

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

APPLICANT: TARGET BRANDS, INC.  
OPPOSER: CENTRAL MFG. CO.  
APPLICATION SN: 78-508,108  
TRADEMARK: TARGET DESIGN MARK  
INT. CL. NOS: 28  
FILED: October 29, 2004

TTAB

March 21, 2006

Ms. Jean Brown  
Board Administrator Attorney  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451  
703 308-9300

Dear Ms. Jean Brown:

In the instant case, we appreciate your serving upon the Applicant, the Opposer's Notice of Opposition.

A copy of the Board's order granting the extension until *March 22, 2006* is attached.

This Notice of Opposition was sent by **Express Mail No: ER 479353263 US** with the U.S. Postal Service in an express mail envelope.

Most Cordially,



Leo Stoller  
CENTRAL MFG. CO., Opposer  
7115 W. North Avenue #272  
Oak Park, Illinois 60302  
Email: ldms4@hotmail.com  
(773) 589-0340  
Fax: (773) 589-0915

Dated: March 21, 2006



03-21-2006

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #34

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

L. Stoller  
Central Mfg. Inc.  
P.O. Box 35189  
Chicago, IL 60707-0189

**Mailed: December 19, 2005**

**Serial No.: 78508108**  
**ESTTA TRACKING NO: ESTTA58076**

The request to extend time to oppose is granted until  
3/22/2006 on behalf of potential opposer **Central Mfg. Inc.**

Please do not hesitate to contact the Trademark Trial and  
Appeal Board at (703) 308-9300 if you have any questions  
relating to this extension.

**New Developments at the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to  
oppose, notices of opposition, petition for cancellation, notice  
of ex parte appeal, and inter partes filings are now available  
at <http://estta.uspto.gov>. Images of TTAB proceeding files can  
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

Parties should also be aware of changes in the rules affecting  
trademark matters, including rules of practice before the TTAB.  
See Rules of Practice for Trademark-Related Filings Under the  
Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September  
26, 2003) (effective November 2, 2003) Reorganization of  
Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August  
13, 2003) (effective September 12, 2003). Notices concerning the  
rules changes are available at [www.uspto.gov](http://www.uspto.gov).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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CENTRAL MFG. INC.,  
a/k/a CENTRAL MFG. CO.  
(a Delaware Corporation)  
P.O. Box 35189  
Chicago, Illinois 60707-0189

Opposer,

v.

TARGET BRANDS, INC.  
(a Minnesota corporation)  
TPS-3165  
1000 Nicollet Mall  
Minneapolis, MN 55403

Applicant.

Trademark: **STEALTH**

Application SN: 78-508,108

Int. Class: 28

Filed: October 29, 2004

Published: November 22, 2005

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TTAB/ FEE  
(IN TRIPLICATE)

**NOTICE OF OPPOSITION**

1. In the matter of intent to use Application SN 78-508,108, in International Class 28, for the Bullseye Design mark described as **dart boards; targets; bulls-eye, circles, three or more concentric; concentric circles, three or more; three or more concentric circles; circles that are totally or partially shaded**, hereinafter referred to as "TARGET BULLSEYE DESIGN MARK" for the following goods, namely, **bean bags**, the Opposer states as follows:

2. The Opposer, or its predecessor in title, has priority of use of the design mark, namely, **dart boards; targets, bulls-eye, circles, three or more concentric; concentric circles, three or more; three or more concentric circles; circles that are totally or partially shaded**, hereinafter referred to as "STEALTH BULLSEYE DESIGN MARK", in **Federal Trademark Registration No. 1,867,087**, and in Common Law on a broad range of goods and services, and on similar goods, related goods, and competitive goods, sold to the identical customers, through similar channels of trade that Applicant's services are sold in and/or are to be sold. The Opposer, or its predecessor in title, has priority of use of the design mark as early as 1986.

3. The Opposer has priority of use of the STEALTH BULLSEYE DESIGN MARK in numerous classes of goods and services. The Opposer goods are sold in the same channels of trade and to similar customers as Applicant's since at least as early as 1986 and hereby opposes registration of the confusingly similar design mark, in Application Serial No. 78-508,108.

4. There is no issue as to priority. The Applicant's intent to use date is subsequent to the issuance date of Opposer's said Registration and its listed intent to use date.

5. Opposer has sold its goods and services listed in the aforesaid registration under the aforesaid design mark, as herein before referred to, throughout the United States. Opposer has developed an exceedingly valuable goodwill in respect to STEALTH BULLSEYE DESIGN MARK covered by the aforesaid registration.

6. By virtue of its efforts, and the expenditure of considerable sums for promotional activities and by virtue of the excellence of its products, the Opposer has gained for its listed design mark a most valuable and famous reputation.

7. The Opposer licenses the STEALTH BULLSEYE DESIGN MARK for a wide variety of collateral merchandise and expends substantial sums of money on policing the use of Opposer popular and famous trademark on a broad range of goods and services.

8. The Opposer holds rights <sup>1</sup> directly in the following trademark registration, which is incorporated herein and notice is hereby given that Opposer relies upon the following *STEALTH* registration, attached hereto, **Registration No. 1,867,087 in International Class**  
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1. §16.13 McCARTHY ON TRADEMARKS, II. Ownership. Who Is Owner Of Trademark, [1] **Introduction**, Trademarks have often been held to be a kind of "property." In discussing "ownership of a trademark, we must recognize that we are dealing with intangible, intellectual property. "Ownership" means that one possesses a right which will be recognized and upheld in the courts: To say one has a "trademark" implies ownership and ownership implies the right to exclude others. If the law will not protect one's claim of right to exclude others from using an alleged trademark, then he does not own a "trademark", for that which all are free to use cannot be a trademark. Application of Deister Concentrator Co., 48 CCPA 952, 289 F.2d 496, 129 USPQ 314 (1961). Trademark ownership inures to the legal entity who is in fact using the mark as a symbol of origin. The Federal Trademark Register can be rectified in order to correct the ownership of a registered mark or a pending application. Chapman v. Mill Valley Cotton, 17 USPQ2d 1414 (TTAB 1990) (Opposer Alpha alleged that she, not applicant, owned the mark. Applicant was a joint venture composed of parties Alpha and Beta. After some litigation in state court, the parties filed an assignment from party Beta to party Alpha amounting to a concession that Alpha was indeed the owner of the mark. The Board viewed the TLRA 1989 amended version of §18, which permits rectifying the "register" as broad enough to include changing the name of the owner of an application, as well as of an issued registration.

