



BULKY DOCUMENTS

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Part 1 of 4



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I. STATEMENT OF ISSUE

The issue is whether there is a likelihood of confusion between the mark “SEXY N’ SASSY” of Application Serial No. 78/573,653 filed by Perfect Plus, Inc. (“Perfect Plus”) for hair care products, namely, shampoo, conditioners, hair spray, styling gels, and mousse, and Sexy Hair Concepts, LLC’s (“Sexy Hair”) name and the marks, “SEXY” and “SEXY HAIR” which Sexy Hair has used since at least as early as 1998 as marks and as component of marks in connection with hair care products, including hair shampoo, hair conditioners, hair spray, hair gels, and hair mousse.

II. STATEMENT OF RECORD

Sexy Hair timely filed its Notice of Opposition on May 12, 2006.

Perfect Plus timely filed its Answer on June 21, 2006.

Written discovery was taken by both parties.

Sexy Hair filed the following Notices of Reliance: (a) on July 17, 2007 (i) certified copy of the Certificate of Registration, with title and status for U.S. Trademark Registration No. 2,403,396, and (ii) certain of Applicant’s Responses to Opposer’s Interrogatories; (b) on August 14, 2007 with copies of printed publications. Pursuant to notice, testimony depositions of Mark Stiller, Jim Morrison, , and John Metzger were taken by Sexy Hair on August 2, 2007, August 2, 2007, and August 7, 2007, respectively, and copies of the transcripts of the depositions and exhibits were timely filed with the T.T.A.B.

Pursuant to notice, testimony deposition of Kenneth Browning was taken by Perfect Plus on October 10, 2007, and copies of the transcripts of the depositions and exhibits were timely filed with the T.T.A.B. On October 11, 2007, Perfect Plus, Inc. filed a Notice of Reliance with copy of an Office Action issued May 19, 2003 in connection with Serial No.

78,251,313 and reference to the exhibits and trial deposition testimony of Kenneth Browning taken October 10, 2007.

A. Evidentiary Objections to the Testimony and Exhibits of Kenneth Browning's Testimony Deposition

Sexy Hair specifically objects to and moves to strike Exhibits 106-118 and the entirety of Kenneth Browning's testimony as it relates to these exhibits. (Browning Dep. 23-34 attached as Exh. A) Exhibits 106-118 are internet Google searches for the term "sexy" by itself and in conjunction with other immaterial terms such as "Lip Liner" and "Earrings." (Browning Exs., attached as Ex. B). It is clear from the testimony, Mr. Browning was not competent to testify to these searches or their contents. He did not conduct the searches and had no familiarity with the results, even if the results were at all relevant to any matter at issue in this proceeding.¹

Section 708.04 of the T.B.M.P. addresses Internet evidence. The Manual and this Board note the element of self-authentication cannot be presumed to be capable of being satisfied by information obtained and printed out from the Internet. See Raccioppi v. Apogee Inc., 47 U.S.P.Q.2d 1368, 1370 (T.T.A.B. 1998). These postings may be modified or deleted at any time without notice and are therefore "transitory in nature" and "...not subject to the safeguard[s] that the party against whom the evidence is offered is readily available to corroborate or refute the authenticity of what is proffered." Id.

This does not require the exclusion of all Internet evidence. Rather, it requires proper authentication by the declarant. Raccioppi described this process. In sum, the person introducing the Internet evidence must be the person who conducted the searches.

¹ For example, Exhibit 114, a Google Search for SEXY AND EARRINGS, revealed a link for Phillips Head Screw Earrings as an "edgy, playful twist on a traditional gift" that bears no relevance to any matter in this proceeding.

Such was not the case with Exhibits 106-118. Mr. Browning admitted he did not conduct the searches or print out the materials. (Ex. A, Browning Dep. 52-55) Mr. Browning admitted he was unaware of the content of the materials identified as exhibits. (Ex. A, Browning Dep. 54-55) Mr. Browning was not competent to testify as to the veracity of these search results, the selection of the pages printed and offered into evidence, or their contents other than to be able to read what appears on the face of the offered pages. See T.B.M.P. § 708.04. These results and his testimony regarding them should be excluded.

Sexy Hair further objects to and moves to strike Exhibits 106-118 and Mr. Browning's testimony related thereto as irrelevant. This is an opposition to registration of SEXY N' SASSY as a mark for hair care products. The inclusion of blanket internet searches for words stripped of context to simply show a number of hits with no concern for what is shown, whether in terms of trademark use or non-trademark use and with no concern for what the goods or services might be, adds nothing of relevance to this proceeding. As such, the materials should be stricken.

Sexy Hair also specifically objects to and moves to strike Exhibit 119-120 and the entirety of Kenneth Browning's testimony as it relates to these exhibits. (see Ex. B) Perfect Plus improperly attempts to make of record third-party registrations through search reports that include the term "Sexy." A trademark search report is not credible evidence of the existence of the registrations listed. It does not qualify as a printed publication under Rule 2.122(e). See Weyerhaeuser Co. v. Katz, 24 U.S.P.Q.2d 1230, 1231 (T.T.A.B. 1992). Only legible soft copies of registrations or the electronic equivalent qualify as evidence of the third party registrations. See id. at 1231-32.

Third party registrations are properly introduced into the record through a notice of reliance filed during the offering party's testimony period, accompanied by the proper copy of the registration. See id. at 1231. See also T.B.M.P. § 704.03(b)(1)(B). Perfect Plus has not complied with the established procedures. Accordingly, the Board should strike Exhibits 119-120 and all testimony related to them. (Ex. A, Browning Dep. 34-37)

Additionally, Mr. Browning did not order or review the search reports in Exhibits 119-120. He was wholly unfamiliar with their contents. (Ex. A, Browning Dep. 35-36, 55) Therefore, Exhibits 119-120 and the related testimony should be stricken from the record. See T.B.M.P. § 704.08.

Sexy Hair also objects to and moves to strike Exhibit 121 and Mr. Browning's related testimony on grounds of relevance and competency. (Ex. A, Browning Dep. 37-39) The exhibit includes non-hair care products that are irrelevant to any issue in this proceeding. Additionally, Mr. Browning lacked sufficient knowledge to competently testify to the search results. When asked to identify a product from the search, he responded, "I don't know exactly what it is." (Ex. A, Browning Dep. 55) When asked to approximate a description, Mr. Browning replied, "I can't." (Ex. A, Browning Dep. 55-56) Accordingly, the exhibit and Mr. Browning's related testimony should be stricken from the record.

Sexy Hair also specifically objects to and moves to strike specifically offered evidence that Sexy Hair requested and Perfect Plus failed or refused to produce during discovery. Sexy Hair, in Interrogatories Nos. 1, 4, 9, 11, and 15, requested the information and materials Perfect Plus has sought to rely on at trial in Exhibits 105, 121-122 and in the testimony of Kenneth Browning on pages 21-22 and 37-45, related to Perfect Plus' use of its mark, promotion, sales, and third parties' alleged use of similar marks. Perfect Plus took the position the requested

information was irrelevant. Sexy Hair relied on the contention of Perfect Plus that it deemed such matters as third party use as irrelevant, and so would not seek to rely on any such use. Perfect Plus cannot now change its position and seek to rely on information and things it refused to produce as irrelevant to any matter at issue in this proceeding.

In discovery, “each party and its attorney has a duty to not only make a good faith effort to satisfy the discovery needs of its opponent but also make a good faith effort to seek only such discovery as is proper and relevant to the specific issues involved in the case.” Johnston Pump v. Chromalloy, 10 U.S.P.Q.2d 1671, 1674 (T.T.A.B. 1989), citing Medtronic Inc. v. Pacesetters Systems, Inc., 222 U.S.P.Q. 80, 83 (T.T.A.B. 1984). Where, as here, proper discovery has been withheld from the requesting party, “the responding party will be precluded from relying on such information or from adducing testimony with regard thereto during its testimony period.” Id. at 1677.

This is especially true when, as here, Perfect Plus objected to the requests as irrelevant and immaterial. See Weiner King Inc. v. Wiener King Corp., 204 U.S.P.Q. 820 (C.C.P.A. 1980). In Weiner King, the Petitioner served interrogatories during discovery, which Respondent claimed were irrelevant and immaterial. The Respondent later attempted to introduce the same information during a trial testimony deposition. The Court saw the issue “as one of fundamental fairness in the conduct of litigation.” Id. at 828. It noted that Respondent’s claim of immateriality amounted to a representation that all of information concerning those issues would not be at issue during the litigation. See id. The court continued:

“When a party seeks to discover facts which it expects the other party to introduce into evidence and the other party represents that all of those facts are already of record, the first party has a right to expect reliance by the other party on those facts of record alone. Any attempt, in such circumstances, to introduce further testimony about those or other facts bearing on the same issues amounts to

the type of surprise that the Federal Rules of Civil Procedure were designed to avoid.” Id.

Sexy Hair specifically requested information related to third party uses of the term “Sexy” as it relates to hair care products. (Sexy Hair NOR, 07/17/2007, Interrogatories attached as Ex. C) Perfect Plus responded that it had not identified any relevant unprivileged documents. (Id.) Based on this refusal to produce this information during discovery, Sexy Hair renews its objections and moves to strike Exhibits 105 and 121-122 and all of Mr. Browning’s testimony related to those exhibits and the third party uses of the term Sexy. (Ex. A, Browning Dep. 21-22, 37-40)

Sexy Hair also specifically requested information and documents related to the sale of goods. (Ex. C, Sexy Hair NOR, 07/17/2007, Interrogatories) Perfect Plus provided no information and objected on relevancy. (Ex. C, Sexy Hair NOR, 07/17/2007, Interrogatories) In testimony, Perfect Plus attempted to introduce sales figures and advertising expenditures. (Ex. A, Browning Dep. 41-45) Based on the refusal to produce this information during discovery on grounds of relevance, Sexy Hair renews its objections and moves to strike the testimony of Kenneth Browning on pages 41-45 of his deposition.

B. Objections to Applicant’s Notice Of Reliance

On October 11, 2007, Perfect Plus filed a Notice of Reliance in which it attempted to introduce into the record the Deposition Testimony of Kenneth Browning and the corresponding Exhibits. Trial deposition testimony and exhibits to that testimony are not the proper subject matter for a Notice of Reliance. See T.B.M.P. § 704. Therefore, Sexy Hair specifically objects to and moves to strike this material from the Notice of Reliance.

Sexy Hair specifically objects to and moves to strike the Thomson & Thomson Trademark Search Report for the term “SEX” in connection with hair care goods and services

that Perfect Plus has attempted to include into the record through its notice of reliance. (Ex. B, Browning Dep. Ex 120) Trademark search reports are not official records that can be included into the record by a notice of reliance. See T.B.M.P. § 704.07. See also Weyerhaeuser Co., 24 U.S.P.Q.2d at 1231-32. Additionally, it was clear from Mr. Browning's testimony that he had not conducted the search, was not familiar with its contents and therefore was not competent to testify to the report. (Ex. A, Browning Dep. 35-37) Accordingly, Sexy Hair objects to and moves to strike Exhibit 120 to the Deposition of Kenneth Browning.

Sexy Hair specifically objects to and moves to strike the magazine covers and advertisements Perfect Plus attempts to introduce into the record through its notice of reliance. (Ex. B, Browning Dep. Ex 105). Copies of printed publications may be introduced by a notice of reliance if the publication is competent evidence and relevant to an issue in the proceedings. See T.B.M.P. § 704.08. If the original publications are not available, an electronic equivalent generated from the NEXIS computerized library may be used as an alternative. See *id.* The magazine covers and advertisements in Exhibit 105 are neither the originals, nor acceptable electronic equivalents as outlined in the Manual. Specific identification of the appropriate publication is complicated by blurred, faded, or unreadable magazine names or publication dates. (Ex. B, Browning Dep. Ex 105 - IBC 0309, IBC 0310, IBC 0316, IBC 0324, IBC 0327, IBC 0335, IBC 0345, IBC 0357, IBC 0309, IBC 0362)

Additionally, even if the covers and advertisements in Exhibit 105 were in an acceptable form, the exhibit is not competent evidence relevant to an issue in this proceeding. Sexy Hair specifically requested information related to third party usage of the term Sexy in connection with hair care products and services. (Ex. C, Sexy Hair NOR, 07/17/2007, Interrogatories) Perfect Plus provided no relevant information related to the request. (Ex. C,

Sexy Hair NOR, 07/17/2007, Interrogatories). As outlined in Sexy Hair's evidentiary objections, Perfect Plus cannot attempt to introduce the same material it refused to produce pursuant to a legitimate discovery request. See Johnston Pump, 10 U.S.P.Q.2d at 1677. Accordingly, Sexy Hair objects to and moves to strike Exhibit 105 to the Deposition of Kenneth Browning.

Sexy Hair also specifically objects to and moves to strike the Google searches and various other Internet evidence Perfect Plus attempts to include in the record through its notice of reliance. (Ex. A, Browning Dep. Ex 106-118) Internet postings are not proper subject matter for introduction by notice of reliance because the evidence is not self authenticating. See T.B.M.P. § 704.08. See also Raccioppi, 47 U.S.P.Q.2d at 1370. Internet evidence is transitory in nature and may be modified at any time without notice. See id. Mr. Browning did not conduct the searches, was wholly unfamiliar with the content of these postings, and therefore was not competent to testify to these exhibits. (Ex. A, Browning Dep. 52-55) Further, the content of these Internet postings is not relevant to any issue of this proceeding.² Therefore, Sexy Hair specifically objects to and moves to strike Exhibits 106-118 to the Deposition of Kenneth Browning.

Sexy Hair also specifically objects to and moves to strike the SEXY N' SASSY product information Perfect Plus attempts to include in the record through its notice of reliance. (Ex. B, Browning Dep. Ex 103) Exhibit 103 appears to include an Internet posting describing two SEXY N' SASSY products. This exhibit, like the Google searches mentioned above, is not properly introduced into the record through a notice of reliance. See T.B.M.P. § 704.08. To

² The Google searches include printouts involving the term SEXY in connection with things like "Lips" (Exhibit 108), "Lip Liner" (Exhibit 110), "Eyelashes" (Exhibit 114), and "Earrings" (Exhibit 116), among others. None of these searches are relevant to any issue involved in this proceeding. (See Ex. B)

further illustrate the transitory nature of Internet evidence, Exhibit 103 fails to even provide a date describing when it was collected from the internet, making validation of the information contained in the exhibit impossible. Additionally, Mr. Browning did not print the document and was unaware as to when the document was printed. (Ex. A, Browning Dep. 52-53) As such, Exhibit 103 to the Deposition of Kenneth Browning should be stricken from the record.

Sexy Hair specifically objects to and moves to strike a photocopy of a packet of cream Perfect Plus attempts to introduce through its notice of reliance. (Ex. B, Browning Dep. Ex 122) Section 704 of the T.B.M.P. outlines various documents that can be introduced into the record through a notice of reliance. These documents include, among other things, applications and registrations, official records, and printed publications. Exhibit 122 is alleged to be a photocopy of third party product that uses the term SEXY in the product name. A photocopy of a product is not the type of document that can be noticed. See Hard Rock Café Licensing Corp. v. Elsea, 48 U.S.P.Q.2d 1400, 1403-04 (T.T.A.B. 1998). Additionally, the photocopy demonstrates the type of third party use Sexy Hair requested and Perfect Plus failed to produce during discovery. (Ex. C, Sexy Hair NOR, 07/17/2007, Interrogatories) Finally, Mr. Browning lacked sufficient knowledge about the exhibit to competently introduce it into evidence. (Ex. A, Browning Dep. 56) For all these reasons, Sexy Hair objects to and moves to strike Exhibit 122 to the Deposition of Kenneth Browning.

Sexy Hair also specifically objects to and moves to strike the Nick Chavez Product Catalogue and the printout of other SEXY N' SASSY products Perfect Plus attempts to introduce through its notice of reliance. (Ex. B, Browning Dep. Ex 123-124)³ Printed

³ Perfect Plus incorrectly labels the Nick Chavez Product Catalogue as Exhibit 121 in its notice of reliance. Perfect Plus also incorrectly labels the printout of other SEXY N SASSY products as Exhibit 123 in its notice of reliance. (See Ex. B).

publications suitable for introduction by notice of reliance must be “available to the general public in libraries or of general circulation among members of the public....” 37 C.F.R. § 2.122(e), see also T.B.M.P. § 704.08. Private promotional literature and product catalogs are not presumed to be publicly available, and the party offering the evidence must demonstrate its availability. See T.B.M.P. § 704.08. Exhibit 123 depicts catalog snapshots and descriptions of Perfect Plus products. Exhibit 124 is a one page picture or advertisement for SEXY N SASSY products. Promotional catalogs and advertisements providing no indication of a general availability to the public and are not proper subject matter for a notice of reliance. See Wagner Electric Corp. v. Raygo Wagner, Inc., 192 U.S.P.Q. 33, 36 n.10 (T.T.A.B. 1976). Accordingly, Sexy Hair objects to and moves to strike Exhibits 123-124 to the Deposition of Kenneth Browning.⁴

III. STATEMENT OF RELEVANT FACTS

A. Development of the SEXY and SEXY HAIR Names and Marks

Sexy Hair through its predecessor in interest and title, (collectively, Sexy Hair), has been using SEXY HAIR as a name and mark and SEXY as the dominant component of names and marks for hair care products since 1998. (Stiller Dep. 10-11 attached as Exhibit D.)

⁴ Sexy Hair also specifically preserves its objection and moves to strike the printout from the Internet of various products should Perfect Plus claims that it mislabeled Exhibit 121 and intended to introduce the internet postings rather than the Nick Chavez Product Catalogue. As outlined in the objections to the Google searches, Internet postings are not printed publications and are not proper matter for inclusion into a record through a notice of reliance. See T.B.M.P. § 704.08. Further, Mr. Browning was not competent to testify or authenticate the documents. (Ex. A, Browning Dep. 55-56) Additionally, Exhibit 121 includes various third party uses of the term SEXY. Sexy Hair specifically requested this material during discovery and Perfect Plus failed to produce it. As articulated in the evidentiary objections above, Perfect Plus cannot refuse to produce documents to a legitimate discovery request and proceed to introduce the very same material during its trial deposition period. For these reasons, Sexy Hair objects to and moves to strike Exhibit 121 to the Deposition of Kenneth Browning.

The SEXY brand was developed in 1998. The first product was part of the BIG SEXY HAIR product line. (Ex. D, Stiller Dep. 11; Stiller Dep. Ex 1 attached as Exhibit E.) Sexy Hair extended its SEXY brand to other product lines to create a family of marks, namely: STRAIGHT SEXY HAIR and SHORT SEXY HAIR in 1999, CURLY SEXY HAIR and HOT SEXY HAIR in 2000, HEALTHY SEXY HAIR and HOT SEXY HIGHLIGHTS in 2001, WILD SEXY HAIR in 2002, SILKY SEXY HAIR in 2003, SIMPLY SEXY HAIR in 2005, AND STRONG SEXY HAIR in 2007. (Ex. E, Stiller Dep. Ex 1)

From its inception, Sexy Hair focused the development of its brand around the word SEXY. (Ex. D, Stiller Dep. 45) Celebrity stylist and Sexy Hair founder, Michael O'Rourke envisioned SEXY as the emotional trigger for the Company's hair care products, and as a focal point on which to build a strong brand identity. (Ex. D, Stiller Dep. 45)

To that end, Sexy Hair's packaging always highlights the mark SEXY. The consistent and dominant element of each of the marks within the SEXY family of marks is SEXY. (Ex. D, Stiller Dep. 20-46; Ex. E, Stiller Dep. Ex 3-24) The original packaging featured SEXY in a bigger font and different color. (Ex. D, Stiller Dep. 26) An updated design made SEXY even bolder and easier to see. (Ex. D, Stiller Dep. 21)

SEXY consistently appears in a different color from the other components of the marks. (Ex. D, Stiller Dep. 26) Additionally, each Sexy Hair brand uses the same SEXY mark and the same styling for the marks, but uses a different color scheme to distinguish the particular product line. (Ex. D, Stiller Dep. 20-46; Ex. E, Stiller Dep. Ex 3-24) The goal was to make SEXY "stand out," to make it easily identifiable and simple to understand for the consumer. (Ex. D, Stiller Dep. 26, 30-31)

Sexy Hair targets its SEXY and SEXY HAIR branded products for sale through the professional hair care industry, generally through salons. (Ex. D, Stiller Dep. 15) Sexy Hair primarily sells its products through distributors, who in turn sell to salons that use the products and make them available for sale to the consumer. (Ex. D, Stiller Dep. 15)

Sexy Hair also sells SEXY HAIR products directly to chains, including Regus Salons, SuperCuts, Trade Secrets, JCPenney Salons, Ulta, Beauty Brands, and Beauty First. (Ex. D, Stiller Dep. 17) These chains represent over 15,000 retail hair salons and several hundred retail stores that focus on health and beauty products. (Id.). Although Sexy Hair does not market or sell to mass retailers, like Target and Rite-Aid, these stores continue to acquire SEXY HAIR products in order to meet the consumer demand for the product sold under the SEXY HAIR family of brands. (Ex. D, Stiller Dep. 15-16).

B. Sexy Hair's SEXY and SEXY HAIR Marks and Names are Well and Favorably Known

Sexy Hair has experienced consistent sales growth. The chart below demonstrates the annual sales figures, the annual increase in sales and the annual equivalent retail sales figures for all SEXY HAIR branded products from 1999-2006. (Ex. E, Stiller Dep. Ex 1).

Year	SEXY HAIR Product Sales (Millions)	Annual Percentage Increase in Sales	Retail Mark-up Sales Equivalent (Millions)
1999	\$4.4		\$16.0
2000	\$9.3	111%	\$33.9
2001	\$13.5	45%	\$49.2
2002	\$22.3	65%	\$81.2
2003	\$28.4	27%	\$103.4
2004	\$32.9	16%	\$119.7
2005	\$38.8	18%	\$141.4
2006	\$51.3	32%	\$186.6

Sexy Hair considers itself primarily a marketing company. (Ex. D, Stiller Dep.

46) In keeping with this approach, Sexy Hair continues to increase its advertising expenditures

to promote its SEXY and SEXY HAIR brands. In 2003, 2004, 2005, and 2006, the marketing and advertising expenditures were \$4.2 million, \$4.9 million, \$5.3 million, and almost \$6.3 million dollars respectively. (Ex. D, Stiller Dep. at 77; Ex. E, Stiller Dep. Ex 1) Marketing and advertising expenditures were increased an additional \$500,000 from 2006 to 2007. (Morrison Dep. 9 attached as Exhibit F)

Sexy Hair coordinates its marketing efforts to promote the family of SEXY and SEXY HAIR brands. It attends industry trade shows to demonstrate the use of its products on the latest hairstyles. (Ex. D, Stiller Dep. 46-49) Sexy Hair runs an educational program that teaches 500-600 classes per year on a signature Michael O'Rourke hairstyle and the latest SEXY hair care products. (Ex. D, Stiller Dep. 50-52) Sexy Hair uses point of purchase displays and posters, cooperative advertising with distributors, billboards, product sampling, and in-salon sales demonstrations to promote the SEXY brand. (Ex. D, Stiller Dep. 63-64, 74-81) Sexy Hair also runs sales promotions grouping different SEXY brand product lines to promote the family of SEXY and SEXY HAIR products. (Ex. D, Stiller Dep. 52-57)

Sexy Hair makes active use of the Internet through its interactive website, www.sexyhair.com. Every SEXY branded product and every piece of literature includes the website address, which stylists and consumers can refer to for more information about Sexy Hair's products. (Ex. D, Stiller Dep. 60) Sexy Hair participates in web-based advertising on Internet sites dedicated to hair care. (Ex. D, Stiller Dep. 82) Sexy Hair has also run a web-based contest called "The Show Off" where contestants create and submit a hair style using SEXY HAIR products. (Ex. D, Stiller Dep. 81-83) The best styles were chosen from among over 1000 entries and winners were announced in several categories at a major trade show in Florida. (Ex. D, Stiller Dep. 82)

Sexy Hair also promotes the SEXY and SEXY HAIR brands through more traditional print media. Advertisements run in magazines with national circulations, like *Allure*, *Cosmopolitan*, *Self*, *Lucky*, and *Teen Vogue*. (Ex. F, Morrison Dep. 10-15; Morrison Dep. Ex 42 attached as Exhibit G). Advertisements also run in magazines focused on hair and hair styling like *Hairstyle Guide* and *Modern Salon*. (Ex. F, Morrison Dep. 10-15; Ex. G, Morrison Dep. Ex 42) Sexy Hair products are often the feature of articles in magazines like *Seventeen*, *Marie Claire*, *In Style*, *Star*, *Self*, and *Launchpad*. (Ed. D, Stiller Dep. 68-73; Ex. E, Stiller Dep. Ex 36-37; Ex. G, Morrison Dep. Ex 42) Sexy Hair was even referred to as a “Mega-brand” in an article about Sexy Hair spokesperson Katherine McPhee recently in *Teen Vogue*.⁵ (Ex. G, Morrison Dep. Ex 42)

Sexy Hair’s products are also regularly featured on nationally aired television programs. Big Sexy Hair Spray and Play has been featured on NBC’s *The Today Show*. (Ex. F, Morrison Dep. 16) *Entertainment Tonight* featured a story on Sexy Hair spokesperson Katherine McPhee’s involvement in the creation of the Strong Sexy Hair product line. (Ex. F, Morrison Dep. 16) Ms. McPhee’s involvement with Sexy Hair has been the focus of stories on *Access Hollywood*. (Ex. F, Morrison Dep. 16) Sexy Hair products have been featured and distributed to audience members on *The View*. (Ex. F, Morrison Dep. 16) Sexy Hair products have been the subject of product placement on shows like HBO’s *Entourage*, CBS’s *How I Met Your Mother*, and ABC’s *Ugly Betty*. (Ex. F, Morrison Dep. 17)

Sexy Hair also recently cross promoted the introduction of the Strong Sexy Hair product line with the release of Katherine McPhee’s new CD. (Ex. F, Morrison Dep. 17-18)

⁵ Ms. McPhee was the runner-up in the 2006 season of *American Idol*. She signed a two-year agreement with Sexy Hair to be its celebrity spokesperson the same year. (Ex. D, Stiller Dep. 60)

RCA Records selected a photograph from a Sexy Hair photo shoot to be on the cover of Ms. McPhee's CD that sold over 250,000 copies. (Ex. F, Morrison Dep. 17-18) Sexy Hair, in turn, used a similar photograph for point of purchase packaging, collateral and advertising for Strong Sexy Hair. (Ex. F, Morrison Dep. 18).

Sexy Hair's coordinated promotional efforts have met resounding success. Sexy Hair experienced a twenty-five per cent (25%) increase in sales volume in 2006 and experienced a twenty per cent (20%) increase in sales volume through July 2007, each over the previous year. (Ex. F, Morrison Dep. 8) Internet traffic to the Sexy Hair's website has increased from 10,000 hits per month in 2006 to over 85,000 hits per month in 2007. (Ex. F, Morrison Dep. 20)

Due to overwhelming consumer demand, Sexy Hair products are among the top ten most diverted products in the hair care industry according to the Nielsen Company. (Ex. D, Stiller Dep. 18; Ex. E, Stiller Dep. Ex 2) Mass retailers like Target, Costco, CVS, and Rite-Aid actively stock and sell Sexy Hair products to the public. (Ex. D, Stiller Dep. 15) For the year ending September 30, 2005, Sexy Hair experienced \$11.87 million worth of diverted product, which was a twenty-three per cent (23%) increase from the year before. (Ex. D, Stiller Dep. 15) To compare, the national average was seventeen and one-half per cent (17.5%). (Ex. D, Stiller Dep. 15)

C. Sexy Hair has Secured Registrations For and Taken Steps to Protect Its SEXY and SEXY HAIR Marks and Name

To protect its interests, Sexy Hair has secured numerous trademark registrations for its hair care products, including Reg. No. 2,403,396 for SEXY HAIR for hair care products for men, women and children, namely hair shampoos, hair conditioners, hair lotions, hair cremes, hair gels, hair sprays, hair color, hair dyes, hair rinses, hair mousse. (Sexy Hair NOR, 07/17/2007, registration attached as Exhibit H).

Sexy Hair has diligently and successfully policed the SEXY marks in the hair care category. (Ex. D, Stiller Dep. 85-86; Ex. E, Stiller Dep. Ex 38) Sexy Hair also recently prevailed in a T.T.A.B. decision against Victoria's Secret's attempt to register the mark SO SEXY for hair care products. (Ex. D, Stiller Dep. 86; Ex. E, Stiller Dep. Ex 39)

As a result of Sexy Hair's efforts, and the success of such efforts, the SEXY HAIR marks and names are well known, and have been well known to the relevant public since long prior to the filing date of Perfect Plus' application on February 23, 2005.

D. Perfect Plus Offers For Sale and Sells Hair Care Preparations of the Same Type as Those Sold by Sexy Hair

Perfect Plus's application for SEXY N' SASSY identifies the same products as are sold under Sexy Hair's name and marks, hair care products, namely, shampoo, conditioners, hair spray, styling gels, and mousse. Perfect Plus identifies no restriction on trade channels in its application so it must be presumed that its product will travel through all trade channels appropriate for goods of that type, including the trade channels employed by Sexy Hair for its hair care products.

Perfect Plus' trade dress for its hair care products is so similar to Sexy Hair's products that bad faith should be presumed. Perfect Plus' SEXY N' SASSY trade dress is strikingly similar to Sexy Hair's STRAIGHT SEXY HAIR product line trade dress. (Ex. D, Stiller Dep. 87-88; Ex. E, Stiller Dep. Ex 6 and 40) Both products utilize a standard container that is generally silver in color. (Ex. D, Stiller Dep. 88) Both products utilize a two-color scheme for the text on the bottle. (Ex. E, Stiller Dep. Ex 6 and 40). Both products highlight SEXY on the bottle in a dominating red/pink color. (Ex. E, Stiller Dep. Ex 6 and 40). Finally, both products draw the eye of a consumer by strategically placing SEXY in the center of each container in a large font. (Ex. E, Stiller Dep. Ex 6 and 40).

The hair care products of the parties are inexpensive, frequently purchased goods sold to women and men. (Ex. D, Stiller Dep. 92; Ex. C, Sexy Hair NOR 07/17/2007, Interrogatories)

Likelihood of confusion is evident.

E. There is No Significant Cognizable Evidence of Third Party Use in this Proceeding.

Meaningful third party use of a term must be demonstrated by evidence describing the nature and extent of that use. Perfect Plus has no such evidence. Sexy Hair specifically requested in interrogatories that Perfect Plus identify third party use of the term SEXY for hair care products. (Ex. C, Sexy Hair NOR 07/17/2007, Interrogatories) Perfect Plus objected on grounds of relevance and failed to produce any meaningful evidence of third party use. (Ex. C, Sexy Hair NOR 07/17/2007, Interrogatories). Perfect Plus now makes a belated effort to avoid the consequences of its position that third party use is irrelevant.

It should be noted that much of the evidence Perfect Plus attempts to introduce is subject to a motion to strike. In any event, this evidence falls short of meaningful evidence of third party use of SEXY as it relates to hair care products.

However, even if third party use is relevant, there is no significant use of SEXY as a mark or component of a mark for hair care products. Sexy Hair is unaware of any other use of SEXY as a mark or component of a mark in connection with hair care products. (Ex. D, Stiller Dep. 87)

IV. STATEMENT OF LAW AND ARGUMENT

A. Sexy Hair Has Standing and Priority is Not an Issue

There is no issue of priority. Sexy Hair has made its pleaded registration of record and the claim under Section 2(d) of the Act is well founded. See King Candy Co. v.

Eunice King's Kitchen, Inc., 496 F.2d 1400, 182 U.S.P.Q. 108 (C.C.P.A. 1974). As there is no dispute regarding Sexy Hair's priority, the only issue in this case is likelihood of confusion.

B. The DuPont Factors for Which There is Evidence All Weigh in Favor of Finding Confusion Likely

The relevant standard for determining likelihood of confusion is established in In re E.I. DuPont de Nemours & Co.; 476 F.2d 1357, 177 U.S.P.Q. 563 (C.C.P.A. 1973). The most significant of the DuPont factors here are the similarity between the marks and the similarity between the goods. However, other factors for which there is evidence weigh in favor of finding confusion likely, including: the strength of the SEXY mark, the conditions of purchase, the overlap in trade channels, and the overlap in customers.

C. The Dominant Element of the Marks and the Marks as a Whole are Confusingly Similar and the Goods are Identical

In any likelihood of confusion analysis, two key considerations are the similarities between the marks and the similarities between the goods. See Federated Foods, Inc. v. Fort Howard Paper Co., 544 F.2d 1098, 192 U.S.P.Q. 24 (C.C.P.A. 1996). Here, these factors heavily favor a finding of likelihood of confusion between Sexy Hair's names and marks and Perfect Plus' mark.

1. Sexy Hair and Perfect Plus Market Identical Goods

Where, as here, the parties' goods are the same, a lesser degree of similarity between the marks suffices for confusion to be found likely. See Century 21 Real Estate Corp. v. Century Life of America, 970 F.2d 874, 877, 23 U.S.P.Q.2d 1698 (Fed. Cir. 1992) ("When marks would appear on virtually identical goods or services, the degree of similarity necessary to support a conclusion of likely confusion declines"). See also In re L.C. Licensing, Inc., 49 U.S.P.Q.2d 1379 (T.T.A.B 1998).

The goods identified in Perfect Plus' application and Sexy Hair's goods are virtually identical. Each mark is for hair care products, and more specifically, shampoo, conditioners, hair spray, styling gels, and mousse. Therefore, the degree of similarity necessary to find confusion likely between Sexy Hair's SEXY name and marks and Perfect Plus's mark is lessened.

2. Perfect Plus' Mark is Confusingly Similar to Sexy Hair's Name and Mark and Family of Marks

The test of likelihood of confusion is not based on a side-by-side comparison, but on the general impression of marks retained by the ordinary purchaser. See Sealed Air Corp. v. Scott Paper Co., 190 U.S.P.Q. 106, 108 (T.T.A.B 1975). See also China Healthways Inst., Inc. v. Wang, 491 F.3d 1337, 1340 (Fed. Cir. 2007). It is clear from the general impression of the marks, that Perfect Plus' mark is confusingly similar to Sexy Hair's SEXY mark and its family of SEXY and SEXY HAIR marks and names.

While marks are to be considered in their entireties, more weight is properly given to the dominant feature of a mark and less to descriptive or generic matter that would not be viewed as having significance as to source. See In re National Data Corp., 753 F.2d 1056, 1058, 224 U.S.P.Q. 749 (Fed. Cir. 1985). The dominant feature of Sexy Hair's mark is SEXY. It is the centerpiece of each mark. The trade dress of Sexy Hair is designed to make SEXY stand out to the consumer. (Ex. D, Stiller Dep. 20-46; Ex. E, Stiller Dep. Ex 3-24). The first and dominant feature of Perfect Plus' mark is also SEXY. (Ex. E, Stiller Dep. Ex 40). Perfect Plus highlights SEXY on its trade dress, setting the term in a different color in larger, bolder, and all capitalized font with "n' sassy" being smaller, thinner, and lower. (Ex. E, Stiller Dep. Ex 40).

SEXY is an inherently distinctive term as evidenced by its registration on the Principal Register, without any disclaimer as to the word SEXY. (Ex. H, Sexy Hair NOR

07/17/2007, Registration). SEXY is suggestive of the end result of using the hair care preparations and was chosen by Sexy Hair to invoke an emotive response in consumers. (Ex. D, Stiller Dep. 45). SEXY does not immediately describe or convey any specific quality or characteristic of hair care products. See La Maur Inc. v. Alberto-Culver Company et al., 179 U.S.P.Q. 607 (D.Minn. 1973), aff'd 496 F.2d 618 (8th Cir. 1974) (“Style” is not descriptive of hair spray, shampoo, cream rinse, conditioner, setting gels or lotions).

Perfect Plus’ application is not limited to any particular font or style. It is telling though, that when Perfect Plus presents its mark, it uses more subdued and smaller fonts to lessen the impact of “n’ sassy” and further highlight “SEXY.” (Ex. E, Stiller Dep. Ex 40) The addition of N’ SASSY to Perfect Plus’ mark is unlikely to prevent customer confusion over the source of the products. See China Healthways Inst., Inc., at 1341. Any argument by Perfect Plus that other matter on its packaging obviates any likelihood of confusion is immaterial in the context of this proceeding. The mark in issue is SEXY N’ SASSY alone, and it is only this mark which is to be considered in determining the likelihood of confusion. See State Historical Soc’y v. Ringling Bros.-Barnum & Bailey, 190 U.S.P.Q. 25 (T.T.A.B. 1976).

That Sexy Hair has created a family of SEXY HAIR only increases the likelihood of confusion that exists between the SEXY HAIR mark and name and the mark of the opposed application. See Ty, Inc. v. Jones Group, Inc., 237 F.3d 891, 899, 57 U.S.P.Q.2d 1617 (7th Cir. 2001) (Confusion found likely between marks where senior user established a family of “Beanie” brands and relying on the public’s recognition of this term in marketing).

Sexy Hair markets a family of hair care products centered on the term SEXY. This family includes: BIG SEXY HAIR, STRAIGHT SEXY HAIR, SHORT SEXY HAIR, CURLY SEXY HAIR, HOT SEXY HAIR, HEALTHY SEXY HAIR, HOT SEXY

HIGHLIGHTS, WILD SEXY HAIR, SILKY SEXY HAIR, SIMPLY SEXY HAIR, and STRONG SEXY HAIR. (Ex. E, Stiller Dep. Exs. 1, 3-24). The SEXY family of marks is established by the unified trade dress that is employed for the marks within the family. (Ex. E, Stiller Dep. Exs. 3-24). Further, the manner in which the product lines are promoted, together, in communications to the public and to the trade, establish the individual product lines as part of the SEXY family of marks. (Ex. D, Stiller Dep. 52-58; Ex. E, Stiller Ex 26-29). A “family of marks is a group of marks having a recognizable common characteristic [where] the marks are used in such a way that the public associates not only the individual marks, but the common characteristic of the family, with the trademark owner.” J&J Snack Foods Corp. v. McDonald’s Corp., 932 F.2d 1460, 1462, 18 U.S.P.Q.2d 1889 (Fed Cir. 1991), see also Black & Decker Corp. v. Emerson Elec. Co., 84 U.S.P.Q.2d 1482 (T.T.A.B 2007).

In these circumstances, the mark of the opposed application SEXY N’ SASSY is likely to be viewed by the relevant public as one of the family of SEXY and SEXY HAIR marks. See Black & Decker Corp., 84 U.S.P.Q.2d at 1491. The marks share the dominant feature SEXY and highlight that dominant feature in trade dress and advertising to make it stand out to consumers.

SEXY is the dominant element in each of Sexy Hair’s SEXY and SEXY HAIR names and marks and Perfect Plus’ SEXY N’ SASSY mark. Sexy Hair has established a family of SEXY and SEXY HAIR names and marks. The overall similarities, connotation and commercial impression of the marks for essentially identical hair care product all weigh strongly in favor of a finding of likelihood of confusion.

D. SEXY and SEXY HAIR Marks and Names are Strong and Have Achieved Great Public Recognition

Strength of a mark is determined by the nature of the mark, the commercial success, and the nature and extent of use, if any, of similar marks by others for related goods. See Monarch Marketing Sys. Inc. v. Elan Sys. Inc., 39 U.S.P.Q.2d 1032, 1037-38 (T.T.A.B. 1996).

Sexy Hair's SEXY and SEXY HAIR names and marks are strong.

SEXY and SEXY HAIR are inherently distinctive when used in connection with hair care products and SEXY HAIR is the subject of an incontestable trademark registration.

Sexy Hair has continuously and extensively used SEXY and SEXY HAIR names and marks and as components of names and marks in connection with hair care products since 1998. (Ex. D, Stiller Dep. 11). Since launch, Sexy Hair's SEXY hair products have experienced uninterrupted commercial growth and success. Sales of Sexy Hair products have expanded from \$4.4 million in 1999 to over \$51 million in 2006. (Ex. E, Stiller Dep. Ex 1)

The overwhelming consumer acceptance and recognition of SEXY and SEXY HAIR branded products has created a significant demand for diverted products. In 2005, mass retailers like Target, Costco, Rite-Aid and CVS brought \$11 million in diverted Sexy Hair products to their shelves to meet consumer demand. (Ex. D, Stiller Dep. 18; Ex. E, Stiller Dep. Ex 2) This was a 23% increase from 2004, outpacing the national average of 17.5% for all hair care products. (Ex. D, Stiller Dep. 15).

The impact from similar third party marks depends on the usage and impact on the consuming public of those marks. See Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondee en 1772, 396 F.3d 1369, 1373-74 (Fed. Cir. 2005). Here there is not significant

third party use of SEXY or SEXY HAIR as a name or mark or component of a name or mark to dilute the strength of Sexy Hair's names and marks.

Sexy Hair's marks are inherently distinctive and have acquired substantial commercial strength. The strength of the marks and names is a factor which weighs heavily in favor of finding confusion likely when another seeks to register a mark which has the same dominant component and is sought to be registered for the identical goods.

E. Conditions of Purchase Do Nothing to Mitigate Likelihood of Confusion

Hair care products are purchased by ordinary consumers and require no particular sophistication. Hair care products such as shampoo, conditioner, and styling products are frequently purchased and often the subject of impulse purchase. Sexy Hair's products retail from \$9 per product to approximately \$25 per product. (Ex. D, Stiller Dep. 92) Perfect Plus' products are also available for purchase in a price range from \$13-20 per product. (Metzger Dep. 46-54 attached as Exhibit I; Metzger Dep. Ex. 17-22 attached as Exhibit J).

The purchase of hair care products is not a major purchase requiring or receiving extended study or deliberation. See Han Beauty, Inc. v. Alberto-Culver Co., 236 F.3d 1333, 1335, 57 U.S.P.Q.2d 1557 (Fed. Cir. 2001). Additionally, where the buyer class consists of both professional buyers and consumers, the standard of care to be exercised by the reasonably prudent purchaser is that of the least sophisticated consumer in the class. See Ford Motor Co. v. Summit Motor Products, Inc., et. al., 930 F.2d 277, 293, 18 U.S.P.Q.2d 1417 (3d Cir. 1991).

Sexy Hair's SEXY hair care products are sold primarily through salons, but also through retail chains and other trade channels to women and men. (Ex. D, Stiller Dep. 15-17, 27-28) Perfect Plus's hair care products are not restricted to any class of customers or any trade channels and the goods are such as would be purchased by women and men. (Ex. C, Sexy Hair

NOR 07/17/2007, Interrogatories). Each parties' products are available to the same class of purchasers.

Where, as here, the purchase of products the subject of frequent and repeat purchase, are not such as are purchased with great care, are available to the same class of customers, and are inexpensive, these factors weighs in favor of finding confusion likely.

F. Sexy Hair's and Perfect Plus' Hair Care Products are Such as are Sold Through Overlapping Trade Channels

Sexy Hair's registration contains no restriction on trade channels. While Sexy Hair directs its marketing efforts to professional channels, salons and salon distributors, its products, because of the overwhelming consumer demand, find their way to mass retailers. (Ex. D, Stiller Dep. 15). Additionally, Sexy Hair products are available for purchase over the internet. (Ex. I, Metzger Dep. 65-68) Perfect Plus already markets its hair care products and offers them for sale over the internet. (Ex. C, Sexy Hair NOR 07/17/2007, Interrogatories) The goods of the parties are legally identical. They must be deemed to be sold in the same channels of trade to the same classes of customers. See Interstate Brands Corp. v. McKee Foods Corp., 53 U.S.P.Q.2d 1910, 1913 (T.T.A.B. 2000).

Further, as the opposed application contains no limits with respect to trade channels, Applicant's current trade channels are immaterial. There is no limitation on an expansion into other appropriate trade channels. See Canadian Imperial Bank v. Wells Fargo Bank, 811 F.2d 1490, 1 U.S.P.Q.2d 1813 (Fed. Cir. 1987); see also CBS Inc. v. Morrow, 708 F.2d 1579, 1581, 218 U.S.P.Q. 198 (Fed. Cir. 1983) (likelihood of confusion must be determined based on the marks as applied to the goods/services recited in registration and the usual channels of trade and methods of distribution).

Perfect Plus' hair care products must be presumed to be sold through the same trade channels as Sexy Hair's SEXY hair care products; weighing in favor of finding likelihood of confusion.

G. Sexy Hair's and Perfect Plus' Hair Care Products are Marketed Through Overlapping Promotional Channels

Sexy Hair's SEXY and SEXY HAIR hair care products are regularly featured on nationally aired television programs such as NBC's *The Today Show*, *Entertainment Tonight*, *Access Hollywood*, *The View*, HBO's *Entourage*, CBS's *How I Met Your Mother*, and ABC's *Ugly Betty*. (Ex. F, Morrison Dep. 16-17) Perfect Plus also promotes its hair care products on television. (Ex. C, Sexy Hair NOR 07/17/2007, Interrogatories)

Accordingly, this factor also weighs in favor of finding likelihood of confusion.

H. Absence of Evidence of Confusion is Immaterial.

The issue in this opposition proceeding is whether there is a likelihood of confusion. Actual confusion need not be established for Sexy Hair to succeed in this opposition. The lack of evidence establishing actual confusion is immaterial where the applicant's use is recent, local, or limited such that there would be little occasion for confusion to arise. See Weiss Assocs. Inc. v. HRL Assocs., Inc., 902 F.2d 1546, 1549, 14 U.S.P.Q.2d 1840 (Fed Cir. 1990). Perfect Plus' use of the mark at issue is recent and it has engaged in limited promotion and advertising. Further, Perfect Plus failed to introduce any evidence of significant sales. Accordingly, this factor is neutral.

I. Doubt if Any is to be Resolved in Favor of the Senior User and Registrant

When determining likelihood of confusion, any doubt is to be resolved in favor of the prior user and registrant. See In re Martin's Famous Pastry Shoppe, Inc., 748 F.2d 1565, 1568, 221 U.S.P.Q. 1568 (T.T.A.B. 1984). Sexy Hair began use of the SEXY and SEXY HAIR

names and marks nearly ten years ago. Sexy Hair has established a family of SEXY branded hair care products with strong consumer acceptance. Sexy Hair has secured an incontestable registration for the SEXY HAIR mark, which registration was subsisting prior to Perfect Plus' first use and filing date. In such circumstances, Perfect Plus' adoption of a similar mark for the same goods was done at its own peril and any doubt as to likelihood of confusion must be resolved against it. See Interstate Brands Corp., 53 U.S.P.Q.2d at 1915.

There should be no doubt in this matter. The relevant DuPont factors weigh highly in favor of finding confusion likely.

V. CONCLUSION

Sexy Hair respectfully submits that it has established a likelihood of confusion and the Board should refuse registration of Perfect Plus' SEXY N' SASSY mark for hair care products because:

1. There is a high degree of similarity between the Perfect Plus mark and Sexy Hair's names and marks;
2. the hair care products identified in the opposed application and Sexy Hair's hair care products are essentially identical;
3. the hair care products are such as are sold in the same channels of trade and promoted in the same media; and
4. the purchasers of hair care products are the same and purchasers of hair care products require no particular expertise, sophistication or study and are the subject of frequent and repeat purchases.

Sexy Hair respectfully requests that registration of the mark of Application Serial No. 78/573,653 be refused and that this Opposition be sustained.

Respectfully submitted,

Dated: January 28, 2008

By: Robert Jacobs-Meadway
ROBERTA JACOBS-MEADWAY
Jay K. Meadway
Patricia G. Cramer
Sean P. McConnell
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
1735 Market Street - 51st Floor
Philadelphia, Pennsylvania 19103
(215) 665-8500
ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that Opposer's Trial Brief was served today on counsel for

Applicant by first class U.S. Mail, postage prepaid:

Richard H. Zaitlen, Esquire
Pillsbury Winthrop Shaw Pittman LLP
725 South Figueroa Street
Suite 2800
Los Angeles, CA 90017
rzaitlen@pillsburywinthrop.com

Date: January 28, 2008



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

SEXY HAIR CONCEPTS, LLC,)	
)	
Opposer,)	
)	Opposition
vs.)	No. 91-170,863
)	
PERFECT PLUS, INC.,)	
)	
Applicant.)	

DEPOSITION OF KENNETH BROWNING

TAKEN ON

WEDNESDAY, OCTOBER 10, 2007

Reported by: KATHY BAUERNFEIND
CSR NO. 11921

1

2 Deposition of KENNETH BROWNING, taken on behalf
3 of the Defendant, at 725 South Figueroa Street, Los
4 Angeles, California, on Wednesday, October 10, 2007, at
5 10:11 a.m., before Kathy Bauernfeind, CSR No. 11921.

6

7

8 APPEARANCES:

9

10 FOR THE PLAINTIFF:

11 LAW OFFICES OF BALLARD, SPAHR,
12 ANDREWS & INGERSOLL, LLP
13 BY: ROBERTA JACOBS-MEADWAY, ESQ.
14 1735 Market Street
 51st Floor
 Philadelphia, Pennsylvania 19103-7599
 (215) 864-8201

15 FOR THE DEFENDANT:

16 LAW OFFICES OF PILLSBURY, WINTHROP,
17 SHAW, PITTMAN, LLP
18 BY: RICHARD ZAITLEN, ESQ.
19 725 S. Figueroa Street
 Suite 2800
 Los Angeles, California 90017
 (213) 488-7100

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25

1 using the product -- the term sexy?

2 A. Well, in this specific sentence, you know,
3 to evoke these sorts of particular --

4 Q. I don't mean to lead you, but is it --

5 MS. JACOBS-MEADWAY: Yes, you do

6 BY MR. ZAITLEN:

7 Q. -- consistent or inconsistent with --

8 A. It's consistent.

9 MS. JACOBS-MEADWAY: Object to the form of the
10 question. Move to strike the answer.

11 MR. ZAITLEN: I'd like to place in front of you
12 a compilation -- I'm sorry, did we have this last exhibit
13 marked as Exhibit 104.

