

ESTTA Tracking number: **ESTTA420796**

Filing date: **07/20/2011**

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	United Global Media Group, Inc.
Granted to Date of previous extension	07/20/2011
Address	214 Main St. #245 El Segundo, CA 90245 UNITED STATES

Attorney information	Aaron Silverstein Saunders & Silverstein LLP 14 Cedar Street, Suite 224 Amesbury, MA 01913-1831 UNITED STATES trademarks@massiplaw.com, asilverstein@massiplaw.com Phone:978-463-9130
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Applicant Information

Application No	85155593	Publication date	03/22/2011
Opposition Filing Date	07/20/2011	Opposition Period Ends	07/20/2011
Applicant	Tseng, Bonnie 3020 LaVista Court Decatur, GA 30033 UNITED STATES		

Goods/Services Affected by Opposition

Class 044. First Use: 1999/01/01 First Use In Commerce: 1999/01/01
All goods and services in the class are opposed, namely: Providing information about beauty

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Mark Not Yet In Use At Time Application Was Filed

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3741286	Application Date	02/11/2008
Registration Date	01/19/2010	Foreign Priority Date	NONE
Word Mark	THE BEAUTY CHANNEL		

Design Mark	THE BEAUTY CHANNEL
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2006/01/15 First Use In Commerce: 2006/01/15 Entertainment services, namely, producing beauty related multimedia content distributed via dsl, wireless, or via a global computer network; production and distribution of video content to a global audience in the fields of beauty salon services, hair, nails, makeup, facials, spa services and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health

U.S. Registration No.	3086867	Application Date	12/16/2004
Registration Date	04/25/2006	Foreign Priority Date	NONE

Word Mark	BEAUTY TV
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Design Mark	Beauty TV
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Description of Mark	NONE
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Goods/Services	Class 038. First use: First Use: 1996/01/01 First Use In Commerce: 1996/01/01 TELEVISION AND RADIO BROADCASTING, AND BROADCASTING PROGRAMS VIA THE INTERNET, ALL IN THE FIELD OF BEAUTY
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U.S. Registration No.	3688141	Application Date	05/23/2008
Registration Date	09/29/2009	Foreign Priority Date	NONE

Word Mark	BEAUTY TV
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Design Mark	BEAUTY TV
Description of Mark	NONE
Goods/Services	<p>Class 041. First use: First Use: 1996/01/01 First Use In Commerce: 1996/01/01 Production and distribution of television programs in the fields of beauty care, cosmetics, health, fitness, and nutrition; Entertainment services, namely, a multimedia program series featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition distributed via various platforms across multiple forms of transmission media; Electronic publishing, namely, publishing of blogs featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition; Providing podcasts in the fields of beauty care, cosmetics, health, fitness, and nutrition</p> <p>Class 044. First use: First Use: 1996/01/01 First Use In Commerce: 1996/01/01 Providing audio-visual information in the fields of beauty care, cosmetics, health, fitness, and nutrition via electronic communications networks, mobile networks, or device-to-device communications; Providing information online relating to beauty care, cosmetics, health, fitness, and and nutrition via electronic communications networks, mobile networks, or device-to-device communications; Providing a web site featuring videos, images, and other audiovisual or multimedia materials featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition; Providing reviews, commentary, and other information relating to beauty care, cosmetics, health, fitness, and and nutrition via electronic communications networks, mobile networks, or device-to-device communications</p>

U.S. Registration No.	3077921	Application Date	06/09/2004
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	THE BEAUTY NETWORK		
Design Mark	The Beauty Network		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1996/01/01 First Use In Commerce: 1996/01/01		

