

ESTTA Tracking number: **ESTTA102220**

Filing date: **10/03/2006**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Swarovski Aktiengesellschaft		
Entity	Joint Stock Company	Citizenship	Liechtenstein
Address	Drömschistrasse 15 Postfach 567 Triesen, 9495 LIECHTENSTEIN		

Attorney information	Roberta L. Horton Arnold & Porter LLP 555 Twelfth Street, N.W. IP Docketing Washington, DC 20004 UNITED STATES trademarkdocketing@aporter.com, Roberta_Horton@aporter.com Phone:202-942-5161
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Applicant Information

Application No	78798456	Publication date	09/26/2006
Opposition Filing Date	10/03/2006	Opposition Period Ends	10/26/2006
Applicant	Rostomian, Ashot P.O. Box 873 Glendale, CA 912090873 UNITED STATES		

Goods/Services Affected by Opposition

Class 033. All goods and services in the class are opposed, namely: vodka; alcoholic aperitif bitters; alcoholic beverage produced from a brewed malt base with natural flavors; alcoholic beverages of fruit; alcoholic bitters; alcoholic cocktails containing milk; alcoholic coffee-based beverage; alcoholic egg nog; alcoholic essences; alcoholic extracts; alcoholic fruit extracts; alcoholic malt coolers; alcoholic punch; alcoholic tea-based beverage; aperitifs with a distilled alcoholic liquor base; prepared alcoholic cocktail; rum; distilled spirits; cognac; wine

Attachments	SWAROVSKI VODKA Notice of Opposition.pdf (20 pages)(927573 bytes)
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Signature	/Roberta L. Horton/
Name	Roberta L. Horton
Date	10/03/2006

BACKGROUND FACTS

A. The Parties

1. Opposer Swarovski Aktiengesellschaft (“Swarovski AG”) is a corporation organized under the laws of the Principality of Liechtenstein, with its principal place of business at Dröschstrasse 15; Postfach 567; 9495 Triesen; Liechtenstein.

2. On information and belief, Ashot Rostomian (“Applicant”) is an individual with a mailing address of P.O. Box 873, Glendale, California 91209-0873.

B. Opposer’s Marks

3. Daniel Swarovski and his partners founded what is now D. Swarovski & Co. in Wattens, Austria in 1895. Since 1895, Opposer and its affiliate have been a leading manufacturer of cut crystal, from which Opposer creates a wide range of crystal objects.

4. Opposer’s marks have a long and esteemed history in the United States, as well as throughout the world. Swarovski AG and its affiliated companies are world-renowned manufacturers and sellers of crystal figurines, gemstones, jewelry, and other crystal objects that they market under the company name and mark “Swarovski.” For over a century, the “Swarovski” name and mark has been synonymous with the high quality crystal products that Opposer and its affiliates develop and manufacture. Swarovski AG has used the SWAROVSKI® trademark in commerce for decades.

5. In addition, Opposer sells a variety of SWAROVSKI® brand watches, hand bags, purses, textile components, lighting elements and chandelier components in U.S. commerce.

6. In connection with Opposer's crystal products, Opposer owns a number of federal trademark registrations, including U.S. federal registrations for the SWAROVSKI® mark for use in connection with gemstones, jewelry, and glassware (Registration Numbers 934,915 and 1,739,479); glass animal figurines (Registration Number 1,785,590); clothing (Registration Numbers 1,669,532 and 1,739,479); sports bags and handbags (Registration Number 1,739,479); watches (Registration Number 2,402,230); table cutlery (Registration Number 1,739,479); and lighting elements and chandeliers (Registration Number 1,739,479). Furthermore, Opposer owns U.S. federal registrations for marks incorporating "Swarovski," including SWAROVSKI IMPERIAL DIAMOND®, for precious stones and jewelry (Registration No. 2,752,863), as well DANIEL SWAROVSKI®, for spectacles and spectacle frames (Registration No. 2,229,398). Opposer's marks consisting of or incorporating "SWAROVSKI" shall be referred to collectively herein as the "SWAROVSKI® Marks". Copies of the Opposer's trademark registrations for the SWAROVSKI® Marks are attached hereto as Exhibit A.

