Statement**

The name "GIUSEPPE ZANOTTI" identifies a living individual whose  
consent is of record.

**Filing Date**

2001/04/20

**Examining Attorney**

LAVINE, JACQUELINE A.

**Print: Oct 26, 2005**

**76244236**

**Attorney of Record**  
ELLIOT LEE

*Giuseppe*

GIUSEPPE ZANOTTI DESIGN

Print: Oct 26, 2005

76254666

**DESIGN MARK**

**Serial Number**

76254666

**Status**

REGISTERED

**Word Mark**

SHOOFLY DESIGN

**Standard Character Mark**

No

**Registration Number**

2875987

**Date Registered**

2004/08/24

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

Shoofly Design, Inc. CORPORATION COLORADO 1625 Mallard Dr Johnstown  
COLORADO 80504

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Hand Painted  
Wearing Apparel, namely shoes. First Use: 2001/01/17. First Use In  
Commerce: 2001/01/17.

**Disclaimer Statement**

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

**Filing Date**

2001/05/08

**Examining Attorney**

SAITO, KIM

**Attorney of Record**

Laura McFarland-Taylor

# SHOOFLY DESIGN

T 000908

**DESIGN MARK**

**Serial Number**  
76395365

**Status**  
REGISTERED

**Word Mark**  
BRAVELAND DESIGN

**Standard Character Mark**  
No

**Registration Number**  
2683348

**Date Registered**  
2003/02/04

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
Bravenec, David INDIVIDUAL UNITED STATES 2140 North Beachwood Drive  
Apt 7 Los Angeles CALIFORNIA 90068

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: t-shirts,  
shirts, sweatshirts, and headwear. First Use: 2002/02/18. First Use  
In Commerce: 2002/02/18.

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DESIGN" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2002/04/08

**Examining Attorney**  
LEE, DOUGLAS

# **BRAVELAND**

**DESIGN**

T 000910

Print: Oct 26, 2005

78052939

**TYPED DRAWING**

**Serial Number**

78052939

**Status**

REGISTERED

**Word Mark**

WAVE DESIGN

**Standard Character Mark**

No

**Registration Number**

2725847

**Date Registered**

2003/06/10

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

Dada Corporation CORPORATION REPUBLIC OF KOREA 790-4 Yeoksam-dong,  
Kangnam-ku Seoul REPUBLIC OF KOREA 135-080

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing  
namely, hats, caps and headwear, head bands, bathing caps, beachwear,  
jackets, jeans, T-shirts, overcoat, shoes. First Use: 2002/11/18.  
First Use In Commerce: 2002/11/18.

**Disclaimer Statement**

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

**Filing Date**

2001/03/13

**Examining Attorney**

SOMERVILLE, ARETHA

Print: Oct 26, 2005

78461456

**DESIGN MARK**

**Serial Number**  
78461456

**Status**  
REGISTERED

**Word Mark**  
FOOSE DESIGN

**Standard Character Mark**  
No

**Registration Number**  
3001601

**Date Registered**  
2005/09/27

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

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

**Owner**  
Foose, Douglas "Chip" INDIVIDUAL UNITED STATES 13012 Marcy Ranch Road  
Santa Ana CALIFORNIA 92705

**Goods/Services**  
Class Status -- ACTIVE. IC 025. US 022 039. G & S: T-shirts,  
sweatshirts, long sleeve shirts and baseball caps. First Use:  
1998/00/00. First Use In Commerce: 1998/00/00.

**Prior Registration(s)**  
2516619;2523874

**Disclaimer Statement**  
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DESIGN" APART FROM THE  
MARK AS SHOWN.

**Filing Date**  
2004/08/03

**Examining Attorney**  
SHELLA, MELISSA

Print: Oct 26, 2005

78461456

**Attorney of Record**  
Katherine L. McDaniel

**ROSE**  
D E S I G N

T 000914



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

MEMORANDUM:

DATE:

TO: John D. Dwyer  
Examining Attorney  
Law Office 116

FROM: Jessie N. Roberts  
Administrator for Trademark  
Classification and Practice

SUBJECT: Letter of Protest concerning Application Serial No. 78420594

The above-referenced Letter of Protest contains the following objection:

The term "ultimate" is descriptive in the clothing field and the entire phrase "ultimate design" is descriptive terminology in the field as well.

The following evidence was submitted and is attached hereto:

Excerpts and print-outs from Nexis® and the internet in which "ultimate" or "ultimate design" is used in a descriptive manner in the clothing field as well as decisions from the TTAB in which "ultimate" was found to be a laudatory term.

This application was published for Opposition on May 31, 2005. It has been determined, by the Acting Deputy Commissioner for Trademark Operations, that a clear error has been made in allowing this mark to be published. Jurisdiction has been restored to the Examining Attorney to take appropriate action in accordance with the evidence contained herein. TMEP Section 1715.03.

If further research by the Examining Attorney indicates that a refusal is inappropriate, any decision to republish the mark rather than to issue a refusal to register the mark must be made with the approval of the Administrator for Trademark Policy and Procedures.

This memorandum and the attached evidence has been entered into the record. A copy must be mailed to the applicant upon return of the file to the Law Office.

T 000915



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

Date: **FEB 23 2006**

Ultimate Resource  
123 Leverington Ave.  
Philadelphia, PA 19127-2003

Re: Trademark Registration No. 3,037,680  
Mark: ULTIMATE DESIGN

To Whom It May Concern:

Trademark Registration No. 3,037,680, for the mark ULTIMATE DESIGN, inadvertently issued on January 3, 2006, to Ultimate Resource. An Office action was issued on October 27, 2005, and no response has been received.

The attached order specifies that Registration No. 3,037,680 is cancelled. The registration certificate is invalid and has no force or effect. The application will be restored to pendency as application Serial No. 78-420594. The file will be forwarded to Law Office 116 to await a response to the October 27, 2005 Office action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph Williams", is written over a horizontal line.

Ralph Williams  
Paralegal Specialist  
Office of the Commissioner  
for Trademarks  
(571) 272-9584

T 000916

UNITED STATES  
PATENT AND TRADEMARK OFFICE

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Cancellation Order

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WHEREAS Registration No. 3,037,680 was issued to Ultimate Resource on January 3, 2006, for the mark ULTIMATE DESIGN; and

WHEREAS due to a clerical error by the U.S. Patent and Trademark Office, Registration No. 3,037,680 was inadvertently issued while an Office Action was outstanding;

THEREFORE, Registration No. 3,037,680, having been issued inadvertently and not in accordance with the procedures required by 15 U.S.C. §§1062(a) and 1063, is hereby ordered cancelled.

FEB 23 2006

\_\_\_\_\_  
(Date)



\_\_\_\_\_  
Lynne G. Beresford  
Commissioner for Trademarks

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

Target Brands, Inc. ,

Opposer,

No. 91163556

v.

Shaun N.G. Hughes,

Applicant.

APPLICANT'S STIPULATED EXHIBITS  
APP 001 - APP 783

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

James R. Uhler, Registration No.25,096  
Attorney for Applicant Shaun N.G. Hughes

CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS<sup>PLLC</sup>

LAW OFFICES  
1420 Fifth Avenue, Suite 2800  
Seattle, WA 98101-2347  
TELEPHONE: 206.682.8100

Sun Precautions Date Key for Catalog Style Numbers:  
*Interrogatory #2*

| <u>Year</u> | <u>Styles</u>                                      | <u>Name</u>                                                                             |
|-------------|----------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1992        | <u>1290</u>                                        | Solumbra Ultimate Polo Shirt                                                            |
| 1993        | <u>1306</u>                                        | Ultimate Polo                                                                           |
| 1994        | <u>1406</u>                                        | Ultimate Polo                                                                           |
| 1995        | <u>1506</u>                                        | Ultimate Polo                                                                           |
| 1996        | <u>1606</u>                                        | Ultimate Polo                                                                           |
| 1997        | <u>1706</u><br><u>1704</u>                         | Ultimate Polo<br>Striped Ultimate Polo                                                  |
| 1998        | <u>1806</u><br><u>1804</u>                         | Ultimate Polo<br>Striped Ultimate Polo                                                  |
| 1999        | <u>1906</u><br><u>1904</u>                         | Ultimate Polo<br>Striped Ultimate Polo                                                  |
| 2000        | <u>1006</u>                                        | Ultimate Polo                                                                           |
| 2001        | <u>1060k01</u>                                     | Ultimate Polo                                                                           |
| 2002        | <u>1060A02</u><br><u>1060B02</u><br><u>1050K02</u> | Ultimate Polo (Solid)<br>Ultimate Polo (Indigo Striped Collar)<br>Women's Ultimate Polo |
| 2003        | <u>1060A03</u><br><u>1060B03</u><br><u>1050K03</u> | Ultimate Polo (Solid)<br>Ultimate Polo (Indigo Striped Collar)<br>Women's Ultimate Polo |
| 2004        | <u>1060A04</u><br><u>1060B04</u><br><u>1050K04</u> | Ultimate Polo (Solid)<br>Ultimate Polo (Indigo Striped Collar)<br>Women's Ultimate Polo |
| 2005        | <u>1060A05</u><br><u>1060B05</u><br><u>1050K05</u> | Ultimate Polo (Solid)<br>Ultimate Polo (Indigo Striped Collar)<br>Women's Ultimate Polo |



1050K05-XL-R05

0710216665

Women's Ultimate Polo XL Rose

S.N: WETN-50938-0014



1060A05 L WHT  
 07102 16677  
 Ultimate Eco L White  
 14-055-003



# Sun Precautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 004

2005



APP 005



**Free Gift**

When you order a hat, shirt and pants

SEE PAGE 46



### UV Striped Polo

As bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS technology). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL

**STYLE #1090K05 \$89.95**

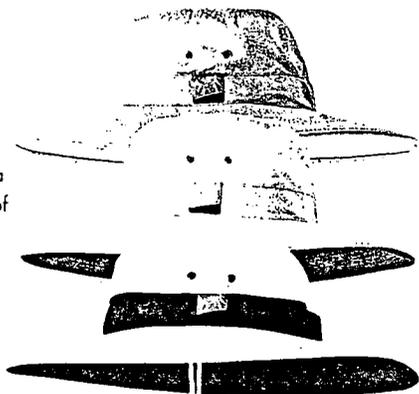
Pacific Blue  
Indigo/White

Maize  
Indigo/White

Sagebrush  
Indigo/White

### Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.



**SIZES** S M L XL 2XL

(2XL in Desert Khaki with Desert Sage Underbrim only.)

(See hat sizing chart on page 47.)

**SOLIDS**

**STYLE #4700A05 \$48.95**

White  
 Desert Khaki  
 Summer Blue  
 Sagebrush

Desert Sage  
 Pacific Blue  
 Graphite  
 Black

**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B05 \$48.95**

White  
with Pacific Blue

Stone  
with Sage

Stone  
with Indigo

Desert Khaki  
with Desert Sage

**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C05 \$48.95**

White  
with Indigo

White  
with Admiral

Eggshell  
with Indigo

**Legend** UVS Ultra Ventilated Vented Unisex

### Ultimate Polo™

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Sky, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

**SOLIDS**

**STYLE #1060A05 \$74.95**

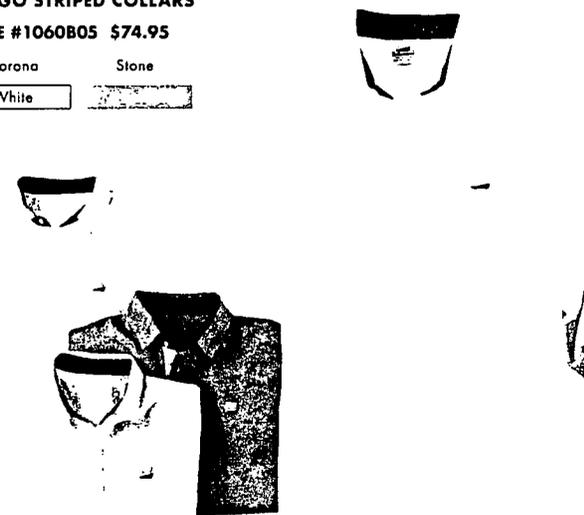
White Sky Teal

**INDIGO STRIPED COLLARS**

**STYLE #1060B05 \$74.95**

Corona Stone

White



### Classic Polo

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL 2XL

**STYLE #1010K05 \$59.95**

Maize  
White/Indigo

Stone  
White/Indigo

White/Indigo

White  
Maize/Indigo

to order, call 1 800 882 7860 or visit [www.sunprecautions.com](http://www.sunprecautions.com)

# Solumbra birdies.

Name:

**Greg Fisher  
(with wife  
Amy)**

Wearing the  
Women's Ultimate  
Polo, Men's  
Tailored Pants, and  
Solumbra Sun Hat.  
Amy is wearing the  
Women's Ultimate  
Polo (p. 35), Women's  
Flat Front Pants  
(p. 35) and  
Ruffled Sun  
Hat (p. 36).

Comment:

You'll find  
me on the  
golf course whenever  
I get a chance. Of  
course, after I was  
diagnosed with skin  
cancer, I thought my  
golfing days were  
over. Nothing I  
ever did to protect  
myself from the sun  
worked. Not T-shirts.  
Not greasy sunscreens  
that I always forgot to  
reapply. Solumbra  
has made all the  
difference. It protects  
me and keeps me cool.  
It's comfortable. It's  
just the best."



## UV Polo *UVS*

Swing, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS technology). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K05 \$89.95**



Stone

## Men's Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear button-closure welt pockets with an added flap closure on the right. Sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 32 34

36 38 40 42 44

(Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/38

(Talls in Desert Khaki only.)

**STYLE #2200K05 \$74.95**

Stone

Desert Khaki



## Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

(Also shown on page 17.)

**SIZES** S M L XL 2XL

(2XL in Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

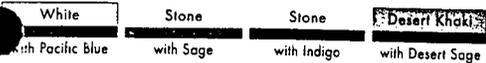
### SOLIDS

**STYLE #4700A05 \$48.95**



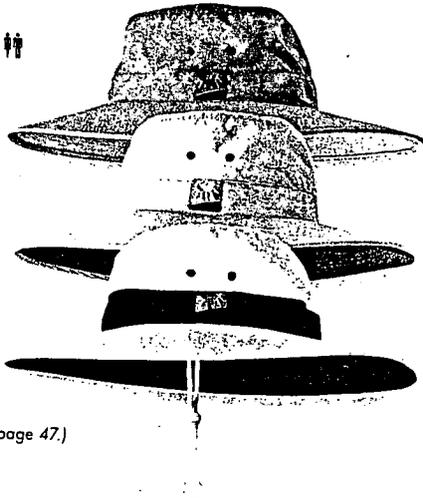
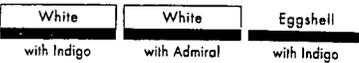
### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B05 \$48.95**



### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C05 \$48.95**



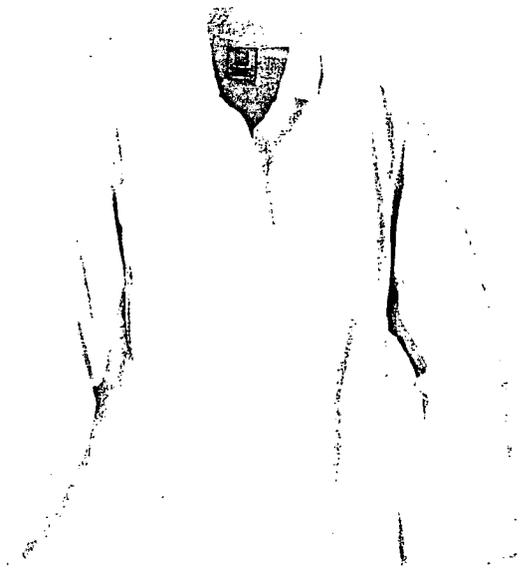
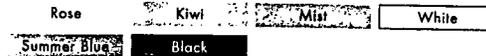
## Women's Blouse

This blouse can be dressed up or down, worn tucked in or out. With front and back shoulder pleats, discreet mesh inserts under the arms and natural shell buttons for an attractive accent, this blouse is perfect for any sunny occasion.

**REGULAR SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20) 2XL(22)  
(XXS in White and Summer Blue only. 2XL in White only.)

**PETITE SIZES** P/XS(4-6) P/S(8-10) P/M(12-14) P/L(16-18)  
(Petites in Rose, White and Summer Blue only.)

**STYLE #1750K05 \$79.95**



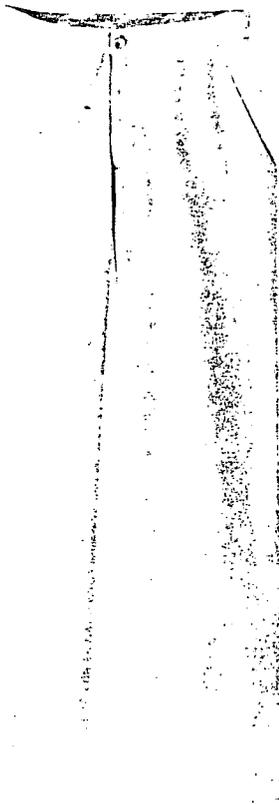
## Women's Flat Front Pants

Talk about versatility. Casual yet tailored, comfortable yet trim, these flat front trousers are ready to flatter your figure from boardroom to barbeque. Add angled front pockets that lie flat on the seam, one rear welt pocket, and a great-looking mid-rise design and what you get is a pair of sun protective pants so indispensable you'll wonder how you ever lived without them.

**SIZES** 2 4 6 8 10 12 14

**STYLE #2270K05 \$79.95**

Stone

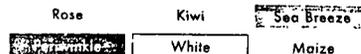


## Women's Ultimate Polo™

This sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K05 \$74.95**



APP 008

**LEGEND** UVs Ultra Ventilated ☞ Ventilated ☞ Unisex

to order, call 1 800 882 7860 or visit [www.sunprecautions.com](http://www.sunprecautions.com)



## Ultimate Polo™

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend. A breast pocket and three button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Sky, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid White, Sky and Stone with Striped Collar only.)

### SOLIDS

**STYLE #1060A05 \$74.95**

White Sky Teal

### INDIGO STRIPED COLLARS

**STYLE #1060B05 \$74.95**

Corona Stone White



## Ultra Sun® Hat

Made of impervious cotton duck, the Ultra Sun Hat not only provides superior sun protection, but looks great, too. And the 4" brim won't restrict your vision either. With chin strap, rust-proof brim rod and absorbent adjustable sweatband, it's a crowning achievement. Packs flat. Spot clean or hand wash with soft brush.

**SIZES** S M L XL 2XL

(See hat sizing chart on page 47.)