	ENTERTAINMENT SERVICES, NAMELY, PRODUCING BEAUTY RELATED PROGRAMS DISTRIBUTED VIA BROADCAST TELEVISION, CABLE, DSL, WIRELESS, OR VIA A GLOBAL COMPUTER NETWORK; PRODUCTION AND DISTRIBUTION AND RE-PURPOSING OF VIDEO CONTENT TO A GLOBAL AUDIENCE IN THE FIELDS OF BEAUTY SALON SERVICES, HAIR, NAILS, MAKEUP, FACIALS, SPA SERVICES AND TREATMENTS, WAXING, AND ELECTROLYSIS, LASERS; COSMETIC SURGERY; FASHION, HEALTH, FITNESS; AND NUTRITION
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U.S. Registration No.	3451561	Application Date	07/02/2007
Registration Date	06/17/2008	Foreign Priority Date	NONE
Word Mark	BEAUTY MD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2006/01/01 First Use In Commerce: 2006/01/01 MEDICAL SERVICES, NAMELY, COSMETIC SURGERY; NON-MEDICAL SERVICES AND TREATMENTS RELATING TO COSMETIC SURGERY IN THE NATURE OF COSMETIC BODY CARE SERVICES AND COSMETIC PEELS		

U.S. Registration No.	3936977	Application Date	04/17/2010
Registration Date	03/29/2011	Foreign Priority Date	NONE
Word Mark	SYNCHRONIZING BEAUTY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2009/01/15 First Use In Commerce: 2009/01/15 Providing audio-visual information in the fields of beauty care and health, online		

	via a global computer network; Providing information relating to beauty care and health, online via a global computer network; Providing reviews, commentary, and other information relating to beauty care and health, online via a global computer network; Providing a website featuring information in the fields of beauty care and health; Providing a website featuring videos, images, and other audiovisual or multimedia materials in the fields of beauty care and health
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U.S. Application No.	85045748	Application Date	05/22/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BEAUTY EVERYWHERE		
Design Mark	<p style="text-align: center;">BEAUTY EVERYWHERE</p>		
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2007/02/01 First Use In Commerce: 2007/02/01 Providing audio-visual information in the fields of beauty care and health, online via a global computer network; Providing information relating to beauty care and health, online via a global computer network; Providing reviews, commentary, and other information relating to beauty care and health, online via a global computer network; Providing a website featuring information in the fields of beauty care and health; Providing a website featuring videos, images, and other audiovisual or multimedia materials in the fields of beauty care and health		

U.S. Application No.	85289521	Application Date	04/07/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	THE BEAUTY CHANNEL		
Design Mark	<p style="text-align: center;">THE BEAUTY CHANNEL</p>		
Description of Mark	NONE		
Goods/Services	Class 044. First use: First Use: 2006/01/15 First Use In Commerce: 2006/01/15		

	<p>Providing audio-visual information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing information online relating to beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing a web site featuring videos, images, and other audiovisual or multimedia materials featuring information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments; Providing reviews, commentary, and other information relating to beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communication</p>
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Attachments	<p>77393574#TMSN.jpeg (1 page)(bytes) 78534162#TMSN.jpeg (1 page)(bytes) 77481995#TMSN.jpeg (1 page)(bytes) 78432594#TMSN.jpeg (1 page)(bytes) 77220883#TMSN.jpeg (1 page)(bytes) 85016526#TMSN.jpeg (1 page)(bytes) 85045748#TMSN.jpeg (1 page)(bytes) 85289521#TMSN.jpeg (1 page)(bytes) 20110720150858 beautv nop final.pdf (8 pages)(569826 bytes) ex a final.pdf (3 pages)(257664 bytes) ex b final.pdf (3 pages)(118768 bytes) ex c final.pdf (4 pages)(158799 bytes) ex d final.pdf (3 pages)(126256 bytes) ex e final.pdf (3 pages)(120269 bytes) ex f final.pdf (3 pages)(276702 bytes) ex g final.pdf (4 pages)(152167 bytes) ex h final.pdf (4 pages)(150555 bytes)</p>
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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	/asilverstein/
Name	Aaron Silverstein
Date	07/20/2011

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

In the Matter of Application Serial No. 85155593
Filed: October 19, 2010
Mark: BEAUTV
Published for Opposition: March 22, 2011

UNITED GLOBAL MEDIA GROUP, INC.,

Opposer,

v.