28.

9. Since 1986, the Opposer has forcefully extended its well-known trademark into the Applicant's market and today is a model for other in the trademark marketing and licensing industry in handling successfully brand extension as well known to the Applicant.

10. The Opposer sent a cease and desist letter to the Applicant on *December 2, 2005*, a true and correct copy is attached hereto and made a part hereof.

11. The design trademark proposed for registration by the Applicant, namely TARGET BULLSEYE DESIGN MARK, is applied to similar services as those sold by Opposer and so nearly resemble the Opposer's design mark as to be likely to confuse therewith and mistake therefore.

12. The Applicant's TARGET BULLSEYE DESIGN MARK is deceptively similar to Opposer's STEALTH BULLSEYE DESIGN MARK so as to cause confusion and lead to deception as to the origin of Applicant's goods bearing the Applicant's design mark.

13. If the Applicant is permitted to use and register the TARGET BULLSEYE DESIGN MARK for its goods, as specified in the application herein opposed, confusion in trade resulting in damage and injury to the Opposer would be caused and would result by reason of the similarity between the Applicant's design mark and the Opposer's design mark. Persons familiar with Opposer's design mark STEALTH BULLSEYE DESIGN MARK would be likely to buy Applicant's goods sold by the Opposer. Any such confusion in trade inevitably would result in loss of sales to the Opposer. Furthermore, any defect, objection or fault found with Applicant's goods marketed under its TARGET BULLSEYE DESIGN MARK would necessarily reflect upon and seriously injure the reputation which the Opposer has established for its products merchandised under its STEALTH BULLSEYE DESIGN MARK for over 20 years.

14. If the Applicant were granted the registration herein opposed, it would thereby obtain at least a *prima facie* exclusive right to the use of its design mark. Such registration would be a source of damage and injury to the Opposer.

15. Opposer asserts that there is a likelihood of confusion between the Applicant's TARGET BULLSEYE DESIGN MARK and the Opposer's STEALTH BULLSEYE DESIGN

MARK under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d).

16. Opposer asserts that its design mark is well known and/or famous and that the Applicant seeking registration of the confusingly similar design mark, which when used would cause dilution under section 43(c). The Opposer's design mark became famous in 1990.

17. If Applicant's TARGET BULLSEYE DESIGN MARK is allowed to register it will lessen the capacity of Opposer's famous design mark to identify and distinguish its goods or services and to license its well known design mark.

18. The Opposer uses its famous STEALTH BULLSEYE DESIGN MARK as a trademark since at least as early as 1986 and is engaged in an aggressive licensing and marketing program, as well known to the Applicant.

19. The Opposer, located in Chicago, Illinois, believes that it will be damaged by registration of the TARGET BULLSEYE DESIGN MARK shown in Application Serial No: 78-508,108 and hereby opposes same. The Opposer uses its STEALTH BULLSEYE DESIGN MARK as a trade name, corporate name, service mark and trademark and engages in an aggressive licensing program for over 20 years.

20. The Applicant has filed a Petition to Cancel, Cancellation No. 92045336 on December 22, 2005. See a true and correct copy attached hereto.

21. The Applicant has acknowledged that it can be damaged by the pre-existence of Opposer's well-known STEALTH BULLSEYE DESIGN MARK, by filing a Petition to Cancel Opposer's STEALTH BULLSEYE DESIGN MARK.

22. The Applicant has made a tacit admission by filing a Petition to Cancel that there is a likelihood of confusion between the Opposer's STEALTH BULLSEYE DESIGN MARK and the TARGET BULLSEYE DESIGN MARK.

23. The Applicant has acknowledged by filing a Petition to Cancel that the Opposer has standing to file this Opposition because the Applicant has admitted that it could be damaged by Opposer's STEALTH BULLSEYE STEALTH MARK.

24. The Opposer has used the STEALTH BULLSEYE DESIGN MARK as a house mark in interstate commerce, since at least as early as 1986, long prior to Applicant's submission of its application for Federal Registration of the TARGET BULLSEYE DESIGN

MARK.

25. The Opposer has priority of use, as early as 1986, on the same and/or similar goods, as previously stated on the goods and services listed in Federal Trademark Registration No. 1,867,087.

26. The use of the Applicant's TARGET BULLSEYE DESIGN MARK sought to be registered in the aforesaid application is likely to blur the distinctiveness of the Opposer's famous STEALTH BULLSEYE DESIGN MARK.

27. The use of the Applicant's TARGET BULLSEYE DESIGN MARK sought to be registered in the aforesaid application is likely to cause confusion, mistake or deception in the buying public or cause the public to believe that there is a connection between the parties, or a sponsorship of Applicant's goods by Opposer.

28. The Opposer licensed its STEALTH BULLSEYE DESIGN MARK on a wide variety of collateral merchandise.

29. The Opposer expends substantial sums of money on policing the use of its famous STEALTH BULLSEYE DESIGN MARK.

30. The Opposer has forcefully extended its famous trademark and today is a model for others in handling successfully such a brand extension.

31. The Applicant's TARGET BULLSEYE DESIGN MARK is confusingly similar to Opposer's STEALTH BULLSEYE DESIGN MARK.

32. Since at least as early as 1986, the Opposer has been, and is now, using the STEALTH BULLSEYE DESIGN MARK in connection with the sale of goods and services in numerous classes. Said use has been valid and continuous since said date of intent to use and has **not** been abandoned.

33. If the Applicant is permitted to register the design mark, and thereby, the *prima facie* exclusive right to use in commerce the STEALTH BULLSEYE DESIGN MARK on the goods licensed and sold by the Opposer, confusion is likely to result from any concurrent use of Opposer's STEALTH BULLSEYE DESIGN MARK and that of the Applicant's alleged TARGET BULLSEYE DESIGN MARK, all to the great detriment of Opposer, who has expended its lifetime and considerable sums and effort in promoting its well known design

mark.

34. Purchasers are likely to consider the goods of the Applicant sold under the TARGET BULLSEYE DESIGN MARK as emanating from the Opposer, and purchase such goods and/or services as those of the Opposer, resulting in loss of sales to Opposer.

