

ESTTA Tracking number: **ESTTA373856**

Filing date: **10/18/2010**

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 | Ultradent Products, Inc. |
| Granted to Date of previous extension | 11/10/2010 |
| Address | 505 West 10200 South South Jordan, UT 84095 UNITED STATES |
| Attorney information | JONATHAN W. RICHARDS WORKMAN NYDEGGER 60 E. SOUTH TEMPLE #1000 SALT LAKE CITY, UT 84111 UNITED STATES jrichards@wnlaw.com,mford@wnlaw.com,jgarcia@wnlaw.com Phone:801-533-9800 |

Applicant Information

| | | | |
|--------------------------------|-------------------------------------------------------------------------------------------|---------------------------------|------------|
| Application No | 77652203 | Publication date | 07/13/2010 |
| Opposition Filing Date | 10/18/2010 | Opposition Period Ends | 11/10/2010 |
| International Registration No. | NONE | International Registration Date | NONE |
| Applicant | AURUM CERAMIC DENTAL LABORATORIES LTD. 115-17TH AVENUE SW CALGARY, T2S0A1 CANADA | | |

Goods/Services Affected by Opposition

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|---------------------------------------------------------------------------------------|
| Class 005. All goods and services in the class are opposed, namely: Dental veneers |
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Grounds for Opposition

| | |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
|--------------------------------------|----------------------------|

Marks Cited by Opposer as Basis for Opposition

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3319409 | Application Date | 11/25/2003 |
| Registration Date | 10/23/2007 | Foreign Priority Date | NONE |
| Word Mark | OPAL | | |

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|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Design Mark | OPAL |
| Description of Mark | NONE |
| Goods/Services | <p>Class 005. First use: First Use: 2004/05/01 First Use In Commerce: 2004/05/01 Dental compositions for orthodontic uses, namely, bracket adhesive paste dispensed in unit dose syringes for securing brackets to a surface, bonding and primer materials for dental purposes, acid gel dispensed in unit dose syringes for use in dental applications, dental composite materials, namely, composite wire stop material for use in dental applications, sold together as a kit or as individually packaged units</p> <p>Class 010. First use: First Use: 2004/05/01 First Use In Commerce: 2004/05/01 Dental instruments for orthodontic uses, namely, dental brackets, dental bracket aligners, dental tools for opening dental brackets, dental tools for de-bonding dental compositions, dental tools for placement of objects in mouth during dental procedures and dental wire stop tools sold together as a kit or as individually packaged units</p> <p>Class 021. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Dental hygiene products, namely toothbrushes, dental floss and toothpicks sold together as a kit or as individual units</p> |

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|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| U.S. Registration No. | 2460976 | Application Date | 08/04/1999 |
| Registration Date | 06/19/2001 | Foreign Priority Date | NONE |
| Word Mark | OPALUSTRE | | |
| Design Mark | OPALUSTRE | | |
| Description of Mark | NONE | | |
| Goods/Services | <p>Class 005. First use: First Use: 1998/07/00 First Use In Commerce: 1998/07/00 Dental compositions, namely, chemical and mechanical enamel abrasion slurry; dental kits comprised primarily of pre-filled syringes for applying chemical and mechanical abrasion slurry</p> | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 2228430 | Application Date | 02/11/1998 |
| Registration Date | 03/02/1999 | Foreign Priority Date | NONE |
| Word Mark | OPALDAM | | |
| Design Mark | | | |
| Description of | NONE | | |

| | |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mark | |
| Goods/Services | Class 005. First use: First Use: 1997/05/19 First Use In Commerce: 1997/05/29 dental compositions, namely, polymerizable protective composition for dental applications |

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|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| U.S. Registration No. | 2228422 | Application Date | 02/09/1998 |
| Registration Date | 03/02/1999 | Foreign Priority Date | NONE |
| Word Mark | OPALESCENCE XTRA | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 1997/05/23 First Use In Commerce: 1997/05/23 tooth whiteners, namely, neutral sodium fluoride sustained release gel for use by dentists | | |

| | | | |
|-----------------------|------------------------------------------------------------------------------------------|-----------------------|------------|
| U.S. Registration No. | 1914450 | Application Date | 08/16/1994 |
| Registration Date | 08/29/1995 | Foreign Priority Date | NONE |
| Word Mark | OPALESCENCE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 003. First use: First Use: 1994/05/00 First Use In Commerce: 1994/05/00 toothpaste | | |

| | | | |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|
| U.S. Registration No. | 1662181 | Application Date | 07/31/1990 |
| Registration Date | 10/29/1991 | Foreign Priority Date | NONE |
| Word Mark | OPALESCENCE | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 005. First use: First Use: 1990/05/14 First Use In Commerce: 1990/05/14 tooth whiteners; namely, neutral sodium fluorida sustained release gel for use by dentists | | |