BONNIE TSENG,

Applicant.

Opposition No.

NOTICE OF OPPOSITION

United Global Media Group, Inc., a corporation duly organized and existing under the laws of the State of Delaware, having a principal place of business at 214 Main Street #245, El Segundo, California 90245 (“Opposer”), will be damaged by and hereby opposes the registration of the mark shown in Application Serial No. 85155593 (the “Application”), filed in the U.S. Patent and Trademark Office by Bonnie Tseng (“Applicant”), on June 24, 2009, and which application was published for opposition in the *Official Gazette* on June 29, 2010.

The grounds for the opposition are as follows:

1. Applicant is the alleged owner of U.S. Application Serial No. 85155593, filed on October 19, 2010, for the designation BEAUTV, which was published for opposition in connection with the following goods and services:

“Providing information about beauty,” in Class 44.

2. Opposer is owner of a family of BEAUTY-formative marks, including but

not limited to BEAUTY TV, THE BEAUTY NETWORK, THE BEAUTY CHANNEL, BEAUTY MD, BEAUTY EVERYWHERE, and SYNCHRONIZING BEAUTY (collectively referred to as “Opposer’s Marks”).

3. Opposer is owner of U.S. Registration No. 3741286 for the mark THE BEAUTY CHANNEL, which is registered in connection with “Entertainment services, namely, producing beauty related multimedia content distributed via dsl, wireless, or via a global computer network; production and distribution of video content to a global audience in the fields of beauty salon services, hair, nails, makeup, facials, spa services and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health,” in Class 41. *See* Exhibit A.

4. Opposer is owner of U.S. Registration No. 3086867 for the mark BEAUTY TV, which is registered in connection with “Television and radio broadcasting, and broadcasting programs via the internet, all in the field of beauty,” in Class 38. *See* Exhibit B.

5. Opposer is owner of U.S. Registration No. 3688141 for the mark BEAUTY TV, which is registered in connection with “Production and distribution of television programs in the fields of beauty care, cosmetics, health, fitness, and nutrition; Entertainment services, namely, a multimedia program series featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition distributed via various platforms across multiple forms of transmission media: Electronic publishing, namely, publishing of blogs featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition; Providing podcasts in the fields of beauty care, cosmetics, health, fitness, and nutrition,” in Class 41; and for “Providing audio-visual information in the

fields of beauty care, cosmetics, health, fitness, and nutrition via electronic communications networks, mobile networks, or device-to-device communications; Providing information online relating to beauty care, cosmetics, health, fitness, and and nutrition via electronic communications networks, mobile networks, or device-to-device communications; Providing a web site featuring videos, images, and other audiovisual or multimedia materials featuring information in the fields of beauty care, cosmetics, health, fitness, and nutrition; Providing reviews, commentary, and other information relating to beauty care, cosmetics, health, fitness, and and nutrition via electronic communications networks, mobile networks, or device-to-device communications,” in Class 44 *See* Exhibit C.

6. Opposer is owner of U.S. Registration No. 3077921 for the mark THE BEAUTY NETWORK, which is registered in connection with “Entertainment Services, namely, producing beauty related programs distributed via broadcast television, cable, DSL, wireless, or via a global computer network; Production and distribution and re-purposing of video content to a global audience in the fields of beauty salon services, hair, nails, makeup, facials, spa services and treatments, waxing, and electrolysis, lasers; cosmetic surgery; fashion, health, fitness; and nutrition”, in Class 41. *See* Exhibit D.

7. Opposer is owner of U.S. Registration No. 3451561 for the mark BEAUTY MD, which is registered in connection with “medical services, namely, cosmetic surgery; non-medical services and treatments relating to cosmetic surgery in the nature of cosmetic body care services and cosmetic peels,” in Class 44. *See* Exhibit E.