35. Applicant's TARGET BULLSEYE DESIGN MARK, when used on or in connection with the goods of the Applicant, is merely descriptive or deceptively misdescriptive of the goods.

36. Upon information and belief, said application was obtained fraudulently in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid intent to use date. Said statement was false. Said false statement was made with the knowledge and belief that it was false, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration in that the Applicant, at the time it filed its said application and declaration were in fact an invalid intent to use date.

37. Applicant's TARGET BULLSEYE DESIGN MARK is identical or substantially the same to Opposer's STEALTH BULLSEYE DESIGN MARK.

38. Upon information and belief, said application was obtained *fraudulently* in that the formal application papers filed by Applicant, under notice of §1001 of Title 18 of the United States Code stated that Applicant had a valid intent to use in commerce when Applicant filed its Trademark application on *October 29, 2004*. Applicant had no valid intent to use in commerce on the date asserted in the said Application.

39. Upon information and belief, the Applicant has no evidence to establish a valid intent to use date.

40. Upon information and belief, the Applicant has no evidence to establish a valid "intent to use" date in commerce.

41. Applicant's intent to use application was a fraud in that Applicant had no use on some or all of the said goods listed therein bearing the design mark on the intent to use date and on the intent to use in commerce date as well known to the Applicant.

42. Applicant's said intent to use statement was a false statement and was made with

the knowledge and belief that it was *false*, with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration as well known to the Applicant.

43. Upon information and belief, said statement of intent to use of the TARGET BULLSEYE DESIGN MARK on the goods in question, was made by an authorized agent of Applicant with the knowledge and belief that said statements was false. Said false statements were made with the intent to induce authorized agents of the U.S. Patent and Trademark Office to grant said registration.

44. Applicant's TARGET BULLSEYE DESIGN MARK was not applied for according to its correct type<sup>1</sup>, as shown in its said application.

45. Upon information and belief, the Applicant was not the owner of the design mark for which the registration is requested<sup>2</sup>.

46. Upon information and belief, Applicant's intent to use application was signed with the knowledge that another party had a right to use the mark in commerce on the same or similar goods.

47. Concurrent use of the TARGET BULLSEYE DESIGN MARK by the Applicant and the STEALTH BULLSEYE DESIGN MARK by the Opposer may result in irreparable damage to Opposer's marketing and/or trademark licensing program, reputation and goodwill.

48. If the Applicant is permitted to obtain a registration of the TARGET BULLSEYE DESIGN MARK, a cloud will be placed on Opposer's title in and to its STEALTH BULLSEYE DESIGN MARK, and on its right to enjoy the free and exclusive use thereof in connection with the sale of its goods, and on its Trademark Licensing Program, all to the great injury of the Opposer.

49. Upon information and belief, Applicant's intent to use Application was signed

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1. See §108 of the TMPEP, page 100-5, Registration As Correct Type of Mark - It is important that a mark be registered according to its correct type, if it is not, the registration may be subject to cancellation. See *National Trailways Bus System v. Trailway Van Lines, Inc.*, 222 F. Supp 143, 139 USPQ 54 (E.D.N.Y. 1963), and 269 F. Supp. 352, 155 USPQ 507 (E.D.N.Y. 1965).

2. See *Huang v. Tzu Wei Chen Food Co. Ltd.*, 849 F.2d 1458, 7 USPQ2d 1335 (Fed. Cir. 1988). See TMPEP §§706.01 and 802.06 §1 of the Trademark Act 15 U.S.C. §1051.

with the knowledge that another party had a right to use the design mark in commerce.

50. Upon information and belief, the Applicant has abandoned the TARGET BULLSEYE DESIGN MARK.

51. The registration to Applicant of the TARGET BULLSEYE DESIGN MARK shown in the aforesaid application is likely to and will result in financial and other injury and damage to the Opposer in its business and in its enjoyment of its established rights in and to its said STEALTH BULLSEYE DESIGN MARK.

52. As is well known to Applicant, the Opposer has been very successful and has previously prevailed against numerous other applicants and/or registrants for the unauthorized use of their similar marks (see attached true and correct copy).

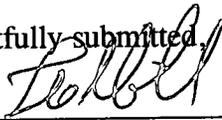
**WHEREFORE**, Opposer prays that the said Application for the TARGET BULLSEYE DESIGN MARK be denied, that no registration be issued thereon to Applicant, and that this Notice of Opposition be sustained in favor of the Opposer and that Opposer is entitled to judgment.

Opposer hereby gives notice under Rule of Practice that after hearing and in any appeal on this opposition proceeding, it will rely on its STEALTH BULLSEYE DESIGN MARK registration, in support of this Notice of Opposition.

The Opposer prays for such other and further relief as may be deemed by the Director of Patents and Trademarks to be just and proper.

Enclosed is \$300.00.

Respectfully submitted,

  
\_\_\_\_\_  
Leo Stoller *ae*  
CENTRAL MFG. CO., Opposer  
7115 W. North Avenue #272  
Oak Park, Illinois 60302  
Email: ldms4@hotmail.com  
(773) 589-0340  
Fax: (773) 589-0915

Dated: March 21, 2006

**DECLARATION**

The undersigned, Leo Stoller, declares that he is an individual and Director and President of CENTRAL MFG. CO., a Service Mark and trademark and d/b/a for Central Mfg. Inc., a/k/a Central Manufacturing Inc., a Delaware Corporation registered to do business as Central Mfg Co., of Illinois a/k/a Central Manufacturing Co., founded and operated by Leo Stoller as such, is authorized to execute this document on its behalf, that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were 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. Central Mfg. Co. hold rights and relies upon the attached SENTRA Federal Trademark Registration numbers herein in support of this Notice of Opposition.

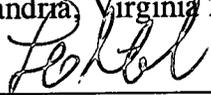
Dated: March 21, 2006

By:   
\_\_\_\_\_  
Leo Stoller  
By:   
\_\_\_\_\_  
Leo Stoller, President  
CENTRAL MFG. CO.

**Certificate of Mailing**

I hereby certify that the foregoing *Notice of Opposition* is being sent by **Express Mail No: ER 479353263 US** with the U.S. Postal Service in an express mail envelope.

