

February 13, 2006

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

Attn: Trademark Trial and Appeal Board

Re: Notice of Opposition

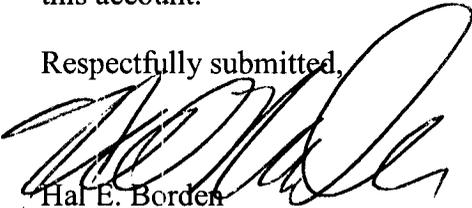
Mark: EBL (Stylized)  
Applicant: INNODIS  
Serial No.: 76/572,222

To the Commissioner for Trademarks:

Enclosed for filing, on behalf of MGI Luxury Group S.A., are an original and one copy of a Notice of Opposition to the above-identified application in connection with certain of the Class 3 goods only.

Please charge the opposition fee of three hundred dollars (\$300) for one class to Deposit Account No. 04-0475. Any underpayment can also be charged, or any refund credited, to this account.

Respectfully submitted,

  
Hal E. Borden

HEB:mss  
Enclosures



02-13-2006

U.S. Patent & TMO/c/TM Mail Receipt #30



1. Opposer owns U.S. trademark registrations of EBEL (Stylized) for “face and skin soaps” in Class 3 (Reg. No. 2,360,853) and EBEL (Stylized) for “perfumes; essential oils for personal use; cosmetics, namely, make-up foundation” (Reg. No. 2,540,808) (together, “Opposer’s Marks”). The U.S. trademark registrations of Opposer’s Marks both have a filing date of June 8, 1998, and they claim first use in commerce in August 1997 and in September 2001, respectively. Opposer’s Marks were registered on the Principal Register on June 20, 2000 and on February 19, 2002, respectively.

2. On January 23, 2004, Applicant filed an application to register EBL (Stylized) on the Principal Register as a trademark in International Classes 3, 5, 10, and 28. This application was designated as Serial No. 76/572,222 and was published in the Official Gazette on August 16, 2005. The application was based on an application in France filed on July 30, 2003. The application covers the following goods in Class 3: “Laundry detergent, general purpose cleaning, polishing and abrading liquids and powders; degreasing preparations for use in the cleaning of ovens and stoves; body soaps; perfumery; essential oils for personal use; cosmetics; hair lotions; dentifrices; creams for the reduction of cellulite; sun tanning preparations; cosmetic creams; anti-wrinkle creams; depilatories; cosmetic preparations for the care of the skin; and sunscreens.”

3. The filing date and registration date of Opposer’s Registrations Nos. 2,360,853 and 2,540,808 precede the priority date of Applicant’s application Serial No. 76/572,222.

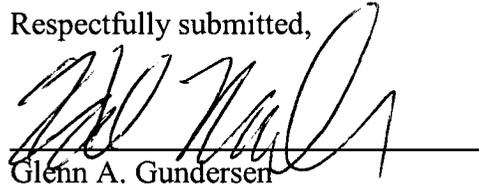
4. The mark EBL is similar to Opposer’s mark EBEL in sound and appearance.

5. The goods in Class 3 for which Applicant is seeking registration of its mark are similar or identical to the goods set forth in the U.S. registrations of Opposer's Marks.

6. In light of the foregoing, Applicant's registration and use of its mark in connection with the products specified in Applicant's application is likely to cause confusion or mistake or to deceive, or to create the false impression that Applicant's goods are provided by, related to, endorsed by, or associated with Opposer, all to the injury of Opposer's rights in its marks and its reputation and identity.

WHEREFORE Opposer prays that Applicant's Application Serial No. 76/572,222 be refused registration and that this opposition be sustained.

Respectfully submitted,



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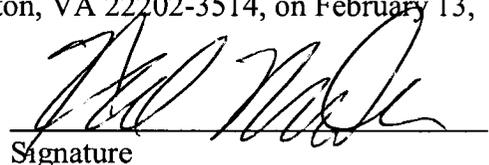
Attorneys for Opposer

Dated: February 13, 2006

Certificate of Mailing by Express Mail

I hereby certify that this Notice of Opposition is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514, on February 13, 2006.

Hal E. Borden  
Person Signing Certificate



Signature

February 13, 2006  
Date of Signature

ED475713615US  
Express Mail Number