

ESTTA Tracking number: **ESTTA423281**

Filing date: **08/03/2011**

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	Victoria's Secret Stores Brand Management, Inc.
Granted to Date of previous extension	08/03/2011
Address	Four Limited Parkway Reynoldsburg, OH 43068 UNITED STATES

Attorney information	Heather Heft Donovan & Yee LLP 161 Avenue of the Americas Suite 1201 NEW YORK, NY 10013 UNITED STATES hheft@yeellp.com, slockridge@yeellp.com Phone:2122267700
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Applicant Information

Application No	85007380	Publication date	04/05/2011
Opposition Filing Date	08/03/2011	Opposition Period Ends	08/03/2011
Applicant	Yael Mamroud/ Cummins 4022 Vendome Avenue Montreal, h4a3n1 CANADA		

Goods/Services Affected by Opposition

Class 003. All goods and services in the class are opposed, namely: Organic hair care and skin care products, namely, shampoo, conditioner, styling creams, hair gels, hair sprays, skin water toners, bath salts, face and body creams, and skin moisturizers

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2244265	Application Date	07/23/1997
Registration Date	05/11/1999	Foreign Priority Date	NONE
Word Mark	VS		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1991/09/00 First Use In Commerce: 1991/09/00 clothing, namely, robes and slippers sold only in specialty retail stores and through specialty mail order catalogs		

U.S. Registration No.	3455138	Application Date	12/22/2006
Registration Date	06/24/2008	Foreign Priority Date	NONE
Word Mark	VSX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2007/08/16 First Use In Commerce: 2007/08/16 clothing, namely, body suits, boxer shorts, bra tops, bras, capris, coats, jackets, jogging suits, knit shirts, knit tops, leggings, shirts, pants, shorts, sweat pants, sweat shirts, sweat shorts, sweat suits, T-shirts, tank tops, tights, vests Class 035. First use: First Use: 2007/08/16 First Use In Commerce: 2007/08/16 retail store services, mail order catalog services and on-line retail store services featuring accessories, bags, clothing		

U.S. Registration No.	3477955	Application Date	03/16/2005
Registration Date	07/29/2008	Foreign Priority Date	NONE
Word Mark	VS UPLIFT		

Design Mark	VS UPLIFT
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2008/05/01 First Use In Commerce: 2008/05/01 Clothing, namely, jeans

U.S. Registration No.	3651878	Application Date	09/10/2007
Registration Date	07/07/2009	Foreign Priority Date	NONE
Word Mark	VS		
Design Mark			
Description of Mark	The mark consists of It is a Logo with the letters "VS".		
Goods/Services	Class 025. First use: First Use: 2007/01/31 First Use In Commerce: 2007/01/31 Swim suits, swimwear and coverups		

U.S. Registration No.	3696272	Application Date	12/22/2006
Registration Date	10/13/2009	Foreign Priority Date	NONE
Word Mark	VSX		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2008/04/01 First Use In Commerce: 2008/04/01 clothing, namely, camisoles, halter tops, panties, scarves, skirts, socks, underpants, underwear, footwear		

U.S. Registration No.	3702059	Application Date	06/15/2007
Registration Date	10/27/2009	Foreign Priority Date	NONE

Word Mark	VSX SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 Clothing, namely, body suits, bra tops, bras, camisoles, Capris, halter tops, headbands, jogging suits, knit shirts, knit tops, pants, shirts, shoes, shorts, skirts, socks, sweat pants, sweat shirts, sweat shorts, sweat suits, T-shirts, tank tops, footwear		

U.S. Registration No.	3749795	Application Date	08/04/2009
Registration Date	02/16/2010	Foreign Priority Date	NONE
Word Mark	VSX SPORT		

Design Mark	VSX SPORT
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Description of Mark	NONE
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Goods/Services	<p>Class 003. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 Lip balm</p> <p>Class 018. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 tote bags</p> <p>Class 021. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 plastic water bottles sold empty</p> <p>Class 026. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 hair bands</p> <p>Class 028. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 yoga mats, boxing gloves and jump ropes</p> <p>Class 035. First use: First Use: 2007/08/15 First Use In Commerce: 2007/08/15 retail stores services in the field of clothing and accessories</p>
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U.S. Application No.	77524681	Application Date	07/17/2008
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	VS RUNWAY
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Design Mark	VS RUNWAY
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Description of Mark	NONE
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Goods/Services	<p>Class 003. First use: Antiperspirant, astringent for the face, astringent for the skin, bath oil, bath beads, blush, body glitter, bubble bath, cleanser for the face, cologne, all purpose cotton swabs for personal use, cream for the body, cream for cuticles, cream for the eyes, cream for the face, cream for the hands, personal deodorant, exfoliators for skin, eye makeup pencils, eye shadow, face mist, foundation, fragrant body splash, hair conditioner, hair dyes, hair glitter, hair</p>
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	<p>rinses, hair shampoo, hair spray, hair styling gel, hair styling mousse, lotion for the body, lotion for the hands, lotion for the face, lip balm, lip gloss, lip makeup pencils, lipstick, makeup for the body, makeup for the face, makeup remover, mascara, nail corrector pens, nail polish, nail polish remover, nail stencils, non-medicated blemish stick, oil blotting sheets for the skin, perfume, powder for the body, powder for the face, shaving cream, shower gel, soap for body, soap for face, soap for hands, sun block for the skin, suntan lotion for the body, suntan lotion for the face, sunless tanning lotion for the body, sunless tanning lotion for the face, pre-suntanning lotion for the body, pre-suntanning lotion for the face, post-suntanning lotion for the face, post-suntanning lotion for the body, post-suntanning lotion for the face and talcum powder</p> <p>Class 025. First use: Bras, panties, camisoles, pajamas, sleep shirts, robes, t-shirts, slippers, night shirts, night gowns, shorts, pants, skirts, teddies, swimwear, body suits, garter belts, stockings, hosiery, panty hose, socks and tights</p> <p>Class 035. First use: Retail store services, mail order catalog services and on-line retail store services, all featuring clothing, personal care products, bags, jewelry, and accessories, bedding and footwear</p>
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U.S. Application No.	77717571	Application Date	04/20/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VS		
Design Mark			
Description of Mark	The mark consists of STYLIZED "VS" LOGO.		
Goods/Services	<p>Class 003. First use: Personal care products, namely, body lotions; body mist; hand cream; body cream; shower gel; eau de toilette; body butter; body scrub; shower cream; bath cream; eau de parfum; scented body powder; lipstick; lip gloss; eyeshadow; eye liner; mascara; makeup, namely, liquid foundation; lip balm; lip plumper; concealer; and massage oil</p> <p>Class 014. First use: Jewelry</p> <p>Class 025. First use: Clothing, namely, bras; panties; pajamas; lingerie, sleep shirts; slippers; garters; bustiers; nightgowns; nighties; robes; slippers; camisoles; hosiery; tights</p> <p>Class 035. First use: Retail store services, mail order catalog services and on-line retail store services all featuring lingerie, personal care products, bags, jewelry and accessories</p>		