**STYLE #4500K05 \$49.95**

Desert Khaki Natural Moss

On the cover: Greg Fisher is wearing the Ultimate Polo, Men's Tailored Pants (p.16), and Men's City Straw Hat (p.19).

lumbra products also available at these retail locations (See p.45 for more information):

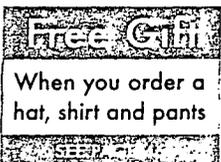
|                      |                       |                  |
|----------------------|-----------------------|------------------|
| Seattle              | San Diego             | Los Angeles      |
| 4105 East Madison St | 7825 Fay Ave, Ste 190 | 1601 Montana Ave |
| Seattle, WA          | La Jolla, CA          | Santa Monica, CA |

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1.800.882.7860 FAX 425.303.0836  
www.sunprecautions.com

SOURCE CODE:

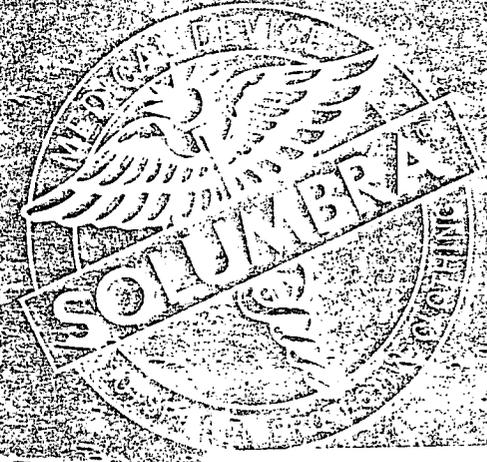
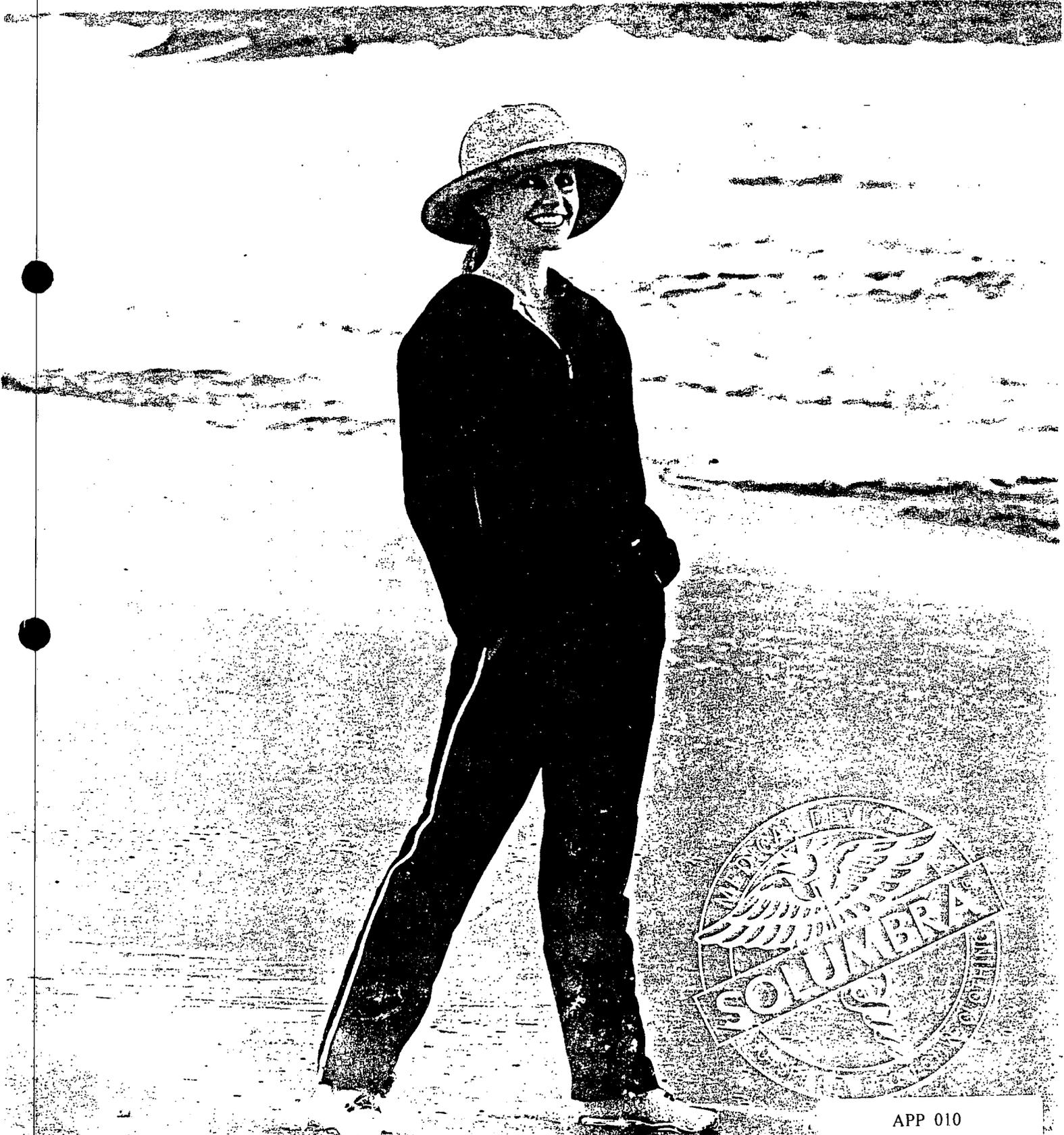
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APP 009

# SunProcautions®



APP 010

**Free Gift**  
 When you order a  
 hat, shirt and pants  
 SEE PAGE 46



**UV Striped Polo** UVS

Add bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS technology). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL  
**STYLE #1090K05 \$89.95**

- Pacific Blue  
Indigo/White
- Maize  
Indigo/White
- Sagebrush  
Indigo/White

**Solombra Sun Hat**

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.



**SIZES** S M L XL 2XL  
 (2XL in Desert Khaki with Desert Sage Underbrim only.)  
 (See hat sizing chart on page 47.)

**SOLIDS**  
**STYLE #4700A05 \$48.95**

- Purwinkle
- Desert Khaki
- Summer Blue
- Sagebrush
- Desert Sage
- Pacific Blue
- Graphite
- Black

**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B05 \$48.95**

- White  
with Pacific Blue
- Stone  
with Sage
- Stone  
with Indigo
- Desert Khaki  
with Desert Sage

**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C05 \$48.95**

- White  
with Indigo
- White  
with Admiral
- Eggshell  
with Indigo

**LEGEND** UVS Ultra Ventilated Ventilated

**Ultimate Polo**

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Sky, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

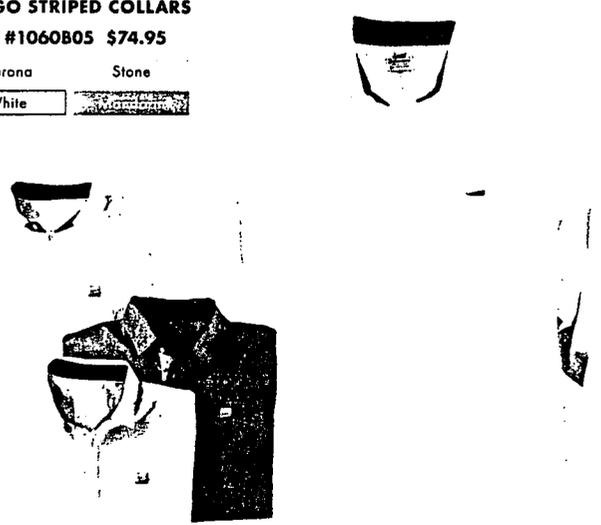
**SOLIDS**  
**STYLE #1060A05 \$74.95**

- White
- Sky
- Teal

**INDIGO STRIPED COLLARS**

**STYLE #1060B05 \$74.95**

- Corona
- Stone
- White



**Classic Polo**

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL 2XL  
**STYLE #1010K05 \$59.95**

- Maize  
White/Indigo
- Stone  
White/Indigo
- Sky  
White/Indigo
- White  
Maize/Indigo

APP 011

to order, call 1 800 882 7860 or visit [www.sunprecautions.com](http://www.sunprecautions.com)

# Solumbra birdies.

Name:  
**Greg Fisher**  
 (with wife  
**Amy)**

Greg is wearing the  
 Ultimate Polo Men's  
 Tailored Pants and  
 Solumbra Sun Hat.  
 Amy is wearing the  
 Women's Ultimate  
 Polo (p. 35), Women's  
 Flat Front Pants  
 (p. 35) and  
 Raised Collar  
 Hat (p. 36).

Comment:  
 You'll find  
 me on the  
 golf course whenever  
 I get a chance. Of  
 course, after I was  
 diagnosed with skin  
 cancer, I thought my  
 golfing days were  
 over. Nothing I  
 ever did to protect  
 myself from the sun  
 worked. Not T-shirts.  
 Not greasy sunscreens  
 that I always forgot to  
 reapply. Solumbra  
 has made all the  
 difference. It protects  
 me and keeps me cool.  
 It's comfortable. It's  
 just the best.



## UV Polo

Swing, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS technology). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL  
**TALL SIZES** T/M T/L T/XL  
**STYLE #1080K05 \$89.95**



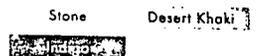
## Men's Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear button-closure welt pockets with an added flap closure on the right. Sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 32 34  
 36 38 40 42 44  
 (Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/38  
 (Talls in Desert Khaki only.)

**STYLE #2200K05 \$74.95**



## Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

(Also shown on page 17.)

**SIZES** S M L XL 2XL

(2XL in Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

### SOLIDS

**STYLE #4700A05 \$48.95**



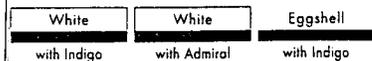
### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B05 \$48.95**



### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C05 \$48.95**



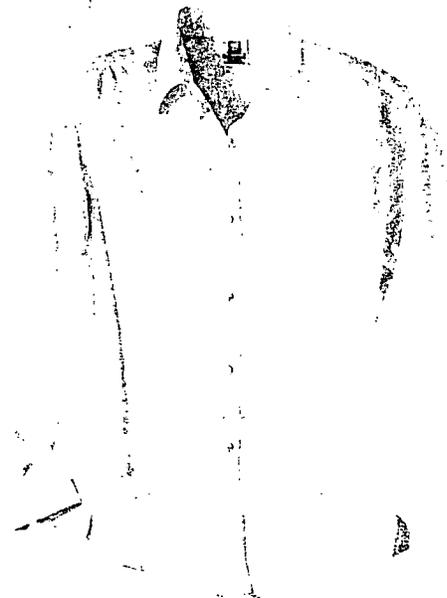
## Women's Blouse

This blouse can be dressed up or down, worn tucked in or out. With front and back shoulder pleats, discreet mesh inserts under the arms and natural shell buttons for an attractive accent, this blouse is perfect for any sunny occasion.

**REGULAR SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20) 2XL(22)  
(XXS in White and Summer Blue only. 2XL in White only.)

**PETITE SIZES** P/XS(4-6) P/S(8-10) P/M(12-14) P/L(16-18)  
(Petites in Rose, White and Summer Blue only.)

**STYLE #1750K05 \$79.95**



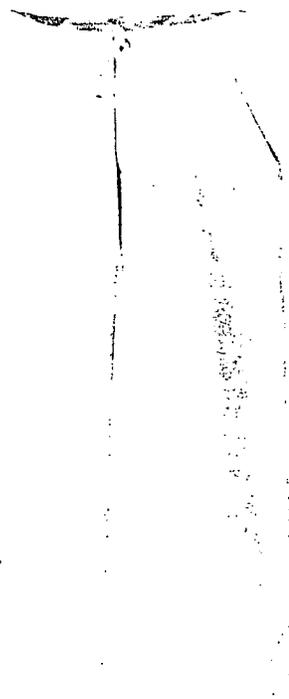
## Women's Flat Front Pants

Talk about versatility. Casual yet tailored, comfortable yet trim, these flat front trousers are ready to flatter your figure from boardroom to barbeque. Add angled front pockets that lie flat on the seam, one rear welt pocket, and a great-looking mid-rise design and what you get is a pair of sun protective pants so indispensable you'll wonder how you ever lived without them.

**SIZES** 2 4 6 8 10 12 14

**STYLE #2270K05 \$79.95**

Stone

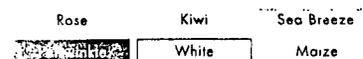


## Women's Ultimate Polo™

This sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

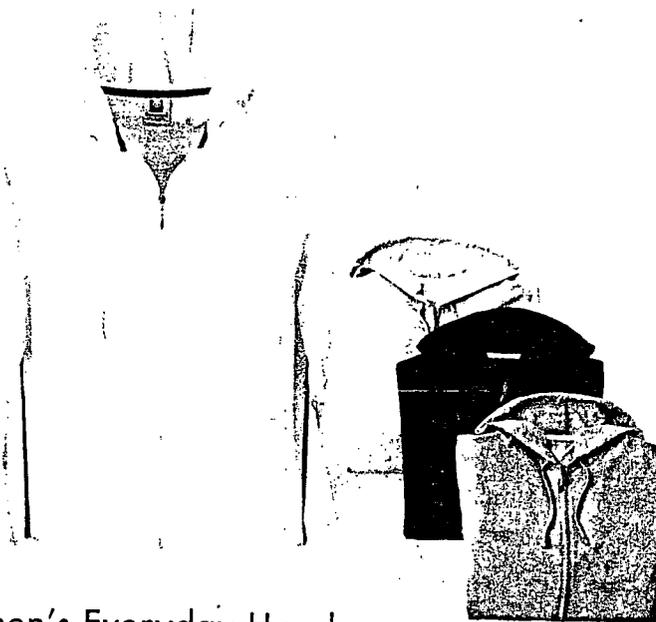
**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K05 \$74.95**



APP 013





## Women's Everyday Hoody

This is where maximum sun protection meets maximum style—with great results. A drawcord hood, full zipper front, slightly cropped length and flattering princess seams (for a somewhat contoured, yet roomy fit) make this jacket a real go-getter. Plus it comes with pockets on the seams, attractive contrast trim and refreshing underarm mesh. Match it with our Women's Everyday Drawstring Pants (p.26) for great head-to-toe style.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1370K05 \$84.95**

|                        |                          |                     |                     |
|------------------------|--------------------------|---------------------|---------------------|
| White<br>Graphite Trim | Sea Breeze<br>White Trim | Black<br>White Trim | Stone<br>White Trim |
|------------------------|--------------------------|---------------------|---------------------|

## Rolled Brim Hat

This hat is fun and attractive. The edges of the 4" brim roll up or down and an internal drawstring ensures a comfortable fit. It's also lightweight and crushable so you can unpack it anytime for attractive sun protection. This hat is available in Solumbra fabric and cotton canvas. Both styles have a chin strap with plastic cordlock.

**SIZES** S M L XL (See hat sizing chart on page 47.)

**SOLUMBRA FABRIC (CONTRASTING UNDERBRIM)**

**STYLE #4650B05 \$49.95**

|                      |
|----------------------|
| White<br>with Indigo |
|----------------------|

**SOLUMBRA FABRIC (SOLIDS)**

**STYLE #4650A05 \$49.95**

|           |            |            |             |
|-----------|------------|------------|-------------|
| Kiwi      | Sea Breeze | Periwinkle | Summer Blue |
| Eggshell  | White      | Stone      | Black       |
| Sagebrush | Graphite   | Black      | Crimson     |

**COTTON CANVAS**

**STYLE #4650D05 \$49.95**

|                            |                 |
|----------------------------|-----------------|
| Natural<br>with Black Trim | Indigo<br>Solid |
|----------------------------|-----------------|



On the cover: Kristine Keever is wearing the Women's Everyday Hoody, Women's Everyday Drawstring Pants (p.26), and Rolled Brim Hat.

Solumbra products also available at these retail locations (See p.45 for more information):

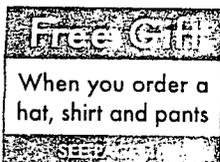
|                                                |                                                    |                                                     |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|
| Seattle<br>4105 East Madison St<br>Seattle, WA | San Diego<br>7825 Fay Ave, Ste 190<br>La Jolla, CA | Los Angeles<br>1601 Montana Ave<br>Santa Monica, CA |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|

## SunPrecautions

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# SunPrecautions®

FOR SENSITIVE AND SUN SENSITIVE PEOPLE



APP 015

2004



**Free Gift**  
 When you order a  
 hat, shirt and pants  
 SEE PAGE 46



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

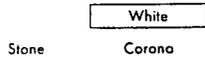
#### SOLIDS

**STYLE #1060A04 \$74.95**



#### INDIGO STRIPED COLLARS

**STYLE #1060B04 \$74.95**

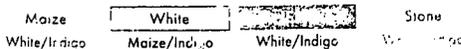


### Classic Polo

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K04 \$59.95**



### UV Striped Polo

Add bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL

**STYLE #1090K04 \$89.95**



### Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

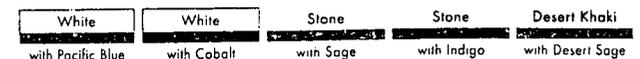
#### SOLIDS

**STYLE #4700A04 \$48.95**



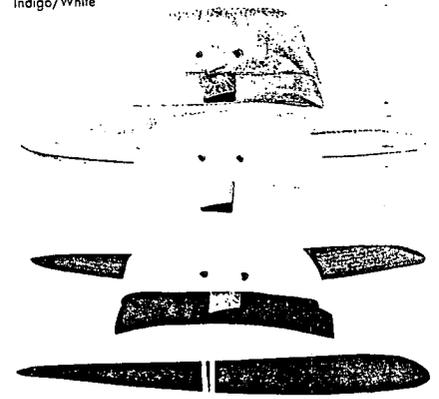
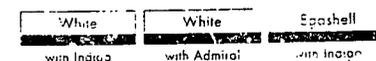
#### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B04 \$48.95**



#### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C04 \$48.95**





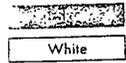
## Men's Polo *UVS*

Swing, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A contrasting white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K04 \$89.95**



Stone

## Men's Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 30 32 34 36 38 40 42 44 (Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/36 (Talls in Desert Khaki only.)

**STYLE #2200K04 \$74.95**

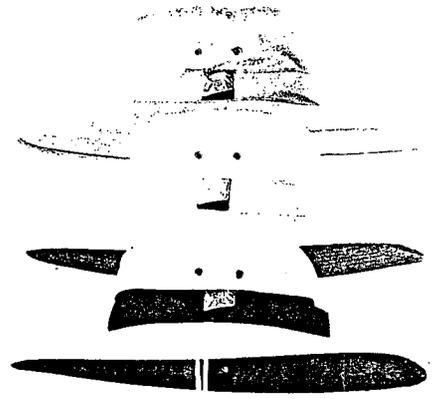
Stone

Desert Khaki



Women's wearing the Women's Ultimate Polo (p.26), Women's Tailored Pants (p.26) and Solumbra Sun Hat. Michael is wearing the UV-Simped Polo, Men's Tailored Pants and Solumbra Sun Hat.

Comments: "With a family history of melanoma and some suspicious moles of our



## Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL  
 (2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

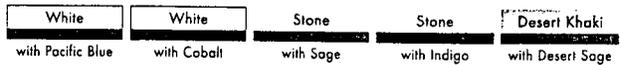
### SOLIDS

**STYLE #4700A04 \$48.95**



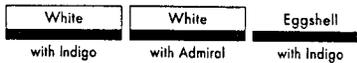
### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B04 \$48.95**



### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C04 \$48.95**

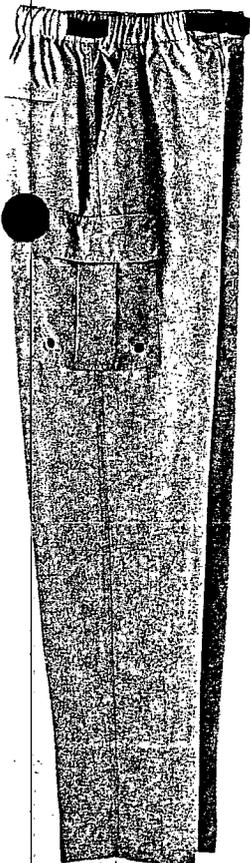
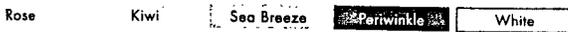


## Women's Ultimate Polo

This sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K04 \$74.95**



## Cargo Pants (Left)

No active, sun protection wardrobe is complete without a pair of comfortable, yet functional Cargo Pants. These are loaded with extra features—such as an elastic waist with web belt and adjustable buckle, angled front pockets, cargo patch thigh pockets with hook and loop closures, a zippered fly and a zippered rear pocket.

**REGULAR SIZES** XXS XS S M L XL 2XL

**TALL SIZES** T/M T/L T/XL (Talls in Desert Khaki only.)

**STYLE #2180K04 \$79.95**



## Women's Tailored Pants (Right)

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

**STYLE #2250K04 \$79.95**





## UV Polo *UVS* ¶¶

Swing, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A contrasting white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K04 \$89.95**

Stone 
  White 
  Stone



## Solumbra Sun Hat ¶¶

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

### SOLIDS

**STYLE #4700A04 \$48.95**

Periwinkle 
  Desert Khaki 
  Summer Blue 
  Sagebrush 
  Desert Sage 
  Pacific Blue 
  Graphite 
  Black

### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B04 \$48.95**

White with Pacific Blue 
  White with Cobalt 
  Stone with Sage 
  Stone with Indigo 
  Desert Khaki with Desert Sage

### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C04 \$48.95**

White with Indigo 
  White with Admiral 
  Eggshell with Indigo

On the cover: Shaun Hughes is wearing the UV Polo, the Men's Tailored Pants (p.15) and the Ultra Sun Hat (p.17).

