

ESTTA Tracking number: **ESTTA409883**

Filing date: **05/19/2011**

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	All Saints Retail Ltd.		
Entity	UK Limited Company	Citizenship	United Kingdom
Address	6 Corbet Place Jack's Place, Unit C15-C17 London, UT E16NN UNITED KINGDOM		

Attorney information	Brendan P. McFeely Kane Kessler, PC 1350 Avenue of the Americas New York, NY 10019 UNITED STATES trademark@kanekessler.com Phone:212-541-6222
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### Applicant Information

Application No	85146928	Publication date	04/19/2011
Opposition Filing Date	05/19/2011	Opposition Period Ends	05/19/2011
Applicant	PronghornFreak, inc 20500 cty rd 33 Sterling, CO 80751 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: clothing, namely, jackets, coats, overcoats, rainwear, vests, pants, shirts, T-shirts, polo shirts, sweat shirts, fleece tops, hats, caps, headwear, socks, and belts; handwear, namely, gloves and mittens
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	77413737	Application Date	03/05/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
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Description of Mark	The mark is a stylized depiction of a ram's skull.
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Goods/Services	<p>Class 018. First use:  travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, wallets, umbrellas, satchels, suitcases, luggage trunks, valises, kit bags, toiletries bags for travel, shoe bags for travel, travel bags, replacement parts and fittings for all the aforesaid goods</p> <p>Class 025. First use:  Articles of clothing, namely, belts made of leather or imitation leather, shirts, pants, suits, skirts, dresses, socks, undergarments, footwear, namely, shoes and boots and headgear, namely, hats and caps</p> <p>Class 035. First use:  Retail and wholesale store services featuring articles of soaps, perfumery, essential oils, cosmetics, skin preparations, hair lotions, shampoos, conditioners, shaving preparations and after-shave preparations, deodorants, dentifrices, lip balm, eye creams and gels, sunscreen and tanning preparations, exfoliators and cleaning preparations, laundry preparations, bath and shower foams and gels, bath and shower preparations and depilatory compositions, jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings, key fobs and rings, badges, buckles, chains, pins, bags, travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, belts made of leather or imitation leather, wallets, umbrellas, satchels, suitcases, trunks, valises, travel goods and bags being made of leather or imitation leather, parts and fittings for all the aforesaid goods, articles of clothing, footwear and headgear</p>
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U.S. Application No.	77413729	Application Date	03/05/2008
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	NONE
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Design Mark	
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Description of	The mark is a stylized depiction of a ram's skull.
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Mark	
Goods/Services	<p>Class 003. First use: Soaps; perfumery; essential oils; cosmetics; non-medicated skin preparations; hair lotions; shampoos; conditioners; shaving preparations and after-shave preparations; deodorants for personal use; dentifrices; lip balm; eye creams and gels; sunscreen and sun-tanning preparations; exfoliators, namely, skin abrasive preparations and cleaning preparations; laundry detergent; laundry bleach; bath and shower foams and gels; non-medicated bath and shower preparations and depilatory compositions</p> <p>Class 014. First use: Jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings; key rings of precious metal; badges of precious metal, buckles for watchstraps, jewelry chains, jewelry pins, parts and fittings for all the aforesaid goods</p>

U.S. Application No.	77413742	Application Date	03/05/2008
Registration Date	NONE	Foreign Priority Date	02/28/2008