U.S. Application No.	77780600	Application Date	07/14/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VA VA VS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: Bras		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	VS		
Goods/Services	personal care products, fragrances and cosmetics in Class 3		

Attachments	75329441#TMSN.gif (1 page)(bytes) 77975456#TMSN.jpeg (1 page)(bytes) 78588192#TMSN.jpeg (1 page)(bytes) 77275760#TMSN.jpeg (1 page)(bytes) 77070752#TMSN.jpeg (1 page)(bytes) 77207060#TMSN.jpeg (1 page)(bytes) 77796637#TMSN.jpeg (1 page)(bytes) 77524681#TMSN.jpeg (1 page)(bytes) 77717571#TMSN.jpeg (1 page)(bytes) 77780600#TMSN.jpeg (1 page)(bytes) notice of opposition pdf.pdf (8 pages)(927629 bytes) exhibit a to notice of opposition.pdf (8 pages)(591632 bytes) Exhibit B b&w.pdf (17 pages)(3795545 bytes) exhibit c to notice of opposition.pdf (7 pages)(2034801 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	/heather heft/
Name	Heather Heft
Date	08/03/2011

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

In the Matter of Application Serial No. 85007380
For the Mark: V&S
Published in the *Official Gazette* on April 5, 2011

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VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.,	:	
	:	
Opposer,	:	Opposition No.
v.	:	
Yael MAMROUD / CUMMINS	:	
	:	
Applicant.	:	
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NOTICE OF OPPOSITION

Victoria's Secret Stores Brand Management, Inc., a Delaware corporation, having its principal office and place of business at Four Limited Parkway, Reynoldsburg, Ohio 43068 ("Opposer") believes that it will be damaged by Yael Mamroud / Cummins' ("Applicant") registration of Application Serial No. 85/007,380 for the mark V&S for "organic hair care and skin care products, namely, shampoo, conditioner, styling creams, hair gels, hair sprays, skin water toners, bath salts, face and body creams, and skin moisturizers" in International Class 3, which was filed on April 6, 2010 and published in the Official Gazette on April 5, 2011, and hereby opposes same.

As grounds of opposition, Opposer alleges as follows:

OPPOSER'S MARKS

1. Opposer has been using the mark "VS" and its formatives since at least as early as September, 1991.

2. Opposer owns all right, title and interest in and to trademark registrations and applications incorporating the term VS including the following:
(collectively, the “VS Marks”)

Trademark	Brief Goods/Services	Status/Status Date
VS and Design  RN:2,244,265	(Int'l Class: 25) Clothing, namely, robes and slippers sold only in specialty retail stores and through specialty mail order catalogs	Registered May 11, 1999
VSX RN:3,455,138	(Int'l Class: 25) Clothing,, namely, body suits, boxer shorts, bra tops, bras, capris, coats, jackets, jogging suits, knit shirts, knit tops, leggings, shirts, pants, shorts, sweat pants, sweat shirts, sweat shorts, sweat suits, T-shirts, tank tops, tights, vests (Int'l Class: 35) Retail store services, mail order catalog services and on-line retail store services featuring accessories, bags, clothing	Registered June 24, 2008
VS UPLIFT RN:3,477,955	(Int'l Class: 25) Clothing, namely, jeans	Registered July 29, 2008
VS and Design  RN:3,651,878	(Int'l Class: 25) Swim suits, swimwear and coverups	Registered July 7, 2009
VSX RN:3,696,272	(Int'l Class: 25) Clothing, namely, camisoles, halter tops, panties, scarves, skirts, socks, underpants, underwear, footwear	Registered October 13, 2009
VSX SPORT RN:3,702,059	(Int'l Class: 25) Clothing, namely, body suits, bra tops, bras, camisoles, capris, halter tops, headbands, jogging suits, knit shirts, knit tops, pants, shirts, shoes, shorts, skirts, socks, sweat pants, sweat shirts, sweat shorts, sweat suits, t-shirts, tank tops, footwear	Registered October 27, 2009
VSX SPORT RN:3,749,795	(Int'l Class: 3) Lip balm (Int'l Class: 18) Tote bags (Int'l Class: 21) Plastic water bottles sold empty (Int'l Class: 26) Hair bands (Int'l Class: 28) Yoga mats, boxing gloves and jump ropes (Int'l Class: 35) Retail stores services in the field of clothing and accessories	Registered February 16, 2010
VS RUNWAY	(Int'l Class: 3) Antiperspirant, astringent for the face, astringent for the skin, bath oil, bath beads, blush, body	Filed July 17, 2008 Published