14 (Applicant's Exhibit 104 was marked for
15 identification.)

16 BY MR. ZAITLEN:

17 Q. So I have another exhibit that I'm placing
18 in front of you which is a compilation of magazine
19 covers, and ask you if you're familiar with this --

20 A. I am.

21 Q. -- exhibit?

22 MR. ZAITLEN: So this is Exhibit 105.

23 (Applicant's Exhibit 105 was marked for
24 identification.)

25 ///

1 BY MR. ZAITLEN:

2 Q. And if you could, just generally describe
3 what Exhibit 105 is.

4 MS. JACOBS-MEADWAY: Object. Move to strike.
5 Wasn't produced in the course of discovery although it
6 was requested.

7 THE WITNESS: This is a compilation of magazine
8 covers or magazine articles that reference the word sexy.

9 BY MR. ZAITLEN:

10 Q. Have you seen -- other than these magazine
11 covers and articles that use the term sexy, have you seen
12 the term sexy used in magazine articles and covers?

13 MS. JACOBS-MEADWAY: Object. Move to strike.

14 THE WITNESS: Yes.

15 BY MR. ZAITLEN:

16 Q. Could you tell us how it's used?

17 A. I think in the beauty area, I don't think
18 you can find a cover that doesn't use the word sexy.
19 With respect to how it's used, in relationship to
20 anything pertaining to personal health, personal beauty,
21 personal apparel.

22 MS. JACOBS-MEADWAY: Object. Move to strike.

23 The answer was given in discovery that this was
24 irrelevant. Taking you at your word, it's irrelevant and
25 move to strike.

1 BY MR. ZAITLEN:

2 Q. I'd like to show you another exhibit, which
3 we're going to mark as Exhibit 106, and it appears to be
4 some kind of a Google search.

5 MS. JACOBS-MEADWAY: Mr. Zaitlen, do you have a
6 copy for me?

7 MR. ZAITLEN: Sorry.

8 MS. JACOBS-MEADWAY: Thank you.

9 (Defendant's Exhibit 106 was marked for
10 identification.)

11 BY MR. ZAITLEN:

12 Q. And if you could just -- are you familiar
13 with this document?

14 A. Yes.

15 Q. Is it in fact a Google search?

16 A. Yes, it is.

17 Q. Up at the top, in the box where you type in
18 the word you want to search for, the Google word that's
19 being searched here is sexy?

20 A. Correct.

21 Q. And what does the Google search show in
22 terms of how many hits were obtained for that?

23 MS. JACOBS-MEADWAY: Object. Move to strike.
24 Irrelevant by your own interrogatory answers. Also lack
25 of foundation.

1 THE WITNESS: It shows 289 million hits for the
2 word sexy.

3 BY MR. ZAITLEN:

4 Q. Can you reference some of the ways -- what
5 was uncovered as part of this Google search?

6 A. Sure. It talks about sexy videos, sexy
7 models, sexy lingerie, sexy costumes, sexy animations,
8 goes on and on, consistent with what I said about all
9 categories of cosmetics, apparel, jewelry, and on and on.

10 MS. JACOBS-MEADWAY: Objection. Move to strike.

11 MR. ZAITLEN: I think you said that now.

12 MS. JACOBS-MEADWAY: Yeah, I have. That was to
13 his answer as well as the exhibit.

14 MR. ZAITLEN: I'd like to place in front of you
15 another Google search. We'll call this Exhibit 107.

16 (Applicant's Exhibit 107 was marked for
17 identification.)

18 BY MR. ZAITLEN:

19 Q. Are you familiar with this document?

20 A. I am.

21 Q. And in this particular Google search, what
22 was the term that was being searched?

23 A. Sexy and hair.

24 MS. JACOBS-MEADWAY: Object. Move to strike.

25 And I note that the attorney pointed out to the witness

1 where the search terms were.

2 MR. ZAITLEN: So we could speed things along.
3 But if you object to me doing that, I won't do that in
4 the future.

5 MS. JACOBS-MEADWAY: I object and move to
6 strike.

7 BY MR. ZAITLEN:

8 Q. And what is the -- what were the results of
9 that in terms of the number of hits for the term sexy and
10 hair that are identified in this document?

11 A. For those search words, there were
12 25,500,000 hits.

13 Q. And could you give us some examples of how
14 the term sexy and hair showed up on the search?

15 A. Secrets to sexy hair, too sexy for my hair,
16 sexy professional hair extensions, sexy blond hair, sexy
17 new hair color, sexy hair conditioners.

18 Q. And based on your own experience in this
19 industry, in hair care and cosmetic industry, how is the
20 term sexy being used and the information set forth in
21 Exhibit 107?

22 MS. JACOBS-MEADWAY: Object to the form of the
23 question. Lacks foundation. Move to strike any answer.

24 THE WITNESS: In the same way.

25 ///

1 BY MR. ZAITLEN:

2 Q. And what way is that?

3 A. It's the dictionary definition of using the
4 word sexy to describe various aspects of hair care,
5 apparel, on and on.

6 MS. JACOBS-MEADWAY: Object to the form of the
7 question. Nonresponsive. Move to strike.

8 BY MR. ZAITLEN:

9 Q. Placing before you another document and ask
10 you if you can identify this document.

11 A. It's a Google search for sexy and lips.

12 MR. ZAITLEN: Let's have this marked as Exhibit
13 108.

14 (Applicant's Exhibit 108 was marked for
15 identification.)

16 BY MR. ZAITLEN:

17 Q. And how many hits were uncovered as a result
18 of this investigation?

19 A. For that search, 8,940,000 hits.

20 Q. And could you give us some examples of what
21 was uncovered as part of this search?

22 MS. JACOBS-MEADWAY: Object. Lacks foundation.
23 Move to strike.

24 THE WITNESS: Sexy shiny lips, sexy big full
25 lips, and on and on.

1 BY MR. ZAITLEN:

2 Q. I'd like to introduce another -- show you
3 another document, ask you if you can identify this one.

4 A. This is a Google search for the words sexy
5 and lipstick.

6 Q. And how many hits were uncovered in this
7 search?

8 A. 2,430,000.

9 MS. JACOBS-MEADWAY: Object to the form of the
10 question. Move to strike.

11 BY MR. ZAITLEN:

12 Q. And could you just give us some examples of
13 what was uncovered in part of this search?

14 A. Sexy lipstick, sexy gold lipstick, sexy red
15 lipstick.

16 MS. JACOBS-MEADWAY: Object. Move to strike.

17 BY MR. ZAITLEN:

18 Q. And is this use consistent with the way you
19 understand the term to be defined in the dictionary?

20 A. Yes.

21 MS. JACOBS-MEADWAY: Lacks foundation. Object.
22 Move to strike.

23 MR. ZAITLEN: Did we have this marked as Exhibit
24 109.

25 ///

1 (Applicant's Exhibit 109 was marked for
2 identification.)

3 MS. JACOBS-MEADWAY: And I'll move to strike.

4 BY MR. ZAITLEN:

5 Q. I've placed another document in front of
6 you, and ask you if you can identify what this document
7 is.

8 A. This is a Google search for the words sexy
9 and lip liner.

10 MS. JACOBS-MEADWAY: Object. Move to strike.
11 Irrelevant. Lacks foundation. Also irrelevant by your
12 own response to discovery.

13 MR. ZAITLEN: Let's have this marked as Exhibit
14 110.

15 (Applicant's Exhibit 110 was marked for
16 identification.)

17 BY MR. ZAITLEN:

18 Q. And what are some of the uses that were
19 uncovered as part of this search?

20 A. Well, the search uncovered 361,000 hits with
21 respect to that search. And it uncovered Sexy Lexy Lip
22 Liner, Sexy Lip Tips, Sexy Girl Cosmetics. And so on.

23 MS. JACOBS-MEADWAY: Object. Move to strike.

24 BY MR. ZAITLEN:

25 Q. How about the Six Sexy Lip Tips?

1 A. That too.

2 Q. Next exhibit in order, if you can identify
3 what that exhibit is.

4 A. This is a Google search for sexy and smile.

5 MS. JACOBS-MEADWAY: Object. Move to strike.

6 MR. ZAITLEN: Let's have this marked as Exhibit
7 111.

8 (Applicant's Exhibit 111 was marked for
9 identification.)

10 BY MR. ZAITLEN:

11 Q. And what was the term that searched this
12 one?

13 A. Sexy and smile.

14 Q. How many hits were uncovered?

15 A. 3,380,000 hits.

16 Q. And could you just give us some examples of
17 what was uncovered in the search?

18 MS. JACOBS-MEADWAY: Object. Lacks foundation.
19 Move to strike.

20 THE WITNESS: Sexy smile, sexy man smile, sexy
21 smile inducer.

22 MS. JACOBS-MEADWAY: You missed "Sexy Sapphic
23 Smile Enducer" (sic).

24 THE WITNESS: I leave that to you.

25 ///

1 BY MR. ZAITLEN:

2 Q. Next exhibit, are you familiar with this
3 exhibit I've just placed in front of you?

4 A. Yes.

5 MR. ZAITLEN: Let's have this marked as Exhibit
6 112.

7 MS. JACOBS-MEADWAY: Move to strike
8 (Applicant's Exhibit 112 was marked for
9 identification.)

10 THE WITNESS: This is a search for sexy and
11 eyes.

12 BY MR. ZAITLEN:

13 Q. How many hits were uncovered in this search?

14 A. This uncovered 19,400,000 hits.

15 Q. And give some examples of what was uncovered
16 in the search.

17 MS. JACOBS-MEADWAY: Object. Lacks foundation.
18 Move to strike.

19 THE WITNESS: Sexy eyes, sexy smoky eyes, sexy
20 Arabic eyes.

21 BY MR. ZAITLEN:

22 Q. Next exhibit I placed in front of you, are
23 you familiar with that document?

24 A. Yes.

25 Q. What is it?

1 A. It is a Google search for sexy and mascara.

2 MR. ZAITLEN: Let's have this marked as Exhibit
3 113.

4 MS. JACOBS-MEADWAY: Move to strike.

5 (Applicant's Exhibit 113 was marked for
6 identification.)

7 BY MR. ZAITLEN:

8 Q. Could you give us some examples of what was
9 uncovered in the search?

10 A. This search reflected 1,180,000 hits.

11 MS. JACOBS-MEADWAY: Object. Move to strike.
12 Lacks foundation.

13 THE WITNESS: And it revealed sexy eye mascara,
14 sexy intensifying mascara, sexy lashes mascara.

15 BY MR. ZAITLEN:

16 Q. To speed things along, I'm going to give you
17 three documents and ask you if you could just identify
18 these three documents in some way, any way you want.

19 MS. JACOBS-MEADWAY: Object. Move to strike.
20 Irrelevant. Failure to produce previously.

21 You can answer.

22 THE WITNESS: These are three separate Google
23 searches for the word sexy and eyelashes, sexy and eye
24 liner, and sexy and earrings. They reflect respectively
25 700,000 hits for sexy and eyelashes, 667,000 for sexy and

1 eye liner, and 1,190,000 hits for sexy and earrings.

2 MS. JACOBS-MEADWAY: Object. Move to strike.

3 Lacks foundation.

4 MR. ZAITLEN: Let's have these marked, the sexy
5 and eye lashes, 114; and eye liner, 115; and earrings,
6 116.

7 (Applicant's Exhibits 114, 115 and 116
8 were marked for identification.)

9 BY MR. ZAITLEN:

10 Q. Based on your own experiences in the hair
11 care and beauty care industry, can you give me some
12 examples of the types of products that you've personally
13 seen promoted or advertised that used the term sexy on
14 the packaging or in connection with the advertising of
15 that product?

16 MS. JACOBS-MEADWAY: Object to the question.
17 Move to strike. You've previously declared this to be
18 irrelevant. And we'll take you at your word and move to
19 strike any answer responsive to this question.

20 THE WITNESS: There are many products that I
21 personally have seen utilizing the word sexy. They range
22 from skin care products to bath products for human beings
23 and even animals. There are products that apply to
24 clothing and apparel, jewelry, and certainly lots of
25 products in the hair area.

1 BY MR. ZAITLEN:

2 Q. If you recall, could you give us the names
3 of some of the companies that you're familiar with that
4 you recall now that have used the term sexy in
5 advertising or promotion materials or on the label for
6 their hair care or other similar products?

7 MS. JACOBS-MEADWAY: Object. Move to strike.

8 THE WITNESS: I know that Victoria's Secret
9 does. I know that a number of the major cosmetic
10 companies use the word. I think Bare Essentials has or
11 does. There is a company called Sexy Beast that uses the
12 mark. I don't recall any others.

13 BY MR. ZAITLEN:

14 Q. Again, just to speed things along, I'm going
15 to show you two more exhibits and ask you if you can
16 identify each of these two.

17 A. These are Google searches for the words sexy
18 and nail polish and sexy and makeup. And they reveal
19 respectively 784,000 hits for sexy and nail polish, and
20 3,180,000 hits for sexy and makeup.

21 MS. JACOBS-MEADWAY: Objection. Move to strike.
22 Same grounds.

23 MR. ZAITLEN: Let's have these marked as
24 Exhibits 117 and 118.

25 ///

1 (Applicant's Exhibits 117 and 118 were
2 marked for identification.)

3 MS. JACOBS-MEADWAY: Move to strike.

4 BY MR. ZAITLEN:

5 Q. Let me show you another document and ask you
6 if you're familiar with this document.

7 A. Yes, I'm familiar with this.

8 Q. What is this?

9 A. This is an online trademark search at the
10 United States Patent Trademark Office.

11 MR. ZAITLEN: Let's have this marked as Exhibit
12 119.

13 MS. JACOBS-MEADWAY: Objection. Move to strike.
14 (Applicant's Exhibit 119 was marked for
15 identification.)

16 BY MR. ZAITLEN:

17 Q. And what was the term being searched?

18 A. Term being searched is sexy.

19 MR. ZAITLEN: I'd like to take a short bathroom
20 break. If anybody else would like to. Not necessarily
21 join me, but they can go to the washroom.

22 MS. JACOBS-MEADWAY: Nothing personal, we'd soon
23 not join you.

24 (Recess taken.)

25 ///

1 BY MR. ZAITLEN:

2 Q. Placing in front of you another document,
3 which is a Thomson & Thomson search report obtained from
4 a case involving Victoria's Secret, and ask you if you're
5 just generally familiar with the search report?

6 A. I am.

7 MS. JACOBS-MEADWAY: Object. Lack of
8 foundation. Move to strike.

9 BY MR. ZAITLEN:

10 Q. And if you look on this second page of that
11 document, do you see where it says the mark searched?

12 A. Yes.

13 Q. And what -- under mark search, what's the
14 mark being searched?

15 A. Sex.

16 Q. And the goods and services that were being
17 searched?

18 A. Hair care products.

19 MS. JACOBS-MEADWAY: Object. Move to strike.
20 Lack of foundation.

21 MR. ZAITLEN: Let's have this marked as Exhibit
22 120.

23 MS. JACOBS-MEADWAY: Move to strike.

24 (Applicant's Exhibit 120 was marked for
25 identification.)

1 BY MR. ZAITLEN:

2 Q. And I invite your attention to the bottom
3 where it says USPTO summary page 6, do you see that?

4 MS. JACOBS-MEADWAY: And again I'll note that
5 the counsel is pointing to the witness what he wants the
6 witness to look at.

7 BY MR. ZAITLEN:

8 Q. You can look at page 6.

9 A. I found it.

10 Q. And do you see the -- where it says
11 trademark, and there is various trademarks identified
12 there?

13 A. I do.

14 Q. Do those trademarks that are identified
15 there have anything in common?

16 MS. JACOBS-MEADWAY: Object. Lacks foundation.
17 Move to strike.

18 THE WITNESS: They use the word sex or a
19 derivative of sex or sexy.

20 BY MR. ZAITLEN:

21 Q. And how many trademarks are so identified in
22 that listing there, the document up at the top says USPTO
23 summary page?

24 MS. JACOBS-MEADWAY: Objection. Move to strike.
25 Lacks foundation.

1 BY MR. ZAITLEN:

2 Q. Let me invite your attention to page 10.

3 A. Over a hundred.

4 MR. ZAITLEN: Can we go off the record.

5 (Discussion off the record.)

6 BY MR. ZAITLEN:

7 Q. I'm placing in front of you another
8 compilation of documents and ask you if you're familiar
9 with that compilation.

10 A. Yes, I am familiar with it.

11 Q. And could you tell me what they are?

12 A. These are assorted products I took off the
13 web using the word sexy.

14 MS. JACOBS-MEADWAY: Object. Move to strike
15 failure to produce previously.

16 MR. ZAITLEN: Let's have this marked as Exhibit
17 121.

18 (Applicant's Exhibit 121 was marked for
19 identification.)

20 BY MR. ZAITLEN:

21 Q. Could you give us some examples what kind of
22 products you uncovered in this search?

23 MS. JACOBS-MEADWAY: Object. Move to strike.
24 You previously said this was irrelevant. We will hold
25 you to your answer in the course of this proceeding.

1 MR. ZAITLEN: When that -- we disagreed with
2 your conclusion about that answer, just for the record.
3 We understand what you've said, we just want to make sure
4 you understand we're not in agreement --

5 MS. JACOBS-MEADWAY: I understand.

6 MR. ZAITLEN: -- with any objection that you've
7 made --

8 MS. JACOBS-MEADWAY: I understand.

9 MR. ZAITLEN: -- each and every time. And I
10 don't want you to understand, I want to make sure the
11 record reflects that.

12 MS. JACOBS-MEADWAY: Like I say, because we
13 couldn't have a judge here, all this is going to be
14 argued later. I'm preserving my record, you understand
15 my objection, but I have to make it for the record.

16 MR. ZAITLEN: And you understand my response,
17 just to make sure that there is no passive agreement.

18 MS. JACOBS-MEADWAY: I'm not taking any of my
19 motions to strike as conceded.

20 THE WITNESS: Rich Sexy Tan. Sexy Sol, S-o-l.
21 Got2b 2 Sexy. Sexy Beast.

22 BY MR. ZAITLEN:

23 Q. What kind of products are these that you're
24 referencing, that is part of this Exhibit 121?

25 A. These are tanning products, hair products,

1 skin products, bath products, there are cosmetic products
2 as well.

3 Q. Does this Exhibit 121 identify the
4 manufacturers and suppliers of these products as well?

5 A. Yes.

6 Q. There is a product Sexy Gold Lip Gloss, that
7 is by a company called Benefit San Francisco. This is a
8 perfume called 212 Sexy by Carolina Herrera. There are
9 soaps such as Sexy Peel Soap. I don't see the company on
10 that immediately.

11 MS. JACOBS-MEADWAY: Move to strike. Lacks
12 foundation. Move to strike, prior objection on
13 relevance, noted and accepted.

14 MR. ZAITLEN: This is Exhibit 121.

15 BY MR. ZAITLEN:

16 Q. I'm placing in front of you a -- what
17 appears to be a little square of some kind of a product
18 and ask you if you're familiar with that.

19 A. This is a promotion that we received from
20 Victoria's Secret, which is called Very Sexy. And we
21 receive these sorts of promotions regularly from many
22 companies.

23 MR. ZAITLEN: Let's have this marked as Exhibit
24 122.

25 MS. JACOBS-MEADWAY: Object. Move to strike.

1 Lacks foundation. Failure to produce previously in
2 discovery.

3 (Applicant's Exhibit 122 was marked for
4 identification.)

5 BY MR. ZAITLEN:

6 Q. And this exhibit appears to be a brochure.

7 A. Yes. This is our product brochure that we
8 are presently using at QVC in the United States. And
9 this brochure goes out with all sales of products of our
10 line from QVC.

11 MS. JACOBS-MEADWAY: Move to strike. Failure to
12 produce.

13 MR. ZAITLEN: Let's mark that as Exhibit 122.
14 The catalog will be marked as Exhibit 123.

15 MS. JACOBS-MEADWAY: Do you have a copy for me?

16 MR. ZAITLEN: We'll have to get you a copy.

17 (Applicant's Exhibit 123 was marked for
18 identification.)

19 BY MR. ZAITLEN:

20 Q. So the document in front of you is?

21 A. This is an extract from our new brochure of
22 our products that reflects the new look of the Sexy'n
23 Sassy category.

24 MS. JACOBS-MEADWAY: Object. Move to strike.

25 MR. ZAITLEN: This will be Exhibit 124.

1 (Applicant's Exhibit 124 was marked for
2 identification.)

3 BY MR. ZAITLEN:

4 Q. So when you say the new look, what does that
5 mean?

6 A. At the beginning of 2007, we did a top to
7 bottom redo of the look of our product lines, and that
8 new look is reflected in that exhibit.

9 Q. I'd like to ask you some questions about
10 sales of products bearing the name Sexy'n Sassy. You
11 indicated earlier that sales began sometime in 2005, am I
12 accurate?

13 A. That's correct.

14 Q. Approximately how many units were sold in
15 2005?

16 MS. JACOBS-MEADWAY: Object. Move to strike any
17 answer. Failure to produce responses in discovery.

18 THE WITNESS: I would say approximately 50,000
19 units of products were sold.

20 BY MR. ZAITLEN:

21 Q. And in 2006?

22 A. Approximately 40,000 units were sold.

23 MS. JACOBS-MEADWAY: Object. Move to strike.
24 Failure to produce in discovery.

25 ///

1 BY MR. ZAITLEN:

2 Q. And in 2007?

3 A. Under 10,000 units.

4 Q. 2007 is 2007 to date.

5 A. Right.

6 MS. JACOBS-MEADWAY: Object. Move to strike.

7 Failure to produce in discovery.

8 BY MR. ZAITLEN:

9 Q. In connection with the 2005 -- these
10 numbers, how did you come to these numbers that you just
11 mentioned?

12 A. It's based on our sales off of the QVC and
13 the Shopping Channel.

14 Q. And you reviewed the records of Perfect Plus
15 to determine this information?

16 A. Yes.

17 MS. JACOBS-MEADWAY: Move to strike any records
18 so far as they relate to the Shopping Channel because
19 those are sales outside the United States.

20 BY MR. ZAITLEN:

21 Q. Approximately what percent of the sales took
22 place outside the United States?

23 A. Probably not more than 10 percent.

24 Q. So of all the numbers, if we took 10
25 percent, it would be overly inclusive. In other words,

1 if you sold 50,000 units, less than 5,000 units were sold
2 outside the United States.

3 A. That's correct.

4 Q. In terms of amounts spent in advertising, if
5 you could give us some indication of how it spent and
6 where it spent.

7 MS. JACOBS-MEADWAY: Object to the form of the
8 question so far as it calls for amounts since the answer
9 was not produced in discovery. But the how and the where
10 you can do.

11 THE WITNESS: I'm sorry?

12 MS. JACOBS-MEADWAY: You can answer as to how
13 and where without my moving to strike.

14 THE WITNESS: The allocations that QVC makes
15 with respect to promotion, advertising, so forth, comes
16 from its share of gross revenues of product sales, and
17 they, for that, from their share, will basically support
18 our specialty store. They will support the general
19 website. They will produce our live programming. They
20 will provide all of the above and below line personnel
21 with respect to these shows. They will send out
22 information about our product line regularly to their
23 millions of customers. So it's a substantial portion,
24 you know, of their allocable share of the gross revenues,
25 which is approximately, it depends, about 50 percent of

1 the retail price point.

2 BY MR. ZAITLEN:

3 Q. So whatever the retail price point is, you
4 get approximately 50 percent and QVC gets approximately
5 50 percent?

6 A. It's rough. I mean it's a
7 product-by-product negotiation, but that's a good
8 guideline.

9 Q. And what were sales approximately in 2005,
10 2006, and 2007, in terms of dollar value, dollar amount?

11 MS. JACOBS-MEADWAY: Object. Move to strike.
12 Failure to produce previously in discovery.

13 THE WITNESS: In '05, I believe it was north of
14 1 million dollars. In '06, it was less than 1 million
15 dollars. And in '07, thus far, it's been a couple
16 hundred thousand dollars sales.

17 MS. JACOBS-MEADWAY: Move to strike.

18 BY MR. ZAITLEN:

19 Q. Based on your experience in the cosmetic
20 industry, approximately how much money does QVC spend on
21 promoting and advertising for Perfect Plus?

22 MS. JACOBS-MEADWAY: Object to form of question.
23 Lacks foundation.

24 THE WITNESS: Well, based on my understanding of
25 promotion, as I've described it, probably a good 50

1 percent of its allocable share of gross revenue, so that
2 would mean about 25 percent of 100 percent of the
3 revenue.

4 BY MR. ZAITLEN:

5 Q. Is that per year?

6 A. Yeah.

7 MS. JACOBS-MEADWAY: Object. Move to strike.

8 BY MR. ZAITLEN:

9 Q. Now, I wanted to ask you some questions
10 about any instances of actual confusion that you're aware
11 of, or that have been brought to your attention by anyone
12 at QVC, or anyone else for that matter, by and between
13 the Sexy'n Sassy product and any product made by Sexy
14 Hair Concepts.

15 A. There has been not one single incident.

16 Q. If there had been, would you have been
17 contacted?

18 A. Yes.

19 MS. JACOBS-MEADWAY: Object. Lacks foundation.
20 Move to strike.

21 BY MR. ZAITLEN:

22 Q. Why do you say that?

23 A. If there was an objection by a customer,
24 they know our office address, and customers will
25 communicate with us directly or they will communicate

1 Q. And what personal knowledge do you have of
2 steps taken by QVC in the last year to deal with the
3 issue?

4 A. They have not advised us of any unauthorized
5 sites that they have been concerned with, so we haven't
6 received any advice from them over the last certainly 12
7 months.

8 Q. Now, looking at some of the other materials
9 that your counsel has produced, and again without
10 prejudice to my motion to strike, I direct your attention
11 to Exhibit 103.

12 A. Okay.

13 Q. My copy is undated. What is the date of
14 that printout, sir?

15 A. It doesn't bear a date.

16 Q. Why not?

17 A. I don't know. I mean this is available to
18 anyone at any time on the website. So you could -- if
19 you printed it out today, you would get the same thing.
20 If you printed it out in two weeks, you would get the
21 same thing.

22 Q. Wouldn't it also have a date when it was
23 printed out?

24 A. Possibly.

25 Q. Did you print this out?

1 A. No.

2 Q. Let's take a look at 107.

3 A. Okay.

4 Q. There are three references that show up as
5 sponsored links. Can you read off what those are for me.

6 A. Do you mean on the right side?

7 Q. Yes, sir. Under sponsored links.

8 A. Sure. Sexy Hair Care Products, Sexy Hair
9 Care Products, Sexy Hair Hair Care Sale.

10 Q. Do you know if those are trademark uses or
11 not?

12 A. I have no idea.

13 Q. Do you know whether any of the references
14 that appear on Exhibit 107 are trademark uses or not?

15 A. I do not.

16 Q. Moving on, let's just take a look at Exhibit
17 108. How many pages did you print out?

18 A. For Exhibit 108?

19 Q. Right. Did you do these searches?

20 A. No, I did not.

21 Q. Who did the searches?

22 A. Counsel.

23 Q. Did you review the searches?

24 A. Yes.

25 Q. Did you review the searches rather than the

1 two-page printout that counsel gave you?

2 A. Yes.

3 Q. And how many pages did you review for
4 Exhibit 108 since only two pages were produced? How many
5 pages did you review for the "sexy and lips" search?

6 A. Probably about, you know, six, seven.

7 Q. Only that, okay. And how many of those were
8 trademark uses?

9 A. I think some of them were identified in
10 there as trademark uses. I don't recall. There are,
11 after all, 8,940,000 of them.

12 Q. But you didn't look at all --

13 A. No, I did not.

14 Q. -- 8,940,000, did you?

15 A. I did not.

16 Q. You looked at, you said, six pages.

17 A. I did.

18 Q. And how many of those six pages had
19 trademark uses?

20 A. I don't recall exactly. But I think there
21 were some.

22 Q. Now let's go to 119.

23 A. Okay.

24 Q. Did you do the search or did counsel?

25 A. This particular search?

1 Q. Yes, sir.

2 A. This was done by counsel.

3 Q. And did you review all of the records found
4 or only the couple that counsel pointed out for you?

5 A. Counsel didn't point out any to me. I did
6 look at some of them.

7 Q. And of the references in Exhibit 119 that
8 are actually registrations, how many of those are hair
9 care products?

10 A. I didn't really do a count as to how many
11 are hair care products.

12 Q. Looking at the report, can you tell me what
13 Totally Sexy is? That's the first reference.

14 A. Not that one. But I can tell you what Sexy
15 Beast is.

16 Q. That's not a registration, is it, sir?

17 A. No, it's not a registration at this time.

18 Q. Now, looking at 121, and we'll have to share
19 this back and forth since we only have the one copy. The
20 first page of 121 is a red cylinder. What is that
21 product, sir?

22 A. It's a Victoria's Secret product.

23 Q. What is it, sir?

24 A. I don't know exactly what it is.

25 Q. Can you tell me approximately what it is?

1 A. I can't.

2 Q. Do you know how long that product, whatever
3 it is, has been sold?

4 A. I do not.

5 Q. Your counsel showed you Exhibit 122, but
6 what this was, wasn't identified. Can you tell me what
7 that product is, sir?

8 A. As I said, it's a promotion that came to us.
9 It looks like it's a skin care product.

10 Q. Can you identify the type of product?

11 A. Some type of moisturizing cream.

12 Q. How long has that been sold?

13 A. I don't know.

14 Q. How much of it has been sold?

15 A. I don't know.

16 MS. JACOBS-MEADWAY: I have no further
17 questions. You may cross-examine.

18 MR. ZAITLEN: Or redirect.

19 MS. JACOBS-MEADWAY: Redirect.

20 THE WITNESS: Can I talk to you for a second.

21 (Counsel and witness confer outside.)

22 FURTHER EXAMINATION

23 BY MR. ZAITLEN:

24 Q. Mr. Browning, you were asked some questions
25 on cross about the information that was uncovered by the



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Product Detail

Item Number A151846
Nick Chavez Sexy 'N Sassy Volumizing & Thickening Shampoo

QVC Price \$18.00

Shipping and Handling \$4.72

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Overall Rating ★★★★★ 3.2 out of 5

2 of 4 (50%) customers would recommend this product to a friend.

Read all reviews Write a review

Shampoo supreme style into your tresses with the Sexy 'N Sassy Volumizing & Thickening shampoo. Wheat and soy proteins are paired with botanicals, fruit extracts, and ginseng to gently cleanse hair, while delivering maximum volume, body, and shine. From Nick Chavez.

- Net weight 8 oz
- Made in USA



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You Might Also Consider...



A151848 • \$20.00

Nick Chavez Sexy 'N Sassy Volumizing & Thickening Conditioner



A63872 • \$32.00

Nick Chavez Sexy 'N Sassy Volumizing & Thickening Duo



A150916 • \$16.00

Nick Chavez Sexy 'N Sassy Volumizing & Thickening Styling Gel

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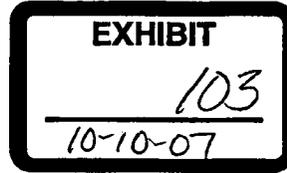
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Product Reviews

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Overall Rating: ★★☆☆☆ 1 out of 5

Didn't work for me, August 20, 2007

By Q Shopper

"I would not recommend this. Nick's volumizing 1 shampoo (first order I placed) worked well. Sorry to say this is not a winner for me. I was hoping for much more."

Was this review helpful to you? Yes No (Report Inappropriate Review)

Overall Rating: ★★★★★ 5 out of 5

Nick's Best Ever, July 29, 2007

By liz ae

"Only 5 stars? Just when I thought his products couldn't get any better...this with S&S conditioner is wonderful. My thin, sparse hair has never been better. It improved my hair's texture and co-workers envy my "thick" hair. Even my hairdresser was impressed. Having once had full, thick hair this is nothing short of magic...thanks, Nick."

Was this review helpful to you? Yes No (Report Inappropriate Review)

Overall Rating: ★★★★★ 5 out of 5

LOVING it!, July 13, 2007

By Customer

"I love this shampoo! If you have thick or curly or dry hair (I have all three), then you might like it too. It moisturizes, keeps my curl together and leaves your scalp itch free.

I switch between this shampoo and Aveda's Sap Moss Shampoo. The Sap Moss has protein in it and can flatten curl. The Nick Chavez shampoo adds fluff and tightens curl.

I don't use the conditioner, but I LOVE the shampoo!"

Was this review helpful to you? Yes No (Report Inappropriate Review)

Overall Rating: ★★☆☆☆ 2 out of 5

Not as good as his other volumizing shampoo, July 2, 2007

By Customer

"I thought I'd try this shampoo after using the volumizing shampoo for awhile. I have short hair. It was no better and you have to use a lot more to get it to lather up. And it's so much more expensive, it's really not a good value! So I'm sticking to Nick's volumizing shampoo. I use his product exclusively, but this one's just not worth the cost."

Was this review helpful to you? Yes No (Report Inappropriate Review)








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Product Detail

Item Number A151848
Nick Chavez Sexy 'N Sassy Volumizing & Thickening Conditioner

QVC Price \$20.00

Shipping and Handling \$4.72

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Get close-up-worthy tresses without a trip to the salon. Sexy 'N Sassy Volumizing & Thickening Conditioner lets you achieve standout style right in your own home. Its rich blend of wheat and soy proteins work with grapefruit, witch hazel, and ginseng extracts to gently condition tresses for incredible fullness and shine. From Nick Chavez.

- Net weight 8 oz
- Made in USA



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 Thickening
 Styling Gel

A151850 • \$22.00
Nick Chavez
Sexy 'N Sassy
Extra Hold
Volumizing
Hairspray

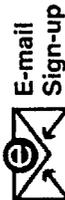







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Product Detail

Item Number A63871
Nick Chavez Sexy N' Sassy Volumizing & Thicken-ing Shampoo Duo

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Overall Rating ★★★★★ 5 out of 5

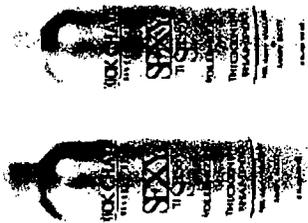
2 of 2 (100%) customers would recommend this product to a friend.

Read all reviews Write a review

Shampoo sexy style into your tresses with this Volumizing & Thickening duo from Nick Chavez. The unique formula is loaded with wheat and soy proteins, botanicals, fruit extracts, and ginseng to gently cleanse while delivering maximum volume, body, and shine. For all hair types. Set of two.

Net weight 8 oz each.

Made in USA.



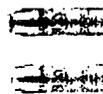
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 Nick Chavez Sexy N' Sassy Volumizing & Thickening Conditioner Duo



A151846 • \$18.00
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Product Reviews

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Overall Rating: ★★★★★ 5 out of 5
Works on curls too!, July 13, 2007
By Customer

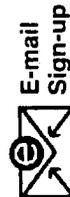
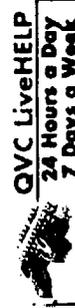
"It works well on thick, curly, dry hair too! Because it doesn't have protein in it, it doesn't weigh down my curls. AND my curls stay together."

Was this review helpful to you? Yes No (Report Inappropriate Review)

Overall Rating: ★★★★★ 5 out of 5
Try it you will love it, May 4, 2007
By Customer

"If you have baby fine, fly away hair this is the product for you. I have spent my millions looking for a product that would allow me to have thicker fuller hair. At last I am done looking this is the best!! I would recommend this product if you want to have beautiful hair. Hats off to Nick!!!"

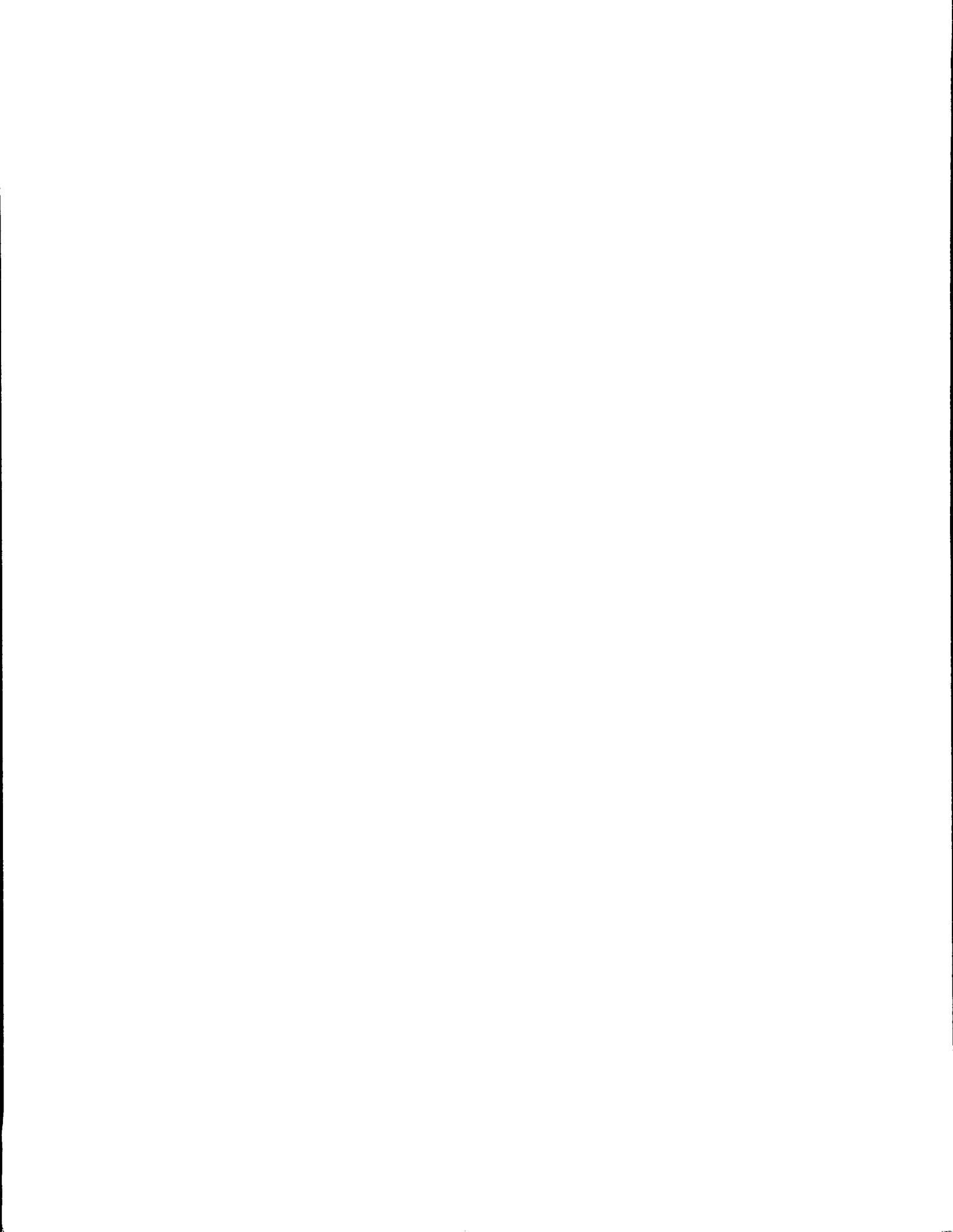
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AUGUST 20

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Brow Boosters
Women are turning to an over-the-counter drug to bulk up their eyebrows. For details, turn to page 56.

Of 1,015 people polled, 34 percent saw brown-eyed women as "intelligent," 42 percent thought blue-eyed women were "sweet," and 29 percent called green-eyed women "sexy."
—FRESHLOOK COSMETIC CONTACT LENSES SURVEY

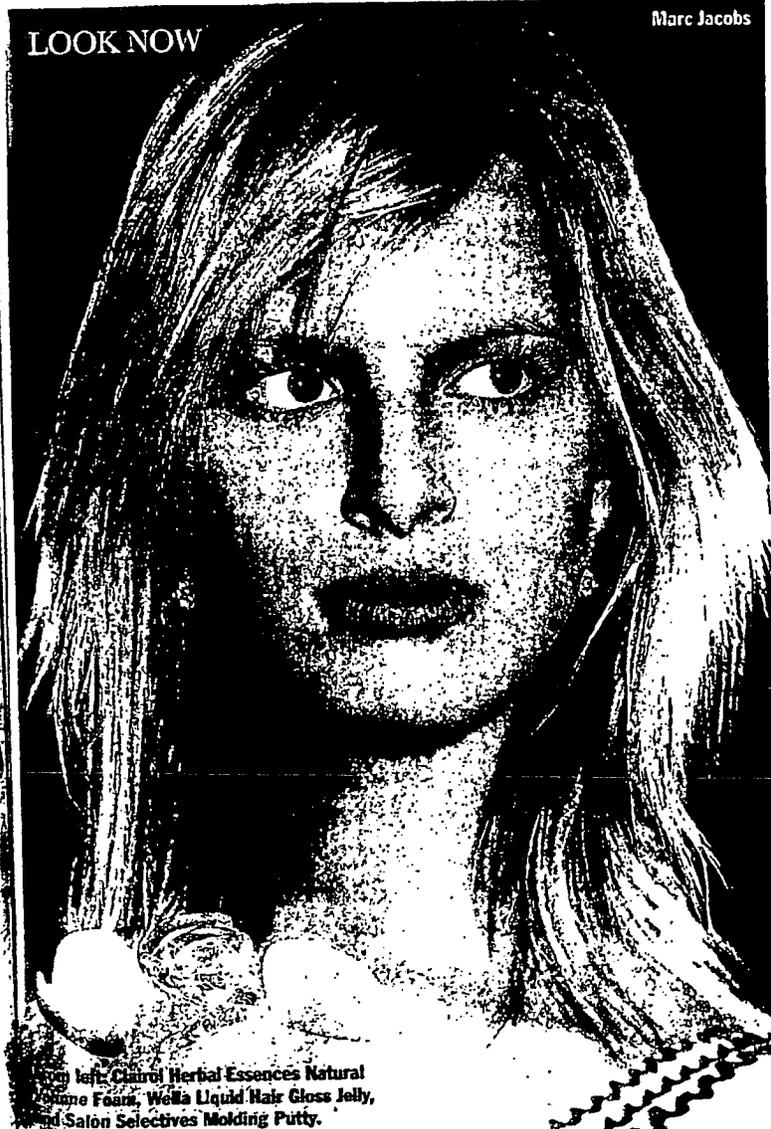
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Left: Chanel Herbiol Essences Natural Shine Foam, Wella Liquid Hair Gloss Jelly, and Salon Selectives Molding Putty.

Versace



ROUGH HAIR

Hairstylists like it a little rough this season, as tousled, disheveled hair appeared on the fall runways. "Women with slightly messed-up hair are just plain sexy," says stylist Orlando Pita, who teased models' hair at Versace and Cucci. "You don't want to go to bed with someone who's too done up and manicured, because you don't want to knock anything out of place." At Cucci, Pita sprayed a saltwater thickener (mousse works, too) on the roots before blow-drying, then pulled hair taut as he repeatedly ran the palm of his hand from the ends to the crown to create flyaways. He finished by haphazardly teasing two-inch sections with a small-tooth comb for further destruction. Off the runway, Pita suggests teasing the hair gently so it's "sexy and not contrived"—not to mention, less damaged. Roughed-up, disheveled hair is a sexy look for fall, but too much teasing can result in hurricane-caliber flyaways.
—CARA BIRNBAUM

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MARCH 20

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APRIL 2011

SWEET 50

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Fresh, Sexy Hair

Hollywood's Best Styles

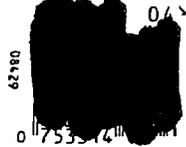
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Mademoiselle

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Sexy Hair

& makeup for a melt-proof summer

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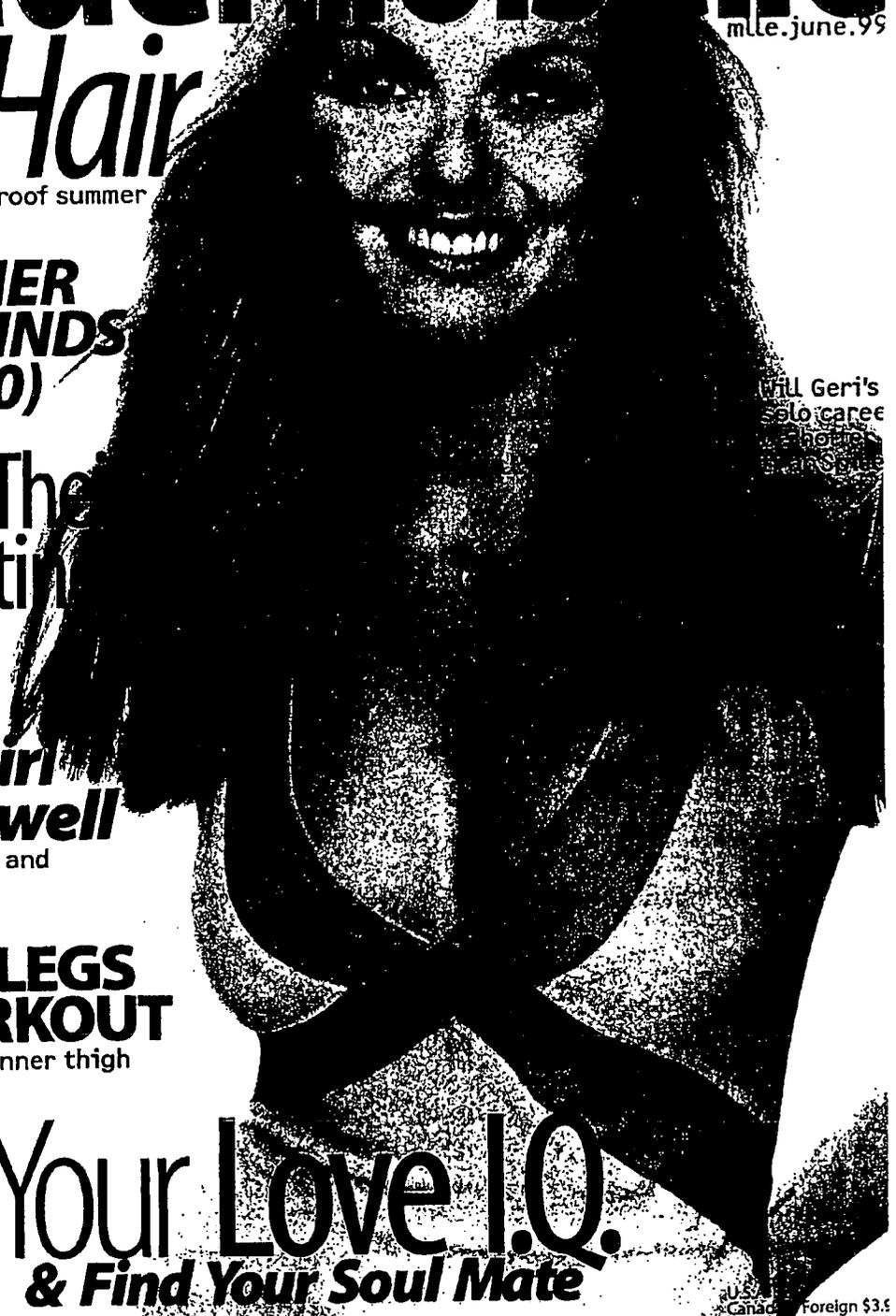
Men Rate The Top 10 Dating Turnoffs

Ex-Spice Girl Geri Halliwell
on bad hair, good works and life on her own terms

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- What Men Whisper Behind Your Back
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Holiday Hair Dos & Don'ts

Gorgeous Solutions for Going Out

10 Ways to Turn Him On in 5 Minutes

Happy, sexy, Healthy

153

Debra Messing
Fame Won't Wreck My Marriage

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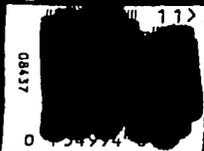
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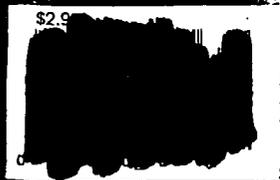
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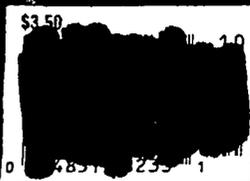
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When to Shut

redhot hair



Finger-toussle roots for extra oomph.

3 steps to better body

Pump up your hair with this plan from Stephen Mendelson of Carlton Hair International in Costa Mesa, CA.

1. Cleanse carefully. Use daily shampoos (such as Clairol Daily Defense Shampoo for Normal Hair); they're light and won't weigh down hair. If you have oily hair, skip conditioner altogether, or use it every other day on ends only. If hair is normal to dry, apply a detangler after lathering up. (Try Redken Headstrong Light Tamer.)
2. Boost your roots. Spritz volumizer onto your roots while hair is wet; the water will dilute the spray and keep it from weighing hair down. (Try Big Sexy Hair Volumizing Spray by Formulas by Ecoily.)
3. Dry downward. Start blow-drying at the crown of your head using a medium-barreled round brush. Wrap two-inch sections of hair around the brush and direct hot air from roots to ends. Continue working in this manner until hair is completely dry.

PRO SECRETS TO SHINY HAIR

Get the sheen of your dreams with these easy tips from Sandra Yu, technical director for Rusk haircare products.

Your hair's supply of natural lipids (fatty acids that coat the hair and seal in moisture) starts to diminish in your 30s. To return tresses to their former luster, wash and style with products that contain lipid-rich ingredients; look for sesame oil, shea butter, and cocoa butter on the label. (Try *Rusk Deepshine Sea Kelp Crème Shampoo* and *Physique Intense Deep Hydrating Conditioner*.)