7. Opposer has spent substantial time, effort, and money advertising and promoting the SWAROVSKI® Marks throughout the United States as well as elsewhere worldwide. As a result, the SWAROVSKI® Marks have become world famous, Opposer has developed an enormous amount of goodwill in the SWAROVSKI® Marks, and the public has come to associate the SWAROVSKI® Marks exclusively with high quality items marketed by Opposer.

8. No one other than Opposer, its affiliates or family members has obtained federal registrations for marks consisting of or incorporating "SWAROVSKI."

9. Opposer distributes its SWAROVSKI® products through a select network of authorized retailers. Applicant is not an authorized retailer of SWAROVSKI® merchandise and has not received permission from Opposer to use the “Swarovski” name, or the SWAROVSKI® Marks, in any manner.

C. Applicant’s Mark

10. On information and belief, on January 24, 2006, Applicant filed an application to register the mark SWAROVSKI VODKA that is the subject of Serial No. 78-798456. This application now covers “vodka; alcoholic aperitif bitters; alcoholic beverage produced from a brewed malt base with natural flavors; alcoholic beverages of fruit; alcoholic bitters; alcoholic cocktails containing milk; alcoholic coffee-based beverage; alcoholic egg nog; alcoholic essences; alcoholic extracts; alcoholic fruit extracts; alcoholic malt coolers; alcoholic punch; alcoholic tea-based beverage; aperitifs with a distilled alcoholic liquor base; prepared alcoholic cocktail; rum; distilled spirits; cognac; and wine.” Applicant made this filing based upon his intent to use the mark in commerce.

11. Applicant’s mark was published for opposition on September 26, 2006.

GROUND FOR OPPOSITION

A. Dilution

12. The SWAROVSKI® Marks are famous and distinctive within the meaning of 15 U.S.C. § 1125(c). The SWAROVSKI® Marks have been famous and distinctive since long before Applicant filed his intent to use application on January 24, 2006.

13. Applicant's use of the mark SWAROVSKI VODKA actually dilutes the distinctiveness of the SWAROVSKI® Marks in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), by eroding public identification of the SWAROVSKI® Marks with Opposer.

B. Likelihood Of Confusion

14. There is no issue as to priority. Opposer has priority in the SWAROVSKI® Marks dating back decades -- long before Applicant filed his intent to use application on January 24, 2006. Opposer also has priority over Applicant with respect to Opposer's other SWAROVSKI® Marks.

15. Applicant's SWAROVSKI VODKA mark is confusingly similar to Opposer's SWAROVSKI® Marks for the following reasons, among others:

a) The Marks Are Virtually Identical. "SWAROVSKI" is obviously the dominant part of both parties' marks. Indeed, except for the generic term "VODKA" at the end of Applicant's mark -- a term in which Applicant has disclaimed exclusive rights -- the parties' marks are identical in sound, sight, and appearance. SWAROVSKI VODKA is an obvious attempt to capitalize on the well-known SWAROVSKI® Marks.

b) SWAROVSKI® Is a Strong Mark. The SWAROVSKI® Marks have become world famous. Opposer has developed an enormous amount of goodwill in the SWAROVSKI® Marks, and the public has come to associate these marks exclusively with high quality items marketed and sold by Opposer.

c) Bridging the Gap. The parties' goods also evoke similar imagery. The SWAROVSKI® Mark is synonymous with crystal and jewelry.

“Swarovski,” in connection with vodka, connotes opulent vodka of pure and untainted quality, an image evoked by Opposer’s high-quality crystal and jewelry. Although Opposer is not currently in the business of distilling vodka, Opposer may enter the vodka market in the near future, as vodka is a logical complement to its existing lines of crystal glassware.

d) The Similarity of Trade Channels. The parties do not include any restrictions on trade channels in their applications and registrations. Therefore, on information and belief, Applicant intends to market his vodka through channels of trade identical or similar to those that Opposer uses for products sold under the SWAROVSKI® Marks. Among other things, Opposer is rapidly expanding its presence in U.S. airports,¹ where sales of duty-free alcohol, such as vodka, are prolific.

e) Nature of Purchasers. Upon information and belief, Applicant also intends to market his vodka under the SWAROVSKI VODKA mark to the same types of consumers that comprise the purchasing public for Opposer’s products offered under Opposer’s SWAROVSKI® Marks.

f) The Parties’ Goods Are Complementary. Opposer already sells tableware and glassware under the SWAROVSKI® Marks. Consumers will logically assume that the Applicant’s SWAROVSKI VODKA product they are pouring into their SWAROVSKI® glassware next to their SWAROVSKI® tableware is in fact produced by Opposer Swarovski AG. Indeed, consumers are

¹ See Cecilie Rohwedder & Daniel Michaels, *U.S. Airport Shops Go High-End*, WALL ST. J., December 20, 2005, at D1, available at <http://www.post-gazette.com/pg/05355/625357.stm> (attached hereto as Exhibit B).

likely to make this connection, as it is extremely common for vendors of alcohol to develop and market their own specialized glasses in which to consume their brand of alcohol.