Trademark	Brief Goods/Services	Status/Status Date
SN:77-524681	<p>glitter, bubble bath, cleanser for the face, cologne, all purpose cotton swabs for personal use, cream for the body, cream for cuticles, cream for the eyes, cream for the face, cream for the hands, personal deodorant, exfoliators for skin, eye makeup pencils, eye shadow, face mist, foundation, fragrant body splash, hair conditioner, hair dyes, hair glitter, hair rinses, hair shampoo, hair spray, hair styling gel, hair styling mousse, lotion for the body, lotion for the hands, lotion for the face, lip balm, lip gloss, lip makeup pencils, lipstick, makeup for the body, makeup for the face, makeup remover, mascara, nail corrector pens, nail polish, nail polish remover, nail stencils, non-medicated blemish stick, oil blotting sheets for the skin, perfume, powder for the body, powder for the face, shaving cream, shower gel, soap for body, soap for face, soap for hands, sun block for the skin, suntan lotion for the body, suntan lotion for the face, sunless tanning lotion for the body, sunless tanning lotion for the face, pre-suntanning lotion for the body, pre-suntanning lotion for the face, post-suntanning lotion for the face, post-suntanning lotion for the body, post-suntanning lotion for the face and talcum powder</p> <p>(Int'l Class: 25) Bras, panties, camisoles, pajamas, sleep shirts, robes, t-shirts, slippers, night shirts, night gowns, shorts, pants, skirts, teddies, swimwear, body suits, garter belts, stockings, hosiery, panty hose, socks and tights</p> <p>(Int'l Class: 35) Retail store services, mail order catalog services and on-line retail store services, all featuring clothing, personal care products, bags, jewelry, and accessories, bedding and footwear</p>	June 28, 2011
VS (Stylized)  SN:77-717571	<p>(Int'l Class: 3) Personal care products, namely, body lotions; body mist; hand cream; body cream; shower gel; eau de toilette; body butter; body scrub; shower cream; bath cream; eau de parfum; scented body powder; lipstick; lip gloss; eyeshadow; eye liner; mascara; makeup, namely, liquid foundation; lip balm; lip plumper; concealer; and massage oil</p> <p>(Int'l Class: 14) Jewelry</p> <p>(Int'l Class: 25) Clothing, namely, bras; panties; pajamas; lingerie, sleep shirts; slippers; garters; bustiers; nightgowns; nighties; robes; slippers; camisoles; hosiery; tights</p> <p>(Int'l Class: 35) Retail store services, mail order catalog services and on-line retail store services all featuring lingerie, personal care products, bags, jewelry and accessories</p>	Filed April 20, 2009 Allowed - Intent to Use 1st Extension of Time Granted January 26, 2011
VA VA VS SN:77-780600	(Int'l Class: 25) Bras	Filed July 14, 2009 Allowed - Intent to Use 2nd Extension of Time Granted February 15, 2011

3. A copy of United States Patent and Trademark Office (“USPTO”) records related to Opposer’s registrations are attached hereto and incorporated herein by reference as Opposer’s Exhibit A. Opposer’s registrations are valid and subsisting.

4. Long before Applicant’s filing, Opposer has used the VS Marks in interstate commerce on or in connection with clothing, personal care products, and retail store services.

5. Samples of the VS Marks in connection with Class 3 personal care products are annexed hereto as Exhibit B.

6. Upon the introduction of Opposer’s VS Marks on the market, and continuously thereafter, Opposer’s marks have become and are now widely known and famous, and recognized by the relevant consumers as the means by which Opposer and its products and services are distinguished, and their source and origin identified.

APPLICANT’S MARK

7. Applicant is listed in its application as a Canadian corporation, with a principal place of business of 4022 Vendome Avenue, Montreal, Canada H4A3N1.

8. Applicant filed an application on April 6, 2010, to register the mark V&S (Serial No. 85/007,380) which was published on April 5, 2011 for “organic hair care and skin care products, namely, shampoo, conditioner, styling creams, hair gels, hair sprays, skin water toners, bath salts, face and body creams, and skin moisturizers ” in International Class 3.

9. This application is based upon an intention to use the mark in United States commerce.

10. Upon information and belief, Applicant is actually an individual, and her corporation is Vitamine & Sea.

11. Upon information and belief, the mark is currently used on the Internet in connection with Vitamine & Sea; located at <http://www.vitamineandsea.com> (see Exhibit C).

12. As seen on the website, Applicant's V&S mark looks similar to how Opposer uses its VS Marks.

13. Applicant's adoption and use of V&S is without Opposer's license or permission.

14. Applicant's use or registration of V&S will damage Opposer.

FIRST CLAIM FOR RELIEF
(Likelihood of Confusion)

15. Opposer repeats and realleges the allegations set forth in Paragraphs 1 through 14 as if fully set forth herein.

16. There is no issue as to priority. Opposer began using its VS Marks at least as early as September, 1991. Opposer's marks were first used long before Applicant filed the V&S Application on April 6, 2010.

17. Opposer has developed good will and fame of inestimable value in its VS Marks and such fame was established before Applicant filed its intent to use application for V&S.

18. Applicant's V&S mark is confusingly similar to Opposer's VS Marks because of the use of the identical letters. The "ampersand" between the V and the S in Applicant's mark does not differentiate the marks.

19. Applicant's V&S mark is confusingly similar to Opposer's VS Marks because it is used on goods that are identical and/or related to the goods covered by Opposer's VS Marks.

