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May 4, 2009

Commissioner for Patents
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Submission of Notice of Opposition
Mark: BILLIONAIRESS, Class 25, Serial No. 77/497,859
Applicant: Arleen C Inc.
Our Ref: 1030821-000333

Dear Sir:

Enclosed please find a Notice of Opposition for submission against the mark BILLIONAIRESS, Application Serial No. 77/497,859 by Applicant Arleen C Inc. Please charge the filing fee in the amount of \$600.00 (i.e., \$300.00 each on behalf of Opposers Billionaire Couture Netherlands B.V. and Laridel Participations S.A.) to the undersigned's American Express account. A Credit Card Payment Form authorizing payment is attached. If this amount is insufficient, please charge any additional fees or credit any refunds to our Deposit Account No. 02-4800.

Please do not hesitate to contact us if there are questions regarding the above submission.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer L. Williston".

Jennifer L. Williston

JLW/
Enclosures



05-04-2009

U.S. Patent & TM Office Mail Room #77

("Opposers") believe that they will be damaged by registration of Applicant's BILLIONAIRESS Mark and hereby oppose same. The grounds for this opposition are as follows:

1. Applicant is the record owner of Application Serial No. 77/497,859 for the mark BILLIONAIRESS for Applicant's Goods.

2. Upon information and belief, Applicant did not use Applicant's BILLIONAIRESS Mark in connection with Applicant's Goods prior to June 12, 2008, the filing date of Application Serial No. 77/497,859.

3. Upon information and belief, Applicant did not use Applicant's BILLIONAIRESS Mark on or in connection with Applicant's Goods in interstate commerce in the United States prior to June 12, 2008, the filing date of Application Serial No. 77/497,859.

4. Opposer, Billionaire Couture Netherlands B.V., is a Netherlands Société à responsabilité limitée régie par les lois located and doing business at Gelderland Plein 75 L NL-1082 LV AMSTERDAM Netherlands and Opposer, Laridel Participations, S.A., is a Luxembourg société anonyme located and doing business at 241 route de Longwy L-1941 Luxembourg.

5. Opposers are members of the FB Trust which oversees all aspects of Opposers' business. Opposer Billionaire Couture Netherlands B.V., is the owner of the following applications that contain the term BILLIONAIRE in connection with the following goods:

Mark	Serial No.	Goods	Filing Date
BLLIONAIRE DI FLAVIO BRIATORE	79/051,733	(Int'l Class 3) Cosmetics and cosmetic creams; nail varnishes; lotions for cosmetic use; beauty masks; cosmetic preparations for baths; cosmetic suntan preparations; make-up preparations;	January 30, 2008

		<p>perfumes, lipsticks; cakes of toilet soap, body soaps, shampoos (Int'l Class 9) Spectacle cases, contact lens cases; optical lenses, spectacle frames, spectacles, sunglasses, sports goggles (Int'l Class 14) Jewelry articles, namely, rings, bracelets, chains, trinkets, necklaces, tie pins, cuff links, earrings, fancy key rings of precious metals, ornamental pins; clocks, watch straps (Int'l Class 18) Purses and handbag, travelling sets, namely, travel bags, travel cases, vanity cases sold empty and travelling trunks; key cases; school satchels, leather straps, umbrellas, wallets, attaché cases, beach bags, travelling bags, suitcases, documents cases, rucksacks (Int'l Class 25) Clothing for gymnastics, namely, gym shorts gym suits, gym shirts; leather and imitation leather clothing, namely, leather belts, leather coats, leather headwear, leather jackets, leather pants, leather slippers; coats, bathrobes, shoes, short-sleeved shirts, shirts, headwear, overcoats, swimsuits, ties, scarves, jackets, skirts, raincoats; knitwear clothing, namely, knit shirts, knitted caps, knitted underwear; hosiery; sweaters, trousers, pullovers, sandals, gym shoes, beach shoes, outer clothing, namely, rainwear, mittens, gloves, skiwear, snow boots, snow pants, snow suits, fur coats and jackets, fur muffs, fur stoles; dresses, wooden clogs</p>	
Billionaire Couture	78/729,360	(Int'l Class 25) shoes, belts, swimwear, hats, suits, neckties, jeans; apparel, namely, anklets, bathing suits, bathing trunks, bathrobes, beachwear, bikinis, blazers, blouses, body suits, boots, bottoms, camisoles, caps, cardigans, coats, coveralls, cover ups, dresses, dungarees, footwear, gloves, head bands, head wear, hosiery, jackets, jerseys, jumpers, jump suits, lingerie, overalls, overcoats, pajamas, pants, sandals, scarves, shawls, shirts; shoes, shortalls, shorts, skirts, skorts, slacks, sleep wear, slippers, sneakers, socks, sport coats, sweat pants, sweaters,	October 7, 2005

		sweat shirts, t-shirts, tank tops, tops, trousers, underwear, vests	
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Opposer Laridel Participations, S.A., is the owner of the following application and registrations, all of which contain the term BILLIONAIRE:

Mark	Ser./Reg. No.	Goods and Services	Filing Date
 BILLIONAIRE	3,608,986	<p>Int'l Class 3) Cosmetics and cosmetic creams; nail varnishes; lotions for cosmetic use; beauty masks; cosmetic preparations for baths; cosmetic suntan preparations; make-up preparations; perfumes, lipsticks; cakes of toilet soap, body soaps, shampoos</p> <p>(Int'l Class 9) Spectacle cases, contact lens cases; optical lenses, spectacle frames, spectacles, sunglasses, sports goggles</p> <p>(Int'l Class 14) Jewelry articles, namely, rings, bracelets, chains, trinkets, necklaces, tie pins, cuff links, earrings, fancy key rings of precious metals, ornamental pins; clocks, watch straps</p> <p>(Int'l Class 18) Purses and handbag, travelling sets, namely, travel bags, travel cases, vanity cases sold empty and travelling trunks; key cases; school satchels, leather straps, umbrellas, wallets, attaché cases, beach bags, travelling bags, suitcases, documents cases, rucksacks</p> <p>(Int'l Class 25) Clothing for gymnastics, namely, gym shorts, gym suits, gym shirts; leather and imitation leather clothing, namely, leather belts, leather coats, leather headwear, leather jackets, leather pants, leather slippers; coats, bathrobes, shoes, short-sleeved shirts, shirts, headwear, overcoats, swimsuits, ties, scarves, jackets, skirts, raincoats; knitwear clothing, namely, knit shirts, knitted caps, knitted underwear; hosiery; sweaters, trousers, pullovers, sandals, gym shoes, beach shoes, outer clothing,</p>	January 30, 2008

		<p>namely, rainwear, mittens, gloves, skiwear, snow boots, snow pants, snow suits, fur coats and jackets, fur muffs, fur stoles; dresses, wooden clogs</p> <p>(Int'l Class 41) Entertainment, namely, dance events, arranging and conducting special events, arranging and conducting of concerts, arranging and conducting nightclub parties, arranging and conducting nightclub entertainment events, conducting and providing facilities for special events featuring casino and gaming contests and tournaments, disc jockeys for parties and special events, dinner theatres, entertainment in the nature of beauty pageants, entertainment in the nature of dance performances, entertainment in the nature of fashion shows, entertainment in the nature of light shows, entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows, entertainment in the nature of visual and audio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances, entertainment services, namely, personal appearances by a movie star, a sports celebrity or a fashion star, entertainment services, namely, conducting parties; holiday camp services, providing casino facilities, night club services, discotheque services, providing facilities for recreation activities, amusement parks</p> <p>(Int'l Class 43) Providing temporary housing accommodations, providing hotel accommodation, hotel services, café-restaurants, cafeterias; providing campground facilities; rental of buildings for temporary occupancy; fast food restaurants and snackbars, self-service restaurants</p>	
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THE BILLIONAIRE CLUB	78/631,606	(Int'l Class 41) Casinos (Int'l Class 43) Hotels	May 17, 2005
	3,608,987	(Int'l Class 41) Entertainment, namely, dance events, arranging and conducting special events, arranging and conducting of concerts, arranging and conducting nightclub parties, arranging and conducting nightclub entertainment events, conducting and providing facilities for special events featuring casino and gaming contests and tournaments, disc jockeys for parties and special events, dinner theatres, entertainment in the nature of beauty pageants, entertainment in the nature of dance performances, entertainment in the nature of fashion shows, entertainment in the nature of light shows, entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows, entertainment in the nature of visual and audio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances, entertainment services, namely, personal appearances by a movie star, a sports celebrity or a fashion star, entertainment services, namely, conducting parties; holiday camp services, providing casino facilities, night club services, discotheque services, providing facilities for recreation activities, amusement parks (Int'l Class 43) Providing temporary housing accommodations, providing hotel accommodation, hotel services, café-restaurants, cafeterias; providing campground facilities; rental of buildings for temporary occupancy; fast food restaurants and snackbars, self-service restaurants	January 30, 2008

The above marks are collectively referred to as "Opposers' BILLIONAIRE MARKS" and the goods and services listed therein to as "Opposers' Goods and Services."

