

ESTTA Tracking number: **ESTTA317894**

Filing date: **11/19/2009**

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 | Williams-Sonoma, Inc. | | |
| Entity | Corporation | Citizenship | California |
| Address | 3250 Van Ness Avenue San Francisco, CA 94109 UNITED STATES | | |

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| Attorney information | Marie C. Seibel Townsend and Townsend and Crew LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111 UNITED STATES mcseibel@townsend.com, amwong@townsend.com, jcbaum@townsend.com, v1t@townsend.com Phone:415-576-0200 |
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Applicant Information

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|------------------------|---|------------------------|------------|
| Application No | 77783089 | Publication date | 10/20/2009 |
| Opposition Filing Date | 11/19/2009 | Opposition Period Ends | 11/19/2009 |
| Applicant | E & E Co., Ltd. 45875 Northport Loop E Fremont, CA 94538 UNITED STATES | | |

Goods/Services Affected by Opposition

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| Class 024. First Use: 2009/04/24 First Use In Commerce: 2009/04/24 All goods and services in the class are opposed, namely: Bed and table linen; Bed blankets; Bed canopies; Bed covers; Bed linen; Bed linen and table linen; Bed pads; Bed sheets; Bed sheets of paper; Bed skirts; Bed spreads; Bed throws; Bedsheets; Comforters; Contour sheets; Contoured mattress covers; Covers for cushions; Cushion covers; Duvet covers; Duvets; Fabric window coverings and treatments, namely, curtains, draperies, sheers, swags and valances; Fabrics used in home decorative items with inspirational messages imprinted or woven into the fabrics; Feather beds; Interior decoration fabrics; Mattress covers; Pillow cases; Pillow covers; Pillow shams; Table and bed linen; Table linen |
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Grounds for Opposition

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| Priority and likelihood of confusion | Trademark Act section 2(d) |
| Dilution | Trademark Act section 43(c) |

Marks Cited by Opposer as Basis for Opposition

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|-----------------------|---------|------------------|------------|
| U.S. Registration No. | 2725772 | Application Date | 06/01/2001 |
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|---------------------|---|-----------------------|------|
| Registration Date | 06/10/2003 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 035. First use: First Use: 2002/04/23 First Use In Commerce: 2002/04/23 MAIL ORDER CATALOG SERVICES FEATURING HOUSEWARES, BEVERAGE GLASSWARE, TABLEWARE, FLATWARE, INDOOR AND OUTDOOR FURNITURE, PILLOWS, SLIP COVERS, TABLE LINENS, BED AND BATH LINENS, ACCESSORIES FOR BED AND BATH, CANDLES, CANDLE HOLDERS, PICTURE FRAMES, FURNITURE MIRRORS, VASES, BASKETS FOR HOUSEHOLD AND GARDEN USE, RUGS, LAMPS, ELECTRIC LIGHTING FIXTURES, CURTAINS, CURTAIN RODS, WINDOW SHADES, WALL COVERINGS, INTERIOR WALL PAINT AND FURNITURE PAINT | | |

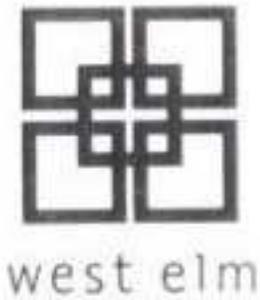
| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2845444 | Application Date | 06/01/2001 |
| Registration Date | 05/25/2004 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 035. First use: First Use: 2003/10/15 First Use In Commerce: 2003/10/15 RETAIL STORE SERVICES, AND COMPUTERIZED ONLINE RETAIL STORE SERVICES FEATURING HOUSEWARES, BEVERAGE GLASSWARE, TABLEWARE, FLATWARE, INDOOR AND OUTDOOR FURNITURE, PILLOWS SLIP COVERS, TABLE LINENS, BED AND BATH LINENS, ACCESSORIES FOR BED AND BATH, CANDLES, CANDLE HOLDERS, PICTURE FRAMES, FURNITURE MIRRORS, VASES, BASKETS FOR HOUSEHOLD[AND GARDEN USE], RUGS, LAMPS, ELECTRIC LIGHTING FIXTURES, CURTAINS, CURTAIN RODS, WINDOW SHADES, [WALL COVERINGS] | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2738123 | Application Date | 06/01/2001 |
| Registration Date | 07/15/2003 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 024. First use: First Use: 2002/09/17 First Use In Commerce: 2002/09/17 BED LINEN, DUVET COVERS, COVERLETS, BED BLANKETS, COMFORTERS, QUILTS, [MATTRESS PADS,] PILLOW CASES, PILLOW SHAMS, BEDSKIRTS, UNFITTED FABRIC FURNITURE COVERS, TABLE LINEN, BATH TOWELS, HAND TOWELS, WASHCLOTHS, FABRIC BATH MATS, SHOWER CURTAINS, WINDOW CURTAINS, DRAPERIES, AND WINDOW PANELS | | |

