

ESTTA Tracking number: **ESTTA741132**

Filing date: **04/20/2016**

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

Proceeding	91197505
Party	Plaintiff Omega SA (Omega AG) (Omega Ltd.)
Correspondence Address	JESS M COLLEN COLLEN IP THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES ogelber@collenip.com, tgulick@collenip.com, docket@collenip.com, kmogavero@collenip.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Thomas P. Gulick
Filer's e-mail	tgulick@collenip.com, docket@collenip.com, ogelber@collenip.com, kmogavero@collenip.com
Signature	/Thomas P. Gulick/
Date	04/20/2016
Attachments	k655 amended notice of opp.pdf(1970930 bytes)

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

OMEGA S.A. (OMEGA AG)
(OMEGA LTD),

Opposer,

v.

ALPHA PHI OMEGA,

Applicant.

Mark: AΦΩ

Opp. No.: 91197505

Serial No.: 77905236

AMENDED NOTICE OF OPPOSITION

Pursuant to the Trademark Trial and Appeal Board order of March 31, 2016 (D.E. 45), Opposer hereby filed its Amended Notice of Opposition as follows:

The Opposer, Omega, S.A. (Omega AG) (Omega Ltd.), 96 Rue Jakob Stampfli, CH-2502 Bienne, Switzerland, through their attorneys (referred to as "Omega" or "Opposer") believes that it would be damaged by the registration of the mark shown in the above-identified application, and hereby opposes same, pursuant to 15 U.S.C. § 1063 and 37 C.F.R. § 2.104.

As grounds for opposition, it is alleged that:

(1) Omega is and has been engaged in the sale and marketing of similar and highly related goods and services to those recited by Applicant in its application to register

since a time prior to the date of first use alleged by Applicant in its application for registration.

(2) Omega is and has been engaged in the sale and marketing of goods under the registered trademarks Ω and OMEGA, since at least as early as 1894.

(3) Omega is the owner of the following valid and subsisting U.S. trademark registrations, including:

OMEGA (AND DESIGN)	REG. NO.	25,036	Exhibit 1
OMEGA	REG. NO.	566,370	Exhibit 2
OMEGA (AND DESIGN)	REG. NO.	578,041	Exhibit 3
OMEGA (AND DESIGN)	REG. NO.	660,541	Exhibit 4
OMEGA (AND DESIGN)	REG. NO.	1,290,661	Exhibit 5
OMEGA (AND DESIGN)	REG. NO.	1,969,071	Exhibit 6
Design	REG. NO.	2,912,918	Exhibit 7
OMEGA (AND DESIGN)	REG. NO.	3,146,117	Exhibit 8
OMEGA (AND DESIGN)	REG. NO.	3,318,408	Exhibit 9

and others (collectively referred to as the OMEGA Marks).

(4) Omega has used its OMEGA Marks in commerce extensively and has acquired a considerable and valuable goodwill and widescale recognition for its mark. The public has come to associate the OMEGA Marks with Opposer and Opposer's goods and services, which include not only watches, sports timing products, but clothing, accessories, and other goods and services.

(5) Omega's registrations are prima facie proof of ownership and use of the mark from the original date of filing of the application, pursuant to 15 U.S.C. 1057(b), and of the exclusive right to use the registered mark in commerce. Furthermore, Registration Numbers 25,036; 566,370; 578,041; 660,541; 1,290,661; 1,969,071; 2,912,918 and 3,318,408 are incontestable, pursuant to section 15 of the Trademark Act.

(6) Applicant's mark is confusingly similar to Omega's registered trademarks and is likely, when applied to the goods of the Applicant, to cause confusion, or to cause mistake or to deceive. 15 U.S.C. § 1052(d). Applicant's mark makes a highly similar commercial impression to Opposer's mark due to its incorporation of an OMEGA mark, creating a virtually identical sound and appearance. Applicant has completely appropriated Opposer's entire mark. The overall commercial impression of Applicant's mark, when applied to the same or similar goods, would cause confusion or be likely to cause confusion, mistake, or deception.

(7) The Opposer has a long history of sale and offering for sale of goods in Class 014. Opposer's mark has been used on and in association with all of the types of goods identified by Applicant in the above-captured applications. Further, Opposer has used the OMEGA Marks in advertising and marketing of its goods, and sponsorships and endorsements (such as an official sponsor of the Olympic Games and timer for such events, as well as other professional and amateur contests), which form a significant component of the Opposer's brand marketing efforts in the U.S. and abroad.