Visit the Sun Precautions Stores (See p.45 for more information):

|                                                       |                                                           |                                                            |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
| <b>Seattle</b><br>4105 East Madison St<br>Seattle, WA | <b>San Diego</b><br>7825 Fay Ave, Ste 190<br>La Jolla, CA | <b>Los Angeles</b><br>1601 Montana Ave<br>Santa Monica, CA |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|

## Sun Precautions

2815 Wetmore Avenue Everett, Washington 98201 USA  
1.800.882.7860 FAX 425.303.0836  
www.sunprecautions.com

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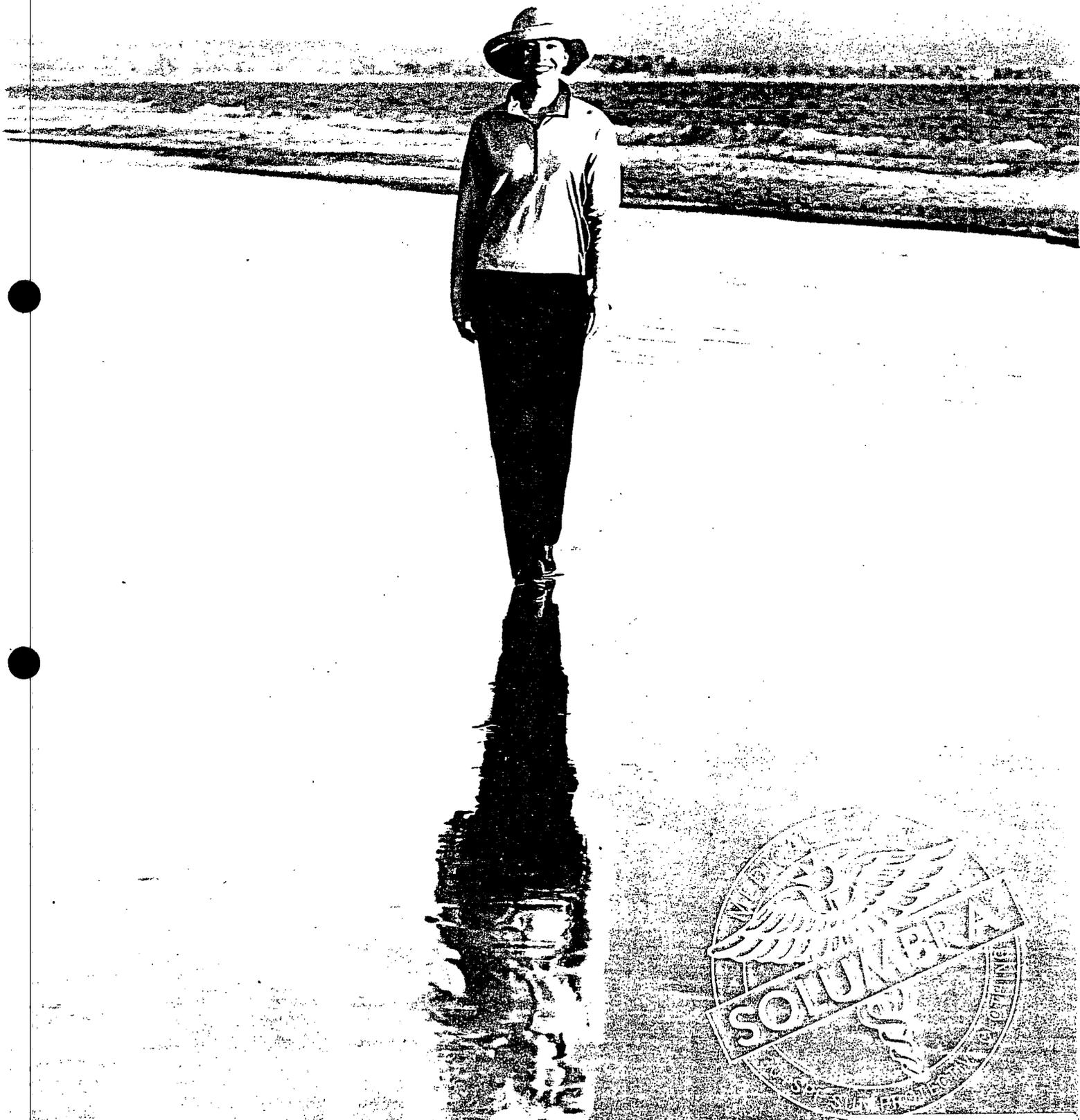
CUSTOMER CODE:

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PAID  
SUN PRECAUTIONS, INC.

APP 019

2004



APP 020

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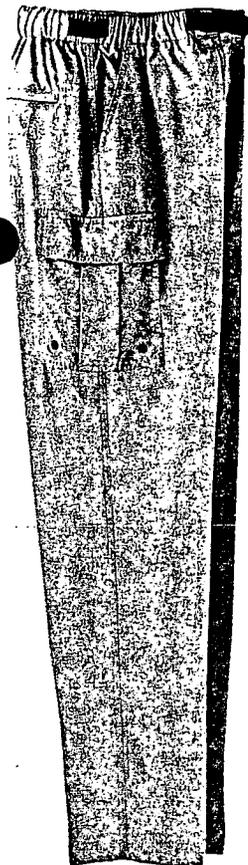
## Women's Ultimate Polo

This sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K04 \$74.95**

Rose    Kiwi    Sea Breeze    Periwinkle    White



## Cargo Pants (Left)

No active, sun protection wardrobe is complete without a pair of comfortable, yet functional Cargo Pants. These are loaded with extra features—such as an elastic waist with web belt and adjustable buckle, angled front pockets, cargo patch thigh pockets with hook and loop closures, a zippered fly and a zippered rear pocket.

**REGULAR SIZES** XXS XS S M L XL 2XL

**TALL SIZES** T/M T/L T/XL (Talls in Desert Khaki only.)

**STYLE #2180K04 \$79.95**

Desert Khaki    Desert Sage

## Women's Tailored Pants (Right)

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

**STYLE #2250K04 \$79.95**

Stone    Desert Khaki    Indigo

## Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

**SOLIDS**

**STYLE #4700A04 \$48.95**

Periwinkle    Desert Khaki    Summer Blue    Sagebrush    Desert Sage  
Pacific Blue    Graphite    Black

**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B04 \$48.95**

White    White    Stone    Stone    Desert Khaki  
with Pacific Blue    with Cobalt    with Sage    with Indigo    with Desert Sage

**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C04 \$48.95**

White    White    Eggshell  
with Indigo    with Admiral    with Indigo

**Free Gift**  
 When you order a  
 hat, shirt and pants  
 SEE PAGE 46



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

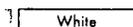
**SOLIDS**

**STYLE #1060A04 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B04 \$74.95**



Stone Carona

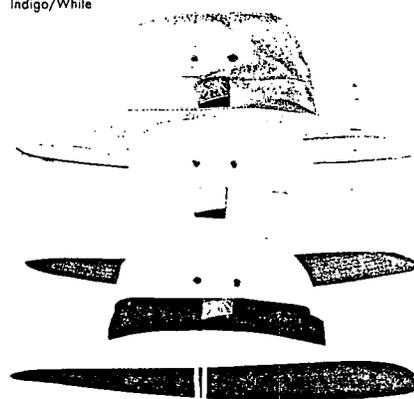


### UV Striped Polo

Add bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL

**STYLE #1090K04 \$89.95**



### Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

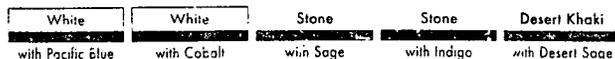
**SOLIDS**

**STYLE #4700A04 \$48.95**



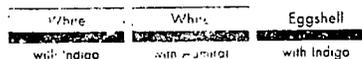
**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B04 \$48.95**



**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C04 \$48.95**

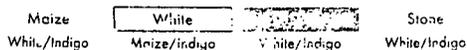


### Classic Polo

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design, and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K04 \$59.95**





### UV Polo UVS

Swing, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A contrasting white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K04 \$89.95**

White  
 Stone

### Men's Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 30 32 34 36 38 40 42 44 (Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/38 (Talls in Desert Khaki only.)

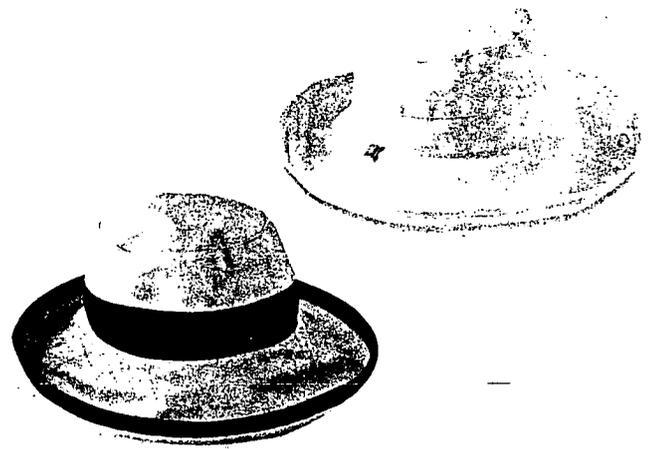
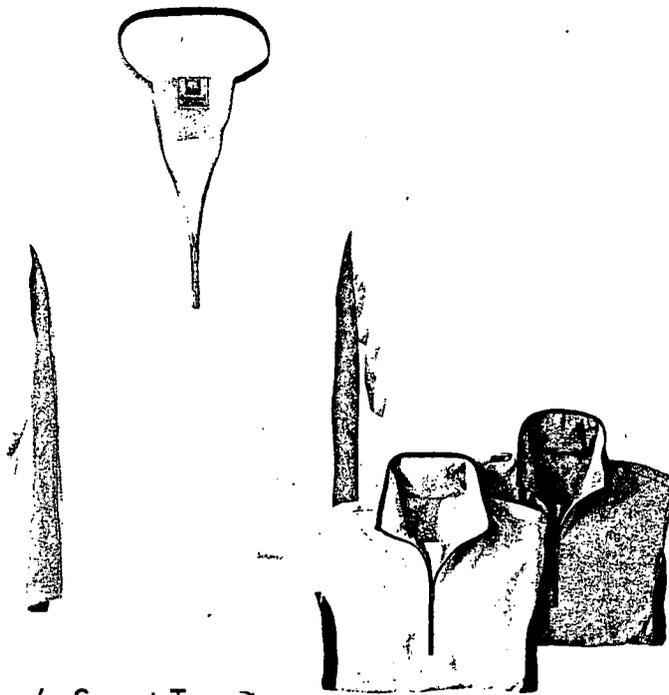
**STYLE #2200K04 \$74.95**

Stone  Desert Khaki



Wear  
 Lisa is wearing the  
 Women's Ultimate Polo  
 (p. 24), Women's  
 Tailored Pants (p. 26),  
 and Solumbra Sun Hat.  
 Michael is wearing the  
 UV Striped Polo, Men's  
 Tailored Pants, and  
 Solumbra Sun Hat.

Comments:  
 With a family history  
 of melanoma and some  
 suspicious moles of our



## Women's Sport Top *UVS*

Looking for an active shirt that's more body-contoured? Something you can wear jogging through the park or strolling down the street? Something that protects you from the sun and keeps you cool? This tailored wonder does it all. Featuring a modified version of our Ultra Ventilation System (UVS), this shirt cools your body as you move. Ventilated side panels (hidden with our Solumbra four-way stretch fabric) and generous underarm mesh draw air in. The back side vents and ventilated back yoke panel pull it out. A front half zipper and hemmed sleeves complete the appeal. We call it a Sport Top. Chances are, you'll call it indispensable.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1450K04 \$89.95**

|                              |                              |                            |
|------------------------------|------------------------------|----------------------------|
| White                        | Kiwi                         | Sea Breeze                 |
| Sea Breeze/<br>Nickel Piping | Graphite/<br>Graphite Piping | Graphite/<br>Nickel Piping |

On the cover: Courtney Hannan is wearing the Women's Sport Top, the Women's Versatile Stretch Pants (p.25) and the Women's Rolled Brim Hat.

Visit the Sun Precautions Stores (See p.45 for more information):

|                                                |                                                    |                                                     |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|
| Seattle<br>4105 East Madison St<br>Seattle, WA | San Diego<br>7825 Fay Ave, Ste 190<br>La Jolla, CA | Los Angeles<br>1601 Montana Ave<br>Santa Monica, CA |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|

## SunPrecautions

2815 Wetmore Avenue Everett, Washington 98201 USA

1.800.882.7860 FAX 425.303.0836

www.sunprecautions.com

SOURCE CODE:

CUSTOMER CODE:

## Women's Rolled Brim Hat

This hat is fun and feminine. The edges of the 4" brim roll up or down and an internal drawstring ensures a comfortable fit. It's also lightweight and crushable so you can unpack it anytime for attractive sun protection. This hat is available in Solumbra fabric and cotton canvas. Both styles have a chin strap with plastic cordlock.

**SIZES** S M L XL (See hat sizing chart on page 47.)

**SOLUMBRA FABRIC (SOLID)**

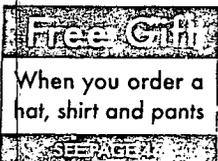
**STYLE #4650A04 \$49.95**

|          |            |             |           |
|----------|------------|-------------|-----------|
| Kiwi     | Sea Breeze | Pearl Pink  | Eggshell  |
| White    | Stone      | Summer Blue | Sagebrush |
| Graphite | Black      |             |           |

**COTTON CANVAS**

**STYLE #4650B04 \$49.95**

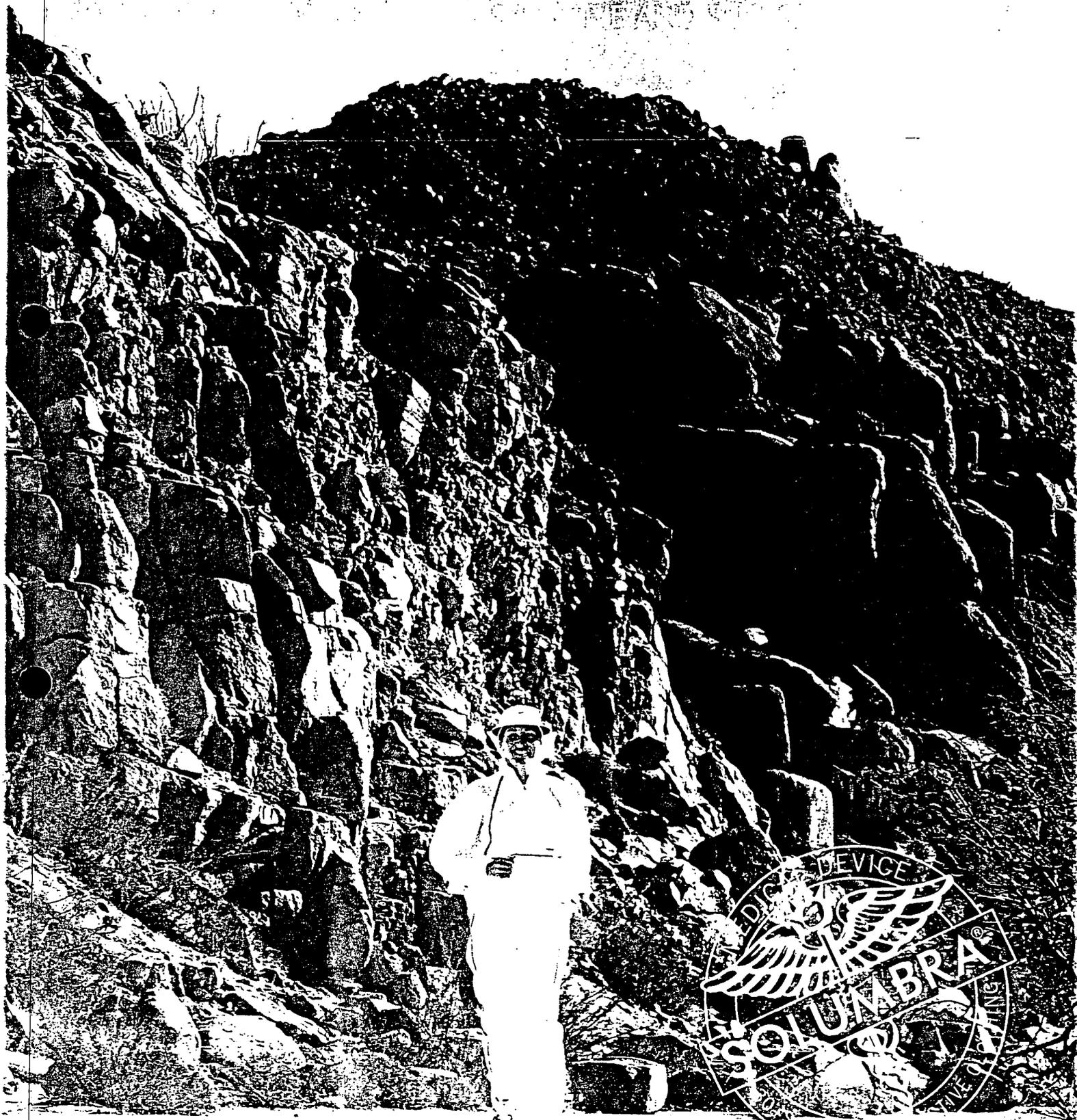
|                            |                 |
|----------------------------|-----------------|
| Natural<br>with Black Trim | Indigo<br>Solid |
|----------------------------|-----------------|



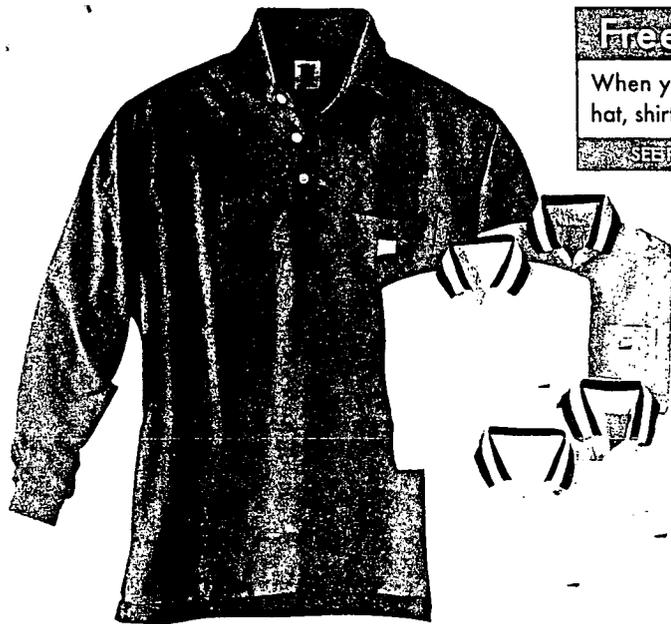
2004

# Sun Precautions

CONSTRUCTION



2004



**Free Gift**  
 When you order a  
 hat, shirt and pants  
 SEE PAGE 46



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

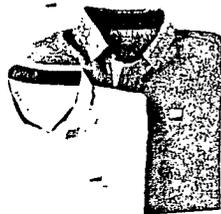
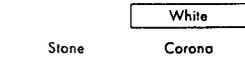
**SOLIDS**

**STYLE #1060A04 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B04 \$74.95**

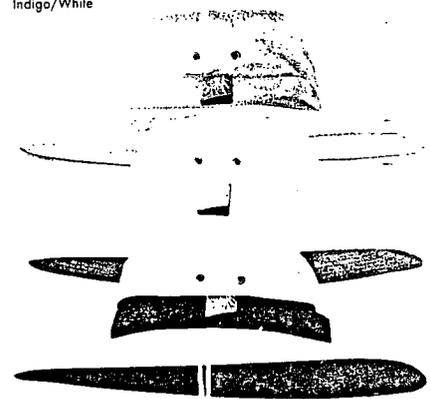


### UV Striped Polo

Add bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL

**STYLE #1090K04 \$89.95**



### Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

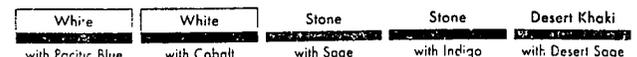
**SOLIDS**

**STYLE #4700A04 \$48.95**



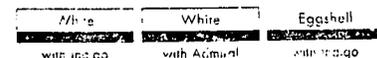
**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B04 \$48.95**



**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C04 \$48.95**

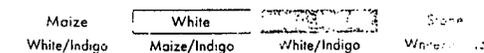


### Classic Polo

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K04 \$59.95**



14 to order, call 1 800 882 7860 or visit [www.sunprecautions.com](http://www.sunprecautions.com)



### UV Polo *UVS* II

Bring, stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A contrasting white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K04 \$89.95**



White



Stone

### Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 30 32 34

36 38 40 42 44 (Size 30

in Desert Khaki and Indigo only.

Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/38

Talls in Desert Khaki only.)

**STYLE #2200K04 \$74.95**



Stone

Desert Khaki

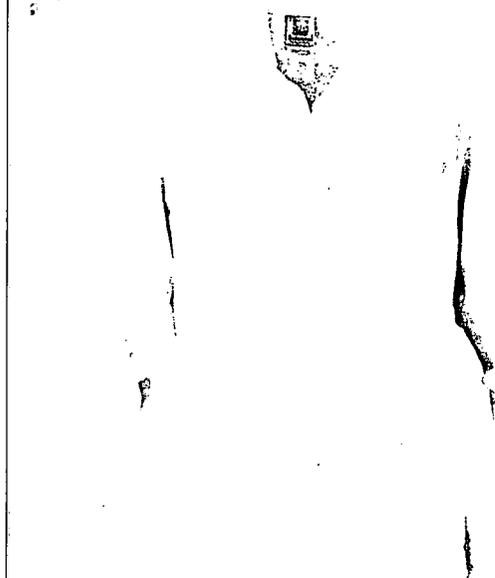


Indigo



Wendy  
Lisa is wearing the  
Women's Ultimate Polo  
(p. 26), Women's  
Tailored Pants (p. 26),  
and Solumbra Sun Hat.  
Michael is wearing the  
UV Striped Polo, Men's  
Tailored Pants, and  
Solumbra Sun Hat.

Comments:  
"With a family history  
of melanoma and some  
suspicious moles of our



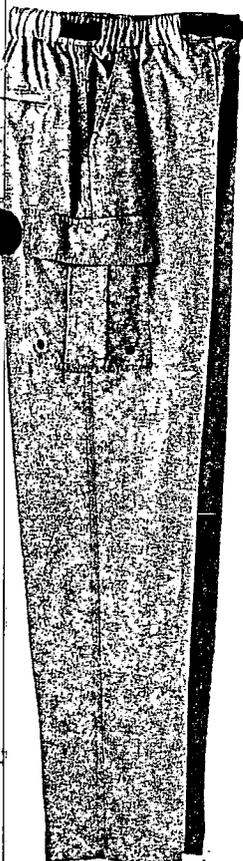
### Women's Ultimate Polo

is sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K04 \$74.95**

- Rose
- Kiwi
- Sea Breeze
- Periwinkle
- White



### Cargo Pants (Left)

No active, sun protection wardrobe is complete without a pair of comfortable, yet functional Cargo Pants. These are loaded with extra features—such as an elastic waist with web belt and adjustable buckle, angled front pockets, cargo patch thigh pockets with hook and loop closures, a zippered fly and a zippered rear pocket.

**REGULAR SIZES** XXS XS S M L XL 2XL

**TALL SIZES** T/M, T/L, T/XL (Talls in Desert Khaki only.)

**STYLE #2180K04 \$79.95**

- Desert Khaki
- Desert Sage

### Women's Tailored Pants (Right)

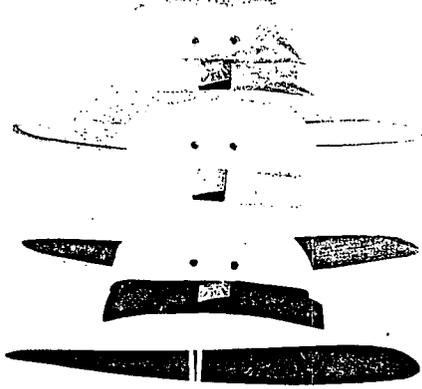
These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

**STYLE #2250K04 \$79.95**

- Stone
- Desert Khaki
- Indigo



### Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

#### SOLIDS

**STYLE #4700A04 \$48.95**

- Periwinkle
- Desert Khaki
- Summer Blue
- Sagebrush
- Desert Sage
- Pacific Blue
- Graphite
- Black

#### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B04 \$48.95**

- White with Pacific Blue
- White with Cobalt
- Stone with Sage
- Stone with Indigo
- Desert Khaki with Desert Sage

#### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C04 \$48.95**

- White with Indigo
- White with Admiral
- Eggshell with Indigo

## Ultra Athlete Shirt UVS ☼☼

Our most ventilated shirt is engineered for serious sport and is a sun protection necessity in peak summer sun and activity. This high-tech design features

our unique Ultra Ventilation System (UVS)

It includes concealed side ventilation inlets, front and back vents, and extra-wide underarm mesh panels. The cropped length adds to its coolness and provides free movement. Its zip front closure with gusset and high collar in back provide additional sun protection. And a zipper pocket ideal for ID and keys is hidden under the front vent. It's as cool as you can get on a sultry, summer day short of strapping an air conditioner to your chest.

**REGULAR SIZES** XXS XS S M L XL 2XL (2XL not available in Periwinkle and Azure.)

**TALL SIZES** T/M T/L T/XL T/2XL (Talls in White and Stone only.)

**SOLIDS** (See page 11.)

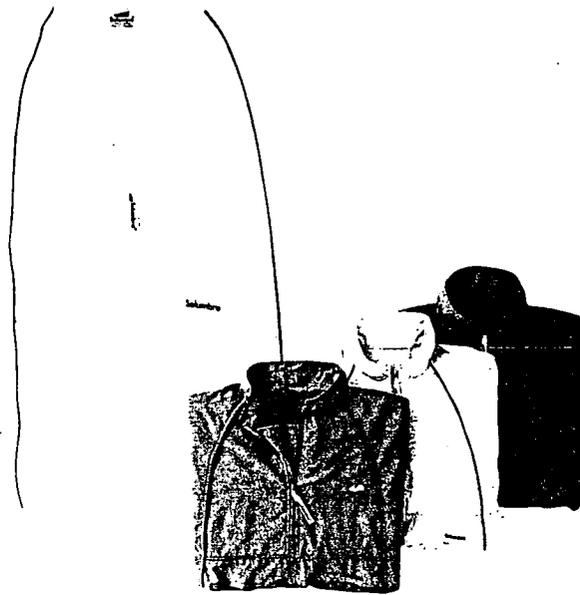
**STYLE #1530A04 \$89.95**

White Sagebrush

**INDIGO PIPING** (Shown)

**STYLE #1530B04 \$89.95**

White Periwinkle Stone Azure



## Ultra Athlete Shade Cap ☼

The perfect hat for the active athlete. Offers great protection, visibility and comfort. Made of Solumbra fabric, it has a wide brim visor for extra face coverage and a neck drape that shades the back of the neck and ears like a wide brim hat. It's extremely versatile and comes with adjustable sizing for a perfect fit.

**SIZES** REG (21"-24") XL (23"-25")  
(XL in White with Indigo Underbill only.)

**STYLE #4830K04 \$38.95**

|                                     |                                          |                                            |
|-------------------------------------|------------------------------------------|--------------------------------------------|
| White<br>with Indigo<br>Underbill   | White<br>with Graphite<br>Underbill      | Stone<br>with Indigo<br>Underbill          |
| Sagebrush<br>with Sage<br>Underbill | Indigo<br>with Indigo<br>Underbill       | Pacific Blue<br>with Graphite<br>Underbill |
| Kiwi<br>with Graphite<br>Underbill  | Sea Breeze<br>with Graphite<br>Underbill |                                            |

On the cover: Gillian Robinson is wearing the Women's Ultra Athlete Shirt (p.24), the Women's Ultra Athlete Pants (p.25) and the Ultra Athlete Shade Cap.

Visit the Sun Precautions Stores (See p.45 for more information):

|                                                |                                                    |                                                     |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|
| Seattle<br>4105 East Madison St<br>Seattle, WA | San Diego<br>7825 Fay Ave, Ste 190<br>La Jolla, CA | Los Angeles<br>1601 Montana Ave<br>Santa Monica, CA |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|

## Sun Precautions

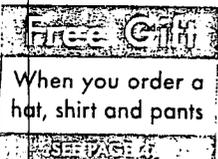
2815 Wetmore Avenue Everett, Washington 98201 USA

1.800.882.7860 FAX 425.303.0836

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# Sun Precautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 030

2004



**Free Gift**  
 When you order a  
 hat, shirt and pants  
 SEE PAGE 46



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft knit blend.

**REGULAR SIZES** S M L XL 2XL 3XL (3XL in Solid White, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL (Talls in Solid White, Sky and Stone with Striped Collar only.)

**SOLIDS**

STYLE #1G60A04 \$74.95



**INDIGO STRIPED COLLARS**

STYLE #1060B04 \$74.95

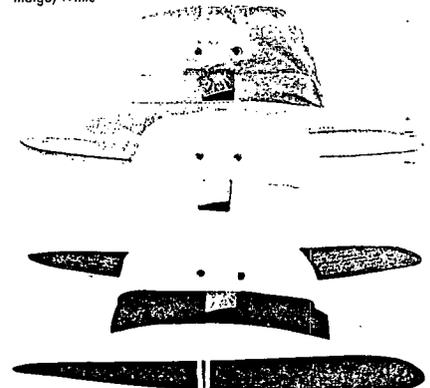


### UV Striped Polo

Add bold indigo stripes. Subtract the chest pocket. What you get is a UV polo shirt that is virtually identical to our solid UV Polo. Same all-day sun protection. Same innovative Ultra Ventilation System (UVS). Same white collar, soft cuffs and three-button placket.

**SIZES** S M L XL 2XL

STYLE #1090K04 \$89.95



### Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

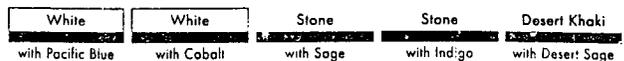
**SOLIDS**

STYLE #4700A04 \$48.95



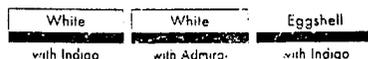
**CONTRASTING UNDERBRIM ONLY**

STYLE #4700B04 \$48.95



**CONTRASTING HEADBAND AND UNDERBRIM**

STYLE #4700C04 \$48.95



### Classic Polo

It's a classic. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

STYLE #1010K04 \$59.95





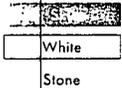
## UV Polo *UVS* **††**

Stretch and play to the max in a sun protective shirt that delivers the ultimate cooling power with our ingenious Ultra Ventilation System (UVS). Working like a fan, air enters through front side mesh inlets (discreetly covered by Solumbra) and extra-wide underarm mesh panels, flows across the body, and exits through the back side vents and ventilated back yoke. A contrasting white collar, soft knit cuffs and chest pocket complete the ready-for-anything look.

**REGULAR SIZES** S M L XL 2XL

**TALL SIZES** T/M T/L T/XL

**STYLE #1080K04 \$89.95**



## Men's Tailored Pants

Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 30 32 34 36 38 40 42 44 (Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)

**TALL SIZES** T/34 T/36 T/38 (Talls in Desert Khaki only.)

**STYLE #2200K04 \$74.95**



W...  
 l... wearing the  
 Women's Ultimate Polo  
 (p. 26), Women's  
 Tailored Pants (p. 26),  
 and Solumbra Sun Hat.  
 Michaelis wearing the  
 UV Striped Polo, Men's  
 Tailored Pants, and  
 Solumbra Sun Hat.

Comments:  
 "With a family history  
 of melanoma and some  
 suspicious moles of our



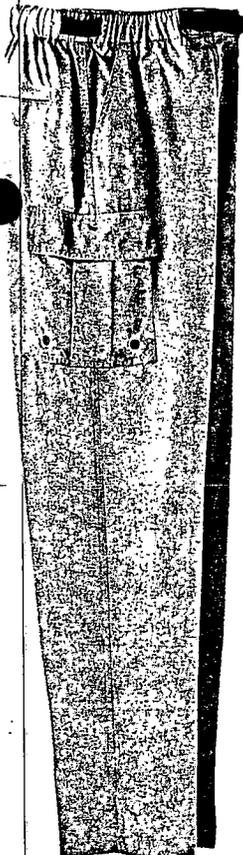
## Women's Ultimate Polo

This sun protective favorite has all of the features you've always loved—mesh panel under the arms and back yoke for ventilation, soft knit collar and cuffs for comfort—plus now a covered placket and collar stand for crispness. Tuck in or wear out—then go.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K04 \$74.95**

Rose      Kiwi      Sea Breeze      **Periwinkle**      White



## Cargo Pants (Left)

No active, sun protection wardrobe is complete without a pair of comfortable, yet functional Cargo Pants. These are loaded with extra features—such as an elastic waist with web belt and adjustable buckle, angled front pockets, cargo patch thigh pockets with hook and loop closures, a zippered fly and a zippered rear pocket.

**REGULAR SIZES** XXS XS S M L XL 2XL

**TALL SIZES** T/M T/L T/XL (Talls in Desert Khaki only.)

**STYLE #2180K04 \$79.95**

Desert Khaki      Desert Sage

## Women's Tailored Pants (Right)

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

**STYLE #2250K04 \$79.95**

Stone      Desert Khaki      Indigo

## Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

**SOLIDS**

**STYLE #4700A04 \$48.95**

Periwinkle      Desert Khaki      Summer Blue      Sagebrush      Desert Sage  
Pacific Blue      Graphite      Black

**CONTRASTING UNDERBRIM ONLY**

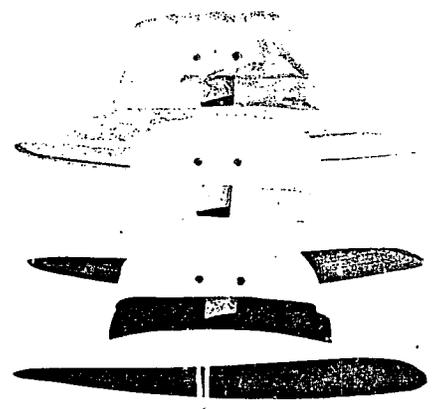
**STYLE #4700B04 \$48.95**

White      White      Stone      Stone      Desert Khaki  
with Pacific Blue      with Cobalt      with Sage      with Indigo      with Desert Sage

**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C04 \$48.95**

White      White      Eggshell  
with Indigo      with Admiral      with Indigo





## Solumbra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.



**SIZES** S M L XL 2XL  
(2XL in White with Cobalt Underbrim and Desert Khaki with Desert Sage Underbrim only.) (See hat sizing chart on page 47.)

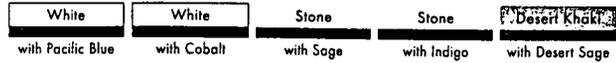
### SOLIDS

**STYLE #4700A04 \$48.95**



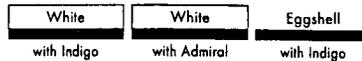
### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B04 \$48.95**



### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C04 \$48.95**

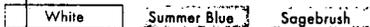


## V Expedition Shirt

Pack it up for a trip to Costa Rica. Toss it on for a walk around the block. This casual button-front shirt is sure to become a sun protective essential. Our high-tech Ultra Ventilation System pulls air in through concealed front side ventilation inlets, extra-wide underarm mesh panels and hidden mesh panels above the chest pockets, fans it around your body and flows it out through back side vents and the ventilated back yoke. Generous cargo pockets, roll-up sleeve tabs, a split hem, epaulets and tortoise-style buttons add up to a shirt that works hard—and plays hard, too.

**SIZES** S M L XL 2XL

**STYLE #1723K04 \$94.95**



On the cover: Elsa Chahin is wearing the Women's Mandarin Collar Tunic (p.29), the Women's Versatile Stretch Pants (p.25) and the Woven Hat (p.28).

Visit the Sun Precautions Stores (See p.45 for more information):

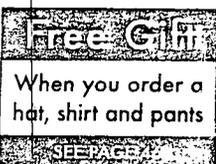
|                                                |                                                    |                                                     |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|
| Seattle<br>4105 East Madison St<br>Seattle, WA | San Diego<br>7825 Fay Ave, Ste 190<br>La Jolla, CA | Los Angeles<br>1601 Montana Ave<br>Santa Monica, CA |
|------------------------------------------------|----------------------------------------------------|-----------------------------------------------------|

## Sun Precautions

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www.sunprecautions.com

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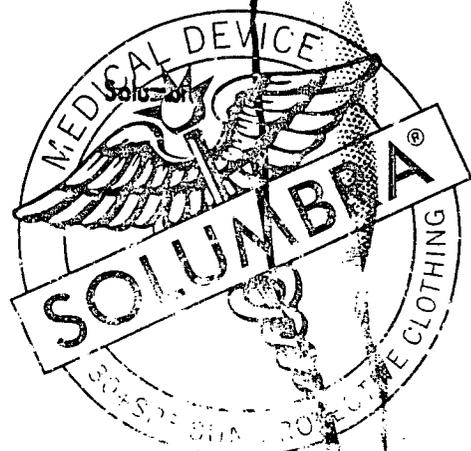
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# Sun Precautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 035

## Solumbra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K03 \$84.95**

Maize/  
Indigo/  
Eggshell

Desert Sage  
Desert Khaki/  
Indigo/  
Eggshell



## Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A chest pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid White, Azure and Stone with Striped Collar only.)

### SOLIDS

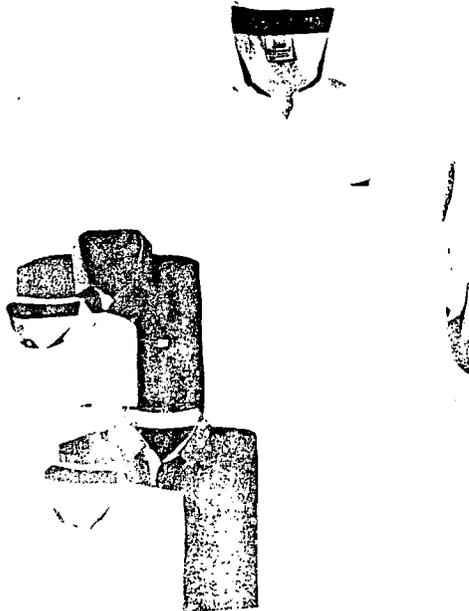
**STYLE #1060A03 \$74.95**

White Azure Teal

### INDIGO STRIPED COLLARS

**STYLE #1060B03 \$74.95**

White Stone Corona



## Classic Polo

It's a classic. Which means no wardrobe is complete without one. Or two. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K03 \$59.95**

Maize  
White/Indigo  
White/Corona

White/Cobalt  
Stone  
White/Indigo

White  
Maize/Indigo



Name:

Peter O'Brien

Occupation:  
Physical Education  
Teacher

Wearing:

Ultimate Polo, Men's  
Active Pants (p.14), and  
Ultra Straw Hat (p.19)

Comments:

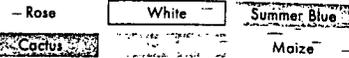
I am on sports fields, out  
in the sun, virtually all  
day. With temperatures  
often exceeding 105°,  
I need more than just  
sunscreen. Solumbra  
gives me all-day sun  
protection and full range  
of motion, which I  
definitely need as a P.E.  
teacher. Even though I'm  
covered from head to toe,  
I'm still incredibly cool.

## Women's Ultimate Polo

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It's a great look tucked in or worn out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14)  
L(16-18) XL(20)

**STYLE #1050K03 \$74.95**

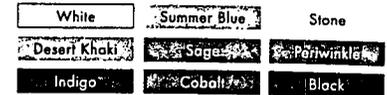


## Wide Brim Crusher

Crush it. Bend it. Roll it. Wear it. This is the sun hat you can take almost anywhere. Made of Solumbra fabric, this lightweight hat with 4" brim, adjustable sweatband and chin strap with plastic cordlock won't lose its shape. Hand wash.