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|-----------------------|---------|------------------|------------|
| U.S. Registration No. | 2860667 | Application Date | 06/01/2001 |
|-----------------------|---------|------------------|------------|

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|---------------------|--|-----------------------|------|
| Registration Date | 07/06/2004 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 021. First use: First Use: 2002/09/17 First Use In Commerce: 2002/09/17 DISHES, BOWLS, CUPS AND SERVING PLATTERS | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2854307 | Application Date | 06/01/2001 |
| Registration Date | 06/15/2004 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 016. First use: First Use: 2002/04/23 First Use In Commerce: 2002/04/23 PICTORIAL PRINTS, POSTERS, PHOTOGRAPH ALBUMS, SCRAPBOOK ALBUMS, DESK BASKETS FOR DESK ACCESSORIES, DESK TOP STATIONERY CABINETS, FILE BOXES FOR STORAGE OF BUSINESS AND PERSONAL RECORDS, BLACKBOARDS, BULLETIN BOARDS, BOOK-ENDS, AND MAIL ORDER CATALOGS IN THE FIELDS OF FURNITURE, DECORATIVE HOME FURNISHINGS, DINING AND KITCHEN GOODS, TEXTILES, LINENS, HOUSEWARES, BED AND BATH PRODUCTS, GARDENING PRODUCTS, AND GIFTS | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3539865 | Application Date | 03/24/2008 |
| Registration Date | 12/02/2008 | Foreign Priority Date | NONE |
| Word Mark | WEST ELM | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 004. First use: First Use: 2007/12/26 First Use In Commerce: 2007/12/26 Candles Class 011. First use: First Use: 2007/12/26 First Use In Commerce: 2007/12/26 Diffusers for dispensing air fresheners Class 020. First use: First Use: 2007/10/02 First Use In Commerce: 2007/10/02 Picture and photograph frames | | |

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| | Class 021. First use: First Use: 2007/10/02 First Use In Commerce: 2007/10/02 Serving spoons; serving forks |
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| Attachments | 77430082#TMSN.jpeg (1 page)(bytes) Notice of Opposition.pdf (15 pages)(1293444 bytes) |
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

| | |
|-----------|-----------------|
| Signature | /MCS/ |
| Name | Marie C. Seibel |
| Date | 11/19/2009 |

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

In re Application No. 77/783,089
Filed: July 16, 2009
Published: October 20, 2009 in the Official Gazette
For: **WEST END**

WILLIAMS-SONOMA, INC.,

Williams-Sonoma,

vs.

E & E CO., LTD. (d/b/a JLA HOME)

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

P. O. Box 1451

Alexandria, Virginia 22313-1451

Dear Madam:

WILLIAMS-SONOMA, INC. (“Williams-Sonoma”), a California corporation, is located and doing business at 3250 Van Ness Avenue San Francisco, California 94109. Williams-Sonoma believes that it will be damaged by the registration of the mark **WEST END** shown in Application Serial No. 77/783,089 owned by E & E CO., LTD. (d/b/a JLA HOME) (“Applicant”), a California corporation, located and doing business at 45875 Northport Loop E, Fremont, California 94538, and published in the Official Gazette of October 20, 2009, and hereby opposes registration thereof.