8. Opposer is owner of U.S. Registration No. 3936977 for the mark SYNCHRONIZING BEAUTY in connection with “Providing audio-visual information

in the fields of beauty care and health, online via a global computer network; Providing information relating to beauty care and health, online via a global computer network; Providing reviews, commentary, and other information relating to beauty care and health, online via a global computer network; Providing a website featuring information in the fields of beauty care and health; Providing a website featuring videos, images, and other audiovisual or multimedia materials in the fields of beauty care and health,” in Class 44. *See Exhibit F.*

9. Opposer is owner of U.S. Application Serial No. 85045748 for the mark BEAUTY EVERYWHERE in connection with “Providing audio-visual information in the fields of beauty care and health, online via a global computer network; Providing information relating to beauty care and health, online via a global computer network; Providing reviews, commentary, and other information relating to beauty care and health, online via a global computer network; Providing a website featuring information in the fields of beauty care and health; Providing a website featuring videos, images, and other audiovisual or multimedia materials in the fields of beauty care and health,” in Class 44. *See Exhibit G.*

10. Opposer is owner of U.S. Application Serial No. 85289521 for the mark THE BEAUTY CHANNEL in connection with “Providing audio-visual information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing information online relating to beauty, salon services, hair, nails, makeup, facials, spa

services and treatments, hair loss and treatments, waxing, and electrolysis, lasers. cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing a web site featuring videos, images, and other audiovisual or multimedia materials featuring information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments; Providing reviews, commentary, and other information relating to beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communication,” in Class 44. *See* Exhibit H.

11. Opposer has established strong common law rights in Opposer’s Marks for a variety of entertainment and educational services related to the production and distribution of multimedia properties in the field of beauty, healthcare, and cosmetics.

12. Opposer’s Marks have acquired substantial strength, goodwill, distinctiveness, consumer recognition, secondary meaning, and fame as indicating the source of the goods and services provided by Opposer.

13. Opposer has used one or more of Opposer’s Marks such that they enjoy priority of use over Applicant’s BEAUTV designation.

14. Opposer’s applications and registrations set forth in paragraphs 3-9 all have filing dates which pre-date the filing date of the Application.

15. Applicant’s BEAUTV designation is likely to cause confusion with

Opposer's Marks because such designation is confusingly similar to Opposer's Marks. the services listed in the Application are similar or otherwise related to those provided by Opposer under Opposer's Marks, and the parties' goods and services are likely to be promoted through similar media, sold and distributed through similar channels of commerce, and be directed to similar classes of purchasers.

16. Applicant's BEAUTV designation is likely to cause confusion or mistake or to deceive persons by creating the false impression that Applicant's services originate with or come from the same source as Opposer's goods and services, or are endorsed by, sponsored by, or are otherwise connected or affiliated in some way with Opposer and Opposer's Marks.

17. Applicant's use and registration of the BEAUTV designation will dilute the distinctive quality of Opposer's Marks.

18. As Opposer's BEAUTY TV (Reg. Nos. 3451561 and 3086867) and THE BEAUTY NETWORK (Reg. No. 3077921) registrations were obtained prior to the filing date of the Application, Applicant acted in willful disregard of Opposer's established prior rights in such marks by filing an application seeking registration of the BEAUTV designation.

19. As a further ground for opposition, upon information and belief, Applicant was not using the designation BEAUTV in commerce for "providing information about beauty," at the time the Application was filed.

20. Upon information and belief, Applicant has never used the designation BEAUTV in commerce for "providing information about beauty."

23. The registration of Applicant's BEAUTV designation would be

inconsistent with Opposer's rights in Opposer's Marks.

24. If Applicant is granted the registration herein opposed, she would thereby obtain a *prima facie* exclusive right to use the BEAUTV designation, which would be a further source of damage to Opposer.

25. For these reasons, the registration sought by Applicant would seriously lessen the value of Opposer's rights in Opposer's Marks, to Opposer's great loss and detriment.