Word Mark	NONE
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Design Mark	
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Description of Mark	The mark consists of a stylized depiction of a ram's skull.
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Goods/Services	<p>Class 004. First use: Candles; candles for use as nightlights; candles for use in the decoration of cakes; Christmas tree candles; fragranced candles; musk scented candles; perfumed candles; scented candles; wicks for candles</p> <p>Class 006. First use: Small items of metal hardware, namely, metal ID tags, metal dogtags; goods of common metal not included in other classes, namely, baskets, drawer pulls and home decor products, namely, metal hooks; general purpose metal storage containers; metal boxes; money boxes of common metal; metal hooks; metal keys for locks; metal key rings; metal locks; metal padlocks; pegs of metal</p> <p>Class 008. First use: hand operated hand tools and implements, namely, universal tools and pocketknives comprised of screwdrivers, knives, can openers, files, pliers; cutlery; razors; electric razors and hair cutters; manicure sets</p> <p>Class 009. First use: Optical goods, namely, opera glasses; binoculars, telescopes, monoculars; spectacles; sunglasses; cases and carrying cases adapted for spectacles and sunglasses; containers for spectacles and sunglasses; chains, cords and straps for spectacles and sunglasses; frames for spectacles and sunglasses; lenses for spectacles and sunglasses; headphones; mouse mats; mobile phone</p>
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accessories, namely, mobile phone cases, straps and skins being fitted plastic films for providing a protective or decorative barrier or cover for mobile phones; bags adapted for carrying photographic apparatus, video apparatus, cameras; battery holders; cassette tape holders; compact disc holders; MP3 holders; holders adapted for mobile phones; holders adapted for the display and storage of audio and video cassettes and discs; holders adapted for compact discs; holders for the transport of cassettes and discs

Class 016. First use:

Writing paper; paper napkins; cardboard boxes; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials, namely, artists' brushes and pens; paint brushes; typewriters and office requisites, namely, staplers, paperweights, paper clip holders, notepads; plastic materials for packaging, namely, plastic bags for packaging; bound notebooks; index notebooks; loose-leaf notebooks; notebooks; pocket notebooks; protective jackets for notebooks; telephone index notebooks; books in the field of fashion, style, apparel; greeting cards; photo albums; money clips of common metal

Class 020. First use:

Pillows and cushions; picture frames, paper photo frames, boxes of wood or plastic, coat hangers, coat hooks not of metal, clothing hangers, decorative cushions, statues of wood, plaster, wax or plastic, cosmetic mirrors, wall plaques, clothes hooks not of metal, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, hampers, mirror tiles, picture stands, armchairs, sleeping bags for camping, bedding except linen, namely, mattresses, bedsteads of wood, benches, slatted indoor blinds, book rests, bottle casings of wood, bottle racks, picture frame brackets (shelves), bakers' bread baskets, index cabinets, medicine cabinets, display cases of wood or plastic, chairs, chests for toys, chests not of metal, chests of drawers, wardrobes for clothing, closets being furniture, coat stands, costume stands, cots, cradles, crates, cupboards, cushions, deck chairs, desks, display stands, divans, door handles not of metal, doors for furniture, dressing tables, easy chairs, embroidery frames, non electric fans for personal use, filing cabinets, furniture fittings not of metal, window fittings not of metal, flower stands, footstools, furniture, furniture shelves, furniture mirrors, hat stands, high chairs for babies, house numbers not of metal non luminous, kennels for household pets, keyboards for hanging keys, ladders of wood or plastic, letter boxes not of metal or masonry, magazine racks, mattresses, newspaper display stands, pillows, plate racks, poles not of metal, settees, shelves for storage, sideboards, sofas, table tops, tables (furniture) of metal, tent pegs not of metal, mirror tiles, fixed towel dispensers not of metal, typing desks, umbrella stands

Class 021. First use:

Household or kitchen utensils and containers, namely, spatulas, serving spoons, dishes, dishware, ovenware; combs; bath sponges; cleaning sponges; clothes brushes; hair brushes; cleaning cloths; steel wool; un-worked or semi-worked glass (except glass used in building); plates; dishware; beverage glasses; cups; mugs; serving bowls; serving troughs; beverage glassware; bottle openers, ceramic boxes; ornaments made of ceramics not being tree ornaments; candle holders; serving trays; bread baskets for domestic use; decorative ceramic tiles not for use as building materials

Class 024. First use:

Bed covers; table covers, namely, table cloths not of paper; towels; beach towels; hand towels; tea towels

Class 027. First use:

Carpets, rugs, mats and matting, linoleum for covering existing floors; wall hangings (non-textile); wallpaper

Class 028. First use:

	Games and playthings, namely, dolls, plush toys, action figures, toy vehicles, jacks; gymnastic and sporting articles, namely, balls for games and balls for sports, baseball bats, cricket bats, flying discs; decorations for Christmas trees; board games; playing cards; backgammon sets; chess sets; draughts games, pieces and sets; dominoes
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Attachments	77413737#TMSN.jpeg ( 1 page )( bytes ) 77413729#TMSN.jpeg ( 1 page )( bytes ) 77413742#TMSN.jpeg ( 1 page )( bytes ) pronghorn logo opposition.PDF ( 15 pages )(867977 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	/brendan p mcfeely/
Name	Brendan P. McFeely
Date	05/19/2011

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

Application No.: 85/146,928  
Filing Date: October 7, 2010  
Published: April 19, 2011

ALL SAINTS RETAIL LIMITED,	x	
	:	<b>NOTICE OF OPPOSITION</b>
	:	Under 15 U.S.C. §1063(a)
Opposer,	:	
	:	Opposition No. _____
v.	:	
	:	
PronghornFreak, Inc.,	:	
	:	
Applicant.	:	
	x	

All Saints Retail Limited ("Opposer") believes that it will be damaged by registration



of the mark (the "Skull Logo") as shown in application serial no. 85/146,928 (the "Opposed Mark"), filed by PronghornFreak, Inc. ("Applicant"), and hereby opposes same pursuant to Section 13 of the Trademark Act of 1946, as amended, 15 U.S.C. § 1501 *et seq.* (the "Trademark Act") on the following grounds:

**THE PARTIES**

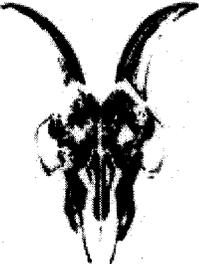
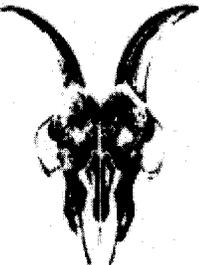
1. Opposer is a limited company organized under the laws of the United Kingdom, with offices at Jack's Place Units C15-C17, 6 Corbet Place, London, United Kingdom E16NN.
2. Opposer, itself and through its affiliates, licensees and related companies, is in the business of designing, manufacturing, marketing and selling apparel and footwear for men, women and children, housewares, small leather goods, luggage and jewelry, among other products.

3. Opposer uses in the United States and is the owner of pending trademark applications in the United States and abroad for designs of a “ram’s skull” (depicted in paragraph 5 herein) and its marks are well-known in the areas of men’s, women’s and children’s apparel.

4. Upon information and belief, Applicant is a Colorado corporation having a place of business at 20500 County Road 33, Sterling, Colorado 80751.

**ALLEGATIONS APPLICABLE TO ALL CLAIMS FOR RELIEF**

5. Opposer is the owner of the following trademark applications in the United States (“Opposer’s Design Marks”):

MARK	APP. NO.	PRIORITY DATE	GOODS & SERVICES
	77/413,737 (approved for registration)	3/5/2008	<p>IC 18: travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, wallets, umbrellas, satchels, suitcases, luggage trunks, valises, kit bags, toiletries bags for travel, shoe bags for travel, travel bags, replacement parts and fittings for all the aforesaid goods</p> <p>IC 25: Articles of clothing, namely, belts made of leather or imitation leather, shirts, pants, suits, skirts, dresses, socks, undergarments, footwear, namely, shoes and boots and headgear, namely, hats and caps</p> <p>IC 35: Retail and wholesale store services featuring articles of soaps, perfumery, essential oils, cosmetics, skin preparations, hair lotions, shampoos, conditioners, shaving preparations and after-shave preparations, deodorants, dentifrices, lip balm, eye creams and gels, sunscreen and tanning preparations, exfoliators and cleaning preparations, laundry preparations, bath and shower foams and gels, bath and shower preparations and depilatory compositions, jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings, key fobs and rings, badges, buckles, chains, pins, bags, travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, belts made of leather or imitation leather, wallets, umbrellas, satchels, suitcases, trunks, valises, travel goods and bags being made of leather or imitation leather, parts and fittings for all the aforesaid goods, articles of clothing, footwear and headgear</p>
	77/413,729 (allowed)	3/5/2008	<p>IC 3: Soaps; perfumery; essential oils; cosmetics; non-medicated skin preparations; hair lotions; shampoos; conditioners; shaving preparations and after-shave preparations; deodorants for personal use; dentifrices; lip balm; eye creams and gels; sunscreen and sun-tanning preparations; exfoliators, namely, skin abrasive preparations and cleaning preparations; laundry detergent; laundry bleach; bath and shower foams and gels; non-medicated bath and shower preparations and depilatory compositions</p> <p>IC 14: Jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings; key rings of precious metal;</p>