Highlights
can create the illusion of extra shine in hair that is ashy blond or light brown. (Try *Revlon ColorStay Contrast Highlighting Kit*.)

Straight hair shines more than curly. To get yours perfectly pin-like, apply a styling cream that contains wheat protein; it constricts the cuticle, making hair lie flatter on damp tresses. Then blow-dry two-inch sections, one at a time, with a paddle brush, direct the heat and wind at your ends. (Try *MSMilk Daily Shampoo*.)

SEXY-SMELLING SHAMPOOS

WE'LL LOVE

Entice your main man with sensual-smelling strands! We asked guys to rate the four shampoos at right based on the sex appeal of their scents. Following, each product's average score on a scale of one (yuk!) to four (purr).

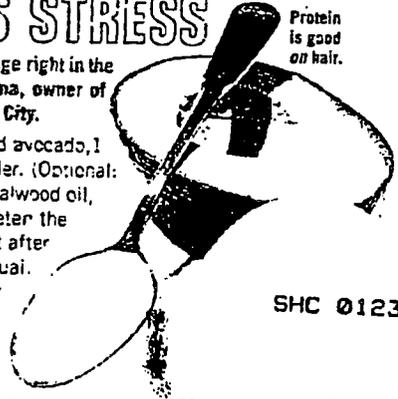


SHAMPOO	SMELL'S LIKE	SCORE	COMMENTS
Clairol Herbal Essences Shampoo	Green apple	4	"Mmm. Whets the appetite."
Rusk Sensorics Moist Shampoo	Sunflowers	3	"Fresh, floral, very feminine."
The Healing Garden Mint Therapy Revitalizing Shampoo	Wintergreen gum	2	"Smells minty, like spilled mouthwash."
Body @ Best One-Size Fits-All Shampoo	Grapefruit juice	2	"Fruity, friendly, mildly inviting."

RX FOR TRESS STRESS

You can reverse all forms of winter damage right in the comfort of your own kitchen, says Uliana, owner of Uliana's Hair Studio & Spa in New York City.

- To ditch dryness: Mix half a ripened avocado, 1 tsp. mayonnaise, and 1 egg in a blender. (Optional: Add two tablespoons of jojoba or sandalwood oil, available in health food shops, to sweeten the scent.) Apply to dry hair. Shampoo out after 20 minutes. Condition and style as usual.
- To add luster: Combine 12 oz. beer with 1/2 cup cider vinegar. Massage mixture throughout hair after shampooing, before conditioning.



Protein is good on hair.

SHC 01234

SEE SHOPPING GUIDE, PAGE 160, FOR DETAILS

HAIR: MICHAEL TWEED; STYLING: MICHAEL TWEED; MAKEUP: MICHAEL TWEED; HAIR: MICHAEL TWEED; STYLING: MICHAEL TWEED; MAKEUP: MICHAEL TWEED

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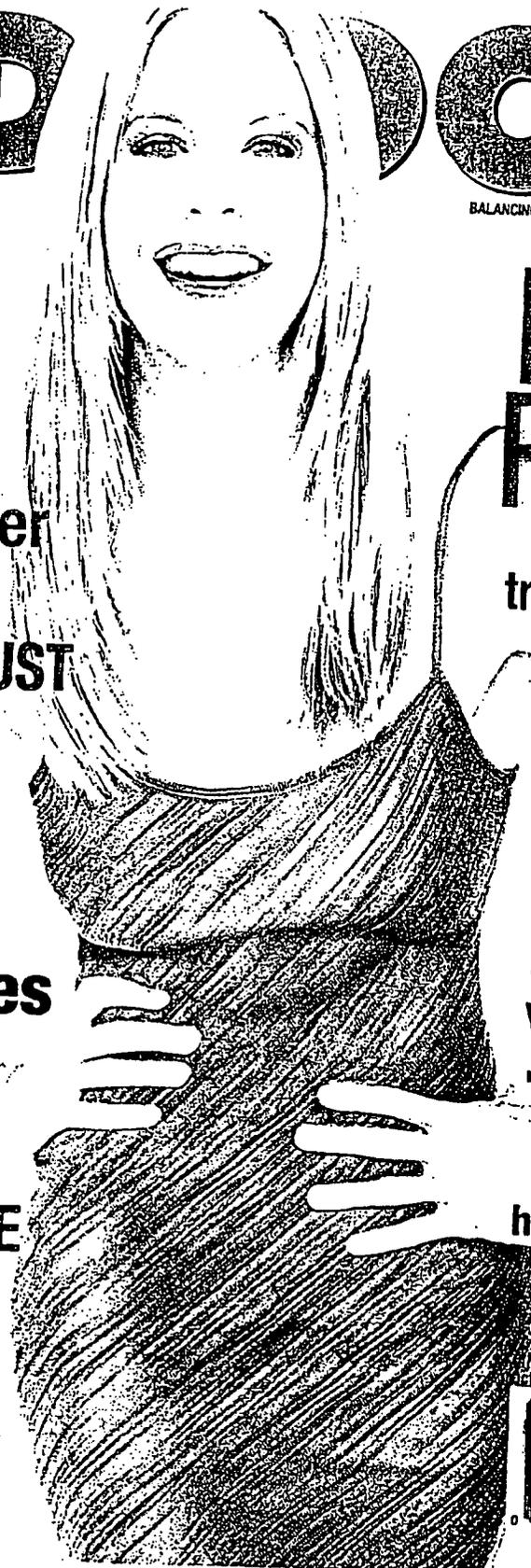
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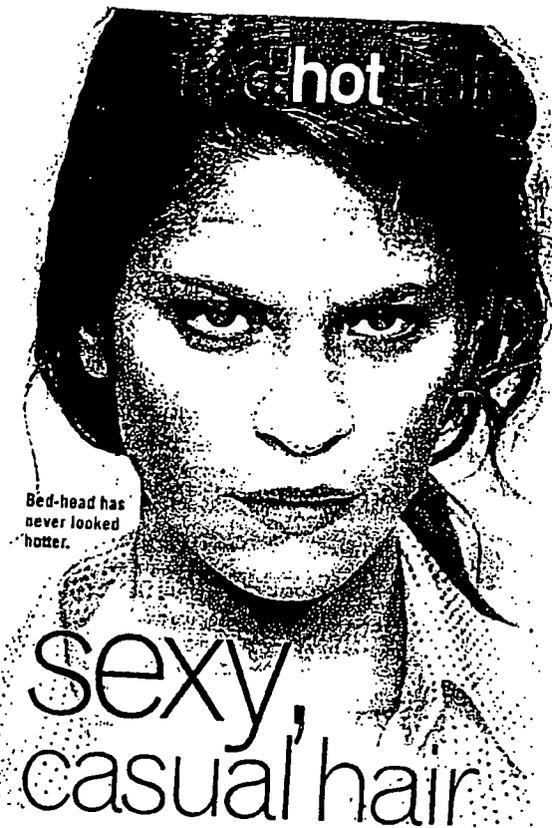


To de-emphasize your least favorite feature, all you need is a good cut, color—or maybe both, say Stuart Gavert and Cody Kusakabe, owners of Gavert Atelier salon in Beverly Hills. Here, they share a few camouflage techniques the celebs have been using to excellent effect for years.

To play down a prominent nose: Don't cut locks shorter than chin-length. Do opt for longer, layered, or wavy styles; the extra volume on the sides and back of your head will offset your nose. (See Sarah Jessica Parker.)

To slim a wide face: Don't wear hair sleek, straight, and longer than the base of your neck. Do opt for a textured or wavy look that hits somewhere between your jaw and shoulders. Highlights around your face will also help elongate your features. (See Cameron Diaz.)

To bring wide-set eyes closer: Don't cut straight-across (blunt) bangs. Do go for thin, wispy face-framing layers (no shorter than cheekbone length). Highlight them to produce a closer-eyed effect. (See Michelle Pfeiffer.)



Bed-head has never looked hotter.

HIDE YOUR ROOTS!

Three easy strategies for overgrown color and highlights:

PAINT-ON COLOR: Use a haircolor-loaded comb or hair crayon to temporarily place fresh color on roots. (Try Komb-In Hot Head Temporary Hair Colour or Cover Girl Dipstick Hair Crayons.) The first 50 readers to call 877-670-3900 will receive a free Komb-In product—specify which shade you need when you call.

LEAVE-IN LIGHTENER: Apply a peroxide-laced mousse to roots until they match your overall hue. (Try Salon Selectives Lighten Up Subtle Highlighting Foam.)

HIGHLIGHT PROTECTOR: Use shampoo and conditioner formulated for highlighted hair to prevent brassiness, which makes contrast noticeable. (Try Formulas by Ecoly Hot Sexy Highlights Shampoo and Conditioner.)

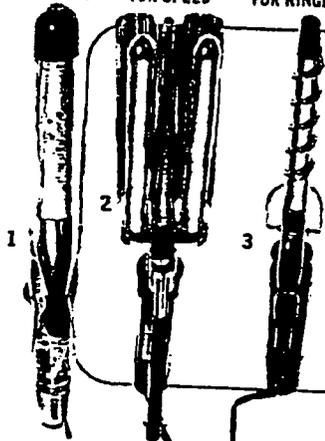
"Unstyled" hair was all the rage on fall runways. The look is soft, touchable—and easy to achieve at home, says Joelle, a senior stylist at the Avon Centre Salon & Spa in New York City.

1. Use a moisturizing shampoo to leave hair shiny. Follow with a daily conditioner or deep-conditioner if your hair is dry or damaged. (Try Phytocadamia Shampoo, Back to Basics Sunflower Moisture Infusing Conditioner, or Paul Mitchell Super-Charged Moisturizer.)
2. Comb five drops of silicone serum through damp hair to en-

hance luster and tame fly-aways. (Try Silky Sage Frizz Relief by Avon Spa.)

3. Don't part your hair (the finished style should look like you just rolled out of bed); instead, let it fall naturally to one side.
4. Air-dry until hair is 95 percent dry, then twist two-inch-wide sections all over head, from roots to ends, and bobby-pin to scalp to secure.
5. Blow-dry twists (on high heat at a low speed) the rest of the way, then undo. Shake out curls with fingers and pull back into a low ponytail or leave loose.

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CLEVER

Curling irons used to be more hassle than they were worth; they were either too labor-intensive or left you looking like the evil offspring of Bozo the Clown and Shirley Temple. No longer!

1. **Conair Steam 'N' Shine Instant Heat Curling Iron (\$29.99)** The moisture from the steam infuses your curls with shine. Bonus: A heat shield cools the iron immediately after use—handy when you're on the go.
2. **Hot Tools Professional 3-Barrel Waver (\$39.95)** The triple barrel creates soft, natural waves and cuts curling time in half (thanks to the expanded width).
3. **Jilbère Spirals Professional Curling Iron (\$11.99)** Raised ridges let you wrap one-inch-wide pieces of hair horizontally around the iron to produce perfect ringlets (think Madonna and Nicole Kidman).

CURLING IRON (TOP RIGHT): MEX PHOTO; STYLING BY ALEX CAG; ROBERT BEMBA/CONCORDIS SYGMA; STEVE GRANITZ/REX USA; PHIL ROACH/REX USA

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5 brilliant get-sexy strategies

All the pro tips you need to cop these special effects—so you'll stun your suitor.

1 glitter gaze

Greet him sporting an enchanting silver-lid look and he'll be lost in your eyes all night. The trick to getting an intense sparkling effect that'll last: Apply several layers of shimmer with different textures, says Wada. Here's how:

- First, use a small brush to coat your lids from lash line to crease with a silver liquid eyeliner. Try Gosh Eye Liner in Silver, \$15.
- Layer a silver cream shadow evenly over the liner, blending upward and slightly above creases. Try Revlon Eye Glow Shadow in Foiled Spark, \$4.50, or Maybelline Cool Effect Shadow/Liner in Steely Gaze, \$5.50.
- Next, sweep a superfine glitter or shimmer powder directly on top of the cream, concentrating most of the sparkle in the center third of your lids. Try L'Oréal On-the-Loose Powder in Opal Essence, \$6.15, or Senna Glitz, \$15. "The sparkle adheres to the cream shadow to make the look last," says Wada.
- Polish off the rest of your face with two coats of lengthening black mascara and a light-but-lusty rosy lip gloss. Try Cover Girl CG Smoothers LipColor in SummerDew, \$6.90.

2 french tips with a twist

He'll want to take your hand and never let go when your digits are decorated with this silver-tipped French manicure—a hip new take on a classic, super-feminine look. "This paint job is like jewelry for your nails. It's sophisticated, chic, and works with anything you're wearing," says Deborah Lippmann, who created this sexy look for Mariah Carey. To mimic this manicure:

- Apply a clear base coat to clean, filed nails. Try Sally Hansen Double Duty Base & Top Coat, \$3.95. Now apply two coats of nude beige polish, allowing each coat to

dry for one minute. Then steady your elbow on a flat surface, and in one sweeping motion from left to right (or vice versa), paint a thin line of a metallic silver shade along the edge of nails. The combo Lippmann used: Lippmann Collection Nail Polish in Night and Day (a beige pink) and Stardust 2000 (silver), \$15 each, or you can try Rimmel's French Rose and Ice Queen, \$1.97 each.

- Finish with a slick of high-shine top coat to seal your sexy manicure.

3 tress trimmings

Wow him with silver ribbons or tinsel threaded into a ponytail. To score these souped-up strands:

- First, you'll need six pieces of thin metallic ribbon and four pieces of wider silver ribbon, varying from 12 to 18 inches. Create a little "ponytail" out of them by tying the ends of only one side together.
- Smooth a dab of pomade over dry, blown-out hair to keep flyaways at bay, says Benoit Moeyaert, the NYC stylist who created this look. Try Paul Mitchell Gloss Drops, \$14.95.
- Now pull your mane back into a ponytail, and secure with a silver elastic. Place the base of the ribbon ponytail around the base of your real ponytail, then secure them together with another silver elastic.
- Finally, tie one of the thick ribbons around the elastics, then set your do with a spritz of hair spray. Try Matrix Biolage Hydro-Glaze Styling Spray, \$10.
- If you're a short-haired honey or crave a faster, low-maintenance look, light up your locks with a few spritzes of glitter-spiked hair spray. We love Hard Candy Techno Glitter Hair, \$15, and Hot Sexy Hairspray, \$11.95.
- Complete this fun look with a festive beauty mark (use a star-shaped piece of confetti) to muster up some Marilyn Monroe man-magnet

magic. Sex-up lips with a sheer soft pink lip gloss. We like Estée Lauder High Shine Lip Lacquer in Top Coat, \$14.

4 treasure chest

What better spot to adorn than your delicious décolletage? One strategically placed piece of jeweled body art will make him jolly every time. To cop some eye-catching cleavage:

- You'll need about 20 self-adhesive body jewels. Try Swarovski Crystal Tattoos, \$18, or Sham Eyes Body Jewels, \$3.99. (Some come in patterns but you can use the gems to make your own unique design.)
- Slip into your low-cut dress, then stand in front of a mirror to apply the jewels one-by-one just over your heart. Warning: Men have been known to trip over themselves to get a glimpse.

5 royal flush

Cop the look of an ice princess who just came in from the cold with glistening, rosy-hued cheeks—and he'll be inspired to make your body temperature rise even more. To do:

- Smooth an iridescent silvery highlighting cream along cheekbones. Try Clarins Shimmer Veil in Pearl Shimmer, \$28.50.
- Next, blend a pink cream blush on the apples of your cheeks. Try Clinique Blushwear in Rosy Blush, \$13.50.
- Finally, lightly dust a pink shimmer powder over the cream blush. We love: Bobbi Brown ColorOptions Sparkledust in Ice Pink, \$20, or Tony and Tina Cosmic Lights in Higher Love, \$12.
- Pair this glamorous glow with black mascara, and on lips, use an iced-nude lip liner topped with a clear sparkling gloss. Try Lancôme Le Lipstique in Glacelle, \$19, and MAC Lipglass in Freezefrost, \$10.

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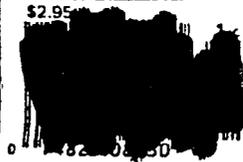
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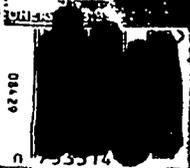


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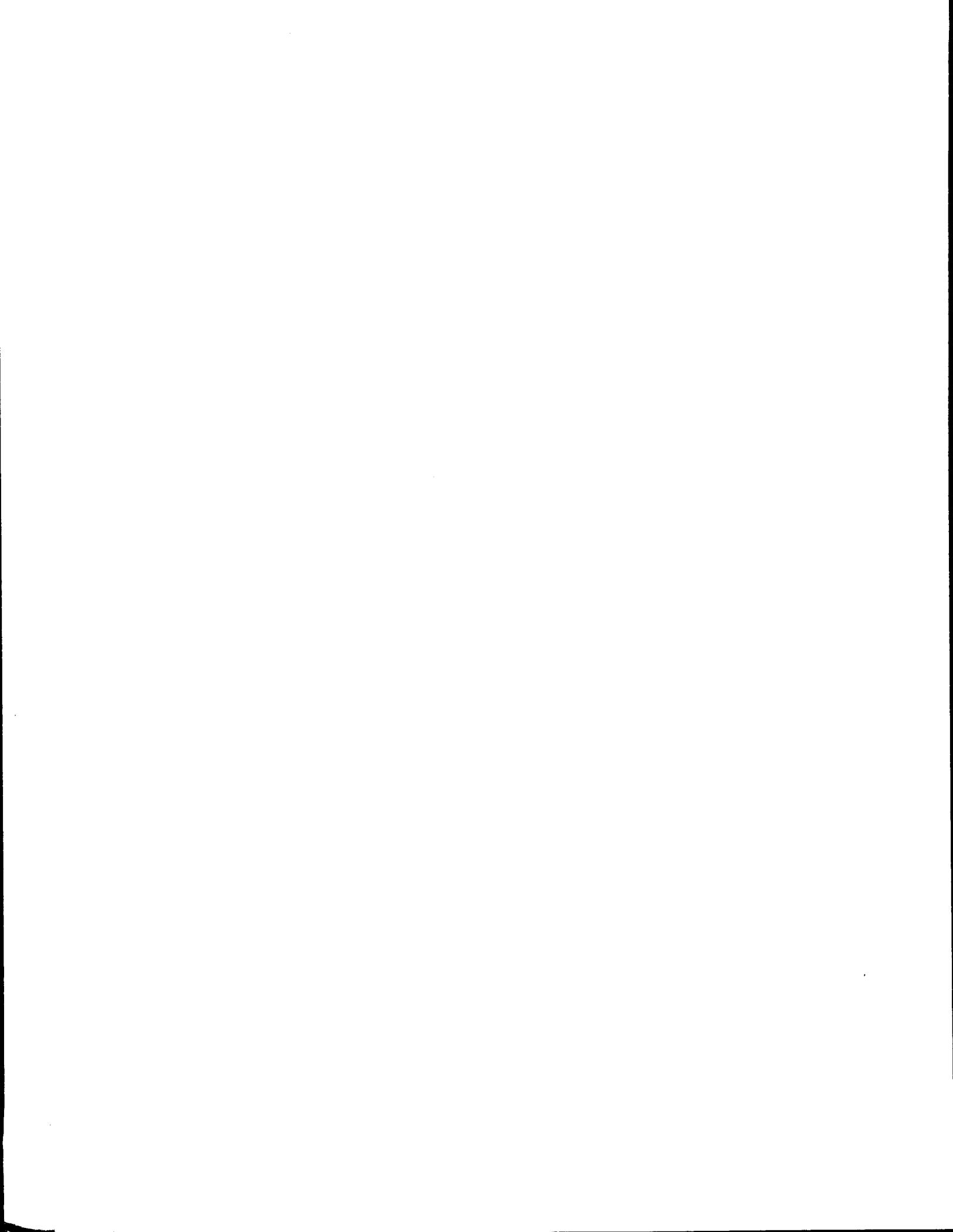
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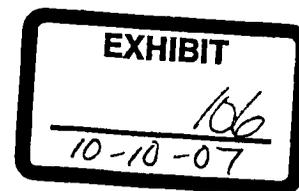
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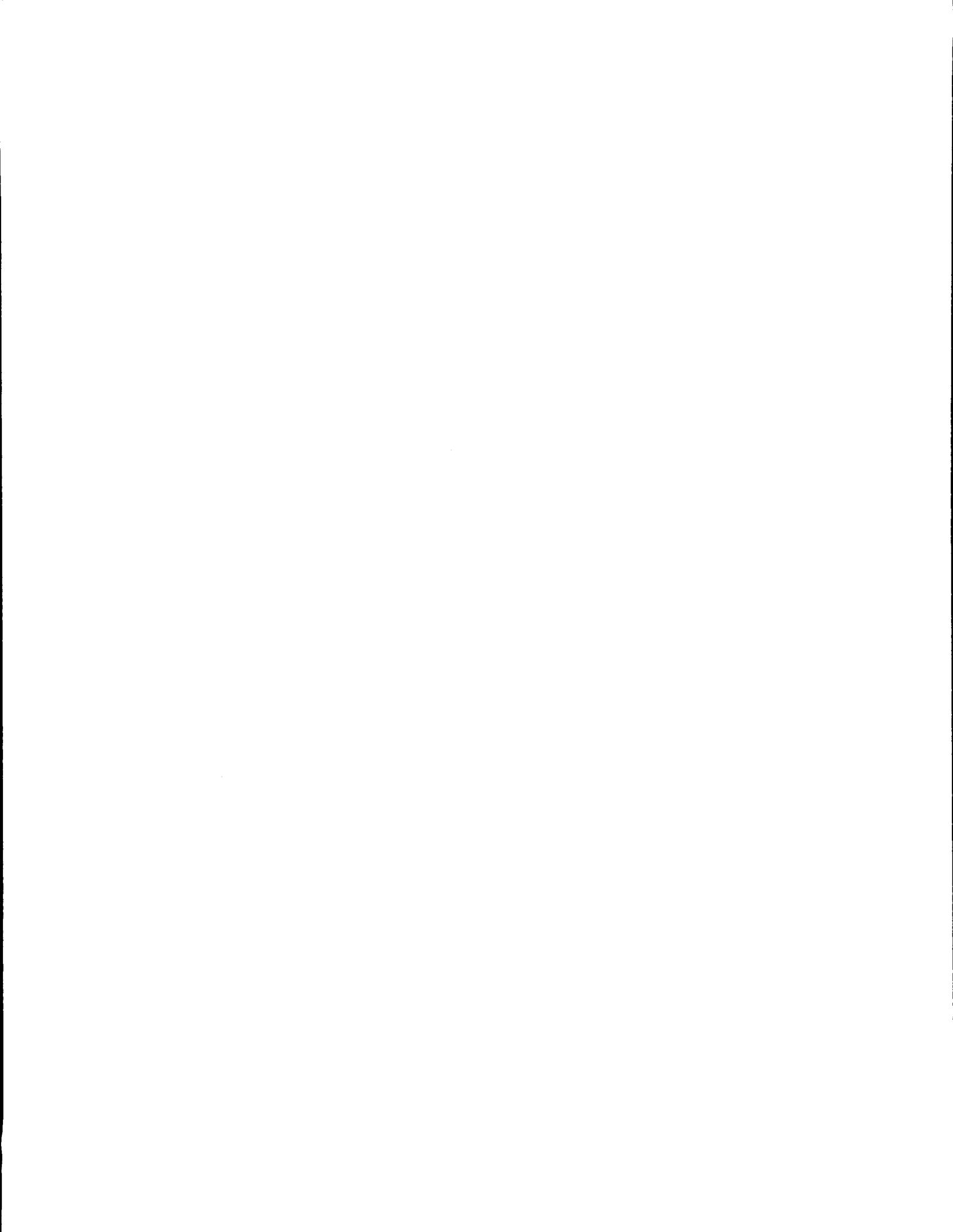
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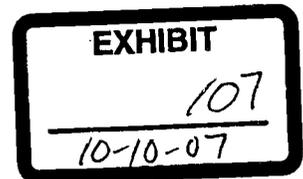
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Shiny curtains of prim and polished hair make us want to yawn. It's as if all desire and interest have been tamed right out of it. What we're craving now is hair abandoned to its own sensuous whims and capricious wisps -- sexy-messy hair! We asked Bean Longo of the [Beehive Salon](#) and Kieren Mckenna of [Oscar Blandi](#) for their [sexiest messy tips](#).

- For Slightly Wavy Hair
- For Curly Hair
- For Straight Hair
- For Longer Hair
- For Short-to-Medium Length Hair

For Slightly Wavy Hair: The Beguiling Twirl

Step 1: Start with damp hair. You can either wait until it's almost dry after a shower or dampen it yourself by spritzing it with a water bottle.

Step 2: Apply a [light hair gel](#) to the entire head. Kieren likes Oscar Blandi's [Acqua Marina](#).

Step 3: Run the fingers of both hands lightly through your hair, and as you do, twirl random sections around your index fingers -- the sections you twirl will maintain their shape by virtue of the gel.

Step 4: Allow hair to air-dry. Half an hour or so should do it.

For Curly Hair: The Coquettish Wriggle

Step 1: Start with damp hair. In the palm of your hand, blend together equal parts shine oil and holding gel. "The serum [takes out the frizz](#) while the gel

every day should be this good

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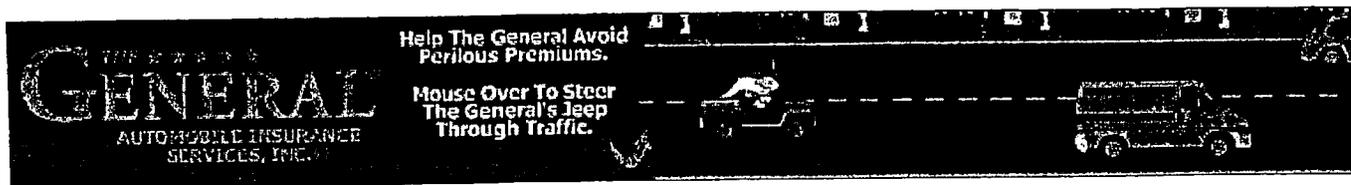
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Could you do with a little lift? Here are 10 elevating options, including a couple of secret techniques to get this season's sexy volume. So go and lift yourself higher!

Get highlights or lowlights: Aside from the fact that hair usually has more body when it's colored, sometimes "lift," or hair volume, is more of an impression,

and that's where what's known as dimensional hair color comes in. When hair is monochromatic, it appears flatter. When you add color dimensions to hair, says Louis Viél, color director at Miano Viél, it gives the perception of lift. As with an optical illusion, your eyes perceive movement, even where it might not exist.

Use root volumizers: These are products designed to lift hair at the scalp. They come in gel, mousse and spray versions, and you place the product directly at the roots of towel-dried hair, lifting hair with your fingers as you apply. Miano's favorite is BigWigg, which comes out almost like spray-starch foam. And he likes the fact that you can spray it on, which he says makes it easier to move around on your head.

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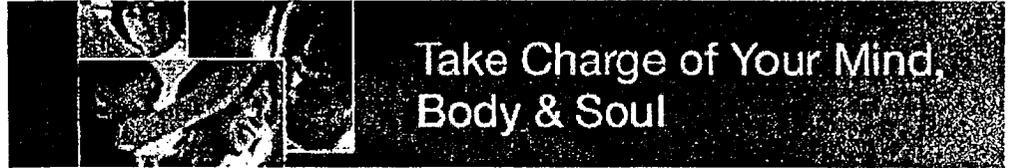
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Get the Look: Sexy Celebrity Hair

Browse these hairstyles of your favorite celebrities - and learn how to make their looks your own.

by **Melissa Kagan** Posted: Mon., Jun. 25, 2007, 3:15 pm EDT

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Juan Carlos Maciques, stylist at New York City's famous Rita Hazan Salon, shares his tricks of the tress trade.



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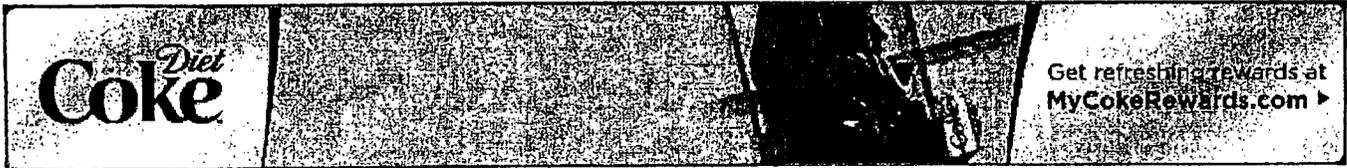
Reese Witherspoon

The key to this look is the separation between the bangs and the rest of the hair. An uneven bang softens and adds interest to the face, while the length is long with a few layers. Use a straightening serum like Barex Cristalli Liquid to add sleekness and shine. Then blow-dry with a Mason Pearson brush for a very straight look.

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Get Sexy Wavy Hair

The women of the NBC drama *Friday Night Lights* model fall's freshest, most festive hairstyles. See the step-by-step instructions for each look.

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Minka Kelly, Adrienne Palicki and Connie Britton

These three stunning stars wear polished retro waves, a tousled bob and long, loose curls respectively; all created by John Frieda stylist Harry Josh. Love these looks? Keep clicking for step-by-step instructions so you can try them at home.

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Kenneth Willardt



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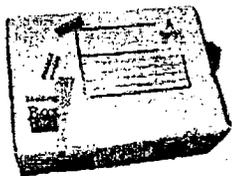
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Sexy sexy blonde hair



(PHOTO: [ARKITEKI](#))

A study on [the origins of blonde hair in ice-aged Europeans](#) has recently been written up in many of the big papers. Basically a Quebecois anthropologist, Peter Frost, has proposed two things. 1) blonde hair was attractive to men because it was bright and different, possibly highlighting femininity and 2) males were scarce in end-of-ice-age European societies and "fiercely" competed for amongst the women-folk - because all that mammoth killing was dangerous so lots of the boys died hunting. So the blondes had much much more fun and the blonde genes swept through the nations leading to the current population of northern blondes and our modern day belief that blondes are sexier, right?

Let's go over some basics of interpreting evolutionary psychology. Like with all these very interesting theories, we'll never have conclusive evidence for

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Before and after pictures and referal phone numbers will be sent upon request. Set up an appointment for a free consultation and I will sit down with you and go over the best hair extension technigue for your unique hair type and answer all your questions about having beautiful hair extensions. Call to make an appointment by October 31st and recieve a free goodie bag with everything you need to properly take care of your new mane!

I am also highly experienced in color, highlights,updos, and haircuts for men and women. I have trained with some of the leading companies in the hair industry and will do my best to keep you happy and your hair looking healthy and gorgeous. If you want a hairstylist that is experienced, up to date with the lates trends, and will actually LISTEN to you, then call to make an appointment today! Bring this add and recieve 20% off any regular hair service!

Hope to see you soon!
ask for AMBER!

Please feel free to reply with an email with any questions.
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Creating The Perfect Blow Out For Getting Silky, Sexy Smooth Hair

By [Alexa Brooke](#)

Article Word Count: 682 [\[View Summary\]](#) [Comments \(1\)](#)

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Did you know that every woman is capable of achieving the same super silky style that hairdressers create? There's really no secret to it. We spoke with Richard BenBassett, a beauty industry veteran and flat iron aficionado from Exceon American Beauty Supply, to find out how the professional stylists do it. BenBassett says salon quality results actually start with the perfect blowout. Hair is like art; creating a silky smooth canvas to work with before you straighten will not only improve the performance of you iron, it will also tame your hair much easier, leaving it silky, sexy and smooth. Here, BenBassett explains how to achieve that silky smooth canvas.

BenBassett begins by telling us it's always important to shampoo and condition your hair first and then remove all the excess water leaving only hair that is damp to the touch. Always blot; never wring your hair with your hands or a towel. This harsh treatment can damage the hair cuticle. Gentle towel blotting is more than enough to remove any excess water. With the hair damp, and before you begin to heat style, generously apply a thermal styling protectant from roots to ends. BenBassett suggests using Sedu

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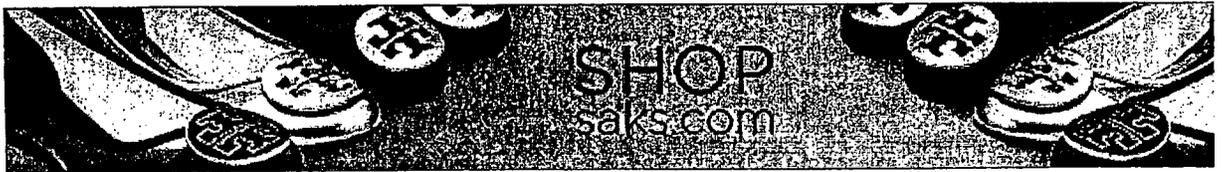
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Bella How To: Get Sexy Beach Hair In The City

Wed, 03/21/2007 - 6:15am by bellasugar

Salty, wavy, thick beach hair is super sexy and it doesn't have to be something that you only achieve in the summertime by the sand. Here's how to achieve this faboo tousled wind blown look during the rest of the year.

First, shampoo and condition your hair before bed and towel dry your hair. Evenly distribute either a mousse or product with hold to it, in even sections throughout your hair. If you have thick or wavy hair, apply a relaxing balm to smooth your curls and tame frizz. Comb through.

Next, scrunch your hair before you fall asleep and when you wake, your hair will have great texture and volume.

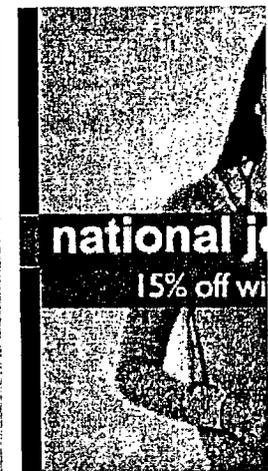
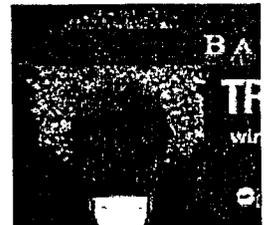
To fix the front, just wet and blow out the pieces that are funky. Then take a large sized curling iron and wrap about ten different pieces around it to give your hair some freshness, body and bounce.



For some products to help you achieve sexy beach hair,



Kusco Murphy Beach Hair, \$29, was created by Australian hair stylist, Kevin Murphy. It's what this pro uses on his cover girls for the Sports Illustrated Swimsuit Edition. It contains crushed



TOP STORIES | TOP TA

Bamboo (for volume), Stinging Nettle (for strength) and Coconut Oil with Bergamot (for texture).

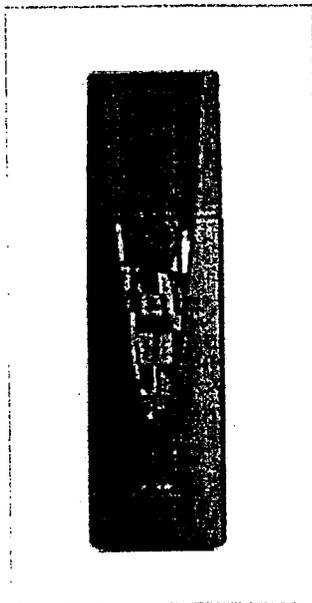
When hair is already dry, apply a small amount onto your hands and scrunch your hair from the tips towards your roots. The more you use the stronger the effect. Then, continue to mold your hair until you are happy with the shape.

Bumble and Bumble Surf Spray, \$21.50, is a seaweed extract based product that gives your hair a sexy, salty "sea" texture.

Spray a couple of spritzes all over your hair and then scrunch away. To refresh your hair throughout the day, continue to spritz and scrunch!



GHD Sea Spay, \$23.95, is made of Dead Sea salts to add amazing matte texture and hold to your hair. It helps to create curls and surf-style waves. It also contains UVA protection and helps lock in the natural moisture of your hair.



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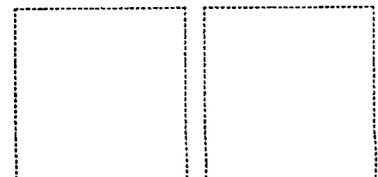
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Farrah Fawcett with Very Sexy Big Hair in 1980s Wella Balsam Ad

Farrah Fawcett was the

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How to Get Sexy Shiny Hair



We all want to walk out the door and be noticed, come on girls it is in our nature. So if you carry on reading we will give you couple of tips on how to get sexy shiny hair style.

By Natasha Tsimonos

To create that all so clean look you need to rid your hair of any impurities. You know the kind we're talking about, that awful residue build-up.

Try using a mild and natural purifying shampoo, such as Clarifying Shampoo from the n-fruizon collection.

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Having purified your tresses it is now time to get them as soft as a ball of cotton. The best advice for you is very simple, all you need to do is use a conditioning hair mask once a week for half an hour.

Also have in mind that heat helps lock in moisture so it has been advised to microwave your chosen hair mask for 10 seconds.

Check Your Hair Color



Now if you are looking to completely transform your hair into a sassy looking goddess, then I suggest you pay close attention to the following:

If your hair color is looking a little frail and dull then it is time to warm the tones in your hair. Darker tones of color expose a lot more light but if you feel that you are a blonde petrified of going darker do not panic all that is required of you is to add a few golden brown streaks.

Photo:© Tom Walck/Photorazzi

Perfect Groomed Look

Having washed your hair and colored it, it's time to make it gleam. Products just seem to be getting better and better. Think of the make up you apply on yourself leaving you with this beautifully polished appearance, well now they are adding that into your hair products.

These particular particles that are inserted to give you the perfect groomed look are called mica and this is what the industry is doing to hair products to



Sexy, Summer Hair



TUESDAY, 14 AUGUST 2007

Natasha Sunshine of [Byu-ti Salon](#) shows us 3 easy and sexy California summer hairstyles to go: the Mailbu Twist, a Hollywood Polish, and the Beverly Hills Pony.



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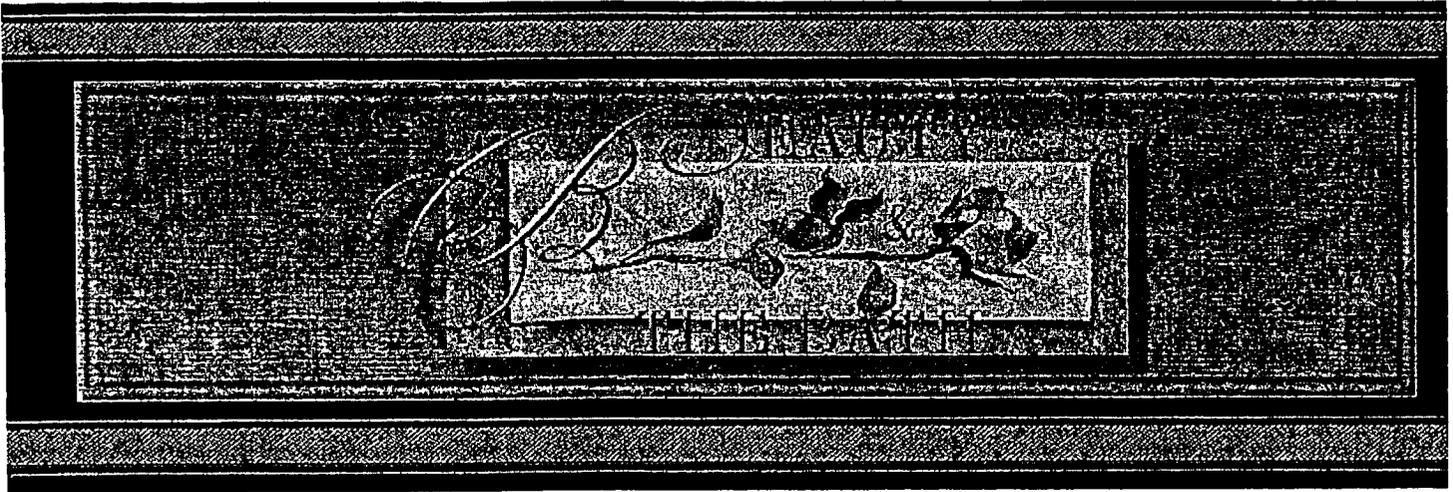
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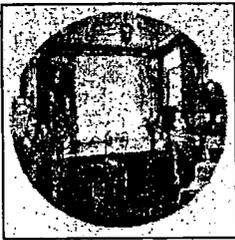
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Sedu Hair Styles Seductively Straight Seductively Sexy Straight Hair Styles

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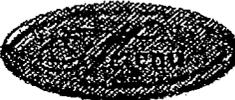
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Sedu Hair Styles Seductively Straight Seductively Sexy Straight Hair Styles That's quite the title, but the Sedu flat iron is quite the product!

This is the flat iron being used world wide to smooth and straighten even the most course and frizzy hair.

How did this all start?

The Sedu Story Sedu evolved from the original mission statement of the company Sedu, to "transform every Non hairless female species on the planet into a Seductive

beauty,"Sedu" for short.

When US Salon Magazine decided to poll hairstylist from around the world as to their preferred hair straightening equipment, these qualified professionals rated the Sedu flat iron hair straightener the best.

Sedu, first established 1991, now known as one of leading Hair Beauty companies in the worldwide professional beauty circle, the favorite preferred by top hair stylists around the world and of all home users.

If Sedu can accomplish that in just 14 short years, Can you imagine what it can do for your Sedu Hair Styles in under 20 minutes!

The Sedu Story

This is how Sedu made the Hair Style happen

Sedu Hair Styles Seductively Straight Seductively Sexy Straight Hair Styles

Dennis Huang, the brand manager for the Sedu line, says that the Sedu Flat irons are made from Tourmaline, a precious stone.

This stone was an intelligent choice as it generates up to 6 times more negative ions upon heating than traditional

The extra negative ions along with gentle far-infrared heat guarantee soft, smooth, frizz-free silky straight hair without heat damage.



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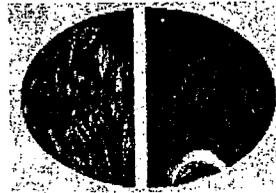
Kids In The Bath

Teens Look Good

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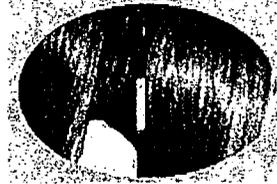
In addition, Sedu's patented ultra-smooth plates guarantee smooth straightening motion without pulling, snagging, or breaking the hair



Today, The Sedu product line is packed with a wide assortment of hair tools, ranging, from sophisticated contemporary designs to those with functional efficiency.

Sedu Hair Styles Seductively Straight Seductively Sexy Straight Hair Styles

Sedu is indeed, seductively meeting their mission!



Ultra- smooth surface provides flat sedu straightening motion devoid of stretching and breaking of hair

Sedu hair styles makes amazing transformations. Hair becomes up to 3 times flatter and sleeker than when using the traditional ceramic hair straighteners.

Faster heat-up time. Now you can get a desired temperature in less than a half of minute

Negative ion refreshes hair with smoothness leaving hair sleek and soft.

New Infra Red heat technology closes in hair's moisture and shine

Sedu styles your hair with a hotter and much more stabilized heat controllable temperature. (240 °F - 410°F, 120°C - 200°C) for all types of hair. The Sedu special design provides easier handling.

Sedu flat iron is as easy to use on short hair as it is with long hair

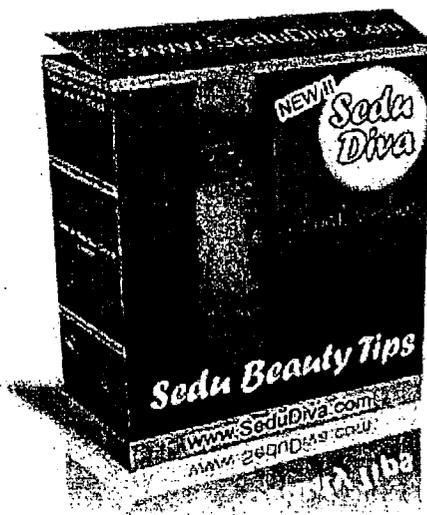
The sedu hair iron has long been used to straighten wavy hair.

Now it gathers even more momentum as men and children become happy users.

These before and after photos of Sedu hair styles are sent in by users who have done their own hair at home by themselves

These are actual photos sent in by Sedu flat iron users after using Sedu at home. Frizzy hair is smoothed as the hair shaft and cuticle is flattened, leaving the hair soft and with shine.

Sedu Hair Styles Seductively Straight Seductively Sexy Straight Hair Styles



This is it, The Sedu Bible, everything you need to know to style your hair with Sedu, or any flat iron on the market.

This book is a favorite and I know you will benefit from the information and easy to follow instructions.

You will see how the celebrities like

Jennifer Aniston, Jennifer Lopez, Paris Hilton, Meg Ryan, Demi Moore, Angelina Jolie, and more create those stunning hairstyles.

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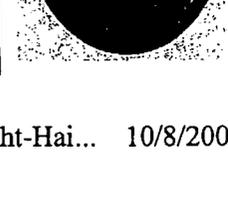
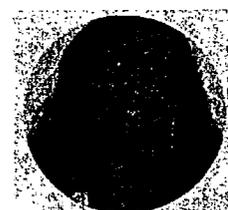
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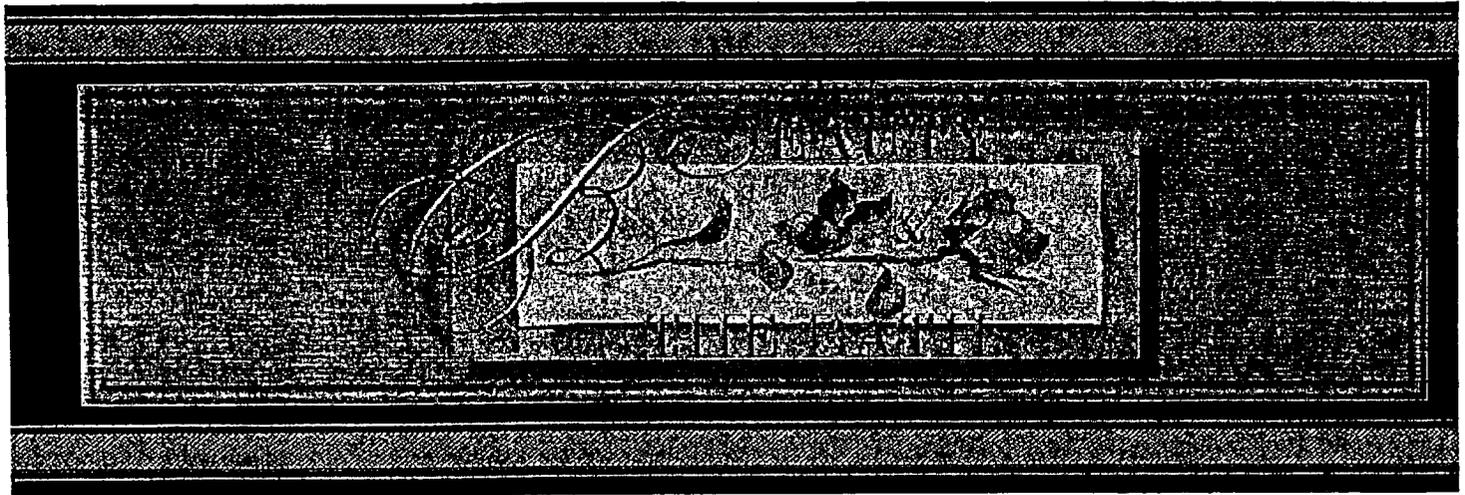
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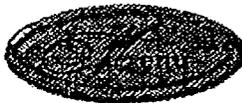
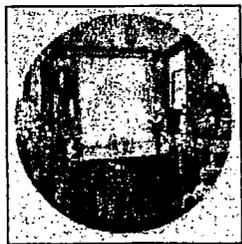
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Yes, gray hair is a sign of getting older and it can seem to come out of nowhere. You go to sleep one night and when you wake up the next morning you find some gray hairs on your head.

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Gray Hair

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Men hair

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It happens. A lot of men go to the salon to get their hair dyed the original color, or even a different color to hide their gray hair. Some also choose to get some hair dye from their local pharmacy or other store so they can just go home and dye their hair in the privacy of their own home.

Well, there is a new trend today and you should let your hair do what it is going to do – go gray. Just let your hair show its natural colors. It can feel like a strange transition, but it is natural.

Why You Should Keep Your Manly Gray Locks

Gray hair seems to be a new fashion trend in Hollywood and it does not look like it is going to go away any time in the near future. Embrace your new look, because you will get used to it.

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Women will notice it too. Gray hair is sexy hair. It gives you a sophisticated, charming look that you can't get out

of a bottle of hair dye. Numerous men in Hollywood are letting their gray locks show and the women are loving it.