**SIZES** S M L XL 2XL  
(2XL in Stone only.) (See hat sizing chart on page 47.)

**STYLE #4720K03 \$47.95**



## Ultimate Crusher

Similar in style and identical in versatility and durability to our popular Wide Brim Crusher, this sun protective wonder made of Solumbra fabric could actually be called the Wider Brim Crusher. It has a generous 5" brim, adjustable sweatband and chin strap. Hand wash.

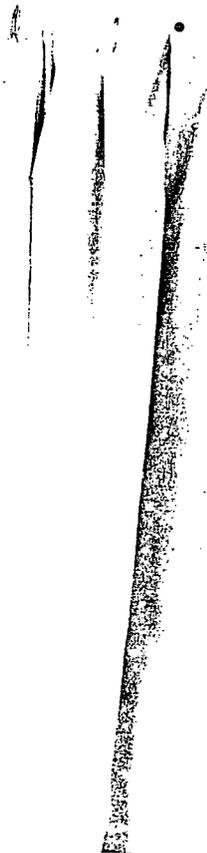
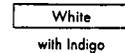
**SIZES** S M L XL (See hat sizing chart on page 47.)



**SOLIDS**  
**STYLE #4750A03 \$48.95**



**CONTRASTING UNDERBRIM**  
**STYLE #4750B03 \$48.95**



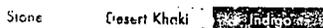
## Women's Tailored Pants

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

**STYLE #2250K03 \$79.95**



APP 038

Solombra protects with flying colors.

Name:

Vicki Cruse

Occupation:

U.S. Aerobatic Team  
Pilot and Kit Aircraft  
Company President

Wearing:

Women's Ultimate Polo,  
Women's Tailored Pants,  
and Wide Brim Crusher

Comments:

"I'm pretty sure Solombra wasn't designed with aerobatic pilots in mind, but I don't fly without it. Sitting in the plane's canopy leaves me exposed to the sun's dangerous UV rays—something I especially need to be aware of given my history with skin cancer. And my Solombra clothing colors match those of my airplane, so Solombra has become my flying uniform."

## Ultra Athlete Shirt

Our most ventilated shirt is engineered for serious sport and is a sun protection necessity in peak summer sun and activity.

This high-tech design features a flow-through ventilation system that includes underarm and concealed front and back mesh panels. The coup de grace is a pair of concealed ventilation panels that start at each shoulder and run down to the waist; they scoop the air as you move and exhaust it out panels in the back. The cropped length adds to its coolness and provides free movement. Its zip front closure with gusset and high collar in back provide additional sun protection. And a zipper pocket ideal for ID and keys is hidden under the front vent. It's as cool as you can get on a sultry, summer day short of strapping an air conditioner to your chest.



**REGULAR SIZES** XXS XS S M L XL 2XL  
(2XL in White and Stone only.)

**TALL SIZES** T/M T/L T/XL T/2XL  
(Talls in White and Stone only.)

**STYLE #1530K03 \$89.95**

|                                |                                                                                                                         |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> White | <input type="checkbox"/>  Pink/White |
| with Indigo                    | with Indigo                                                                                                             |
| <input type="checkbox"/> Stone | <input type="checkbox"/>  Azure      |
| with Indigo                    | with Indigo                                                                                                             |

## Ultra Athlete Shade Cap

The perfect hat for the active athlete. Offers great protection, visibility and comfort. Made of Solumbra fabric, it has a wide brim visor for extra face coverage and a neck drape that shades the back of the neck and ears like a wide brim hat. It's extremely versatile and comes with adjustable sizing for a perfect fit.

**SIZE** REG (21"-24")

**STYLE #4830K03 \$38.95**

|                                |                                |                                                                                                                     |
|--------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> White | <input type="checkbox"/> Stone | <input type="checkbox"/>  Indigo |
| with Indigo Underbill          | with Indigo Underbill          | with Indigo Underbill                                                                                               |

On the cover: Angela Brunson is wearing the Ultra Athlete Shirt and the Ultra Athlete Shade Cap.

Visit the Sun Precautions Stores:

**Seattle**  
4105 East Madison St  
Seattle, WA

**San Diego**  
7825 Fay Ave, Ste 190  
La Jolla, CA

**Los Angeles**  
1601 Montana Ave  
Santa Monica, CA

## Sun Precautions<sup>+</sup>

2815 Wetmore Avenue Everett, Washington 98201 USA

1.800.882.7860 FAX 425.303.0836

www.sunprecautions.com

SOURCE CODE:

CUSTOMER CODE:

PRESORTED STANDARD  
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When you order a hat, shirt and pants

APP 040

# SunPrecautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



2003

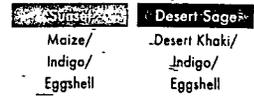
APP 041

## Solombra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K03 \$84.95**



## Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A chest pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL

(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL

(Talls in Solid White, Azure and Stone with Striped Collar only.)

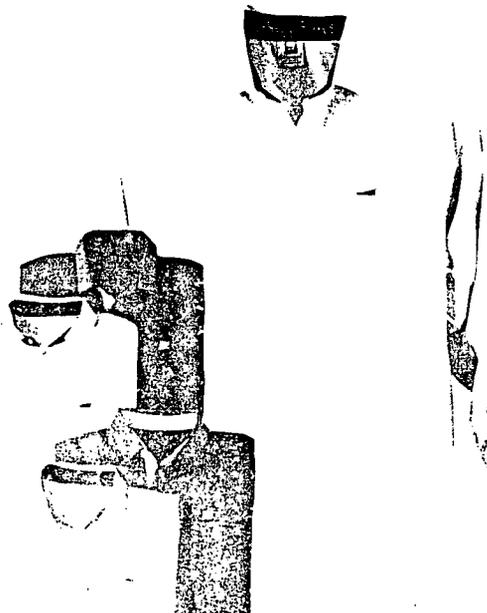
**SOLIDS**

**STYLE #1060A03 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B03 \$74.95**

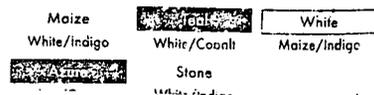


## Classic Polo

It's a classic. Which means no wardrobe is complete without one. Or two. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three-button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K03 \$59.95**



APP 042



Name:

**Peter O'Brien**

Occupation:

**Physical Education  
Teacher**

Wearing:

**Ultimate Polo, Men's  
Active Pants (p.14), and  
Ultra Straw Hat (p.19)**

Comments:

**"I am on sports fields, out  
in the sun, virtually all  
day. With temperatures  
often exceeding 105°,  
I need more than just  
sunscreen. Solombra  
gives me all-day sun  
protection and full range  
of motion—which I  
definitely need as a P.E.  
teacher. Even though I'm  
covered from head to toe,  
I'm still incredibly cool."**

# Solubra protects with flying colors.



Name:  
**Vicki Cruse**

Occupation:  
U.S. Aerobatic Team  
Pilot and Kit Aircraft  
Company President

Wearing:  
Women's Ultimate Polo,  
Women's Tailored Pants,  
and Wide Brim Crusher

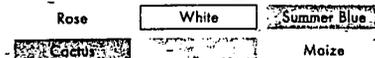
Comments:  
"I'm pretty sure Solubra  
wasn't designed with  
aerobatic pilots in mind,  
but I don't fly without  
it. Sitting in the plane's  
canopy leaves me  
exposed to the sun's  
dangerous UV rays—  
something I especially  
need to be aware of  
given my history with  
skin cancer. And my  
Solubra clothing  
colors match those  
of my airplane, so  
Solubra has become  
my flying uniform."

## Women's Ultimate Polo

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It's a great look tucked in or worn out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14)  
L(16-18) XL(20)

**STYLE #1050K03 \$74.95**



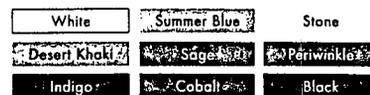
## Wide Brim Crusher

Crush it. Bend it. Roll it. Wear it. This is the sun hat you can take almost anywhere. Made of Solumbra fabric, this lightweight hat with 4" brim, adjustable sweatband and chin strap with plastic cordlock won't lose its shape. Hand wash.

**SIZES** S M L XL 2XL

(2XL in Stone only.) (See hat sizing chart on page 47.)

**STYLE #4720K03 \$47.95**



## Ultimate Crusher

Similar in style and identical in versatility and durability to our popular Wide Brim Crusher, this sun protective wonder made of Solumbra fabric could actually be called the Wider Brim Crusher. It has a generous 5" brim, adjustable sweatband and chin strap. Hand wash.

**SIZES** S M L XL (See hat sizing chart on page 47.)



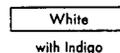
**SOLIDS**

**STYLE #4750A03 \$48.95**



**CONTRASTING UNDERBRIM**

**STYLE #4750B03 \$48.95**



## Women's Tailored Pants

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)

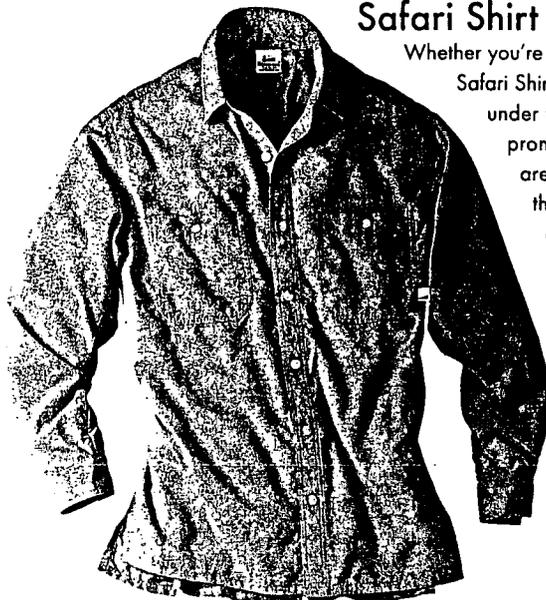
**STYLE #2250K03 \$79.95**



APP 045

## Safari Shirt

Whether you're traveling across the Kalahari or just across town, our Safari Shirt will keep you protected and cool. The mesh panel under the vented back yoke wicks away perspiration and promotes airflow. Wide mesh inserts under the arms are barely visible yet provide superior ventilation. And the loose cuffs, by allowing air to enter, keep you even cooler. With button-front patch pockets and tortoise-style buttons, it's a classic.



### REGULAR SIZES XS S M L XL 2XL 3XL 4XL

(2XL in White, Summer Blue, Stone, Desert Khaki, Sage, Maize and Indigo only. 3XL in White, Summer Blue, Stone, Desert Khaki, Sage and Indigo only. 4XL in White only.)

### PETITE SIZES P/XS P/S P/M P/L

### TALL SIZES T/M T/L T/XL T/2XL

(Talls in White, Summer Blue, Stone, Desert Khaki and Sage only.)

### STYLE #1700K03 \$79.95

|        |       |              |
|--------|-------|--------------|
| Rose   | White | Summer Blue  |
| Cactus | Stone | Desert Khaki |
| Sage   | Maize |              |
| Indigo |       |              |

## Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

### SIZES S M L XL 2XL

(2XL in Desert Khaki with Desert Sage Underbrim only.)

(See hat sizing chart on page 47.)

### SOLIDS

### STYLE #4700A03 \$48.95

|             |              |             |
|-------------|--------------|-------------|
| Summer Blue | Desert Khaki | Desert Sage |
|             | Black        |             |

### CONTRASTING UNDERBRIM ONLY

### STYLE #4700B03 \$48.95

|                      |                    |                      |                                  |
|----------------------|--------------------|----------------------|----------------------------------|
| White<br>with Cobalt | Stone<br>with Sage | Stone<br>with Indigo | Desert Khaki<br>with Desert Sage |
|----------------------|--------------------|----------------------|----------------------------------|

### CONTRASTING HEADBAND AND UNDERBRIM

### STYLE #4700C03 \$48.95

|                      |                       |                         |
|----------------------|-----------------------|-------------------------|
| White<br>with Indigo | White<br>with Admiral | Eggshell<br>with Indigo |
|----------------------|-----------------------|-------------------------|



On the cover: Jamie Rose is wearing the Women's Solombra Jean Jacket (p.30), the Women's Sleeveless Shell (p.35) and the Woven Hat (p.29).

### Visit the Sun Precautions Stores:

Seattle  
4105 East Madison St  
Seattle, WA

San Diego  
7825 Fay Ave, Ste 190  
La Jolla, CA

Los Angeles  
1601 Montana Ave  
Santa Monica, CA

## Sun Precautions®

2815 Wetmore Avenue Everett, Washington 98201 USA

1.800.882.7860 FAX 425.303.0836

www.sunprecautions.com

SOURCE CODE:

CAT03BPIR

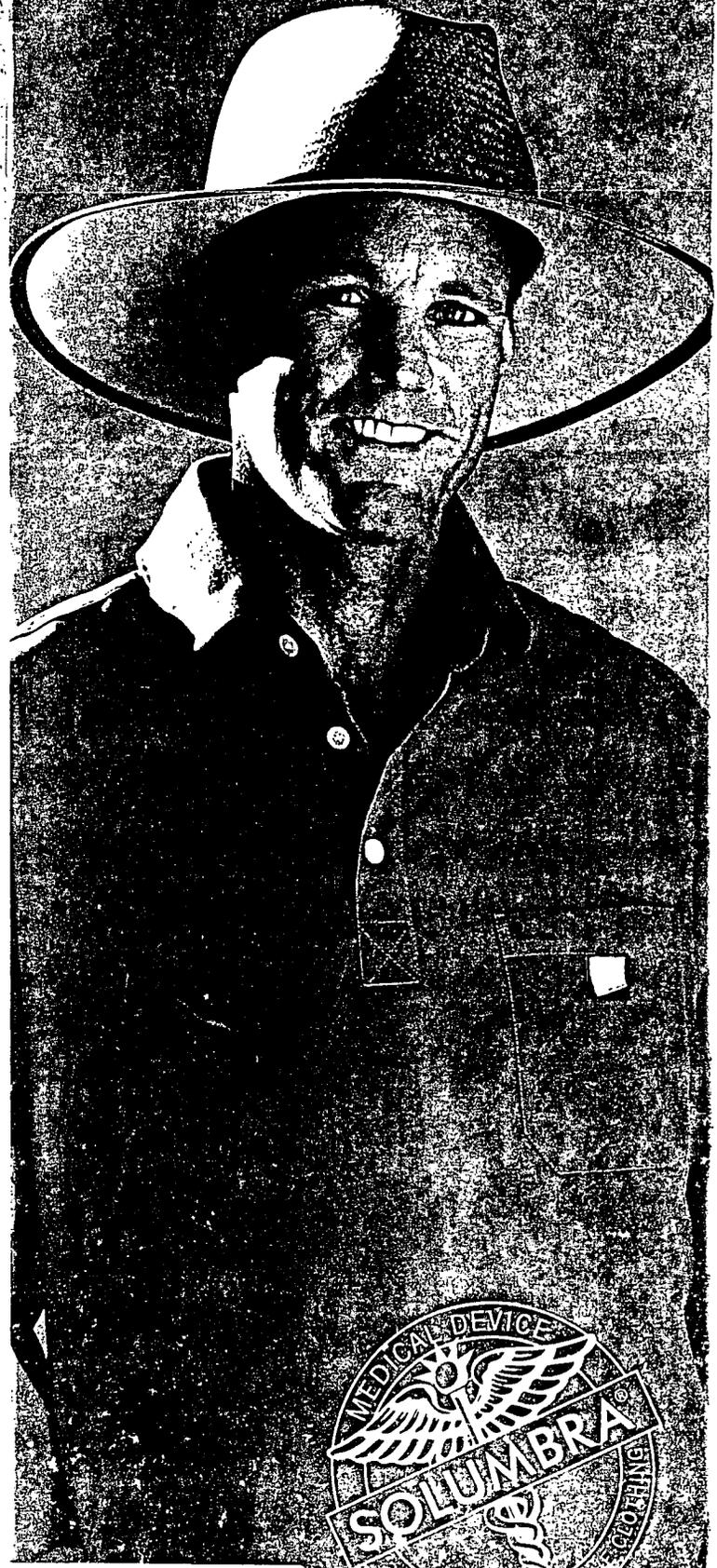
CUSTOMER CODE:

When you order a  
hat, shirt and pants

APP 046

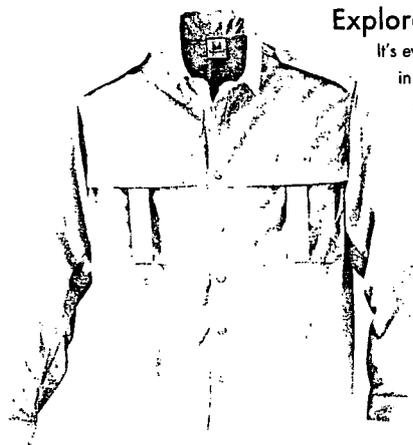
# Sun Precautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 047

2003



### Explorer Shirt

It's everything you've always wanted in a shirt—a casual button-front style with front, back and underarm mesh ventilation. Whether you travel to the ends of the earth, or just to your favorite fly fishing spot, the Explorer Shirt wicks away perspiration and promotes maximum airflow. Not to mention keeps you properly sun protected. And when you're inside you can roll up your sleeves and secure them using the buttoned sleeve tabs. With epaulets, cargo pockets with side bellows, tortoise-style buttons and shirrtail construction, you'll have a fully functional shirt.

**REGULAR SIZES** XS S M L XL 2XL  
**TALL SIZES** T/M T/L T/XL  
**STYLE #1720K03 \$89.95**

White Summer Blue Stone Desert Khaki **Desert Sage**

### Explorer Hat

Made of sturdy cotton duck with two large grommets on each side for ventilation, this rugged, 4" brim hat delivers the medically recommended sun protection today's explorers need. The adjustable double strap secures under the chin and at the back of the neck. The crown has a pocket with a foam insert to save the hat in case of a capsizing. Designed for travel, it packs flat and is easy to hand wash.

**SIZES** S M L XL (See hat sizing chart on page 31.)  
**STYLE #4520K03 \$49.95**

Natural Desert Khaki

**Free Gift**  
 When you order a hat, shirt and pants  
 SAVE UP TO 30%



### Zip Jacket

Sun protection has never been so easy to zip on—or off. And if coolness, comfort and convenience are also at the top of your list, this hip-length, full zipper jacket is the perfect solution. Mesh ventilated front, back and underarm panels let air flow in—and out. Plus, there are two angled front pockets, a secure inside pocket, a collar that turns up to protect your neck, and self-fabric elastic cuffs.

**SIZES** XS S M L XL 2XL  
 (2XL in Stone and Indigo only.)  
**STYLE #1800K03 \$86.95**

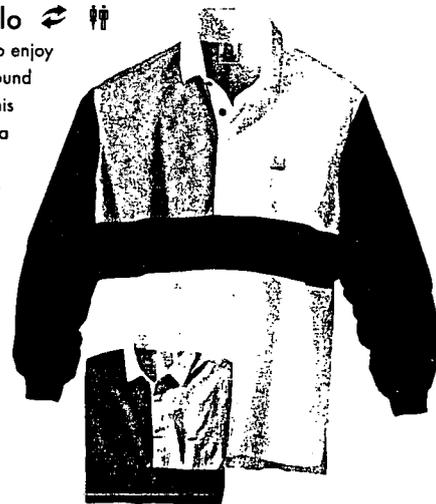
White Stone **Indigo**

### Solumbra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL  
**STYLE #1020K03 \$84.95**

**Indigo** **Desert Sage**  
 Moize/ Indigo/ Eggshell Desert Khaki/ Indigo/ Eggshell



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A chest pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
 (3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
 (Talls in Solid White, Azure and Stone with Striped Collar only.)