As grounds for opposition, Williams-Sonoma alleges:

1. Williams-Sonoma is the owner of incontestable Registration No. 2,725,772 for **WEST ELM** for “mail order catalog services featuring housewares, beverage glassware, tableware, flatware, indoor and outdoor furniture, pillows, slip covers, table linens, bed and bath linens, accessories for bed and bath, candles, candle holders, picture frames, furniture mirrors, vases, baskets for household and garden use, rugs, lamps, electric lighting fixtures, curtains, curtain rods, window shades, wall coverings, interior wall paint and furniture paint” in International Class 35. Williams-Sonoma’s application for said registration was filed on June 1, 2001 (well before Applicant’s July 16, 2009 filing date), and matured to registration on June 10, 2003. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned services since at least as early as April 2002.

2. Williams-Sonoma is the owner of incontestable Registration No. 2,845,444 for **WEST ELM** for “retail store services, and computerized online retail store services featuring housewares, beverage glassware, tableware, flatware, indoor and outdoor furniture, pillows slip covers, table linens, bed and bath linens, accessories for bed and bath, candles, candle holders, picture frames, furniture mirrors, vases, baskets for household use, rugs, lamps, electric lighting fixtures, curtains, curtain rods, window shades” in International Class 35. Williams-Sonoma’s application for said registration was filed on June 1, 2001 (well before Applicant’s July 16, 2009 filing date), and matured to registration on May 25, 2004. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned services since at least as early as October 2003.

3. Williams-Sonoma is the owner of incontestable Registration No. 2,738,123 for **WEST ELM** for “linen, duvet covers, coverlets, bed blankets, comforters, quilts, pillow cases, pillow shams, bedskirts, unfitted fabric furniture covers, table linen, bath towels, hand towels,

washcloths, fabric bath mats, shower curtains, window curtains, draperies, and window panels” in International Class 24. Williams-Sonoma’s application for said registration was filed on June 1, 2001 (well before Applicant’s July 16, 2009 filing date), and matured to registration on July 15, 2003. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned goods since at least as early as September 2002.

4. Williams-Sonoma is the owner of incontestable Registration No. 2,860,667 for **WEST ELM** for “dishes, bowls, cups and serving platters” in International Class 21. Williams-Sonoma’s application for said registration was filed on June 1, 2001 (well before Applicant’s July 16, 2009 filing date), and matured to registration on July 6, 2004. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned goods since at least as early as September 2002.

5. Williams-Sonoma is the owner of Registration No. 2,854,307 for **WEST ELM** for “pictorial prints, posters, photograph albums, scrapbook albums, desk baskets for desk accessories, desk top stationery cabinets, file boxes for storage of business and personal records, blackboards, bulletin boards, book-ends, and mail order catalogs in the fields of furniture, decorative home furnishings, dining and kitchen goods, textiles, linens, housewares, bed and bath products, gardening products, and gifts” in International Class 16. Williams-Sonoma’s application for said registration was filed on June 1, 2001 (well before Applicant’s July 16, 2009 filing date), and matured to registration on June 15, 2004. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned goods since at least as early as April 2002.

6. Williams-Sonoma is the owner of Registration No. 3,539,865 for **WEST ELM & design** for “candles” in International Class 4, “diffusers for dispensing air fresheners” in International Class 11, “picture and photograph frames” in International Class 20, and “serving

spoons; serving forks” in International Class 21. Williams-Sonoma’s application for said registration was filed on March 24, 2008 (well before Applicant’s July 16, 2009 filing date), and matured to registration on December 2, 2008. Williams-Sonoma has used the mark **WEST ELM** in connection with the aforementioned goods since at least as early as 2007.

7. Williams-Sonoma’s trademarks described above will be collectively referred to as Williams-Sonoma’s Marks.

8. The registrations for Williams-Sonoma’s Marks, copies of which are attached hereto, are valid, subsisting, unrevoked, uncancelled, and not abandoned. These registrations therefore constitute *prima facie* evidence that registered marks are valid, are owned by Williams-Sonoma’s and represent Williams-Sonoma’s exclusive right to use the marks in commerce in connection with the goods and services listed in the specifications, without condition or limitation. The registrations also constitute notice to Applicant of Williams-Sonoma’s claim of ownership of the marks.