(8) Omega has used its OMEGA Marks in commerce extensively and has acquired a considerable and valuable goodwill and widescale recognition for its mark. The public has come to associate the OMEGA Marks, with Opposer and Opposer's goods and

services. The public has come to associate the OMEGA marks with Opposer and Opposer's sports timing products, clothing, accessories, and sports promotion.

(9) On information and belief, use of the OMEGA Mark by the Applicant for goods in Class 14 will cause confusion, mistake and deception with respect to those goods and services, by virtue of the Opposer's prior use and fame of its OMEGA Marks.

(10) On information and belief, both the Applicant's mark and OMEGA's mark are applied to highly related goods and services are likely to be sold to the same or similar channels of distribution. Applicant's OMEGA mark so resembles Omega's OMEGA registrations and well-known trademarks, as used in the United States and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

(11) In addition, even use of the OMEGA Mark with additional words and designs, as depicted in Applicant's application, is highly similar to manner in which the Opposer uses its mark.

(12) Upon information and belief, Applicant's actions, would substantially harm the Opposer, by permitting registration in favor of Applicant for a mark which the Opposer used on its goods from an earlier date and further.

(13) OMEGA is a famous mark.

(14) Upon information and belief, Opposer's OMEGA mark was famous prior to established, continuous use of Applicant's mark.

(15) Applicant's mark dilutes or is likely to dilute the distinctive character of the Opposer's mark.

OPPOSER OMEGA prays that this application Serial No. 77950436, be refused, that no registration be issued thereon to Applicant and that this Opposition be sustained in favor of OMEGA.

Respectfully submitted for
Opposer, OMEGA S.A.

By: Thomas Gulick

Jess M. Collen
Thomas P. Gulick
Oren Gelber
COLLEN IP
The Holyoke-Manhattan Building
80 South Highland Ave
Ossining, NY 10562
(914) 941-5668
(914) 941-6091

DATED: April 20, 2016

Encls.: Exhibits 1 - 9

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS NOTICE OF OPPOSITION IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

COLLEN IP, THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE, OSSINING, NEW YORK 10562

By: Thomas Gulick

Date: 4/20/16

EXHIBIT

1

original

Renewed to
Societe Anonyme Louis Brandt & Frere Omega Watch Co.
Renewed July 24-1944 to Societe Anonyme Louis Brandt
& Frere Omega Watch Co., an organized company of
Switzerland.

UNITED STATES PATENT OFFICE.

LOUIS BRANDT & FRÈRE, OF BIENNE, SWITZERLAND.

TRADE-MARK FOR WATCH-MOVEMENTS AND WATCHCASES.

STATEMENT and DECLARATION of Trade-Mark No. 25,036, registered July 24, 1894.

Application filed May 23, 1894.

STATEMENT.

To all whom it may concern:

Be it known that we, LOUIS BRANDT & FRÈRE, a firm domiciled and doing business in Bienne, Switzerland, have adopted for our use a Trade-Mark for Watch-Movements and Watchcases, of which the following is a full, clear, and exact specification.

Our trade-mark consists of the arbitrary sign of the last letter of the Greek alphabet. This has generally been arranged as shown in the accompanying fac-simile, in which it appears above the word "Omega." But it may be differently arranged and the word "Omega" may be omitted without materially altering the character of our trade-mark, the essential feature of which is the Greek letter "Ω."

This trade-mark has been continuously used by us in our business since March 10, 1894.

The class of merchandise to which this trade-mark is appropriated is horology, and the particular description of goods comprised in such class on which it is used by us is watch-movements and watch-cases. It is usually affixed to the goods by stamping or by printing it upon suitable labels which are afterward placed upon the packages containing the articles.

Signed this 2d day of May, 1894.

LOUIS BRANDT & FRÈRE.

Witnesses:

EDOUARD HAAS,
ALF. H. BESSIR.

DECLARATION.

United States consulate Berne Switzerland ss.