Box TTAB / FEE  
Commissioner of Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

  
\_\_\_\_\_  
Leo Stoller  
Date: March 21, 2006

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**Goods and Services**

IC 014. US 002 027 028 050. G & S: Clocks

IC 003. US 001 004 006 050 051 052. G & S: Incense, potpourri, scented oils used to produce aromas when heated

IC 004. US 001 006 015. G & S: Candles

IC 006. US 002 012 013 014 023 025 050. G & S: Metal shower curtain hooks and rings, decorative metal wall hooks, general purpose metal storage units and bins, metal wall pegs, baskets of common metals

IC 007. US 013 019 021 023 031 034 035. G & S: Electric kitchen mixers, electric food processors, electric can openers and electric knives

IC 008. US 023 028 044. G & S: Flatware, kitchen knives and knife sets, non-motorized knife sharpener, hand-pump cooking oil sprayers, scissors, pizza cutters, sharpening stones, zester

IC 009. US 021 023 026 036 038. G & S: CD towers, CD storage units, electric irons, electric outlet covers, magnets, electric switch plate covers, graduated rulers

IC 011. US 013 021 023 031 034. G & S: Lamps, lamp shades, sconces light fixtures, electric night lights, electric toasters, electric coffee pots, electric string lights for decorating, chandeliers, electric overhead lighting fixtures, electric fans, ceiling fans; electric casseroles, hot plates, electric toaster ovens, electric hot pots, microwave ovens, electric skillet, electric coffee makers, electric espresso

machines, electric waffle irons, electric deep fryers, electric grills, electric roasters being cookware, electric wok, reed light diffusers

IC 016. US 002 005 022 023 029 037 038 050. G & S: Framed art pictures and prints, photo albums, bookends, memo boards, picture boards, magnet boards, desk organizers in the nature of in/out boxes, paper shredders, pencil sharpeners, binders, notebooks, letter holders, file and memo sorters, staplers, tape dispensers, pencil cups, drawer organizers, push pins, hanging file folders, dry erase boards, desktop business card holders, pens, pencils, sheet protectors, portfolios, presentation folders, binder pockets, report covers, index dividers, file boxes, coupon holders, envelopes, stationery tape, corkboard tacks, staples, cardboard mailing tubes, stationery note cards, note pads containing adhesive on one side of the sheet for attachment to surfaces, photo album inserts, staple remover, drawing ruler, and letter opener

IC 020. US 002 013 022 025 032 050. G & S: Non-metal shower curtain hooks and rings, plastic mailing tubes, fitted fabric furniture covers, interior window blinds, decorative non-metal wall hooks; furniture in the nature of headboards for beds, nightstands, dressers, benches, bookcases, television stands, wall shelving, room dividers, vanity tables, armoires, stools, mirrors, desks, hutches, file cabinets, coffee tables, end tables, coat trees, bar cabinets, magazine racks, storage cubes, buffets, wine cabinets, tables, room screens, decorative trunks, chests, entertainment centers, storage towers, chairs, plastic storage bins, closet organizers, clothes hangers, decorative pillows, bed pillows, toss pillows, floor cushions, hassocks, curtain rods, window drapery hardware, namely traverse rods, poles, curtain hooks, curtain rods and finials; bed wedge pillows, shelves, shadow boxes, hampers, plastic storage bins, etageres, wall cabinets, storage benches, stepstools, vanity table, cabinets in the nature of floor storage units with or without drawers, decorative door bead curtains, picture frames, backrest pillows, non-metal wall pegs, foot boards for beds, carpet coasters for protecting furniture legs, bed frames, shoe racks, decorative knobs of wood and plastic

IC 021. US 002 013 023 029 030 033 040 050. G & S: Non-electrically heated hot pots, non-electric coffee makers, non-electric waffle irons, non-electric coffee pots not of precious metal, napkin rings, shaped ironing board covers, wine racks, wine charms, plastic coasters, dinnerware, pots and pans being cookware, bakeware, non-electric wok, napkin holder, bread box, salt and pepper shakers, salt and pepper grinders, sugar bowl, creamer pitcher, garlic press, baking stone, spoon rest, trivets, butler trays, candle sticks not of precious metal, decorative chargers, trays made of wood, metal or plastic, vases, non-metal baskets for home use, serving platters, beverage ware, canisters for kitchen use, paper towel holders, mixing bowls, cutting boards, turners, grill brushes, tongs of wood or metal, basting brushes, cooking skewers, ironing boards, dispenser for lotion, bath accessories, namely tooth brush and cup holders, decorative knobs of ceramic and glass, shower caddies, towel bars, wastebaskets, soap dishes, towel rings, candle holders not of precious metal, candle plates not of precious metal, incense holders, hanging candle holders not of precious metal, candle stands not of precious metal, non-electric votive chandeliers, non-electric candle wall sconces, multi-candle holders not of precious metal

IC 022. US 001 002 007 019 022 042 050. G & S: Mesh storage bags, fabric mailing pouches

IC 024. US 042 050. G & S: Bed sheet sets, pillow cases, pillow shams, duvets, quilts, coverlets, bed blankets, bed skirts, mattress pads, feather beds, comforters, fabric tablecloths, fabric table runners, fabric placemats, fabric napkins, kitchen towels, oven mitts, pot holders, unfitted fabric chair covers, chair pads, throw blankets, window curtains, bath sheets, bath towels, washcloths, hand towels, fingertip towels, fitted toilet lid covers, fitted toilet seat covers, shower curtains made of plastic or fabric, shower curtain liners made of plastic, dish towels, cloth coasters

IC 027. US 019 020 037 042 050. G & S: Rugs, bath mats, non-slip tub mats, wallpaper appliques, door mats

IC 028. US 022 023 038 050. G & S: Bean bags

IC 018. US 001 002 003 022 041. G & S: Business card cases

**Mark Drawing Code**

(2) DESIGN ONLY

**Design**

21.03.12 - Dart boards; Targets, bulls-eye

**Search Code** 26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles  
26.01.21 - Circles that are totally or partially shaded.