9. Williams-Sonoma has extensively used and promoted Williams-Sonoma’s Marks and has established valuable goodwill in the marks. As a result, the public has come to associate the **WEST ELM** and **WEST ELM & design** marks with Williams-Sonoma and has come to know that the **WEST ELM** and **WEST ELM & design** marks designate products and services that originate from Williams-Sonoma.

10. Williams-Sonoma extensively advertises the Williams-Sonoma Marks online and through millions of catalogs sent several times a year directly to consumers in addition to operation of many retail stores throughout the country. It has made enormous sales for many years under the Williams-Sonoma Marks. As a result, Williams-Sonoma’s Marks are famous and well known to purchasers.

11. Applicant filed U.S. Trademark Application Serial No. 77/783,089 (the “Application”), which is the subject of this Opposition, on July 16, 2009, based on its purported use of the mark **WEST END** in connection with “Bed and table linen; Bed blankets; Bed canopies; Bed covers; Bed linen; Bed linen and table linen; Bed pads; Bed sheets; Bed sheets of paper; Bed skirts; Bed spreads; Bed throws; Bedsheets; Comforters; Contour sheets; Contoured mattress covers; Covers for cushions; Cushion covers; Duvet covers; Duvets; Fabric window coverings and treatments, namely, curtains, draperies, sheers, swags and valances; Fabrics used in home decorative items with inspirational messages imprinted or woven into the fabrics; Feather beds; Interior decoration fabrics; Mattress covers; Pillow cases; Pillow covers; Pillow shams; Table and bed linen; Table linen” in International Class 24.

12. Williams-Sonoma’s **WEST ELM** mark was famous before Applicant’s July 16, 2009 filing date for the Application.

13. Williams-Sonoma’s **WEST ELM** mark was famous before Applicant began purportedly use of the **WEST END** mark on April 24, 2009.

14. Applicant’s goods, as described in the Application, are identical or closely related to the goods and services identified in Williams-Sonoma’s registrations for Williams-Sonoma’s Marks and with which Williams-Sonoma uses Williams-Sonoma’s Marks.

15. Applicant’s **WEST END** mark is extremely similar to Williams-Sonoma’s Marks.

16. Applicant’s **WEST END** mark differs from Williams-Sonoma’s **WEST ELM** mark by only two letters, and both marks start with the word “WEST” and contain a second three-letter word beginning with “E.”

17. As a result of the extreme similarity between Williams-Sonoma’s Marks and Applicant’s **WEST END** mark, and the high degree of proximity between the goods and services

associated with each party's respective mark, Applicant's mark is likely to cause confusion, mistake or deception in the trade and among purchasers as to the source, origin or sponsorship of the parties' respective goods and services.

18. Applicant's infringement of Williams-Sonoma's **WEST ELM** mark is evidence of Applicant's intent to create consumer confusion with its **WEST END** mark as part of a pattern and practice of deliberate and willful trademark infringement.

19. Applicant offers home furnishings and accessories under the **HARBOR HOUSE** brand.

20. The goods offered in conjunction with the **HARBOR HOUSE** brand are similar to, if not identical copies of, proprietary goods sold in conjunction with Williams-Sonoma's **POTTERY BARN** mark.

21. Applicant's **HARBOR HOUSE** product photographs are intentional copies of Williams-Sonoma's **POTTERY BARN** catalog and website product photographs.

22. Applicant's **HARBOR HOUSE** catalogs are intentional copies of Williams-Sonoma's **POTTERY BARN** catalogs.

23. The "West End" is a well-known area of central London, England.

24. Applicant's claimed goods do not originate from the "West End" of London, England.

25. The **WEST END** mark is primarily geographically deceptively misdescriptive of the geographic origin of Applicant's recited goods and therefore is not entitled to registration on the Principal Register.

26. Registration of the mark in the Application and use of Applicant's mark are likely to dilute Williams-Sonoma's famous Williams-Sonoma Marks by blurring consumer associations with it.

27. Registration of Applicant's mark shown in the opposed Application will result in damage to Williams-Sonoma under the provisions of §§ 2(d) and 2(e) of the Lanham Act, 15 U.S.C. §§ 1052(d) and 1052(e), and § 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), pursuant to the allegations stated above.