20. Applicant's V&S mark is confusingly similar to Opposer's marks because, upon information and belief, a consumer will likely believe that those goods under the V&S mark originate with or endorsed by Opposer, when in fact, they are not.

21. As a result of Opposer's longstanding use and promotion of its VS Marks, they have acquired secondary meaning and have become distinctive of clothing, personal care products, and retail store services, and have become associated in the minds of the relevant consumers exclusively with Opposer.

22. The close resemblance of Applicant's mark to Opposer's VS Marks will cause confusion or mistake or deceive persons by creating the erroneous impression that Applicant's goods originate or come from the same source as Opposer's goods, or are endorsed, sponsored, licensed, associated or otherwise connected to Opposer. Such confusion would irreparably harm and damage Opposer because Opposer has no control over the nature or quality of the goods provided or produced by Applicant under its V&S mark.

SECOND CLAIM FOR RELIEF
(Dilution)

23. Opposer repeats and realleges the allegations set forth in Paragraphs 1 through 22 as if fully set forth herein.

24. As a result of Opposer's longstanding and continuous use and registration of its VS Marks, the extensive advertising and promotion of VS branded merchandise nationwide, and because of the superior quality of such merchandise, Opposer's VS Marks have become well-known and famous marks, representing goodwill of inestimable value to Opposer.

25. Applicant's use and registration of V&S is likely to, does, and will dilute, blur and erode the distinctiveness of Opposer's famous VS Marks, and/or damage the goodwill associated with them.

26. By reason of the foregoing, Opposer will be damaged by Applicant's registration of V&S.

WHEREFORE, Opposer Victoria's Secret Stores Brand Management, Inc. respectfully requests that Application Serial No. 85/007,380 in International Class 3 for "organic hair care and skin care products, namely, shampoo, conditioner, styling creams, hair gels, hair sprays, skin water toners, bath salts, face and body creams, and skin moisturizers" be rejected and registration of the designation V&S as a trademark to Applicant be refused and denied.

Dated: New York, New York
August 3, 2011

DONOVAN & YEE LLP

By: 

Mary A. Donovan, Esq.

Heather Heft, Esq.

161 Avenue of the Americas

Suite 1201

New York, New York 10013

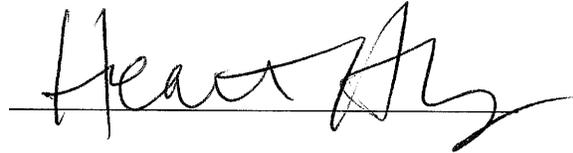
Phone: (212) 226-7700

Attorneys for Opposer

CERTIFICATE OF SERVICE

It is hereby certified that on August 3, 2011, a true and complete copy of the foregoing
“Notice of Opposition” has been served on Applicant by mailing, via First Class Mail, postage
prepaid to:

Yael Mamroud / Cummins
4022 Vendome Avenue
Montreal, Canada H4A3N1

A handwritten signature in black ink, appearing to read "Heather Heft", written over a horizontal line.

Heather Heft

Exhibit A

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,244,265

Registered May 11, 1999

TRADEMARK
PRINCIPAL REGISTER



V SECRET CATALOGUE, INC. (DELAWARE
CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

MAIL ORDER CATALOGS, IN CLASS 25 (U.S.
CLS. 22 AND 39).

FIRST USE 9-0-1991; IN COMMERCE
9-0-1991.

FOR: CLOTHING, NAMELY, ROBES AND
SLIPPERS SOLD ONLY IN SPECIALTY
RETAIL STORES AND THROUGH SPECIALTY

SER. NO. 75-329,441, FILED 7-23-1997.

JESSIE B. BILLINGS, EXAMINING ATTORNEY

Int. Cls.: 25 and 35

Prior U.S. Cls.: 22, 39, 100, 101, and 102

Reg. No. 3,455,138

United States Patent and Trademark Office

Registered June 24, 2008

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

VSX

VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC. (DELAWARE CORPORATION)

FOUR LIMITED PARKWAY
REYNOLDSBURG, OH 43068

FOR: CLOTHING, NAMELY, BODY SUITS, BOXER SHORTS, BRA TOPS, BRAS, CAPRIS, COATS, JACKETS, JOGGING SUITS, KNIT SHIRTS, KNIT TOPS, LEGGINGS, SHIRTS, PANTS, SHORTS, SWEAT PANTS, SWEAT SHIRTS, SWEAT SHORTS, SWEAT SUITS, T-SHIRTS, TANK TOPS, TIGHTS, VESTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-16-2007; IN COMMERCE 8-16-2007.

FOR: RETAIL STORE SERVICES, MAIL ORDER CATALOG SERVICES AND ON-LINE RETAIL STORE SERVICES FEATURING ACCESSORIES, BAGS, CLOTHING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-16-2007; IN COMMERCE 8-16-2007.

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

SN 77-975,456, FILED 12-22-2006.

ALICIA COLLINS, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,477,955

Registered July 29, 2008

TRADEMARK
PRINCIPAL REGISTER

VS UPLIFT

VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC. (DELAWARE CORPORATION)

FOUR LIMITED PARKWAY
REYNOLDSBURG, OH 43068

FOR: CLOTHING, NAMELY, JEANS, IN CLASS 25
(U.S. CLS. 22 AND 39).

FIRST USE 5-1-2008; IN COMMERCE 5-1-2008.

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

OWNER OF U.S. REG. NO. 2,244,265.

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

SN 78-588,192, FILED 3-16-2005.