**Serial Number** 78508108

**Filing Date** October 29, 2004

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** November 22, 2005

**Owner** (APPLICANT) Target Brands, Inc. CORPORATION MINNESOTA TPS-3165 1000 Nicollet Mall Minneapolis MINNESOTA 55403

**Prior Registrations** 1282536;1386318;2757265;AND OTHERS

**Type of Mark** TRADEMARK

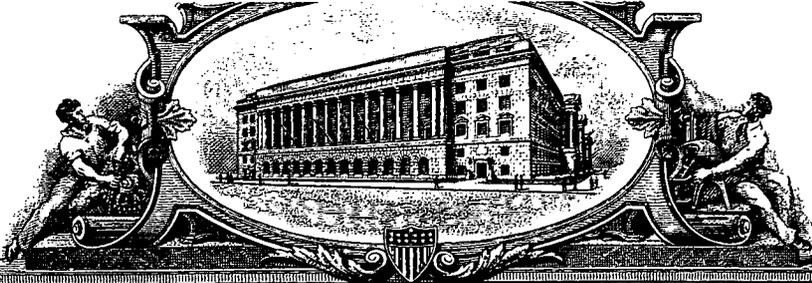
**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

November 24, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,867,087 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *December 13, 1994*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *December 13, 2004*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:  
*CENTRAL MFG. CO.*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



*P. R. Grant*

P. R. GRANT  
Certifying Officer

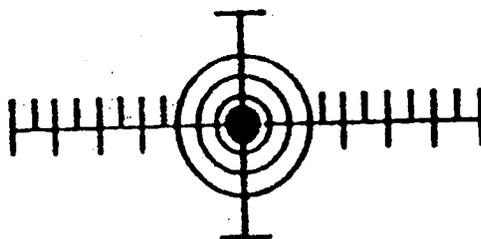
Int. Cl.: 28

Prior U.S. Cl.: 22

**United States Patent and Trademark Office** Reg. No. 1,867,087  
Registered Dec. 13, 1994

**TRADEMARK  
PRINCIPAL REGISTER**

**STEALTH**



STEALTH IND. INC. (DELAWARE CORPORATION)  
P.O. BOX 417-120  
CHICAGO, IL 606417120

FIRST USE 11-17-1986; IN COMMERCE  
11-17-1986.

SER. NO. 74-415,569, FILED 7-19-1993.

FOR: POOL CUE, POOL TABLES, DARTS,  
BILLIARD BALLS, CUE CASES, CUE RACK;  
BILLIARD GLOVES, IN CLASS 28 (U.S. CL. 22).

ELIZABETH A. DUNN, EXAMINING ATTORNEY

# STEALTH

STEALTH BRAND PRODUCTS & SERVICES SINCE 1981

P.O. Box 35189, Chicago, IL 60707-0189

VOICE 773/589-0340 \* FAX 773/589-0915 \* WEB PAGE: www.rentamark.com

December 2, 2005

Ms. Shayne L. Brownes Esq.  
Target Brands, Inc.  
TPS-3165  
1000 Nicollet Mall  
Minneapolis, MN 55403

FILE

Re: **FOR SETTLEMENT PURPOSES ONLY -- NOT DISCOVERABLE**  
**STEALTH**  
**APP. S/N: 78-508,108**

Dear Ms Brownes:

We are serving notice on you that we have files a Request for an Extension of Time with the United States Patent and Trademark Office to oppose your client's pending trademark application serial number: 78-508,108 for the design marks, targets, bulls-eye, concentric circles.

We hold common law rights and prior trademark Registration No. 1,867,087 for a design mark which also contains a "target" "bulls-eye" containing "concentric circles" and have been using the said design mark for many years, prior to your client's use of the said "target" mark. We engage in an active and aggressive trademark licensing program for our said "design" mark, and thus invite your client to become a trademark licensee of ours.

We have standing pursuant to **37 C.F.R. §2.101(b)** to oppose your client's said trademark application and to conduct extensive discovery into your client's books and records, including depositions under oath of your client's executive officers.

**THE USPTO TRADEMARK TRIAL & APPEAL BOARD PROVIDES A PERIOD OF TIME FOR PARTIES TO SETTLE**

The Board encourages parties to settle registerability issues prior to filing a Notice of Opposition. District Courts throughout the land encourage parties to settle complex trademark litigation without getting into the actual merits of the claims, on the grounds that parties will never settle a controversy outside of a court decision if the parties insist that their claims have to be settled on the merits. In the case at bar, the projected cost to a party to litigate a matter through the Federal Circuit is in excess of **\$150,000 (One Hundred and Fifty Thousand Dollars)** in fees and costs, including a period of up to five years of litigation, without any party receiving a guaranteed positive result, notwithstanding the merits of either party's claims. In view of the above, the Board strongly encourages parties to settle registerability issues between

themselves, rather than through a decision by the TTAB. This is why the potential opposer is attempting to reach out to the applicant during the extension period allowed by the Board to achieve an amicable settlement between the parties.

It should be noted for the record that the potential opposer in this case has engaged in more oppositions and petitions to cancel over the last **30 years** than any other entity currently practicing before the TTAB.

As well known to the applicant, an opposer in any opposition proceeding has the clear and distinct procedural advantage in trademark disputes, in that there is an automatic "cloud" placed over the applicant's title to its mark, which will not evaporate until the final court, the Federal Circuit, speaks. After four to five years of litigation before the Board, most applicants will simply lose interest, go out of business, or find new management which loses interest in the said application. In addition, the applicant will normally not choose to invest much of its time and funds promoting a mark which carries a dark "cloud". Consequently, an applicant would be well advised to merely file an express abandonment of an application rather than continue to invest in a trademark application that may never be registered. This is what we encourage the applicant to do in this case. No money has to exchange hands if the applicant chooses to file an express abandonment with prejudice of the said application at issue within ten days.

**This is an easy case to settle today.**

Prior to filing our Notice of Opposition, the potential opposer is placing three reasonable settlement proposals on the table which would amicably resolve this controversy when accepted by your client. The first is a Covenant Not to sue Agreement in which your client agrees to abandon its trademark application. The second is a 5% royalty-based Trademark License Agreement which will allow your client to use the said trademark under license. The third agreement is a consent to Register. Any of these said settlement agreements will avoid the need of a long and costly opposition proceeding and will allow the parties to resolve the said controversy amicably.

It should be noted that the potential opposer will not require the applicant, nor should the applicant require same of the potential opposer, to engage in any pretrial discovery whatsoever, as this has never been proven to be beneficial in resolving a registerability issue outside of a TTAB decision. The potential opposer will not participate in any pretrial discovery. If the applicant is interested in settling this matter prior to the filing of a Notice of Opposition, the opposer has given the applicant three very easy methods upon which this case can be quickly resolved. These settlement offers are valid until December 23, 2005.