Gray Mens Sexy New Hair Color
Who Else Has Men's Sexy Gray Locks

Celebrities and musicians in Hollywood are letting their gray hair show and it has been paying off well. Here is a short list of those celebrities and others with gray hair:

- George Clooney (Actor)
- Robert De Niro (Actor)
- Anderson Cooper (CNN News Anchor)



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Pretty Blonde Hairstyles

Karolina Kurkova in Very Popular Straight Layered Blond Haircut

Pamela Anderson with Big Sexy Hair in Long Perfect Blonde Curls

Big hair has been the signature

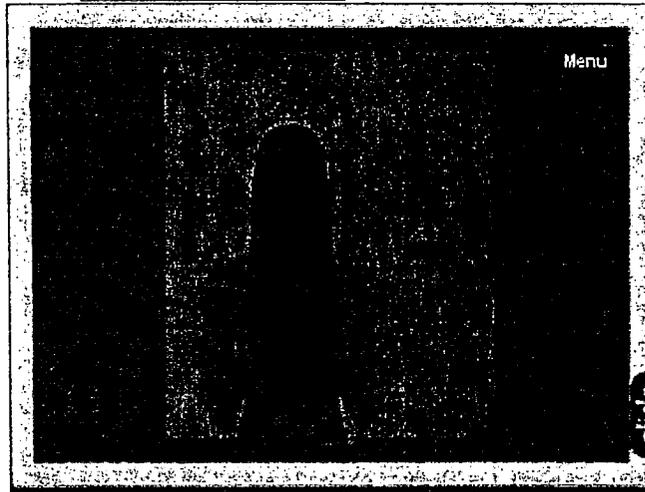
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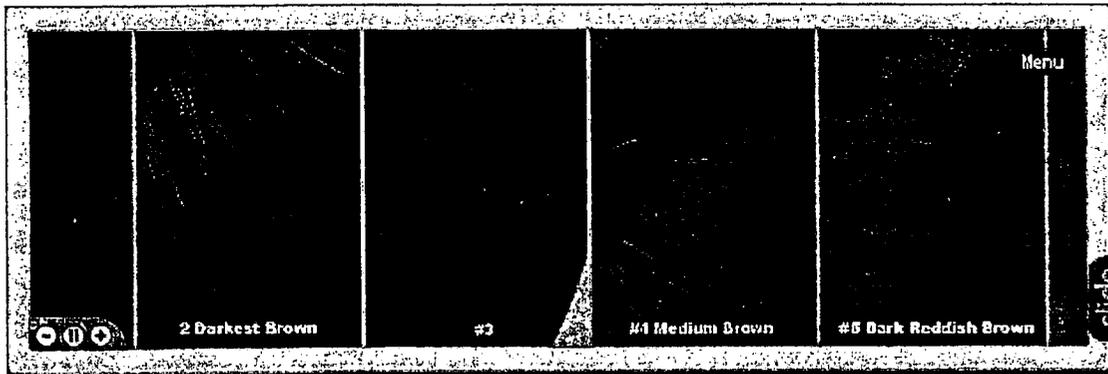
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Each hair is hand-picked strand by strand to ensure all cuticles are aligned in the same direction so no tangling occurs. In fact, we guarantee our hair to be tangle-free for three months.

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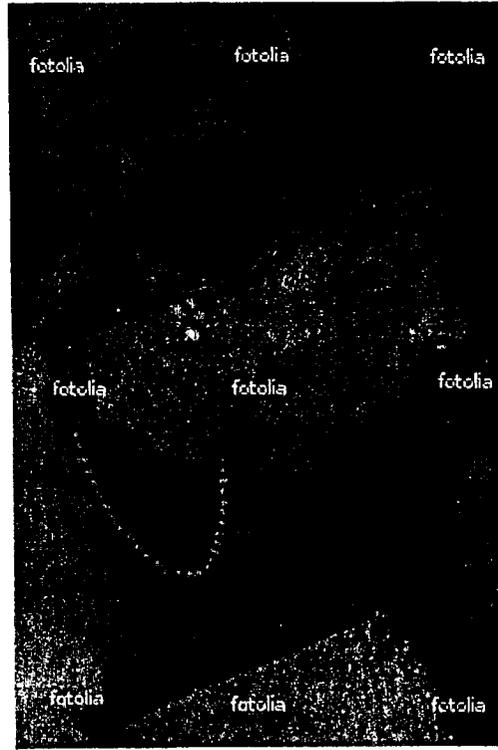
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How to Get Sexy, Tousled, Summer Hair



While this wash-and-go beauty secret can be used year around, it's fantastic for hot summer days when the last thing you want to do is break out the blowdryer and curling irons. Since many of these texturizing and curl enhancing products are also heat-activated, this method will work great if you're spending a hot day outside.

If you're blessed with naturally wavy hair, this style is so super simple. Just follow the directions below. Got stick-

straight strands? Not to worry, just have your stylist razor in plenty of textured layers into your hair before you try out this quick 'do.

1. Start by washing your hair with a volumizing shampoo (clarifying shampoos can work well too, since they don't weigh hair down).
2. Use a light, volumizing conditioner — but just on the ends of your hair. Gently work the conditioner through your hair using a wide-tooth detangling comb. If you have any snarls and tangles, make sure to get them out now because you won't be combing or brushing your hair once you rinse.
3. Rinse well and wrap hair up in a towel. We love the super absorbent ones, since they really help speed up the drying process.
4. Go ahead and do your makeup, have some breakfast, whatever. Just give your hair a little time to dry while its wrapped up in a towel.
5. Once you unwrap your hair, it is extremely important that you do *not* comb or brush it out. This is essential to preserve your hair's natural wave patterns as well as to take full advantage of the texture created by giving your hair some time to dry while wrapped in the towel.
6. Using your fingers, work a small amount of curl enhancing gel or texturizing curl spray all the way from the roots to the tips of your hair, scrunching and twisting random sections of hair as you go.
7. Allow hair to dry naturally, but make sure to periodically scrunch and tousle your hair as it dries

If you keep scrunching, your hair should turn out sexy, wavy and tousled — but not overdone.

Makeup Moxie highly recommends:

1. Marc Anthony Strictly Curls Curl Defining Lotion is one of our favorites because it helps eliminate frizz while making hair soft, shiny, and textured. [Read our full review of Marc Anthony Curl Defining Lotion...](#)
2. TRESemme Thermal Creations Curl Activator Spray is an excellent option for



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Sexy Receding Hair

Sexy Receding Hair

Q: The older I get, the less hair I have. Do you have any suggestions as to how I can keep looking good as my hair recedes? I refuse to use all those stupid products that either don't work or could result in sexual dysfunction.

Robby of Washington, D.C.

A: First of all, most people overreact about the extent to which their hair is receding. So it may not be as bad as you think. However, if it is affecting your self-esteem, there are ways to make yourself feel better about your appearance.

Of course you don't want to wear a hat every day of your life, but there are some fashionable hats out there right now that can make you look not only cool but youthful as well. The fedora has enjoyed a huge revival over the past couple of years. Designers like Gucci, Burberry, Fendi, and Coach all have stylish hats. Even the Gap, Banana Republic, and Old Navy carry nice hats.

There are several hairstyles that can make you look stylish as well while drawing the attention away from the fact that your hairline is receding. You can shave your head completely if you think you can pull it off. If not, you can cut your hair very short, which looks great on many guys.

I understand your concern regarding the many products on the market that have side affects. I wouldn't want to have a decreased sex drive either! You could also consult your doctor about which products/drugs are the most effective with the least amount of negative side effects.

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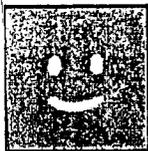
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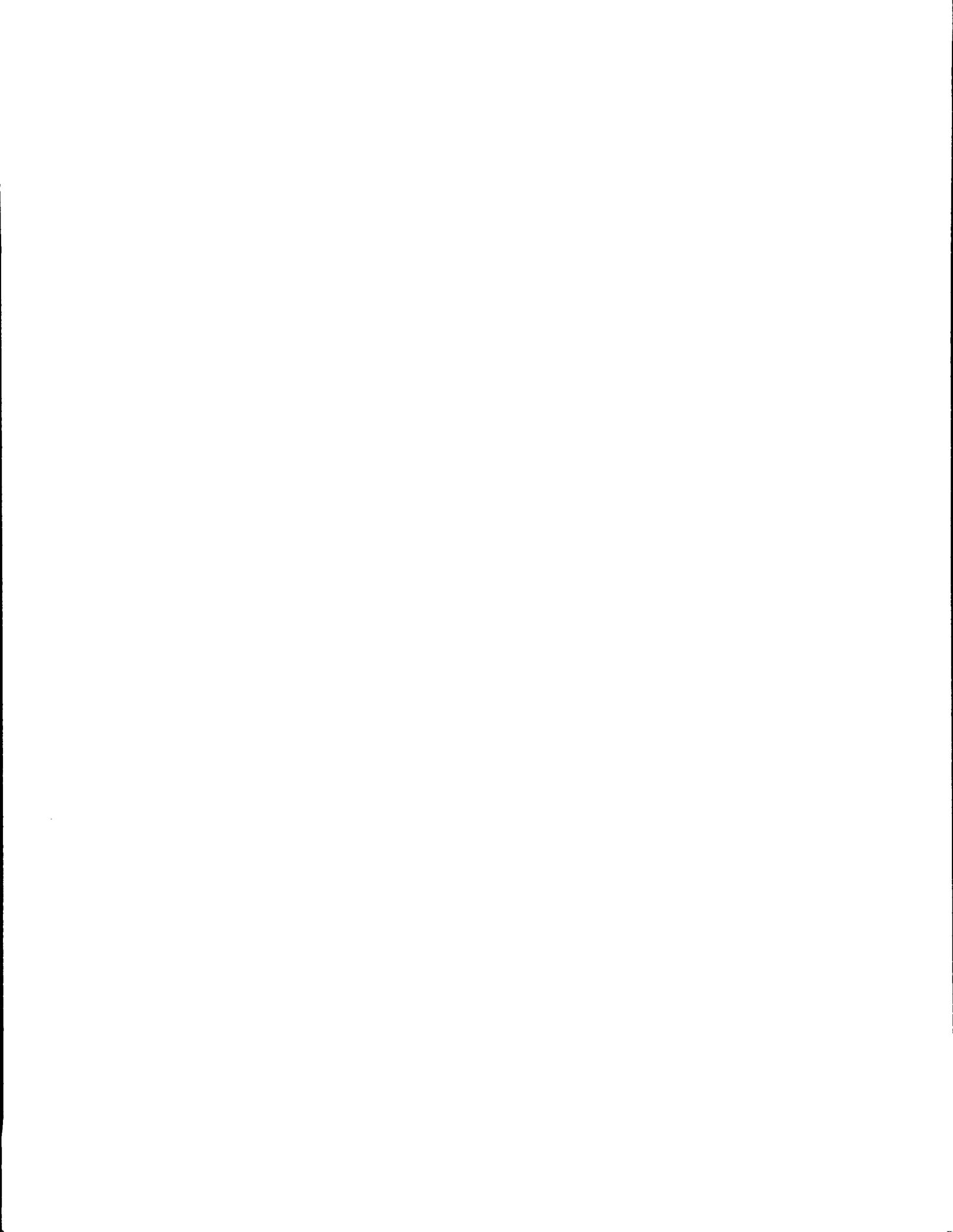


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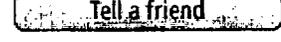
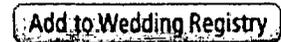
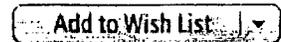
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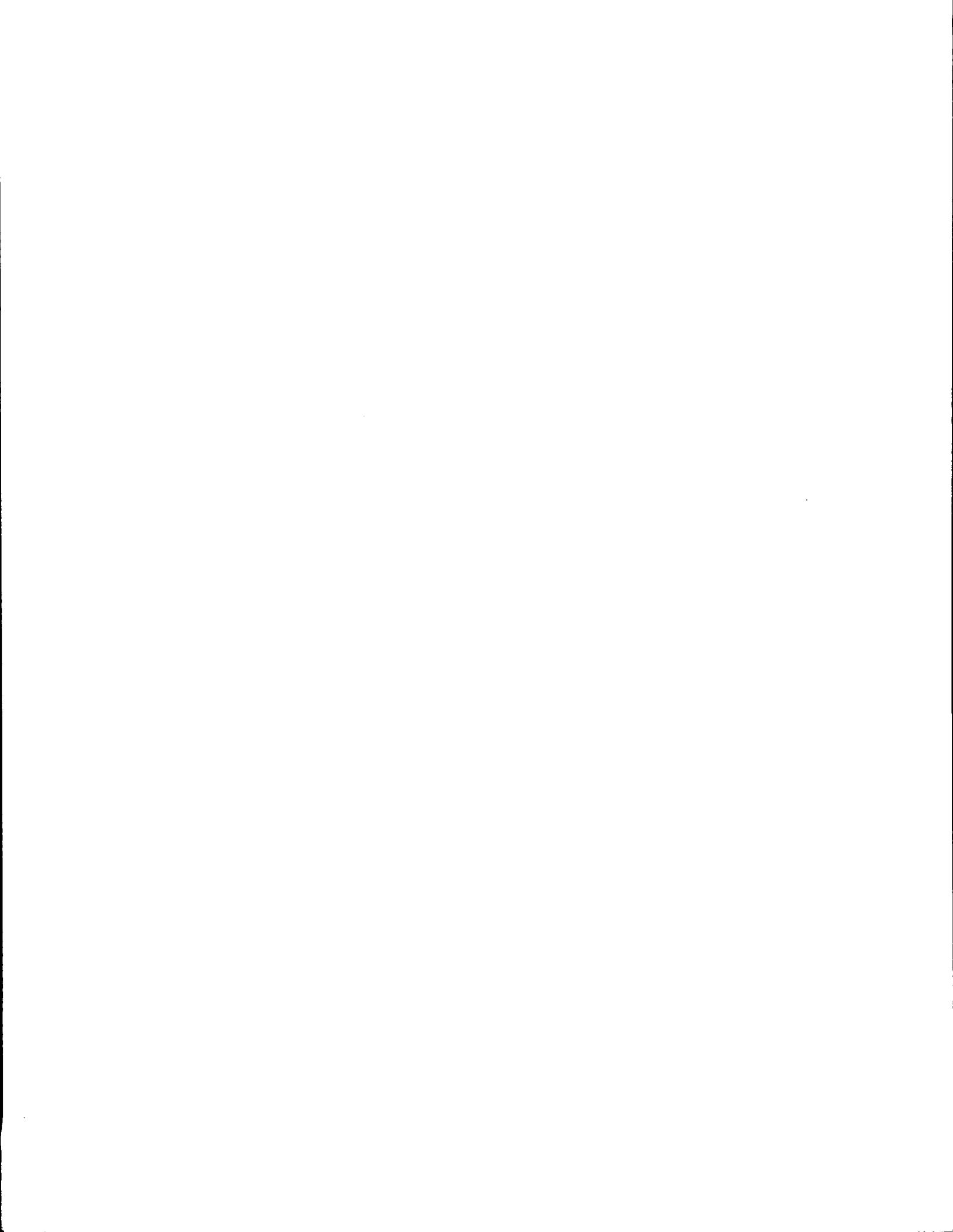


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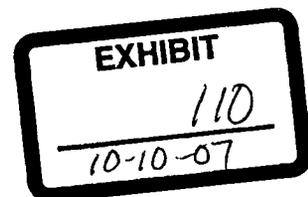
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Six "**Sexy Lips**" Tips ... #4 **Lip liner** can be a lifesaver. **Lip liner** serves two main purposes.

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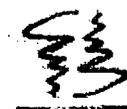
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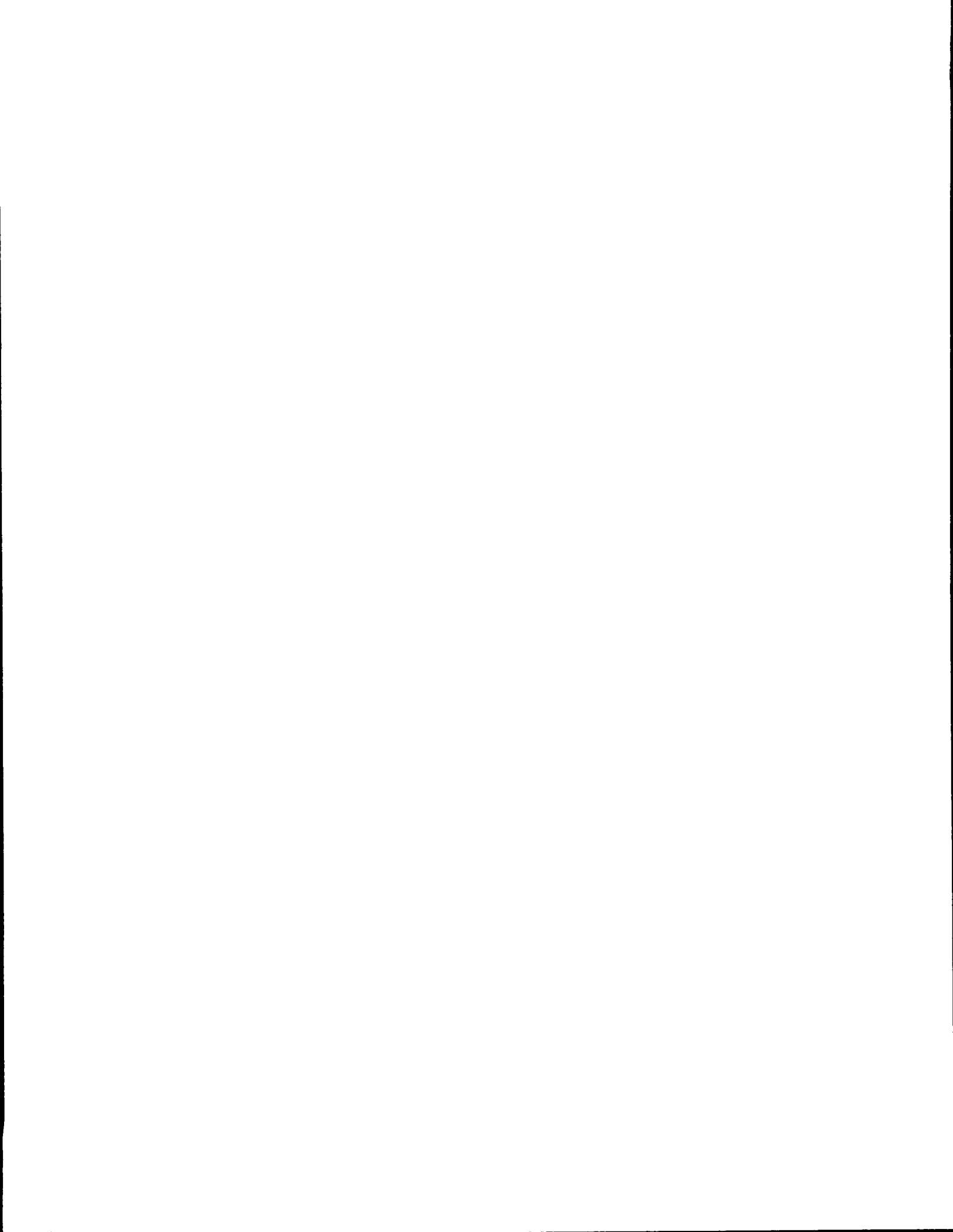
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Dr. Lieb sent us **Sexy Smile**, a dual long lasting lip gloss that has a teeth whitener on the other end. Not only are the glosses long-wearing but they are ...
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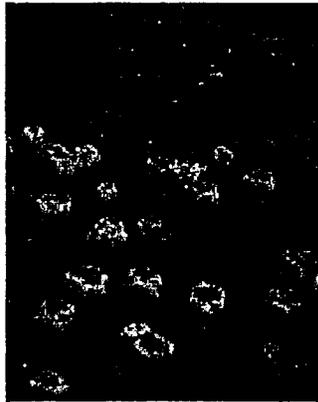
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Sexy Smile

information from the *Atlanta Dental Group PC*



A **sexy smile** projects youth and good health. It's so beautiful that you continue to look at it over and over again! You want to kiss it. A **beautiful smile** showcases white smooth teeth that are regular and fill up the area within the lips.

The lips frame a great smile just like great masterpieces of art have frames. Sexual attraction causes emotional and physical excitement. It causes the lips to fill with blood, enlarge and turn red, perhaps this is why red is the preferred color of lipstick. Enlarged lips are less obvious as we get older because as teeth wear down the lips thin. As a result there's less lip. Older worn teeth are often the same length but a youthful **sexy smile** displays longer central incisors, slightly shorter laterals and smooth unworn cuspids. Opening the bite to lengthen and reshape older teeth often acts as a **non-surgical face lift**. It takes the lines out of the face, enlarges the lips and shows more teeth when smiling. As someone gets older you often see less teeth in their smile with more of their lower teeth showing. A beautiful **sexy smile** showcases the upper front teeth and hardly any of the lowers.

Gums are not attractive and a **sexy smile** does not show much gum. Children have lots of gum around their teeth and in their smiles. As children get older their gums naturally shrink back until puberty when very little or no gums are shown. Showing lots of upper white teeth is an important part of a fantastic smile. If **Cosmetic Dentistry** interests you and you would like to consult with **Dr. Padolsky**, make a **cosmetic consultation** appointment by calling 404-874-7428.

More dental information from the Atlanta Dental Group PC

Atlanta Dental Group PC Home Page

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Absolutely *FREE* Report: 2 SIMPLE STEPS FOR YOU TO HAVE A SEXY HOLLYWOOD SMILE

This newsletter is for anyone who has suffered the humiliation of an ugly smile and/or bad breath. Discover how to achieve the freedom and peace of mind that comes with feeling confident in having a beautiful smile for a lifetime! Discover 2 simple and proven steps you can use at home that will save you thousands of dental dollars.

"Through Marjorie's radiating presence, her skillful guidance and her deep well of wisdom, I was able to find the true smile care. I had been humiliated by my chronic bad breath and an ugly smile for so many years, struggling from dentist to dentist, in search of the true solutions. The tips that I have learned will save me thousands of dental dollars and allow me to begin smiling with confidence in a whole new way."
Marian Hopkins,
Language teacher

"Discover A Proven 2 Step System For Taking The Mystery Out of having a beautiful smile.."

Marjorie Orser RDH

- Marjorie Orser, RDH

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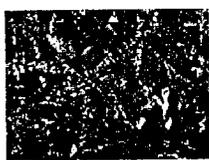
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Sexy Smile From A Pretty Girl

lovely smile from a beautiful woman ** note: slight blurriness, best at smaller sizes

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Sexy Smile: Mallaika Arora in black !



Mallaika Arora Khan can never be turn OFF, she is always a turn ON. At a promotion event for Kunon Holidays, lady was completely charged up at the press meet.

With that vibrant smile and confidence to die for, all eyes were on Mallaika Arora. Dressed in black outfit, she looked classic as always.

Check out all the action in images featuring sexy smile of Mallaika arora, here goes.

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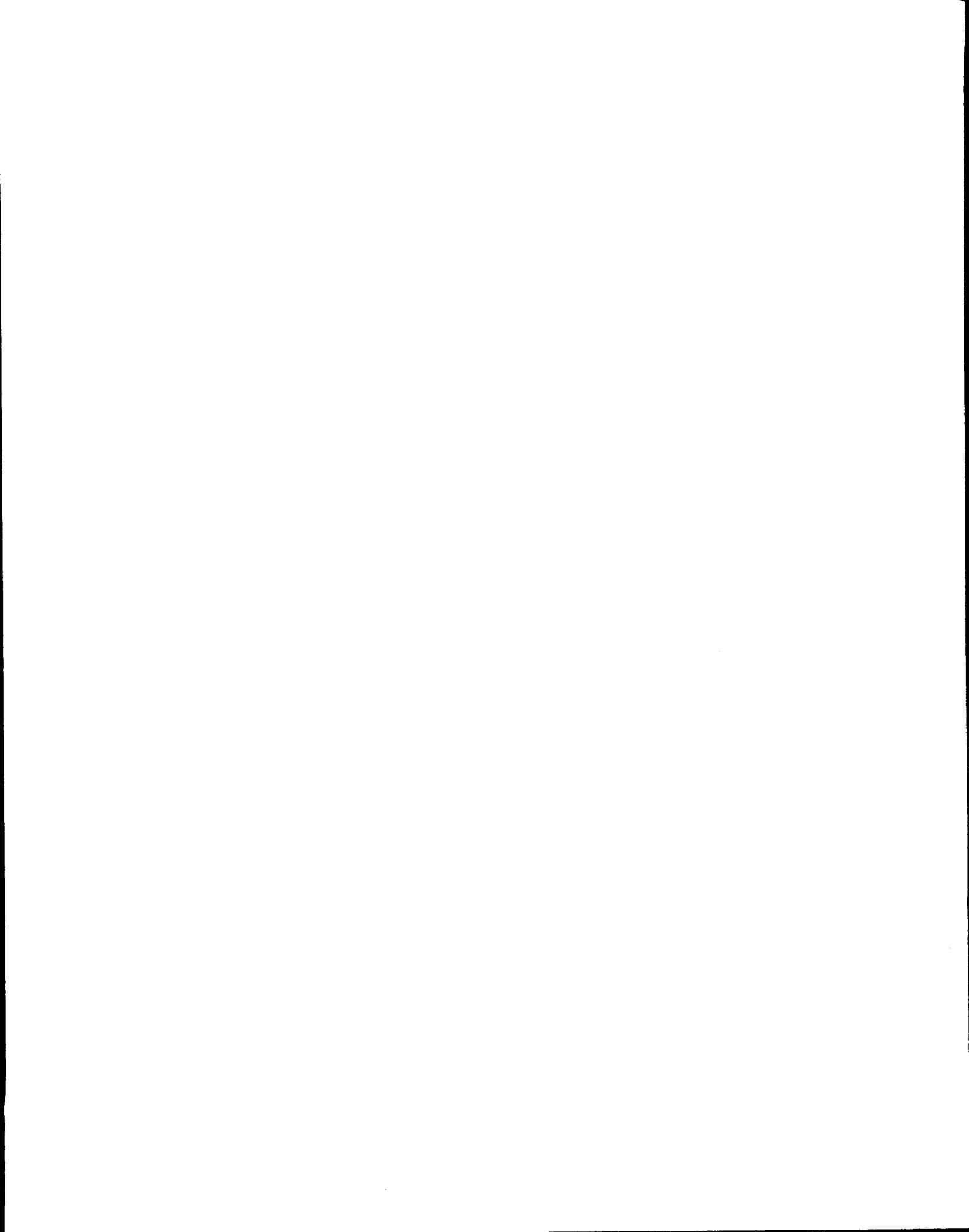
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"**Sexy Eyes**" **Sexy Eyes**, they're so lovely, **Sexy Eyes** Make me wanna love ya **Sexy Eyes**, Girl you're lookin' way cool tonight Oohh Da da da da da, ...

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sexy eyes

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Smokin' Hot: Your Guide to **Sexy, Smoky Eye** Makeup. August 16, 2007 - 2:30 pm , By Diana - NYU. smoky **eye** makeup When it comes to **eye** makeup, ...

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How to Achieve Smoky Eyes | eHow.com

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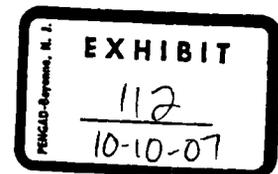
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Smoky eyes is a great look for this season as you can incorporate rich autumnal browns or dark greys and charcoal. Celebrity make up artist Lisa Eldridge ...

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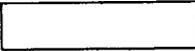
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Smoky eyes is a great look for this season as you can incorporate rich autumnal browns or dark greys and charcoal. Celebrity make up artist Lisa Eldridge tells us how to get a speedy sex eye look.

Basic Bases: "Try using a cream powder shadow as a base – khaki green works really well and is set to be very popular this autumn. Try No7 Stay Perfect Eye Mousse in Khaki"

Define Lines "Try a graphite grey and apply with a wet brush, working to the outer edge of your eyes. Use a black eye pencil, close to the top and bottom lashes to create definition."

Lavish Lashes "Finish off with a black mascara for uber lashes."

This is just one of many looks Lisa features on the Get Gorgeous DVD, which includes everything from everyday make-up tips to achieving more dramatic looks. Pick up your free copy from Boots stores this weekend.



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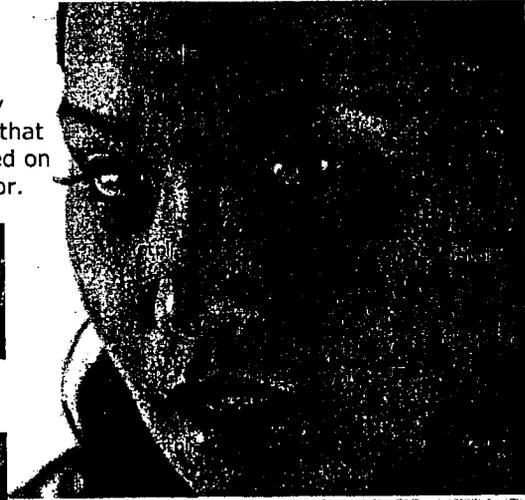
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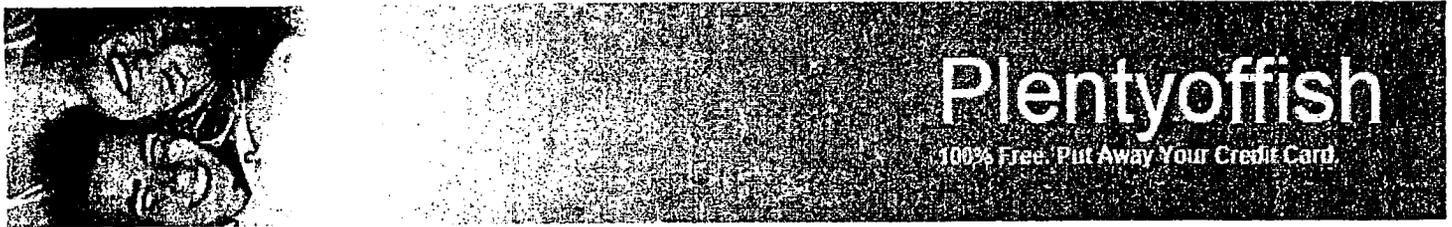
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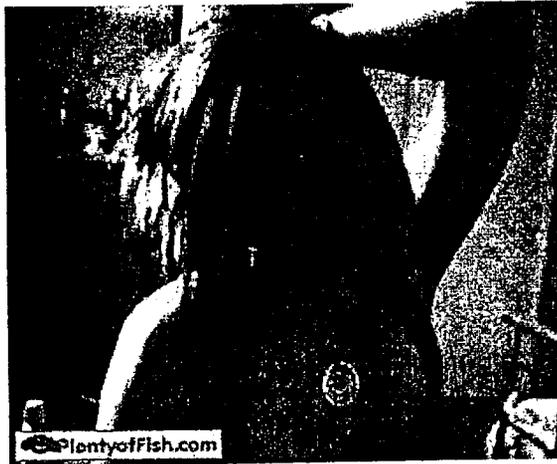


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Miss Sexy Blue Eyes : Genuine guys - fact or fiction?

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Body Type Average
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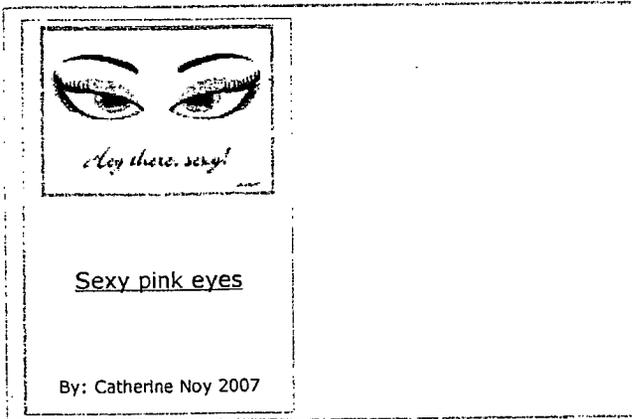
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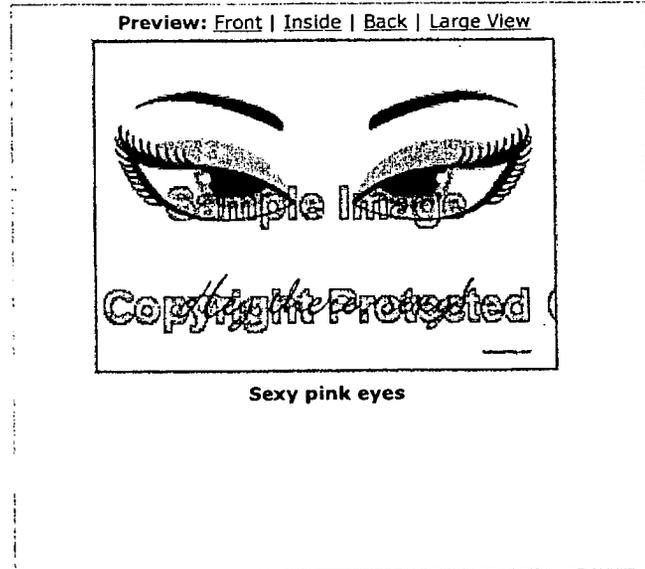
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Front: Sexy pink eyes

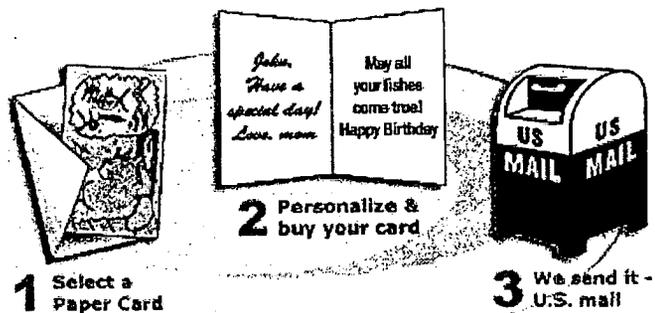
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Image By: [Catherine Noy 2007](#)

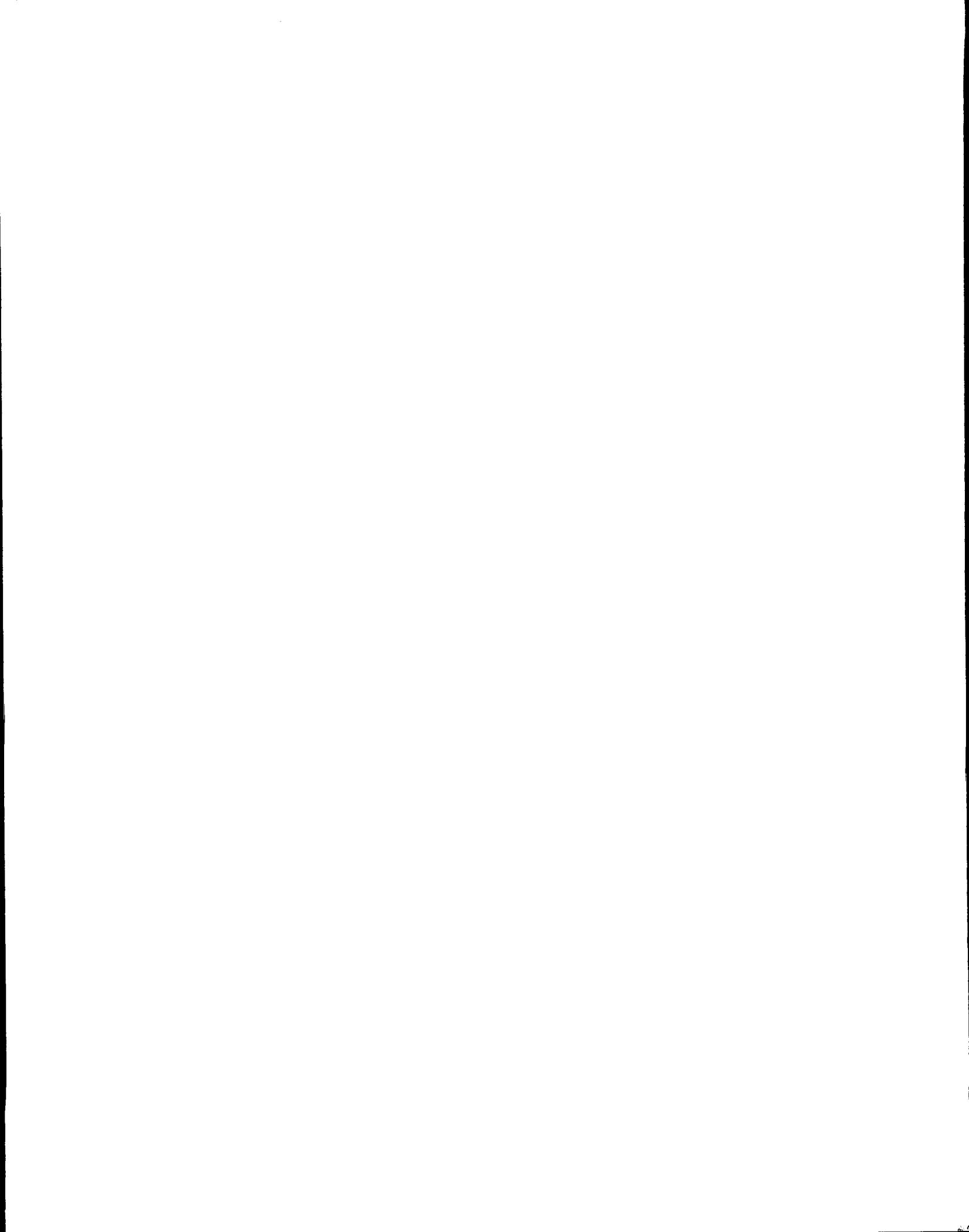
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Ivy - Missha Sexy Eye Mascara CF Making | Dabble Video Search

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ChickAdvisor :: Details :: Victoria's Secret Very Sexy ...

At first application, Victoria's Secret Very **Sexy Makeup Intensifying Mascara**, in blackest black of course, became my new favorite **mascara**. ...
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Victoria Secret Very **Sexy Intensifying Mascara Blk/Blk**. This seller accepts PayPal, Buy It Now ... Victorias Secret Very **Sexy Lashes Intensifying Mascara** ...
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16 Colors of NYX Cosmetics Infinity **Mascara** for \$5.00 Each ... **Sexy Volume Mascara** from NYX Cosmetics for \$8.00 each ...
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Eyes: Very **Sexy** Mosaic Eye Shadow in Urgency, \$18; Very **Sexy** Sparkling Eye Liner in Litac Flash, \$10; **Mascara**: Very **Sexy** Intensifying **Mascara** in Blackest ...
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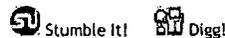
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New Victoria Secret Very Sexy Lashes Mascara Black Seal

Item number: 270172928405

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Starting bid: **US \$4.95** [Place Bid >](#)

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(2 days 6 hours)

Shipping costs: **US \$1.95**
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[tfbargins](#) (2310 ★)

Seller: Power Seller

Feedback: **99.7% Positive**

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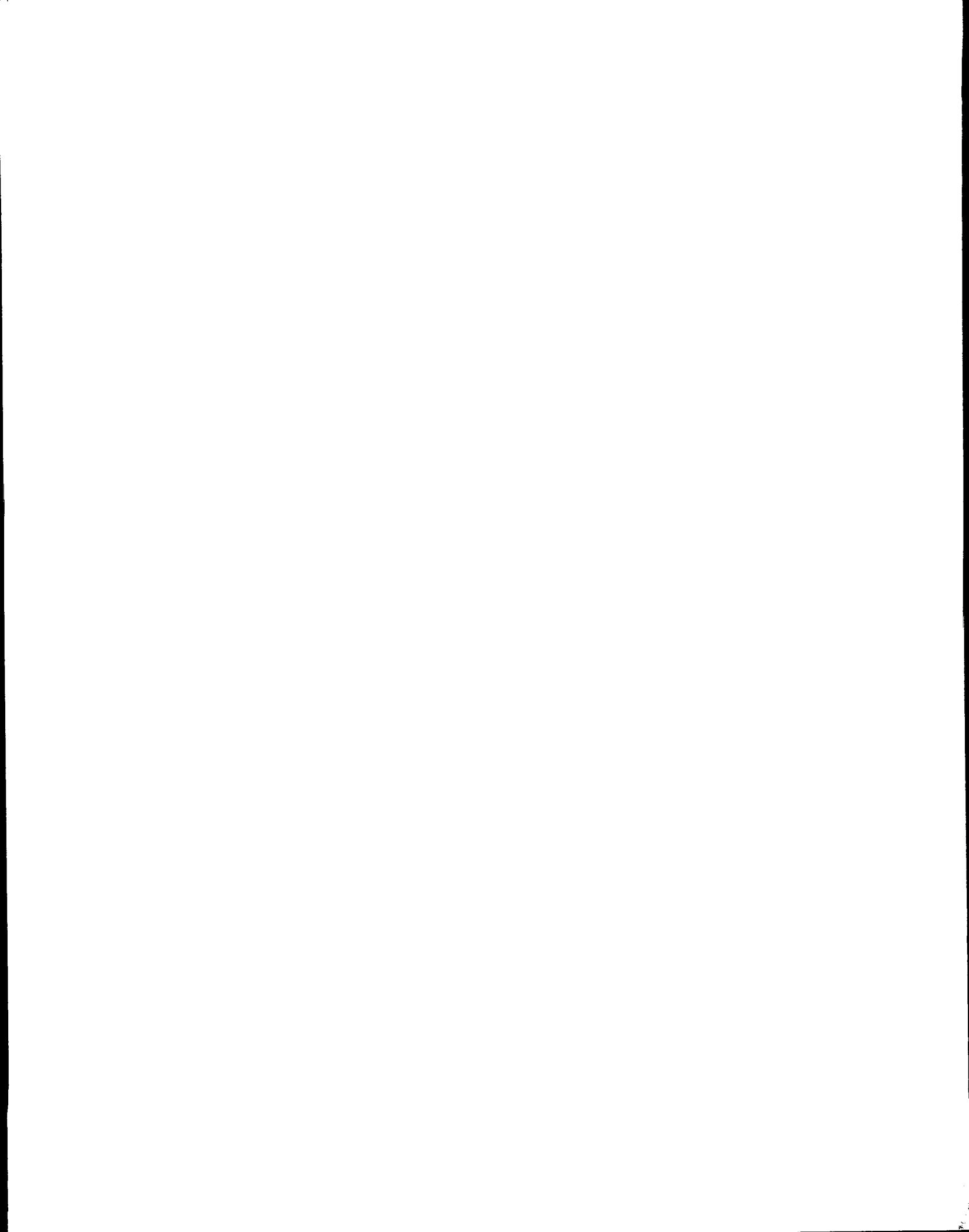
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Score: 2310 | 99.7% Positive
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Description

New - Sealed - Full Size

Victoria Secret Very Sexy Lashes Mascara Black

Payment must be recieved within 5 days after the auction ending.



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Kaboodle - **Sexy False Eyelashes** with Crystal Stones review and product info . Learn more about **Sexy False Eyelashes** with Crystal Stones, ...
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Probably the widest range on earth demure to outrageous, illustrated
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Sexy eye-lashes on Flickr - Photo Sharing!

Now everytime I hear this song I'm going to be thinking about these **sexy eyelashes**.... ;-))
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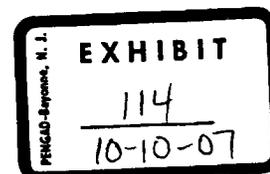
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False Eyelashes

\$2.40 \$3.11 Flash Lash Exotic Winks **Sexy False EyeLashes**. \$2.13 \$3.11 ... \$5.45 \$7.26
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Reviews on Eyelash Tinting Look at tests, reports and read reviews ...

If you want luscious looking, **sexy**, dark **eyelashes** (guys and girls!) it's really easy to do. You don't need to wear makeup either. ...
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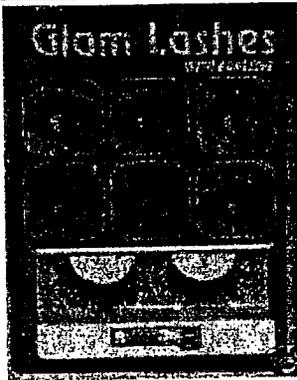
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End time: **10-Oct-07 22:23:20 BST**
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Postage costs: **£1.25**
Royal Mail 1st Class Standard
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Post to: **Worldwide**

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Seller: [bsk_4u2nv \(3731 ★\)](#)



Feedback: **99.8% Positive**

Member: since 21-May-02 in United Kingdom

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Returns: Seller accepts returns.

[7 Days of receipt](#)

Description

Seller assumes

Item Specifics - Make-Up
Type:

GLAM EYE LASHES

Features: --

SEXY EYELASH EXTENSIONS \$85!!!

Reply to: serv-437264664@craigslist.org
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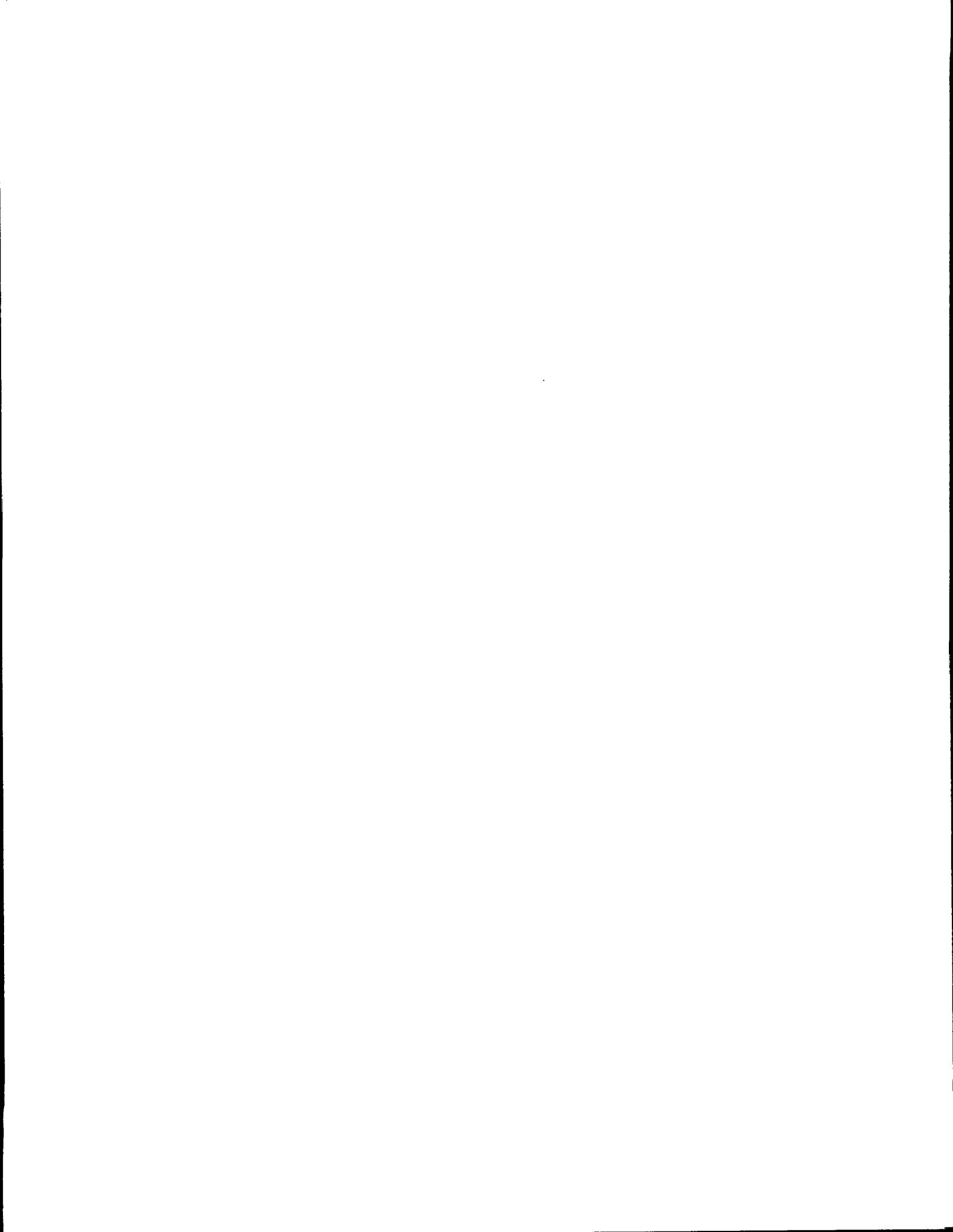
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Myspace Quiz: Which Male Rock Star Is Right For You?

REAL MEN WEAR EYELINER! Created by surfacing89 | Views (285709). 1. How would you label yourself? ... Politically aware, highly opinionated, **sexy** as hell. ...

quiz.myspace.com/myspace/Music/38929/Which_Male_Rock_Star_Is_Right_For_You.html - 34k - [Cached](#) - [Similar pages](#)

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'Eyeliner Boys': Silly or **Sexy**? Musician and actor Jared Leto, left, may like to rock the **eyeliner**, but Cosmopolitan magazine has a message for Leto and ...

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Super **sexy** liquid **eyeliner** with brush applicator. Fantastic colors, quick drying, will not transfer. The best liquid **eyeliner** for a professional look.

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Sexy Eyes Tips :: Eyeshadow, Eyeliner, Mascara :: Makeup ...

Get **sexy** eyes with eye products from Alette. Shop Alette for eyeshadow, **eyeliner**, mascara and more makeup.

www.alette.com/Creating_Sexy_Eyes - 16k - [Cached](#) - [Similar pages](#)

Amazon.com: Reviews for Benefit Cosmetics BADgal: Beauty

This is my staple **eyeliner** as it offers the perfect silky texture and the right amount of "smoke" for the smoky ... A **Sexy Black Eyeliner**!; July 19, 2005 ...

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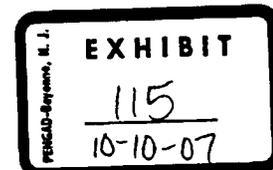
Makeup For Life: Victoria's Secret Fashion Show

Very **Sexy** Mosaic Eye Shadow in Urgency (\$18) was applied onto the eyes as wash and Very **Sexy** Sparkling **Eye Liner** in Lilac Flash (\$10) used to add definition ...

makeupforlife.blogspot.com/2006/12/victorias-secret-fashion-show.html - 55k - [Cached](#) - [Similar pages](#)

MonoBrow: Cocoa butter & eyeliner

<http://www.google.com/search?hl=en&sa=X&oi=spell&resnum=0&ct=result&cd=1&q=SEXY+AND+EY...> 10/8/2007



Cocoa butter & eyeliner. Ze heeft meer gevoel voor fashion dan 'n toiletjuffrouw tijdens ...
'Cocoa butter or some sexy liquid eyeliner from MAC.' ...
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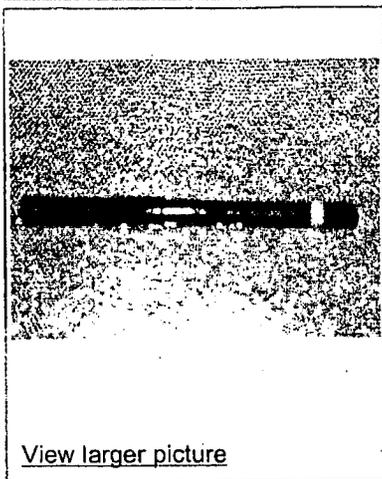
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Service to [United States](#)

Ships to: [United States](#)

Item location: [Somerdale, New Jersey, United States](#)

Quantity: 2 available

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Which sexy eyeliner-wearing rock star is for you? (pictures)

July 26th, 2006

Take the quiz:

Which sexy eyeliner-wearing rock star is for you? (pictures)



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Sonny Moore

AH LOVE!!! From First To Last is an amazing band, and Sonny is a SEXY and amazing lead singer.