LOUIS PAUL BRANDT being duly sworn deposes and says that he is a member of the firm of LOUIS BRANDT AND FRÈRE, the applicants named in the foregoing statement; that he verily believes that the foregoing statement is true; that the said firm has at this time a right to the use of the trade-mark therein described; that no other person, firm or corporation has the right to such use, either in the identical form or in any such near resemblance thereto as might be calculated to deceive; that it is

used by the applicants in commerce between the United States and foreign nations and particularly with Switzerland; and that the description and fac-simile presented for record truly represent the trade-mark sought to be registered.

LOUIS PAUL BRANDT.

Sworn to and subscribed before me this 14th day of June, 1894.

[L. s.]

JOHN E. HINNEN,
U. S. Vice-Consul.

Republished, under the Act of 1946, Jan. 17, 1950, by
Omega Louis Brandt & Frere, S. A., Bienne, Switzerland.

New Certificate issued November 18, 1952, under Sec. 7c for unexpired term to Omega Louis Brandt & Frere S. A., of Biènnne, Switzerland, a corporation of Switzerland, by change of name from Societe Anonyme Louis Brandt & Frere Omega Watch Co.



Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [70025036](#)

Filing Dt: 05/23/1894

Reg #: [25036](#)

Reg. Dt: 07/24/1894

Registrant: LOUIS BRANDT & FRERE

Mark: OMEGA

Assignment: 1

Reel/Frame: [0440/0955](#)

Recorded: 05/20/1983

Pages: 0

Conveyance: CHANGE OF NAME 19820324

Assignors: [TIPP-EX FABRIKATION WOLFGANG DABISCH CHANGED TO](#)

[TIPP-EX TECHNIK WOLFGANG DABISCH CHANGED TO](#)

Assignee: [WOLFGANG DABISCH](#)

Exec Dt: 03/24/1982

Entity Type: UNKNOWN

Citizenship: NONE

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: HENRY L. SHENIER
380 LEXINGTON AVE.
NEW YORK, NY 10168

Assignment: 2

Reel/Frame: [0444/0955](#)

Recorded: 05/05/1983

Pages: 3

Conveyance: CHANGE OF NAME 19820624

Assignor: [OMEGA LOUIS BRANDT & FRERE S.A.](#)

Assignee: [OMEGA SA \(OMEGA AG\) \(OMEGA LTD.\)](#)

Exec Dt: 03/16/1983

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: HENRY L. SHENIER
SHENIER & O'CONNOR
380 LEXINGTON AVE.
NEW YORK, NY 10168
SHENIER AND O'CONNOR

Search Results as of: 04/20/2016 11:20 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.5
Web interface last modified: July 25, 2014 v.2.5

EXHIBIT

2

Registered Nov. 4, 1952.

Registration No. 566,370

PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

Omega Louis Brandt & Frère, S. A.,
Bienne, Switzerland

Act of 1946

Application December 8, 1951, Serial No. 622,275

OMEGA

STATEMENT

Omega Louis Brandt & Frère, S. A., a Swiss corporation, located and doing business at Bienne, Switzerland, has adopted and is using the trade-mark shown in the accompanying drawing, for WATCHES AND PARTS THEREOF, in Class 27, Horological instruments, and presents herewith five specimens showing the trade-mark as actually used in connection with such goods, the trade-mark being applied by stamping, printing or engraving the same on the goods and by printing the same on the containers and/or tags attached to the goods, and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used in 1894 and was first used in commerce which may lawfully be regulated by the Congress, viz. commerce between the United States and Switzerland in the same year.

Applicant owns the following U. S. registration: No. 25,036.

The applicant hereby designates Chauncey P. Carter, of 4400 Klingle Street, Washington 16, D. C., as applicant's representative in the United States on whom notices or process in proceedings affecting the mark may be served.

OMEGA LOUIS BRANDT & FRÈRE, S. A.,

By A. VALLAT,
Commercial Manager.

COMB. AFF. SEC. 8 & 15

DEC 23 1957



[Assignments on the Web](#) > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [71622275](#)

Filing Dt: 12/08/1951

Reg #: [566370](#)

Reg. Dt: 11/04/1952

Registrant: OMEGA LOUIS BRANDT & FRERE, S.A.