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 1659398 | Application Date | 07/31/1990 |
| Registration Date | 10/08/1991 | Foreign Priority Date | NONE |
| Word Mark | FLOR-OPAL | | |
| Design Mark | | | |

| | |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description of Mark | NONE |
| Goods/Services | Class 005. First use: First Use: 1990/05/14 First Use In Commerce: 1990/05/14 tooth whiteners; namely, neutral sodium fluoride sustained-release gel for use by dentists |

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| Attachments | 78333109#TMSN.gif (1 page)(bytes) 75767451#TMSN.gif (1 page)(bytes) 74083543#TMSN.gif (1 page)(bytes) Notice of Opposition.pdf (5 pages)(22695 bytes) Exhibit 1 to Opposition.pdf (2 pages)(47955 bytes) Exhibit 2 to Opposition.pdf (3 pages)(43372 bytes) Exhibit 3 to Opposition.pdf (2 pages)(22777 bytes) Exhibit 4 to Opposition.pdf (2 pages)(24145 bytes) Exhibit 5 to Opposition.pdf (2 pages)(21223 bytes) Exhibit 6 to Opposition.pdf (2 pages)(23421 bytes) Exhibit 7 to Opposition.pdf (2 pages)(22169 bytes) Certificate of service.pdf (1 page)(64175 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 Overnight Courier on this date.

| | |
|-----------|------------------------|
| Signature | /Jonathan W. Richards/ |
| Name | JONATHAN W. RICHARDS |
| Date | 10/18/2010 |

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

In the matter of Trademark Application Serial No. 77/652,203
Published in the Official Gazette on July 13, 2010 on page TM 416
International Class: 005
Filed: January 19, 2009
Mark: **OPALITE**

| | | |
|---------------------------|---|-----------------------------|
| ULTRADENT PRODUCTS, INC., |) | |
| |) | |
| Opposer, |) | Opposition No. _____ |
| |) | |
| v. |) | |
| |) | NOTICE OF OPPOSITION |
| AURUM CERAMIC DENTAL |) | |
| LABORATORIES, LTD., |) | |
| |) | |
| Applicant. |) | |

Opposer, Ultradent Products, Inc. (“Ultradent”), a corporation organized under the laws of Utah, with its principal place of business at 505 West 10200 South, South Jordan, Utah 84095, believes that it will be damaged by registration of the mark shown in United States Trademark Application Serial No. 77/652,203, in International Class 005, and hereby opposes the same. The grounds for the opposition are as follows:

1. Ultradent manufactures and sells a vast array of dental-related products throughout the United States and the world. Since at least as early as 1998, Ultradent has used the term “OPAL”, either alone or in combination, on dental-related products, including but not limited to compositions, instruments, and hygiene products, all sold in interstate commerce throughout the United States and the world.

2. Ultradent is the owner of the following relevant trademarks which have been registered with the United States Patent and Trademark Office (collectively, the “**OPAL** Family of Trademarks”):

| Registration No. | Mark | Goods and Services, (International Class) | Date of First Use in Commerce |
|-------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 3,319,409 ¹ | OPAL | Dental compositions for orthodontic uses, namely, bracket adhesive paste dispensed in unit dose syringes for securing brackets to a surface, bonding and primer materials for dental purposes, acid gel dispensed in unit dose syringes for use in dental applications, dental composite materials, namely, composite wire stop material for use in dental applications, sold together as a kit or as individually packaged units, (IC 005) | 5/1/04 |
| | | Dental instruments for orthodontic uses, namely, dental brackets, dental bracket aligners, dental tools for opening dental brackets, dental tools for de-bonding dental compositions, dental tools for placement of objects in mouth during dental procedures and dental wire stop tools sold together as a kit or as individually packaged units, (IC 010) | 5/1/04 |
| | | Dental hygiene products, namely toothbrushes, dental floss and toothpicks sold together as a kit or as individual units, (IC 021) | 2/1/07 |
| 2,460,976 ² | OPALUSTRE | Dental compositions, namely, chemical and mechanical enamel abrasion slurry; dental kits comprised primarily of pre-filled syringes for applying chemical and mechanical abrasion slurry, (IC 005) | 7/98 |
| 2,228,430 ³ | OPALDAM | dental compositions, namely, polymerizable [sic] protective composition for dental applications, (IC 005) | 5/29/97 |
| 2,228,422 ⁴ | OPAESCENCE XTRA | Tooth whiteners, namely, neutral sodium fluoride sustained release gel for use by dentists, (IC 005) | 5/23/97 |

¹ A copy of the Registration Certificate for Registration No. 3,319,409 is attached hereto as Exh. 1.