MARK	APP. NO.	PRIORITY DATE	GOODS & SERVICES
			badges of precious metal, buckles for watchstraps, jewelry chains, jewelry pins, parts and fittings for all the aforesaid goods
	77/413,742 (allowed)	2/28/2008	<p>IC 4: Candles; candles for use as nightlights; candles for use in the decoration of cakes; Christmas tree candles; fragranced candles; musk scented candles; perfumed candles; scented candles; wicks for candles</p> <p>IC 6: ironmongery, small items of metal hardware, namely ID tags, dogtags; goods of common metal not included in other classes, namely baskets, drawer pulls and home decor products; money clips of common metal; metal storage containers; metal boxes; money boxes of common metal; metal hooks; metal keys for locks; metal key rings; metal locks; metal padlocks; pegs of metal</p> <p>IC 8: hand operated hand tools and implements, namely universal tools and pocketknives; cutlery; razors; bottle openers; electric razors and hair cutters; manicure sets</p> <p>IC 9: Optical goods, namely, opera glasses; binoculars, telescopes, monoculars; spectacles; sunglasses; cases and carrying cases adapted for spectacles and sunglasses; containers for spectacles and sunglasses; chains, cords and straps for spectacles and sunglasses; frames for spectacles and sunglasses; lenses for spectacles and sunglasses; headphones; mouse mats; mobile phone accessories namely mobile phone cases, straps, decals, skins, lanyards; bags adapted for carrying photographic apparatus, video apparatus, cameras; battery holders; cassette tape holders; compact disc holders; MP3 holders; holders adapted for mobile phones; holders adapted for the display and storage of audio and video cassettes and discs; holders adapted for compact discs; holders for the transport of cassettes and discs</p> <p>IC 16: writing paper; paper napkins; cardboard boxes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials namely artists' brushes and pens; paint brushes; typewriters and office requisites, namely staplers, paperweights, paper clip holders, notepads; instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; bound notebooks; index notebooks; loose-leaf notebooks; notebooks; pocket notebooks; protective jackets for notebooks; telephone index notebooks; books; greeting cards; photo albums</p> <p>IC 20: pillows and cushions; soft furnishings. Picture frames, paper photo frames, boxes of wood or plastic, coat hangers, coat hooks not of metal, clothing hangers, clothing covers for wardrobe and closet use, decorative cushions, jewellery cases not of precious metal, statues of wood, plaster, wax or plastic, cosmetic mirrors, wall plaques, clothes hooks not of metal, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, hampers, mirror tiles, picture stands, armchairs, sleeping bags for camping, bedding except linen, namely mattresses and mattress pads, bedsteads of wood, benches, trash bins not of metal, trash bins of wood or plastic, slatted indoor blinds, book rests, bottle casings of wood, bottle racks, picture frame brackets (shelves), bakers' bread baskets, index cabinets, medicine cabinets, display cases of wood or plastic, chairs, chests for toys, chests not of metal, chests of drawers, wardrobes for clothing, closets, coat stands, costume stands, cots, cradles, crates, cupboards, cushions, deck</p>