Mark: OMEGA

Assignment: 1

Reel/Frame: [0582/0575](#)

Recorded: 11/13/1987

Pages: 3

Conveyance: CHANGE OF NAME 19820624

Assignor: [OMEGA LOUIS BRANDT & FRERE S.A.](#)

Exec Dt: 04/15/1987

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [OMEGA SA \(OMEGA AG\) \(OMEGA LTD.\)](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: SHENIER & O'CONNOR
122 EAST 42ND STREET
NEW YORK, NY 10168

Search Results as of: 04/20/2016 11:24 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.5
Web interface last modified: July 25, 2014 v.2.5

EXHIBIT

3

Int. Cl.: 14

Prior U.S. Cl.: 27

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 578,041

Registered July 28, 1953

Renewal Term Begins July 28, 1993

**TRADEMARK
PRINCIPAL REGISTER**



OMEGA SA (OMEGA AG) (OMEGA LTD.) (SWITZERLAND CORPORATION)

BIENNE, SWITZERLAND, BY CHANGE OF NAME FROM OMEGA LOUIS BRANDT & FRERE, S.A. (SWITZERLAND CORPORATION) BIENNE, SWITZERLAND

OWNER OF U.S. REG. NOS. 25,036 AND 566,370.

FOR: WATCHES (INCLUDING POCKET WATCHES, WRIST WATCHES

WITH OR WITHOUT STRAPS, BANDS OR BRACELETS, PENDANT WATCHES, CALENDAR WATCHES, AND STOP-WATCHES) EITHER STEM-WIND OR AUTOMATIC; CLOCKS; CHRONOMETERS, CHRONOGRAPHS, AND PARTS FOR ALL OF THE FOREGOING, IN CLASS 27 (INT. CL. 14).

FIRST USE 0-0-1894; IN COMMERCE 0-0-1894.

SER. NO. 71-637,074, FILED 10-23-1952.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on June 21, 1994.

COMMISSIONER OF PATENTS AND TRADEMARKS

Registered July 28, 1953

Registration No. 578,041

PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

**Omega Louis Brandt & Frère, S. A.,
Bienne, Switzerland**

Act of 1946

Application October 23, 1952, Serial No. 637,074



STATEMENT

Omega Louis Brandt & Frère, S. A., a Swiss corporation, located and doing business at Bienne, Switzerland, has adopted and is using the trade-mark shown in the accompanying drawing, for WATCHES (INCLUDING POCKET WATCHES, WRIST WATCHES WITH OR WITHOUT STRAPS, BANDS OR BRACELETS, PENDANT WATCHES, CALENDAR WATCHES, AND STOPWATCHES) EITHER STEM-WIND OR AUTOMATIC; CLOCKS; CHRONOMETERS, CHRONOGRAPHS, AND PARTS FOR ALL OF THE FOREGOING, in Class 27, Horological instruments, and presents herewith five specimens showing the trade-mark as actually used in connection with such goods, the trade-mark being applied to the goods; to tags or labels fastened to the goods; or to the containers, and requests that the same be registered in the United States

Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used in 1894, and was first used in commerce which may lawfully be regulated by Congress, viz., commerce between the United States and Switzerland in the same year. Such first usage was on watches.

Applicant owns the following U. S. registrations: Nos. 25,036 and 566,370.

The applicant hereby designates Chauncey P. Carter, of 4400 Klinge Street, Washington 16, D. C., as applicant's representative in the United States on whom notices or process in proceedings affecting the mark may be served.

OMEGA LOUIS BRANDT &

FRÈRE, S. A.,

By ADOLPHE VALLAT,

Commercial Manager.

COMB. AFF. SEC. 8 & 15

FEB 2 - 1959



[Assignments on the Web](#) > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [71637074](#)

Filing Dt: 10/23/1952

Reg #: [578041](#)

Reg. Dt: 07/28/1953

Registrant: OMEGA LOUIS BRANDT & FRERE, S.A.

Mark: OMEGA

Assignment: 1

Reel/Frame: [1135/0407](#)

Recorded: 04/12/1994

Pages: 5

Conveyance: CHANGE OF NAME EFFECTIVE 6-24-82.