² A copy of the Registration Certificate for Registration No. 2,460,976 is attached hereto as Exh. 2.

³ A copy of the Registration Certificate for Registration No. 2,228,430 is attached hereto as Exh. 3.

⁴ A copy of the Registration Certificate for Registration No. 2,228,422 is attached hereto as Exh. 4.

| Registration No. | Mark | Goods and Services, (International Class) | Date of First Use in Commerce |
|------------------------|-------------------|------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1,914,450 ⁵ | OPAESCENCE | Toothpaste, (IC 003) | 5/94 |
| 1,662,181 ⁶ | <i>OPAESCENCE</i> | Tooth whiteners; namely, neutral sodium fluoride [sic] sustained release gel for use by dentists, (IC 005) | 5/14/90 |
| 1,659,398 ⁷ | FLOR-OPAL | Tooth whiteners; namely, neutral sodium fluoride sustained-release gel for use by dentists, (IC 005) | 5/14/90 |

3. Upon information and belief, Aurum Ceramic Dental Laboratories, Ltd. (“Applicant”) is a Canadian Corporation located at 115-17th Ave, SW, Calgary, Canada.

4. On January 19, 2009, Applicant filed United States Trademark Application Serial No. 77/652,203 (“the ‘203 Application”) for the mark **OPALITE**. Applicant seeks to register the **OPALITE** mark as a trademark to be used in International Class 005, in conjunction with goods and services identified as “[d]ental veneers,” as evidenced by the publication of such mark in the Official Gazette on TM 416 of the July 13, 2009 issue.

5. Applicant identified its Original Filing Basis for the ’203 Application as “44D,” relying on and claiming priority to Canadian Trademark Application No. 1,424,417, which was filed on January 14, 2009.

6. Canadian Trademark Application No. 1,424,417 issued on May 19, 2010, with Registration No. TMA 767,288. Applicant has amended the ’203 Application to identify its Current Filing Basis as “44E.”

7. Well before the filing date of the ’203 Application, or any date to which the ’203 Application can claim priority, Ultradent extensively advertised promoted, marketed, sold, and distributed dental-related product, in interstate commerce under its inherently distinctive **OPAL** Family of Trademarks.

⁵ A copy of the Registration Certificate for Registration No. 1,914,450 is attached hereto as Exh. 5.

⁶ A copy of the Registration Certificate for Registration No. 1,662,181 is attached hereto as Exh. 6.

⁷ A copy of the Registration Certificate for Registration No. 1,659,398 is attached hereto as Exh. 7.

8. Ultradent has invested substantial resources in advertising, marketing, and promoting its goods in connection with its **OPAL** Family of Trademarks.

9. As a result of Ultradent's extensive efforts and continuous and widespread use of its **OPAL** Family of Trademarks, consumers have come to directly associate these mark with goods originating from Ultradent. Accordingly, the **OPAL** Family of Trademarks has acquired secondary meaning with respect to Ultradent's products.

10. Upon information and belief, neither Applicant nor any predecessor or related company of Applicant has made actual use of **OPALITE** on the intended products prior to January 19, 2009, the filing date of the '203 Application.

11. Applicant's intended use of the trademark **OPALITE**, for "[d]ental veneers" in International Class 005, is without Ultradent's consent or authorization.

12. Applicant's mark is confusingly similar to the **OPAL** Family of Trademarks owned by Ultradent because Applicant's mark includes the identical "opal" word formative incorporated in Ultradent's **OPAL** Family of Trademarks.

13. Applicant's mark **OPALITE** is associated with goods that will be sold through the same channels of distribution, sold to the same customers and used in identical dental environments as that of goods associated with Ultradent's **OPAL** Family of Trademarks. Applicant's use of its **OPALITE** mark is, therefore, likely to cause confusion, mistake, or deception in that purchasers and users are likely to believe Applicant's products are Ultradent's products or the products of a company that is sponsored, authorized, or licensed by, or in some other way legitimately connected with Ultradent. Furthermore, any defect, objection or fault in the goods sold by Applicant under its mark may reflect upon and injure the reputation which Ultradent has established for its products associated with the **OPAL** Family of Trademarks.