Quizzes by myYearbook.com — the World's Biggest Yearbook!

One comment to "Which sexy eyeliner-wearing rock star is for you? (pictures)"

1. Billie Joe

The sexy front man of Green Day! Yay for sexy pissed-off punks, right?

» by *Angie* July 26th, 2006 at 3:10 pm

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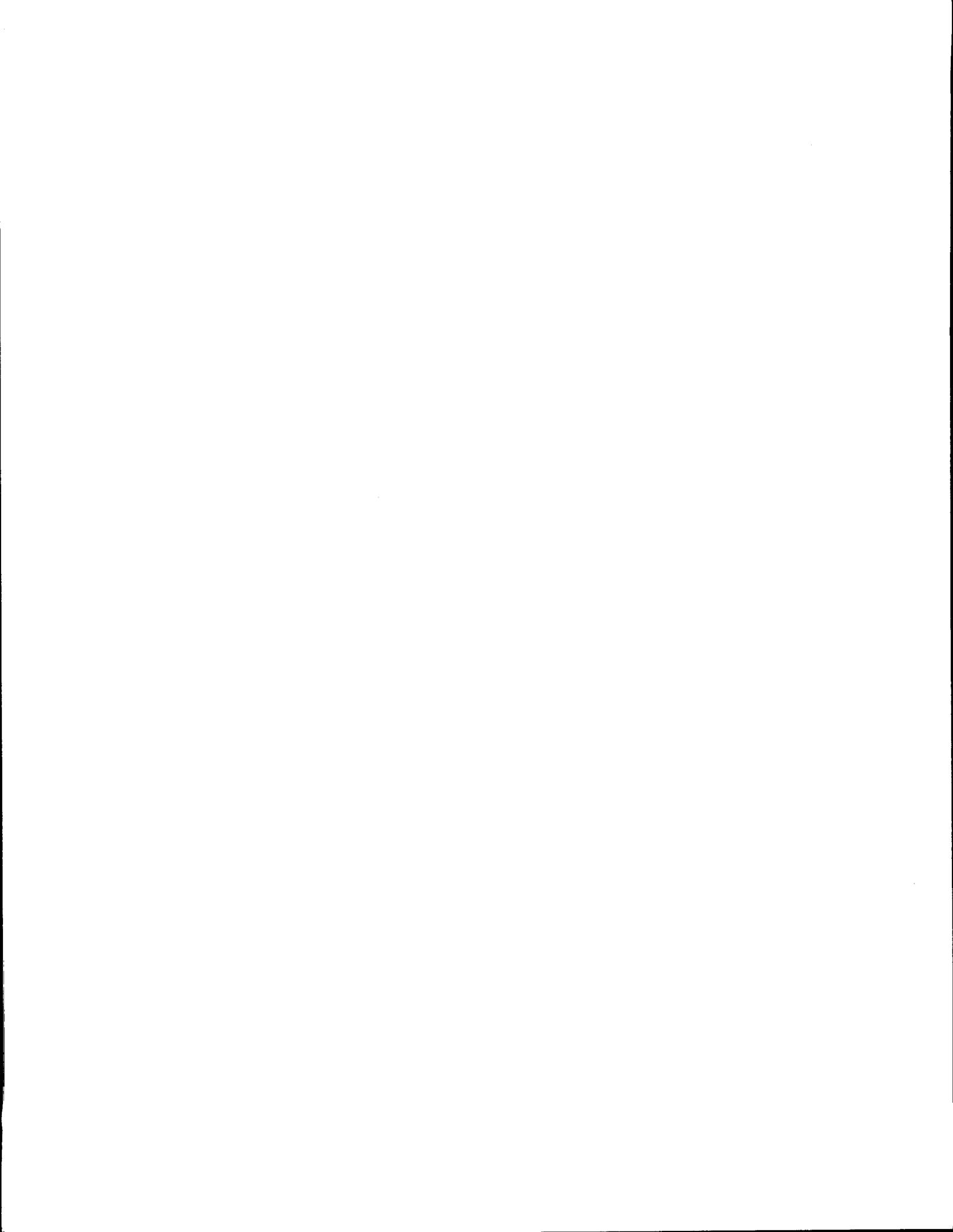
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Stuff We Love: **Sexy Earrings** - iVillage Beauty & Style

Sexy earrings are the hottest accessory trend. Get the pair that suits you best, and you can wear it all year long.

beauty.ivillage.com/stuffwelove/0,,8k06pq5r,00.html - 50k - [Cached](#) - [Similar pages](#)

Sexy: Wiimote Earrings | GayGamer.net

OK, seriously, these are some of the most awesome **earrings** I've ever had the opportunity to see. Were they not sold out, I'd totally pick up a pair of these ...

gaygamer.net/2007/09/sexy_wiimote_earrings.html - 39k - [Cached](#) - [Similar pages](#)

Digg - **Sexy: Wiimote Earrings**

Digg is a place for people to discover and share content from anywhere on the web. From the biggest online destinations to the most obscure blog, ...

digg.com/nintendo_wii/Sexy_Wiimote_Earrings - 23k - [Cached](#) - [Similar pages](#)

Personal Shopper: **Sexy Drop Earrings** - Entertainment News ...

When it comes to making a **sexy** statement, flashy drop **earrings** can be almost as effective as baring cleavage. Maybe it's because they bobble and twirl like ...

www.variety.com/article/VR1117958290.html - [Similar pages](#)

PHILLIPS HEAD SCREW EARRINGS | Phillips Head Screw Earrings ...

Here's an edgy, playful twist on a traditional gift--if you're going to give jewelry, try these modern, fun, **sexy** "screw" **earrings** for guys or girls. ...

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one of a kind, beautiful and **sexy gemstone earrings**

These beautiful gemstone **earrings** will make any woman look attractive, gorgeous and **sexy**.

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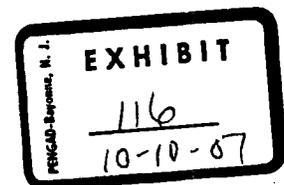
www.flickr.com/photos/zestyb/1318194094/ - 42k - [Cached](#) - [Similar pages](#)

How Earrings Can Make You Sexier

Dangling **earrings** are especially **sexy**. The movement of **earrings** catch the eye. They distract the guys and catch their attention. ...

www.contentmart.com/articles/25422/1/How-Earrings-Can-Make-You-Sexier/Page1.html -

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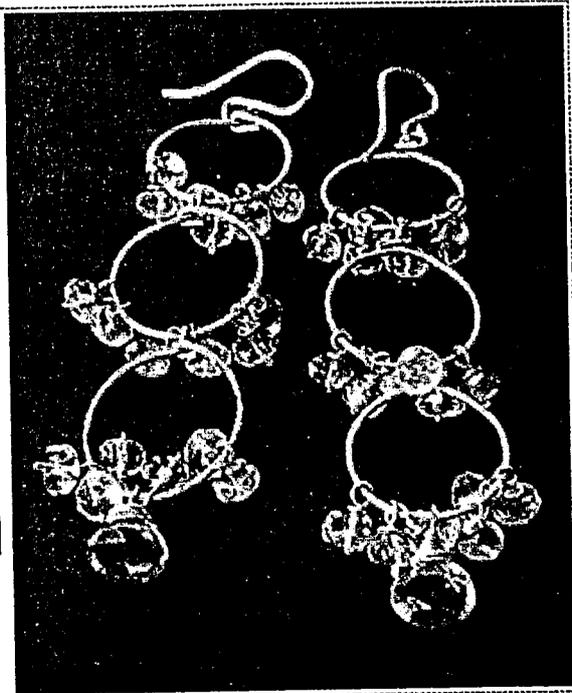
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Stuff We Love: Sexy Earrings

by [Melissa Kagan](#) (see more from this expert)

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Have you listened to your ears lately? No, not listened *with* them, listened *to* them. You might hear them saying that they need a little more bada-bing, bada-boom in their lives. They want you to wear sexy earrings. Why? Because earrings can transform your look. They can make a simple outfit of a T-shirt and jeans look put together and can turn simple evening frocks into showstopping ensembles. Another plus: Your ears know that you may find yourself a bit more confident, perhaps even flirtier, when you wear earrings. There's a pair out there for everyone. Go ahead and try some on.



Citrine Briolette Cascading Hoop Earrings

These embellished three-ring earrings are glamorous. There's no denying that. But what we love most about these and the other earrings offered by Cathy Pitts is that you can customize any pair that you see on the Website. In most cases you can choose a style, a metal, a gemstone and the type of earring closure that you want. You'll literally be up to your ears with options.

Price: \$85

Available: [DashaBoutique.com](#)

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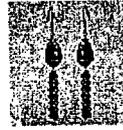
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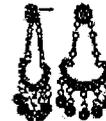
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Personal Shopper: Sexy Drop Earrings

Options for va-va-voom without excess artsy

By LAURA REPSTAD

When it comes to making a sexy statement, flashy drop earrings can be almost as effective as baring cleavage. Maybe it's because they bobble and twirl like fishing lures when you shake your mane. The only caveat to going va-va-voom on the lobes is looking overly artsy - like that high school pottery teacher who lasciviously murmured "be the clay." None of these five options will evoke touchy-feely educators. Pair them with a black turtleneck and no other jewelry for maximum oomph.

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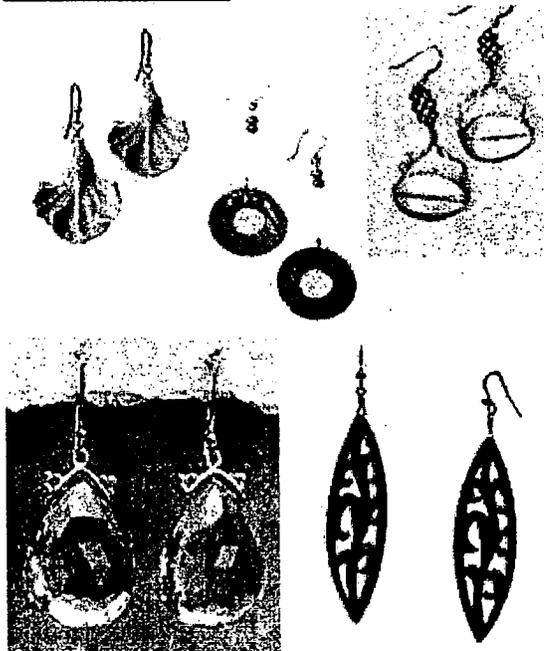
Vevina Juji Eclipse Earrings, \$44; at Couturecandy.com. See photo.

Ginkgo Leaf Earrings, \$178; at Anthropologie.com. See photo.

Erica Molinari Lemon Citrine Earrings, \$480; at Fragments.com. See photo.

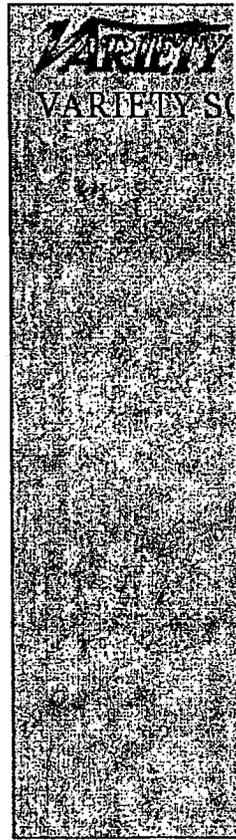
Castaway Jewelry Crystal Bead Earrings, \$114;; at Couturecandy.com. See photo.

Yochi Black Carved Earrings, \$42 ; at Maxandchloe.com. See photo.



Options for va-va-voom without excess artsy.

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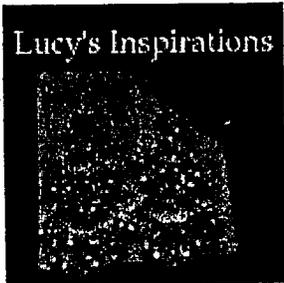
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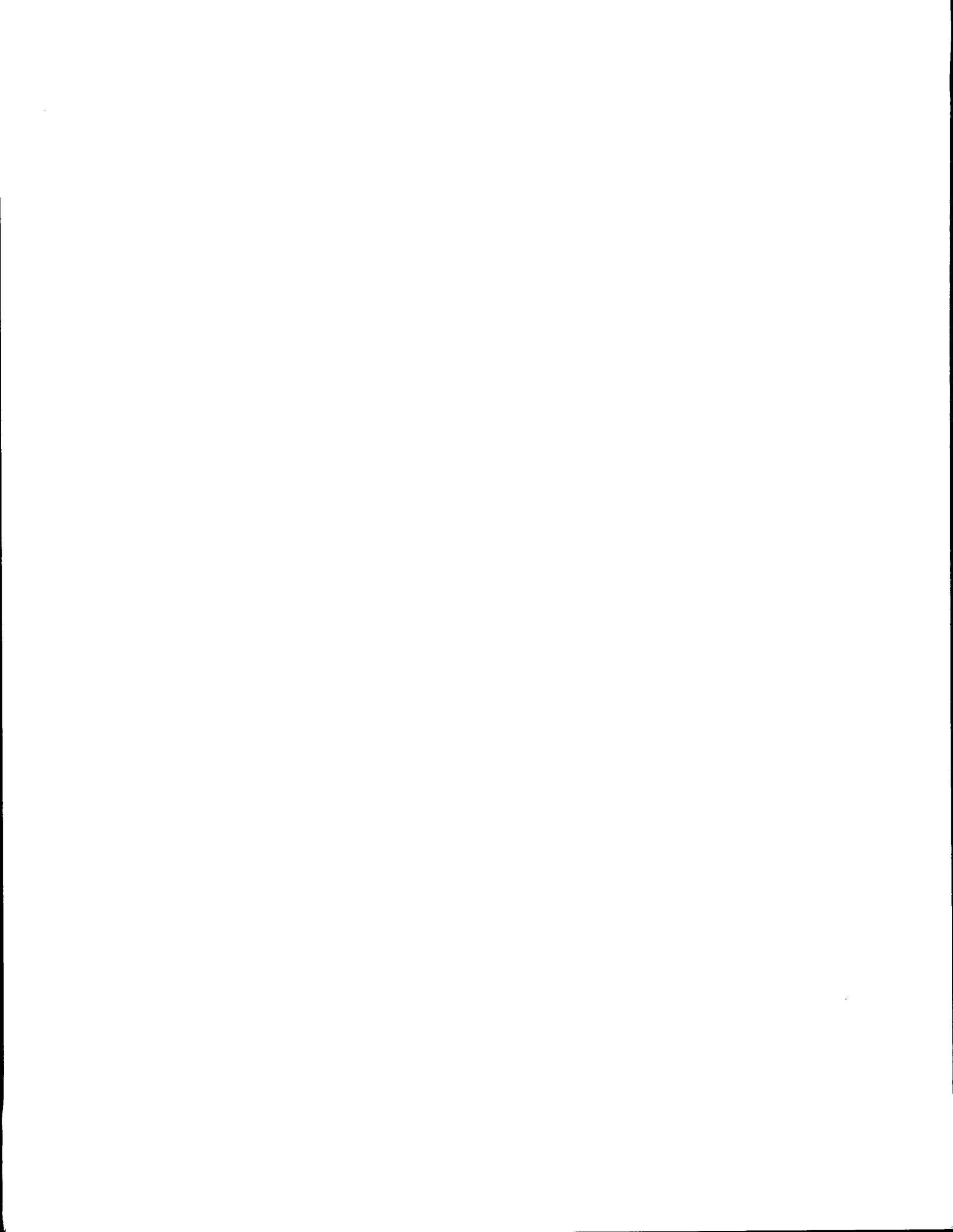
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Silver Nail Polish: The Hot New Neutral Nail Trend

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Dark and Sexy Nail Polish | FabSugar - Fashion & Style.

A lot of you did point out, however, that other dark colors are **sexy** and chic for Fall. As far as I can tell the original dark **nail polish** craze started ... fabsugar.com/17563 - 211k - [Cached](#) - [Similar pages](#)

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Bourjois Nail Polish

Nail Polish: Product information, price comparisons and user reviews and ... More a high impact shine, these super **sexy** shades slide on and stay put, ... shopping.msn.com/.../bccatid4317/bourjois/2-130060/forsale?text=category:nail-polish+Brand:Bourjois - 106k - [Cached](#) - [Similar pages](#)

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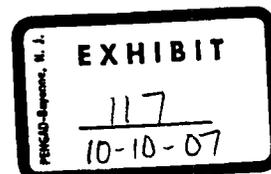
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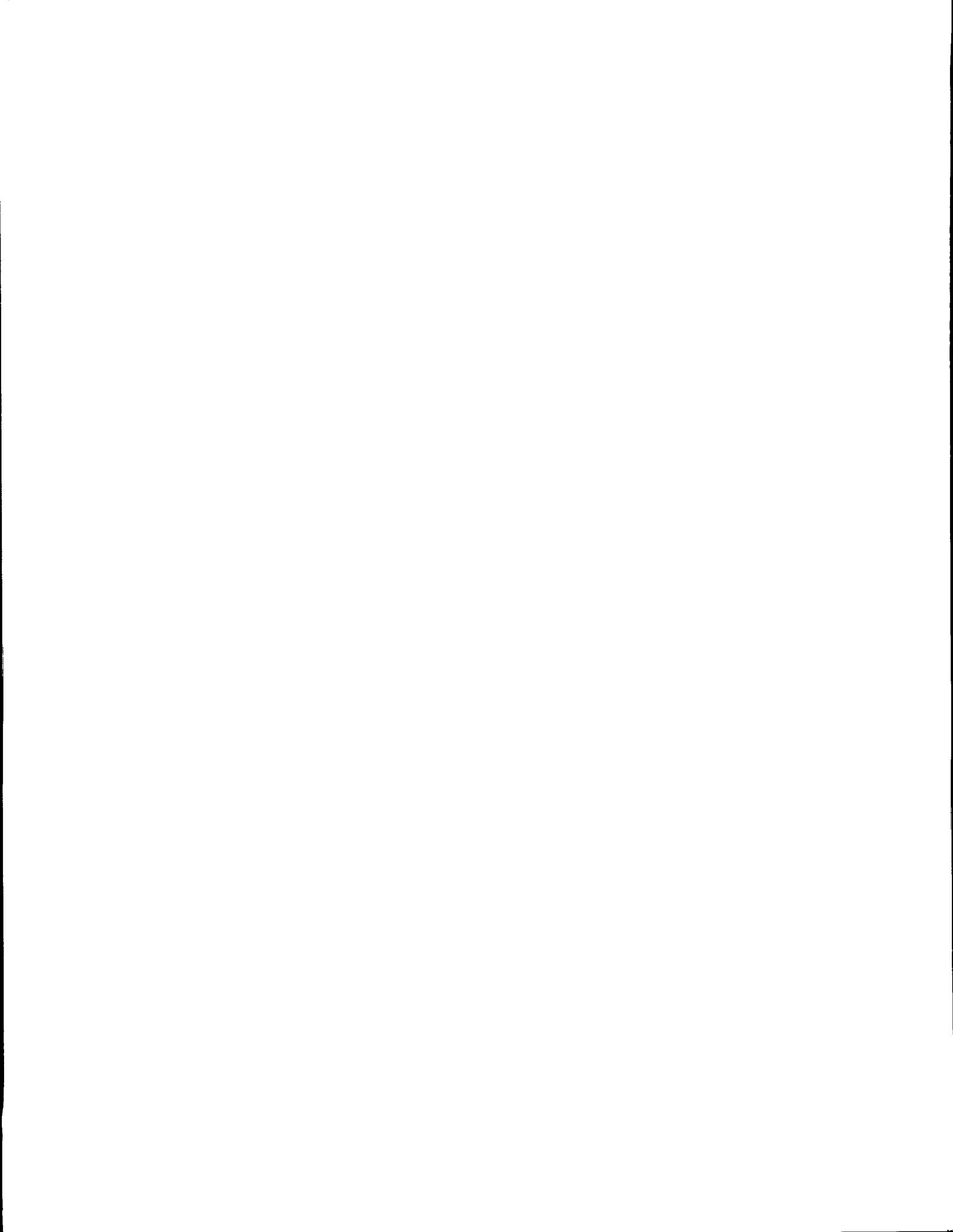
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Tips to Making Your Makeup Look Sexy. The best tip to success with makeup is DO NOT wear too much! Most men love women who look good without it. ...
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Bare Necessities: Simple, Sexy Summer Makeup - Page1 - Beauty ...

The hottest trend in makeup now: nude. And believe us when we say this barely there look is anything but boring. The trick to making it sizzle? ...
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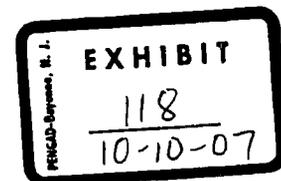
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Sexy Halloween Makeup - Let Us Show How and Why

Do you want your makeup to reflect you normal everyday makeup or do you to really look like a playboy bunny, or farm maid, sexy cop or witch? ...
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Sexy Halloween Makeup: Cat, Witch and Vampire Makeup Tips

Tips for looking pretty in Halloween **makeup**, including how-tos for applying cat eye **makeup**, witch costume and vampire looks.

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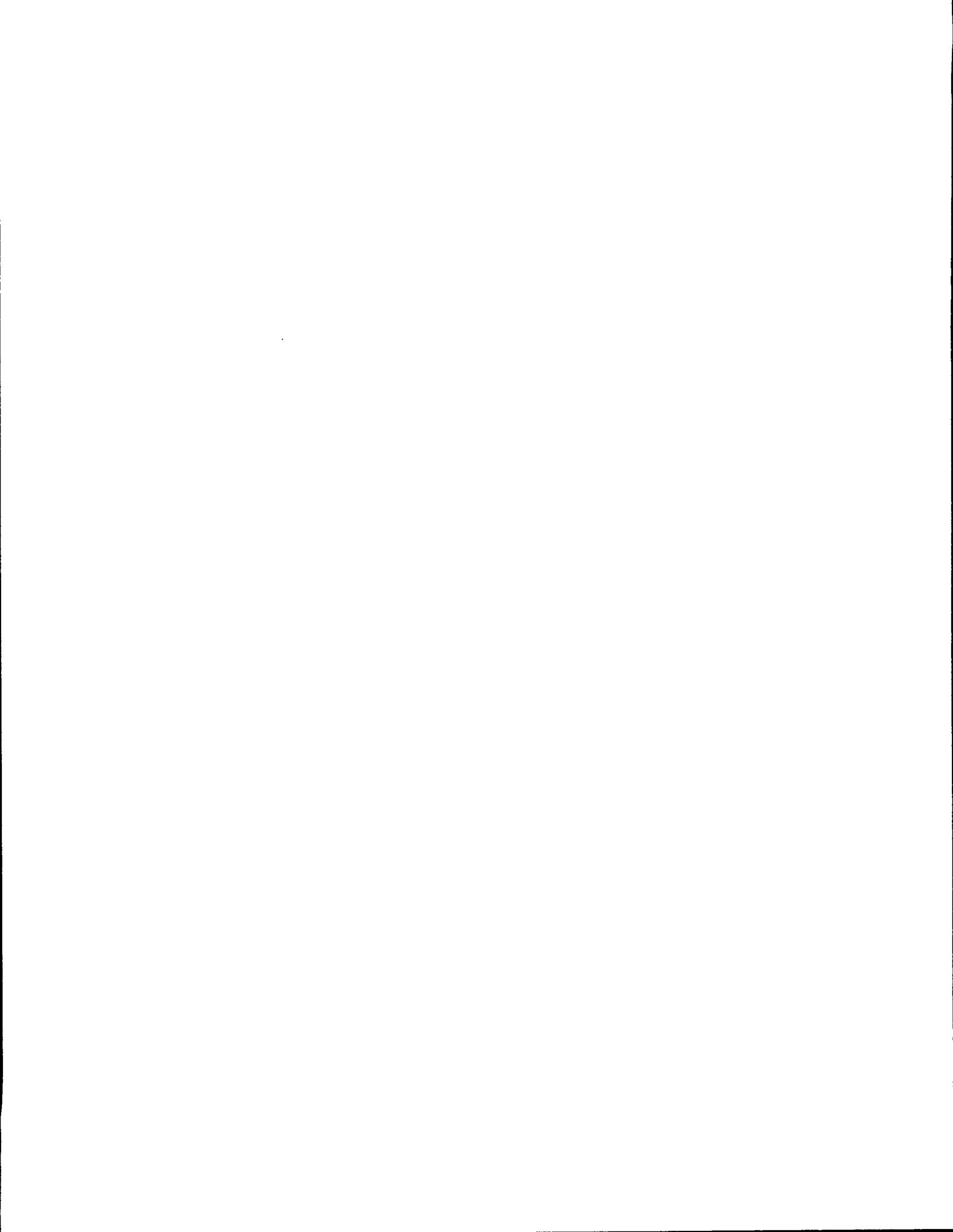
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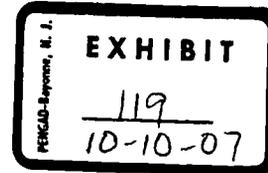




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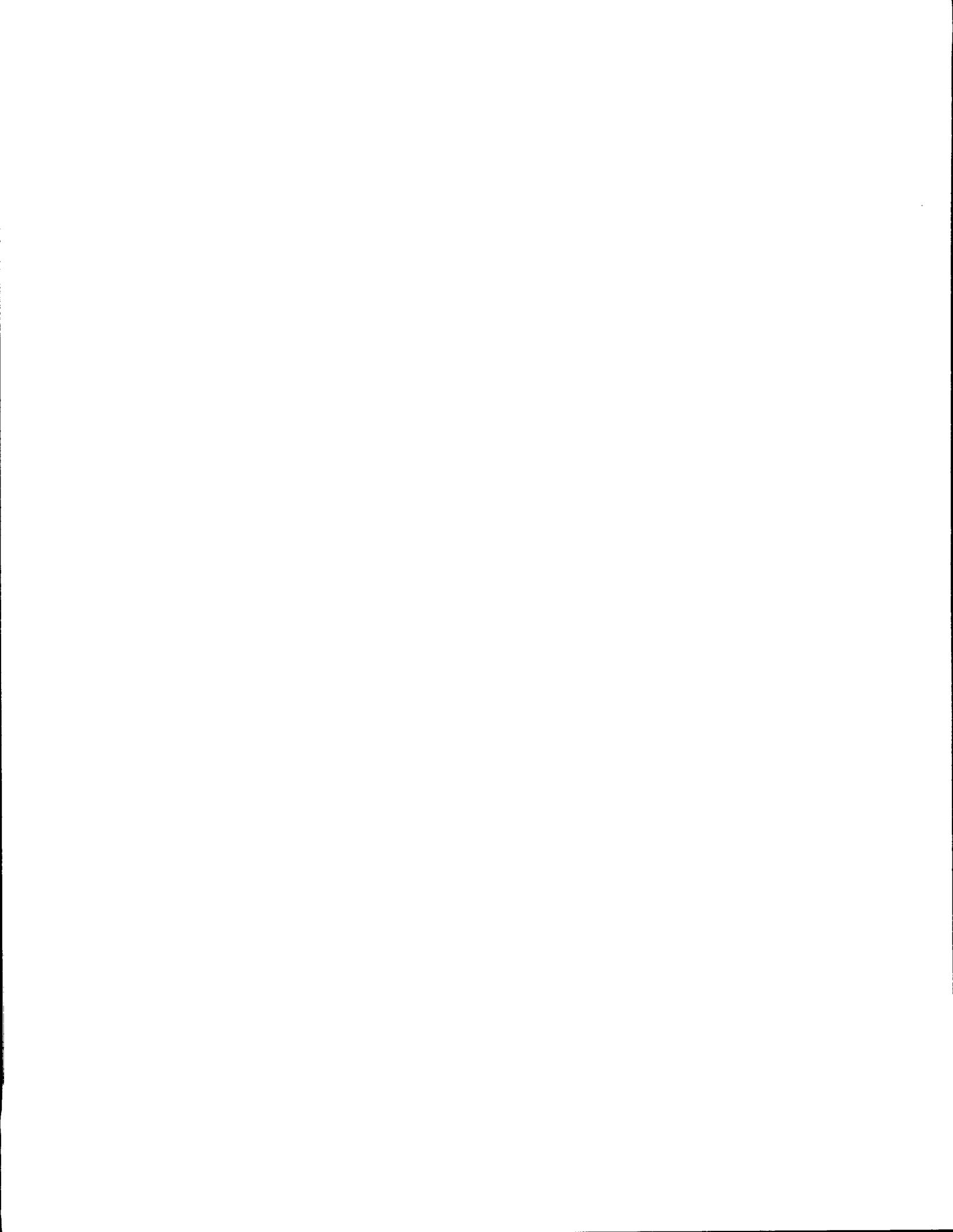
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28	78885537		SEXY SOLE-UTIONZ	TARR	LIVE

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29	78745846		VS SEXY SPORT	TARR	LIVE
30	78573653		SEXY 'N SASSY	TARR	LIVE
31	78966284		SEXY. SMART.	TARR	LIVE
32	78948392		SEXY BITCH	TARR	LIVE
33	78971211		SEXY COOKIE	TARR	LIVE
34	78948333		SEXY BITCH	TARR	LIVE
35	78948298		SEXY BITCH	TARR	LIVE
36	78816909	3292095	SEXY BITES	TARR	LIVE
37	78942914		SEXY	TARR	LIVE
38	78929962		VERY SEXY HOT	TARR	LIVE
39	78922293		SEXY LITTLE NOTHINGS	TARR	LIVE
40	78908658		SEXY LITTLE NOTHINGS	TARR	LIVE
41	78904199		LOVE ME, SEXY BLUSH	TARR	LIVE
42	78829731		SEXY EVERYDAY	TARR	LIVE
43	78806921		EVERYDAY SEXY	TARR	LIVE
44	78589604		SEXY LITTLE MINTS	TARR	LIVE
45	78589564		SINFULLY SEXY MINTS	TARR	LIVE
46	78589543		SINFULLY SEXY GUM	TARR	LIVE
47	78515194		SEXY LIFT	TARR	LIVE
48	78939211		BRINGIN' SEXY BACK	TARR	LIVE
49	78857249		TEAM SEXY	TARR	LIVE
50	78652365		SEXYGLOW	TARR	LIVE

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THOMSON & THOMSON



Research Report



EXHIBIT NO. 41
294 Pa
JINA JANI, CSR

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EXHIBIT
120
10-10-07

SHC00142

120

THOMSON & THOMSON
*

Our File: 81677011-72
Your File: 069719 ECOL
Y

Trademark Research Report

Client Name: BALLARD SPAHR ET AL

Attention: CAROLYN ANDRESS

Date Received: May 23, 2001

Received by: Mail

Date Completed: May 25, 2001

Mark Searched: SEX

Type of Search: FULL SEARCH

Goods/Services: HAIR CARE PRODUCTS

SHC00143

We have taken all reasonable steps to ensure the completeness and accuracy of this report. However, for various reasons -- including the subjective nature of trademark searches, and incomplete or inaccurate data provided by the U.S. Patent and Trademark Office, the Secretary of State Offices, Industry Canada / Canadian Intellectual Property Office, Mexican Institute for Industrial Property, Dun & Bradstreet, American Business Information, the various publishers of information used for our Common Law reports, and Network Solutions, Inc. -- we cannot warrant that this report is complete or error-free. AS A RESULT, WE DISCLAIM ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This search is valid only for the mark and goods noted above. If the mark or goods which were the subject of this search are changed, even slightly, a new search should be conducted.

Any liability arising out of the preparation of this report is limited to a refund of the search fee paid. Acceptance of this search constitutes an acceptance of the aforesaid terms, conditions, and limitations. This report in no way constitutes a legal opinion.

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Clients use our services to determine availability of proposed trademarks and to protect established trademarks—worldwide!

Our extensive services are designed to support the different stages of the life cycle of a trademark and can be tailored to meet your needs. A summary of these services is provided on the reverse side of this page.

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- ♦ **The Life Cycle of a Trademark**
A comprehensive brochure outlining the different stages a trademark goes through, beginning with Creation and ending with Commercial Exploitation.
- ♦ **The Life Cycle of a Copyright**
Describes the different stages a copyright can go through, with detailed examples.
- ♦ **The International Guide To Trademarks**
Compiled with the assistance of trademark experts worldwide, this reference tool cites many trademark laws and administrative guidelines for more than 150 countries around the world.
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- ♦ **Educational Forums and Event Sponsorships**
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SHC00146

Federal Trademark File

U.S. Patent and Trademark Office (USPTO) Records

Thomson & Thomson's Federal Database currently contains over 2,000,000 USPTO records of federal trademark registrations and applications, with active marks dating back to 1884. We update our database weekly, adding over 180,000 new records each year. We also update changes to existing records each week.

Active Registrations and Applications

We place special emphasis on active registrations and applications for registrations. All marks involved in ex parte or inter parte proceedings, regardless of status, are considered active for our research purposes.

Comprehensive and Current

Our trademark experience and sophisticated search system, allows our analysts to conduct in-depth research on any word, letterstring, prefix, suffix, phonetic equivalent, design, product or service. Our database of USPTO records, the most comprehensive in the industry, is updated each week with new trademark application information. T&T employees, working out of the Public Search room at the USPTO, photocopy the trademark application Drawing Pages on a daily basis and send the copies to our Quincy office, where the information is input, edited and cross-referenced by T&T data specialists. Thus, our database usually contains this vital information weeks before the magnetic tape version is released by the USPTO.

Official Gazette status information is available on our database within two days of its receipt from the USPTO. Future publication and registration dates also appear in trademark records when applicable. The Analyst Review section of the Federal Summary page of your research report indicates:

- ◆ The USPTO-released filing date

- ◆ The filing date of the application Drawing Page data as input by T&T
- ◆ The filing date for images
- ◆ The *Official Gazette* issue date.

Assignment Information

The USPTO records cited in your report show assignments of ownership of trademarks that were active from 1955 to the present. New assignment information is added on a weekly basis.

Images and Designs

All images or design elements associated with active USPTO records are included in your report along with the textual information for the mark. Over 625,000 Federal trademark records have an image or design element.

SHEPARD'S Intellectual Property Law Citations[®]

SHEPARD'S Citations is a comprehensive compilation of citations pertaining to U.S. trademarks. Included are court decisions, administrative decisions and rules and regulations relating to trademarks. This database of over 75,000 citations is searched as part of our Federal database, using the same sophisticated search system and queries.

Licensed to T&T by Matthew Bender & Company, the records include the name of the mark along with the volume and page numbers of the referenced sources, indication if the case has been adjudicated and the court involved. Our database of *SHEPARD'S Citations* covers all trademark information contained in the bound volumes as well as the supplements. The database is updated monthly.

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Federal

ANALYST REVIEW - USPTO REPORT

Search Information

Mark: SEX
 Goods/Services: HAIR CARE PRODUCTS
 Type of Search: FULL SEARCH

Data Information

This USPTO Trademark Search report covers data through the following dates (except for a small number delayed by the USPTO):

Official Gazette:	Published on	05/22/2001
USPTO Text:	Complete filings through: 05/04/2001	Additional filings through: 05/15/2001
Images:	Filed through	04/04/2001
Application drawing pages:	Complete filings through: 05/04/2001	Additional filings through: 05/15/2001
Inactive applications/registrations:	From	01/01/1984

Analyst Information

Name: PHUONG TRAN
 Comments: I developed the following search strategy to provide a comprehensive, accurate report. These queries, listed below, retrieved 474 potential references from the database. After careful review and analysis, I have selected 106 records for your review.

THERE ARE ADDITIONAL "SEX" AND PHONETICALLY EQUIVALENT FORMATIVES FOR RELATED GOODS/SERVICES, SUCH AS "WHAT SEXY IS" FOR COLOGNES. THERE ARE ADDITIONAL "SE-" PREFIXES FOR RELATED GOODS/SERVICES. THERE ARE ADDITIONAL "-EX" SUFFIXES FOR RELATED GOODS/SERVICES.

No pertinent references found in search of Shepard's U.S. Citations database.

Search Strategy

Type	Query	Classes	#References
1. EXACT MARK GOODS PREFIX	SE(X,XX,XY,XIER, XIEST,XES) <and> (HAIR,CARE,SOAP, SHAMP,CONDITION, GEL,SPRAY)	ALL CLASSES	5
2. EXACT MARK	SE(X,XX,XY,XIER,	1,3,5,10	5

SHC00149

Search Strategy

Type	Query	Classes	#References
	XIEST,XES)		
3. EXACT MARK	SE(X,XX,XY,XIER, XIEST,XES)	ALL CLASSES	21
4. WORD	SE(X,XX,XY,XIER, XIEST,XES)	1,3,5,10	144
5. PREFIX	SEX	1,3,5,10	58
6. LETTERSTRING	SEX	1,3,5,10	42
7. PREFIX GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	11
8. LETTERSTRING GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	8
9. SUFFIX GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	1
10. PREFIX	SEX	5	0
11. LETTERSTRING	SEX	5	0
12. LETTERSTRING	SEX	1,3,10	0
13. WORD	SE(C,CC,K,KK,CK,Q, QQ)	1,3,5,10	9
14. WORD NOT WORD	SE(1 character) <and> (SET,SEE,SEA)	3	32
15. WORD	(1 character)E(X,XES, XY)	3	80
16. WORD	(1 character)EX(IER, IEST)	3	0
17. PHONETIC WORD	SEX	3	36
*18. LETTERSTRING LETTERSTRING	SEX <and> HAIR	ALL CLASSES	3
19. PREFIX	SEX	3,5,8,21	14
20. LETTERSTRING	SEX	3,5,8,21	5

* Alternate spellings and/or phonetic equivalents were generated for this query.

SHC00150

SEX

Class Identification

01	CHEMICALS
03	COSMETICS AND CLEANING PREPARATIONS
05	PHARMACEUTICALS
08	HAND TOOLS
10	MEDICAL APPARATUS
21	HOUSEWARES AND GLASS

SHC00151

USPTO Summary Page

Trademark	Status	International Class(es)	Registration Number	Serial Number	Page
1. SEX	PENDING	3,5	R000000	78-058590	11
2. S-E-X	EXPIRED	3	R961685	72-413401	11
3. SEX	ABANDONED	3	R000000	74-591349	12
4. S.E.X.	ABANDONED	3	R000000	75-617614	12
5. SEX	EXPIRED	3	R837651	72-258631	13
6. SEXY	ABANDONED	3	R000000	74-588292	14
7. SEXY	ABANDONED	3	R000000	75-378409	14
8. SETSY	CANCELLED	3	R1146002	73-210191	15
9. SEXY	ABANDONED	3	R000000	73-399957	15
10. SEXY	REGISTERED	16	R2380914	75-675456	16
11. SEXI	REGISTERED	10	R2126988	75-191360	17
12. SEXY!	CANCELLED	16	R1600818	73-835519	17
13. SEXY HAIR	REGISTERED	3	R2403396	75-634213	18
14. SEXY HAIR	PENDING	3	R000000	75-751842	19
15. SEXED-UP	PENDING	3	R000000	76-027629	20
16. SEXY HAIR CONCEPTS	PENDING	3	R000000	76-017117	20
17. HOT SEXY HIGHLIGHTS	PUBLISHED	3	R000000	76-075306	21
18. FORMULAS BY ECOLY BIG SEXY HAIR	PUBLISHED	3	R000000	75-730741	22
19. SEXY I	REGISTERED	3	R1996770	74-698960	22
20. SEX APPEAL	RENEWED	3	R1114776	73-068912	23
21. SEX.SHOP	PUBLISHED	3	R000000	76-092746	26
22. SEX SYMBOL	PUBLISHED	3	R000000	76-132497	27

SHC00152

Search: 81677011

Analyst: PHUONG TRAN

USPTO Summary Page: 6

SEX

Trademark	Status	International Class(es)	Registration Number	Serial Number	Page
23. THE SEXY LOOK	PENDING	3,25	R000000	78-026123	28
24. SHE SEXY	PENDING	3,4	R000000	75-148413	28
25. GET SEXY	REGISTERED	3	R2255897	75-260707	29
26. SEXY TAN	PENDING	3	R000000	76-251899	29
27. SEXY VANILLA	REGISTERED	3	R2003718	74-655065	30
28. SEX PISTOL	REGISTERED	3	R2101629	75-198366	30
29. SEXY SANTA	REGISTERED	3	R2099643	75-253097	32
30. SEXY AFTERNOON	RENEWED	3	R1135424	73-201427	33
31. SEX WAND	REGISTERED	3	R2358597	75-546516	34
32. SEXY LIPS	PENDING	3	R000000	75-719173	35
33. SEXY BUBBLES	PUBLISHED	3	R000000	78-006813	36
34. PRO-SEX	PENDING	5	R000000	78-046153	36
35. VERY SEXY	PENDING	3,25	R000000	76-234513	37
36. SUBTLY SEXY	REGISTERED	3	R1295476	73-442041	37
37. NATURAL SEX	REGISTERED	5	R2022204	75-054040	38
38. GREAT SEX	REGISTERED	5	R2049172	75-108157	38
39. LIQUID SEX	PUBLISHED	3,5	R000000	78-005890	39
40. SCENT OF SEX	PENDING	5	R000000	78-046155	40
41. SCENT OF SEX	PENDING	3	R000000	78-046158	40
42. SEX IN A BOTTLE	PENDING	1	R000000	75-746359	41
43. WILD S.E.X. COLLECTION	PENDING	3	R000000	78-006825	41
44. SEXY BATH & BODY	PUBLISHED	3	R000000	78-021257	42

SHC00153

SEX

Trademark	Status	International Class(es)	Registration Number	Serial Number	Page
45. A LITTLE SEXY	REGISTERED	3	R1885771	74-511219	43
46. S-E-X SEXUS ET XENIA	RENEWED	3	R914253	72-324991	43
47. SHE SEXY	ABANDONED	3,4	R000000	75-159059	44
48. TOO SEXXXY	ABANDONED	3	R000000	74-657186	45
49. STRONG & SEXY	ABANDONED	3	R000000	75-075140	46
50. SOFT 'N SEXY	EXPIRED	3	R1063081	73-100494	46
51. SCENT OF SEXINESS	ABANDONED	3	R000000	75-610079	47
52. SEXPERFUME	REGISTERED	3	R2419059	75-855523	48
53. HAIR PAIR UNISEX HAIRCUTTERS	REGISTERED	42	R1155963	73-207198	49
54. ALL DOLLED UP A UNISEX HAIR SALON	REGISTERED	42	R2238138	75-297561	49
55. SO SEXY	ABANDONED	3	R000000	75-000046	50
56. SEXSEA	PENDING	3,9,18,25	R000000	78-060684	50
57. SEXUAL	REGISTERED	3,16,25	R1804019	74-133025	52
58. SEXTON	RENEWED	3,4	R548592	71-578708	53
59. SEXATION	REGISTERED	3	R1806659	74-331599	54
60. SEXCESS	PUBLISHED	5	R000000	75-297072	55
61. SEXPOT	PUBLISHED	3	R000000	75-423132	55
62. SEXCANDY	PUBLISHED	3	R000000	78-002266	56
63. SEXBUBBLES	PENDING	3	R000000	76-082283	57
64. SEXUAL AROUSAL	PENDING	3	R000000	76-082623	57
65. SEXTOY	PENDING	3	R000000	78-038539	58
66. SEX APPEAL	RENEWED	3	R873601	72-314490	58

SHC00154

SEX

Trademark	Status	International Class(es)	Registration Number	Serial Number	Page
67. EYSEXXXXY	REGISTERED	3	R1891597	74-433025	59
68. LIPSEXXXXY	REGISTERED	3	R1929055	74-464878	60
69. SEXXXO	ABANDONED	5	R000000	74-302122	61
70. SEXTANT	CANCELLED	3	R1737890	74-149533	62
71. SEXCESS	ABANDONED	5	R000000	74-334465	62
72. SEXXXO	ABANDONED	5	R000000	75-149788	63
73. SEXTASY	ABANDONED	5	R000000	75-239625	64
74. SEX APPEAL	EXPIRED	3	R1114783	73-161583	64
75. SEXTANT	ABANDONED	10	R000000	75-338794	67
76. SEXCESS	ABANDONED	3	R000000	74-334463	68
77. SEXUAL FITNESS	ABANDONED	3	R000000	74-566059	69
78. LIPSEX	ABANDONED	3	R000000	75-461669	69
79. GROOVESEXY	ABANDONED	3,14,18,25,38	R000000	75-803296	70
80. SES COULEUR	PENDING	3	R000000	76-167089	71
81. BEAUTY-TEX	REGISTERED	3	R1284885	73-432079	71
82. SPRAE SEC	REGISTERED	3	R1990165	75-000254	72
83. TRESS-TEX	RENEWED	3	R740328	72-110956	72
84. SILKY SIX	REGISTERED	3	R1347080	73-461648	74
85. HOT SIX	REGISTERED	3	R1837640	74-379117	74
86. SAX	ABANDONED	3	R000000	75-191488	75
87. SAX	ABANDONED	3	R000000	75-444564	76
88. SAX	ABANDONED	3	R000000	75-444565	76

SHC00155

SEX

Trademark	Status	International Class(es)	Registration Number	Serial Number	Page
89. .SEX	PENDING	200	R000000	76-206224	77
90. SEX	PENDING	41	R000000	76-217292	78
91. SEX	PENDING	41	R000000	76-217451	78
92. SEX	PENDING	38	R000000	76-223416	79
93. SEX	ABANDONED	41	R000000	74-405818	80
94. SEX	REGISTERED	28	R2306348	75-135271	80
95. .SEX	PENDING	42	R000000	75-225755	81
96. *SEX	PENDING	35,38,42	R000000	75-753945	82
97. .SEX	PENDING	35	R000000	75-795272	83
98. .SEX	PENDING	25	R000000	78-014979	84
99. .SEX	PENDING	41	R000000	76-170568	84
100. S.E.X.	ABANDONED	25	R000000	74-330419	85
101. S.E.X.	ABANDONED	25	R000000	74-333611	86
102. SEX	ABANDONED	25	R000000	74-379399	86
103. SEXX	ABANDONED	41	R000000	74-629364	87
104. SECKS	ABANDONED	30	R000000	75-241811	87
105. SEX	EXPIRED	28	R851385	72-282532	88
106. SEXO.COM	ABANDONED	41	R000000	75-605964	89

SHC00156

SEX

Ref: 1

SEX

SEX

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: APR 20, 2001

Chronology:

File Date: APR 16, 2001 Serial Number: 78-058,590

Goods/Services:

International Class 3: SCENTED BODY SPRAY, AROMATHERAPY OILS,
BATH GEL AND OIL, BODY AND SKIN CREAM, BODY AND SKIN OIL,
BODY AND SKIN LOTION, BODY AND SKIN GELS, BUBBLE BATH,
ESSENTIAL OILS FOR PERSONAL USE, MASSAGE OIL AND GEL AND
LOTION, AND BODY AND SKIN MOISTURIZERS AND CONDITIONERS
International Class 5: PERSONAL LUBRICANTS, MALE AND FEMALE
GENITAL DESENSITIZERS, AND DOUCHES.

Applicant:

VAST RESOURCES, INC.
DBA TOPCO SALES
CALIFORNIA CORPORATION
11960 BORDEN AVENUE
SAN FERNANDO, CALIFORNIA, 91340

Filing Correspondent:

VAST RESOURCES, INC.
DBA TOPCO SALES
11960 BORDEN AVE

SAN FERNANDO CA 91340-1808

Ref: 2

S·E·X

S-E-X

Status: EXPIRED

USPTO Status: EXPIRED
USPTO Status Date: MAR 28, 1994

Chronology:

Filed: JAN 21, 1972 Serial Number: 72-413,401
Published For Opposition: APR 03, 1973
Registered: JUN 19, 1973 Registration Number: 961,685
Affidavit Section: 8-15

Goods/Services:

International Class 3: COLOGNE AND AFTER SHAVE LOTION
First Used: NOV 06, 1967 (US. CL. 51)

SHC00157

SEX

In Commerce: NOV 09, 1968

Registrant:

ROMANE INCORPORATED
ILLINOIS CORPORATION
253 E. DELAWARE PLACE
CHICAGO, ILLINOIS, 60611

Other U.S. Registrations: 837,651

Ref: 3

SEX

SEX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: JAN 06, 1996

Chronology:

Filed: OCT 27, 1994 Serial Number: 74-591,349
Abandoned: JAN 06, 1996

Goods/Services:

International Class 3: MEN'S AND WOMEN'S PERFUMES, COLOGNES,
BODY LOTIONS, OILS, GELS, AND SOAPS

Applicant:

KOSTA DUNCAN
INDIVIDUAL
16422 MARTIN LANE
HUNTINGTON BEACH, CALIFORNIA, 92649

Filing Correspondent:

KOSTA DUNCAN
16422 MARTIN LANE

HUNTINGTON BEACH, CA 92649

Ref: 4

S.E.X.

S.E.X.