Assignor: [OMEGA LOUIS BRANDT & FRERE S.A.](#)

Exec Dt: 04/15/1987

Entity Type: CORPORATION

Citizenship: SWITZERLAND

Assignee: [OMEGA SA \(OMEGA AG\) \(OMEGA LTD.\)](#)
BIENNE, SWITZERLAND

Entity Type: CORPORATION

Citizenship: SWITZERLAND

Correspondent: JESS M. COLLEN
MCGLEW AND TUTTLE, P.C.
SCARBOROUGH STATION
SCARBOROUGH, NY 10510-0827

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Web interface last modified: July 25, 2014 v.2.5

EXHIBIT

4

Int. Cl.: 9

Prior U.S. Cl.: 26

Reg. No. 660,541

United States Patent and Trademark Office

Registered Apr. 15, 1958

10 Year Renewal

Renewal Term Begins Apr. 15, 1998

TRADEMARK
PRINCIPAL REGISTER



OMEGA

OMEGA SA (OMEGA AG) (OMEGA LTD.) (SWITZERLAND CORPORATION)

BIENNE, SWITZERLAND, BY CHANGE OF NAME FROM OMEGA LOUIS BRANDT & FRERE, S.A. (SWITZERLAND CORPORATION) BIENNE, SWITZERLAND

OWNER OF SWITZERLAND REG. NO. 132656, DATED 3-1-1950.

OWNER OF U.S. REG. NOS. 25,036 AND 578,041.

FOR: AUTOMATIC RECORDING MACHINES AND APPARATUS FOR USE IN DETERMINING THE RESULTS OF SPORTING EVENTS—NAMELY, ELECTRICAL OR MECHANICAL EQUIP-

MENT FOR DETERMINING ELAPSED TIMES IN GAMES OR SPORTING EVENTS COMPRISING A PLURALITY OF INSTRUMENTS FOR PLACEMENT AT THE STARTING AND FINISHING LINES OF A RACING COURSE, THE SAME BEING ELECTRICALLY OPERATED AND CONNECTED TO AND ACTUATED BY THE STARTING GUN OR OTHER SIGNAL SO AS TO AUTOMATICALLY PROVIDE A PERMANENT VISIBLE RECORD OF THE ORDER IN WHICH ONE OR MORE CONTESTANTS FINISH THE RACE AND OF THE CORRESPONDING ELAPSED TIMES, IN CLASS 26 (INT. CL. 9).

SER. NO. 72-029,548, FILED 5-7-1957.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on July 7, 1998.

COMMISSIONER OF PATENTS AND TRADEMARKS



[Assignments on the Web](#) > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [72029548](#)

Filing Dt: 05/07/1957

Reg #: [660541](#)

Reg. Dt: 04/15/1958

Registrant: OMEGA LOUIS BRANDT & FRERE, S.A.

Mark: OMEGA

Assignment: 1

Reel/Frame: [1133/0405](#)

Recorded: 04/13/1994

Pages: 5

Conveyance: CHANGE OF NAME (SEE RECORD FOR DETAILS)

Assignor: [OMEGA LOUIS BRANDT & FRERE S.A.](#)

Exec Dt: 07/06/1982

Entity Type: CORPORATION

Citizenship: SWITZERLAND

Assignee: [OMEGA SA \(OMEGA AG\) \(OMEGA LTD.\)](#)

BIENNE, SWITZERLAND

Entity Type: CORPORATION

Citizenship: SWITZERLAND

Correspondent: JESS M. COLLEN

MCGLEW & TUTTLE, P.C.

SCARBOROUGH STATION

SCARBOROUGH, NY 10510-0827

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Web interface last modified: July 25, 2014 v.2.5

EXHIBIT

5

Int. Cls.: 4, 8, 9, 14 and 16

Prior U.S. Cls.: 15, 23, 26, 27 and 37

United States Patent and Trademark Office

Reg. No. 1,290,661

Registered Aug. 21, 1984

TRADEMARK
Principal Register



Omega SA (Omega AG) (Omega Ltd.) (Switzerland corporation)
96 rue Staempfli
Bienne, Switzerland 2500, by change of name from
Omega Louis Brandt & Frere S.A. (Switzerland corporation)
Bienne, Switzerland

For: LUBRICATING OILS FOR WATCHES AND CLOCKS, in CLASS 4 (U.S. Cl. 15).

For: TOOLS USED IN CLOCK AND WATCH MAKING; TOOLS USED IN JEWELRY MAKING, in CLASS 8 (U.S. Cl. 23).