14. Registration by Applicant of **OPALITE** for "[d]ental veneers" in International Class 005 would, for the reasons articulated above, damage Ultradent.

15. If Applicant is granted the registration herein opposed, Applicant would thereby obtain at least a *prima facie* right to the use of the **OPALITE** mark. Such registration would be a further source of damage to Ultradent.

WHEREFORE, Ultradent believes that it will be damaged by the registration of the mark **OPALITE**, and respectfully requests that this opposition be sustained and that Applicant's '203 Application be refused.

The fee required under 37 C.F.R. § 2.6(17) is being submitted herewith. Please charge Deposit Account No. 23-3178 any additional fees which may be required, or credit any overpayment.

DATED this 18th day of October, 2010.

By: /Jonathan Richards/
Jonathan Richards

WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

Attorney for Opposer
ULTRADENT PRODUCTS, INC.

EXHIBIT 1

Int. Cls.: 5, 10, and 21

**Prior U.S. Cls.: 2, 6, 13, 18, 23, 26, 29, 30, 33, 39, 40,
44, 46, 50, 51, and 52**

Reg. No. 3,319,409

United States Patent and Trademark Office

Registered Oct. 23, 2007

**TRADEMARK
PRINCIPAL REGISTER**

OPAL

ULTRADENT PRODUCTS, INC. (UTAH CORPORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84095

FOR: DENTAL COMPOSITIONS FOR ORTHODONTIC USES, NAMELY, BRACKET ADHESIVE PASTE DISPENSED IN UNIT DOSE SYRINGES FOR SECURING BRACKETS TO A SURFACE, BONDING AND PRIMER MATERIALS FOR DENTAL PURPOSES, ACID GEL DISPENSED IN UNIT DOSE SYRINGES FOR USE IN DENTAL APPLICATIONS, DENTAL COMPOSITE MATERIALS, NAMELY, COMPOSITE WIRE STOP MATERIAL FOR USE IN DENTAL APPLICATIONS, SOLD TOGETHER AS A KIT OR AS INDIVIDUALLY PACKAGED UNITS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-1-2004; IN COMMERCE 5-1-2004.

FOR: DENTAL INSTRUMENTS FOR ORTHODONTIC USES, NAMELY, DENTAL BRACKETS, DENTAL BRACKET ALIGNERS, DENTAL TOOLS FOR OPENING DENTAL BRACKETS, DENTAL TOOLS FOR DE-BONDING DENTAL COMPOSITIONS, DENTAL TOOLS FOR PLACEMENT OF OBJECTS IN MOUTH DURING DENTAL PROCES-

DURES AND DENTAL WIRE STOP TOOLS SOLD TOGETHER AS A KIT OR AS INDIVIDUALLY PACKAGED UNITS, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 5-1-2004; IN COMMERCE 5-1-2004.

FOR: DENTAL HYGIENE PRODUCTS, NAMELY TOOTHBRUSHES, DENTAL FLOSS AND TOOTH-PICKS SOLD TOGETHER AS A KIT OR AS INDIVIDUAL UNITS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 2-1-2007; IN COMMERCE 2-1-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 1,659,398, 1,914,450, AND OTHERS.

SN 78-333,109, FILED 11-25-2003.

BRENDAN MCCAULEY, EXAMINING ATTORNEY

EXHIBIT 2

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,460,976

Registered June 19, 2001

**TRADEMARK
PRINCIPAL REGISTER**

OPALUSTRE

ULTRADENT PRODUCTS, INC. (UTAH COR-
PORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84095

FOR: DENTAL COMPOSITIONS, NAMELY, CHE-
MICAL AND MECHANICAL ENAMEL ABRASION
SLURRY; DENTAL KITS COMPRISED PRIMARILY
OF PRE-FILLED SYRINGES FOR APPLYING CHE-

MICAL AND MECHANICAL ABRASION SLURRY,
IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

SER. NO. 75-767,451, FILED 8-4-1999.

SCOTT WOLDOW, EXAMINING ATTORNEY

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,460,976

Registered June 19, 2001

**TRADEMARK
PRINCIPAL REGISTER**

OPALUSTRE

**ULTRADENT PRODUCTS, INC. (UTAH CORPORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84095**

FOR: DENTAL COMPOSITIONS, NAMELY, CHEMICAL AND MECHANICAL ENAMEL ABRASION SLURRY; DENTAL KITS COMPRISED PRIMARILY OF PRE-FILLED SYRINGES FOR APPLYING CHE-

MICAL AND MECHANICAL ABRASION SLURRY, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

SER. NO. 75-767,451, FILED 8-4-1999.