If you have any questions, please feel free to call (773) 589-0340.

Most Cordially,

---

Leo Stoller  
STEALTH  
P O Box 35189  
Chicago, IL 60707  
TEL: 773/589-0340  
FAX: 773/589-0915

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 1,867,087  
For the Mark: STEALTH & Design  
Registered: December 13, 1994



12-27-2005

U.S. Patent & TMO/TM Mar. Rept. Dt. #11

TARGET BRANDS, INC. )  
 )  
Petitioner, )  
 )  
v. )  
 )  
CENTRAL MANUFACTURING CO. )  
 )  
Registrant. )  
\_\_\_\_\_ )

Cancellation No. \_\_\_\_\_

**PETITION TO CANCEL**

Petitioner Target Brands, Inc. ("TBI") is a Minnesota corporation having its principal place of business at 1000 Nicollet Mall, Minneapolis, MN 55403-2467.

TBI believes that it is or will be damaged by Registration No. 1,867,087, and hereby petitions to cancel the same.

As grounds of this petition to cancel, it is alleged that:

1. Target Corporation ("Target") and its Target Stores division operate, among other things, a chain of TARGET® discount department stores, now numbering more than 1,300 stores in 47 states.

2. TARGET® stores, and its other commercial undertakings have developed a national reputation for quality and value. This well-deserved and hard-earned reputation is reflected in the substantial and valuable body of goodwill symbolized by, among other things, the Bullseye Design mark, a commercial icon now owned by TBI and licensed to

Target.

! 01/04/2006 6THOMAS2 00000015 1867087  
: 01 FC:6401 300.00 0P

3. TBI's famous, distinctive and valuable Bullseye Design mark has for many years been used and advertised extensively and enjoys an extremely high degree of recognition with the public. Consequently, TBI's well-known Bullseye Design mark has become one of the most famous and recognizable trademarks in the United States and elsewhere. Indeed, Advertising Age has recognized that the Bullseye Design mark is an "advertising icon in a class with . . . McDonald's arches and Nike's swoosh."

4. TBI is the owner of a number of federally registered service marks and trademarks for the Bullseye Design, including U.S. Trademark Registration Nos. 972,082 and 2,473,434 for various retail store services (the latter featuring the design in the color red), Registration No. 2,702,411 for on-line retail store services featuring a wide variety of consumer goods, and Registration No. 1,386,318 for the "TARGET" and the Bullseye Design for various retail store services, including athletic sporting goods sales services. TBI also owns a trademark application (Serial No. 78/508,108) for the Bullseye Design. Copies of TESS records evidencing these registrations and application are attached hereto as Exhibit A. TBI's marks are, therefore, currently protected under state and federal trademark, dilution, and unfair competition laws, including Sections 32 and 43(a) and (c) of the Lanham Act, among other laws.

5. TBI is today the owner of all rights and goodwill in the Bullseye Design mark arising from, among other things, Target's use and extensive advertising and sales under that mark.

6. Upon information and belief, Central Manufacturing Co. ("CMC") is a corporation, with an address of P.O. Box 35189, Chicago, IL 60707, and is the purported owner of Registration No. 1,867,087 for the mark STEALTH & Design ("the Mark") in

International Class 28 for use in connection with "pool cue[s], pool tables, darts, billiard balls, cue cases, cue rack[s], billiard gloves."

7. The continued registration of the STEALTH & Bullseye Design Mark is likely to cause harm to Petition because the Registrant is using its Registration No. 1,867,087 to threatened to oppose TBI's Application No. 78/508,108 for the Bullseye Design in connection with various consumer goods, including goods in International Class 28, on the basis that TBI's Bullseye Design mark is likely to be confused with the Registrant's Mark. If the Board should deem the two marks confusingly similar, then TBI's use of the Bullseye Design mark dates back to at least as early as 1968, which long predates the November 17, 1986 first use date claimed in CMC's Registration No. 1,867,087, and therefore STEALTH & Bullseye should not have been registered pursuant to 15 U.S.C. § 1052(d) and therefore should be cancelled.

9. Additionally or in the alternative, upon information and belief, the Registrant is not using in commerce the mark that is the subject of Registration No. 1,867,087, and therefore should be cancelled due to nonuse or abandonment of the mark.

10. Accordingly, CMC's Registration No. 1,867,087 should be canceled pursuant to 15 U.S.C. § 1064.

**WHEREFORE**, petitioner TBI believes that it is and will be damaged by Registration No. 1,867,087, and prays that this Petition to Cancel be sustained and that Registration No. 1,867,087 be canceled.

A duplicate of this Petition to Cancel is being filed herewith, together with filing fees of \$300.00. If the amount submitted herewith is determined to be incorrect, the

Commissioner may charge any additional fees or to credit any over payment to Deposit

Account No. 06-0029.

Please address all correspondence to:

Ann Dunn Wessberg  
Faegre & Benson LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402

Dated: 12/22/05

**FAEGRE & BENSON LLP,**  
as Attorneys for Target Brands, Inc.

By   
James R. Steffen  
Eunice P. de Carvalho   
Ann Dunn Wessberg  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 766-7000  
Facsimile: (612) 766-1600

M2:20763246.01



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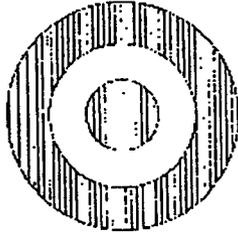
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TARR Status	ASSIGN Status	TDR	TTAB Status	( Use the "Back" button of the Internet Browser to return to TESS)
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**Goods and Services** IC 042. US 101. G & S: RETAIL DEPARTMENT STORE, RETAIL GROCERY STORE, [ RETAIL LIQUOR STORE, ] RETAIL BAKERY, RETAIL PHARMACY STORE, AND RESTAURANT AND SNACK BAR SERVICES. FIRST USE: 19681201. USED IN ANOTHER FORM ON OR ABOUT APR. 30, 1962, IN MODIFIED FORM. FIRST USE IN COMMERCE: 19681201

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 21.03.12 - Dart boards; Targets, bulls-eye

**Serial Number** 72425130

**Filing Date** May 22, 1972

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Registration Number** 0972082