MARK	APP. NO.	PRIORITY DATE	GOODS & SERVICES
			<p>chairs, desks, display stands, divans, door fittings not of metal, door handles not of metal, doors for furniture, dressing tables, easy chairs, embroidery frames, non electric fans for personal use, filing cabinets, furniture fittings not of metal, window fittings not of metal, flower stands, footstools, furniture, furniture shelves, furniture mirrors, hat stands, high chairs for babies, house numbers not of metal non luminous, kennels for household pets, keyboards for hanging keys, ladders of wood or plastic, letter boxes not of metal or masonry, magazine racks, mattresses, newspaper display stands, pillows, plate racks, poles not of metal, settees, shelves for storage, sideboards, sofas, table tops. tables of metal, tent pegs not of metal, tiles, fixed towel dispensers not of metal, typing desks, umbrella stands</p> <p>IC 21: Household or kitchen utensils and containers, namely spatulas, spoons, serving spoons, dishes, dishware, ovenware; combs; bath sponges; cleaning sponges; clothes brushes; hair brushes; cleaning cloths; cleaning towels; steel wool; un-worked or semi-worked glass (except glass used in building); dishes; plates; dishware; glasses; cups; mugs; serving bowls; serving troughs; glassware; bottle openers, ceramic boxes; ornaments made of ceramics not being tree ornaments; candle holders; serving trays; bread baskets for domestic use; decorative ceramic tiles not for use as building materials</p> <p>IC 24: bed and table covers; towels; beach towels; hand towels; tea towels</p> <p>IC 27: Carpets, rugs, mats and matting, linoleum for covering existing floors; wall hangings (non-textile); wallpaper</p> <p>IC 28: Games and playthings, namely dolls, plush toys, action figures, toy vehicles, jacks; gymnastic and sporting articles, namely balls, athletic equipment, baseball bats, cricket bats, flying discs; decorations for Christmas trees; board games; playing cards; backgammon sets; chess sets; draughts games, pieces and sets; dominoes</p>

Copies of the U.S. Patent and Trademark Office's *TESS* printouts of Opposer's Design Marks are attached hereto as Exhibit A.

6. The priority dates for the Opposer's Design Marks precede any priority date Applicant has asserted or may assert.

7. The application for the Opposed Mark was filed on October 7, 2010 in International Class 25 for "clothing, namely, jackets, coats, overcoats, rainwear, vests, pants, shirts, T-shirts, polo shirts, sweat shirts, fleece tops, hats, caps, headwear, socks, and belts; handwear, namely, gloves and mittens", based on intent to use the Opposed Mark in commerce (the "Application"). The Application was published for opposition on April 19, 2011.

8. Opposer believes that it would be damaged by registration of the Opposed Mark, and therefore has standing to interpose this Notice of Opposition, for the following reasons:

9. Opposer has used on a nationwide basis and has common law rights in Opposer's Design Marks that predate Applicant's filing date of the Application.

10. Opposer has filed the pending applications for at least three (3) marks that are confusingly similar to the Opposed Mark. Therefore, Opposer has standing to interpose this Notice of Opposition.

### **COUNT I: LIKELIHOOD OF CONFUSION**

11. Applicant's intended use of the Opposed Mark is likely to cause confusion among an appreciable number of reasonably prudent purchasers, who may mistakenly assume that Applicant's goods emanate from, or are licensed, sponsored or otherwise authorized by Opposer, whereas in fact they are not.

12. The Opposed Mark so closely resembles Opposer's Design Marks as to be likely, when applied to Applicant's goods, to cause confusion or mistake or to deceive members of the trade a public, who are likely to believe that Applicant's goods originated with Opposer or are somehow connected to Opposer.

13. The Opposed Mark and the Opposer's Design Marks are confusingly similar in appearance, connotation and commercial impression, and the goods of Opposer and Applicant substantially overlap as both include apparel in International Class 25 and are otherwise related.

14. In light of the foregoing, the use and registration of the Opposed Mark by Applicant is likely to damage and destroy the distinctiveness, goodwill and reputation built by Opposer in the Opposer's Design Marks by virtue of the confusion, mistake and deception likely to occur between the Opposed Mark and the Opposer's Design Marks.