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For the reasons set forth above, among others, Opposer believes that it will be damaged by the registration of Applicant's mark SWAROVSKI VODKA. Applicant should thus be denied registration of this proposed mark, and this Opposition to Application Serial No. 78-798456 should be sustained.

SWAROVSKI AKTIENGESELLSCHAFT

By: Roberta L. Horton

Roberta L. Horton
Arnold & Porter LLP
555 Twelfth Street, N.W.
Washington, DC 20004
(202) 942-5000

Attorneys for Opposer

Dated: October 3, 2006

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

_____)	
Swarovski Aktiengesellschaft,)	
)	
)	
Opposer,)	
)	Opposition No. _____
v.)	
)	
Ashot Rostomian,)	
)	
Applicant.)	
_____)	

I hereby certify that the foregoing Notice of Opposition is being filed electronically, on October 3, 2006, with the U.S. Patent and Trademark Office, Trademark Trial and Appeal Board.

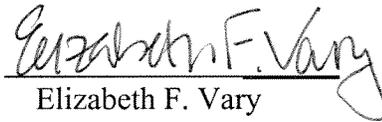

Elizabeth F. Vary

Exhibit A

PRINCIPAL REGISTER Trademark

Ser. No. 339,779, filed Oct. 6, 1969

SWAROVSKI

D. Swarovski & Co., Glassschleiferei (Austrian firm)
Wattens (Tyrol), Austria

For: OPTICAL GLASS; TELESCOPIC SIGHTS; OPERA GLASSES AND BINOCULARS, in CLASS 26 (INT. CL. 9).

For: NATURAL AND IMITATION JEWELRY, CUT AND UNCUT SEMI-PRECIOUS STONES, BEADS FOR STRINGING INTO NECKLACES, OR FOR ATTACHING TO FABRICS FOR DECORATIVE PURPOSES, OF GLASS OR SYNTHETIC MATERIALS, BASE STONES, CLUSTERS OF CRYSTAL OR SYNTHETIC STONES IN THE FORM OF ROSES FOR DECORATIVE OR COVERING FABRICS OR GARMENTS, JEWELLED BUTTONS FOR GARMENTS, CROSSES, JEWELS SET IN SYNTHETIC RESINS PROVIDED WITH A RIVET-LIKE APPENDAGE, OR WITH GLUED ON RIVET-LIKE METAL

PIECES FOR DECORATIVE PURPOSES ON FABRICS OR GARMENTS, PENDANTS, SET OR LOOSE, PIERCED OR UNPIERCED, JEWEL ORNAMENTED SOUVENIR ARTICLES, JEWEL ORNAMENTED RIBBON OR TAPE FOR DECORATIVE PURPOSES FOR GARMENTS OR HOME FURNISHINGS, in CLASS 28 (INT. CL. 14).

For: GLASS MOSAICS, DECORATIVE AND FUNCTIONAL GLASS CONTAINERS OF MOSAIC DESIGNS OR JEWEL-ORNAMENTED—NAMELY, VASES, GLASSES, CUPS AND BOWLS, MOSAIC CUBES AND PLATES, GLASS MOSAIC SIGNS, GLASS MOSAICS—in CLASS 33 (INT. CL. 21).

Owner of Austrian Reg. No. 55,481, dated Aug. 19, 1965.

H. C. WASHINGTON, Examiner

Int. Cls.: 14 and 21

Prior U.S. Cls.: 28 and 33

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 934,915
Registered May 30, 1972
Renewal Term Begins May 30, 1992

TRADEMARK
PRINCIPAL REGISTER

SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK
COMPANY)
ELASTINSTRASSE
FL-9495 TRIESEN, LIECHTENSTEIN
029208381, BY CHANGE OF NAME,
MERGER, ASSIGNMENT, CHANGE
OF NAME AND ASSIGNMENT FROM
D. SWAROVSKI & CO., GLASSCHLEI-
FEREI (AUSTRIA FIRM), WATTENS
(TYROL), AUSTRIA

PRIORITY CLAIMED UNDER SEC.
44(D) ON AUSTRIA, REG. NO. 055481,
DATED 8-19-1965.