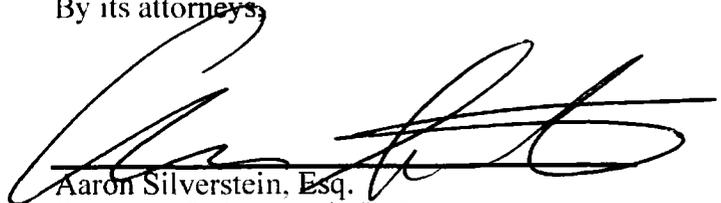
WHEREFORE, Opposer submits that it will be damaged by the registration of Application Serial No. 85155593, and prays that this Opposition be sustained and that Application Serial No. 85155593 be refused.

Respectfully submitted.

UNITED GLOBAL MEDIA GROUP, INC.

By its attorneys,

Dated: July 20, 2011

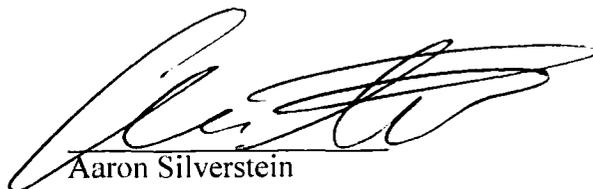


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Amesbury, MA 01913
Telephone: (978) 463-9130
Fax: (978) 463-9109
Email: asilverstein@massiplaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition, along with all exhibits thereto, has been served on the Applicant's attorney of record, as set forth below, on July 20, 2011, via first class mail, postage pre-paid to:

Bonnie Tseng
3020 LaVista Court
Decatur, GA 30033
United States



Aaron Silverstein

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via ESTTA on date shown below to the United States Patent and Trademark Office.



Aaron Silverstein

Date: July 20, 2011

EXHIBIT A

United States of America

United States Patent and Trademark Office

THE BEAUTY CHANNEL

Reg. No. 3,741,286 UNITED GLOBAL MEDIA GROUP (DELAWARE CORPORATION)
Registered Jan. 19, 2010 214 MAIN ST #245
EL SEGUNDO, CA 90245

Int. Cl.: 41 FOR: ENTERTAINMENT SERVICES, NAMELY, PRODUCING BEAUTY RELATED MULTI-MEDIA CONTENT DISTRIBUTED VIA DSL, WIRELESS, OR VIA A GLOBAL COMPUTER NETWORK; PRODUCTION AND DISTRIBUTION OF VIDEO CONTENT TO A GLOBAL AUDIENCE IN THE FIELDS OF BEAUTY SALON SERVICES, HAIR, NAILS, MAKEUP, FACIALS, SPA SERVICES AND TREATMENTS, WAXING, AND ELECTROLYSIS, LASERS, COSMETIC SURGERY, FASHION, HEALTH, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

SERVICE MARK SUPPLEMENTAL REGISTER

FIRST USE 1-15-2006; IN COMMERCE 1-15-2006.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHANNEL", APART FROM THE MARK AS SHOWN.

SER. NO. 77-393,574, FILED P.R. 2-11-2008; AM. S.R. 11-26-2008.

MATTHEW KLINE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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No assignment has been recorded at the USPTO

For Serial Number: 77393574

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Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT B

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 3,086,867

Registered Apr. 25, 2006

**SERVICE MARK
SUPPLEMENTAL REGISTER**

Beauty TV

UNITED GLOBAL MEDIA GROUP (DELAWARE
CORPORATION)

214 MAIN ST. #245

EL SEGUNDO, CA 90245

FOR: TELEVISION AND RADIO BROADCAST-
ING, AND BROADCASTING PROGRAMS VIA THE
INTERNET, ALL IN THE FIELD OF BEAUTY, IN
CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 1-1-1996; IN COMMERCE 1-1-1996.

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

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "TV", APART FROM THE MARK
AS SHOWN.

SER. NO. 78-534,162, FILED P.R. 12-16-2004; AM.
S.R. 9-8-2005.