LINDA ORNDORFF, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,651,878

Registered July 7, 2009

TRADEMARK
PRINCIPAL REGISTER



VICTORIA'S SECRET STORES BRAND MAN-
AGEMENT, INC. (DELAWARE CORPORA-
TION)

FOUR LIMITED PARKWAY
REYNOLDSBURG, OH 43068

FOR: SWIM SUITS, SWIMWEAR AND COVER-
UPS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-31-2007; IN COMMERCE 1-31-2007.

THE MARK CONSISTS OF IT IS A LOGO WITH
THE LETTERS "VS".

SN 77-275,760, FILED 9-10-2007.

NAAKWAMA ANKRAH, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

VSX

Reg. No. 3,696,272 VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC. (DELAWARE CORPORATION)
Registered Oct. 13, 2009 5 LIMITED PARKWAY EAST
REYNOLDSBURG, OH 43068

Int. Cl.: 25 FOR: CLOTHING, NAMELY, CAMISOLES, HALTER TOPS, PANTIES, SCARVES, SKIRTS,
SOCKS, UNDERPANTS, UNDERWEAR, FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

TRADEMARK FIRST USE 4-1-2008; IN COMMERCE 4-1-2008.
PRINCIPAL REGISTER

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

SN 77-070,752, FILED 12-22-2006.

ALICIA COLLINS, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

VSX SPORT

Reg. No. 3,702,059 VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC. (DELAWARE CORPORATION)
Registered Oct. 27, 2009 5 LIMITED PARKWAY EAST
REYNOLDSBURG, OH 43068

Int. Cl.: 25 FOR: CLOTHING, NAMELY, BODY SUITS, BRA TOPS, BRAS, CAMISOLES, CAPRIS, HALTER TOPS, HEADBANDS, JOGGING SUITS, KNIT SHIRTS, KNIT TOPS, PANTS, SHIRTS, SHOES, SHORTS, SKIRTS, SOCKS, SWEAT PANTS, SWEAT SHIRTS, SWEAT SHORTS, SWEAT SUITS, T-SHIRTS, TANK TOPS, FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

TRADEMARK
PRINCIPAL REGISTER

FIRST USE 8-15-2007; IN COMMERCE 8-15-2007.

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 "SPORT", APART FROM THE MARK AS SHOWN.

SN 77-207,060, FILED 6-15-2007.

BRIDGETT SMITH, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

VSX SPORT

Reg. No. 3,749,795 VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC. (DELAWARE CORPORATION)
Registered Feb. 16, 2010 5 LIMITED PARKWAY EAST
REYNOLDSBURG, OH 43068

Int. Cls.: 3, 18, 21, 26, 28 and 35 FOR: LIP BALM, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).
FIRST USE 8-15-2007; IN COMMERCE 8-15-2007.

TRADEMARK SERVICE MARK PRINCIPAL REGISTER FOR: TOTE BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).
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FOR: PLASTIC WATER BOTTLES SOLD EMPTY, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

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FOR: HAIR BANDS, IN CLASS 26 (U.S. CLS. 37, 39, 40, 42 AND 50).

FIRST USE 8-15-2007; IN COMMERCE 8-15-2007.

FOR: YOGA MATS, BOXING GLOVES AND JUMP ROPES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

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FOR: RETAIL STORES SERVICES IN THE FIELD OF CLOTHING AND ACCESSORIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-15-2007; IN COMMERCE 8-15-2007.

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

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SER. NO. 77-796,637, FILED 8-4-2009.

KAREN BRACEY, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

EXHIBIT B

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C Eye Shadow Quad. Create your signature eye with four coordinating satiny shadows. Can be worn alone, in combination or blended for infinite eye looks. Sly (389, neutral), Uninhibited (804, teal), Wild Thing (BR5, lilac) or Night Moves (C44, green). LE-261-715 \$17.

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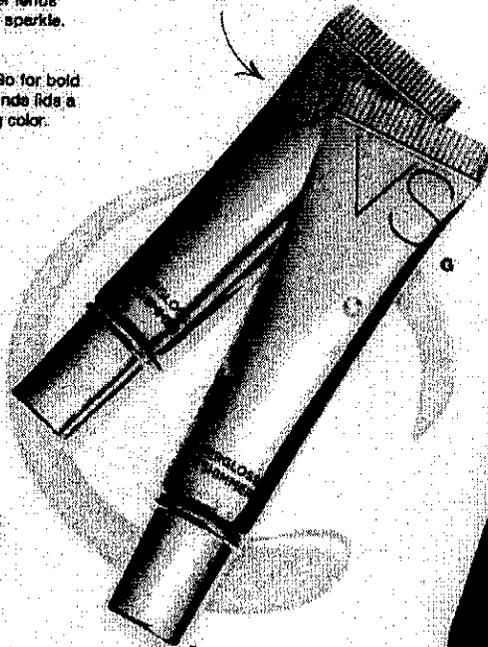
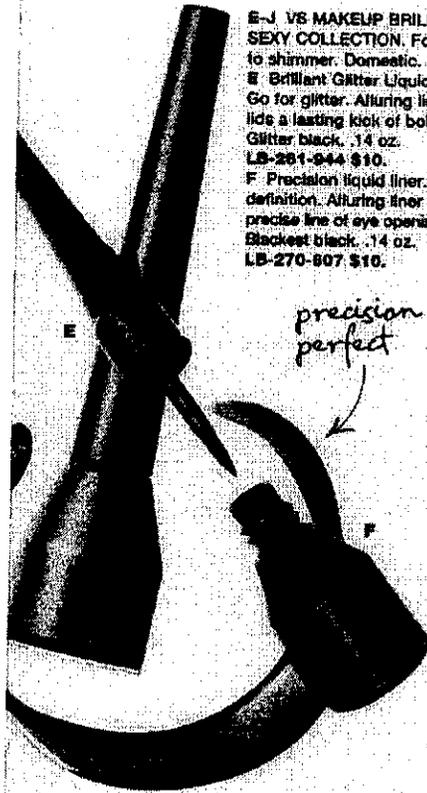
E-J VS MAKEUP BRILLIANTLY SEXY COLLECTION. Four hot ways to shimmer. Domestic.

