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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	BLAA LONID HF. (BLUE LAGOON LTD.)
Granted to Date of previous extension	01/06/2007
Address	240 Grindavik Svartsengi, ICELAND

Attorney information	Stephen M. Nipper Dykas, Shaver & Nipper, LLP P.O. Box 877 Boise, ID 83701 UNITED STATES stephen@dykaslaw.com Phone:208.345.1122
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**Applicant Information**

Application No	78849439	Publication date	11/07/2006
Opposition Filing Date	01/05/2007	Opposition Period Ends	01/06/2007
Applicant	AMERICAN CRUISE LINES, INC 741 Boston Post Road, Suite 200 Guilford, CT 06437 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 039. All goods and services in the class are opposed, namely: Cruise ship services; transportation of passengers by ship
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Attachments	short and plain statement of the claim.pdf ( 3 pages )(549186 bytes )
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Signature	/Stephen M. Nipper/
Name	Stephen M. Nipper
Date	01/05/2007

**SHORT AND PLAIN STATEMENT OF THE CLAIM  
UPON WHICH THE OPPOSITION IS BASED**

1. Opposer, BLAA LONID HF. (BLUE LAGOON LTD.), is an Icelandic Corporation with a principal place of business at Svartsengi, 204 Grindavik, ICELAND, hereby opposes registration of the "BLUE LAGOON CRUISES" mark that is the subject of application Serial No. 78-849439, and requests that registration to Applicant be refused.

2. Opposer is the owner of U.S. Trademark Registration No. 2,249,811 for the mark "BLUE LAGOON®" for use in connection with "COSMETIC PREPARATIONS FOR SKIN CARE, NAMELY, BEAUTY MASKS, CREAMS, OILS AND LOTIONS; HAIR SHAMPOO; NON-MEDICATED BATH SALTS AND SHAVING CREAM; MEDICATED SKIN SOAP AND SOAPS" in International Class 003 in commerce since at least as early as August 25, 1998; "THERAPEUTIC PREPARATIONS FOR SKIN CARE, NAMELY, DERMATOLOGICAL PREPARATIONS FOR THE TREATMENT OF SKIN DISEASES, NAMELY, DERMATITIS AND PSORIASIS; MEDICATED HAIR SHAMPOOS; MEDICATED SKIN LOTIONS, NAMELY, MEDICATED GEOTHERMAL SKIN LOTIONS; MEDICATED BATH PREPARATIONS, NAMELY, MEDICATED GEOTHERMAL OILS; MEDICATED BATHS SALTS AND MEDICATED SALTS FOR MINERAL WATER BATHS, NAMELY, MEDICATED GEOTHERMAL SALTS; MEDICINAL MINERAL SEDIMENT, NAMELY, MEDICATED SCRUB AND MUD USED FOR THE TREATMENT OF DERMATITIS" in International Class 005 in commerce since at least as early as September 18, 1995 ; and "PROVIDING FOOD AND DRINK BY RESTAURANTS; AND PROVIDING OUT-PATIENT CLINICS FOR THE TREATMENT OF SKIN DISEASES" in International Class 042 in commerce since at least as early as May 8, 1995.

3. Opposer is the owner of U.S. Trademark Registration No. 2,708,245 for the mark "BLUE LAGOON ICELAND and design®" for use in connection with "NON-MEDICATED BATH SALTS, NON-MEDICATED BATH OILS, BATH SOAPS, HAND SOAPS, SHOWER GEL, HAIR SHAMPOOS AND CONDITIONERS, SHAVING GEL; FACIAL AND BODY MASKS; SKIN CLEANSING MILK, SKIN CLEANSING CREAM, DAY AND NIGHT CREAM; HAND LOTION, NON-MEDICATED MOISTURE BARRIER SKIN OINTMENT FOR FACE AND BODY, OILS AND CREAMS FOR THE FACE AND BODY; SKIN CREAM; ANTI-AGING CREAMS; DISTILLED TONIC WATER FOR THE