FOR: OPTICAL GLASS; TELESCOPIC
SIGHTS; OPERA GLASSES AND BINOC-
ULARS, IN CLASS 26 (INT. CL. 9).

FOR: NATURAL AND IMITATION
JEWELRY, CUT AND UNCUT SEMI-
PRECIOUS STONES, BEADS FOR
STRINGING INTO NECKLACES, OR
FOR ATTACHING TO FABRICS FOR
DECORATIVE PURPOSES, OF GLASS
OR SYNTHETIC MATERIALS, BASE
STONES, CLUSTERS OF CRYSTAL OR

SYNTHETIC STONES IN THE FORM OF
ROSES FOR DECORATIVE USE ON
COVERING FABRICS OR GARMENTS,
JEWELLED BUTTONS FOR GARMENTS,
CROSSES, JEWELS SET IN SYNTHETIC
RESINS PROVIDED WITH A RIVET-
LIKE APPENDAGE, OR WITH GLUED-
ON RIVET LIKE METAL PIECES FOR
DECORATIVE PURPOSES ON FABRICS
OR GARMENTS, PENDANTS SET OR
LOOSE, PIERCED OR UNPIERCED,
JEWEL ORNAMENTED SOUVENIR AR-
TICLES, JEWEL ORNAMENTED
RIBBON OR TAPE FOR DECORATIVE
PURPOSES FOR GARMENTS OR HOME
FURNISHINGS, IN CLASS 28 (INT. CL.
14).

FOR: GLASS MOSAICS, DECORA-
TIVE AND FUNCTIONAL GLASS CON-
TAINERS OF MOSAIC DESIGNS OR
JEWEL-ORNAMENTED—NAMELY,
VASES, GLASSES, CUPS AND BOWLS,
MOSAIC CUBES AND PLATES, GLASS
MOSAIC SIGNS, GLASS MOSAICS, IN
CLASS 33 (INT. CL. 21).

SER. NO. 72-339,779, FILED 10-6-1969.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Apr. 14, 1992.*

COMMISSIONER OF PATENTS AND TRADEMARKS

PRINCIPAL REGISTER Trademark

Ser. No. 339,779, filed Oct. 6, 1969

SWAROVSKI

D. Swarovski & Co., Glassschleiferei (Austrian firm)
Wattens (Tyrol), Austria

For: OPTICAL GLASS; TELESCOPIC SIGHTS; OPERA GLASSES AND BINOCULARS, in CLASS 26 (INT. CL. 9).

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PIECES FOR DECORATIVE PURPOSES ON FABRICS OR GARMENTS, PENDANTS, SET OR LOOSE, PIERCED OR UNPIERCED, JEWEL ORNAMENTED SOUVENIR ARTICLES, JEWEL ORNAMENTED RIBBON OR TAPE FOR DECORATIVE PURPOSES FOR GARMENTS OR HOME FURNISHINGS, in CLASS 28 (INT. CL. 14).

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Owner of Austrian Reg. No. 55,481, dated Aug. 19, 1965.

B. C. WASHINGTON, Examiner

Certificate of Correction

Registered May 30, 1972

Registration No. 934,915

D. Swarovski & Co., Glasschleiferei

It is hereby certified that the above identified registration is in error requiring correction as follows:

In the statement, column 1, line 13, after "decorative" *use* should be inserted.

The said registration should be read as corrected above.

Signed and sealed this 8th day of August 1972.

[SEAL]

Attest:

K. E. PATRICK,
Attesting Officer.

ROBERT GOTTSCHALK,
Commissioner of Patents.

Int. Cls.: 14 and 21

Prior U.S. Cls.: 28 and 33

United States Patent and Trademark Office

New Cert.