**SOLIDS**  
**STYLE #1060A03 \$74.95**

White **Azure** **Teal**

**INDIGO STRIPED COLLARS**  
**STYLE #1060B03 \$74.95**

**Grimson** White Stone  
 Corona

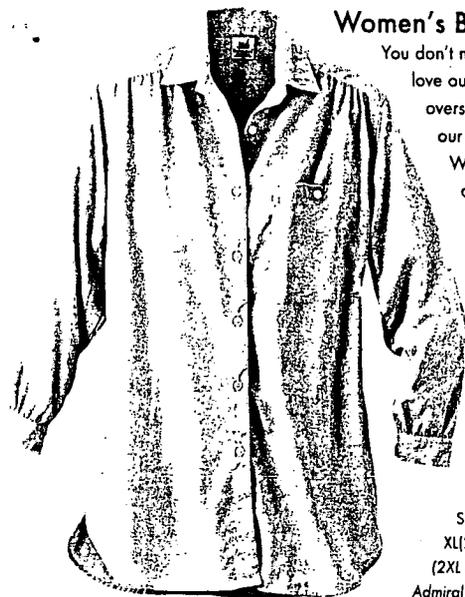
### Men's Tailored Pants

The pants you can't live without, because they give you everything you need—sun protection, comfort and great looks. Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40, 42 and 44 have a 34" inseam. Talls have a 36" inseam.

**REGULAR SIZES** 30 32 34 36 38 40 42 44  
 (Size 30 in Desert Khaki and Indigo only)  
 Size 44 in Desert Khaki only.)  
**TALL SIZES** T/34 T/36 T/38 (Talls in Desert Khaki only.)  
**STYLE #2200K03 \$74.95**

Stone Desert Khaki **Desert Sage**  
**Indigo**





## Women's Big Shirt

You don't need a knack for verse to love our "poet style" Big Shirt. Its oversized design is perfect with our Women's Slim Pants or Women's Active Pants (p.16) or as a cover-up—in the garden or at the beach. Lightweight and roomy, this button-front shirt with button cuffs, chest pocket and underarm mesh is cut generously so there's no need to size up. In fact, it is so big, you may want to size down.

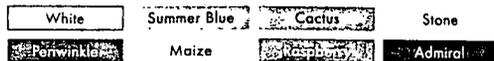
**REGULAR SIZES** XS(4-6) S(8-10) M(12-14) L(16-18) XL(20) 2XL(22)

(2XL in White, Summer Blue and Admiral only.)

**PETITE SIZES** P/XS(4-6) P/S(8-10) P/M(12-14) P/L(16-18) P/XL(20)

(P/L and P/XL in White, Summer Blue and Admiral only.)

**STYLE #1770K03 \$74.95**



## Women's Cotton Sun Hat

To keep your face and neck shielded from the sun, we've made the brim on this hat wider than most—5" wide. Made of our cotton fabric, it comes with a rust-proof brim rod and adjustable interior headband for a custom fit. Spot clean or hand wash with soft brush.

**SIZES** S M L XL

(See hat sizing chart on page 31.)

**STYLE #4600K03 \$48.95**



## Women's Slim Pants

Our Slim Pants look great with everything, are extremely comfortable, and will quickly become a favorite. They are made of our Solumbra four-way stretch fabric. They have a natural fit—not too tight and not too loose. The absence of pockets gives a flattering silhouette. (We recommend that you wash separately.)

**REGULAR SIZES** XXS(2) XS(4-6) S(8-10)

M(12-14) L(16-18) XL(20) 2XL(22)

(XXS and 2XL in Black only.)

**PETITE SIZES** P, XS(4-6) P/S(8-10) P/M(12-14)

P/L(16-18) P/2XL(20)

(Petites in Black only.)

**TALL SIZES** T/XS(4-6) T/S(8-10) T/M(12-14)

T/L(16-18) T/XL(20)

(Talls in Black only.)

**STYLE #2580K03 \$84.95**



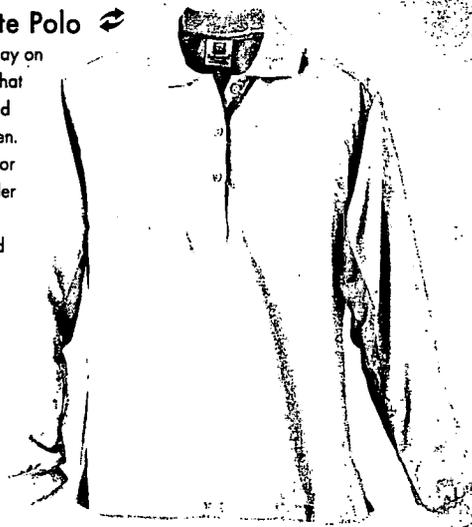
## Women's Ultimate Polo

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It's a great look tucked in or worn out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

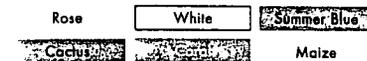
**SIZES** XXS(2) XS(4-6)

S(8-10) M(12-14)

L(16-18) XL(20)



**STYLE #1050K03 \$74.95**



**Free Gift**

When you order a hat, shirt and pants

SEE PAGE 30

## Ultimate Crusher

Similar in style and identical in versatility and durability to our popular Wide Brim Crusher, this sun protective wonder made of Solumbra fabric could actually be called the Wider Brim Crusher. It has a generous 5" brim, adjustable sweatband and chin strap.

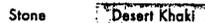
Hand wash.

**SIZES** S M L XL

(See hat sizing chart on page 31.)

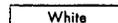
**SOLIDS**

**STYLE #4750A03 \$48.95**



**CONTRASTING UNDERBRIM**

**STYLE #4750B03 \$48.95**



with Indigo

## Women's Tailored Pants

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

| REGULAR | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
|---------|-----|-------|-----|------|------|------|---------|------|
| PETITE  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| WAIST   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| HIPS    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 and Petites in Stone only.)

**STYLE #2250K03 \$79.95**



APP 049



## **THE AMERICAN ACADEMY OF DERMATOLOGY**

has honored Sun Precautions with the First Annual Gold Triangle Award in recognition of our efforts to promote public awareness of skin cancer detection and prevention.

To protect your skin from the sun, The American Academy of Dermatology recommends:

- Wear effective sun protective clothing
- Avoid the sun between 10 a.m. and 4 p.m.
- Wear a hat with a 4-inch brim and sunglasses
- Use a 15 SPF or higher broad-spectrum sunscreen and reapply it regularly
- See your doctor for an annual skin exam

### **SUN PRECAUTIONS HEAD-TO-TOE SPECIAL OFFER**

We'd like to entice you to practice head-to-toe sun protection. With each complete Solumbra outfit you purchase, we'll reward you with your choice of either a sunscreen or a pair of sunglasses. See page 30 for details.

Solumbra clothing by Sun Precautions has been recommended to you as a safe and effective form of sun protection by your medical professional:

**SOURCE CODE:**

**DR03**

**REFERENCE CODE:**

 **Sun Precautions®**  
2815 Wetmore Avenue  
Everett, Washington 98201 USA  
**1.800.882.7860**  
**www.sunprecautions.com**

APP 050

2003

# Sun Precautions®

MEDICAL SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 051

2003

## Solombra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K03 \$84.95**

|                                                                                     |                                                                                     |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|  |  |
| Maize/<br>Indigo/<br>Eggshell                                                       | Desert Khaki/<br>Indigo/<br>Eggshell                                                |



## Ultimate Polo

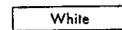
This is no ordinary polo, because its technical features make it cool, sun protective and ideal for active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A chest pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid White, Azure and Stone with Striped Collar only.)

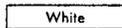
### SOLIDS

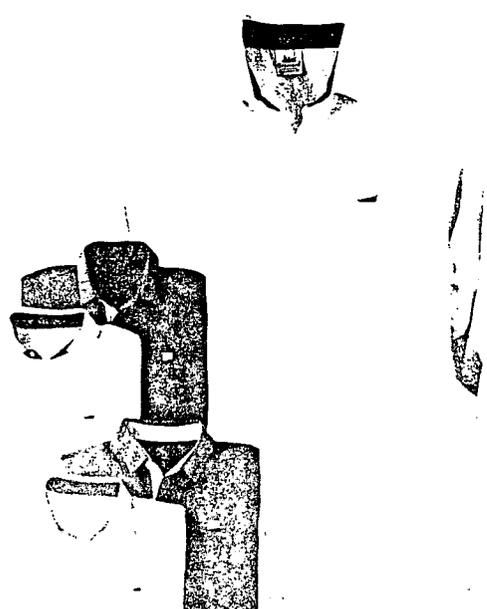
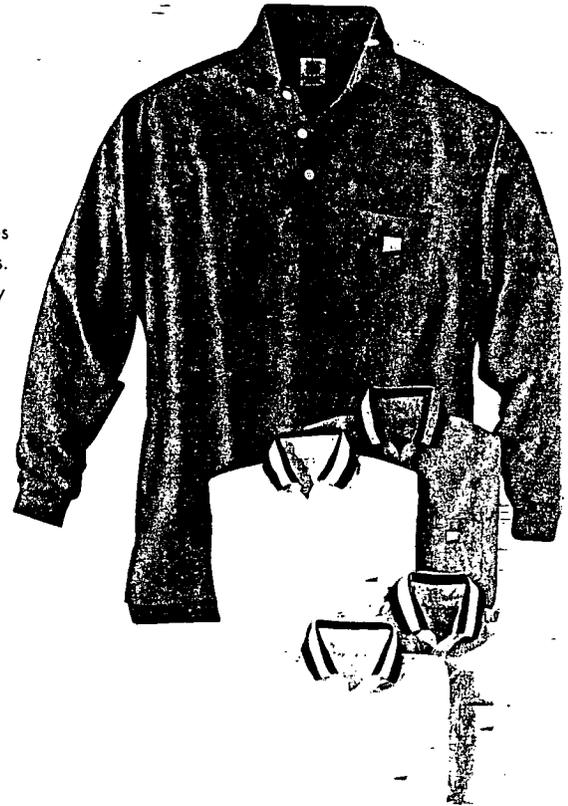
**STYLE #1060A03 \$74.95**

|                                                                                     |                                                                                     |                                                                                     |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|  |  |  |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|

### INDIGO STRIPED COLLARS

**STYLE #1060B03 \$74.95**

|                                                                                     |                                                                                     |                                                                                     |                                                                                     |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|  |  |  |  |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|

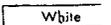


## Classic Polo

It's a classic. Which means no wardrobe is complete without one. Or two. Great for land or sea, the Classic Polo is generously cut and ventilated with mesh under the arms to keep you cool. The contrasting collar and three button placket add to the sporty design and the soft knit cuffs help keep your sleeves down and forearms sun protected.

**SIZES** XS S M L XL

**STYLE #1010K03 \$59.95**

|                                                                                       |                                                                                       |                                                                                       |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  |  |  |
| Maize<br>White/Indigo                                                                 | White/Cobalt                                                                          | White/<br>Maize/Indigo                                                                |
|  |  |                                                                                       |
| White/Corona                                                                          | Stone<br>White/Indigo                                                                 |                                                                                       |

APP 052



Name:

Peter O'Brien

Occupation:

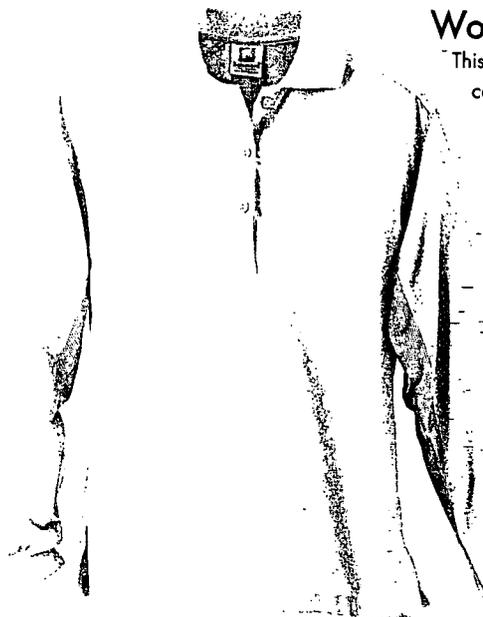
Physical Education  
Teacher

Wearing:

Ultimate Polo, Men's  
Active Pants (p. 14), and  
Ultima Straw Hat (p. 19)

Comments:

"I am on sports fields, out  
in the sun, virtually all  
day. With temperatures  
often exceeding 105°,  
I need more than just  
sunscreen. Solumbra  
gives me all-day sun  
protection and full range  
orientation—which I  
definitely need as a P.E.  
teacher. Even though I'm  
covered from head to toe,  
I'm still incredibly cool!"

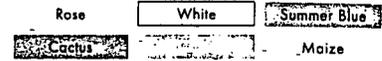


## Women's Ultimate Polo

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It's a great look tucked in or worn out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K03 \$74.95**



## Wide Brim Crusher

Crush it. Bend it. Roll it. Wear it. This is the sun hat you can take almost anywhere. Made of Solumbra fabric, this lightweight hat with 4" brim, adjustable sweatband and chin strap with plastic cordlock won't lose its shape. Hand wash.

**SIZES** S M L XL 2XL  
(2XL in Stone only.) (See hat sizing chart on page 47.)

**STYLE #4720K03 \$47.95**



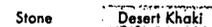
## Ultimate Crusher

Similar in style and identical in versatility and durability to our popular Wide Brim Crusher, this sun protective wonder made of Solumbra fabric could actually be called the Wider Brim Crusher. It has a generous 5" brim, adjustable sweatband and chin strap. Hand wash.

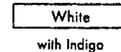
**SIZES** S M L XL (See hat sizing chart on page 47.)



**SOLIDS**  
**STYLE #4750A03 \$48.95**



**CONTRASTING UNDERBRIM**  
**STYLE #4750B03 \$48.95**



## Women's Tailored Pants

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  | -   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only.)  
**STYLE #2250K03 \$79.95**



APP 054

Solubra protects with flying colors.

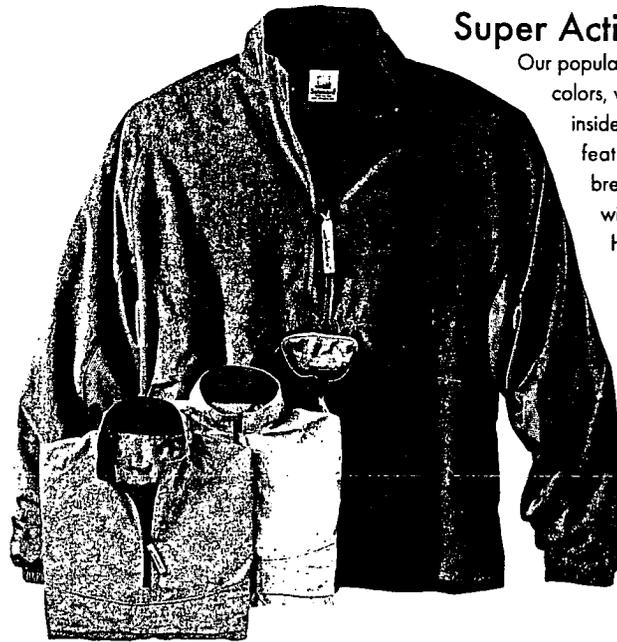


Name:  
**Vicki Cruse**

Occupation:  
U.S. Aerobatic Team  
Pilot and Kit Aircraft  
Company President

Wearing:  
Women's Ultimate Polo,  
Women's Tailored Pants,  
and Wide Brim Crusher

Comments:  
"I'm pretty sure Solubra  
wasn't designed with  
aerobatic pilots in mind,  
but I don't fly without  
it. Sitting in the plane's  
canopy leaves me  
exposed to the sun's  
dangerous UV rays—  
something I especially  
need to be aware of  
given my history with  
skin cancer. And my  
Solubra clothing  
colors match those  
of my airplane, so  
Solubra has become  
my flying uniform."



## Super Active Shirt

Our popular Super Active Shirt is available in four additional colors, with contrasting color accents at the gusset and inside collar. This shirt has all the maximum ventilation features you've come to appreciate, including breathable vents on the front and back and extra-wide mesh panels under the arms. There's even a hidden zipper pocket under the front vent ideal for basic necessities. Please order a size up for broad shoulders. (See page 13 for solid color options.)

**SIZES** XS S M L XL 2XL

**STYLE #1500B03 \$79.95**

|                                    |                                   |
|------------------------------------|-----------------------------------|
| <b>Periwinkle</b><br>with Indigo   | <b>Grimsby</b><br>with Indigo     |
| <b>Desert Khaki</b><br>with Indigo | <b>Black</b><br>with Desert Khaki |

## Solombra Sun Hat

There's no better way to face the sun than with our Sun Hat made of Solombra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL

(2XL in Desert Khaki with Desert Sage Underbrim only.)  
(See hat sizing chart on page 47.)

### SOLIDS

**STYLE #4700A03 \$48.95**

|                   |              |             |
|-------------------|--------------|-------------|
| Summer Blue       | Desert Khaki | Desert Sage |
| <b>Periwinkle</b> | <b>Black</b> |             |

### CONTRASTING UNDERBRIM ONLY

**STYLE #4700B03 \$48.95**

|                      |                    |                      |                                  |
|----------------------|--------------------|----------------------|----------------------------------|
| White<br>with Cobalt | Stone<br>with Sage | Stone<br>with Indigo | Desert Khaki<br>with Desert Sage |
|----------------------|--------------------|----------------------|----------------------------------|

### CONTRASTING HEADBAND AND UNDERBRIM

**STYLE #4700C03 \$48.95**

|                      |                       |                         |
|----------------------|-----------------------|-------------------------|
| White<br>with Indigo | White<br>with Admiral | Eggshell<br>with Indigo |
|----------------------|-----------------------|-------------------------|

On the cover: Peter O'Brien is wearing the Ultimate Polo (p.20) and the Ultra Straw Hat (p.19).

Visit the Sun Precautions Stores:

Seattle  
4105 East Madison St  
Seattle, WA

San Diego  
7825 Fay Ave, Ste 190  
La Jolla, CA

Los Angeles  
1601 Montana Ave  
Santa Monica, CA

## Sun Precautions

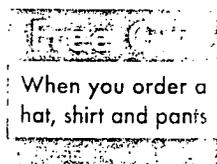
2815 Wetmore Avenue Everett, Washington 98201 USA

1.800.882.7860 FAX 425.303.0836

www.sunprecautions.com

SOURCE CODE:

CUSTOMER CODE:



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PAID  
SUN PRECAUTIONS, INC.

APP 056

2002

# Precautions



2002

APP 057



**ULTIMATE POLO**  

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid-White and Stone with Striped Collar only.)

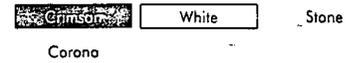
**SOLIDS**

**STYLE #1060A02 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B02 \$74.95**



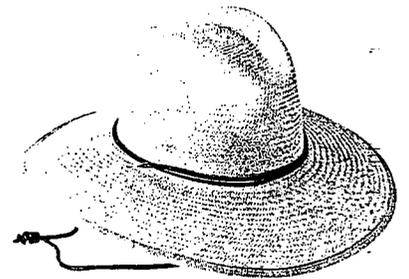
**ULTRA STRAW HAT** 

A great Solumbra hat, pure and simple. A "Panama" straw hat with Solumbra fabric under the 4" brim and crown, it shields your face and neck from the sun's burning rays. With an elasticized sweatband and leather chin cord, it fits great, too. *Not intended to get wet.*

**SIZES** S-M(21"-22½") M-L(22½"-23½") L-XL(23"-24½")

**STYLE #4790K02 \$54.95**

Mocha

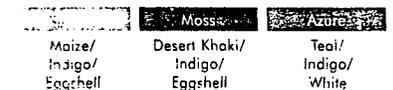


**SOLUMBRA RUGBY POLO**  

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K02 \$84.95**



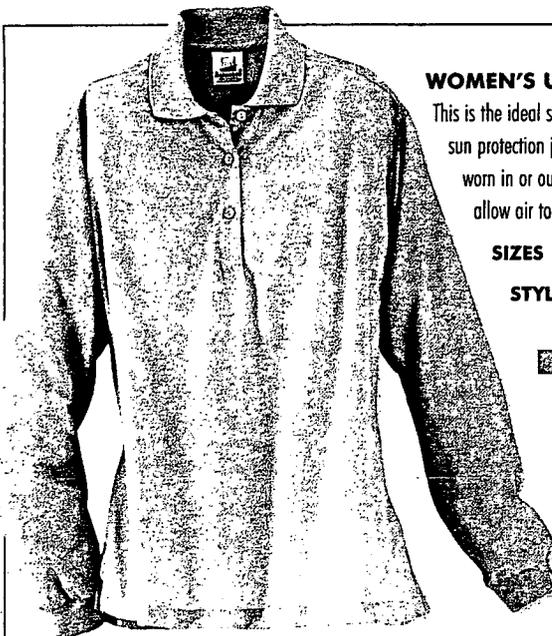
APP 058

Ken is wearing the Ultimate Polo,  
the Men's Tailored Pants (p.17),  
and the Ultra Straw Hat.