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: AUG 16, 2000

Chronology:

Filed: JAN 08, 1999 Serial Number: 75-617,614
Published For Opposition: NOV 23, 1999
Abandoned: AUG 16, 2000

SHC00158

SEX

Goods/Services:

International Class 3: FRAGRANCE, BATH AND COSMETIC PRODUCTS,
NAMELY PERFUME, COLOGNE, COLOGNE SPRAY, BODY CREAM, BATH
SOAP, BATH CRYSTALS, BODY LOTION, BODY OIL SPRAY, BODY
POWDER, BODY GLISTERER AND MEN'S COLOGNE

Applicant:

MORRISON, PAUL
Composed of: PAUL MORRISON, A UNITED STATES CITIZEN
NEW JERSEY SOLE PROPRIETORSHIP
330 SHORE DRIVE, UNIT F6
HIGHLANDS, NEW JERSEY, 07732

Filing Correspondent:

PAUL MORRISON
330 SHORE DRIVE, UNIT F6
HIGHLANDS, NJ 07732

Ref: 5



SEX

Status: EXPIRED

USPTO Status: EXPIRED
USPTO Status Date: JAN 24, 1989

Chronology:

Filed: NOV 14, 1966 Serial Number: 72-258,631
Published For Opposition: AUG 08, 1967
Registered: OCT 24, 1967 Registration Number: 837,651
Affidavit Section: 8-15

Goods/Services:

International Class 3: COSMETICS, NAMELY, BODY LOTION
First Used: NOV 02, 1966 (US. CL. 51)
In Commerce: NOV 02, 1966

Registrant:

DORITA WEKSLER, D.B.A. D'ORITA COSMETICS, LOS ANGELES, CALIF.

Assignor: WEKSLER, DORITA

LOS ANGELES, CALIFORNIA
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: AUG 07, 1970
Reel/Frame: 0196/0164
Correspondent: MOLINARE, ALLEGRETTI, ET AL.
135 S. LASALLE ST.
CHICAGO, IL 60603

Assignee: ROMANE INCORPORATED

253 E. DELAWARE PLACE
CHICAGO, ILLINOIS

SHC00159

SEX

Ref: 6



SEXY

Status: ABANDONED

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: NOV 16, 1995

Chronology:

Filed: OCT 17, 1994 Serial Number: 74-588,292
Abandoned: NOV 16, 1995

Goods/Services:

International Class 3: BEAUTY PRODUCTS
First Used: JUN 15, 1994 (INTL. CL. 3)
In Commerce: JUN 15, 1994

Applicant:

JEFFERSON BEAUTY COMPANY
REPUBLIC OF KOREA CORPORATION
6101 JEFFERSON AVE.
NEWPORT NEWS, VIRGINIA, 23605

Filing Correspondent:

JEFFERSON BEAUTY COMPANY
6101 JEFFERSON AVE.

NEWPORT NEWS, VA 23605

Ref: 7



SEXY

Status: ABANDONED
USE APPLICATION - CURRENT
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: MAY 31, 2000

Chronology:

Filed: OCT 23, 1997 Serial Number: 75-378,409
Published For Opposition: NOV 17, 1998
Abandoned: MAY 31, 2000

Goods/Services:

International Class 3: FRAGRANCES, NAMELY, PERFUME AND SPRAY
COLOGNE
First Used: MAY 01, 1999 (INTL. CL. 3)
In Commerce: MAY 01, 1999

Applicant:

STEVENS, STELLA

SHC00160

SEX

INDIVIDUAL
THE STELLASTAR CORPORATION
1801 EAST TROPICANA, SUITE 9
LAS VEGAS, NEVADA. 89119

Design Phrase:

THE MARK CONSISTS IN PART OF THE WORDING "SEXY" AND IS LINED
FOR THE COLOR GOLD.

Filing Correspondent:

STELLA STEVENS
THE STELLASTAR CORP
1801 E TROPICANA STE 9

LAS VEGAS NV 89119

Ref: 8

SETSY

SETSY

Status: CANCELLED **Cancellation Section:** 8

USPTO Status: CANCELLED - SECTION 8
USPTO Status Date: MAY 20, 1987

Chronology:

Filed: APR 03, 1979 **Serial Number:** 73-210,191
Published For Opposition: OCT 07, 1980
Registered: JAN 20, 1981 **Registration Number:** 1,146,002
Cancelled: JUN 30, 1987

Goods/Services:

International Class 3: HAIR CONDITIONER AND SHAMPOO
First Used: NOV 13, 1978 (INTL. CL. 3)
In Commerce: NOV 13, 1978

Registrant:

TOILETTE INTERNATIONALE, LTD., NEW YORK, N.Y.

Ref: 9

SEXY

SEXY

Status: ABANDONED

USPTO Status: ABANDONED-AFTER INTER-PARTES DECISION
USPTO Status Date: NOV 30, 1984

Chronology:

Filed: OCT 13, 1982 **Serial Number:** 73-399,957
Published For Opposition: NOV 29, 1983
Opposition/Cancellation Filed: JAN 11, 1984
Abandoned: NOV 30, 1984

SHC00161

SEX

Goods/Services:

International Class 3: SKIN SOFTENER AND CLEANSER
First Used: FEB 10, 1982 (INTL. CL. 3)
In Commerce: MAR 15, 1982

Applicant:

SANTA MONICA CHEMICAL CORPORATION
CALIFORNIA CORPORATION
1639 9TH ST.
SANTA MONICA, CALIFORNIA, 90404

Opposition Number: 68694

Opposer: KEY WEST FRAGRANCE & COSMETIC FACTORY, INC.

Opposing Mark: SEXY AFTERNOON

Registration Number: 1,135,424

Serial Number: 73-201,427

Outcome: TERMINATED JUN 26, 1984

TTAB Entry: #5 TERMINATED, JUN 26, 1984

TTAB Entry: #4 BOARD'S DECISION: SUSTAINED, APR 20, 1984

Filing Correspondent:

JOHN E. KELLY
PASTORIZA & KELLY
SUITE 608
606 WILSHIRE BLVD.

SANTA MONICA CA 90401

Ref: 10

SEXY

SEXY

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: AUG 29, 2000

Chronology:

Filed: APR 28, 1999 **Serial Number:** 75-675,456
Published For Opposition: JUN 06, 2000
Registered: AUG 29, 2000 **Registration Number:** 2,380,914

Goods/Services:

International Class 16: SERIES OF NON-FICTION BOOKS AND MAGAZINES
ON TRAVEL TO CITIES AND REGIONS
First Used: SEP 30, 1998 (INTL. CL. 16)
In Commerce: MAR 25, 1999

Registrant:

BRAUER, JEFF
INDIVIDUAL
150 E 56 ST, PHB
NEW YORK, NEW YORK, 10022

Filing Correspondent:

JEFF BRAUER

SHC00162

SEX

150 E 56 ST PHB

NEW YORK NY 10022

Ref: 11

SEX

SEXI

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: JAN 06, 1998

Chronology:

Filed: NOV 01, 1996 Serial Number: 75-191,360
Published For Opposition: OCT 14, 1997
Registered: JAN 06, 1998 Registration Number: 2,126,988

Goods/Services:

International Class 10: ELECTRONIC STIMULATOR FOR MUSCLES AND NERVES
First Used: OCT 04, 1996 (INTL. CL. 10)
In Commerce: OCT 04, 1996

Registrant:

SENSUAL ELECTRIX, INC.
OREGON CORPORATION
8201 SW 184TH
BEAVERTON, OREGON, 97007

Filing Correspondent:

SENSUAL ELECTRIX INC
8201 SW 184TH

BEAVERTON OR 97007

Ref: 12

Sexy!

SEXY!

Status: CANCELLED Cancellation Section: 8

USPTO Status: CANCELLED - SECTION 8
USPTO Status Date: DEC 16, 1996

Chronology:

Filed: NOV 02, 1989 Serial Number: 73-835,519
Published For Opposition: MAR 20, 1990
Registered: JUN 12, 1990 Registration Number: 1,600,818
Cancelled: JAN 28, 1997

Goods/Services:

International Class 16: MAGAZINES DIRECTED TOWARDS WOMEN
First Used: AUG 1987 (INTL. CL. 16)

SHC00163

SEX

In Commerce: AUG 1987

Registrant:

CREATIVE PUBLISHING CONCEPTS, INC.
FLORIDA CORPORATION
6355 N.W. 36TH STREET
VIRGINIA GARDENS, FLORIDA, 33166

Assignor:

CREATIVE PUBLISHING CONCEPTS, INC.
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: AUG 25, 1994
Signed: NOV 17, 1993
Reel/Frame: 1206/0337
Correspondent: J.W. GIPPLE
GIPPLE & HALE
P.O. BOX 40513
WASHINGTON, D.C. 20016

Assignee:

EDITORIAL AMERICA, S.A.
PANAMA CORPORATION
6355 N.W. 36TH STREET
VIRGINIA GARDENS, FL 33166

Filing Correspondent:

JIM W. GIPPLE
GIPPLE & HALE
P.O. BOX 40513

WASHINGTON, DC 20016

Ref: 13

SEXY HAIR

SEXY HAIR

Status:

REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: NOV 14, 2000

Chronology:

Filed: FEB 05, 1999 Serial Number: 75-634,213
Published For Opposition: AUG 22, 2000
Registered: NOV 14, 2000 Registration Number: 2,403,396

Goods/Services:

International Class 3: HAIR CARE PRODUCTS FOR MEN, WOMEN AND CHILDREN, NAMELY HAIR SHAMPOOS, HAIR CONDITIONERS, HAIR LOTIONS, HAIR CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR DYES, HAIR RINSES, HAIR MOUSSE
First Used: JUN 15, 1998 (INTL. CL. 3)
In Commerce: DEC 21, 1998

Registrant:

ECOLY INTERNATIONAL, INC.

SHC00164

SEX

CALIFORNIA CORPORATION
9232 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Disclaimers:

"HAIR"

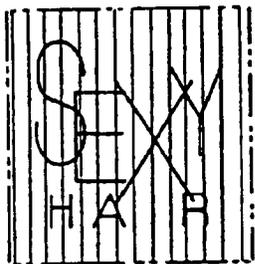
Filing Correspondent:

ROBERTA JACOBS-MEADWAY
AKIN GUMP STRAUSS HAUER & FELD LLP
ONE COMMERCE SQ STE 2200
2005 MARKET ST

PHILADELPHIA PA 19103

Ref: 14

SEXY HAIR



Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE JUN
19, 2001

USPTO Status Date: MAY 09, 2001

Chronology:

File Date: JUL 15, 1999 Serial Number: 75-751,842

Published For Opposition: JUN 19, 2001

Goods/Services:

International Class 3: HAIR CARE PRODUCTS FOR MEN, WOMEN AND
CHILDREN, NAMELY SHAMPOOS, CONDITIONERS, HAIR LOTIONS, HAIR
CONDITIONING CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR
TINT AND HAIR MOUSSE

First Used: JUN 15, 1998 (INTL. CL. 3)

In Commerce: DEC 21, 1998

Applicant:

ECOLY INTERNATIONAL, INC.
CALIFORNIA CORPORATION
9232 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Disclaimers:

"HAIR"

Lining Stippling:

THE MARK IS LINED FOR THE COLOR RED.

Filing Correspondent:

ROBERTA JACOBS-MEADWAY
AKIN, GUMP, STRAUSS, HAUER & FELD, LLP
ONE COMMERCE SQUARE
2005 MARKET STREET, 22ND FLOOR

PHILADELPHIA, PA 19 103-7086

SHC00165

SEX

Ref: 15

SEXED-UP

SEXED-UP

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: MAY 09, 2001

Chronology:

File Date: APR 14, 2000 **Serial Number:** 76-027,629

Goods/Services:

International Class 3: HAIR CARE PRODUCTS, NAMELY, HAIR SHAMPOO, HAIR CONDITIONER, HAIR TONIC, HAIR GEL, HAIR SPRAY, HAIR MOUSSE, HAIR POMADE, HAIR DYE, HAIR COLOR GEL, HAIR SCULPTING GEL AND HAIR LOTION; SKIN CARE PRODUCTS, NAMELY SKIN CLEANSER, SKIN MOISTURIZER, SKIN CREAM AND SKIN LOTION; AND COSMETIC PRODUCTS
First Used: JUN 06, 2000 (INTL. CL. 3)
In Commerce: JUN 06, 2000

Applicant:

MASCOLO BROTHERS LIMITED
ENGLAND COMPANY
10/12 DAVIES STREET
LONDON, ENGLAND, W1Y 1LJ

Filing Correspondent:

DAVID W. CARSTENS
CARSTENS YEE & CAHOON, L.L.P.
L.L.P., P.O. BOX 802334

DALLAS, TEXAS 75380

Ref: 16

SEXY HAIR CONCEPTS



Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: JAN 11, 2001

Chronology:

File Date: APR 04, 2000 **Serial Number:** 76-017,117

Goods/Services:

International Class 3: HAIR CARE PRODUCTS FOR MEN, WOMEN AND CHILDREN, NAMELY HAIR SHAMPOOS, HAIR CONDITIONERS, HAIR LOTIONS, HAIR CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR DYES, HAIR RINSES, HAIR MOUSSE

SHC00166

SEX

First Used: JUL 01, 2000 (INTL. CL. 3)

In Commerce: JUL 01, 2000

Applicant:

ECOLY INTERNATIONAL, INC.
CALIFORNIA CORPORATION
9232 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Disclaimers:

"HAIR"

Lining Stippling:

THE STIPLING SHOWN IN THE DRAWING IS PART OF THE MARK AND IS NOT INTENDED TO SIGNIFY COLOR.

Filing Correspondent:

RONALD L. PANITCH
2005 MARKET STREET, 22ND FLOOR

PHILADELPHIA, PA 19103-7086

Ref: 17

HOT SEXY HIGHLIGHTS

HOT SEXY HIGHLIGHTS

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: PUBLISHED FOR OPPOSITION
USPTO Status Date: MAR 27, 2001

Chronology:

Filed: JUN 22, 2000 Serial Number: 76-075,306
Published For Opposition: MAR 27, 2001

Goods/Services:

International Class 3: HAIR CARE PRODUCTS FOR MEN, WOMEN AND CHILDREN NAMELY SHAMPOOS, CONDITIONERS, HAIR LOTIONS, HAIR CONDITIONING CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR TINT AND HAIR MOUSSE

Applicant:

ECOLY INTERNATIONAL, INC.
CALIFORNIA CORPORATION
9232 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Disclaimers:

"HIGHLIGHTS"

Filing Correspondent:

SCOTT W. GOODE
SCOTT W GOODE
AKIN GUMP STRAUSS HAUER & FELD LLP
ONE COMMERCE SQ
2005 MARKET ST 22ND FL

SHC00167

SEX

PHILADELPHIA PA 19103-7086

Ref: 18

**FORMULAS BY
ECOLY BIG SEXY
HAIR**

FORMULAS BY ECOLY BIG SEXY HAIR

Status: PUBLISHED
USE APPLICATION - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE MAY
08, 2001

USPTO Status Date: MAR 30, 2001

Chronology:

Filed: JUN 17, 1999 Serial Number: 75-730,741

Published For Opposition: MAY 08, 2001

Goods/Services:

International Class 3: HAIR CARE PRODUCTS FOR MEN, WOMEN AND
CHILDREN, NAMELY HAIR SHAMPOOS, HAIR CONDITIONERS, HAIR
LOTIONS, HAIR CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR
DYES, HAIR RINSES, HAIR MOUSSE

First Used: JUN 15, 1998 (INTL. CL. 3)

In Commerce: DEC 21, 1998

Applicant:

ECOLY INTERNATIONAL, INC.
CALIFORNIA CORPORATION
9332 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Disclaimers:

"HAIR"

Other U.S. Registrations: 1,866,675

Filing Correspondent:

ROBERTA JACOBS-MEADWAY
AKIN GUMP STRAUSS HAUER & FELD LLP
2005 MARKET ST 22ND FL
ONE COMMERCE SQ

PHILADELPHIA PA 19103-7086

Ref: 19

SEXY 1

SEXY 1

Status: REGISTERED

USPTO Status: REGISTERED

USPTO Status Date: AUG 27, 1996

Chronology:

Filed: JUL 10, 1995

Serial Number: 74-698,960

Published For Opposition: JUN 04, 1996

SHC00168

Search: 81677011

Analyst: PHUONG TRAN

USPTO Page: 22

SEX

Registered: AUG 27, 1996

Registration Number: 1,996,770

Goods/Services:

International Class 3: MAKEUP, SKIN CARE PRODUCTS, NAMELY SKIN
CLEANSING LOTIONS, TONERS, BODY SCRUBS, FACIAL AND BODY
MASKS AND SKIN MOISTURIZERS, AND PERFUME OILS

First Used: MAY 01, 1994 (INTL. CL. 3)

In Commerce: JUL 13, 1994

Registrant:

COLOR 1 ASSOCIATES, INC.
DISTRICT OF COLUMBIA CORPORATION
2211 WASHINGTON CR. NW
WASHINGTON, DISTRICT OF COLUMBIA, 20037

Filing Correspondent:

COLOR 1 ASSOCIATES, INC.
2211 WASHINGTON CR. NW

WASHINGTON, DC 20037

Ref: 20

SEX APPEAL

SEX APPEAL

Status: RENEWED

USPTO Status: RENEWED

USPTO Status Date: APR 28, 1999

Chronology:

Filed: NOV 13, 1975

Serial Number: 73-068,912

Published For Opposition: DEC 19, 1978

Registered: MAR 13, 1979

Registration Number: 1,114,776

Affidavit Section: 8-15 APR 06, 1985

Last Renewed: MAR 13, 1999

Goods/Services:

International Class 3: COLOGNE, PERFUME AND AFTERSHAVE/COLOGNE

First Used: JUN 15, 1975 (INTL. CL. 3)

In Commerce: JUN 15, 1975

Registrant:

JOVAN, INC.
ILLINOIS CORPORATION
875 N. MICHIGAN AVE.
CHICAGO, ILLINOIS, 60611

Renewed To:

COTY COSMETICS INC.
DELAWARE CORPORATION
237 PARK AVENUE
19TH FLOOR
NEW YORK, NEW YORK, 10017

Assignor: JOVAN, INC.

Brief: CHANGE OF NAME EFFECTIVE JUL. 26, 1983

SHC00169

SEX

Recorded: DEC 10, 1984
Signed: MAR 14, 1984
Reel/Frame: 0483/0549
Correspondent: BEECHAM COSMETICS INC.
980 NORTH MICHIGAN AVE.
CHICAGO, IL 60611

Assignee: BEECHAM COSMETICS INC.

Assignor: BEECHAM COSMETICS, INC.
Brief: SECURITY INTEREST
Recorded: AUG 04, 1988
Signed: AUG 02, 1988
Reel/Frame: 0612/0416
Correspondent: DORSEY & WHITNEY
2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: BANKERS TRUST COMPANY

Assignor: QUINTESSENCE COSMETICS INC.
Brief: CHANGE OF NAME EFFECTIVE SEP. 09, 1988
Recorded: OCT 20, 1988
Signed: SEP 02, 1988
Reel/Frame: 0635/0413
Correspondent: ALTHEIMER & GRAY
SUITE 4000-10 SOUTH WACKER DRIVE
CHICAGO, IL 60606

Assignee: QUINTESSENCE INCORPORATED

Assignor: BEECHAM COSMETICS INC.
Brief: CHANGE OF NAME EFFECTIVE AUG. 09, 1988
Recorded: AUG 07, 1989
Signed: AUG 02, 1988
Reel/Frame: 0664/0435
Correspondent: HAMMAN & BENN
SUITE 600
25 EAST WASHINGTON STREET
CHICAGO, IL 60602

Assignee: QUINTESSENCE COSMETICS INC.
ILLINOIS CORPORATION

Assignor: BEECHAM COSMETICS INC.
Brief: CHANGE OF NAME EFFECTIVE AUG. 09, 1988
Recorded: JUN 12, 1990
Signed: AUG 02, 1988
Reel/Frame: 0717/0927
Correspondent: DORSEY & WHITNEY
2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: QUINTESSENCE COSMETICS INC.

Assignor: QUINTESSENCE COSMETICS INC.

SHC00170

SEX

Brief: CHANGE OF NAME EFFECTIVE SEP. 09, 1988

Recorded: JUN 12, 1990

Signed: SEP 02, 1988

Reel/Frame: 0717/0938

Correspondent: DORSEY & WHITNEY
2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: QUINTESSENCE INCORPORATED

Assignor: BANKERS TRUST COMPANY

Brief: GRANT OF A SECURITY INTEREST. (AMENDMENT TO
AGREEMENT DATED AUGUST 2, 1988).

Recorded: JUN 12, 1990

Signed: JUN 04, 1990

Reel/Frame: 0717/0967

Correspondent: DORSEY & WHITNEY
2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: BT COMMERCIAL CORPORATION
DELAWARE CORPORATION

Assignor: QUINTESSENCE INCORPORATEDQ MERGER CORP.

Brief: MERGER/CHANGE OF NAME

Recorded: DEC 16, 1998

Signed: AUG 26, 1998

Reel/Frame: 1825/0388

Correspondent: OPPENHEIMER WOLFF & DONNELLY LLP
MANJARI M. DATTA, ESQ.
153 EAST 53RD STREET
ONE CITICORP CENTER, 26TH FLOOR
NEW YORK, NY 10022

Assignee: Q MERGER CORP.
ILLINOIS CORPORATION
CT CORPORATION SYSTEM
208 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS, 60604-113

Assignee: COTY US INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Assignor: COTY US INC.

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: DEC 30, 1998

Signed: DEC 23, 1998

Reel/Frame: 1832/0631

Correspondent: OPPENHEIMER WOLFF & DONNELLY LLP
MANJARI M. DATTA, ESQ.
153 EAST 53RD STREET, 26TH FLOOR
NEW YORK, NY 10022

SHC00171

SEX

Assignee: COTY COSMETICS INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Assignor: COTY US INC.
Brief: DUPLICATE RECORDING, SEE RECORDING AT REEL 1832, FRAME
0631.
Recorded: DEC 29, 1998
Signed: DEC 23, 1998
Reel/Frame: 1846/0205
Correspondent: OPPENHEIMER WOLFF & DORNELLY LLP
MANJARI M. DATTA, ESQ.
153 EAST 53RD STREET
26TH FLOOR
NEW YORK, NY 10022

Assignee: COTY COSMETICS INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Plaintiff In Cancellation:
PLAINTIFF IN CANCELLATION ACTION NUMBER 11565 AGAINST SERIAL
NUMBER 72314490 FOR TRADEMARK SEX APPEAL

Filing Correspondent:
KIMBERLEY K ADAMS
OPPENHEIMER WOLFF & DONNELLY LLP
1 CITICORP CTR
153 E 53RD ST 26TH FL
NEW YORK NY 10022

Ref: 21

SEX.SHOP

SEX.SHOP

Status: PUBLISHED
USE APPLICATION - CURRENT

USPTO Status: PUBLISHED FOR OPPOSITION
USPTO Status Date: MAR 27, 2001

Chronology:

Filed: JUL 17, 2000

Serial Number: 76-092,746

Published For Opposition: MAR 27, 2001

Goods/Services:

International Class 3: SKIN TANNING PREPARATIONS, NAMEDLY
TANNING OILS

First Used: MAR 01, 2000 (INTL. CL. 3)

SHC00172

SEX

In Commerce: JUN 26, 2000

Applicant:

KALAYDJIAN, VON ERIC LERNER
INDIVIDUAL
4226 SCANDIA WAY
LOS ANGELES, CALIFORNIA, 90065

Filing Correspondent:

ALEX D. PATEL
VON ERIC LERNER KALAYDJIAN
21550 OXNARD ST 3RD FL

WOODLAND HILLS CA 91367

Ref: 22

SEX SYMBOL

SEX SYMBOL

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE MAY
22, 2001

USPTO Status Date: APR 04, 2001

Chronology:

Filed: SEP 21, 2000

Serial Number: 76-132.497

Published For Opposition: MAY 22, 2001

Goods/Services:

International Class 3: COSMETICS, NAMELY, LIPSTICK AND LIP GLOSS,
NAIL POLISH, MASCARA, EYELINER AND FOUNDATION, AND HAIR
CARE PRODUCTS FOR MEN, WOMEN, AND CHILDREN, NAMELY,
SHAMPOOS, CONDITIONERS, HAIR LOTIONS, HAIR CONDITIONING
CREAMS, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR TINT AND HAIR
MOUSSE

Applicant:

ECOLY INTERNATIONAL, INC.
CALIFORNIA CORPORATION
9232 ETON AVENUE
CHATSWORTH, CALIFORNIA, 91311

Filing Correspondent:

JAY K MEADWAY
AKIN GUMP STRAUSS HAUER & FELD LLP
1 COMMERCE SQ
2005 MARKET ST FL 22

PHILADELPHIA PA 19103-7014

SHC00173

SEX

Ref: 23

THE SEXY LOOK

THE SEXY LOOK

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: MAR 12, 2001

Chronology:

File Date: SEP 15, 2000 Serial Number: 78-026,123

Goods/Services:

International Class 3: COSMETICS, MAKEUP, BEAUTY SUPPLIES
International Class 25: APPAREL, CLOTHING, CLOTHES, TEXTILE,
PANTS, SHIRTS, UNDERWEAR, LINGERIE, SHOES, NIGHTGOWNS,
DRESSES, CASUAL DRESSES, HATS, ADULT ACCESSORIES, BODYSHAPE
PRODUCTS
First Used: AUG 01, 2000 (INTL. CL. 3)
In Commerce: SEP 05, 2000

Applicant:

HAWARI & COMPANIES, INC.
FLORIDA CORPORATION
PO BOX 270419
TAMPA, FLORIDA, 33688

Filing Correspondent:

HAWARI & COMPANIES INC
PO BOX 270419

TAMPA FL 33688-0419

Ref: 24

SHE SEXY

SHE SEXY

Status: PENDING
PENDING DRAWING PAGE DATA

Chronology:

File Date: AUG 12, 1996 Serial Number: 75-148,413

Goods/Services:

International Class 3, 4: PERFUME EAU DE TOILETTE, BODY LOTION,
SHOWER GEL, TALCUM POWDER, MASSAGE OIL, POTPOURRI, MAKE UP
AND NAIL ENAMEL; CANDLES.

Applicant:

REVLON CONSUMER PRODUCTS CORPORATION
DELAWARE CORPORATION
625 MADISON AVENUE

NEW YORK, NEW YORK, 10022

SHC00174

SEX

Ref: 25

GET SEXY

GET SEXY

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: JUN 22, 1999

Chronology:

Filed: MAR 20, 1997 Serial Number: 75-260,707
Published For Opposition: APR 28, 1998
Registered: JUN 22, 1999 Registration Number: 2,255,897

Goods/Services:

International Class 3: COLOGNE; EAU DE TOILETTE
First Used: NOV 01, 1997 (INTL. CL. 3)
In Commerce: NOV 01, 1997

Registrant:

CIRCLE OF BEAUTY, INC.
DELAWARE CORPORATION
540 MADISON AVENUE
NEW YORK, NEW YORK, 10022

Filing Correspondent:

DIANE MARCOVICI PLAUT
FROSS ZELNICK LEHRMAN & ZISSU PC
866 UNITED NATIONS PLZ

NEW YORK NY 10017-1822

Ref: 26

SEXY TAN

SEXY TAN

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: MAY 18, 2001

Chronology:

File Date: MAY 04, 2001 Serial Number: 76-251,899

Goods/Services:

International Class 3: SUNTANNING PREPARATIONS; SKIN CARE
PRODUCTS, NAMELY GELS, LOTIONS, OILS, MOISTURIZERS, FOAMS,
MOUSSES, CLEANSERS, SPRAYS, MISTS, CREAMS, POWDERS, AND
FOUNDATIONS

Applicant:

CALIFORNIA TAN, INC.

SHC00175

SEX

DELAWARE CORPORATION
10877 WILSHIRE BOULEVARD, SUITE 1200
LOS ANGELES, CALIFORNIA, 90024

Filing Correspondent:

BRENT D. SOKOL
LYON & LYON LLP
633 W 5TH ST STE 4700

LOS ANGELES CA 90071-2043

Ref: 27

SEXY VANILLA

SEXY VANILLA

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: SEP 24, 1996

Chronology:

Filed: APR 03, 1995 **Serial Number:** 74-655,065
Published For Opposition: DEC 12, 1995
Registered: SEP 24, 1996 **Registration Number:** 2,003,718

Goods/Services:

International Class 3: EAU DE TOILETTE, PERFUME, BODY SHAMPOO,
BODY LOTION, AND SHOWER AND BATH GEL
First Used: JUN 28, 1995 (INTL. CL. 3)
In Commerce: JUN 28, 1995

Registrant:

PARFUMS VISIONS INTERNATIONAL, LTD.
NEW YORK CORPORATION
150-S EXECUTIVE DRIVE
EDGEWOOD, NEW YORK, 11717

Disclaimers:

"VANILLA"

Filing Correspondent:

JEFFREY C. KATZ
DAVIS & GILBERT
1740 BROADWAY

NEW YORK, NY 10019

Ref: 28

SEX PISTOL

SEX PISTOL

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: SEP 30, 1997

SHC00176

SEX

Chronology:

Filed: NOV 15, 1996 Serial Number: 75-198,366
Published For Opposition: JUL 08, 1997
Registered: SEP 30, 1997 Registration Number: 2,101,629

Goods/Services:

International Class 3: COSMETICS, NAMELY, NAIL POLISH, LIPSTICK,
LIPLINER, MASCARA, EYE SHADOW, EYE PENCIL, EYELINER, EYEBROW
PENCIL, FACE POWDER, BLUSH
First Used: OCT 15, 1996 (INTL. CL. 3)
In Commerce: OCT 15, 1996

Registrant:

HARD CANDY, INC.
CALIFORNIA CORPORATION
110 N. DOHENY
BEVERLY HILLS, CALIFORNIA, 90211

Assignor:

HELLER FINANCIAL, INC.
Brief: RELEASE OF SECURITY INTEREST
Recorded: MAY 11, 1999
Signed: MAY 07, 1999
Reel/Frame: 1889/0714
Correspondent: BARACK FERRAZZANO KIRSCHBAUM ET AL.
 WENDI E. SLOANE, ESQ.
 333 W. WACKER DRIVE, SUITE 2700
 CHICAGO, ILLINOIS 60606

Assignee:

HARD CANDY, INC.
CALIFORNIA CORPORATION
110 NORTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA, 90211

Assignor:

HARD CANDY, INC
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: MAY 18, 1999
Signed: MAY 11, 1999
Reel/Frame: 1895/0230
Correspondent: WENDI E. SLOANE, ESQ
 333 WEST WACKER DRIVE
 SUITE 2700
 CHICAGO, IL 60606

Assignee:

HARD CANDY L.L.C.
DELAWARE CORPORATION
110 NORTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA, 90211

Assignor:

HARD CANDY, INC.
Brief: SECURITY AGREEMENT
Recorded: APR 19, 1999
Signed: MAR 19, 1998
Reel/Frame: 1898/0897
Correspondent: LERNER, DAVID, LITTENBERG, ET AL. SHC00177

SEX

STEPHEN B. GOLDMAN
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

Assignee: HELLER FINANCIAL, INC.
DELAWARE CORPORATION
505 NORTH BRAND BOULEVARD
GLENDALE, CALIFORNIA, 91203-190

Filing Correspondent:

ELIZABETH SWANSON
ASHEN & LIPPMAN
2029 CENTURY PARK E STE 2550

LOS ANGELES CA 90067

Ref: 29

SEXY SANTA

SEXY SANTA

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: SEP 23, 1997

Chronology:

Filed: MAR 06, 1997 Serial Number: 75-253,097
Published For Opposition: JUL 01, 1997
Registered: SEP 23, 1997 Registration Number: 2,099,643

Goods/Services:

International Class 3: COSMETICS, NAMELY, NAIL POLISH
First Used: OCT 15, 1996 (INTL. CL. 3)
In Commerce: OCT 21, 1996

Registrant:

HARD CANDY, INC.
CALIFORNIA CORPORATION
110 NORTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA, 90211

Assignor:

HELLER FINANCIAL, INC.
Brief: RELEASE OF SECURITY INTEREST
Recorded: MAY 11, 1999
Signed: MAY 07, 1999
Reel/Frame: 1889/0714
Correspondent: BARACK FERRAZZANO KIRSCHBAUM ET AL.
WENDI E. SLOANE, ESQ.
333 W. WACKER DRIVE, SUITE 2700
CHICAGO, ILLINOIS 60606

Assignee:

HARD CANDY, INC.
CALIFORNIA CORPORATION
110 NORTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA, 90211

SHC00178

SEX

Assignor: HARD CANDY, INC
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: MAY 18, 1999
Signed: MAY 11, 1999
Reel/Frame: 1895/0230
Correspondent: WENDI E. SLOANE, ESQ
333 WEST WACKER DRIVE
SUITE 2700
CHICAGO, IL 60606

Assignee: HARD CANDY L.L.C.
DELAWARE CORPORATION
110 NORTH DOHENY DRIVE
BEVERLY HILLS, CALIFORNIA, 90211

Assignor: HARD CANDY, INC.
Brief: SECURITY AGREEMENT
Recorded: APR 19, 1999
Signed: MAR 19, 1998
Reel/Frame: 1898/0897
Correspondent: LERNER, DAVID, LITTENBERG, ET AL.
STEPHEN B. GOLDMAN
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

Assignee: HELLER FINANCIAL, INC.
DELAWARE CORPORATION
505 NORTH BRAND BOULEVARD
GLENDALE, CALIFORNIA, 91203-190

Filing Correspondent:
ELIZABETH L SWANSON
ASHEN & LIPPMAN
2029 CENTURY PARK E STE 2550
LOS ANGELES CA 90067

Ref: 30

SEXY AFTERNOON

SEXY AFTERNOON

Status: RENEWED
USE APPLICATION - CURRENT

USPTO Status: RENEWED
USPTO Status Date: JAN 10, 2001

Chronology:

Filed: JAN 24, 1979 **Serial Number:** 73-201,427
Published For Opposition: FEB 05, 1980
Registered: MAY 20, 1980 **Registration Number:** 1,135,424
Affidavit Section: 8-15 OCT 03, 1985

SHC00179

SEX

Last Renewed: MAY 20, 2000

Goods/Services:

International Class 3: MEN'S COLOGNE

First Used: NOV 29, 1976 (INTL. CL. 3)

In Commerce: NOV 29, 1976

Registrant:

KEY WEST FRAGRANCE & COSMETIC FACTORY, INC.

FLORIDA CORPORATION

524 FRONT STREET

KEY WEST, FLORIDA, 33040

Renewed To:

KEY WEST FRAGRANCE & COSMETIC FACTORY, INC.

FLORIDA CORPORATION

524 FRONT STREET

KEY WEST, FLORIDA, 33040

Plaintiff In Opposition:

PLAINTIFF IN OPPOSITION ACTION NUMBER 68694 AGAINST SERIAL

NUMBER 73399957 FOR TRADEMARK SEXY

Filing Correspondent:

BASSAM N. IBRAHIM

BURNS DOANE SWECKER & MATHIS, LLP

P. O. BOX 1404

ALEXANDRIA, VA 22313-1404

Ref. 31

SEX WAND

SEX WAND

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: JUN 13, 2000

Chronology:

Filed: SEP 02, 1998

Serial Number: 75-546,516

Published For Opposition: AUG 03, 1999

Registered: JUN 13, 2000

Registration Number: 2,358,597

Goods/Services:

International Class 3: LIP GLOSS

First Used: MAR 1999 (INTL. CL. 3)

In Commerce: JUL 1999

Registrant:

MASCOLO BROTHERS LIMITED

UNITED KINGDOM COMPANY

10/12 DAVIES STREET

LONDON, ENGLAND, W1Y 1LJ

Assignor: MASCOLO BROTHERS LIMITED

SHC00180

SEX

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: SEP 01, 2000

Signed: AUG 11, 2000

Reel/Frame: 2142/0469

Correspondent: CARSTENS, YEE & CAHOON, L.L.P.

DAVID W. CARSTENS

P.O. BOX 802334

DALLAS, TEXAS 75380

Assignee: TONI & GUY (USA) LIMITED
UNITED KINGDOM CORPORATION
2311 MIDWAY ROAD
CARROLLTON, TEXAS, 75006

Filing Correspondent:

DAVID W CARSTENS

CARSTENS YEE & CAHOON LLP

PO BOX 802334

DALLAS TX 75380

Domestic Representative: DAVID W. CARSTENS

Ref: 32

SEXY LIPS

SEXY LIPS

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED

USPTO Status Date: SEP 27, 1999

Chronology:

File Date: JUN 01, 1999

Serial Number: 75-719,173

Goods/Services:

International Class 3: COSMETICS AND BEAUTY PRODUCTS FOR LIPS,
NAMELY LIPSTICKS, LIP PENCILS, LIP LINERS, LIP GLOSS, LIP CREAMS,
LIP COLOR, LIP SEALANT, LIP CONDITIONERS, LIP MOISTURIZERS AND
NON-MEDICATED LIP BALMS

Applicant:

BASIC BEAUTY LLC

CALIFORNIA LIMITED LIABILITY COMPANY

2934 1/2 BEVERLY GLEN CIRCLE, SUITE 49

LOS ANGELES, CALIFORNIA, 90077

Filing Correspondent:

BRYAN MASHIAN

BUCHALTER NEMER FIELDS & YOUNGER PLC

601 S FIGUEROA ST STE 2400

LOS ANGELES CA 90017-5704

SHC00181

SEX

Ref: 33

SEXY BUBBLES

SEXY BUBBLES

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION
USPTO Status Date: MAR 29, 2001

Chronology:

Filed: MAY 04, 2000 Serial Number: 78-006,813
Published For Opposition: FEB 27, 2001

Goods/Services:

International Class 3: BUBBLE BATH, BATH GEL, BATH CRYSTALS, BATH OIL, BATH BEADS, SKIN AND FACE CLEANSERS, AND BODY OILS

Applicant:

VAST RESOURCES, INC.
CALIFORNIA CORPORATION
11960 BORDEN AVENUE
SAN FERNANDO, CALIFORNIA, 913419011

Disclaimers:

"BUBBLES"

Filing Correspondent:

JAY H. GELLER
WEST TOWER, SUITE 4000
2425 W. OLYMPIC BL.

SANTA MONICA CA 90404

Ref: 34

PRO-SEX

PRO-SEX

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: FEB 07, 2001

Chronology:

File Date: FEB 01, 2001 Serial Number: 78-046,153

Goods/Services:

International Class 5: PERSONAL LUBRICANTS, MALE AND FEMALE
GENITAL DESENSITIZERS, AND DOUCHES.

Applicant:

VAST RESOURCES, INC. DBA TOPCO SALES
CALIFORNIA CORPORATION
11960 BORDEN AVENUE

SHC00182

SEX

SAN FERNANDO, CALIFORNIA, 91340

Filing Correspondent:

JAY H. GELLER
JAY H. GELLER, A PROF. CORP.
WEST TOWER, SUITE 4000
2425 W. OLYMPIC BLVD.

SANTA MONICA CA 90404

Ref: 35

VERY SEXY

VERY SEXY

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: APR 12, 2001

Chronology:

File Date: APR 02, 2001

Serial Number: 76-234,513

Goods/Services:

International Class 3: PERSONAL CARE PRODUCTS
International Class 25: CLOTHING

Applicant:

V SECRET CATALOGUE, INC.
DELAWARE CORPORATION
1105 NORTH MARKET STREET
WILMINGTON, DELAWARE, 19801

Filing Correspondent:

FRANK J. COLUCCI
COLUCCI & UMANS
MANHATTAN TOWER
101 EAST 52ND STREET

NEW YORK, NEW YORK 10022

Ref: 36

SUBTLY SEXY

SUBTLY SEXY

Status: REGISTERED

USPTO Status: SECTION 8 - ACCEPTED
USPTO Status Date: JAN 18, 1990

Chronology:

Filed: SEP 01, 1983

Serial Number: 73-442,041

Published For Opposition: JUL 03, 1984

SHC00183

SEX

Registered: SEP 18, 1984

Registration Number: 1,295,476

Affidavit Section: 8 JAN 18, 1990

Goods/Services:

International Class 3: BODY FRAGRANCE SPRAY

First Used: JUL 12, 1983 (INTL. CL. 3)

In Commerce: JUL 12, 1983

Registrant:

CARTER-WALLACE, INC., NEW YORK, N. Y.

Ref: 37

NATURAL SEX

NATURAL SEX

Status: REGISTERED

USPTO Status: REGISTERED

USPTO Status Date: DEC 10, 1996

Chronology:

Filed: FEB 06, 1996

Serial Number: 75-054,040

Published For Opposition: SEP 17, 1996

Registered: DEC 10, 1996

Registration Number: 2,022,204

Goods/Services:

International Class 5: HOMEOPATHIC DIETARY SUPPLEMENTS

First Used: JUL 01, 1995 (INTL. CL. 5)

In Commerce: JUL 01, 1995

Registrant:

LIFE EXTENSION FOUNDATION

FLORIDA CORPORATION

2490 GRIFFIN ROAD

FORT LAUDERDALE, FLORIDA, 33312

Filing Correspondent:

JANICE A. SHARP

MERCHANT, GOULD, SMITH, EDELL, ET AL.

11150 SANTA MONICA BOULEVARD, SUITE 400

LOS ANGELES, CA 90025

Ref: 38

GREAT SEX

GREAT SEX

Status: REGISTERED

USPTO Status: REGISTERED

USPTO Status Date: APR 01, 1997

Chronology:

Filed: MAY 22, 1996

Serial Number: 75-108,157

SHC00184

SEX

Published For Opposition: JAN 07, 1997

Registered: APR 01, 1997

Registration Number: 2,049,172

Goods/Services:

International Class 5: DIETARY SUPPLEMENTS

First Used: JAN 01, 1996 (INTL. CL. 5)

In Commerce: JAN 01, 1996

Registrant:

SHOBLASKA, SHANA

INDIVIDUAL

67 SOUTH PEAK

LAGUNA BEACH, CALIFORNIA, 92677

Other U.S. Registrations: 2,008,751

Filing Correspondent:

JOSEPH C. ANDRAS

PRICE, GESS & UBELL

2100 S.E. MAIN STREET, SUITE 250

IRVINE, CA 92714-6238

Ref: 39

LIQUID SEX

LIQUID SEX

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE MAY
15, 2001

USPTO Status Date: MAR 23, 2001

Chronology:

Filed: APR 27, 2000

Serial Number: 78-005,890

Published For Opposition: MAY 15, 2001

Goods/Services:

International Class 3: SCENTED BODY SPRAY, AROMATHERAPY OILS,
BATH GEL AND OIL, BODY AND SKIN CREAM, BODY AND SKIN OIL,
BODY AND SKIN LOTION, BODY AND SKIN GELS, BUBBLE BATH,
ESSENTIAL OILS FOR PERSONAL USE, MASSAGE OIL, AND BODY AND
SKIN MOISTURIZERS AND CONDITIONERS

International Class 5: PERSONAL LUBRICANTS

Applicant:

VAST RESOURCES, INC.

CALIFORNIA CORPORATION

11960 BORDEN AVENUE

SAN FERNANDO, CALIFORNIA, 913419011

Filing Correspondent:

JAY H GELLER

W TWR STE 4000

2425 W OLYMPIC BL

SHC00185

SEX

SANTA MONICA CA 90404

Ref: 40

SCENT OF SEX

SCENT OF SEX

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: FEB 07, 2001

Chronology:

File Date: FEB 01, 2001 Serial Number: 78-046,155

Goods/Services:

International Class 5: PERSONAL LUBRICANTS, MALE AND FEMALE
GENITAL DESENSITIZERS, AND DOUCHES.

Applicant:

VAST RESOURCES, INC. DBA TOPCO SALES
CALIFORNIA CORPORATION
11960 BORDEN AVENUE
SAN FERNANDO, CALIFORNIA, 91340

Filing Correspondent:

JAY H. GELLER
JAY H. GELLER, A PROF. CORP.
WEST TOWER, SUITE 4000
2425 W. OLYMPIC BLVD.

SANTA MONICA CA 90404

Ref: 41

SCENT OF SEX

SCENT OF SEX

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: FEB 07, 2001

Chronology:

File Date: FEB 01, 2001 Serial Number: 78-046,158

Goods/Services:

International Class 3: BODY OIL, BODY PAINTS, BODY AND SKIN
LOTIONS, BODY AND SKIN CREAMS, BODY AND SKIN SMOOTHING,
MOISTURIZING AND CONDITIONING CREAMS AND LOTIONS,
ESSENTIAL OILS FOR PERSONAL USE, MASSAGE OIL, SCENTED BODY
SPRAY, AROMATHERAPY OILS, BATH GEL AND OIL, BUBBLE BATH,
BODY AND SKIN GELS, AND BODY AND SKIN OILS.

SHC00186

SEX

Applicant:

VAST RESOURCES, INC. DBA TOPCO SALES
CALIFORNIA CORPORATION
11960 BORDEN AVENUE
SAN FERNANDO, CALIFORNIA, 91340

Filing Correspondent:

JAY H. GELLER
JAY H. GELLER, A PROF. CORP.
WEST TOWER, SUITE 4000
2425 W. OLYMPIC BLVD.

SANTA MONICA CA 90404

Ref: 42

SEX IN A BOTTLE

SEX IN A BOTTLE

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: OCT 18, 1999

Chronology:

File Date: JUL 01, 1999

Serial Number: 75-746,359

Goods/Services:

International Class 1: SCENTED ESSENTIAL OILS AND PERFUMES

Applicant:

IVORY WEB CREATIONS
TEXAS SOLE PROPRIETORSHIP
1710 VALLEY VIEW LANE APT. 1033
IRVING, TEXAS, 75061

Filing Correspondent:

IVORY WITH CREATIONS
1710 VALLEY VIEW LANE APT. 1033

IRVING, TEXAS 75061

Ref: 43

**WILD S.E.X.
COLLECTION**

WILD S.E.X. COLLECTION

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: RESPONSE AFTER NON-FINAL ACTION - ENTERED
USPTO Status Date: JAN 19, 2001

Chronology:

File Date: MAY 04, 2000

Serial Number: 78-006,825

SHC00187

SEX

Goods/Services:

International Class 3: A KIT CONTAINING BATH BEADS, BUBBLE BATH, BATH CRYSTALS, BODY LOTION, MASSAGE OIL, PERSONAL LUBRICANT, AND BATTERY OR MANUALLY OPERATED BODY AND FACE MASSAGING APPARATUS AND/OR VIBRATORS AND VIBRATOR SLEEVES

First Used: MAR 20, 2000 (INTL. CL. 3)

In Commerce: MAR 20, 2000

Applicant:

VAST RESOURCES, INC.
CALIFORNIA CORPORATION
11960 BORDEN AVENUE
SAN FERNANDO, CALIFORNIA, 913419011

Disclaimers:

"COLLECTION"

Filing Correspondent:

JAY H. GELLER
WEST TOWER, SUITE 4000
2425 W. OLYMPIC BL.