SCOTT WOLDOW, EXAMINING ATTORNEY

EXHIBIT 3

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 2,228,430

United States Patent and Trademark Office

Registered Mar. 2, 1999

**TRADEMARK
PRINCIPAL REGISTER**

OPALDAM

ULTRADENT PRODUCTS, INC. (UTAH COR-
PORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84095

FIRST USE 5-19-1997; IN COMMERCE
5-29-1997.

SER. NO. 75-431,581, FILED 2-11-1998.

FOR: DENTAL COMPOSITIONS, NAMELY,
PULYMERIZABLE PROTECTIVE COMPOSI-
TION FOR DENTAL APPLICATIONS, IN
CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

CHARLES L. JENKINS, EXAMINING ATTOR-
NEY

EXHIBIT 4

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,228,422

Registered Mar. 2, 1999

**TRADEMARK
PRINCIPAL REGISTER**

OPALESCENCE XTRA

ULTRADENT PRODUCTS, INC. (UTAH COR-
PORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84095

FOR: TOOTH WHITENERS, NAMELY, NEU-
TRAL SODIUM FLUORIDE SUSTAINED RE-
LEASE GEL FOR USE BY DENTISTS, IN
CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-23-1997; IN COMMERCE
5-23-1997.

OWNER OF U.S. REG. NOS. 1,662,181 AND
1,914,450.

SER. NO. 75-430,925, FILED 2-9-1998.

JOYCE A. WARD, EXAMINING ATTORNEY

EXHIBIT 5

Int. Cl.: 3

Prior U.S. Cl.: 52

United States Patent and Trademark Office **Reg. No. 1,914,450**
Registered Aug. 29, 1995

**TRADEMARK
PRINCIPAL REGISTER**

OPALESCENCE

ULTRADENT PRODUCTS, INC. (UTAH COR-
PORATION)
505 WEST 10200 SOUTH
SOUTH JORDAN, UT 84065

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CL.
52).

FIRST USE 5-0-1994; IN COMMERCE
5-0-1994.

OWNER OF U.S. REG. NO. 1,662,181.

SER. NO. 74-561,639, FILED 8-16-1994.

D. SANOK, EXAMINING ATTORNEY

EXHIBIT 6

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office Reg. No. 1,662,181
Registered Oct. 29, 1991

**TRADEMARK
PRINCIPAL REGISTER**

OPALESCENCE

ULTRADENT PRODUCTS INCORPORATED
(UTAH CORPORATION)
1345 EAST 3900 SOUTH
SALT LAKE CITY, UT 84124

FOR: TOOTH WHITENERS; NAMELY, NEU-
TRAL SODIUM FLUORIDA SUSTAINED RE-
LEASE GEL FOR USE BY DENTISTS, IN
CLASS 5 (U.S. CL. 18).

FIRST USE 5-14-1990; IN COMMERCE
5-14-1990.

SER. NO. 74-083,543, FILED 7-31-1990.

ANGELA M. MICHELI, EXAMINING ATTOR-
NEY

EXHIBIT 7

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,659,398

Registered Oct. 8, 1991

**TRADEMARK
PRINCIPAL REGISTER**

FLOR-OPAL

ULTRADENT PRODUCTS INCORPORATED
(UTAH CORPORATION)
1345 EAST 3900 SOUTH
SALT LAKE CITY, UT 84124

FOR: TOOTH WHITENERS; NAMELY, NEU-
TRAL SODIUM FLUORIDE SUSTAINED-RE-
LEASE GEL FOR USE BY DENTISTS, IN
CLASS 5 (U.S. CL. 18).

FIRST USE 5-14-1990; IN COMMERCE
5-14-1990.

SER. NO. 74-083,467, FILED 7-31-1990.

ANGELA M. MICHELI, EXAMINING ATTOR-
NEY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **NOTICE OF OPPOSITION** was served upon the Applicant on October 18, 2010, to the following individuals and entities, as addressed below, by the means indicated below:

Aurum Ceramic Denta
115-17th Avenue SW
Calgary, Alberta
T2S0A1
Canada

(Federal Express)

A handwritten signature in blue ink, appearing to read "Jan Jani", is written over a horizontal line.