

ESTTA Tracking number: **ESTTA313447**

Filing date: **10/26/2009**

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

Proceeding	91178539
Party	Plaintiff SmithKline Beecham Corporation
Correspondence Address	Glenn A. Gundersen Dechert LLP Cira Centre, 2929 Arch Street Philadelphia, PA 19104-2808 UNITED STATES glenn.gundersen@dechert.com
Submission	Testimony For Plaintiff
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Signature	/erik bertin/
Date	10/26/2009
Attachments	Opposer's Tenth Notice of Reliance.pdf ( 8 pages )(296451 bytes )



Certificate of Service

I hereby certify that a true and correct copy of the foregoing Opposer's Tenth Notice of Reliance has been duly served by mailing such copy first class, postage prepaid, to Erik M. Pelton, Erik M. Pelton & Associates, P.O. Box 100637, Arlington, VA 22210, on October 26, 2009.

*Erik Bertin*

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Erik Bertin



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# OMNIFRESH

<b>Word Mark</b>	OMNIFRESH
<b>Goods and Services</b>	(ABANDONED) IC 003. US 001 004 006 050 051 052. G & S: Breath freshener, Toothpastes, Tooth powders, Oral tooth and mouth cleansing gels, Dentifrices in the form of creams and pastes, Mouthwashes, Non-medicated mouthwash and gargle, Dental bleaching gel, Non-medicated dental rinse, Breath mints, Non-medicated breath-freshening strips, Denture cleanser, Retainer cleanser
	(ABANDONED) IC 005. US 006 018 044 046 051 052. G & S: Breath-freshening chewing gum for medicinal purposes, Medicated mouthwash, Dental rinse, Dental polish, Medicated lozenges, Antiseptics, Antiseptic preparations, Antiseptic mouthwash, Medicated oral mouth sprays, Medicated dental floss, Medicated breath-freshening strips
	(ABANDONED) IC 010. US 026 039 044. G & S: Oral irrigators, Dental picks, Tongue scrapers
	(ABANDONED) IC 021. US 002 013 023 029 030 033 040 050. G & S: Toothbrushes, Denture brushes, Interdental brushes, Dental floss, Interdental toothpick
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78797498
<b>Filing Date</b>	January 23, 2006

**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** September 12, 2006  
**Owner** (APPLICANT) Omnisource DDS, LLC CORPORATION CALIFORNIA 10902 Riverside Drive North Hollywood CALIFORNIA 91602  
**Attorney of Record** THOMAS I. ROZSA  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** July 6, 2009

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**Serial Number: 78797498 Assignment Information      Trademark Document Retrieval**

**Registration Number: (NOT AVAILABLE)**

**Mark**

# OMNIFRESH

**(words only): OMNIFRESH**

**Standard Character claim: Yes**

**Current Status: Abandoned: No Statement of Use filed after Notice of Allowance was issued.**

**Date of Status: 2009-07-06**

**Filing Date: 2006-01-23**

**Transformed into a National Application: No**

**Registration Date: (DATE NOT AVAILABLE)**

**Register: Principal**

**Law Office Assigned: LAW OFFICE 102**

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location: 700 -Intent To Use Section**

**Date In Location: 2007-12-18**

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. Omnisource DDS, LLC

**Address:**

Omnisource DDS, LLC  
10902 Riverside Drive

North Hollywood, CA 91602  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** California

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**GOODS AND/OR SERVICES**

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**International Class: 003****Class Status:** Active

Breath freshener, Toothpastes, Tooth powders, Oral tooth and mouth cleansing gels, Dentifrices in the form of creams and pastes, Mouthwashes, Non-medicated mouthwash and gargle, Dental bleaching gel, Non-medicated dental rinse, Breath mints, Non-medicated breath-freshening strips, Denture cleanser, Retainer cleanser

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class: 005****Class Status:** Active

Breath-freshening chewing gum for medicinal purposes, Medicated mouthwash, Dental rinse, Dental polish, Medicated lozenges, Antiseptics, Antiseptic preparations, Antiseptic mouthwash, Medicated oral mouth sprays, Medicated dental floss, Medicated breath-freshening strips

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class: 010****Class Status:** Active

Oral irrigators, Dental picks, Tongue scrapers

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class: 021****Class Status:** Active

Toothbrushes, Denture brushes, Interdental brushes, Dental floss, Interdental toothpick

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2009-07-06 - Abandonment Notice Mailed - No Use Statement Filed

2009-07-06 - Abandonment - No use statement filed

2008-11-24 - Extension 4 granted

2008-11-24 - Extension 4 filed

2008-11-24 - TEAS Extension Received

2008-05-06 - Extension 3 granted

2008-05-06 - Extension 3 filed

2008-05-06 - TEAS Extension Received

2007-12-21 - Extension 2 granted

2007-12-03 - Extension 2 filed

2007-12-03 - PAPER RECEIVED

2007-08-24 - Extension 1 granted

2007-05-23 - Extension 1 filed

2007-05-23 - PAPER RECEIVED

2007-05-23 - Assigned To Examiner

2006-12-05 - Noa Mailed - SOU Required From Applicant

2006-09-12 - Published for opposition

2006-08-29 - Review Of Correspondence Complete

2006-08-23 - Notice of publication

2006-08-18 - PAPER RECEIVED

2006-07-26 - Law Office Publication Review Completed

2006-07-24 - Assigned To LIE

2006-07-14 - Approved for Pub - Principal Register (Initial exam)

2006-07-14 - Examiner's Amendment Entered  
2006-07-14 - Examiners amendment e-mailed  
2006-07-14 - Examiners Amendment -Written  
2006-07-12 - Assigned To Examiner  
2006-06-01 - Attorney Revoked And/Or Appointed  
2006-06-01 - TEAS Revoke/Appoint Attorney Received  
2006-01-27 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**  
THOMAS I. ROZSA

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