

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Attn: TTAB, Commissioner for Trademarks, P. O. Box 1451, Alexandria, VA 22313-1451, on the date indicated below.

October 7, 2008  
Date

*Dana A. Lozon*  
Dana A. Lozon

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

Applicant : Goldshield Group PLC  
Serial No. : 77-445,675  
Filed : April 11, 2008  
Mark : CENTURAL  
Int'l Class : 5  
For : Calcium supplements; dietary and nutritional supplements; dietary and nutritionally fortified food products adapted for medical use; dietary drink mix for use as a meal replacement; dietary fiber as an additive for food products; dietary food supplements; dietary supplemental drinks; dietary supplements; dietary supplements for human consumption; food supplements; food supplements, namely, anti-oxidants; ground flaxseed fiber for use as a dietary supplement; herbal supplements; homeopathic supplements; etc.  
Published : August 26, 2008

TTAB

L. Perrigo Company, )  
Opposer, )  
)  
v. )  
)  
Goldshield Group PLC, )  
Applicant. )  
\_\_\_\_\_ )

Opposition No. \_\_\_\_\_

Attn: TTAB  
Commissioner for Trademarks  
P. O. Box 1451  
Alexandria, VA 22313-1451

10-09-2008

Dear Sir:

U.S. Patent & TMO/OTM Mail Rpt Dt #94

TRANSMITTAL LETTER

Enclosed please find a Notice of Opposition to be filed with the Trademark Trial and Appeal Board. In accordance with current Office procedure, a copy has been mailed to Applicant as well.

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01-FC-6402 300-00-0P

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A check for the opposition fee in the amount of Three Hundred Dollars (\$300) is also enclosed. Please charge any additional fees, or credit overpayment, to Deposit Account No. 16-2463. A duplicate copy of this Transmittal Letter is enclosed.

Kindly date stamp and return the enclosed postcard to acknowledge receipt of this request.

Respectfully submitted,

L. PERRIGO COMPANY

By: Price, Heneveld, Cooper,  
DeWitt & Litton, LLP

October 7, 2008

Date



H. W. Reick, Reg. No. 25 438  
695 Kenmoor S.E.  
P.O. Box 2567  
Grand Rapids, MI 49501  
(616) 949-9610

CERTIFICATE OF SERVICE

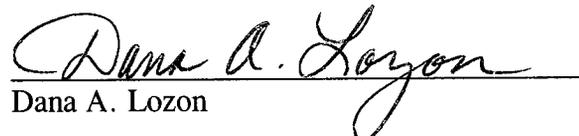
I hereby certify that a copy of the foregoing Transmittal Letter and the Notice of Opposition were served on Goldshield Group PLC by mailing, first class mail, postage prepaid to:

Mr. Bill Hudson  
Goldshield Healthcare Direct  
1501 Northpoint Pkwy, STE 100  
West Palm Beach, FL 33407-1955

this 7<sup>th</sup> day of October, 2008.

October 7, 2008

Date



Dana A. Lozon

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**NOTICE OF OPPOSITION**

L. Perrigo Company, a corporation of the state of Michigan, having its principal place of business at 515 Eastern Avenue, Allegan, Michigan 49010 (hereinafter referred to as "Perrigo" or "Opposer") believes it will be damaged by registration of the mark shown in the

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above-identified application on the Principal Register (hereinafter referred to as “Applicant’s Mark”) by Goldshield Group PLC (hereinafter referred to as “Goldshield” or “Applicant”) and hereby opposes the same.

As grounds for this opposition, Opposer, upon information and belief, alleges as follows:

1. Opposer is, and for many years has been, engaged in the manufacture and sale of dietary supplements which are sold throughout the United States to various retail outlets for resale.

2. In connection with this business, Opposer uses a family of CENTURY trademarks, including CENTURY, CENTURY SENIOR, CENTURY ACTIVE, and CENTURY ADVANTAGE on dietary supplements and is the owner of the registered trademark CENTURY SENIOR (U.S. Registration No. 1,881,142); CENTURY ACTIVE (U.S. Registration No. 2,743,427); CENTURY ADVANTAGE (U.S. Registration No. 3,325,048) and U.S. Trademark Application No. 76/254,663 for the mark CENTURY PREMIER.

3. Opposer has been using its trademarks CENTURY (since at least 1981); CENTURY SENIOR (since at least October 18, 1993); CENTURY ACTIVE (since at least May 14, 2001); and CENTURY ADVANTAGE (since at least October 31, 2005) in interstate commerce in connection with dietary supplements.

4. Applicant previously filed an application for registration of CENTURAL on August 27, 1998, Serial No. 75-543,708.

5. This prior attempt by Applicant to register CENTURAL was opposed by the present Opposer in Opposition No. 91155007 declared on February 11, 2003.

6. Applicant then abandoned the prior application Serial No. 75-543,708 without Opposer's written consent.

7. As a result, judgment was entered against Goldshield Group PLC and the opposition was sustained (see Exhibit A).

8. This prior judgment by the Patent and Trademark Office Trademark Trial and Appeal Board is *res judicata* in this opposition.

9. On information and belief, Opposer's use of its various CENTURY family of marks is years prior to the April 11, 2008, filing date of Applicant's current intent-to-use application Serial No. 77-445,675.

10. In addition to its prior use and registration of its CENTURY, CENTURY SENIOR, CENTURY ACTIVE, and CENTURY ADVANTAGE trademarks, respectively, Opposer has a family of marks, including the terms CENTURY, which have acquired valuable goodwill and are widely and favorably known to the public throughout the United States, and are recognized by consumers, numerous trades, and the public at large as identifying Opposer and distinguishing Opposer's products from those of others.

11. The mark CENTURAL sought to be registered by Applicant is confusingly similar to the Opposer's marks CENTURY, CENTURY SENIOR, CENTURY ACTIVE, and CENTURY ADVANTAGE, and on information and belief, Applicant seeks to register it in connection with goods which are identical to and/or are offered through the same or similar channels of trade and to the same consumers as Opposer's goods.

12. Opposer believes that Applicant's alleged mark, when applied to Applicant's goods as intended, so resembles Opposer's marks as to be likely to cause confusion, to cause mistake, or to deceive, all to Opposer's irrevocable damage and injury.

WHEREFORE, Opposer prays that this Opposition be sustained, that registration of Applicant's Mark be refused, and judgment based upon *res judicata* again be entered against Applicant.

Respectfully submitted,

L. PERRIGO COMPANY

By: PRICE, HENEVELD, COOPER,  
DEWITT & LITTON



October 7, 2008

Date

H.W. Reick, Reg. No. 25438  
695 Kenmoor, S.E.  
P.O. Box 2567  
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HWR:dal