For: COMPUTER APPARATUS FOR CHECKING AND CONTROLLING THE MEASUREMENT OF TIME AND DISTANCE FOR SPORTING EVENTS, SCIENTIFIC INVESTIGATION, AND INDUSTRIAL APPLICATION, INCLUDING THE ACQUISITION, TRANSMISSION, AND MANAGEMENT OF INFORMATION INTENDED FOR TRANSPORTA-

TION, PUBLICITY, AND FINANCIAL USE; COMPUTERS FOR CALCULATING INFORMATION IN RESPECT OF TIME AND DISTANCE, STORING SUCH INFORMATION, AND MAKING THE SAME AVAILABLE IN VISUAL OR AUDIBLE FORM -- ALL OF WHICH INSTALLATIONS CONTAIN ELECTRONIC ELEMENTS, in CLASS 9 (U.S. Cl. 26).

For: WATCH CASES, WATCH CHAINS, AND WATCH STANDS SOLD AS A UNIT WITH WATCHES, in CLASS 14 (U.S. Cl. 27).

For: FOUNTAIN PENS AND MECHANICAL PENCILS, in CLASS 16 (U.S. Cl. 37).

Owner of Switzerland Reg. No. 312,338, dated May 12, 1981, expires May 12, 2001.

Ser. No. 370,198, filed Jun. 17, 1982.

B. C. WASHINGTON, Examining Attorney



[Assignments on the Web](#) > [Trademark Query](#)

Trademark Assignment Abstract of Title

Total Assignments: 1

Serial #: [73370198](#)

Filing Dt: 06/17/1982

Reg #: [1290661](#)

Reg. Dt: 08/21/1984

Registrant: Omega SA (Omega AG) (Omega Ltd.)

Mark: OMEGA

Assignment: 1

Reel/Frame: [0444/0955](#)

Recorded: 05/05/1983

Pages: 3

Conveyance: CHANGE OF NAME 19820624

Assignor: [OMEGA LOUIS BRANDT & FRERE S.A.](#)

Exec Dt: 03/16/1983

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [OMEGA SA \(OMEGA AG\) \(OMEGA LTD.\)](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: HENRY L. SHENIER
SHENIER & O'CONNOR
380 LEXINGTON AVE.
NEW YORK, NY 10168
SHENIER AND O'CONNOR

Search Results as of: 04/20/2016 11:26 AM
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Web interface last modified: July 25, 2014 v.2.5

EXHIBIT

6

Int. Cls.: 6, 16, 18, 25 and 30

Prior U.S. Cls.: 13, 25, 37, 39, 41 and 46

United States Patent and Trademark Office **Reg. No. 1,969,071**
Registered Apr. 23, 1996

**TRADEMARK
PRINCIPAL REGISTER**



OMEGA S.A. (OMEGA AG) (OMEGA LTD.)
(SWITZERLAND CORPORATION)
96, RUE STAEMPFLI
BIENNE, SWITZERLAND

FOR: METAL KEY RINGS, IN CLASS 6 (U.S.
CLS. 13 AND 25).

FOR: PENS AND PENCILS; NAMELY, ME-
CHANICAL PENCILS AND BALL POINT AND
FELT-TIP PENS, IN CLASS 16 (U.S. CL. 37).

FOR: UMBRELLAS AND PARASOLS, IN
CLASS 18 (U.S. CL. 41).

FOR: CLOTHING; NAMELY, SCARVES, AND
NECKTIES, IN CLASS 25 (U.S. CL. 39).

FOR: CHOCOLATES, IN CLASS 30 (U.S. CL.
46).

OWNER OF SWITZERLAND REG. NO.
368846, DATED 12-16-1988, EXPIRES 12-16-2008.
OWNER OF U.S. REG. NO. 1,290,661.

SER. NO. 74-355,965, FILED 2-5-1993.

JYLL A. SMITH, EXAMINING ATTORNEY



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Registration Number: 1969071

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.5
Web interface last modified: July 25, 2014 v.2.5

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EXHIBIT

7

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

United States Patent and Trademark Office

Reg. No. 2,912,918

Registered Dec. 21, 2004

**TRADEMARK
PRINCIPAL REGISTER**



OMEGA SA (OMEGA AG) (OMEGA LTD.) (SWITZERLAND CORPORATION)
JAKOB-STÄMPFLI-STRASSE 96
BIEL/BIENNE, SWITZERLAND 2502

FOR: WATCHES, WATCH STRAPS, WATCH BRACELETS AND PARTS FOR THE AFORESAID GOODS; CHRONOMETERS, CHRONOGRAPHS; WATCHES MADE OF PRECIOUS METALS; WATCHES PARTLY OR ENTIRELY SET WITH PRECIOUS STONES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 9-11-2003; IN COMMERCE 9-11-2003.