28. Williams-Sonoma has a real interest in the proceedings and a reasonable basis for believing that allowing the Application will cause it damage.

29. Williams-Sonoma and Applicant are competitors.

30. If the Application is permitted to register, the registration would presumptively entitle Applicant to *prima facie* exclusive ownership and rights to the **WEST END** mark. Such registration would cause confusion among consumers as to the separate and distinct sources of Applicant's goods and Williams-Sonoma's goods and services and the relationship of Williams-Sonoma to Applicant, thereby damaging Williams-Sonoma's goodwill in Williams-Sonoma's Marks, diluting the value of the Williams-Sonoma Marks, and resulting in irreparable harm to Williams-Sonoma's business and reputation, all to the detriment of Williams-Sonoma who has expended considerable sums and effort in promoting Williams-Sonoma's Marks.

WHEREFORE, Williams-Sonoma prays that this Opposition be sustained and that the Board deny registration of U.S. Trademark Application Serial No. 77/783,089.

Please charge any necessary fee regarding this Opposition to the Deposit Account of Townsend and Townsend and Crew, LLP, 20-1430, and credit any overpayment to such deposit account.

Please direct all notices, pleadings and process regarding this matter to:

Anthony J. Malutta, Esq.
Marie C. Seibel, Esq.
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (415) 576-0200
Facsimile: (415) 576-0300
Email: ajmalutta@townsend.com,
mcseibel@townsend.com

Respectfully submitted,

TOWNSEND *and* TOWNSEND *and* CREW LLP

Dated: November 19, 2009

By 
Anthony J. Malutta
Marie C. Seibel
Attorneys for Williams-Sonoma

62303347 v1

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing NOTICE OF OPPOSITION has been served on E & E CO., LTD. (d/b/a JLA HOME) by mailing said copy on November 19, 2009, via First Class Mail, postage prepaid to:

E & E CO., LTD. (d/b/a JLA HOME)
45875 Northport Loop E
Fremont, CA,
94538-6414

Dated: November 19, 2009

By: _____



Antonia M. Wong

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,725,772

United States Patent and Trademark Office

Registered June 10, 2003

**SERVICE MARK
PRINCIPAL REGISTER**

WEST ELM

**WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)
3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109**

FOR: MAIL ORDER CATALOG SERVICES FEATURING HOUSEWARES, BEVERAGE GLASSWARE, TABLEWARE, FLATWARE, INDOOR AND OUTDOOR FURNITURE, PILLOWS, SLIP COVERS, TABLE LINENS, BED AND BATH LINENS, ACCESSORIES FOR BED AND BATH, CANDLES, CANDLE HOLDERS, PICTURE FRAMES, FURNITURE MIRRORS, VASES, BASKETS FOR HOUSEHOLD AND

GARDEN USE, RUGS, LAMPS, ELECTRIC LIGHTING FIXTURES, CURTAINS, CURTAIN RODS, WINDOW SHADES, WALL COVERINGS, INTERIOR WALL PAINT AND FURNITURE PAINT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-23-2002; IN COMMERCE 4-23-2002.

SN 76-975,281, FILED 6-1-2001.

KATHERINE STOIDES, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,845,444

Registered May 25, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

WEST ELM

WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)
3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109

FOR: RETAIL STORE SERVICES, AND COMPUTERIZED ONLINE RETAIL STORE SERVICES FEATURING HOUSEWARES, BEVERAGE GLASSWARE, TABLEWARE, FLATWARE, INDOOR AND OUTDOOR FURNITURE, PILLOWS SLIP COVERS, TABLE LINENS, BED AND BATH LINENS, ACCESSORIES FOR BED AND BATH, CANDLES, CANDLE HOLDERS, PICTURE

FRAMES, FURNITURE MIRRORS, VASES, BASKETS FOR HOUSEHOLD AND GARDEN USE, RUGS, LAMPS, ELECTRIC LIGHTING FIXTURES, CURTAINS, CURTAIN RODS, WINDOW SHADES, WALL COVERINGS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-15-2003; IN COMMERCE 10-15-2003.