E Brilliant Gitter Liquid Liner. Go for glitter. Alluring liner lends lids a lasting look of bold sparkle. Gitter black. .14 oz. LB-261-944 \$10.

F Precision liquid liner. Go for bold definition. Alluring liner lends lids a precise line of eye opening color. Blackest black. .14 oz. LB-270-807 \$10.

liquid shine

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G Hypergloss Eye Shimmer. Dazzle like never before. Breakthrough formula suspends shimmer and micro pigments for a multi dimensional, jewel-like effect. Night light (C99, silver) or golden lights (L15, gold). .23 oz. LB-261-945 \$12.



H VS MAKEUP BRONZE TROPICS EYE KIT. Island blues meet sexy bronze. Bronze tropics (267, shown) or shimmer lights (77F). Includes: 6 eye shadows, 1 gel eyeliner and 1 highlighter. Domestic. LB-261-717 \$16.

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I Brilliant Shimmer All-Over Powder. Dazzle them. Luxe powder leaves a seductive veil of pure, sensual shimmer on face, eyes or anywhere you like it. Bronze (267). .33 oz. LB-246-883 \$14.

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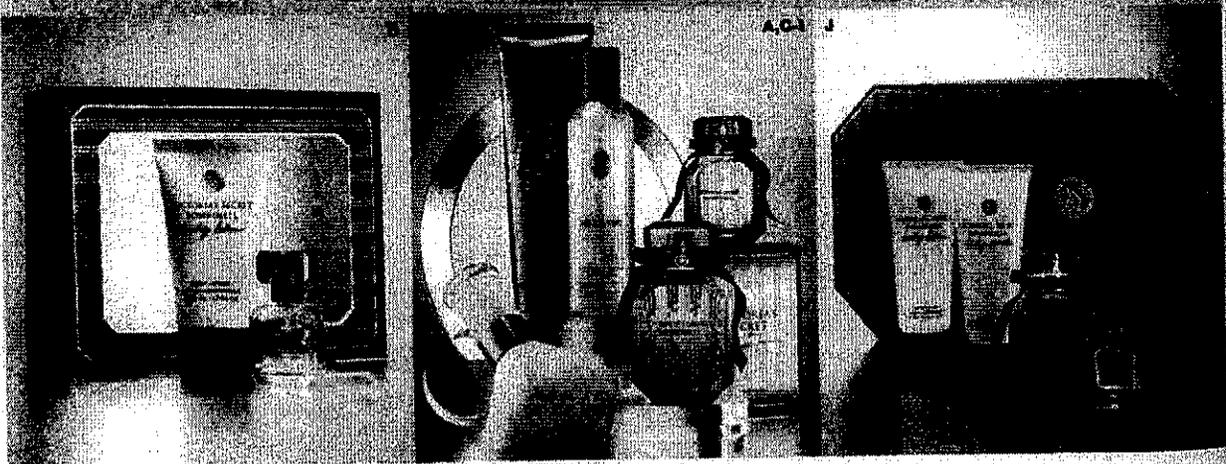
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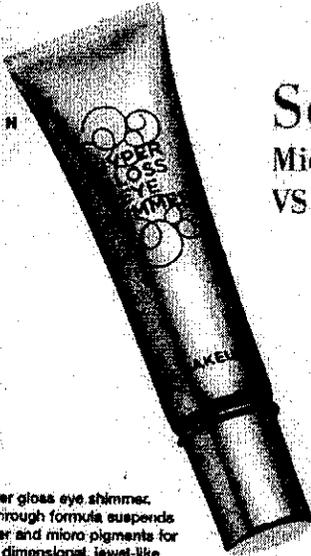


F Deluxe lip palettes. Create unforgettable lip looks with this versatile palette of stunning lipsticks and lip glosses. Work the season's dark lip trend with deep, dramatic color or play it cool with shimmering glosses. 0.36 oz. JF-201-207 \$16.
G Luminous highlighting powder. Three shimmering, pearlescent shades come together for the ultimate, luminous glow. Sweep across face for all-over radiance or brush onto cheekbones to highlight. 0.28 oz. JF-201-208 \$16.



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H Hyper gloss eye shimmer. Breakthrough formula suspends shimmer and micro pigments for a multi dimensional, jewel-like effect. Apply one coat for a silky hit of sparkling shine or layer to build rich intensity. 0.23 oz. JF-201-210 \$12.



I Deluxe eye palette. Create unforgettable eye looks with this versatile palette of stunning silky eye shadows and gel liner. Rock the party season's must-have smoky eye, or go supernatural with shimmering neutrals. 0.36 oz. JF-201-206 \$24.