SKIN; REFRESHING AND MOISTURIZING PERFUME WATER SPRAY FOR THE BODY AND FACE; PERSONAL DEODORANTS; PERFUME OILS AND ESSENTIAL OILS FOR PERSONAL USE; ESSENTIAL OILS FOR THE BODY; PROTECTIVE SUNTAN OILS AND SUN CREAMS; MUD AND MUD SEDIMENT FOR USE ON BODY, FACE AND SCALP; NON-MEDICATED FACIAL AND BODY SCRUB; DENTIFRICES; TOOTH PASTE AND NON-MEDICATED MOUTH WASH AND MOUTH RINSE" in International Class 003; "MEDICATED SKIN CARE PREPARATIONS AND LOTIONS FOR USE IN THE THERAPEUTIC TREATMENT OF SKIN DISEASES; MEDICATED BATH SALTS, MEDICATED BATH OILS, MEDICATED SKIN CARE PREPARATION, NAMELY, MEDICATED FACIAL AND BODY SCRUB; MUD, SEDIMENT AND MUD CREAMS FOR THE SKIN AND SCALP; MEDICATED OINTMENT FOR RELIEF OF DRY AND OILY SKIN AND SCALING PROBLEMS, ACNE MEDICATIONS AND ACNE TREATMENT PREPARATIONS, NAMELY, OINTMENTS FOR USE IN THE TREATMENT OF ACNE" in International Class 005; "CONTAINERS FOR HOUSEHOLD AND/OR KITCHEN USE NOT OF PRECIOUS METAL; HOUSEHOLD AND/OR KITCHEN UTENSILS, NAMELY, CONTAINERS FOR FOOD, BAKEWARE, PORTABLE AND NON PORTABLE BEVERAGE COOLERS AND DISPENSERS, ICE BUCKETS, NON-ELECTRIC JUICERS, PITCHERS, POTS, SERVING SPOONS, SERVING PLATTERS AND TRAYS NOT OF PRECIOUS METAL; DRINKING GLASSES AND MUGS; BEVERAGE GLASSWARE, PORCELAIN AND EARTHENWARE, NAMELY, PLATES, BOWLS, COFFEE POTS, TEA POTS, MUGS, PLATTERS, AND SERVING DISHES; HAIR COMBS; AND FACIAL SPONGES FOR APPLYING MAKE-UP, BODY SCRUB SPONGES, AND BATH SPONGES" in International Class 021; "TOWELS AND WASHCLOTHS" in International Class 024; "ARTICLES OF CLOTHING, NAMELY, SHIRTS, SWEATSHIRTS, SWEATPANTS, TRAINING SUITS, SHORTS, BATHING SUITS, ROBES, JACKETS, CAPS, HATS, VISORS, SLIPPERS, AND SANDALS" in International Class 025; "BEER; SOFT DRINKS AND TONIC WATER, AND OTHER NON-ALCOHOLIC BEVERAGES, NAMELY, MINERAL WATER, BOTTLED DRINKING WATER, AND SPRING WATER; FRUIT DRINKS AND FRUIT JUICES" in International Class 032; "TRANSPORTATION RESERVATION AND BOOKING SERVICES; TRAVEL BOOKING AGENCIES; TRAVEL INFORMATION SERVICES; ARRANGING TRAVEL TOURS" in International Class 039; and "HOTELS AND RESTAURANTS; TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS AND BOOKINGS FOR TEMPORARY LODGING; PROVIDING TEMPORARY HOUSING ACCOMMODATION; SANATORIUMS; PROVIDING PUBLIC BATH FACILITIES; HEALTH AND BEAUTY SPA SERVICES; MEDICAL AND MEDICAL THERAPEUTIC

SERVICES; SCIENTIFIC AND INDUSTRIAL RESEARCH RELATING TO SKIN CARE, THE TREATMENT OF SKIN DISEASE, AND THERAPEUTIC TREATMENT OF THE SKIN" in International Class 042. This Registration under Section 2(f), having a foreign filing date of July 16, 1998 and a foreign registration date of January 15, 1999.

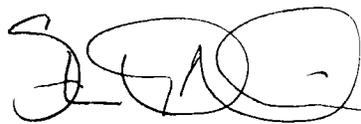
4. Applicant has filed an application to register "BLUE LAGOON CRUISES" on "cruise ship services; transportation of passengers by ship" in International Class 039, the mark that is the subject of application Serial No. 78-849,439, having a 1(b) filing basis. The descriptive term CRUISES is disclaimed.

5. Applicant's mark so resembles Opposer's previously used marks as to be likely, when applied to the goods set forth in Applicant's application, to cause confusion, mistake or deception within the meaning of Section 2(d) of the Trademark Act. Applicant's mark and Opposer's marks both contain the dominant "BLUE LAGOON" and are all used in connection with recreational goods and services.

6. Opposer will be harmed by registration of Applicant's mark. WHEREFORE, Opposer prays that the opposition be sustained and that registration to Applicant be refused.

DATED this 5<sup>th</sup> day of January, 2007.

Very respectfully,



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