SANTA MONICA CA 90404

Ref: 44

SEXY BATH & BODY

SEXY BATH & BODY

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE MAY 08, 2001

USPTO Status Date: MAR 29, 2001

Chronology:

Filed: AUG 15, 2000

Serial Number: 78-021,257

Published For Opposition: MAY 08, 2001

Goods/Services:

International Class 3: SKIN CARE PRODUCTS, NAMELY LIQUID BODY WASH, MOISTURIZING LOTIONS, SHAMPOO, CONDITIONER

Applicant:

PERFORMANCE BRANDS, INC.
FLORIDA CORPORATION
959 SHOTGUN ROAD
SUNRISE, FLORIDA, 33326

Disclaimers:

"BATH & BODY"

Filing Correspondent:

PERFORMANCE BRANDS, INC.
959 SHOTGUN ROAD

SHC00188

SUNRISE FL 33326

Ref: 45

A LITTLE SEXY**A LITTLE SEXY**

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: MAR 28, 1995

Chronology:

Filed: APR 11, 1994 Serial Number: 74-511,219
Published For Opposition: JAN 03, 1995
Registered: MAR 28, 1995 Registration Number: 1,885,771

Goods/Services:

International Class 3: PERFUMES, COLOGNE AND FRAGRANCE BODY
SPRAY
First Used: FEB 1990 (INTL. CL. 3)
In Commerce: FEB 1990

Registrant:

PARFUMS DE COEUR, LTD.
CONNECTICUT CORPORATION
85 OLD KINGS HIGHWAY, NORTH
DARIEN, CONNECTICUT, 06820

Filing Correspondent:

NANCY FELSTEN
KAY COLLYER & BOOSE
ONE DAG HAMMARSKJOLD PLAZA

NEW YORK, NY 10017-2299

Ref: 46

S·E·X**SEXUS ET XENIA****S-E-X SEXUS ET XENIA**

Status: RENEWED

USPTO Status: RENEWED
USPTO Status Date: APR 08, 1991

Chronology:

Filed: APR 21, 1969 Serial Number: 72-324,991
Published For Opposition: FEB 02, 1971
Registered: JUN 08, 1971 Registration Number: 914,253
Affidavit Section: 8-15
Last Renewed: JUN 08, 1991

Goods/Services:

International Class 3: AFTER SHAVE COLOGNE
First Used: NOV 09, 1968 (US. CL. 51)

SHC00189

SEX

In Commerce: NOV 09, 1968

Registrant:

ROMANE INCORPORATED
ILLINOIS CORPORATION
253 E. DELAWARE PLACE
CHICAGO, ILLINOIS, 60611

Renewed To:

ROMANE INCORPORATED
ILLINOIS CORPORATION
2101 ESTES AVENUE
ELK GROVE VILLAGE, ILLINOIS, 60007

Other U.S. Registrations: 837,651

Use In Another Form:

NOV, 6, 1967, IN A DIFFERENT FORM

Filing Correspondent:

ALLEGRETTI & WITCOFF, LTD.
10 SOUTH WACKER DRIVE

CHICAGO, IL 60606

Ref: 47

SHE SEXY

SHE SEXY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: OCT 02, 1997

Chronology:

Filed: SEP 03, 1996 Serial Number: 75-159,059
Published For Opposition: JAN 07, 1997
Abandoned: OCT 02, 1997

Goods/Services:

International Class 3: PERFUME, EAU DE TOILETTE, BODY LOTION,
SHOWER GEL, TALCUM POWDER, MASSAGE OIL, POTPOURRI, MAKE UP
AND NAIL ENAMEL
International Class 4: CANDLES

Applicant:

REVLON CONSUMER PRODUCTS CORPORATION
DELAWARE CORPORATION
625 MADISON AVENUE
NEW YORK, NEW YORK, 10022

Assignor:

REVLON CONSUMER PRODUCTS CORPORATION
Brief: SUPPLEMENT TO COMPANY SECURITY AGREEMENTS
Recorded: FEB 13, 1997
Signed: JAN 28, 1997
Reel/Frame: 1561/0558

SHC00190

SEX

Correspondent: PENNIE & EDMONDS LLP
NANCY H. LUTZ
1667 K STREET, N.W.
WASHINGTON, D.C. 20006

Assignee: CHEMICAL BANK
270 PARK AVENUE
NEW YORK, NEW YORK, 10017

Filing Correspondent:
ARCH M AHERN
REVLON
625 MADISON AVENUE

NEW YORK NY 10022

Ref: 48

TOO SEXXXY

TOO SEXXXY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: SEP 20, 1996

Chronology:

Filed: MAR 17, 1995 Serial Number: 74-657,186
Published For Opposition: DEC 26, 1995
Abandoned: SEP 20, 1996

Goods/Services:

International Class 3: FRAGRANCES, NAMELY PERFUME, COLOGNE AND
EAU DE TOILETTE

Applicant:

CHARLES REVSON INC.
NEW YORK CORPORATION
625 MADISON AVENUE
NEW YORK, NEW YORK, 10022

Assignor:

CHARLES REVSON INC.
Brief: SUPPLEMENT TO TRADEMARK SECURITY AGREEMENT
Recorded: AUG 24, 1995
Signed: JUL 31, 1995
Reel/Frame: 1385/0883
Correspondent: PENNIE & EDMONDS
ATTN: CATHERINE H. STOCKELL
1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036

Assignee:

CHEMICAL BANK
NEW YORK BANKING CORPORATION
270 PARK AVENUE
NEW YORK, NEW YORK, 10017

SHC00191

SEX

Filing Correspondent:

ARCH M. AHERN
REVLON CONSUMER PRODUCTS CORPORATION
625 MADISON AVENUE

NEW YORK, NY 10022

Ref: 49

STRONG & SEXY

STRONG & SEXY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: JUL 29, 1997

Chronology:

Filed: MAR 19, 1996 **Serial Number:** 75-075,140
Published For Opposition: NOV 05, 1996
Abandoned: JUL 29, 1997

Goods/Services:

International Class 3: WOMEN'S FRAGRANCES, NAMELY, PERFUMES,
COLOGNES, EAU DE TOILETTE, SCENTED BODY SPRAY, AND
PERSONAL DEODORANTS

Applicant:

PARFUMS DE COEUR, LTD.
CONNECTICUT CORPORATION
85 OLD KINGS HIGHWAY NORTH
DARIEN, CONNECTICUT, 06820

Filing Correspondent:

BROOKE CARLSON
PARFUMS DE COEUR, LTD.
85 OLD KINGS HIGHWAY NORTH

DARIEN, CT 06820

Ref: 50

SOFT 'N SEXY

SOFT 'N SEXY

Status: EXPIRED

USPTO Status: EXPIRED
USPTO Status Date: JAN 20, 1998

Chronology:

Filed: SEP 20, 1976 **Serial Number:** 73-100,494
Published For Opposition: JAN 18, 1977

SHC00192

SEX

Registered: APR 12, 1977 Registration Number: 1,063,081
Affidavit Section: 8 OCT 17, 1983

Goods/Services:

International Class 3: LIPSTICK
First Used: SEP 09, 1976 (INTL. CL. 3)
In Commerce: SEP 09, 1976

Registrant:

CHESEBROUGH-POND'S, INC.
NEW YORK CORPORATION
33 BENEDICT PLACE
GREENWICH, CONNECTICUT, 06830

Assignor: CONOPCO, INC.

Brief: MERGER AND CHANGE OF NAME EFFECTIVE DEC. 31, 1989 IN
NEW YORK

Recorded: APR 20, 1990

Signed: MAR 20, 1990

Reel/Frame: 0722/0108

Correspondent: CHESEBROUGH-POND'S INC.

P.O. BOX 6000

33 BENEDICT PLACE

GREENWICH, CT 06836-6000

Assignee: CONOPCO INC.

NEW YORK CORPORATION

Assignor: CONOPCO, INC.

GREENWICH, CONNECTICUT

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: JUL 16, 1990

Signed: MAY 01, 1990

Reel/Frame: 0734/0878

Correspondent: CHESEBROUGH-POND'S USA CO.

MARY A. CASSIDY

P.O. BOX 6000

33 BENEDICT PLACE

GREENWICH, CT 06830-6000

Assignee: CHESEBROUGH-POND'S INC.

DELAWARE CORPORATION

501 SILVERSIDE ROAD

WILMINGTON, DELAWARE, 19809

Ref: 51

SCENT OF SEXINESS

SCENT OF SEXINESS

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED

USPTO Status Date: OCT 26, 2000

SHC00193

Search: 81677011

Analyst: PHUONG TRAN

USPTO Page: 47

SEX

Chronology:

Filed: JAN 04, 1999 Serial Number: 75-610,079
Published For Opposition: FEB 01, 2000
Abandoned: OCT 26, 2000

Goods/Services:

International Class 3: PERFUME

Applicant:

COTE, CHARLENE
INDIVIDUAL
6 MICHAEL AVE
DERRY, NEW HAMPSHIRE, 03038

Disclaimers:

"SCENT"

Filing Correspondent:

CHARLENE COTE
6 MICHAEL AVE

DERRY NH 03038

Ref: 52

SEXPERFUME

SEXPERFUME

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: JAN 09, 2001

Chronology:

Filed: DEC 11, 1999 Serial Number: 75-855,523
Published For Opposition: OCT 17, 2000
Registered: JAN 09, 2001 Registration Number: 2,419,059

Goods/Services:

International Class 3: PERFUME, EAU DE PARFUM, COLOGNE, BODY
LOTION, SHOWER GEL, BATH GEL, HAIR CARE PREPARATIONS;
COSMETICS, NAMELY, NAIL POLISH, LIPSTICK, FOUNDATION MAKE-UP,
BODY GLISTENER, EYELINER, LIP PENCIL, BLUSH, EYE SHADOW.
First Used: JAN 12, 1999 (INTL. CL. 3)
In Commerce: JAN 12, 1999

Registrant:

MORISON, PAUL W
INDIVIDUAL
330 SHORE DR UNIT F6
HIGHLANDS, NEW JERSEY, 07732

Filing Correspondent:

PAUL W MORISON
330 SHORE DR UNIT F6

SHC00194

HIGHLANDS NJ 07732

Ref: 53



HAIR PAIR UNISEX HAIRCUTTERS

Status: REGISTERED

USPTO Status: SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED
 USPTO Status Date: JUL 30, 1987

Chronology:

Filed: MAR 13, 1979 Serial Number: 73-207,198
 Published For Opposition: MAR 03, 1981
 Registered: MAY 26, 1981 Registration Number: 1,155,963
 Affidavit Section: 8-15 JUL 30, 1987

Goods/Services:

International Class 42: HAIR CUTTING AND STYLING SERVICES
 First Used: JAN 1973 (INTL. CL. 42)
 In Commerce: JAN 1973

Registrant:

WVW CORPORATION, MARLOW HEIGHTS, MD.

Claims:

APPLICANT DISCLAIMS THE WORDS "HAIR" & "UNISEX HAIRCUTTERS"
 APART FROM THE MARK AS SHOWN.

Ref: 54



ALL DOLLED UP A UNISEX HAIR SALON

Status: REGISTERED

USPTO Status: REGISTERED
 USPTO Status Date: APR 13, 1999

Chronology:

Filed: MAY 23, 1997 Serial Number: 75-297,561
 Published For Opposition: JAN 19, 1999
 Registered: APR 13, 1999 Registration Number: 2,238,138

Goods/Services:

International Class 42: HAIR STYLING SERVICES; FACIALS AND
 MASSAGE SERVICES AND COSMETICIAN SERVICES
 First Used: AUG 31, 1985 (INTL. CL. 42)
 In Commerce: AUG 31, 1985

Registrant:

ALL DOLLED UP UNISEX BEAUTY SALON INC
 FLORIDA CORPORATION
 6364 W. OAKLAND PK BLVD
 SUNRISE, FLORIDA, 33313

Disclaimers:

SHC00195

SEX

"A UNISEX HAIR SALON"

Filing Correspondent:

ALL DOLLED UP UNISEX BEAUTY SALON INC
6364 W OAKLAND PK BLVD

SUNRISE FL 33313

Ref: 55

SO SEXY

SO SEXY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: NOV 30, 1996

Chronology:

Filed: OCT 02, 1995 **Serial Number:** 75-000,046
Abandoned: NOV 30, 1996

Goods/Services:

International Class 3: COSMETICS, FRAGRANCES, PERFUMES, SOAPS,
HAIR LOTIONS

Applicant:

JADUN, ZAIB
INDIVIDUAL
9300 N.W. 58TH STREET, SUITE 214
MIAMI, FLORIDA, 33178

Filing Correspondent:

ZAIB JADUN
9300 N.W. 58TH STREET, SUITE 214

MIAMI, FL 33178

Ref: 56

SEXSEA

SEXSEA

Status: PENDING
PARTIAL SECTION 2(F)
USE APPLICATION - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: MAY 02, 2001

Chronology:

File Date: APR 26, 2001 **Serial Number:** 78-060,684

Goods/Services:

International Class 3: BODY LOTIONS, NAMELY, SUN TAN LOTION,

SHC00196

SEX

SUNSCREEN LOTION, SUN TAN GEL, SUN TAN ACCELERATOR, SUN TAN OIL, SELF TANNING LOTION, AFTER SUN LOTION, BODY GLITTER, FACIAL SCRUB, TONER, SKIN SOAP, SKIN MOISTURIZER, BODY WASH, BODY LOTION, HAND LOTION, ALL PURPOSE LOTION, LOVE OILS AND POTIONS, COSMETICS, NAMELY FACE POWDER, FACIAL MAKEUP, LIQUID MAKEUP, BLUSHER, LIP BALM, LIP GLOSS, LIPSTICK, COSMETIC PENCILS FOR EYES AND LIPS, EYE SHADOW, BLUSH, MASCARA, ARTIFICIAL EYELASH AND FINGERNAIL, COMPACTS CONTAINING MAKEUP, NAIL POLISH, NAIL POLISH REMOVER, BODY SPRAY, NAMELY, COLOGNE, EAU DE PERFUME, EAU DE TOILETTE, DEODORANT, ORAL HYGIENE, NAMELY, MOUTHWASH, TOOTHPASTE, DENTAL FLOSS

International Class 9: EYEWEAR, NAMELY SUNGLASS, EYEGLASS, FRAME FOR EYEGLASS, FRAME FOR SUNGLASS, SUNGLASS CASE, SUNGLASS HOLDER, EYEGLASS CASE, EYEGLASS HOLDER, EYEGLASS CHAIN AND CORD, SUNGLASS CHAIN AND CORD, LENSES FOR OPTICAL WEAR

International Class 18: HAND BAGS, NAMELY BACKPACK, BEACH BAG, GENERAL PURPOSE BAG, DUFFLE BAG, BOOK BAG, GYM BAG, TOTE BAG, TRAVELING BAG, GARMENT BAG, SHOPPING BAG, CARRY-ON, SUIT CASE, LUGGAGE STRAP, LUGGAGE, FANNY PACK, PURSE, CHANGE PURSE, CLUTCH PURSE, COIN PURSE, WALLET, SACHEL, WRIST PACK, KEY FOB (LEATHER), KEY CASE, POCKETBOOK, BEACH UMBRELLA, COSMETIC CASE

International Class 25: CLOTHING, NAMELY SWIMWEAR, SARONG, SHIRTS, T-SHIRTS, SWEAT SHIRTS, JACKETS, SHORTS, PANTS, SKIRTS, DRESSES, TANK TOPS, BELT, WET SUIT, SKI WEAR, SNOWBOARD WEAR, SLEEPWEAR, NAMELY PAJAMA, ROBE, BOXER, PANTY, BRA, LINGERIE, HOSIERY, NAMELY PANTYHOSE, TIGHTS, LEOTARDS, LEG WARMERS, SOCKS, FOOTWEAR, NAMELY DRESS SHOES, WOODEN SOLE SHOES, SLIPPERS, BOOTS, ATHLETIC SHOES, RUBBER-SOLED SHOES, THONGS, SANDALS, HEADWEAR, NAMELY HATS, CAPS, BEANIE, VISOR

First Used: AUG 13, 1997 (INTL. CL. 3)

In Commerce: SEP 04, 1997.

First Used: AUG 13, 1997 (INTL. CL. 9)

In Commerce: SEP 04, 1997

First Used: AUG 13, 1997 (INTL. CL. 18)

In Commerce: SEP 04, 1997

First Used: AUG 13, 1997 (INTL. CL. 25)

In Commerce: SEP 04, 1997

Applicant:

JARAMILLO, LYNN MARIE
INDIVIDUAL
4400 E. 7TH STREET #177
LONG BEACH, CALIFORNIA, 90804

Claims:

AS TO SEXSEA

Other U.S. Registrations: 2,126,260; 2,394,731

Filing Correspondent:

JARAMILLO, LYNN MARIE

SHC00197

SEX

4400 E. 7TH STREET #177

LONG BEACH CA 90804

Ref: 57

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SEXUAL

Status: REGISTERED
SECTION 44 (D)
FILED AS 44(D) APPLICATION
44(E) APPLICATION - CURRENT

USPTO Status: SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED
USPTO Status Date: FEB 26, 2000

Chronology:

Filed: JAN 24, 1991 Serial Number: 74-133,025
Published For Opposition: AUG 24, 1993
Registered: NOV 16, 1993 Registration Number: 1,804,019
Affidavit Section: 8-15 FEB 26, 2000

Goods/Services:

International Class 3: (COSMETICS; NAMELY, LIPSTICK, ROUGE, EYE-SHADOW, BLUSH, FACE POWDER, FOUNDATION CREAM, EYE LINER, MASCARA, LIP LINER, NAIL POLISH, SKIN PROTECTORANT,) PERFUMES, COLOGNES, EAU DE TOILET, PERFUME OIL, BODY SPRAY, PERFUME SPRAY, (FACIAL SOAP, BODY SOAP,) SHAMPOO (CONDITIONER, HAIR GEL, MOUSSE) AND DEODORANT
International Class 16: PRINTED PUBLICATIONS; NAMELY, POSTERS
International Class 25: CLOTHING; NAMELY, T-SHIRTS, DRESSES, JEANS, JACKETS, PANTS, SHORTS, SOCKS, TANK TOPS, BLOUSES, SCARFS, SUITS, SKIRTS, UNDERWEAR, BRAS, TEDDY, GUARDER BELTS, SLIPS, NYLONS, CAMISOLE)

Registrant:

BAILEY, STEVEN M.
CANADA INDIVIDUAL
RR#4
ALMONTE, ONTARIO, CANADA, K0A 1A0

Non-U.S. Application Claimed: 669814
Non-U.S. Application Date: NOV 02, 1990
Non-U.S. Application Country: CANADA

Non-U.S. Registration Claimed: TMA403,876
Non-U.S. Registration Date: OCT 23, 1992
Non-U.S. Registration Country: CANADA

Filing Correspondent:

THOMAS W. BROOKE
GADSBY & HANNAH
1747 PENNSYLVANIA AVE. N.W. SUITE 800

SHC00198

WASHINGTON, D.C. 20006

Ref: 58

Sexton**SEXTON****Status:** RENEWED
SECTION 2(F)**USPTO Status:** RENEWED
USPTO Status Date: NOV 26, 1991**Chronology:****Filed:** MAY 12, 1949 **Serial Number:** 71-578,708
Published For Opposition: JUN 12, 1951
Registered: SEP 25, 1951 **Registration Number:** 548,592
Affidavit Section: 8-15
Last Renewed: SEP 25, 1991**Goods/Services:****International Class 3, 4:** SOAPS IN CAKE, POWDER, FLAKES,
GRANULATED, AND LIQUID FORM; STAIN AND SPOT REMOVERS;
DRAIN SOLVENTS; SURFACE, RECEPTACLE, AND INSTRUMENT
CLEANERS; AND SWEEPING COMPOUND
First Used: MAR 1944 (US. CL. 52)
In Commerce: MAR 1944**Registrant:**JOHN SEXTON & CO.
ILLINOIS CORPORATION
500 NORTH ORLEANS AVE.
CHICAGO, ILLINOIS**Renewed To:**JOHN SEXTON & CO.
DELAWARE CORPORATION
1050 WARRENVILLE ROAD
LISLE, ILLINOIS, 605321395**Assignor:** SEXTON, JOHN, & CO.
CHICAGO, ILLINOIS**Brief:** ASSIGNS THE ENTIRE INTEREST AND GOOD WILL**Recorded:** NOV 03, 1969**Acknowledged:** DEC 20, 1968**Reel/Frame:** 0184/0007**Correspondent:** BEATRICE FOODS CO.
120 S. LA SALLE ST.
CHICAGO, IL 60603**Assignee:** BEATRICE FOODS CO.
DELAWARE CORPORATION
120 S. LA SALLE ST.
CHICAGO, ILLINOIS

SHC00199

SEX

Assignor: JOHN SEXTON & CO.
Brief: NUNC PRO TUNC
Recorded: JAN 25, 1999
Signed: APR 01, 1997
Reel/Frame: 1844/0661
Correspondent: HOGAN & HARTSON LLP
CATHERINE L. THORNBERRY
8300 GREENSBORO DRIVE, SUITE 1100
MCLEAN, VA 22102

Assignee: U.S. FOODSERVICE OF ILLINOIS, INC.
DELAWARE CORPORATION
ONE SEXTON DRIVE
GLENDALE HEIGHTS, ILLINOIS, 60139

Filing Correspondent:
STEPHEN GRUBB
15840 VENTURA BLVD.

ENCINO, CA 91436-2962

Ref: 59

SEXATION

SEXATION

Status: REGISTERED

USPTO Status: SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED
USPTO Status Date: JUN 28, 1999

Chronology:

Filed: NOV 16, 1992 **Serial Number:** 74-331,599
Published For Opposition: APR 13, 1993
Registered: NOV 23, 1993 **Registration Number:** 1,806,659
Affidavit Section: 8-15 JUN 28, 1999

Goods/Services:

International Class 3: PERFUMES, COLOGNES, SCENTED BODY
POWDERS, PERSONAL DEODORANTS AND BODY LOTIONS
First Used: MAR 10, 1993 (INTL. CL. 3)
In Commerce: MAR 10, 1993

Registrant:

JEAN PHILIPPE FRAGRANCES, INC.
NEW YORK CORPORATION
551 FIFTH AVENUE
NEW YORK, NEW YORK, 10176

Filing Correspondent:

DAVID B. KIRSCHSTEIN
DAVID B KIRSCHSTEIN
KIRSCHSTEIN OTTINGER ISRAEL ET AL
489 5TH AVE

SHC00200

SEX

NEW YORK NY 10017-6105

Ref: 60

SEXCESS

SEXCESS

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: SECOND EXTENSION - GRANTED JUN 28, 1999
USPTO Status Date: JUN 28, 1999

Chronology:

Filed: MAY 23, 1997 Serial Number: 75-297,072
Published For Opposition: MAR 10, 1998

Goods/Services:

International Class 5: NUTRITIONAL PRODUCTS, NAMELY, VITAMINS

Applicant:

MAGYAR, DONALD W.
INDIVIDUAL
4391 MAGNOLIA STREET
PALM BEACH GARDENS, FLORIDA, 33418

Filing Correspondent:

MICHAEL A SLAVIN
MCHALE & SLAVIN PA
4440 PGA BLVD STE 402

PALM BEACH GARDENS FL 33410

Ref: 61

SEXPOT

SEXPOT

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: THIRD EXTENSION - GRANTED SEP 30, 2000
USPTO Status Date: SEP 30, 2000

Chronology:

Filed: JAN 26, 1998 Serial Number: 75-423,132
Published For Opposition: NOV 03, 1998

Goods/Services:

International Class 3: PERFUMERY, NAMELY, PERFUME, COLOGNE,
TOILET WATER; BATH OIL AND BATH GEL; SCENTED SKIN LOTIONS,
CREAMS, AND POWDERS; TOILET SOAP; COSMETICS, NAMELY,
BLUSHER, MAKEUP, EYE PENCILS, EYE SHADOWS, EYELINERS, LIP
GLOSS, LIPSTICKS, MASCARA, NAIL POLISH, COSMETIC PENCILS,
ROUGE, SKIN MOISTURIZERS

Applicant:

ADVERTISING TO WOMEN, INC.

SHC00201

SEX

NEW YORK CORPORATION
20 MONROE AVENUE
SPRING LAKE, NEW JERSEY, 07762

Filing Correspondent:

SUSAN UPTON DOUGLASS
FROSS ZELNICK LEHRMAN & ZISSU PC
866 UNITED NATIONS PLAZA

NEW YORK NY 10017

Ref: 62

SEXCANDY

SEXCANDY

Status: PUBLISHED
INTENT TO USE - CURRENT

USPTO Status: PUBLISHED FOR OPPOSITION
USPTO Status Date: APR 03, 2001

Chronology:

Filed: APR 03, 2000 Serial Number: 78-002,266
Published For Opposition: APR 03, 2001

Goods/Services:

International Class 3: SKIN SOAP, LIQUID SOAP, SHOWER AND BATH GELS, AND OILS, NON-MEDICATED BATH SALTS, PERFUME, MAKEUP, LIPSTICK, ESSENTIAL OILS FOR PERSONAL USE, SKIN CARE PREPARATIONS, NAMELY, MOISTURIZING LOTIONS AND CREAMS; SUN-BLOCK AND SUNSCREEN CREAMS, LOTIONS AND GELS; SKIN-BRONZING CREAMS, LOTIONS, GELS AND MOUSSES; AFTER SUN LOTIONS; FACIAL SCRUBS; SOAPLESS FACE, HAIR AND BODY-WASHING CREAMS, LOTIONS, MOUSSES AND GELS; MAKE-UP REMOVING CREAMS, LOTIONS, MILKS AND GELS, HAIR CARE PREPARATIONS, NAMELY HAIR SHAMPOO, DENTIFRICES, TOILET WATER, COLOGNE, DEODORANT, AND ANTIPERSPIRANTS FOR PERSONAL USE, TALCUM POWDER, SHAVING PREPARATIONS, NAIL POLISH, NAIL VARNISH, HAIR COLOR, HAIR DYES, NON-MEDICATED MASSAGE PREPARATIONS, NAMELY, MASSAGE OILS, CREAMS, LOTIONS AND POWDERS, DEPILATORIES, COTTON SWABS AND BALLS FOR COSMETIC PURPOSES, Scented Articles for Perfumery Purposes, NameLY SACHETS, POTPOURRI AND JOSS-STICKS, SKIN BARRIER CREAMS AND PROTECTIVE CREAMS FOR THE SKIN AND HANDS

Applicant:

STRATEGICDOMAINS.COM L.L.C.
DELAWARE LIMITED LIABILITY COMPANY
P.O. BOX 342
ATHOL SPRINGS, NEW YORK, 140100342

Filing Correspondent:

STRATEGICDOMAINS.COM L.L.C.
P.O. BOX 342

SHC00202

SEX

ATHOL SPRINGS NY 14010-0342

Ref: 63.

SEXBUBBLES

SEXBUBBLES

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: SUSPENSION LETTER - MAILED
USPTO Status Date: DEC 28, 2000

Chronology:

File Date: JUL 03, 2000 **Serial Number:** 76-082,283

Goods/Services:

International Class 3: BUBBLE BATH
First Used: JAN 21, 1992 (INTL. CL. 3)
In Commerce: JAN 21, 1992

***Applicant:**

MLF ENTERPRISES
Composed of: MARK FISHMAN - U.S.; JOHN MAYO - U.S.
CALIFORNIA PARTNERSHIP
249 ENTRADA DR.
SANTA MONICA, CALIFORNIA. 90402

Filing Correspondent:

LAWRENCE N. GINSBERG
907 CITRUS PLACE

NEWPORT BEACH, CA 92660-3227

Ref: 64

SEXUAL AROUSAL

SEXUAL AROUSAL

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: PUBLICATION/REGISTRATION REVIEW COMPLETE
USPTO Status Date: MAY 17, 2001

Chronology:

File Date: JUL 03, 2000 **Serial Number:** 76-082,623

Goods/Services:

International Class 3: BODY SPRAYS, MASSAGE LOTIONS AND
MOISTURIZING SKIN LOTIONS, PERFUME AND COLOGNE

Applicant:

SEXY SCENT, LLC
ILLINOIS LIMITED LIABILITY COMPANY
129 HURON STREET

SHC00203

SEX

CHICAGO, ILLINOIS, 60610

Filing Correspondent:

ALAN B SAMLAN
KNECHTEL DEMEUR & SAMLAN
222 S RIVERSIDE PLZ STE 1410

CHICAGO IL 60606

Ref: 65

SEXTOY

SEXTOY

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - ASSIGNED TO EXAMINER
USPTO Status Date: MAY 10, 2001

Chronology:

File Date: DEC 09, 2000 **Serial Number:** 78-038,539

Goods/Services:

International Class 3: PERFUME; COLOGNE; MAKEUP; NAIL POLISH;
LIPSTICK; SKIN CARE PREPARATIONS, NAMELY MOISTURIZING
LOTIONS AND CREAMS; HAIR CARE PREPARATIONS, NAMELY HAIR
SHAMPOO; NON-MEDICATED MASSAGE PREPARATIONS, NAMELY
MASSAGE OILS, CREAMS, AND LOTIONS; AND ESSENTIAL OILS FOR
PERSONAL USE. ALL THE FOREGOING GOODS INDICATED ARE
NON-MEDICATED

Applicant:

STRATEGICDOMAINS.COM L.L.C.
DELAWARE LIMITED LIABILITY COMPANY
P.O. BOX 342
ATHOL SPRINGS, NEW YORK, 140100342

Filing Correspondent:

STRATEGICDOMAINS.COM L.L.C.
PO BOX 342

ATHOL SPRINGS NY 14010-0342

Ref: 66

SEX APPEAL

SEX APPEAL

Status: RENEWED

USPTO Status: RENEWED
USPTO Status Date: SEP 11, 1989

Chronology:

Filed: DEC 16, 1968 **Serial Number:** 72-314,490

SHC00204

SEX

Published For Opposition: MAY 06, 1969
Opposition/Cancellation Filed: APR 18, 1977
Registered: JUL 22, 1969 Registration Number: 873,601
Affidavit Section: 8
Last Renewed: JUL 22, 1989

Goods/Services:

International Class 3: DENTIFRICE
First Used: NOV 12, 1968 (US. CL. 51)
In Commerce: NOV 12, 1968

Registrant:

COLGATE-PALMOLIVE COMPANY
DELAWARE CORPORATION
300 PARK AVE.
NEW YORK, NEW YORK, 10022

Renewed To:

COLGATE-PALMOLIVE COMPANY
DELAWARE CORPORATION
NEW YORK, NEW YORK

Cancellation Action Number: 11565

Petitioner: JOVAN, INC.

Opposing Mark: SEX APPEAL
Registration Number: 1,114,776
Serial Number: 73-068,912
Outcome: TERMINATED SEP 14, 1979
TTAB Entry: #5 TERMINATED, SEP 14, 1979
TTAB Entry: #4 BOARD'S DECISION: DISMISSED W/PREJUDICE, SEP 07,
1979

Other U.S. Registrations: 715,553; 0796121 AND OTHERS

Filing Correspondent:

THOMAS J. CORUM
COLGATE-PALMOLIVE COMPANY
300 PARK AVENUE, 4TH FLOOR

NEW YORK, N. Y. 10022

Ref: 67

EYSEXXXXY

EYSEXXXXY

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: APR 25, 1995

Chronology:

Filed: SEP 07, 1993 Serial Number: 74-433,025
Published For Opposition: MAR 22, 1994
Registered: APR 25, 1995 Registration Number: 1,891,597

Goods/Services:

International Class 3: EYESHADOW
First Used: NOV 10, 1993 (INTL. CL. 3)

SHC00205

SEX

In Commerce: NOV 10, 1993

Registrant:

CHARLES REVSON INC.
NEW YORK CORPORATION
625 MADISON AVENUE
NEW YORK, NEW YORK, 10022

Assignor:

CHARLES REVSON INC.
Brief: SECURITY INTEREST
Recorded: MAR 10, 1995
Signed: FEB 28, 1995
Reel/Frame: 1316/0344
Correspondent: PENNIE & EDMONDS
CAROL M. WILHELM
1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036

Assignee:

CHEMICAL BANK
NEW YORK BANKING CORPORATION
270 PARK AVENUE
NEW YORK, NEW YORK, 10017

Filing Correspondent:

ARCH AHERN
REVLON
625 MADISON AVENUE
NEW YORK, NY 10022

Ref: 68

LIPSEXXXY

LIPSEXXXY

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: OCT 24, 1995

Chronology:

Filed: DEC 02, 1993 Serial Number: 74-464,878
Published For Opposition: AUG 01, 1995
Registered: OCT 24, 1995 Registration Number: 1,929,055

Goods/Services:

International Class 3: COSMETICS; NAMELY, LIPSTICK
First Used: MAR 08, 1993 (INTL. CL. 3)
In Commerce: MAR 08, 1993

Registrant:

CHARLES REVSON INC.
NEW YORK CORPORATION
625 MADISON AVENUE
NEW YORK, NEW YORK, 10022

SHC00206

SEX

Assignor: CHARLES REVSON INC.
Brief: SECURITY INTEREST
Recorded: MAR 10, 1995
Signed: FEB 28, 1995
Reel/Frame: 1316/0344
Correspondent: PENNIE & EDMONDS
CAROL M. WILHELM
1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036

Assignee: CHEMICAL BANK
NEW YORK BANKING CORPORATION
270 PARK AVENUE
NEW YORK, NEW YORK, 10017

Filing Correspondent:
ARCH M. AHERN
C/O REVLON
625 MADISON AVENUE

NEW YORK, NY 10022

Ref: 69

SEXXXO

SEXXXO

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: APR 21, 1994

Chronology:

Filed: AUG 07, 1992 **Serial Number:** 74-302,122
Published For Opposition: JAN 26, 1993
Abandoned: APR 21, 1994

Goods/Services:

International Class 5: HERBAL DIETARY SUPPLEMENTS

Applicant:

HOME, MARSHALL
INDIVIDUAL
229 EAST 14TH STREET
NEW YORK, NEW YORK, 10003

Filing Correspondent:

NICHOLAS J. AQUILINO
2001 JEFFERSON DAVIS HIGHWAY, SUITE 802

ARLINGTON, VA 22202

SHC00207

SEX

Ref: 70

SEXTANT

SEXTANT

Status: CANCELLED Cancellation Section: 8
SECTION 44 (D)

USPTO Status: CANCELLED - SECTION 8
USPTO Status Date: JUN 14, 1999

Chronology:

Filed: MAR 20, 1991 Serial Number: 74-149,533
Published For Opposition: SEP 15, 1992
Registered: DEC 08, 1992 Registration Number: 1,737,890
Cancelled: JUL 27, 1999

Goods/Services:

International Class 3: TOILET SOAPS; PERFUME; EAU DE COLOGNE; EAU
DE TOILETTE; EAU DE PARFUM; ESSENTIAL OILS FOR PERSONAL USE
AND FOR USE IN THE MANUFACTURE OF COSMETICS; COSMETICS;
NAMELY, PENCILS, EYE MAKEUP, FACE POWDER, MAKEUP, LIPSTICKS,
ROUGE; BODY LOTIONS; HAIR LOTIONS; DENTIFRICES

Registrant:

SOCIETE MAURICE BLANCHET PARFUMS DE LUXE
94, RUE EDOUARD VAILLANT
92300 LEVALLOIS PERRET, FRANCE

Non-U.S. Application Claimed: 255041
Non-U.S. Application Date: DEC 11, 1990
Non-U.S. Application Country: FRANCE

Non-U.S. Registration Claimed: 1632265
Non-U.S. Registration Date: DEC 11, 1990
Non-U.S. Registration Country: FRANCE

Filing Correspondent:

H. JOHN CAMPAIGN
GRAHAM, CAMPAIGN & MCCARTHY, P.C.
36 WEST 44TH STREET

NEW YORK, NY 10036-8178

Ref: 71

SEXCESS

SEXCESS

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-AFTER PETITION DECISION
USPTO Status Date: MAR 27, 1997

SHC00208

SEX

Chronology:

Filed: NOV 25, 1992 Serial Number: 74-334,465
Published For Opposition: APR 11, 1995
Date Suspended: MAY 04, 1994
Abandoned: MAR 27, 1997

Goods/Services:

International Class 5: NUTRITIONAL PRODUCTS; NAMELY, VITAMINS

Applicant:

MAGYAR, DONALD W.
INDIVIDUAL
4391 MAGNOLIA STREET
PALM BEACH GARDENS, FLORIDA, 33418

Filing Correspondent:

MICHAEL A. SLAVIN
MCHALE & SLAVIN, P.A.
4440 PGA BLVD, SUITE 404

PALM BEACH GARDENS, FL 33410

Ref: 72

SEXXXO

SEXXXO

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: FEB 27, 1998

Chronology:

Filed: AUG 13, 1996 Serial Number: 75-149,788
Published For Opposition: JUN 03, 1997
Abandoned: FEB 27, 1998

Goods/Services:

International Class 5: HERB SUPPLEMENTS

Applicant:

HOME, MARSHALL
DBA ENERGY FORCE SCIENTIFIC
INDIVIDUAL
249 W. 29TH STREET
TUCSON, ARIZONA, 85713

Filing Correspondent:

JOHN L. WELSH
AQUILINO & WELSH P.C.
2121 CRYSTAL DRIVE, SUITE 503

ARLINGTON, VA. 22202

SHC00209

SEX

Ref: 73

SEXTASY

SEXTASY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: MAR 26, 1998

Chronology:

Filed: JAN 21, 1997 Serial Number: 75-239,625
Abandoned: MAR 26, 1998

Goods/Services:

International Class 5: HERBAL VITAMIN SUPPLEMENT

Applicant:

BASIC ORGANICS, INC.
OHIO CORPORATION
P.O. BOX 09611
COLUMBUS, OHIO, 43209

Filing Correspondent:

RUSSELL M GERTMENIAN
VORYS SATER SEYMOUR AND PEASE
PO BOX 1008

COLUMBUS OH 43216

Ref: 74

SEX APPEAL

SEX APPEAL

Status: EXPIRED
USE APPLICATION - CURRENT

USPTO Status: EXPIRED
USPTO Status Date: AUG 09, 2000

Chronology:

Filed: MAR 09, 1978 Serial Number: 73-161,583
Published For Opposition: DEC 19, 1978
Registered: MAR 13, 1979 Registration Number: 1,114,783
Affidavit Section: 8-15 APR 06, 1985

Goods/Services:

International Class 3: COLOGNE/AFTERBATH SPLASH, PERFUME,
COLOGNE, COLOGNE CONCENTRATE, AFTERSHAVE/COLOGNE,
BUBBLE BATH, HAND AND BODY MOISTURIZING LOTION,
MOISTURIZING BALM, AND TOILET SOAP

First Used: JUN 15, 1975 (INTL. CL. 3)

In Commerce: JUN 15, 1975

Registrant:

SHC00210

SEX

JOVAN, INC.
ILLINOIS CORPORATION
875 N. MICHIGAN AVE.
CHICAGO, ILLINOIS, 60611

New Registered Owner:

BEECHAM COSMETICS INC.
ILLINOIS CORPORATION
980 N. MICHIGAN AVE.
CHICAGO, ILLINOIS

Assignor: JOVAN, INC.

Brief: CHANGE OF NAME EFFECTIVE JUL. 26, 1983
Recorded: DEC 10, 1984
Signed: MAR 14, 1984
Reel/Frame: 0483/0549
Correspondent: BEECHAM COSMETICS INC.
980 NORTH MICHIGAN AVE.
CHICAGO, IL 60611

Assignee: BEECHAM COSMETICS INC.

Assignor: BEECHAM COSMETICS, INC.

Brief: SECURITY INTEREST
Recorded: AUG 04, 1988
Signed: AUG 02, 1988
Reel/Frame: 0612/0416
Correspondent: DORSEY & WHITNEY
2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: BANKERS TRUST COMPANY

Assignor: QUINTESSENCE COSMETICS INC.

Brief: CHANGE OF NAME EFFECTIVE SEP. 09, 1988
Recorded: OCT 20, 1988
Signed: SEP 02, 1988
Reel/Frame: 0635/0413
Correspondent: ALTHEIMER & GRAY
SUITE 4000-10 SOUTH WACKER DRIVE
CHICAGO, IL 60606

Assignee: QUINTESSENCE INCORPORATED

Assignor: BEECHAM COSMETICS INC.

Brief: CHANGE OF NAME EFFECTIVE AUG. 09, 1988
Recorded: JUN 12, 1990
Signed: AUG 02, 1988
Reel/Frame: 0717/0927
Correspondent: DORSEY & WHITNEY

2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MN 55402

Assignee: QUINTESSENCE COSMETICS INC.

Assignor: QUINTESSENCE COSMETICS INC.

SHC00211

SEX

Brief: CHANGE OF NAME EFFECTIVE SEP. 09, 1988

Recorded: JUN 12, 1990

Signed: SEP 02, 1988

Reel/Frame: 0717/0938

Correspondent: DORSEY & WHITNEY

2200 FIRST BANK PLACE EAST

MINNEAPOLIS, MN 55402

Assignee: QUINTESSENCE INCORPORATED

Assignor: BANKERS TRUST COMPANY

Brief: GRANT OF A SECURITY INTEREST. (AMENDMENT TO AGREEMENT DATED AUGUST 2, 1988).

Recorded: JUN 12, 1990

Signed: JUN 04, 1990

Reel/Frame: 0717/0967

Correspondent: DORSEY & WHITNEY

2200 FIRST BANK PLACE EAST

MINNEAPOLIS, MN 55402

Assignee: BT COMMERCIAL CORPORATION
DELAWARE CORPORATION

Assignor: QUINTESSENCE INCORPORATED Q MERGER CORP.

Brief: MERGER/CHANGE OF NAME

Recorded: DEC 16, 1998

Signed: AUG 26, 1998

Reel/Frame: 1825/0388

Correspondent: OPPENHEIMER WOLFF & DONNELLY LLP

MANJARI M. DATTA, ESQ.

153 EAST 53RD STREET

ONE CITICORP CENTER, 26TH FLOOR

NEW YORK, NY 10022

Assignee: Q MERGER CORP.
ILLINOIS CORPORATION
CT CORPORATION SYSTEM
208 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS, 60604-113

Assignee: COTY US INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Assignor: COTY US INC.

Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL

Recorded: DEC 30, 1998

Signed: DEC 23, 1998

Reel/Frame: 1832/0631

Correspondent: OPPENHEIMER WOLFF & DONNELLY LLP

MANJARI M. DATTA, ESQ.

153 EAST 53RD STREET, 26TH FLOOR

NEW YORK, NY 10022

SHC00212

SEX

Assignee: COTY COSMETICS INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Assignor: COTY US INC.
Brief: DUPLICATE RECORDING, SEE RECORDING AT REEL 1832. FRAME 0631.
Recorded: DEC 29, 1998
Signed: DEC 23, 1998
Reel/Frame: 1846/0205
Correspondent: OPPENHEIMER WOLFF & DORNELLY LLP
MANJARI M. DATTA, ESQ.
153 EAST 53RD STREET
26TH FLOOR
NEW YORK, NY 10022

Assignee: COTY COSMETICS INC.
DELAWARE CORPORATION
19TH FLOOR
237 PARK AVENUE
NEW YORK, NEW YORK, 10017

Filing Correspondent:
KENNETH IPPOLITO, LEGAL COUNSEL
BEECHAM COSMETICS INC.
980 NORTH MICHIGAN AVENUE
CHICAGO, IL 60611

Ref: 75

SEXTANT

SEXTANT

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: FEB 19, 1999

Chronology:

Filed: AUG 11, 1997 **Serial Number:** 75-338,794
Published For Opposition: MAY 26, 1998
Abandoned: FEB 19, 1999

Goods/Services:

International Class 10: MEDICAL DEVICES, NAMELY, SURGICAL TOOLS
FOR TISSUE CHARACTERIZATION OR ANATOMICAL IMAGING

Applicant:

SEXTANT MEDICAL CORPORATION
DELAWARE CORPORATION
4760 WALNUT STREET, SUITE 102

SHC00213

SEX

BOULDER, COLORADO, 80301

Filing Correspondent:

MERYL GRIFF
ORRICK HERRINGTON & SUTCLIFFE LLP
666 5TH AVE

NEW YORK NY 10103

Ref: 76

SEXCESS

SEXCESS

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-AFTER INTER-PARTES DECISION
USPTO Status Date: JUN 18, 1998

Chronology:

Filed: NOV 25, 1992 Serial Number: 74-334,463
Published For Opposition: DEC 14, 1993
Opposition/Cancellation Filed: JAN 31, 1994
Abandoned: JUN 18, 1998

Goods/Services:

International Class 3: COSMETICS; NAMELY, PERFUMERY

Applicant:

MAGYAR, DONALD W.
INDIVIDUAL
4391 MAGNOLIA STREET
PALM BEACH GARDENS, FLORIDA, 33418

Opposition Number: 93787

Opposer: ARAMBEL, S.A.

Opposing Mark: EXCESS
Correspondent: MICHAEL J. STRIKER
360 LEXINGTON AVENUE
NEW YORK, NY 10017

Outcome: TERMINATED JUN 18, 1998

Trademark Defendant Correspondent:

MICHAEL A. SLAVIN
MCHALE & SLAVIN, P.A.
4440 PGA BLVD.
SUITE 404
PALM BEACH GARDENS, FL 33410

TTAB Entry: #33 TERMINATED, JUN 18, 1998

TTAB Entry: #32 BOARD'S DECISION: SUSTAINED, JUN 18, 1997

Filing Correspondent:

MICHAEL A. SLAVIN
MCHALE & SLAVIN, P.A.
4440 PGA BLVD.
SUITE 404

SHC00214

SEX

PALM BEACH GARDENS, FL 33410

Ref: 77

SEXUAL FITNESS

SEXUAL FITNESS

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: MAR 20, 1997

Chronology:

Filed: AUG 26, 1994 Serial Number: 74-566,059
Published For Opposition: JUN 27, 1995
Abandoned: MAR 20, 1997

Goods/Services:

International Class 3: SKIN MOISTURIZERS, BODY OILS AND PERSONAL
DEODORANTS

Applicant:

HEALTH AND BODY FITNESS, INC.
CALIFORNIA CORPORATION
12021 WILSHIRE BLVD.
SUITE 621
W. LOS ANGELES, CALIFORNIA, 90025

Filing Correspondent:

HEALTH AND BODY FITNESS, INC.
12021 WILSHIRE BLVD., SUITE 621
W. LOS ANGELES, CA 90025

Ref: 78

LIPSEX

LIPSEX

Status: ABANDONED

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: MAY 19, 1999

Chronology:

Filed: APR 03, 1998 Serial Number: 75-461,669
Abandoned: MAY 19, 1999

Goods/Services:

International Class 3: LIP BALM, LIP GLOSS
First Used: FEB 15, 1998 (INTL. CL. 3)
In Commerce: MAR 01, 1998

Applicant:

LIZARD LIPCARE
Composed of: Gay Bayless, citizen of the USA; and Jeffrey Goolst, citizen of the
USA

SHC00215

SEX

CALIFORNIA PARTNERSHIP
73305 PINYON STREET
PALM DESERT, CALIFORNIA, 92260

Filing Correspondent:
LIZARD LIPÇARE
73305 PINYON ST

PALM DESSERT CA 92260

Ref: 79



GROOVESEXY

GROOVESEXY

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: DEC 03, 2000

Chronology:

Filed: SEP 20, 1999 Serial Number: 75-803,296
Abandoned: DEC 03, 2000

Goods/Services:

International Class 3: FRAGRANCE AND PERSONAL CARE PRODUCTS
International Class 14: JEWELRY AND WATCHES
International Class 18: HANDBAGS AND OTHER SMALL LEATHER
ARTICLES, NAMELY, WALLETS, KEY CASES, BACKPACKS AND
SPORTBAGS
International Class 25: MENS AND WOMENS CLOTHING, FOOTWEAR
AND HEADGEAR
International Class 38: TELEPHONE AND INTERNET SHOPPING SERVICES
FEATURING A RANGE OF MERCHANDISE IN THE MUSIC,
ENTERTAINMENT AND FASHION FIELDS INCLUDING MUSICAL SOUND
RECORDINGS, VIDEOS, FRAGRANCE AND PERSONAL CARE PRODUCTS,
JEWELRY AND WATCHES, LEATHER GOODS AND MENS AND WOMENS
CLOTHING, FOOTWEAR AND HEADGEAR

Applicant:

BROWN, JEFFREY F.
124 EAST 24TH STREET, APT. 5H
NEW YORK, NEW YORK, 10010

Filing Correspondent:

MALCOLM T. BROWN
ANDERSON KILL & OLICK, P.C.
1251 AVENUE OF THE AMERICAS

NEW YORK, NEW YORK 10020-1182

SHC00216

SEX

Ref: 80

ses couleur

SES COULEUR

Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: APR 09, 2001

Chronology:

File Date: NOV 17, 2000 **Serial Number:** 76-167,089

Goods/Services:

International Class 3: COSMETIC PRODUCTS, NAMELY, NON MEDICATED
MAKE-UP, POWDER BRUSH AND CORRECTOR

Applicant:

SESDERMA, S.L.
SPAIN CORPORATION
GRAVADOR ESTEVE, 22 BAJO
VALENCIA, SPAIN, 46004

Filing Correspondent:

SANCHELIMA & ASSOCIATES PA
235 S LE JEUNE RD

MIAMI FL 33134-1762

Ref: 81

BEAUTY-TEX

BEAUTY-TEX

Status: REGISTERED

USPTO Status: SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED
USPTO Status Date: JUN 12, 1990

Chronology:

Filed: JUN 27, 1983 **Serial Number:** 73-432,079
Published For Opposition: APR 17, 1984
Registered: JUL 10, 1984 **Registration Number:** 1,284,885
Affidavit Section: 8-15

Goods/Services:

International Class 3: CLEAR SIZING AND BRIGHTENER FOR DRY
CLEANING
First Used: FEB 28, 1975 (INTL. CL. 3)
In Commerce: FEB 28, 1975

Registrant:

ANSCOTT CHEMICAL INDUSTRIES, INC.
D.B.A. CALED SIGNAL CHEMICAL
NEW JERSEY CORPORATION

SHC00217

SEX

26 HANES DR.
WAYNE, NEW JERSEY, 07470

Filing Correspondent:

EDWARD R. WEINGRAM
WEINGRAM & ZOLL
197 W. SPRING VALLEY AVE.

MAYWOOD, NJ 07607

Ref: 82

SPRAE SEC

SPRAE SEC

Status: REGISTERED

USPTO Status: REGISTERED
USPTO Status Date: JUL 30, 1996

Chronology:

Filed: OCT 02, 1995 **Serial Number:** 75-000,254
Published For Opposition: MAY 07, 1996
Registered: JUL 30, 1996 **Registration Number:** 1,990,165

Goods/Services:

International Class 3: HAIR SPRAY
First Used: FEB 26, 1990 (INTL. CL. 3)
In Commerce: OCT 02, 1990

Registrant:

ZERRAN INTERNATIONAL CORPORATION
CALIFORNIA CORPORATION
721 FAIR OAKS AVENUE
SOUTH PASADENA, CALIFORNIA, 91030

Disclaimers:

"SPRAY"

Filing Correspondent:

KENNETH J. HOVET
HOVET & BLOCK
4476 MARKET STREET, SUITE 601

VENTURA, CA 93003

Ref: 83

TRESS-TEX

TRESS-TEX

Status: RENEWED

USPTO Status: REGISTERED
USPTO Status Date: JUN 14, 1983

Chronology:

SHC00218

SEX

Filed: DEC 28, 1960 Serial Number: 72-110,956
Published For Opposition: AUG 21, 1962
Registered: NOV 06, 1962 Registration Number: 740,328
Affidavit Section: 8-15
Last Renewed: NOV 06, 1982

Goods/Services:

International Class 3: HAIR CONDITIONER
First Used: OCT 20, 1959 (US. CL. 51)
In Commerce: OCT 20, 1959

Registrant:

TRESS TEX LABORATORIES
P. O. BOX 1846
HOLLYWOOD, CALIFORNIA

Renewed To:

SAME EXCEPT VAN NUYS, CALIF.