JOHN GARTNER, EXAMINING ATTORNEY



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No assignment has been recorded at the USPTO

For Serial Number: 78534162

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EXHIBIT C

United States of America

United States Patent and Trademark Office

BEAUTY TV

Reg. No. 3,688,141 UNITED GLOBAL MEDIA GROUP, INC. (DELAWARE CORPORATION)
Registered Sep. 29, 2009 214 MAIN STREET, #245
EL SEGUNDO, CA 90245

Int. Cls.: 41 and 44 FOR: PRODUCTION AND DISTRIBUTION OF TELEVISION PROGRAMS IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION; ENTERTAINMENT SERVICES, NAMELY, A MULTIMEDIA PROGRAM SERIES FEATURING INFORMATION IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION
SERVICE MARK IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION
PRINCIPAL REGISTER DISTRIBUTED VIA VARIOUS PLATFORMS ACROSS MULTIPLE FORMS OF TRANSMISSION MEDIA; ELECTRONIC PUBLISHING, NAMELY, PUBLISHING OF BLOGS FEATURING INFORMATION IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION; PROVIDING PODCASTS IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-1-1996; IN COMMERCE 1-1-1996.

FOR: PROVIDING AUDIO-VISUAL INFORMATION IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION VIA ELECTRONIC COMMUNICATIONS NETWORKS, MOBILE NETWORKS, OR DEVICE-TO-DEVICE COMMUNICATIONS; PROVIDING INFORMATION ONLINE RELATING TO BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND AND NUTRITION VIA ELECTRONIC COMMUNICATIONS NETWORKS, MOBILE NETWORKS, OR DEVICE-TO-DEVICE COMMUNICATIONS; PROVIDING A WEB SITE FEATURING VIDEOS, IMAGES, AND OTHER AUDIOVISUAL OR MULTIMEDIA MATERIALS FEATURING INFORMATION IN THE FIELDS OF BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND NUTRITION; PROVIDING REVIEWS, COMMENTARY, AND OTHER INFORMATION RELATING TO BEAUTY CARE, COSMETICS, HEALTH, FITNESS, AND AND NUTRITION VIA ELECTRONIC COMMUNICATIONS NETWORKS, MOBILE NETWORKS, OR DEVICE-TO-DEVICE COMMUNICATIONS, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-1996; IN COMMERCE 1-1-1996.

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

OWNER OF U.S. REG. NO. 3,086,867.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TV", APART FROM THE MARK AS SHOWN.

SEC. 2(F).

SER. NO. 77-481,995, FILED 5-23-2008.



David J. Kyfos

Director of the United States Patent and Trademark Office

Reg. No. 3,688,141 EDWARD FENNESSY, EXAMINING ATTORNEY



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

No assignment has been recorded at the USPTO

For Serial Number: 77481995

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EXHIBIT D

Int. Cl.: 41

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

United States Patent and Trademark Office

Reg. No. 3,077,921

Registered Apr. 4, 2006

**SERVICE MARK
SUPPLEMENTAL REGISTER**

The Beauty Network

UNITED GLOBAL MEDIA GROUP (DELAWARE
CORPORATION)
#245
214 MAIN ST.
EL SEGUNDO, CA 90245

FOR: ENTERTAINMENT SERVICES, NAMELY,
PRODUCING BEAUTY RELATED PROGRAMS
DISTRIBUTED VIA BROADCAST TELEVISION,
CABLE, DSL, WIRELESS, OR VIA A GLOBAL
COMPUTER NETWORK; PRODUCTION AND DIS-
TRIBUTION AND RE-PURPOSING OF VIDEO CON-
TENT TO A GLOBAL AUDIENCE IN THE FIELDS
OF BEAUTY SALON SERVICES, HAIR, NAILS,
MAKEUP, FACIALS, SPA SERVICES AND TREAT-
MENTS, WAXING, AND ELECTROLYSIS, LASERS;
COSMETIC SURGERY; FASHION, HEALTH, FIT-

NESS; AND NUTRITION, IN CLASS 41 (U.S. CLS. 100,
101 AND 107).