15. The Opposed Mark is confusingly and deceptively similar to Opposer's Design Marks as applied to its goods, such that the use and registration of Applicant's mark is likely to cause confusion and mistake and will deceive the public into believing that Applicant's goods originate or are in some way sponsored, licensed, associated or otherwise authorized by Opposer.

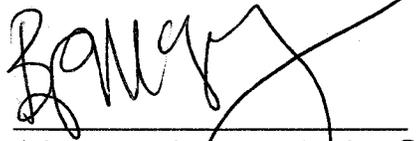
16. Pursuant to Section 2(d) of the Trademark Act, Applicant is not entitled to registration of the Opposed Mark because the current use in commerce and registration of the Opposed Mark and the Opposer's Design Marks is likely to cause confusion or to cause mistake and/or to deceive.

**WHEREFORE**, Opposer respectfully requests that the Notice of Opposition be sustained, that the registration of the Opposed Mark to Applicant be refused and that the Board grant such other and further relief as the Board deems proper.

Dated: New York, New York  
May 19, 2011

Respectfully submitted,

KANE KESSLER, P.C.



Adam M. Cohen, Esq. (acohen@kanekessler.com)

Brendan P. McFeely, Esq. (bmcfeely@kanekessler.com)

Sara J. Crisafulli, Esq. (scrisafulli@kanekessler.com)

Attorneys for Opposer

1350 Avenue of the Americas

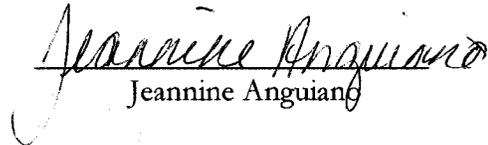
New York, NY 10019

(212) 541-6222

**CERTIFICATE OF SERVICE**

This is to certify that on the 19th day of May, 2011, the undersigned served the foregoing NOTICE OF OPPOSITION via U.S. First Class Mail, postage prepaid, on Applicant as follows:

PronghornFreak, Inc.  
20500 Cyt Road 33  
Sterling, CO 80751

  
Jeannine Anguiano

**EXHIBIT A**



**United States Patent and Trademark Office**

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**Goods and Services** IC 018. US 001 002 003 022 041. G & S: travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, wallets, umbrellas, satchels, suitcases, luggage trunks, valises, kit bags, toiletries bags for travel, shoe bags for travel, travel bags, replacement parts and fittings for all the aforesaid goods

IC 025. US 022 039. G & S: Articles of clothing, namely, belts made of leather or imitation leather, shirts, pants, suits, skirts, dresses, socks, undergarments, footwear, namely, shoes and boots and headgear, namely, hats and caps

IC 035. US 100 101 102. G & S: Retail and wholesale store services featuring articles of soaps, perfumery, essential oils, cosmetics, skin preparations, hair lotions, shampoos, conditioners, shaving preparations and after-shave preparations, deodorants, dentifrices, lip balm, eye creams and gels, sunscreen and tanning preparations, exfoliators and cleaning preparations, laundry preparations, bath and shower foams and gels, bath and shower preparations and depilatory compositions, jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings, key fobs and rings, badges, buckles, chains, pins, bags, travel bags, beach bags, luggage, rucksacks, bum bags, handbags, keycases, tote bags, hold all bags, shoulder bags, belts made of leather or imitation leather, wallets, umbrellas, satchels, suitcases, trunks, valises, travel goods and bags being made of leather or imitation leather, parts and fittings for all the aforesaid goods, articles of clothing, footwear and headgear

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 03.13.02 - Bones (animals, four-footed mammals); Skeletons (animals, four-footed mammals); Skulls (animals, four-footed mammals)

**Serial Number** 77413737

**Filing Date** March 5, 2008  
**Current Filing Basis** 44E  
**Original Filing Basis** 1B;44E  
**Published for Opposition** August 4, 2009  
**Owner** (APPLICANT) All Saints Retail Limited LIMITED COMPANY (LTD.) UNITED KINGDOM Jack's Place, Unit C15-C17 6 Corbet Place London UNITED KINGDOM E16NN  
**Attorney of Record** Brendan P. McFeely  
**Description of Mark** Color is not claimed as a feature of the mark. The mark is a stylized depiction of a ram's skull.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Goods and Services**