**International Registration Number** 0868059

**Registration Date** October 30, 1973

**Owner** (REGISTRANT) TARGET STORES, INC. CORPORATION MINNESOTA 777 NICOLLET MALL MINNEAPOLIS MINNESOTA 55402

(LAST LISTED OWNER) TARGET BRANDS, INC. CORPORATION MINNESOTA 1000

NICOLLET MALL MINNEAPOLIS MINNESOTA 55403

**Assignment Recorded** ASSIGNMENT RECORDED  
**Prior Registrations** 0845193;0845615;AND OTHERS  
**Description of Mark** THE DRAWING IS LINED FOR RED, BUT COLOR IS NOT CLAIMED AS A FEATURE OF THE MARK.  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20031217.  
**Renewal** 2ND RENEWAL 20031217  
**Live/Dead Indicator** LIVE

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**Goods and Services** IC 035. US 100 101 102. G & S: retail department store services. FIRST USE: 19620430.  
FIRST USE IN COMMERCE: 19681201

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 21.03.12 - Dart boards; Targets, bulls-eye

**Serial Number** 76052624

**Filing Date** May 15, 2000

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** May 8, 2001

**Change in Registration** CHANGE IN REGISTRATION HAS OCCURRED

**Registration Number** 2473434

**Registration Date** July 31, 2001

**Owner** (REGISTRANT) Target Brands, Inc. CORPORATION MINNESOTA 1000 Nicollet Mall TPS-3165 Minneapolis MINNESOTA 55403

**Prior Registrations** 0972082

**Description of Mark** The color red is claimed as a principle feature of the mark as shown.

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: On-line retail store services featuring a wide variety of consumer goods. FIRST USE: 19981100. FIRST USE IN COMMERCE: 19981100
<b>Mark Drawing Code</b>	(2) DESIGN ONLY
<b>Design Search Code</b>	21.03.12 - Dart boards; Targets, bulls-eye
<b>Serial Number</b>	76418295
<b>Filing Date</b>	June 7, 2002
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 7, 2003
<b>Registration Number</b>	2702411
<b>International Registration Number</b>	0868059
<b>Registration Date</b>	April 1, 2003
<b>Owner</b>	(REGISTRANT) Target Brands, Inc. CORPORATION MINNESOTA Target Brands, Inc. 1000 Nicollet Mall, TPS-3165 Minneapolis MINNESOTA 554032467
<b>Attorney of Record</b>	Ann Dunn Wessberg
<b>Prior Registrations</b>	0972082;2473434;AND OTHERS
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**Word Mark** TARGET

**Goods and Services**

IC 042. US 101. G & S: RETAIL DEPARTMENT STORE SALES SERVICES, NAMELY, MEN'S, WOMEN'S, CHILDREN'S AND INFANTS' CLOTHING AND ACCESSORIES SALES SERVICES; JEWELRY, CLOCKS AND WATCHES SALES SERVICES; HEALTH AND BEAUTY AIDS SALES SERVICES; PHARMACY AND PRESCRIPTION SALES SERVICES; OPTICAL SUPPLIES SALES SERVICES; CIGARETTES AND TOBACCO SALES SERVICES; RECORDS AND TAPES SALES SERVICES; BOOKS AND MAGAZINES SALES SERVICES; MEN'S, WOMEN'S, CHILDREN'S AND INFANTS' SHOES SALES SERVICES; FURNITURE AND RUGS SALES SERVICES; FOOD AND CANDY SALES SERVICES; TREES, PLANTS AND FLOWERS SALES SERVICES; TOYS AND ATHLETIC SPORTING GOODS SALES SERVICES; HOBBY AND CRAFTS SUPPLIES AND EQUIPMENT SALES SERVICES; TIRE, BATTERY, OIL, ANTIFREEZE AND AUTOMOTIVE ACCESSORY SALES SERVICES; (( GUNS AND )) AMMUNITION SALES SERVICES; BEDDING, LINENS, CURTAINS AND DRAPERIES SALES SERVICES; CAMERAS, CALCULATORS AND TELEPHONE SALES SERVICES; COMPUTER HARDWARE, SOFTWARE AND ACCESSORIES SALES SERVICES; BICYCLE AND BICYCLE ACCESSORIES SALES SERVICES; AUTOMOTIVE MAINTENANCE AND REPAIR SUPPLIES AND EQUIPMENT SALES SERVICES; PET EQUIPMENT AND SUPPLIES SALES SERVICES; GIFTSHOP, HOUSEWARES AND TABLEWARE SALES SERVICES; RADIO, TELEVISION AND SOUND EQUIPMENT SALES SERVICES; VIDEO RECORDERS, VIDEO TAPE AND VIDEO GAME SALES SERVICES; TOOL AND HARDWARE SALES SERVICES; FISHING, BOATING, CAMPING AND HUNTING EQUIPMENT SALES SERVICES; GARDEN, LAWN AND PATIO EQUIPMENT AND SUPPLIES SALES SERVICES; STATIONERY, OFFICE AND SCHOOL SUPPLIES SALES SERVICES; SMALL ELECTRICAL APPLIANCES SALES SERVICES; ELECTRICAL AND PLUMBING MAINTENANCE AND REPAIR SUPPLIES AND EQUIPMENT SALES SERVICES; BAKERY GOODS SALES SERVICES; PICTURES, PICTURE FRAMES AND MIRROR SALES SERVICES; AND CHRISTMAS TREES, ORNAMENTS, DECORATIONS, LIGHTS AND ACCESSORIES SALES SERVICES. FIRST USE:

19720000. FIRST USE IN COMMERCE: 19720000

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

**Design Search Code** 21.03.12 - Dart boards; Targets, bulls-eye

**Serial Number** 73495553

**Filing Date** August 20, 1984

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** October 22, 1985

**Registration Number** 1386318

**Registration Date** March 11, 1986

**Owner** (REGISTRANT) DAYTON-HUDSON CORPORATION DBA TARGET CORPORATION MINNESOTA 777 NICOLLET MALL MINNEAPOLIS MINNESOTA 55402

**Assignment Recorded** ASSIGNMENT RECORDED

**Prior Registrations** 0837308;0845193;0845615;1148349;1214336;1259671;1261972;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