SN 76-267,307, FILED 6-1-2001.

KATHERINE STOIDES, EXAMINING ATTORNEY

Int. Cl.: 24

Prior U.S. Cls.: 42 and 50

Reg. No. 2,738,123

United States Patent and Trademark Office

Registered July 15, 2003

**TRADEMARK
PRINCIPAL REGISTER**

WEST ELM

**WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)
3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109**

MATS, SHOWER CURTAINS, WINDOW CURTAINS, DRAPERIES, AND WINDOW PANELS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: BED LINEN, DUVET COVERS, COVERLETS, BED BLANKETS, COMFORTERS, QUILTS, MATTRESS PADS, PILLOW CASES, PILLOW SHAMS, BEDSKIRTS, UNFITTED FABRIC FURNITURE COVERS, TABLE LINEN, BATH TOWELS, HAND TOWELS, WASHCLOTHS, FABRIC BATH

FIRST USE 9-17-2002; IN COMMERCE 9-17-2002.

SN 76-267,305, FILED 6-1-2001.

KATHERINE STOIDES, EXAMINING ATTORNEY

Int. Cl.: 21

Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40, and 50

United States Patent and Trademark Office

Reg. No. 2,860,667

Registered July 6, 2004

**TRADEMARK
PRINCIPAL REGISTER**

WEST ELM

**WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)
3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109**

FIRST USE 9-17-2002; IN COMMERCE 9-17-2002.

SN 76-267,304, FILED 6-1-2001.

**FOR: DISHES, BOWLS, CUPS AND SERVING
PLATTERS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30,
33, 40 AND 50).**

BRIDGETT SMITH, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,854,307

Registered June 15, 2004

**TRADEMARK
PRINCIPAL REGISTER**

WEST ELM

WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)
3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109

FOR: PICTORIAL PRINTS, POSTERS, PHOTOGRAPH ALBUMS, SCRAPBOOK ALBUMS, DESK BASKETS FOR DESK ACCESSORIES, DESK TOP STATIONERY CABINETS, FILE BOXES FOR STORAGE OF BUSINESS AND PERSONAL RECORDS, BLACKBOARDS, BULLETIN BOARDS, BOOK- ENDS, AND MAIL ORDER CATALOGS IN THE FIELDS OF FURNITURE, DECORATIVE HOME

FURNISHINGS, DINING AND KITCHEN GOODS, TEXTILES, LINENS, HOUSEWARES, BED AND BATH PRODUCTS, GARDENING PRODUCTS, AND GIFTS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 4-23-2002; IN COMMERCE 4-23-2002.

SN 76-267,312, FILED 6-1-2001.

BRIDGETT SMITH, EXAMINING ATTORNEY

Int. Cls.: 4, 11, 20 and 21

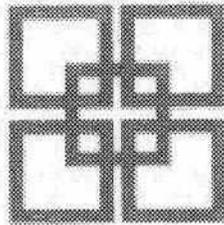
Prior U.S. Cls.: 1, 2, 6, 13, 15, 21, 22, 23, 25, 29, 30, 31,
32, 33, 34, 40 and 50

Reg. No. 3,539,865

Registered Dec. 2, 2008

United States Patent and Trademark Office

**TRADEMARK
PRINCIPAL REGISTER**



west elm

WILLIAMS-SONOMA, INC. (CALIFORNIA CORPORATION)

3250 VAN NESS AVENUE
SAN FRANCISCO, CA 94109

FOR: CANDLES, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 12-26-2007; IN COMMERCE 12-26-2007.

FOR: DIFFUSERS FOR DISPENSING AIR FRESHENERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 12-26-2007; IN COMMERCE 12-26-2007.

FOR: PICTURE AND PHOTOGRAPH FRAMES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 10-2-2007; IN COMMERCE 10-2-2007.

FOR: SERVING SPOONS; SERVING FORKS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 10-2-2007; IN COMMERCE 10-2-2007.

OWNER OF U.S. REG. NOS. 2,725,772, 2,854,307 AND OTHERS.

SER. NO. 77-430,082, FILED 3-24-2008.

JAMES MACFARLANE, EXAMINING ATTORNEY