IC 003. US 001 004 006 050 051 052. G &amp; S: Soaps; perfumery; essential oils; cosmetics; non-medicated skin preparations; hair lotions; shampoos; conditioners; shaving preparations and after-shave preparations; deodorants for personal use; dentifrices; lip balm; eye creams and gels; sunscreen and sun-tanning preparations; exfoliators, namely, skin abrasive preparations and cleaning preparations; laundry detergent; laundry bleach; bath and shower foams and gels; non-medicated bath and shower preparations and depilatory compositions

IC 014. US 002 027 028 050. G &amp; S: Jewellery, precious stones, horological and chronometric instruments, clocks and watches, earrings; key rings of precious metal; badges of precious metal, buckles for watchstraps, jewelry chains, jewelry pins, parts and fittings for all the aforesaid goods

**Mark Drawing Code**

(2) DESIGN ONLY

**Design Search Code**

03.13.02 - Bones (animals, four-footed mammals); Skeletons (animals, four-footed mammals); Skulls (animals, four-footed mammals)

**Serial Number**

77413729

**Filing Date**

March 5, 2008

**Current Filing Basis**

1B;44E

**Original Filing Basis**

1B;44E

**Published for Opposition**

September 29, 2009

**Owner**

(APPLICANT) All Saints Retail Limited LIMITED COMPANY (LTD.) UNITED KINGDOM Jack's Place, Unit C15-C17 6 Corbet Place London UNITED KINGDOM E16NN

**Attorney of Record**

Brendan P. McFeely

**Description of Mark** Color is not claimed as a feature of the mark. The mark is a stylized depiction of a ram's skull.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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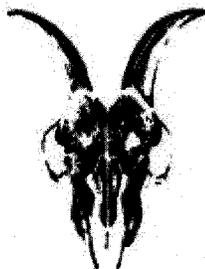
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#### Goods and Services

IC 004. US 001 006 015. G & S: Candles; candles for use as nightlights; candles for use in the decoration of cakes; Christmas tree candles; fragranced candles; musk scented candles; perfumed candles; scented candles; wicks for candles

IC 006. US 002 012 013 014 023 025 050. G & S: Small items of metal hardware, namely, metal ID tags, metal dogtags; goods of common metal not included in other classes, namely, baskets, drawer pulls and home decor products, namely, metal hooks; general purpose metal storage containers; metal boxes; money boxes of common metal; metal hooks; metal keys for locks; metal key rings; metal locks; metal padlocks; pegs of metal

IC 008. US 023 028 044. G & S: hand operated hand tools and implements, namely, universal tools and pocketknives comprised of screwdrivers, knives, can openers, files, pliers; cutlery; razors; electric razors and hair cutters; manicure sets

IC 009. US 021 023 026 036 038. G & S: Optical goods, namely, opera glasses; binoculars, telescopes, monoculars; spectacles; sunglasses; cases and carrying cases adapted for spectacles and sunglasses; containers for spectacles and sunglasses; chains, cords and straps for spectacles and sunglasses; frames for spectacles and sunglasses; lenses for spectacles and sunglasses; headphones; mouse mats; mobile phone accessories, namely, mobile phone cases, straps and skins being fitted plastic films for providing a protective or decorative barrier or cover for mobile phones; bags adapted for carrying photographic apparatus, video apparatus, cameras; battery holders; cassette tape holders; compact disc holders; MP3 holders; holders adapted for mobile phones; holders adapted for the display and storage of audio and video cassettes and discs; holders adapted for compact discs; holders for the transport of cassettes and discs

IC 016. US 002 005 022 023 029 037 038 050. G & S: Writing paper; paper napkins; cardboard boxes; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials, namely, artists' brushes and pens; paint brushes; typewriters and office requisites, namely, staplers, paperweights, paper clip holders, notepads; plastic materials for packaging, namely, plastic

bags for packaging; bound notebooks; index notebooks; loose-leaf notebooks; notebooks; pocket notebooks; protective jackets for notebooks; telephone index notebooks; books in the field of fashion, style, apparel; greeting cards; photo albums; money clips of common metal