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

**Live/Dead Indicator** LIVE

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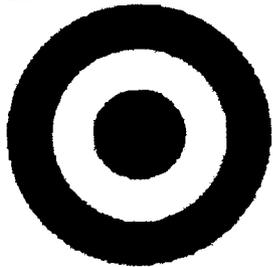
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- Goods and Services**
- IC 014. US 002 027 028 050. G & S: Clocks
  - IC 003. US 001 004 006 050 051 052. G & S: Incense, potpourri, scented oils used to produce aromas when heated
  - IC 004. US 001 006 015. G & S: Candles
  - IC 006. US 002 012 013 014 023 025 050. G & S: Metal shower curtain hooks and rings, decorative metal wall hooks, general purpose metal storage units and bins, metal wall pegs, baskets of common metals
  - IC 007. US 013 019 021 023 031 034 035. G & S: Electric kitchen mixers, electric food processors, electric can openers and electric knives
  - IC 008. US 023 028 044. G & S: Flatware, kitchen knives and knife sets, non-motorized knife sharpener, hand-pump cooking oil sprayers, scissors, pizza cutters, sharpening stones, zester
  - IC 009. US 021 023 026 036 038. G & S: CD towers, CD storage units, electric irons, electric outlet covers, magnets, electric switch plate covers, graduated rulers
  - IC 011. US 013 021 023 031 034. G & S: Lamps, lamp shades, sconces light fixtures, electric night lights, electric toasters, electric coffee pots, electric string lights for decorating, chandeliers, electric overhead lighting fixtures, electric fans, ceiling fans; electric casseroles, hot plates, electric toaster ovens, electric hot pots, microwave ovens, electric skillet, electric coffee makers, electric espresso

machines, electric waffle irons, electric deep fryers, electric grills, electric roasters being cookware, electric wok, reed light diffusers

IC 016. US 002 005 022 023 029 037 038 050. G & S: Framed art pictures and prints, photo albums, bookends, memo boards, picture boards, magnet boards, desk organizers in the nature of in/out boxes, paper shredders, pencil sharpeners, binders, notebooks, letter holders, file and memo sorters, staplers, tape dispensers, pencil cups, drawer organizers, push pins, hanging file folders, dry erase boards, desktop business card holders, pens, pencils, sheet protectors, portfolios, presentation folders, binder pockets, report covers, index dividers, file boxes, coupon holders, envelopes, stationery tape, corkboard tacks, staples, cardboard mailing tubes, stationery note cards, note pads containing adhesive on one side of the sheet for attachment to surfaces, photo album inserts, staple remover, drawing ruler, and letter opener

IC 020. US 002 013 022 025 032 050. G & S: Non-metal shower curtain hooks and rings, plastic mailing tubes, fitted fabric furniture covers, interior window blinds, decorative non-metal wall hooks; furniture in the nature of headboards for beds, nightstands, dressers, benches, bookcases, television stands, wall shelving, room dividers, vanity tables, armoires, stools, mirrors, desks, hutches, file cabinets, coffee tables, end tables, coat trees, bar cabinets, magazine racks, storage cubes, buffets, wine cabinets, tables, room screens, decorative trunks, chests, entertainment centers, storage towers, chairs, plastic storage bins, closet organizers, clothes hangers, decorative pillows, bed pillows, toss pillows, floor cushions, hassocks, curtain rods, window drapery hardware, namely traverse rods, poles, curtain hooks, curtain rods and finials; bed wedge pillows, shelves, shadow boxes, hampers, plastic storage bins, etageres, wall cabinets, storage benches, stepstools, vanity table, cabinets in the nature of floor storage units with or without drawers, decorative door bead curtains, picture frames, backrest pillows, non-metal wall pegs, foot boards for beds, carpet coasters for protecting furniture legs, bed frames, shoe racks, decorative knobs of wood and plastic

IC 021. US 002 013 023 029 030 033 040 050. G & S: Non-electrically heated hot pots, non-electric coffee makers, non-electric waffle irons, non-electric coffee pots not of precious metal, napkin rings, shaped ironing board covers, wine racks, wine charms, plastic coasters, dinnerware, pots and pans being cookware, bakeware, non-electric wok, napkin holder, bread box, salt and pepper shakers, salt and pepper grinders, sugar bowl, creamer pitcher, garlic press, baking stone, spoon rest, trivets, butler trays, candle sticks not of precious metal, decorative chargers, trays made of wood, metal or plastic, vases, non-metal baskets for home use, serving platters, beverage ware, canisters for kitchen use, paper towel holders, mixing bowls, cutting boards, turners, grill brushes, tongs of wood or metal, basting brushes, cooking skewers, ironing boards, dispenser for lotion, bath accessories, namely tooth brush and cup holders, decorative knobs of ceramic and glass, shower caddies, towel bars, wastebaskets, soap dishes, towel rings, candle holders not of precious metal, candle plates not of precious metal, incense holders, hanging candle holders not of precious metal, candle stands not of precious metal, non-electric votive chandeliers, non-electric candle wall sconces, multi-candle holders not of precious metal

IC 022. US 001 002 007 019 022 042 050. G & S: Mesh storage bags, fabric mailing pouches

IC 024. US 042 050. G & S: Bed sheet sets, pillow cases, pillow shams, duvets, quilts, coverlets, bed blankets, bed skirts, mattress pads, feather beds, comforters, fabric tablecloths, fabric table runners, fabric placemats, fabric napkins, kitchen towels, oven mitts, pot holders, unfitted fabric chair covers, chair pads, throw blankets, window curtains, bath sheets, bath towels, washcloths, hand towels, fingertip towels, fitted toilet lid covers, fitted toilet seat covers, shower curtains made of plastic or fabric, shower curtain liners made of plastic, dish towels, cloth coasters

IC 027. US 019 020 037 042 050. G & S: Rugs, bath mats, non-slip tub mats, wallpaper appliques, door mats

IC 028. US 022 023 038 050. G & S: Bean bags

IC 018. US 001 002 003 022 041. G & S: Business card cases

**Mark Drawing Code** (2) DESIGN ONLY

**Design** 21.03.12 - Dart boards; Targets, bulls-eye

**Search Code** 26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles  
26.01.21 - Circles that are totally or partially shaded.

**Serial Number** 78508108

**Filing Date** October 29, 2004

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** November 22, 2005

**Owner** (APPLICANT) Target Brands, Inc. CORPORATION MINNESOTA TPS-3165 1000 Nicollet Mall Minneapolis MINNESOTA 55403

**Prior Registrations** 1282536;1386318;2757265;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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