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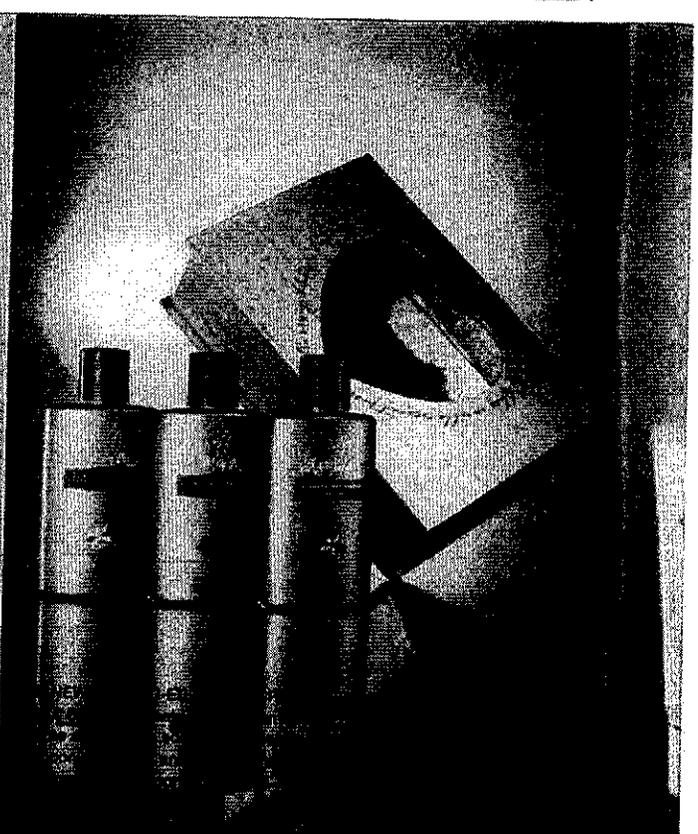
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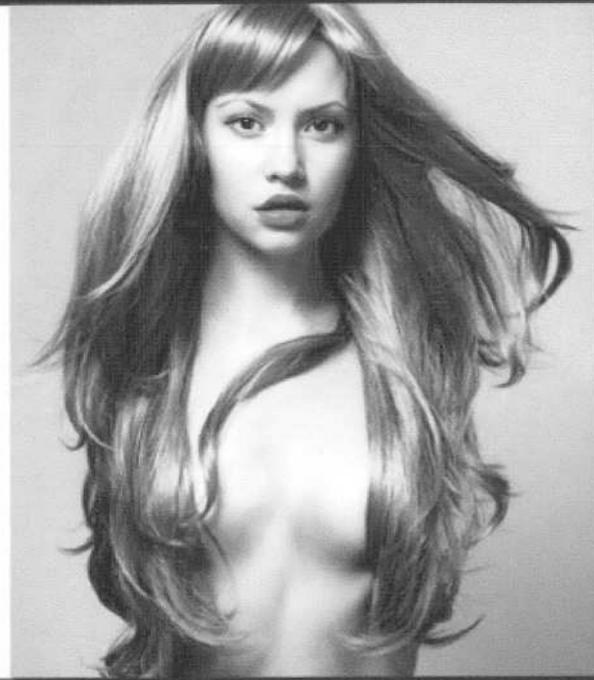
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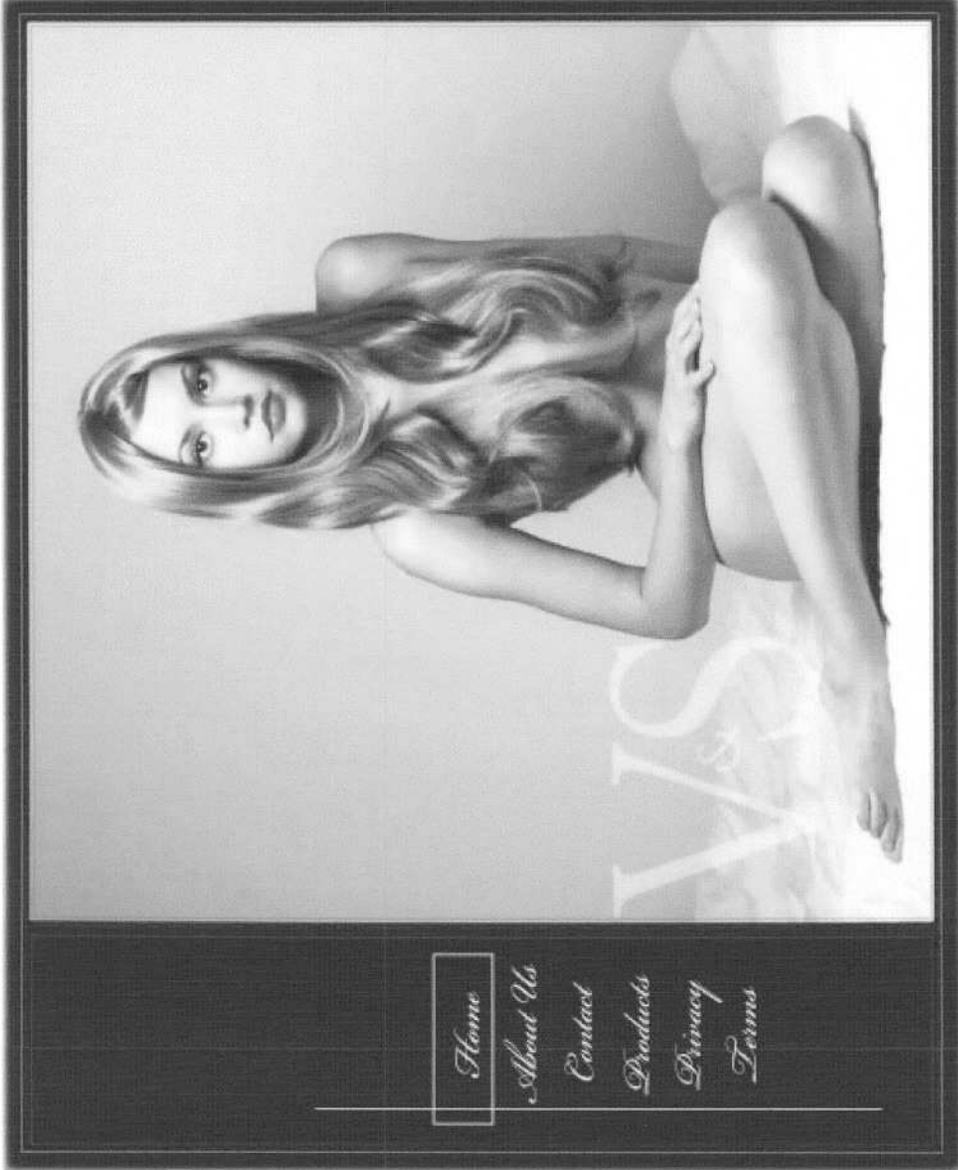