"I recommend  
Solubra  
because it  
just makes  
good sense."

"I'm a dermatologist with  
experience in flying. I'm also  
concerned about sun protection,  
which is why I recommend sun  
protective clothing to my  
patients. Solubra is based on  
good science and offers 97%  
protection against both UVA  
and UVB, more than what  
a typical 30 SPF sunscreen  
blocks. Plus, Solubra is all-  
day 30+ SPF protection. It  
makes a lot more sense than  
a sunscreen alone. Solubra  
is great sun protection."

*Ken*



**WOMEN'S ULTIMATE POLO**

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It features a new slimmer cut and a length that looks great worn in or out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K02 \$74.95**

- Rose
- White
- Summer Blue
- Cactus
- Maize

**WOMEN'S WIDE BRIM VISOR WITH DRAPE**

This is a must for an active afternoon outdoors. It features an oversized 4" brim and an adjustable back strap for a custom fit. A permanent drape provides maximum sun protection for ears and back of neck. Hand wash.

**SIZES** S M L

(See hat sizing chart on page 47.)

**STYLE #4850K02 \$48.95**

- White
- Stone
- Indigo



**FREE GIFT**  
When you order a hat, shirt and pants!  
(See page 46)



**WOMEN'S TAILORED PANTS**

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |   |       |     |      |      |      |         |      |     |
|----------------|---|-------|-----|------|------|------|---------|------|-----|
| <b>REGULAR</b> | 2 | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |     |
| <b>PETITE</b>  |   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |     |
| <b>WAIST</b>   |   | 23"   | 25" | 27"  | 28"  | 29"  | 31"     | 34"  | 37" |
| <b>HIPS</b>    |   | 35"   | 37" | 39"  | 40"  | 41"  | 43"     | 46"  | 49" |

(Size 2 in Stone only. Size 20 and Petites in Stone, Desert Khaki and Indigo only.)

**STYLE #2250K02 \$74.95**

- Stone
- Moss
- Desert Khaki
- Indigo
- Black

APP 060

**SAFARI SHIRT**  



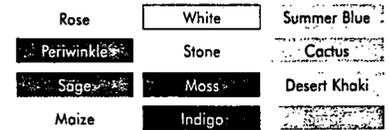
Whether you're traveling across the Kalahari or just across town, our Safari Shirt will keep you protected and cool. The mesh panel under the vented back yoke wicks away perspiration and promotes airflow. Wide mesh inserts under the arms are barely visible yet provide superior ventilation. And the loose cuffs, by allowing air to enter, keep you even cooler. With button-front patch pockets and tortoise-style buttons, it's a classic.

**REGULAR SIZES** XS S M L XL 2XL 3XL 4XL  
 (2XL in White, Summer Blue, Stone, Sage, Moss, Desert Khaki, Maize and Indigo only. 3XL in White, Summer Blue, Stone, Sage and Desert Khaki only. 4XL in White only.)

**PETITE SIZES** P/XS P/S P/M P/L

**TALL SIZES** T/M T/L T/XL T/2XL  
 (Talls in White, Summer Blue, Stone, Sage and Desert Khaki only.)

**STYLE #1700K02 \$79.95**



**SOLUMBRA SUN HAT**  

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL  
 (2XL in Desert Khaki with Moss Underbrim only.)  
 (See hat sizing chart on page 47.)

**SOLIDS**

**STYLE #4700A02 \$47.95**



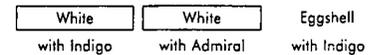
**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B02 \$47.95**



**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C02 \$47.95**



*On the cover: Gary Roberts, the father, is wearing the Explorer Shirt (p. 16), the Cargo Pants (p. 14) and the Ultra Sun Hat (p. 14). Nathan, his son, is wearing the Kid's Super Active Shirt (p. 40), the Kid's Pants (p. 40) and the Kid's Wide Brim Hat (p. 41).*

Visit the Sun Precautions Stores:

|                                                       |                                                           |                                                            |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
| <b>Seattle</b><br>4105 East Madison St<br>Seattle, WA | <b>San Diego</b><br>7825 Fay Ave, Ste 190<br>La Jolla, CA | <b>Los Angeles</b><br>1601 Montana Ave<br>Santa Monica, CA |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|

**Sun Precautions**  
 2815 Wetmore Avenue Everett, Washington 98201 USA  
 1.800.882.7860 FAX 425.303.0836  
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When you order a hat, shirt and pants!  
 (See page 46)

# Sun Precautions®

SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 062

2002



**ULTIMATE POLO** ↔ ♀♂

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid White and Stone with Striped Collar only.)

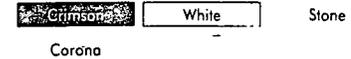
**SOLIDS**

**STYLE #1060A02 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B02 \$74.95**



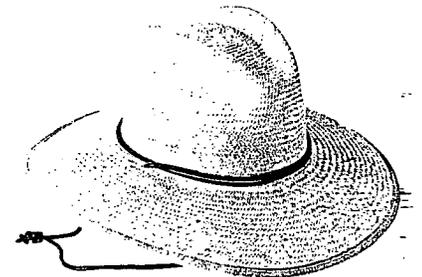
**ULTRA STRAW HAT** ♀♂

A great Solombra hat, pure and simple. A "Panama" straw hat with Solombra fabric under the 4" brim and crown, it shields your face and neck from the sun's burning rays. With an elasticized sweatband and leather chin cord, it fits great, too. *Not intended to get wet.*

**SIZES** S-M(21"-22½") M-L(22¼"-23½") L-XL(23"-24½")

**STYLE #4790K02 \$54.95**

Mocha



**SOLUMBRA RUGBY POLO** ↔ ♀♂

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K02 \$84.95**

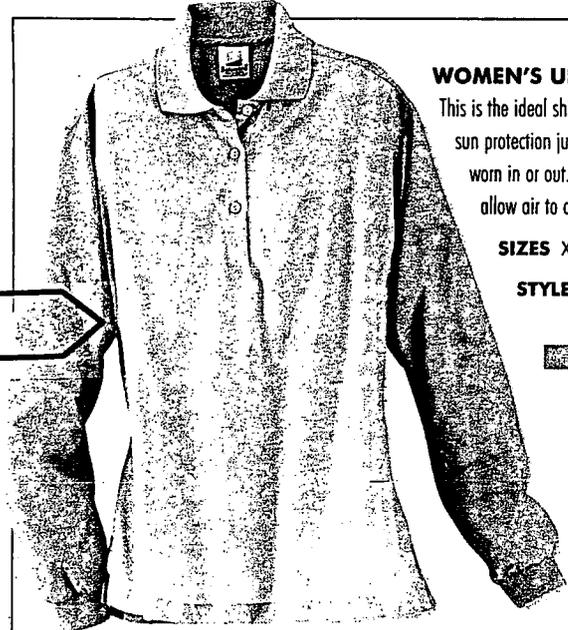


Ken is wearing the Ultimate Polo,  
the Men's Tailored Pants (p.17),  
and the Ultra Straw Hat.

I recommend  
Solumbra  
because it  
just makes  
good sense."

"I'm a dermatologist with  
a passion for flying. I'm also  
concerned about sun protection,  
which is why I recommend sun  
protective clothing to my  
patients. Solumbra is based on  
good science and offers 97%  
protection against both UVA  
and UVB, more than what  
a typical 30 SPF sunscreen  
blocks. Plus, Solumbra is all  
day 30+ SPF protection. It  
makes for a nice sense of  
sunscreen alone. Solumbra  
is great sun protection."

*Ken*  
Dr. Ken C.  
San Diego, CA



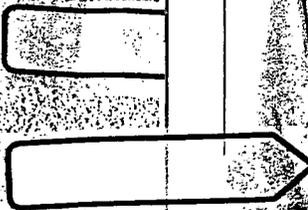
**WOMEN'S ULTIMATE POLO** ↔

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It features a new slimmer cut and a length that looks great worn in or out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K02 \$74.95**

- Rose  White  Summer Blue
- Cactus  Maize



**WOMEN'S WIDE BRIM VISOR WITH DRAPE**

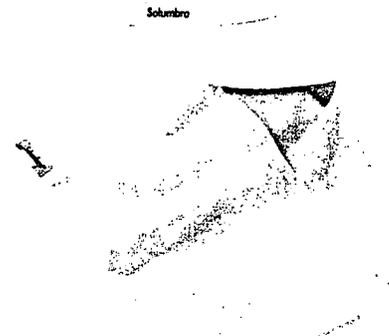
This is a must for an active afternoon outdoors. It features an oversized 4" brim and an adjustable back strap for a custom fit. A permanent drape provides maximum sun protection for ears and back of neck. Hand wash.

**SIZES** S M L

(See hat sizing chart on page 47.)

**STYLE #4850K02 \$48.95**

- White  Stone  Indigo



**FREE GIFT**  
When you order a hat, shirt and pants!  
(See page 46)



**WOMEN'S TAILORED PANTS**

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|                |     |       |     |      |      |      |         |      |
|----------------|-----|-------|-----|------|------|------|---------|------|
| <b>REGULAR</b> | 2   | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |
| <b>PETITE</b>  |     | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |
| <b>WAIST</b>   | 23" | 25"   | 27" | 28"  | 29"  | 31"  | 34"     | 37"  |
| <b>HIPS</b>    | 35" | 37"   | 39" | 40"  | 41"  | 43"  | 46"     | 49"  |

(Size 2 in Stone only. Size 20 and Petites in Stone, Desert Khaki and Indigo only.)

**STYLE #2250K02 \$74.95**

- Stone  Moss  Desert Khaki
- Indigo  Black

**SAFARI SHIRT** 

Whether you're traveling across the Kalahari or just across town, our Safari Shirt will keep you protected and cool. The mesh panel under the vented back yoke wicks away perspiration and promotes airflow. Wide mesh inserts under the arms are barely visible yet provide superior ventilation. And the loose cuffs, by allowing air to enter, keep you even cooler. With button-front patch pockets and tortoise-style buttons, it's a classic.

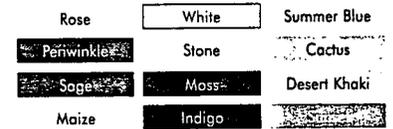


**REGULAR SIZES** XS S M L XL 2XL 3XL 4XL  
(2XL in White, Summer Blue, Stone, Sage, Moss, Desert Khaki, Maize and Indigo only. 3XL in White, Summer Blue, Stone, Sage and Desert Khaki only. 4XL in White only.)

**PETITE SIZES** P/XS P/S P/M P/L

**TALL SIZES** T/M T/L T/XL T/2XL  
(Talls in White, Summer Blue, Stone, Sage and Desert Khaki only.)

**STYLE #1700K02 \$79.95**



**SOLUMBRA SUN HAT** 

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash.

**SIZES** S M L XL 2XL  
(2XL in Desert Khaki with Moss Underbrim only.)  
(See hat sizing chart on page 47.)

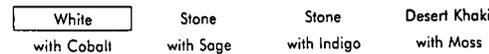
**SOLIDS**

**STYLE #4700A02 \$47.95**



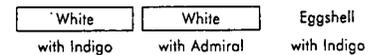
**CONTRASTING UNDERBRIM ONLY**

**STYLE #4700B02 \$47.95**



**CONTRASTING HEADBAND AND UNDERBRIM**

**STYLE #4700C02 \$47.95**



On the cover: Mary Yollin is wearing the Women's Slim Blouse (p. 26), the Women's Side Zip Pants (p. 28) and the Woven Hat (p. 26).

Visit the Sun Precautions Stores:

|                                                       |                                                           |                                                            |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
| <b>Seattle</b><br>4105 East Madison St<br>Seattle, WA | <b>San Diego</b><br>7825 Fay Ave, Ste 190<br>La Jolla, CA | <b>Los Angeles</b><br>1601 Montana Ave<br>Santa Monica, CA |
|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|

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www.sunprecautions.com

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(See page 46)

# SunPrecautions®

SOLUTIONS FOR SUN SENSITIVE AND SUN SENSIBLE PEOPLE



APP 067





**ULTIMATE POLO**  

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

**REGULAR SIZES** S M L XL 2XL 3XL  
(3XL in Solid White, Azure, Teal and Stone with Striped Collar only.)

**TALL SIZES** T/M T/L T/XL  
(Talls in Solid White and Stone with Striped Collar only.)

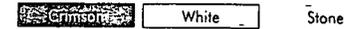
**SOLIDS**

**STYLE #1060A02 \$74.95**



**INDIGO STRIPED COLLARS**

**STYLE #1060B02 \$74.95**



Corona

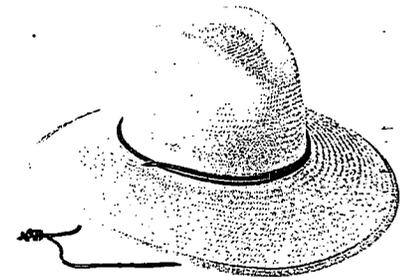
**ULTRA STRAW HAT**  

A great Solumbra hat, pure and simple. A "Panama" straw hat with Solumbra fabric under the 4" brim and crown, it shields your face and neck from the sun's burning rays. With an elasticized sweatband and leather chin cord, it fits great, too. *Not intended to get wet.*

**SIZES** S-M(21"-22½") M-L(22½"-23½") L-XL(23"-24½")

**STYLE #4790K02 \$54.95**

Mocha

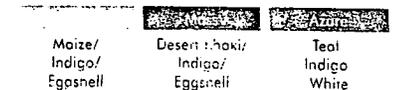


**SOLUMBRA RUGBY POLO**  

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**SIZES** S M L XL 2XL

**STYLE #1020K02 \$84.95**

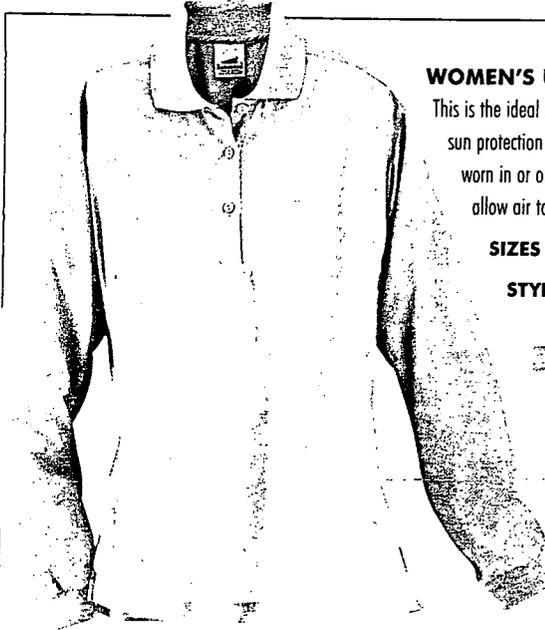


Ken is wearing the Ultimate Polo,  
the Men's Tailored Pants (p.17),  
and the Ultra Straw Hat.

"I recommend  
Solombra  
because it  
just makes  
good sense."

"I'm a dermatologist with  
a passion for flying. I'm also  
a fan of Solombra about sun protection,  
which is why I recommend sun  
protective clothing to my  
patients. Solombra is based on  
good science and offers 97%  
protection against both UVA  
and UVB, more than what  
a typical 30 SPF sunscreen  
blocks. Plus, Solombra is all-  
day 30+ SPF protection. It  
is available in more sizes than  
any other brand. Solombra  
is great sun protection."

*Ken*



**WOMEN'S ULTIMATE POLO**

This is the ideal shirt for a day on the links or any occasion that calls for style, comfort and sun protection just for women. It features a new slimmer cut and a length that looks great worn in or out. Mesh panels under the arms and back yoke wick away perspiration and allow air to circulate. Soft knit collar and cuffs bring added comfort.

**SIZES** XXS(2) XS(4-6) S(8-10) M(12-14) L(16-18) XL(20)

**STYLE #1050K02 \$74.95**

- Rose
- White
- Summer Blue
- Caclus
- Maize

**WOMEN'S WIDE BRIM VISOR WITH DRAPE**

This is a must for an active afternoon outdoors. It features an oversized 4" brim and an adjustable back strap for a custom fit. A permanent drape provides maximum sun protection for ears and back of neck. Hand wash.

**SIZES** S M L

(See hat sizing chart on page 47.)

**STYLE #4850K02 \$48.95**

- White
- Stone
- Indigo

Solombra



**FREE GIFT**  
 When you order a hat, shirt and pants!  
 (See page 46)



**WOMEN'S TAILORED PANTS**

These lightweight, tailored pants are both flattering and fashionable on a woman's figure. Not to mention sun protective. With a pleated front, zippered fly, front side pockets and a rear welt pocket, you'll be well dressed for any occasion. And with elastic at the sides, the fit will be perfect, too. Compare your waist and hip measurements to the chart below to determine your appropriate size.

|                |   |       |     |      |      |      |         |      |     |
|----------------|---|-------|-----|------|------|------|---------|------|-----|
| <b>REGULAR</b> | 2 | 4-6   | 8   | 10   | 12   | 14   | 16-18   | 20   |     |
| <b>PETITE</b>  |   | P/4-6 | P/8 | P/10 | P/12 | P/14 | P/16-18 | P/20 |     |
| <b>WAIST</b>   |   | 23"   | 25" | 27"  | 28"  | 29"  | 31"     | 34"  | 37" |
| <b>HIPS</b>    |   | 35"   | 37" | 39"  | 40"  | 41"  | 43"     | 46"  | 49" |

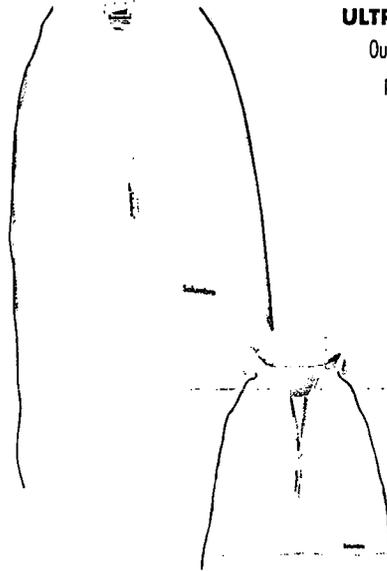
(Size 2 in Stone only. Size 20 and Petites in Stone, Desert Khaki and Indigo only.)

**STYLE #2250K02 \$74.95**

- Stone
- Moss
- Desert Khaki
- Indigo
- Black

## ULTRA ATHLETE SHIRT

Our new, most ventilated shirt is engineered for serious sport and is a sun protection necessity in peak summer sun and activity. This high-tech design features a flow-through ventilation system that includes underarm and concealed front and back mesh panels. The *coup de grace* is a pair of concealed ventilation panels that start at each shoulder and run down to the waist; they scoop the air as you move and exhaust it out panels in the back. The cropped length adds to its coolness and provides free movement. And its zip front closure with gusset and high collar in back provide additional sun protection. It's as cool as you can get on a sultry, summer day short of strapping on air conditioner to your chest.



**SIZES** XS S M L XL 2XL

**STYLE #1530K02 \$89.95**

White  
with Indigo

Stone  
with Indigo

## ADULT SHADE CAP WITH NECK DRAPE

This distinctive legionnaire style cap made of Solumbra fabric features a generous 4" bill and absorbent sweatband. The 7" removable drape also provides excellent protection for your neck and ears. And the chin strap can be threaded through the drape's side loops to secure it.