FIRST USE 1-1-1996; IN COMMERCE 1-1-1996.

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

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "NETWORK", APART FROM THE
MARK AS SHOWN.

SER. NO. 78-432,594, FILED 6-9-2004.

SKYE YOUNG, EXAMINING ATTORNEY



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No assignment has been recorded at the USPTO

For Serial Number: 78432594

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EXHIBIT E

Int. Cl.: 44

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,451,561

Registered June 17, 2008

**SERVICE MARK
SUPPLEMENTAL REGISTER**

Beauty MD

UNITED GLOBAL MEDIA GROUP, INC. (DELA-
WARE CORPORATION)
214 MAIN ST. STE. 245
EL SEGUNDO, CA 90245

FOR: MEDICAL SERVICES, NAMELY, COSMETIC SURGERY; NON-MEDICAL SERVICES AND TREATMENTS RELATING TO COSMETIC SURGERY IN THE NATURE OF COSMETIC BODY CARE SERVICES AND COSMETIC PEELS, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-2006; IN COMMERCE 1-1-2006.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE MD, APART FROM THE MARK AS SHOWN.

SER. NO. 77-220,883, FILED P.R. 7-2-2007; AM. S.R. 3-20-2008.

KAPIL BHANOT, EXAMINING ATTORNEY



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

No assignment has been recorded at the USPTO

For Serial Number: 77220883

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT F

United States of America

United States Patent and Trademark Office

SYNCHRONIZING BEAUTY

Reg. No. 3,936,977

Registered Mar. 29, 2011

Int. Cl.: 44

SERVICE MARK

PRINCIPAL REGISTER

UNITED GLOBAL MEDIA GROUP, INC. (DELAWARE CORPORATION)
214 MAIN STREET, #245
EL SEGUNDO, CA 90245

FOR: PROVIDING AUDIO-VISUAL INFORMATION IN THE FIELDS OF BEAUTY CARE AND HEALTH, ONLINE VIA A GLOBAL COMPUTER NETWORK; PROVIDING INFORMATION RELATING TO BEAUTY CARE AND HEALTH, ONLINE VIA A GLOBAL COMPUTER NETWORK; PROVIDING REVIEWS, COMMENTARY, AND OTHER INFORMATION RELATING TO BEAUTY CARE AND HEALTH, ONLINE VIA A GLOBAL COMPUTER NETWORK; PROVIDING A WEBSITE FEATURING INFORMATION IN THE FIELDS OF BEAUTY CARE AND HEALTH; PROVIDING A WEBSITE FEATURING VIDEOS, IMAGES, AND OTHER AUDIOVISUAL OR MULTIMEDIA MATERIALS IN THE FIELDS OF BEAUTY CARE AND HEALTH, IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 1-15-2009; IN COMMERCE 1-15-2009.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BEAUTY", APART FROM THE MARK AS SHOWN.

SER. NO. 85-016,526, FILED 4-17-2010.

MARK SPARACINO, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office



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

No assignment has been recorded at the USPTO

For Serial Number: 85016526

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.1
Web interface last modified: Apr 30, 2009 v.2.1

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EXHIBIT G

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-07-20 14:48:26 ET

Serial Number: 85045748 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

BEAUTY EVERYWHERE

(words only): [BEAUTY EVERYWHERE](#)

Standard Character claim: [Yes](#)

Current Status: A non-final Office Action has been sent (issued) to the applicant after review of the Statement of Use. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: [2011-05-04](#)

Filing Date: [2010-05-22](#)

Transformed into a National Application: [No](#)

Registration Date: (DATE NOT AVAILABLE)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 103](#)

Attorney Assigned:
[SPARACINO MARK V](#)

Current Location: [L3X -TMEG Law Office 103 - Examining Attorney Assigned](#)

Date In Location: [2011-05-04](#)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [United Global Media Group, Inc.](#)