PRIORITY CLAIMED UNDER SEC. 44(D) ON SWITZERLAND APPLICATION NO. 01498/2003, FILED 3-11-2003, REG. NO. 510612, DATED 7-16-2003, EXPIRES 3-11-2013.

SER. NO. 78-278,182, FILED 7-24-2003.

CAROLYN GRAY, EXAMINING ATTORNEY



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Registration Number: 2912918

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EXHIBIT

8

Int. Cl.: 35

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

Reg. No. 3,146,117

United States Patent and Trademark Office

Registered Sep. 19, 2006

**SERVICE MARK
PRINCIPAL REGISTER**



OMEGA SA (OMEGA AG)(OMEGA LTD.) (SWITZERLAND CORPORATION)
JAKOB-STAMPFLI-STRASSE 96
BIEL/BIENNE, SWITZERLAND 2502

FOR: RETAIL STORE SERVICES FEATURING TELEPHONES, PORTABLE TELEPHONES, SPECTACLES, SUNGLASSES, MAGNIFYING GLASSES, WATCHES, CLOCKS, HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS AND THEIR ACCESSORIES, GOODS OF PRECIOUS METAL OR COATED HEREWITH, PRECIOUS STONES, JEWELRY, ARTICLES OF LEATHER AND IMITATION LEATHER AND MOROCCO-DRESSING, TRAVELING BAGS, UMBRELLAS, PINS NOT OF PRECIOUS METAL, KEY RINGS OF METAL, KNIVES, MIR-

RORS, STATIONARY, PENS AND PENCILS, BAGS AND BOXES OF PAPER, CLOTHING, HEAD GEAR, TEXTILE GOODS, GOLF EQUIPMENT AND ACCESSORIES, SMOKER'S ARTICLES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-23-2006; IN COMMERCE 3-23-2006.

OWNER OF U.S. REG. NOS. 25,036, 708,731, AND OTHERS.

SN 78-045,789, FILED 1-31-2001.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Registration Number: 3146117

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EXHIBIT

9

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 3,318,408

United States Patent and Trademark Office

Registered Oct. 23, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



OMEGA SA (OMEGA AG) (OMEGA LTD.) (SWITZERLAND JOINT STOCK COMPANY)
JAKOB-STÄMPFLI-STRASSE 96
CH-2502 BIEL/BIENNE
SWITZERLAND

PRIORITY DATE OF 8-24-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION
0865357 DATED 9-29-2005, EXPIRES 9-29-2015.

FOR: TIMEKEEPING OF SPORTS EVENTS; ORGANIZATION OF SPORTS AND CULTURAL EVENTS NAMELY ORGANIZATION OF WATER SPORTS, ATHLETIC, GOLF, SAILING AND TENNIS COMPETITIONS AND ORGANIZATION OF ART EXHIBITS AND OF CINEMATOGRAPHIC, MUSICAL AND THEATRICAL PERFORMANCES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

OWNER OF U.S. REG. NOS. 578,041, 3,063,837 AND OTHERS.

SER. NO. 79-016,420, FILED 9-29-2005.

STEVEN PEREZ, EXAMINING ATTORNEY



[Assignments on the Web](#) > [Trademark Query](#)

No assignment has been recorded at the USPTO

For Registration Number: 3318408

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CERTIFICATE OF SERVICE AND FILING

I, Nicole M. Kelly, hereby certify that I caused a true and correct copy of the foregoing Amended Notice of Opposition to be served upon Applicant's Attorney of Record at the following address:

Jack A. Wheat
McBrayer McGinnis Leslie & Kirkland PLLC
9300 Shelbyville Road, Suite 110
Louisville, KY 40222

Via first-class mail, postage pre-paid.

Said service having taken place this 20th day of April, 2016

A handwritten signature in black ink, appearing to read "Nicole M. Kelly", is written over a horizontal line. The signature is fluid and cursive.