**SIZES** REG(21"-24") XL(23"-25")

*(XL in White and Stone only.)*

**STYLE #4800K02 \$36.95**

### SOLIDS

Indigo  Cobalt  Admiral

### CONTRASTING DARK UNDERBILL

White  Stone  Desert Khaki



*On the cover: Anne Langstaff is wearing the Ultra Athlete Shirt, the Ventilated Sport Pants and the Adult Shade Cap with Neck Drape (all on p. 10).*

### Visit the Sun Precautions Stores:

**Seattle**  
4105 East Madison St  
Seattle, WA

**San Diego**  
7825 Fay Ave, Ste 190  
La Jolla, CA

**Los Angeles**  
1601 Montana Ave  
Santa Monica, CA

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(See page 46)

APP 071

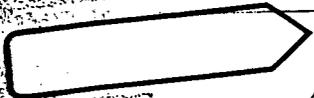
2001

# Sun Protection



APP 072

2001



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

**Regular Sizes** XS S M L XL 2XL 3XL

*(XS in Solids only. 3XL in Solid White, Periwinkle, Azure, Teal and Stone with Striped Collar only.)*

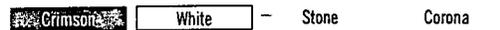
**Tall Sizes** T/M T/L T/XL *(Talls in Solid White and Stone with Striped Collar only.)*

**Style #1060K01 \$74.95**

#### Solids



#### Indigo Striped Collars

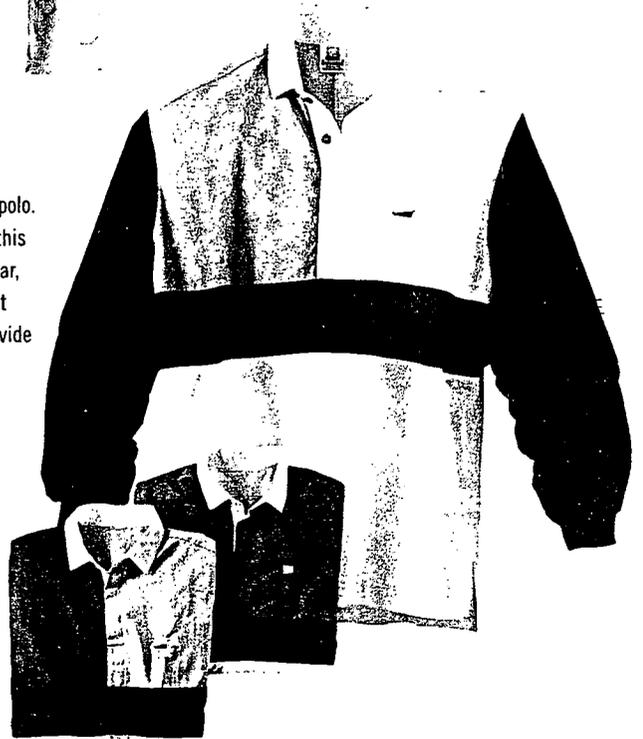
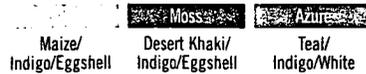


### Solumbra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**Sizes** S M L XL 2XL

**Style #1020K01 \$84.95**



### Men's Tailored Pants

The pants you can't live without, because they give you every thing you need—sun protection, comfort and great looks. Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. *Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40 and 42 have a 34" inseam. Talls have a 36" inseam. Belt not included.*  
**Regular Sizes** 30 32 34 36 38 40 42 44 *(Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)*  
**Tall Sizes** T/34 T/36 T/38 *(Talls in Desert Khaki only.)*  
**Style #2200K01 \$74.95**



**ED AND ELLIE MATTHEWS**  
Software Company Executive  
Winchester, Virginia

**Why do you wear Solumbra?** My wife is a doctor and she strongly encourages wearing Solumbra for extra sun protection. It makes sense to me, too, given that there is a history of malignant melanoma in my family.

**What do you like best about Solumbra?**

All of us—my wife, our two kids and I—wear Solumbra. It allows all of us to be outdoors while still being sun safe.

**Have you worn Solumbra in any unusual circumstances?** Except for wearing it in Death Valley, I mostly wear it when I do yard work.

Ed is wearing the *Ultimate Polo, Men's Tailored Shorts* and *Solumbra Sun Hat* (p.13).

Ellie is wearing the *Kid's Super Active Shirt* (p.41), *Kid's Pants* (p.41) and *Kid's Wide Brim Hat* (p.19).

**Safari Shirt** 

Whether you're traveling across the Kalahari or just across town, our Safari Shirt will keep you protected and cool. The mesh panel under the vented back yoke wicks away perspiration and promotes airflow. Wide mesh inserts under the arms are barely visible yet provide superior ventilation. And the loose cuffs, by allowing air to enter, keep you even cooler. With button-front patch pockets and tortoise-style buttons, it's a classic.

**Regular Sizes** XS S M L XL 2XL 3XL 4XL  
 (2XL in White, Summer Blue, Stone, Sage, Moss, Desert Khaki, Maize and Indigo only. 3XL in White, Summer Blue, Stone, Sage and Desert Khaki only. 4XL in White only.)

**Petite Sizes** P/XS P/S P/M P/L

**Tall Sizes** T/M T/L T/XL T/2XL (Talls in White, Summer Blue, Stone, Sage and Desert Khaki only.)

**Style #1700K01 \$79.95**

|              |        |             |            |
|--------------|--------|-------------|------------|
| Rose         | White  | Summer Blue | Periwinkle |
| Stone        | Cactus | Sage        | Moss       |
| Desert Khaki | Maize  | Indigo      |            |



**Solumbra Sun Hat** 

There's no better way to face the sun than with our Sun Hat made of Solumbra fabric. Its 4" brim, rust-proof brim rod, absorbent and adjustable sweatband, and chin strap with plastic cordlock guarantee you'll be sun smart. Packs flat. Hand wash. See page 24 for an example of color options.

**Sizes** S M L XL 2XL (2XL in Desert Khaki with Moss Underbrim only.) (See hat sizing chart on page 47.)

**Style #4700K01 \$47.95**

|                                           |                    |                      |                        |
|-------------------------------------------|--------------------|----------------------|------------------------|
| <b>Solids</b>                             |                    |                      |                        |
| Summer Blue                               | Periwinkle         | Moss                 | Desert Khaki           |
| Cobalt                                    | Admiral            | Black                |                        |
| <b>Contrasting Underbrim Only</b>         |                    |                      |                        |
| White with Cobalt                         | Stone with Sage    | Stone with Indigo    | Desert Khaki with Moss |
| <b>Contrasting Headband and Underbrim</b> |                    |                      |                        |
| White with Indigo                         | White with Admiral | Eggshell with Indigo | Eggshell with Black    |

**FREE SHIRT**  
 When you order a hat, shirt and pants!  
 (See page 45)

On the cover:

Shannon Tubman is wearing the Women's Solumbra Cardigan (p.31), Women's Side Zip Pants (p.24) and Woven Hat (p.26).

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APP 075

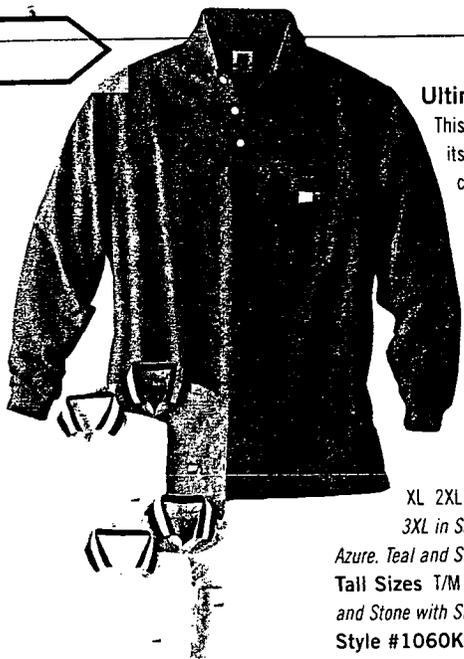
# Sun Precautions®

Solutions for Sun Sensitive and Sun Sensible People



APP 076

2001



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

Regular Sizes XS S M L

XL 2XL 3XL (XS in Solids only.

3XL in Solid White, Periwinkle,

Azure, Teal and Stone with Striped Collar only.)

Tall Sizes T/M T/L T/XL (Talls in Solid White and Stone with Striped Collar only.)

Style #1060K01 \$74.95

#### Solids



#### Indigo Striped Collars

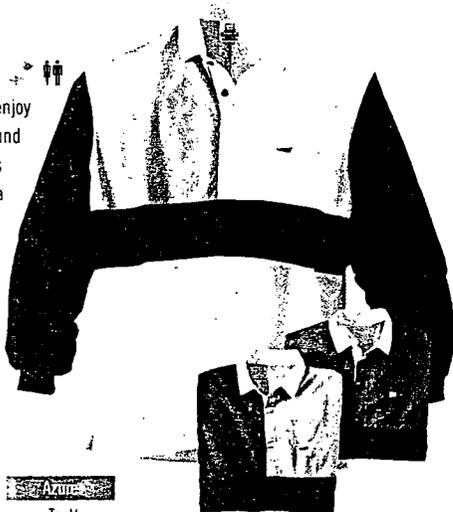


### Solumbra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

Sizes S M L XL 2XL

Style #1020K01 \$84.95



Maize/  
Indigo/Eggshell

Desert Khaki/  
Indigo/Eggshell

Teal/  
Indigo/White

### Men's Tailored Pants

The pants you can't live without, because they give you everything you need—sun protection, comfort and great looks. Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40 and 42 have a 34" inseam. Talls have a 36" inseam. Belt not included.

Regular Sizes 30 32 34 36 38 40 42 44 (Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)

Tall Sizes T/34 T/36 T/38

(Talls in Desert Khaki only.)

Style #2200K01 \$74.95



Stone



Desert Khaki

### ED AND ELLIE MATTHEWS

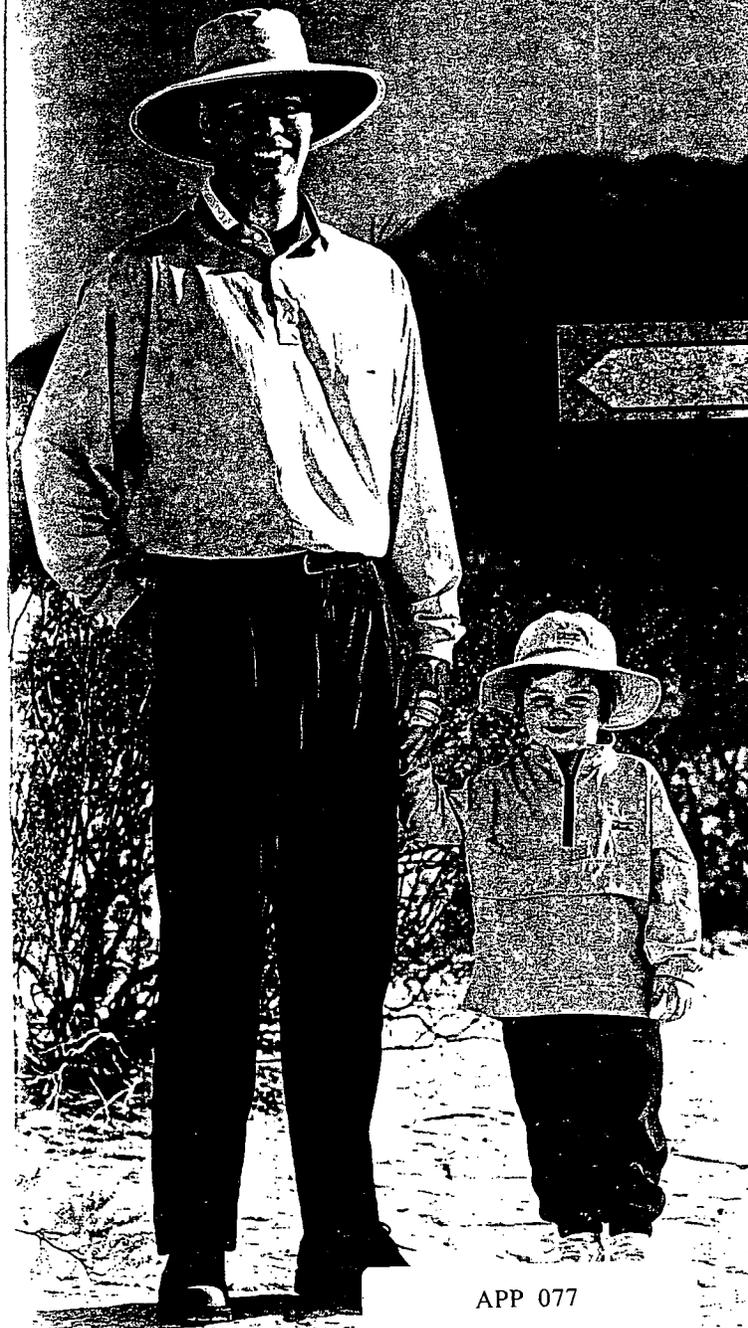
Software Company Executive  
Winchester, Virginia

**Do you wear Solumbra?** My wife is a doctor and she really encourages wearing Solumbra products for sun protection. It makes sense to me, too, given that there is a history of malignant melanoma in my family.

**What do you like best about Solumbra?** All of us—my wife, our two kids and I—wear Solumbra. It allows all of us to be outdoors while still being sun safe.

**Have you worn Solumbra in any unusual circumstances?**

Except for wearing it in Death Valley, I mostly wear it when I do yard work.



APP 077

Ed is wearing the Ultimate Polo, Men's Tailored Pants and Solumbra Sun Hat (p.13). Ellie is wearing the Kid's Super Active Shirt (p.41), Kid's Pants (p.41) and Kid's Wide Brim Hat (p.40).



### THE AMERICAN ACADEMY OF DERMATOLOGY

has honored Sun Precautions with the First Annual Gold Triangle Award in recognition of our efforts to promote public awareness of skin cancer detection and prevention.

To protect your skin from the sun, The American Academy of Dermatology recommends:

- Wear effective sun protective clothing
- Avoid the sun between 10 a.m. and 4 p.m.
- Wear a hat with a 4-inch brim and sunglasses
- Use a 15 SPF or higher broad-spectrum sunscreen and reapply it regularly
- See your doctor for an annual skin exam

### SUN PRECAUTIONS HEAD-TO-TOE SPECIAL OFFER

We'd like to entice you to practice head-to-toe sun protection. With each complete Solumbra outfit you purchase, we'll reward you with your choice of either a sunscreen or a pair of sunglasses. See page 46 for details.



 Sun Precautions®

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Seattle, Washington 98201 USA

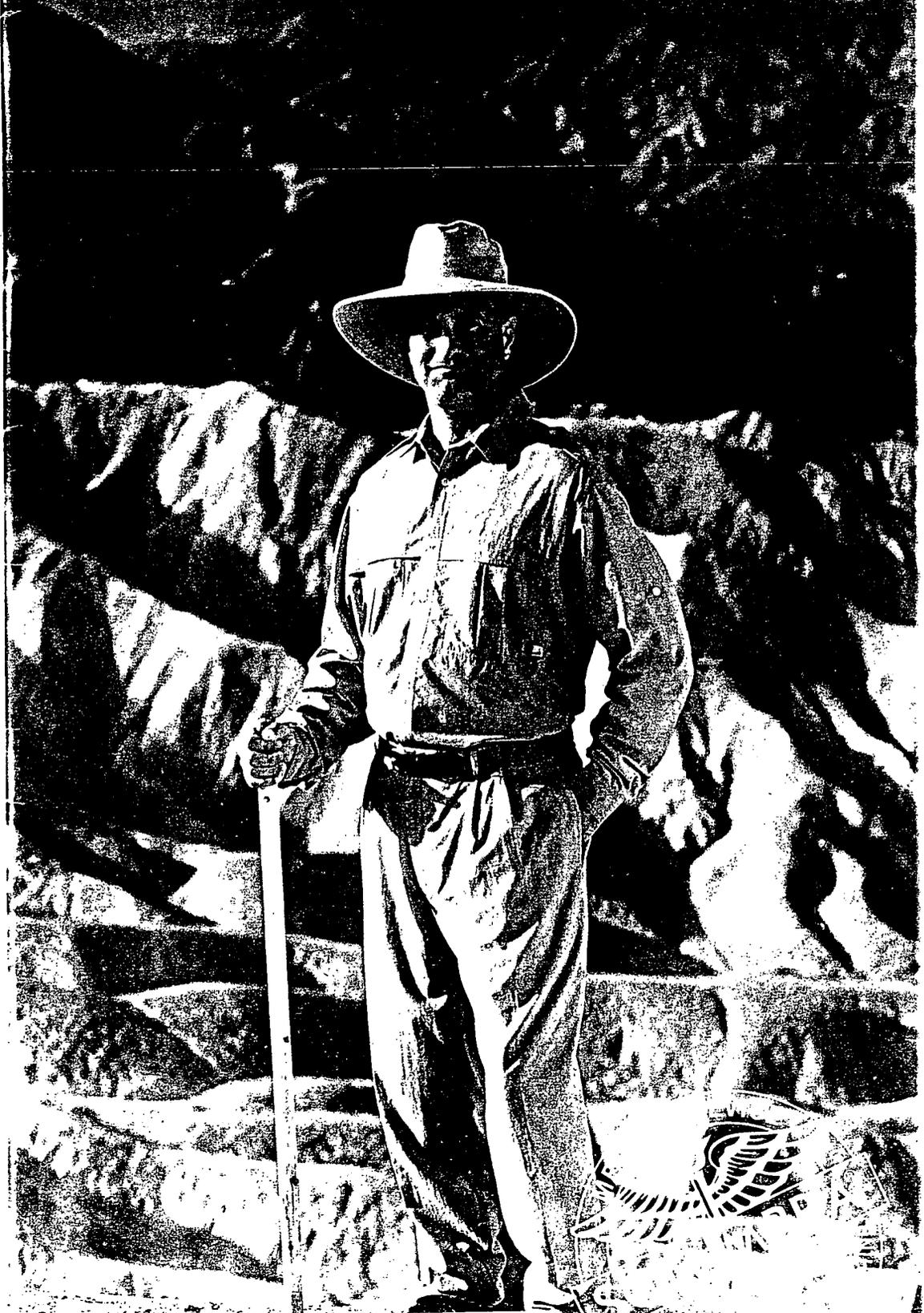
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[www.sunprecautions.com](http://www.sunprecautions.com)

APP 078

# Sun Precautions®

Solutions for Sun Sensitive and Sun Sensible People



APP 079



### Ultimate Polo

This is no ordinary polo, because its technical features make it cool, sun protective and ideal for highly active sports. Mesh panels under the arms and back yoke wick away perspiration and allow air to enter. Collar and cuffs are of a soft, breathable knit blend. A breast pocket and three-button placket add the finishing touches.

**Regular Sizes** XS S M L XL 2XL 3XL

*(XS in Solids only. 3XL in Solid White, Periwinkle, Azure, Teal and Stone with Striped Collar only.)*

**Tall Sizes** T/M T/L T/XL *(Talls in Solid White and Stone with Striped Collar only.)*

**Style #1060K01 \$74.95**

#### Solids



#### Indigo Striped Collars

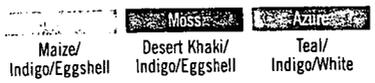


### Solombra Rugby Polo

You don't have to play rugby to enjoy this sporty polo. Perfect for a round of golf or a day of shopping, this versatile top comes styled with a crisp white collar, classic three-button placket and comfortable knit cuffs. Underarm and back ventilation panels provide optimum air circulation without sacrificing sun protection.

**Sizes** S M L XL 2XL

**Style #1020K01 \$84.95**



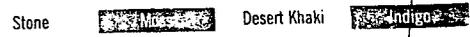
### Men's Tailored Pants

The pants you can't live without, because they give you everything you need—sun protection, comfort and great looks. Traditional construction with tailored styling brings you classic features like pleated front, zippered fly, two front side pockets and two rear welt pockets. *Size 30 has a 32" inseam; sizes 32, 34 and 36 have a 33" inseam; sizes 38, 40 and 42 have a 34" inseam. Talls have a 36" inseam. Belt not included.*

**Regular Sizes** 30 32 34 36 38 40 42 44 *(Size 30 in Desert Khaki and Indigo only. Size 44 in Desert Khaki only.)*

**Tall Sizes** T/34 T/36 T/38 *(Talls in Desert Khaki only.)*

**Style #2200K01 \$74.95**



APP 080