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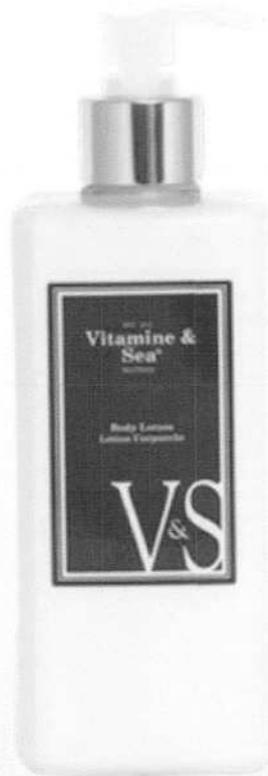
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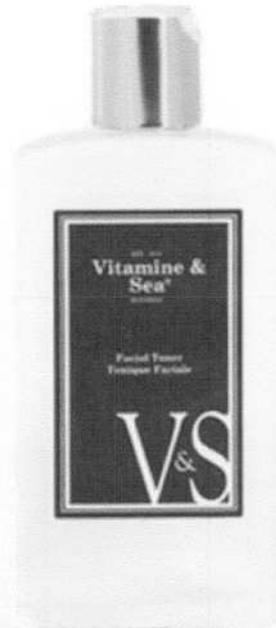
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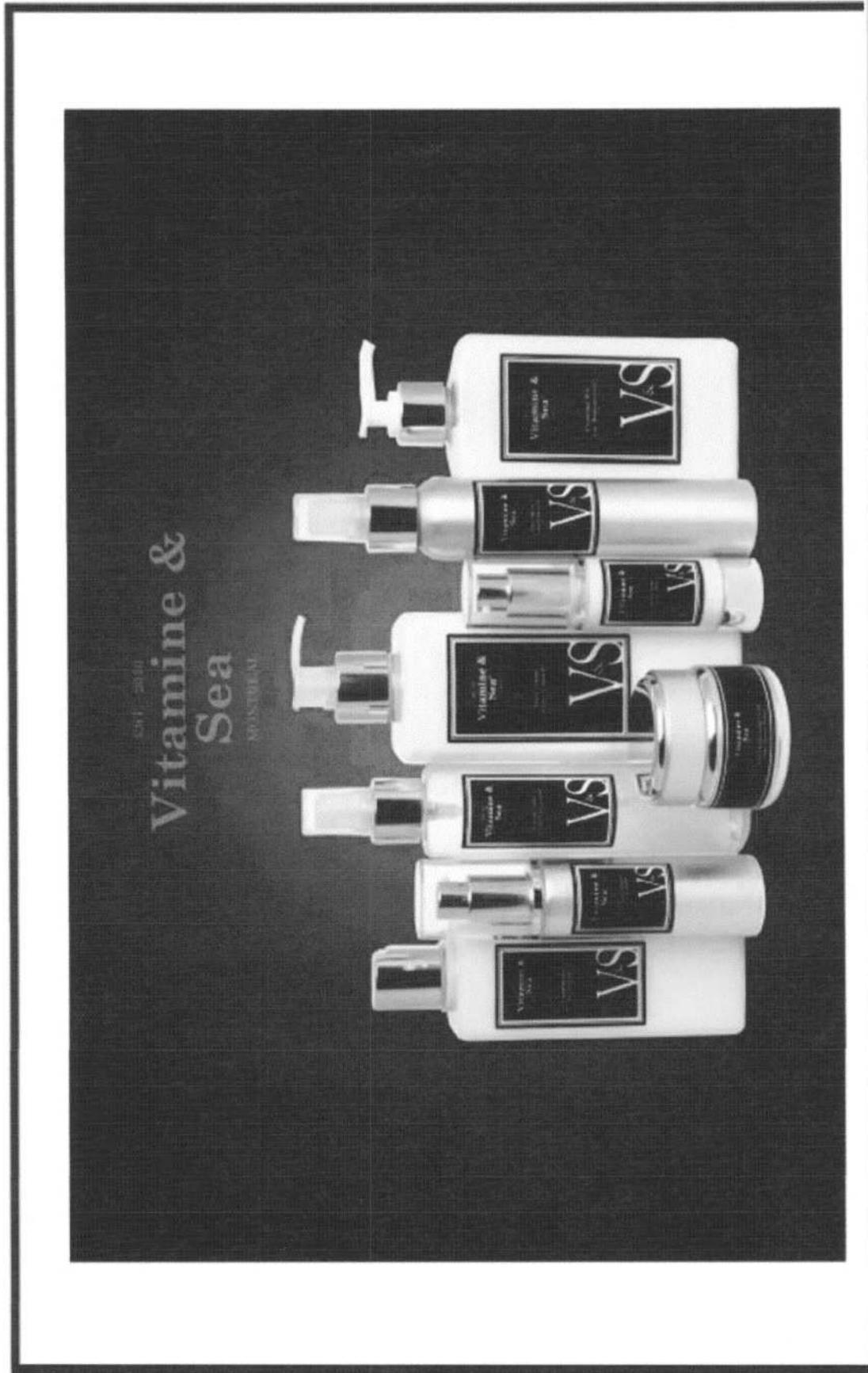
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