IC 020. US 002 013 022 025 032 050. G & S: Pillows and cushions; picture frames, paper photo frames, boxes of wood or plastic, coat hangers, coat hooks not of metal, clothing hangers, decorative cushions, statues of wood, plaster, wax or plastic, cosmetic mirrors, wall plaques, clothes hooks not of metal, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, hampers, mirror tiles, picture stands, armchairs, sleeping bags for camping, bedding except linen, namely, mattresses, bedsteads of wood, benches, slatted indoor blinds, book rests, bottle casings of wood, bottle racks, picture frame brackets (shelves), bakers' bread baskets, index cabinets, medicine cabinets, display cases of wood or plastic, chairs, chests for toys, chests not of metal, chests of drawers, wardrobes for clothing, closets being furniture, coat stands, costume stands, cots, cradles, crates, cupboards, cushions, deck chairs, desks, display stands, divans, door handles not of metal, doors for furniture, dressing tables, easy chairs, embroidery frames, non electric fans for personal use, filing cabinets, furniture fittings not of metal, window fittings not of metal, flower stands, footstools, furniture, furniture shelves, furniture mirrors, hat stands, high chairs for babies, house numbers not of metal non luminous, kennels for household pets, keyboards for hanging keys, ladders of wood or plastic, letter boxes not of metal or masonry, magazine racks, mattresses, newspaper display stands, pillows, plate racks, poles not of metal, settees, shelves for storage, sideboards, sofas, table tops, tables (furniture) of metal, tent pegs not of metal, mirror tiles, fixed towel dispensers not of metal, typing desks, umbrella stands

IC 021. US 002 013 023 029 030 033 040 050. G & S: Household or kitchen utensils and containers, namely, spatulas, serving spoons, dishes, dishware, ovenware; combs; bath sponges; cleaning sponges; clothes brushes; hair brushes; cleaning cloths; steel wool; un-worked or semi-worked glass (except glass used in building); plates; dishware; beverage glasses; cups; mugs; serving bowls; serving troughs; beverage glassware; bottle openers, ceramic boxes; ornaments made of ceramics not being tree ornaments; candle holders; serving trays; bread baskets for domestic use; decorative ceramic tiles not for use as building materials

IC 024. US 042 050. G & S: Bed covers; table covers, namely, table cloths not of paper; towels; beach towels; hand towels; tea towels

IC 027. US 019 020 037 042 050. G & S: Carpets, rugs, mats and matting, linoleum for covering existing floors; wall hangings (non-textile); wallpaper

IC 028. US 022 023 038 050. G & S: Games and playthings, namely, dolls, plush toys, action figures, toy vehicles, jacks; gymnastic and sporting articles, namely, balls for games and balls for sports, baseball bats, cricket bats, flying discs; decorations for Christmas trees; board games; playing cards; backgammon sets; chess sets; draughts games, pieces and sets; dominoes

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 03.13.02 - Bones (animals, four-footed mammals); Skeletons (animals, four-footed mammals); Skulls (animals, four-footed mammals)

**Serial Number** 77413742

**Filing Date** March 5, 2008

**Current Filing Basis** 1B;44E

**Original Filing Basis** 1B;44D

**Published for Opposition** March 30, 2010

**Owner** (APPLICANT) All Saints Retail Limited LIMITED COMPANY (LTD.) UNITED KINGDOM Jack's Place, Unit C15-C17 6 Corbet Place London UNITED KINGDOM E16NN

**Attorney of**

**Record**            Brendan P. McFeely  
**Priority Date**     February 28, 2008  
**Description of Mark**    Color is not claimed as a feature of the mark. The mark consists of a stylized depiction of a ram's skull.  
**Type of Mark**        TRADEMARK  
**Register**            PRINCIPAL  
**Live/Dead Indicator**    LIVE

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