Reg. No. 934,915

Registered May 30, 1972

OG Date June 16, 1992

**TRADEMARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED**

SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK
COMPANY)

ELASTINSTRASSE

FL-9495 TRIESEN, LIECHTENSTEIN
029208381, BY CHANGE OF NAME,
MERGER, ASSIGNMENT, CHANGE
OF NAME AND ASSIGNMENT FROM
D. SWAROVSKI & CO., GLASSCHLEI-
FEREI (AUSTRIA FIRM), WATTENS
(TYROL), AUSTRIA

PRIORITY CLAIMED UNDER SEC.
44(D) ON AUSTRIA, REG. NO. 055481,
DATED 8-19-1965.

FOR: OPTICAL GLASS; TELESCOPIC
SIGHTS; OPERA GLASSES AND BINOC-
ULARS, IN CLASS 26 (INT. CL. 9).

FOR: NATURAL AND IMITATION
JEWELRY, CUT AND UNCUT SEMI-
PRECIOUS STONES, BEADS FOR
STRINGING INTO NECKLACES, OR
FOR ATTACHING TO FABRICS FOR
DECORATIVE PURPOSES, OF GLASS
OR SYNTHETIC MATERIALS, BASE
STONES, CLUSTERS OF CRYSTAL OR

SYNTHETIC STONES IN THE FORM OF
ROSES FOR DECORATIVE USE ON
COVERING FABRICS OR GARMENTS,
JEWELLED BUTTONS FOR GARMENTS,
CROSSES, JEWELS SET IN SYNTHETIC
RESINS PROVIDED WITH A RIVET-
LIKE APPENDAGE, OR WITH GLUED-
ON RIVET LIKE METAL PIECES FOR
DECORATIVE PURPOSES ON FABRICS
OR GARMENTS, PENDANTS SET OR
LOOSE, PIERCED OR UNPIERCED,
JEWEL ORNAMENTED SOUVENIR AR-
TICLES, JEWEL ORNAMENTED
RIBBON OR TAPE FOR DECORATIVE
PURPOSES FOR GARMENTS OR HOME
FURNISHINGS, IN CLASS 28 (INT. CL.
14).

FOR: GLASS MOSAICS, DECORA-
TIVE AND FUNCTIONAL GLASS CON-
TAINERS OF MOSAIC DESIGNS OR
JEWEL-ORNAMENTED—NAMELY,
VASES, GLASSES, CUPS AND BOWLS,
MOSAIC CUBES AND PLATES, GLASS
MOSAIC SIGNS, GLASS MOSAICS, IN
CLASS 33 (INT. CL. 21).

SER. NO. 72-339,779, FILED 10-6-1969.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on June 16, 1992.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cls.: 8, 11, 14, 18, 21 and 25

Prior U.S. Cls.: 2, 3, 23, 27, 33, 34 and 39

United States Patent and Trademark Office

Reg. No. 1,739,479

Registered Dec. 15, 1992

**TRADEMARK
PRINCIPAL REGISTER**

SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK COMPAN-
NY)
ELASTENSTRASSE
FL 9495-TRIESEN, LIECHTENSTEIN

FOR: STAINLESS TABLE CUTLERY;
NAMELY, KNIVES, FORKS, AND SPOONS, IN
CLASS 8 (U.S. CL. 23).

FOR: LIGHTING ELEMENTS AND ELEC-
TRIC CHANDELIERS AND THEIR GLASS
PARTS, IN CLASS 11 (U.S. CL. 34).

FOR: GENUINE AND ARTIFICIAL GEM-
STONES, JEWELRY AND PENDANTS FOR
WATCH CHAINS, IN CLASS 14 (U.S. CL. 27).

FOR: ALL PURPOSE SPORTS BAGS AND
HANDBAGS, IN CLASS 18 (U.S. CL. 3).

FOR: HOLLOW GLASSWARE, FRUIT-
BOWLS, SCHNAPS GLASSES, TABLEWARE,
GLASS CANDLE STICKS, IN CLASS 21 (U.S.
CLS. 2 AND 33).

FOR: ARTICLES OF CLOTHING; NAMELY,
PULLOVERS, SCARVES, BELTS, AND SHOES,
IN CLASS 25 (U.S. CL. 39).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
LIECHTENSTEIN APPLICATION NO. 7295,
FILED 3-11-1988, REG. NO. 7295, DATED
3-11-1988, EXPIRES 3-11-2008.

OWNER OF U.S. REG. NO. 1,433,772.
SEC. 2(F).

SER. NO. 73-741,321, FILED 7-21-1988.