6. Since at least as early as May 2008, Opposer Billionaire Couture Netherlands B.V. has used the term BILLIONAIRE in United States commerce as a source identifier of its clothing goods.

7. Commencing prior to the filing date of Applicant's BILLIONAIRESS Mark, Opposers have used and are now using Opposers' BILLIONAIRE Marks in connection with Opposers' Goods. Opposers have used Opposers' BILLIONAIRE Marks in commerce in the United States.

8. Due to Opposers' longstanding and continuous use of Opposers' BILLIONAIRE Marks in connection with Opposers' Goods, Opposers' BILLIONAIRE Marks have become well known as designating Opposers' Goods throughout the United States. Opposers' BILLIONAIRE Marks have also become famous long prior to the filing date of Applicant's BILLIONAIRESS Mark.

9. Opposers enjoys substantial and exclusive goodwill in the United States in connection with Opposers' BILLIONAIRE Marks.

10. The filing date of Opposer's BILLIONAIRE MARKS are all prior to June 12, 2008, the filling date of U.S. Application Serial No. 77/497,859 for Applicant's BILLIONAIRESS MARK

11. Applicant's BILLIONAIRESS Mark in Application Serial No. 77/497,859 is highly similar to Opposers' BILLIONAIRE Marks in sight, sound, and commercial impression.

12. Applicant's Goods and Opposers' Goods and/or Service are identical and/or closely related and are sold or will be sold to identical or highly similar types of consumers through identical or highly similar channels of trade.

13. Applicant's BILLIONAIRESS Mark in Application Serial No. 77/497,859 so closely resembles Opposers' extensively and long used BILLIONAIRE Marks as to be likely, when applied to Applicant's Goods, to cause confusion, to cause mistake, or to deceive, by creating the erroneous impression that Applicant's Goods originate from or are associated with Opposers' Goods, or that Applicant's Goods are authorized, endorsed or sponsored by Opposers.

14. The registration of Applicant's BILLIONAIRESS Mark in Application Serial No. 77/497,859 is likely to cause dilution of Opposers' BILLIONAIRE Marks by blurring the distinctive qualities of Opposers' BILLIONAIRE Marks.

15. Applicant's filing of Application Serial No. 77/497,859 for Applicant's BILLIONAIRESS Mark is without license, authorization or permission from Opposers.

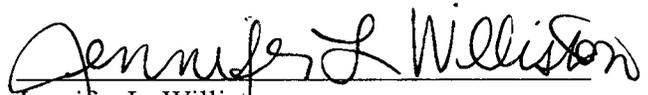
16. The granting of a trademark registration to Applicant for Applicant's BILLIONAIRESS Mark would violate and diminish the prior and superior rights of Opposers in Opposers' BILLIONAIRE Marks and would be in violation of 15 U.S.C. §§ 1052(d) and 1125(c).

17. Opposers would be damaged if Application Serial No. 77/497,859 is allowed to register because Applicant will obtain statutory rights in Applicant's BILLIONAIRESS Mark in violation and derogation of the established prior rights of Opposers in Opposers' BILLIONAIRE Marks.

WHEREFORE, Opposers request that the Opposition be sustained, that Application Serial No. 77/497,859 be rejected and that the registration of Applicant's BILLIONAIRESS Mark be refused, and for such other relief as may be deemed just and proper.

Respectfully submitted,

Billionaire Couture Netherlands B.V. and
Laridel Participations S.A.



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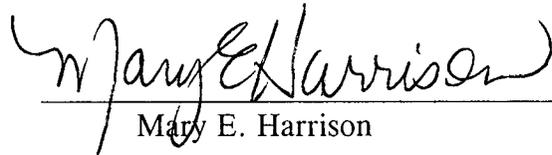
Attorneys for Opposer

Date: 5/4/09

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing CONSOLIDATED NOTICE OF OPPOSITION was served this 4th day of May, 2009 by first-class mail, postage prepaid, on Applicant:

Arleen C Inc.
523 Via Asisi
Cathedral City, California 92234



Mary E. Harrison