Address:

United Global Media Group, Inc.
214 Main Street, #245
El Segundo, CA 90245
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Delaware

GOODS AND/OR SERVICES

International Class: 044**Class Status:** Active

Providing audio-visual information in the fields of beauty care and health, online via a global computer network; Providing information relating to beauty care and health, online via a global computer network; Providing reviews, commentary, and other information relating to beauty care and health, online via a global computer network; Providing a website featuring information in the fields of beauty care and health; Providing a website featuring videos, images, and other audiovisual or multimedia materials in the fields of beauty care and health

Basis: 1(b)**First Use Date:** 2007-02-01**First Use in Commerce Date:** 2007-02-01

ADDITIONAL INFORMATION

Disclaimer: "BEAUTY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-05-04 - Notification Of Non-Final Action E-Mailed

2011-05-04 - NON-FINAL ACTION E-MAILED

2011-05-04 - SU - Non-Final Action - Written

2011-04-13 - Statement Of Use Processing Complete

2011-04-07 - Use Amendment Filed

2011-04-11 - Case Assigned To Intent To Use Paralegal

2011-04-07 - TEAS Statement of Use Received
2011-03-08 - NOA E-Mailed - SOU Required From Applicant
2011-01-11 - Notice Of Publication E-Mailed
2011-01-11 - Published for opposition
2010-12-06 - Law Office Publication Review Completed
2010-12-05 - Assigned To LIE
2010-11-11 - Approved For Pub - Principal Register
2010-11-05 - Teas/Email Correspondence Entered
2010-11-05 - Communication received from applicant
2010-11-05 - TEAS Response to Office Action Received
2010-07-29 - Notification Of Non-Final Action E-Mailed
2010-07-29 - Non-final action e-mailed
2010-07-29 - Non-Final Action Written
2010-07-26 - Assigned To Examiner
2010-05-27 - New Application Office Supplied Data Entered In Tram
2010-05-26 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Aaron Silverstein

Correspondent

AARON SILVERSTEIN
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14 CEDAR ST STE 224
AMESBURY, MA 01913-1831
Phone Number: 978-463-9100
Fax Number: 978-463-9109

EXHIBIT H

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2011-07-20 14:44:32 ET

Serial Number: 85289521 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark

THE BEAUTY CHANNEL

(words only): [THE BEAUTY CHANNEL](#)

Standard Character claim: [Yes](#)

Current Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Date of Status: [2011-07-13](#)

Filing Date: [2011-04-07](#)

Transformed into a National Application: [No](#)

Registration Date: (DATE NOT AVAILABLE)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 115](#)

Attorney Assigned:
[EINSTEIN MATTHEW T](#)

Current Location: [M6X -TMO Law Office 115 - Examining Attorney Assigned](#)

Date In Location: [2011-07-13](#)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. [United Global Media Group, Inc.](#)

Address:

United Global Media Group, Inc.
214 Main Street, #245
El Segundo, CA 90245
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Delaware

GOODS AND/OR SERVICES

International Class: 044**Class Status:** Active

Providing audio-visual information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing information online relating to beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communications; Providing a web site featuring videos, images, and other audiovisual or multimedia materials featuring information in the fields of beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments; Providing reviews, commentary, and other information relating to beauty, salon services, hair, nails, makeup, facials, spa services and treatments, hair loss and treatments, waxing, and electrolysis, lasers, cosmetic surgery, fashion, health, nutrition and anti-aging treatments via electronic communications networks, mobile devices and networks, or device-to-device communication

Basis: 1(a)**First Use Date:** 2006-01-15**First Use in Commerce Date:** 2006-01-15

ADDITIONAL INFORMATION

Prior Registration Number(s):

3077921

3086867

3741286

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-07-13 - Non-final action e-mailed

2011-07-13 - Non-Final Action Written

2011-07-07 - Assigned To Examiner

2011-04-12 - New Application Office Supplied Data Entered In Tram

2011-04-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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