STEPHEN JEFFRIES, EXAMINING ATTOR-
NEY

Int. Cl.: 21

Prior U.S. Cls.: 30, 33 and 50

United States Patent and Trademark Office

Reg. No. 1,785,590

Registered Aug. 3, 1993

**TRADEMARK
PRINCIPAL REGISTER**

SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK COMPA-
NY)
FL 9495-TRIESEN
ELASTENSTRASSE, LIECHTENSTEIN

FIRST USE 4-24-1978; IN COMMERCE
4-24-1978.
OWNER OF U.S. REG. NOS. 934,915, 1,669,532
AND OTHERS.

SER. NO. 74-277,572, FILED 5-21-1992.

FOR: GLASS ANIMAL FIGURINES, IN
CLASS 21 (U.S. CLS. 30, 33 AND 50).

IRENE D. WILLIAMS, EXAMINING ATTOR-
NEY

Int. Cl.: 25

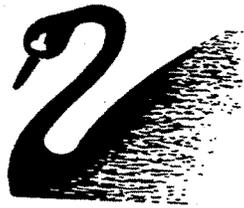
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,669,532

Registered Dec. 24, 1991

**TRADEMARK
PRINCIPAL REGISTER**



SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK COMPAN-
NY)
ELASTINSTRASSE
FL-9495 TRIESEN, LIECHTENSTEIN

OWNER OF LIECHTENSTEIN REG. NO.
7698, DATED 11-17-1989, EXPIRES 11-17-2009.

OWNER OF U.S. REG. NO. 1,433,772.

SER. NO. 74-057,761, FILED 5-10-1990.

FOR: ARTICLES OF CLOTHING; NAMELY,
PULLOVERS, SCARVES, BELTS AND SHOES,
IN CLASS 25 (U.S. CL. 39).

STEPHEN JEFFRIES, EXAMINING ATTOR-
NEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

Reg. No. 2,402,230

United States Patent and Trademark Office

Registered Nov. 7, 2000

**TRADEMARK
PRINCIPAL REGISTER**

SWAROVSKI

SWAROVSKI AKTIENGESELLSCHAFT (LIECH-
TENSTEIN JOINT STOCK COMPANY)
DROSCHISTRASSE 15
TRIESEN, LIECHTENSTEIN FL-9495

FIRST USE 7-1-1999; IN COMMERCE 9-1-1999.
OWNER OF U.S. REG. NOS. 934,915, 2,229,398
AND OTHERS.

SER. NO. 75-888,674, FILED 1-6-2000.

FOR: WATCHES, IN CLASS 14 (U.S. CLS. 2, 27,
28 AND 50).

MIDGE BUTLER, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

United States Patent and Trademark Office

Reg. No. 2,752,863

Registered Aug. 19, 2003

**TRADEMARK
PRINCIPAL REGISTER**

SWAROVSKI IMPERIAL DIAMOND

SWAROVSKI AKTIENGESELLSCHAFT (LIECH-
TENSTEIN JOINT STOCK COMPANY)
DROSCHISTRASSE 15
FL-9495 TRIESEN, LIECHTENSTEIN

FOR: PRECIOUS STONES; JEWELRY, IN CLASS
14 (U.S. CLS. 2, 27, 28 AND 50).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
LIECHTENSTEIN APPLICATION NO. 11948, FILED

11-30-2000, REG. NO. 11948, DATED 5-3-2001, EX-
PIRES 5-3-2011.

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

SER. NO. 78-064,958, FILED 5-22-2001.

DAVID TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,229,398

United States Patent and Trademark Office

Registered Mar. 2, 1999

**TRADEMARK
PRINCIPAL REGISTER**

DANIEL SWAROVSKI

**SWAROVSKI AKTIENGESELLSCHAFT
(LIECHTENSTEIN JOINT STOCK COMPAN-
NY)
DROSCHISTRASSE 15
FL-9495 TRIESEN, LIECHTENSTEIN**

**FOR: SPECTACLES AND SPECTACLE
FRAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36
AND 38).**

**FIRST USE 0-0-1997; IN COMMERCE
5-0-1998.**

**OWNER OF U.S. REG. NOS. 934,915, 1,785,590,
AND OTHERS.**

**THE MARK IDENTIFIES A DECEASED IN-
DIVIDUAL.**

SN 75-180,598, FILED 10-10-1996.

**FRANCES G. SMITH, EXAMINING ATTOR-
NEY**