Assignor: TRESS TEX LABORATORIES A FIRM COMPOSED OF RONALD G. RATLIFF
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: JAN 11, 1993
Signed: NOV 02, 1992
Reel/Frame: 0931/0242
Correspondent: MARK K. HALTER

P.O. BOX 5551
EIGHT FLOOR, TWIN CITY BANK BUILDING
ONE RIVERFRONT PLACE
NORTH LITTLE ROCK, AR. 72119

Assignee: PYRAMID BEAUTY LABS, INC.
ARKANSAS CORPORATION
6200 REMOUNT ROAD
NORTH LITTLE ROCK, ARKANSAS, 72118

Assignor: PYRAMID BEAUTY LABS, INC.
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: AUG 09, 1994
Signed: JUL 25, 1994
Reel/Frame: 1213/0049

Correspondent: ALBERTO-CULVER COMPANY
ATTN: LASZLO BOLDIZSAR
2525 ARMITAGE AVENUE
MELROSE PARK, IL 60160

Assignee: ALBERTO-CULVER COMPANY
DELAWARE CORPORATION
2525 ARMITAGE AVENUE MELROSE PARK, IL 60160

SHC00219

SEX

Ref: 84

SILKY SIX

SILKY SIX

Status: REGISTERED

USPTO Status: SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED

USPTO Status Date: OCT 03, 1991

Chronology:

Filed: JAN 20, 1984

Serial Number: 73-461,648

Published For Opposition: APR 30, 1985

Registered: JUL 09, 1985

Registration Number: 1,347,080

Affidavit Section: 8-15 OCT 03, 1991

Goods/Services:

International Class 3: HAIR CARE PRODUCTS NAMELY SHAMPOO,
CONDITIONER AND HAIR SPRAY

First Used: OCT 1979 (INTL. CL. 3)

In Commerce: OCT 1979

Registrant:

CALIFORNIA CONCEPT CORPORATION

CALIFORNIA CORPORATION

SUITE 348

4500 CAMPUS DRIVE

NEWPORT BEACH, CALIFORNIA, 92660

Filing Correspondent:

GARY E. LANDE

POMS, SMITH, LANDE & ROSE

PROFESSIONAL CORPORATION

2029 CENTURY PARK EAST, SUITE 3800

LOS ANGELES, CA 90067-3024

Ref: 85

HOT SIX

HOT SIX

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: SECTION 8 - ACCEPTED

USPTO Status Date: NOV 01, 2000

Chronology:

Filed: APR 15, 1993

Serial Number: 74-379,117

Published For Opposition: SEP 21, 1993

Registered: MAY 31, 1994

Registration Number: 1,837,640

Affidavit Section: 8 NOV 01, 2000

Goods/Services:

International Class 3: HAIR AND SKIN CONDITIONERS AND NON

SHC00220

SEX

MEDICATED HAIR AND SKIN PREPARATIONS

First Used: FEB 07, 1993 (INTL. CL. 3)

In Commerce: FEB 07, 1993

Registrant:

BRONNER BROS. MANUFACTURING CO. INC.
GEORGIA CORPORATION
120 SELIG DR. SW.
ATLANTA, GEORGIA, 303362026

Filing Correspondent:

NATHANIEL H. BRONNER JR.
BRONNER BROS., INC.
120 SELIG DR SW

ATLANTA GA 30336-2026

Ref: 86



SAX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: JAN 27, 1998

Chronology:

Filed: NOV 01, 1996

Serial Number: 75-191,488

Abandoned: JAN 27, 1998

Goods/Services:

International Class 3: MEN'S TOILETRIES, COSMETICS, FRAGRANCES,
TALCS, DEODORANTS, SHAVING CREAMS, GELS AND AFTER SHAVES

Applicant:

ARABELA HOLDING S.A. DE C.V.
MEXICO CORPORATION
CARR. A SAN PABLO NO. 360
COL. SANTIAGO TEPALCATLALPAN XOCHIMILCO
16210 MEXICO, D.F., MEXICO

Filing Correspondent:

JAMES A HARRISON
JENKENS & GILCHRIST
1445 ROSS AVE SUITE 3200

DALLAS TX 75202-2799

SHC00221

SEX

Ref: 87



SAX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: MAR 22, 2000

Chronology:

Filed: MAR 04, 1998 Serial Number: 75-444,564
Published For Opposition: JUN 29, 1999
Abandoned: MAR 22, 2000

Goods/Services:

International Class 3: COSMETICS AND TOILETRIES, NAMELY,
LIPSTICKS, NAIL POLISHES, COMPRESSED POWDERS, LIQUID MAKE-UP
PRODUCTS, FACE POWDERS, PERFUMERIES, MASCARAS, LOOSE
POWDERS, EYE SHADOWS, AND SKIN CARE PRODUCTS, NAMELY,
CLEANSERS MOISTURIZERS, NIGHT CREAMS, TONING LOTIONS AND
EYE CREAMS

Applicant:

SAX INTERNATIONAL PTY LTD.
AUSTRALIA CORPORATION
278 FERNTREE GULLY ROAD
NOTTING HILL 3158
MELBOURNE, VICTORIA, AUSTRALIA

Filing Correspondent:

JAMES A HARRISON
PO BOX 671043

DALLAS TX 75367

Ref: 88

SAX

SAX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: MAR 22, 2000

Chronology:

Filed: MAR 04, 1998 Serial Number: 75-444,565
Published For Opposition: JUN 29, 1999
Abandoned: MAR 22, 2000

Goods/Services:

International Class 3: COSMETICS AND TOILETRIES, NAMELY,

SHC00222

SEX

LIPSTICKS, NAIL POLISHES, COMPRESSED POWDERS, LIQUID MAKE-UP PRODUCTS, FACE POWDERS, PERFUMERIES, MASCARAS, LOOSE POWDERS, EYE SHADOWS, AND SKIN CARE PRODUCTS, NAMELY, CLEANSERS MOISTURIZERS, NIGHT CREAMS, TONING LOTIONS AND EYE CREAMS

Applicant:

SAX INTERNATIONAL PTY LTD.
AUSTRALIA CORPORATION
278 FERNTREE GULLY ROAD
NOTTING HILL 3158
MELBOURNE, VICTORIA, AUSTRALIA

Filing Correspondent:

JAMES A HARRISON
PO BOX 671043

DALLAS TX 75367

Ref: 89

.SEX

.SEX

Status: PENDING
COLLECTIVE MEMBERSHIP
INTENT TO USE - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: FEB 09, 2001

Chronology:

File Date: FEB 07, 2001

Serial Number: 76-206,224

Goods/Services:

International Class 200: INDICATE MEMBERSHIP IN AN ORGANIZATION

Applicant:

MOTHER OF THE MOUNTAIN
12817 WILLOW GLEN COURT
OAK HILL, VIRGINIA, 20171

Filing Correspondent:

PAUL W KRUSE
PILLSBURY WINTHROP LLP
1100 NEW YORK AVE NW LBBY 9

WASHINGTON DC 20005-6134

SHC00223

SEX

Ref: 90

SEX

SEX

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: MAR 22, 2001

Chronology:

File Date: FEB 28, 2001 Serial Number: 76-217,292

Goods/Services:

International Class 41: DEVELOPMENT AND DISSEMINATION OF
EDUCATIONAL MATERIALS OF OTHERS IN THE FIELDS OF HUMAN
SEXUALITY AND SEXUALLY TRANSMITTED DISEASES VIA
AUDIO, VISUAL AND PRINTED MEDIA, AND ONLINE VIA A GLOBAL
COMPUTER NETWORK

First Used: FEB 19, 2001 (INTL. CL. 41)

In Commerce: FEB 19, 2001

Applicant:

SCHATTE, MARCUS R.
INDIVIDUAL
6625 WESTCHESTER ST
HOUSTON, TEXAS, 770053755

Filing Correspondent:

MARCUS R. SCHATTE
6625 WESTCHESTER ST

HOUSTON TX 77005-3755

Ref: 91

seX

SEX

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: MAR 22, 2001

Chronology:

File Date: FEB 28, 2001 Serial Number: 76-217,451

Goods/Services:

International Class 41: DEVELOPMENT AND DISSEMINATION OF
EDUCATIONAL MATERIALS OF OTHERS IN THE FIELDS OF HUMAN
SEXUALITY AND SEXUALLY TRANSMITTED DISEASES VIA
AUDIO, VISUAL AND PRINTED MEDIA, AND ONLINE VIA A GLOBAL

SHC00224

SEX

COMPUTER NETWORK
First Used: FEB 19, 2001 (INTL. CL. 41)
In Commerce: FEB 19, 2001

Applicant:

SCHATTE, M.D., MARCUS R.
INDIVIDUAL
6625 WESTCHESTER ST
HOUSTON, TEXAS, 770053755

Filing Correspondent:

MARCUS R. SCHATTE, M.D.
6625 WESTCHESTER ST

HOUSTON TX 77005-3755

Ref: 92

SEX

SEX

Status: PENDING
USE APPLICATION - CURRENT

USPTO Status: NEW APPLICATION - RECORD INITIALIZED NOT
ASSIGNED TO EXAMINER
USPTO Status Date: MAR 29, 2001

Chronology:

File Date: MAR 12, 2001 Serial Number: 76-223,416

Goods/Services:

International Class 38: DOMAIN NAME REGISTRY
First Used: NOV 26, 2000 (INTL. CL. 38)
In Commerce: NOV 26, 2000

Applicant:

DOMAIN NAME SYSTEMS, INC.
DELAWARE CORPORATION
1811 ENGLEWOOD ROAD
SUITE 230
ENGLEWOOD, FLORIDA, 34223

Filing Correspondent:

ERNEST I. GIFFORD
GIFFORD KRASS GROH SPRINKLE ET AL
280 N OLD WOODWARD AVE STE 400

BIRMINGHAM MI 48009-5394

SHC00225

SEX

Ref: 93



SEX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: JUN 28, 1995

Chronology:

Filed: JUN 25, 1993 Serial Number: 74-405,818
Published For Opposition: OCT 04, 1994
Abandoned: JUN 28, 1995

Goods/Services:

International Class 41: EDUCATIONAL SERVICES, NAMELY PROVIDING COURSES OF INSTRUCTION ON THE SUBJECT OF SEXUAL ABSTINENCE AT THE PRIMARY, SECONDARY AND COLLEGE LEVELS AND DISTRIBUTING COURSE MATERIAL IN CONNECTION THEREWITH

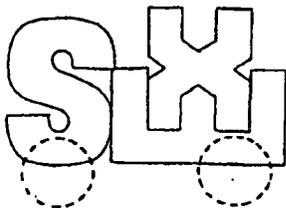
Applicant:

SAY NAY TODAY CLUB, INC.
125 CRAWFORD BLVD.
BOCA RATON, FLORIDA, 33432

Filing Correspondent:

HARRY W. BARRON
8221 GLADES ROAD, SUITE 202
BOCA RATON, FL 33434

Ref: 94



SEX

Status: REGISTERED
USE APPLICATION - CURRENT

USPTO Status: REGISTERED
USPTO Status Date: JAN 04, 2000

Chronology:

Filed: JUL 16, 1996 Serial Number: 75-135,271
Published For Opposition: OCT 21, 1997
Registered: JAN 04, 2000 Registration Number: 2,306,348

Goods/Services:

International Class 28: GAMES, PLAYTHINGS AND NOVELTY ITEMS, NAMELY, MECHANICAL PULL TOYS
First Used: JAN 1999 (INTL. CL. 28)
In Commerce: JAN 1999

Registrant:

SHC00226

SEX

CERRATO, JAMIE M.
INDIVIDUAL
67 REYNOLDS AVENUE
PARSIPPANY, NEW JERSEY, 07054

Filing Correspondent:

KLAUS P. STOFFEL
PO BOX 1559

LIVINGSTON, NJ 07039

Ref: 95

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Status: PENDING
SECTION 44 (D)
INTENT TO USE - CURRENT

USPTO Status: SUSPENSION INQUIRY - MAILED
USPTO Status Date: APR 12, 2001

Chronology:

File Date: JAN 14, 1997

Serial Number: 75-225,755

Goods/Services:

International Class 42: REGISTRATION SERVICES, NAMELY, ASSIGNING AND RECORDING ADDRESSES FOR COMPUTERS ON A PUBLIC GLOBAL COMMUNICATIONS NETWORK, AND DISPUTE ADMINISTRATION SERVICES, NAMELY, ARRANGING FOR DISPUTE RESOLUTION PROCESSES TO SETTLE DISPUTES OVER CONFLICTING ADDRESSES FOR COMPUTERS ON A PUBLIC GLOBAL COMMUNICATIONS NETWORK

Applicant:

SKYSCAPE COMMUNICATIONS INC.
CANADA CORPORATION
18 KING STREET EAST
SUITE 1505
TORONTO, ONTARIO, CANADA, M5C 1C4

Assignor:

SKYSCAPE COMMUNICATIONS INC.
Brief: ASSIGNS THE ENTIRE INTEREST AND GOOD WILL
Recorded: MAR 31, 1998
Signed: FEB 05, 1998
Reel/Frame: 1708/0317
Correspondent: BERESKIN & PARR
JONATHAN COLOMBO
BOX 401, 40 KING STREET WEST
TORONTO, ONTARIO, CANADA M5H 3Y2

Assignee:

SKYMAN ENTERPRISES INC.
SUITE 1505
18 KING STREET EAST
TORONTO, ONTARIO, CANADA

SHC00227

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Non-U.S. Application Claimed: 829821
Non-U.S. Application Date: NOV 20, 1996
Non-U.S. Application Country: CANADA

Filing Correspondent:

ANTHONY V LUPO
ARENT FOX KINTNER PLOTKIN & KAHN PLLC
1050 CONNECTICUT AVE NW

WASHINGTON DC 20036-5339

Ref: 96

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Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: FINAL REFUSAL - MAILED
USPTO Status Date: MAR 14, 2001

Chronology:

File Date: JUL 15, 1999

Serial Number: 75-753,945

Goods/Services:

International Class 35: TELEPHONE DIRECTORY INFORMATION SERVICES AND DIRECTORY INFORMATION SERVICES, NAMELY RECORDING, STORING, FORWARDING AND PROVIDING INFORMATION AND CALL COMPLETION BETWEEN CALLERS INDEXED BY TOPIC OR DESCRIPTION PROVIDED BY THE CALLER, PERSONALS LISTINGS AND COMMUNITY ACTIVITY LISTINGS

International Class 38: COMMUNICATIONS AND COMMUNICATIONS ENHANCED SERVICES, NAMELY THE PROVISION OF AUDIO OR WEB-BASED TELECONFERENCING; TELEMESSAGING; VOICE MAIL; ELECTRONIC TRANSMISSION OF DATA AND DOCUMENTS VIA COMPUTER TERMINALS; ELECTRONIC TRANSMISSION OF MESSAGES AND DATA VIA TELEPHONE OR WIRELESS SERVICES; ELECTRONIC VOICE MESSAGING, NAMELY RECORDING, STORAGE AND SUBSEQUENT TRANSMISSION OF VOICE MESSAGES BY TELEPHONE OR WIRELESS SERVICES; TELEPHONIC AND WIRELESS BULLETIN BOARD SERVICES FOR TRANSMISSION OF MESSAGES AMONG USERS OF THE END-USER'S CHOOSING; AND PROVIDING MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK, ALL THROUGH THE PUBLIC SWITCHED TELEPHONE NETWORK, WIRELESS TELECOMMUNICATIONS NETWORKS OR THROUGH THE GLOBAL PACKET SWITCHED COMPUTER NETWORK

International Class 42: TELEPHONE INFORMATION SERVICES, NAMELY PROVIDING INFORMATION CREATED BY USERS, PERSONALS INFORMATION, DATING INFORMATION, ENTERTAINMENT INFORMATION, HOROSCOPE AND RELATIONSHIP INFORMATION, TO THE CONSUMING PUBLIC IN SUPPORT OF COMMUNICATIONS AND

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COMMUNICATIONS ENHANCED SERVICES, NAMELY AUDIO OR WEB-BASED TELECONFERENCING; TELEMESSAGING; VOICE MAIL; ELECTRONIC TRANSMISSION OF DATA AND DOCUMENTS VIA COMPUTER TERMINALS; ELECTRONIC TRANSMISSION OF MESSAGES AND DATA VIA TELEPHONE OR WIRELESS SERVICES; ELECTRONIC VOICE MESSAGING, NAMELY RECORDING, STORAGE AND SUBSEQUENT TRANSMISSION OF VOICE MESSAGES BY TELEPHONE OR WIRELESS SERVICES; TELEPHONIC AND WIRELESS BULLETIN BOARD SERVICES FOR TRANSMISSION OF MESSAGES AMONG USERS CREATED BY USERS, PERSONALS INFORMATION, DATING INFORMATION, ENTERTAINMENT INFORMATION, HOROSCOPE AND RELATIONSHIP INFORMATION; OR MULTIPLE-USER ACCESS TO A GLOBAL COMPUTER INFORMATION NETWORK AND TO OTHER SYSTEM USERS VIA A GLOBAL COMPUTER INFORMATION NETWORKS. ALL THROUGH THE PUBLIC SWITCHED TELEPHONE NETWORK, WIRELESS TELECOMMUNICATIONS NETWORKS OR THROUGH THE GLOBAL PACKET SWITCHED COMPUTER NETWORK

Applicant:

PILGRIM TELEPHONE, INC
DELAWARE CORPORATION
BUILDING 600, SUITE 450
ONE KENDALL SQUARE
CAMBRIDGE, MASSACHUSETTS, 02139

Filing Correspondent:

WALTER STEIMEL, JR.
WALTER STEIMEL JR
GREENBERG TRAUIG
800 CONNECTICUT AVE NW STE 500

WASHINGTON DC 20006

Ref: 97

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Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: FINAL REFUSAL - MAILED
USPTO Status Date: FEB 02, 2001

Chronology:

File Date: OCT 04, 1999

Serial Number: 75-795,272

Goods/Services:

International Class 35: COMPUTERIZED ONLINE RETAIL STORE SERVICES BRINGING TOGETHER, FOR THE BENEFIT OF OTHERS, A VARIETY OF ADULT ORIENTED PRODUCTS, NAMELY, ADULT NOVELTIES AND TOYS, MARITAL AIDS, EROTICA, AND LINGERIE AVAILABLE VIA A GLOBAL COMPUTER NETWORK

Applicant:

MATLOVICH, F MERRILL

SHC00229

SEX

DBA ICAM PRODUCTIONS
INDIVIDUAL
P.O. BOX 58701
RENTON, WASHINGTON, 98058

Filing Correspondent:

DAVID L. GARRISON
2001 SIXTH AVENUE, SUITE 3300

SEATTLE, WA 98121-3340

Ref: 98

.SEX

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Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: SUSPENSION LETTER - MAILED
USPTO Status Date: DEC 19, 2000

Chronology:

File Date: JUN 29, 2000 Serial Number: 78-014,979

Goods/Services:

International Class 25: CLOTHING FOR MEN AND WOMEN, NAMELY,
T-SHIRTS, SWEAT SHIRTS, HEAD WEAR, LINGERIE, JACKETS, TIES,
CLOTHING BELTS, UNDERWEAR, BASEBALL CAPS

Applicant:

STRATEGICDOMAINS.COM L.L.C.
DELAWARE LIMITED LIABILITY COMPANY
P.O. BOX 342
ATHOL SPRINGS, NEW YORK, 140100342

Filing Correspondent:

STRATEGICDOMAINS.COM L.L.C.
P.O. BOX 342

ATHOL SPRINGS NY 14010-0342

Ref: 99

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Status: PENDING
INTENT TO USE - CURRENT

USPTO Status: NON-FINAL ACTION - MAILED
USPTO Status Date: APR 18, 2001

Chronology:

File Date: NOV 27, 2000 Serial Number: 76-170,568

Goods/Services:

SHC00230

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International Class 41: VIDEO TAPE CASSETTES, OPERATING ADULT ENTERTAINMENT ESTABLISHMENTS AND LEASING OF TOP LEVEL DOMAIN NAMES

Applicant:

R & R DOT LLC
KENTUCKY R & R DOT LLC
125 SOUTH 6TH STREET
LOUISVILLE, KENTUCKY, 40202

Filing Correspondent:

MAURICE L MILLER
ROBERT & MILLER
10000 SHELBYVILLE RD STE 112

LOUISVILLE KY 40223-2950

Ref: 100

S.E.X.

S.E.X.

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: JAN 14, 2000

Chronology:

Filed: NOV 12, 1992 Serial Number: 74-330,419
Published For Opposition: APR 20, 1999
Date Suspended: OCT 14, 1993
Abandoned: JAN 14, 2000

Goods/Services:

International Class 25: MEN'S AND WOMEN'S CLOTHING; NAMELY, SWEAT SHIRTS, SWEATPANTS, SWEATSUITS, SKI PANTS, JACKETS, TOPS, SHIRTS, T-SHIRTS, TURTLENECKS, TANK TOPS, POLO SHIRTS, SHORTS, BIKE SHORTS, BIKE SHIRTS, LEOTARDS, UNITARDS, LEGGINGS, CROP TOPS, SPORTS BRAS, JOCK STRAPS, UNDERWEAR, SOCKS, SNEAKERS, CAPS, HATS, BELTS, SUSPENDERS, ANORAKS, HEADBANDS AND WORKOUT GLOVES

Applicant:

GREENE, CAROLYNE
INDIVIDUAL
51 EAST 12TH STREET
NEW YORK, NEW YORK, 10003

Filing Correspondent:

JOSEPH DIAMANTE
PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

SHC00231

SEX

Ref: 101

S.E.X.

S.E.X.

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: JAN 08, 2001

Chronology:

Filed: NOV 23, 1992 Serial Number: 74-333,611
Date Suspended: APR 26, 1993
Abandoned: JAN 08, 2001

Goods/Services:

International Class 25: CLOTHING; NAMELY, SHIRTS AND SHORTS

Applicant:

STRAIGHT EDGE TRADING COMPANY
Composed of: COMPOSED OF KENNETH GUY BENHAMOU, WILLIAM
FOREST RUSSELL, AND ROBERT MIGUEL LOPES, ALL U.S. CITIZENS
CALIFORNIA PARTNERSHIP
810 MARKET PLACE
SAN RAMON, CALIFORNIA, 94583

Filing Correspondent:

STRAIGHT EDGE TRADING COMPANY
810 MARKET PLACE

SAN RAMON, CA 94583

Ref: 102

SEX

SEX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: APR 04, 1994

Chronology:

Filed: APR 16, 1993 Serial Number: 74-379,399
Abandoned: APR 04, 1994

Goods/Services:

International Class 25: CLOTHING; NAMELY, SHIRTS, T-SHIRTS, SHORTS,
SKIRTS, PANTS, JEANS, SWEATERS, JACKETS, DRESSES, BODY-SUITS,
SWIMSUITS, HOSIERY, LINGERIE, SHOES, SLIPPERS, BELTS, GLOVES,
TIES, VESTS, SWEATSHIRTS, AND SWEATPANTS

Applicant:

DESS DIZONNI, INC.
CALIFORNIA CORPORATION

SHC00232

SEX

794 S. CENTRAL AVE., SUITE #338
LOS ANGELES, CALIFORNIA, 90021

Filing Correspondent:

'DESS DIZONNI, INC.
794 S. CENTRAL AVE., SUITE #338

LOS ANGELES, CA 90021

Ref: 103

SEXX

SEXX

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-NO STATEMENT OF USE FILED
USPTO Status Date: AUG 21, 1996

Chronology:

Filed: FEB 03, 1995 **Serial Number:** 74-629,364
Published For Opposition: NOV 28, 1995
Abandoned: AUG 21, 1996

Goods/Services:

International Class 41: ENTERTAINMENT SERVICES, NAMELY LIVE
PERFORMANCES BY A MUSICAL GROUP

Applicant:

40 & WINGS, INC.
NEW YORK CORPORATION
C/O RUDOLPH & BEER
432 PARK AVENUE SOUTH
NEW YORK, NEW YORK, 10016

Filing Correspondent:

40 & WINGS, INC.
C/O RUDOLPH & BEER
432 PARK AVENUE SOUTH
SUITE 203

NEW YORK, NY 10016

Ref: 104

SECKS

SECKS

Status: ABANDONED
INTENT TO USE - CURRENT

USPTO Status: ABANDONED-AFTER EX PARTE APPEAL
USPTO Status Date: MAR 12, 1999

Chronology:

SHC00233

SEX

Filed: FEB 14, 1997
Abandoned: MAR 12, 1999

Serial Number: 75-241.811

Goods/Services:

International Class 30: ICE CREAM, ICE MILK AND FROZEN YOGURT

Applicant:

FREY, THOMAS
INDIVIDUAL
P.O. ADDRESS: 4550 W. 191
STILWELL, KANSAS, 66085

Ex Parte Appeal: 75241811

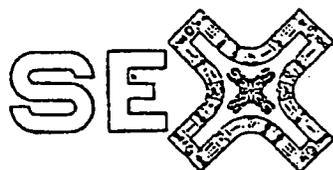
Outcome: TERMINATED JUN 23, 1999
TTAB Entry: #5 TERMINATED, JUN 23, 1999
TTAB Entry: #4 APPEAL DSMD 4 FAILURE TO FILE BRIEF, MAR 12, 1999

Filing Correspondent:

ROBERT D HOVEY
HOVEY WILLIAMS TIMMONS & COLLINS
2405 GRAND BLVD STE 400

KANSAS CITY MO 64108

Ref: 105



SEX

Status: EXPIRED

USPTO Status: EXPIRED
USPTO Status Date: NOV 03, 1992

Chronology:

Filed: OCT 16, 1967 Serial Number: 72-282,532
Published For Opposition: APR 09, 1968
Registered: JUN 25, 1968 Registration Number: 851,385
Affidavit Section: 8-15

Goods/Services:

International Class 28: EQUIPMENT SOLD AS A UNIT FOR PLAYING A BOARD GAME

First Used: SEP 25, 1967 (US. CL. 22)
In Commerce: SEP 25, 1967

Registrant:

BEER, DONALD A. E.
DBAA ESSEX GAME COMPANY
1123 BROADWAY
NEW YORK, NEW YORK, 10010

Disclaimers:

THE REPRESENTATION OF THE GAME BOARD APPEARING IN THE LETTER "X" OF THE MARK IS DISCLAIMED APART FROM THE MARK AS SHOWN.

SHC00234

SEX

Ref: 106

SEXO.COM

SEXO.COM

Translation:

THE ENGLISH TRANSLATION OF SEXO IN THE MARK IS SEX.

Status: ABANDONED
SUPPLEMENTAL REGISTER
USE APPLICATION - CURRENT

USPTO Status: ABANDONED-FAILURE TO RESPOND
USPTO Status Date: SEP 06, 2000

Chronology:

Filed: DEC 15, 1998
Abandoned: SEP 06, 2000

Serial Number: 75-605,964

Goods/Services:

International Class 41: PROVIDING ADULT ENTERTAINMENT
INFORMATION VIA A GLOBAL COMPUTER NETWORK, NAMELY,
PROVIDING A DIRECTORY OF ADULT ENTERTAINMENT WEB SITES
TOGETHER WITH LINKS TO SUCH SITES

First Used: NOV 07, 1997 (INTL. CL. 41)

In Commerce: NOV 07, 1997

Applicant:

VIRTUAL DATES, INC.
FLORIDA CORPORATION
6292 WINDLASS CIRCLE
BOYNTON BEACH, FLORIDA, 33437

Filing Correspondent:

SUSAN M DALY
GUNSTER YOAKLEY VALDES-FAULI &
STEWART PA BROWARD FINANCIAL CTRE
500 E BROWARD BLVD STE 1400

FT LAUDERDALE FL 33394

SHC00235

SHEPARD'S UNITED STATES CITATIONS

The following references have been selected from our computerized database, organized from information supplied by Shepard's. Shepard's considers the data to be reliable, but accuracy, currentness and completeness cannot be guaranteed. Please consult the indicated material by volume and page for further information. OFFICIAL GAZETTE status information (OGT) has been excluded so that the file contains litigation information only.

No Pertinent References Found

SHC00236

State Trademark File

Images and Specimens

T&T Exclusive. Our database now includes over 99,000 images from 42 U.S. states. These images include design-only trademarks, designs associated with word marks, specimens of use and packaging samples provided by filers when submitting their trademark applications. We are currently working to obtain trademark image records from the remaining states to add to our database.

Over 750,000 State Trademark Records

T&T's State Database contains registered trademarks from the 50 states and Puerto Rico. Corporate Names filed with each state are NOT included.

Currentness

While we make the ultimate effort to obtain frequently updated trademark data from each state, currentness varies from state to state. Although each state provides updates and new registration records on a different schedule, we are able to obtain monthly updates from close to 70% of the 50 states and quarterly from almost all the rest. With each update we add new registrations and incorporate changes such as renewals, status changes and assignments.

Exclusive T&T Enhancements

The T&T state trademark database is the most comprehensive, complete state trademark source available. For many states, you receive additional information not accessible elsewhere. We have worked with the state trademark offices to obtain historical data from the original trademark applications—capturing information such as expanded goods and services descriptions, first use information and more details about ownership. This saves you from having to do additional follow-up research.

Our experienced data analysts review and enhance every trademark record before it is added to the database. We enhance the records with international classes, correct spellings, numeric or alpha equivalents and translations—enabling us to do a more thorough search, identifying similar trademarks that might not have been retrieved otherwise.

Sophisticated Search System

Our powerful trademark search system allows our expert analysts to conduct an in-depth search of any word, letterstring, prefix, suffix, phonetic equivalent, product or service, alone or in combination with each other.

See the reverse side for agencies handling trademarks for each state, along with their addresses and phone numbers.

State

Thomson & Thomson
500 Victory Road
North Quincy, MA 02171-3145
Tel (800) 692-8833 Fax (800) 543-1983
www.thomson-thomson.com

SHC00237

ANALYST REVIEW - STATE REPORT

Search Information

Mark: SEX
 Goods/Services: HAIR CARE PRODUCTS
 Type of Search: FULL SEARCH

Data Information

This search report covers State Trademark data updated by T&T on 05/21/2001. While we make diligent efforts to secure timely updates from each state, the currentness of trademark information varies by state. See the chart below for the dates of most recent registration for each state.

STATE NAME	REGISTRATIONS THROUGH	STATE NAME	REGISTRATIONS THROUGH
ALABAMA	+ 12/27/2000	MONTANA	+ 03/29/2001
ALASKA	+ 11/20/2000	NEBRASKA	+ 04/02/2001
AMERICAN SAMOA	05/03/2000	NEVADA	+ 03/28/2001
ARIZONA	+ 05/02/2000	NEW HAMPSHIRE	+ 04/16/2001
ARKANSAS	04/26/2001	NEW JERSEY	+ 01/31/2001
CALIFORNIA	+ 02/28/2001	NEW MEXICO	+ 08/30/2000
COLORADO	+ 09/29/2000	NEW YORK	+ 01/09/2001
CONNECTICUT	+ 04/06/2001	NORTH CAROLINA	02/28/2001
DELAWARE	+ 09/27/2000	NORTH DAKOTA	+ 03/30/2001
FLORIDA	+ 03/30/2001	OHIO	04/14/2000
GEORGIA	+ 03/30/2001	OKLAHOMA	+ 03/29/2001
HAWAII	+ 12/29/2000	OREGON	+ 04/27/2001
IDAHO	01/30/2001	PENNSYLVANIA	03/30/2001
ILLINOIS	03/30/2001	PUERTO RICO	09/30/1999
INDIANA	+ 03/30/2001	RHODE ISLAND	+ 03/09/2001
IOWA	+ 03/16/2001	SOUTH CAROLINA	+ 01/25/2001
KANSAS	+ 04/30/2001	SOUTH DAKOTA	+ 11/30/2000
KENTUCKY	+ 04/12/2001	TENNESSEE	+ 03/30/2001
LOUISIANA	+ 04/27/2001	TEXAS	+ 09/13/2000
MAINE	+ 04/20/2001	UTAH	+ 02/23/2001
MARYLAND	02/28/2001	VERMONT	+ 02/05/2001
MASSACHUSETTS	+ 05/31/2000	VIRGINIA	+ 03/30/2001
MICHIGAN	04/28/2000	WASHINGTON	+ 03/26/2001
MINNESOTA	+ 03/30/2001	WEST VIRGINIA	+ 02/26/2001
MISSISSIPPI	+ 02/09/2001	WISCONSIN	+ 03/28/2001
MISSOURI	+ 04/27/2001	WYOMING	+ 12/26/2000

+ Indicates that our trademark database for this state contains images, packaging samples and specimens of use filed with trademark applications.

SHC00239

Analyst Information

Name: PHUONG TRAN

Comments: I developed the following search strategy to provide a comprehensive, accurate report. These queries, listed below, retrieved 83 potential references from the database. After careful review and analysis I have selected 22 records for your review. THERE ARE ADDITIONAL "SEX" FORMATIVES FOR RELATED GOODS/SERVICES, SUCH AS "VITA-SEX" FOR PHARMACEUTICALS. THERE ARE ADDITIONAL "SE-" PREFIXES FOR RELATED GOODS. THERE ARE ADDITIONAL "-EX" SUFFIXES FOR RELATED GOODS.

Search Strategy

Type	Query	Classes	#References
1. EXACT MARK GOODS PREFIX	SE(X,XX,XY,XIER, XIEST,XES) <and> (HAIR,CARE,SOAP, SHAMP,CONDITION, GEL,SPRAY)	ALL CLASSES	0
2. EXACT MARK	SE(X,XX,XY,XIER, XIEST,XES)	1,3,5,10	3
3. EXACT MARK	SE(X,XX,XY,XIER, XIEST,XES)	ALL CLASSES	10
4. WORD	SE(X,XX,XY,XIER, XIEST,XES)	1,3,5,10	14
5. PREFIX	SEX	1,3,5,10	2
6. LETTERSTRING	SEX	1,3,5,10	7
7. PREFIX GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	0
8. LETTERSTRING GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	19
9. SUFFIX GOODS PREFIX	SEX <and> (HAIR,CARE,SHAMP, CONDITION,SOAP)	ALL CLASSES	0
10. PREFIX	SEX	5	0
11. LETTERSTRING	SEX	5	0
12. LETTERSTRING	SEX	1,3,10	0
13. WORD	SE(C,CC,K,KK,CK,Q, QQ)	1,3,5,10	2
14. WORD	SE(1 character) <and>	3	2

SHC00240

Search Strategy

Type	Query	Classes	#References
NOT WORD	(SET,SEE,SEA)		
15. WORD	(1 character)E(X,XES, XY)	3	10
16. WORD	(1 character)EX(IER, IEST)	3	0
17. PHONETIC WORD	SEX	3	8
*18. LETTERSTRING LETTERSTRING	SEX <and> HAIR	ALL CLASSES	3
19. PREFIX	SEX	3,5,8,21	1
20. LETTERSTRING	SEX	3,5,8,21	2

* Alternate spellings and/or phonetic equivalents were generated for this query.

Class Identification

01	CHEMICALS
03	COSMETICS AND CLEANING PREPARATIONS
05	PHARMACEUTICALS
08	HAND TOOLS
10	MEDICAL APPARATUS
21	HOUSEWARES AND GLASS

SHC00241

State Summary Page

Trademark	Status	International Class(es)	Registration Number	State	Page
1. ZEX-EEE	RENEWED	3	R49298	IL	95
2. ZEX-EEE	RENEWED	5	R49292	IL	95
3. SEXY	EXPIRED	3	R74951	CA	95
4. SEXY	REGISTERED	16	R29380	PR	96
5. NATURAL SEX	REGISTERED	5	R38235	PR	96
6. POWER SEX	REGISTERED	5	RT99561	FL	97
7. PRO-SEX	REGISTERED	5	R103185	CA	97
8. WAIKIKI SEXY AFTERNOON	NOT RENEWED	3	R59743	HI	98
9. SUAVE' UNISEX SALON	REGISTERED	42	RS12160	GA	98
10. BUSY B'S HAIR CARE UNISEX	REGISTERED	42	R920824	SC	99
11. HAIR PORT UNISEX STYLING	NOT RENEWED	42	R30250	MA	99
12. HAIRCRAFTERS - UNISEX-SALON	NOT RENEWED	42	R7719	RI	100
13. UNISEX HAIR WHACKERS	NOT RENEWED	42	R21689	AZ	100
14. ZEX-EEE	RENEWED	20,22	R49297	IL	101
15. SEXX	REGISTERED	25	RT18073	GA	102
16. ZEX-EEE	RENEWED	25	R49293	IL	102
17. ZEX-EEE	RENEWED	26	R49294	IL	102
18. ZEX-EEE	RENEWED	29,30,31	R49296	IL	103
19. SEXX	REGISTERED	32	RT18072	GA	103
20. ZEX-EEE	RENEWED	32	R49295	IL	104
21. ZEX	REGISTERED	41	R4795377	UT	104
22. SEX	NOT RENEWED	25,28	R82245	HI	105

SEX

Ref: 1

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980
Renewed: OCT 16, 2000

Registration Number: 49298

Goods/Services:

INTERNATIONAL CLASS: 3 COSMETICS AND TOILET PREPARATIONS

Registrant:

ROBERT YUNGCK
ALTON, ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 2

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980
Renewed: OCT 16, 2000

Registration Number: 49292

Goods/Services:

INTERNATIONAL CLASS: 5 MEDICINES & PHARMACEUTICALS

Registrant:

ROBERT YUNGCK ALTON ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 3

SEXY

SEXY

State: CALIFORNIA
Status: EXPIRED

Chronology:

Registered: NOV 01, 1984

Registration Number: 74951

SHC00243

SEX

Expiration Date: NOV 01, 1994

Goods/Services:

INTERNATIONAL CLASS: 3 SKIN SOFTENER AND CLEANSER

State Class: 51

First Use In State: FEB 10, 1982

First Use Anywhere: FEB 10, 1982

Registrant:

SANTA MONICA CHEMICAL COMPANY, INC.

CALIFORNIA CORPORATION

1639 NINTH ST.

SANTA MONICA, CALIFORNIA 90404

Manner Of Display:

BY PRINTING IT DIRECTLY ONTO THE CONTAINERS FOR THE GOODS

Ref: 4

SEXY

SEXY

State: PUERTO RICO

Status: REGISTERED

Chronology:

Registered: NOV 30, 1989

Registration Number: 29380

Goods/Services:

INTERNATIONAL CLASS: 16 MAGAZINE

Registrant:

CREATIVE PUBLISHING CORPORATION

6355 NW 36TH STREET

VIRGINIA GARDENS, FLORIDA 33166

Ref: 5

NATURAL SEX

NATURAL SEX

State: PUERTO RICO

Status: REGISTERED

Chronology:

Registered: AUG 31, 1998

Registration Number: 38235

Goods/Services:

INTERNATIONAL CLASS: 5 PHARMACEUTICALS

State Class: 5

Registrant:

LIFE EXTENSION INTERNATIONAL, INC.

CITY NOT LISTED, TEXAS

SHC00244

SEX

Ref: 6

POWER SEX

POWER SEX

State: FLORIDA
Status: REGISTERED

Chronology:

Registered: MAY 04, 1999

Registration Number: T99561

Goods/Services:

INTERNATIONAL CLASS: 5 DIETARY SUPPLEMENTS

State Class: 5

First Use In State: MAR 25, 1999

First Use Anywhere: MAR 25, 1999

Registrant:

SPORTS TELEMARKETING SERVICES
FLORIDA CORPORATION
1200 NW 78 AVENUE #300
MIAMI, FLORIDA 33126
TEL: 305-471-7008

Disclaims:

SEX

Manner Of Display:

USED ON CONTAINERS (BOXES)

Ref: 7

PRO-SEX

PRO-SEX

State: CALIFORNIA
Status: REGISTERED

Chronology:

Registered: DEC 01, 1997

Registration Number: 103185

Goods/Services:

INTERNATIONAL CLASS: 5 DIETARY SUPPLEMENT (CAPSULES)

State Class: 5

First Use In State: AUG 25, 1997

Design Phrase:

THE WORDS "PRO-SEX" WITH THE DESIGN OF A SILHOUETTE OF A MAN
AND A WOMAN, KISSING AND HUGGING. THE SILHOUETTE IS IN
BLACK COLOR WITH AN ORANGE BACKGROUND.

Registrant:

MARIANO ISA QUINTANA
SOLE PROPRIETOR
482 WEST SAN YSIDRO BLVD., SUITE 862
SAN YSIDRO, CALIFORNIA 92173

Manner Of Display:

SHC00245

SEX

USED ON LABELS AND TAGS AFFIXED TO THE GOODS
IMAGE NOT AVAILABLE

Ref: 8

**WAIKIKI SEXY
AFTERNOON**

WAIKIKI SEXY AFTERNOON

State: HAWAII
Status: NOT RENEWED

Chronology:

Registered: DEC 01, 1981 Registration Number: 59743

Goods/Services:

INTERNATIONAL CLASS: 3 MEN'S COLOGNE.

Registrant:

LAMOUREUX, LTD.
HAWAII CORPORATION
2301 KUHIO AVE.
HONOLULU, HAWAII 96815

Manner Of Display:

ATTACHED TO THE CONTAINERS.

Ref: 9



SUAVE' UNISEX SALON

State: GEORGIA
Status: REGISTERED

Chronology:

Registered: OCT 09, 1992 Registration Number: S12160

Goods/Services:

INTERNATIONAL CLASS: 42 HAIR AND NAIL SERVICES

State Class: 1

First Use In State: JUN 22, 1992

First Use Anywhere: JUN 22, 1992

Design Phrase:

THE WORDS "SUAVE' UNISEX SALON" AN "S" INSIDE A CIRCLE, BLACK
ON ONE SIDE AND WHITE ON THE OTHER SIDE

Registrant:

KAREN R. TILLERY
DBA SUAVE' UNISEX SALON
2958 RAINBOW DRIVE, SUITE 101
DECATUR, GEORGIA 30034

SHC00246

SEX

Ref: 10

BUSY B'S
HAIR CARE
UNISEX

BUSY B'S HAIR CARE UNISEX

State: SOUTH CAROLINA
Status: REGISTERED

Chronology:

Registered: AUG 24, 1992 Registration Number: 920824

Goods/Services:

INTERNATIONAL CLASS: 42 HAIR CUTS, HAIR STYLING, HAIR REPLACEMENT, HAIR REPAIRS, HAIR CARE PRODUCTS, AND ANY OTHER TYPE OF HAIR CARE SERVICES AND PRODUCTS NOT OTHERWISE CLASSIFIED

State Class: 101

First Use In State: NOV 15, 1989

First Use Anywhere: NOV 15, 1989

Design Phrase:

THE MARK CONSISTS OF THE WORDS BUSY B'S HAIR CARE UNISEX AND A DRAWING OF A BUMBLE BEE

Registrant:

BONNIE M. ROCHE
INDIVIDUAL
9600 NORTH KINGS HIGHWAY, F-2
MYRTLE BEACH, SOUTH CAROLINA

Manner Of Display:

DISPLAYING IT IN ADVERTISEMENTS OF THE SERVICE, ON DOCUMENTS, WRAPPERS, OR ARTICLES DELIVERED IN CONNECTION WITH THE SERVICES RENDERED.

Ref: 11

**HAIR PORT UNISEX
STYLING**

HAIR PORT UNISEX STYLING

State: MASSACHUSETTS
Status: NOT RENEWED

Chronology:

Registered: MAY 08, 1980 Registration Number: 30250

Goods/Services:

INTERNATIONAL CLASS: 42 BARBERING, HAIR STYLING

State Class: 35

First Use In State: MAR 01, 1980

First Use Anywhere: MAR 01, 1980

Registrant:

HAIR PORT UNISEX STYLING SALON, INC.
MASSACHUSETTS CORPORATION
21 PORTER ST.

SHC00247

SEX

EAST BOSTON, MASSACHUSETTS 02128

Manner Of Display:

IN ADVERTISING, ON DOCUMENTS, WRAPPERS OR ARTICLES, ALSO ON T-SHIRTS

Ref: 12

**HAIRCRAFTERS -
UNISEX-SALON**

HAIRCRAFTERS - UNISEX-SALON

State: RHODE ISLAND
Status: NOT RENEWED

Chronology:

Registered: JAN 21, 1977 **Registration Number:** 7719
Renewed: JAN 21, 1987

Goods/Services:

INTERNATIONAL CLASS: 42 HAIR CUTTING AND STYLING
State Class: 42
First Use In State: DEC, 1976
First Use Anywhere: DEC, 1976

Registrant:

ROSARIO CAPRARO
INDIVIDUAL
61-D PUTNAM AVENUE
JOHNSTON, (PROVIDENCE CO.) RHODE ISLAND 02919

Renewed To:

ROSARIO CAPRARO
59 - PUTNAM AVENUE
JOHNSTON, (PROVIDENCE CO.) RHODE ISLAND 02919

Manner Of Display:

IN ADVERTISEMENTS OF THE SERVICE; ON DOCUMENTS, WRAPPERS,
OR ARTICLES DELIVERED IN CONNECTION WITH THE SERVICE
RENDERED

Ref: 13

**UNISEX HAIR
WHACKERS**

UNISEX HAIR WHACKERS

State: ARIZONA
Status: NOT RENEWED

Chronology:

Registered: APR 04, 1983 **Registration Number:** 21689

Goods/Services:

INTERNATIONAL CLASS: 42 MEN AND WOMEN HAIR BEAUTY SALON
State Class: 38
First Use In State: OCT 01, 1982
First Use Anywhere: OCT 01, 1982

SHC00248

SEX

Design Phrase:

THE WORDS "UNISEX HAIR WHACKERS" A COMB WITH A FACE ON IT
AND A PAIR OF SCISSORS WITH A FACE

Registrants:

PALMA (PAM) ALARCON
PARTNERSHIP
16406 N. CAVE CREEK RD. #5
PHOENIX, ARIZONA 85032

SANDRA HOLLOMAN
16406 N. CAVE CREEK ROAD #5
PHOENIX, ARIZONA 85037

NITA METZLER
16406 N. CAVE CREEK ROAD #5
PHOENIX, ARIZONA 85032

DANIEL ALARCON
16406 N. CAVE CREEK ROAD #5
PHOENIX, ARIZONA 85032

Manner Of Display:

ADVERTISEMENTS, CARDS AND PUBLICATIONS
IMAGE NOT AVAILABLE

Ref: 14

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980
Renewed: OCT 16, 2000

Registration Number: 49297

Goods/Services:

INTERNATIONAL CLASS: 20, 22 MERCHANDISE NOT OTHERWISE
CLASSIFIED

Registrant:

ROBERT YUNGCK
ALTON, ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

SHC00249

SEX

Ref: 15

SEXX

SEXX

State: GEORGIA
Status: REGISTERED

Chronology:

Registered: AUG 20, 1999 Registration Number: T18073

Goods/Services:

INTERNATIONAL CLASS: 25 CLOTHING

State Class: 39

First Use In State: JUN 04, 1999

First Use Anywhere: JUN 04, 1999

Registrant:

GEORGIA BULLDOG WATER, INC.
GEORGIA CORPORATION
722 SCENIC DRIVE

BLUE RIDGE, GEORGIA 30513

Ref: 16

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980 Registration Number: 49293
Renewed: OCT 16, 2000

Goods/Services:

INTERNATIONAL CLASS: 25 CLOTHING

Registrant:

ROBERT YUNGCK ALTON ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 17

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980 Registration Number: 49294

SHC00250

SEX

Renewed: OCT 16, 2000

Goods/Services:

INTERNATIONAL CLASS: 26 FANCY GOODS, FURNISHINGS & NOTIONS

Registrant:

ROBERT YUNGCK ALTON ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 18

ZEX-EEE

ZEX-EEE

State: ILLINOIS

Status: RENEWED

Chronology:

Registered: DEC 02, 1980

Registration Number: 49296

Renewed: OCT 16, 2000

Goods/Services:

INTERNATIONAL CLASS: 29, 30, 31 FOODS AND INGREDIENTS OF
FOODS

Registrant:

ROBERT YUNGCK
ALTON, ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 19

SEXX

SEXX

State: GEORGIA

Status: REGISTERED

Chronology:

Registered: AUG 20, 1999

Registration Number: T18072

Goods/Services:

INTERNATIONAL CLASS: 32 BOTTLED WATERS

State Class: 45

First Use In State: JUN 04, 1999

First Use Anywhere: JUN 04, 1999

Registrant:

GEORGIA BULLDOG WATER, INC.
GEORGIA CORPORATION

SHC00251

SEX

722 SCENIC DRIVE
BLUE RIDGE, GEORGIA 30513

Ref: 20

ZEX-EEE

ZEX-EEE

State: ILLINOIS
Status: RENEWED

Chronology:

Registered: DEC 02, 1980 Registration Number: 49295
Renewed: OCT 16, 2000

Goods/Services:

INTERNATIONAL CLASS: 32 SOFT DRINKS AND CARBONATED
WATERS

Registrant:

ROBERT YUNGCK ALTON ILLINOIS

Renewed To:

ROBERT J YUNGCK
700 DOUGLAS PLACE

ALTON, ILLINOIS 62002

Ref: 21

ZEX

State: UTAH
Status: REGISTERED

Chronology:

Registered: MAY 04, 2000 Registration Number: 4795377

Goods/Services:

INTERNATIONAL CLASS: 41 PUBLICATION (MAGAZINE) &
ELECTRONIC MAGAZINE
First Use In State: MAR 30, 2000
First Use Anywhere: JUL 01, 2000

Design Phrase:

THE LETTERS "ZEX" WITH FEMALE OUTLINE AS PART OF THE LAST
LETTER

Registrant:

STEALTH PUBLICATIONS L.L.C.
UTAH LIMITED LIABILITY COMPANY
1576 E. PALO VERDE WAY #24
SALT LAKE CITY, UTAH 84121
TEL: 801-652-5015

Manner Of Display:

SHC00252

SEX

USED AS PUBLICATION NAME/LOGO

Ref: 22

SEX

SEX

State: HAWAII
Status: NOT RENEWED

Chronology: Registered: MAY 06, 1986 Registration Number: 82245

Goods/Services: INTERNATIONAL CLASS: 25, 28 CLOTHING, DECALS, HATS,
SURFBOARDS.

Registrant: SCOTT P. DEZZANI
SOLE PROPRIETOR
404 PIKOI #114
HONOLULU, HAWAII 96814

Manner Of Display:
APPLIED DIRECTLY TO THE PRODUCT

SHC00253