

ESTTA Tracking number: **ESTTA467557**

Filing date: **04/17/2012**

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	The Procter & Gamble Company
Granted to Date of previous extension	04/18/2012
Address	One Procter & Gamble Plaza Cincinnati, OH 45202 UNITED STATES

Attorney information	Emily M. Judge The Procter & Gamble Company 299 East 6th St. SY8-226 Cincinnati, OH 45202 UNITED STATES judge.em.1@pg.com Phone:513-983-2105
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Applicant Information

Application No	85375129	Publication date	12/20/2011
Opposition Filing Date	04/17/2012	Opposition Period Ends	04/18/2012
Applicant	KAOS Enterprises, Inc. 300 Gordons Corner Road Manalapan, NJ 07726 UNITED STATES		

Goods/Services Affected by Opposition

Class 003. All goods and services in the class are opposed, namely: Bleaching preparations for the hair; Cosmetic hair dressing preparations; Cosmetic preparations for the hair and scalp; Gel for hair; Hair bleach; Hair cleaning preparations; Hair color; Hair color removers; Hair colorants; Hair coloring preparations; Hair colourants; Hair colouring; Hair colouring and dyes; Hair conditioner; Hair creams; Hair curling preparations; Hair decolorants; Hair dyes; Hair emollients; Hair frosts; Hair gels; Hair lighteners; Hair lotion; Hair mascara; Hair mousse; Hair pomades; Hair relaxers; Hair relaxing preparations; Hair removing cream; Hair rinses; Hair shampoos; Hair shampoos and conditioners; Hair spray; Hair sprays; Hair straightening preparations; Hair styling spray; Hair wax; Non-medicated hair serums; Non-medicated hair treatment preparations for cosmetic purposes
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)
Other	See Notice of Opposition

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1130648	Application Date	10/26/1978
Registration Date	02/12/1980	Foreign Priority Date	NONE
Word Mark	OLAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1978/10/13 First Use In Commerce: 1978/10/13 NON-MEDICATED SKIN CLEANSER		

U.S. Registration No.	2449933	Application Date	06/25/1999
Registration Date	05/08/2001	Foreign Priority Date	NONE
Word Mark	OLAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2000/02/28 First Use In Commerce: 2000/02/28 Cosmetics, namely, foundation, [blush,] powder, concealer, tinted moisturizer [, eye liner, eye brow pencil, eye shadow, mascara, lipstick. lipliner, nail enamel]		

U.S. Registration No.	3251815	Application Date	08/16/2006
Registration Date	06/12/2007	Foreign Priority Date	NONE
Word Mark	OLAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1951/12/31 First Use In Commerce: 1957/06/01 Non-medicated skin care preparations; bar soap; and body wash		

U.S. Registration No.	3806792	Application Date	11/02/2009
Registration Date	06/22/2010	Foreign Priority Date	NONE

Word Mark	OLAY
Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2005/02/28 First Use In Commerce: 2005/02/28 Medicated skin care preparations

Attachments	78953353#TMSN.jpeg (1 page)(bytes) 77863010#TMSN.jpeg (1 page)(bytes) NOO_OLYA.pdf (35 pages)(1061349 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/emily judge/
Name	Emily M. Judge
Date	04/17/2012

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

In re Application Serial No.: 85/375,129

Filed: July 19, 2011

Trademark: OLYA

THE PROCTER & GAMBLE COMPANY, INC.,

Opposer,

- against -

KAOS Enterprises, Inc.

Applicant

Opposition No.

NOTICE OF OPPOSITION

Opposer, The Procter & Gamble Company, a corporation organized and existing under the laws of the State of Ohio, with its principal place of business at One Procter & Gamble Plaza, Cincinnati, OH 45202, believes that it will be damaged by the registration of the mark OLYA (herein "OLYA Mark") for "Bleaching preparations for the hair; Cosmetic hair dressing preparations; Cosmetic preparations for the hair and scalp; Gel for hair; Hair bleach; Hair cleaning preparations; Hair color; Hair color removers; Hair colorants; Hair coloring preparations; Hair colourants; Hair colouring; Hair colouring and dyes; Hair conditioner; Hair creams; Hair curling preparations; Hair decolorants; Hair dyes; Hair emollients; Hair frosts; Hair gels; Hair lighteners; Hair lotion; Hair mascara; Hair mousse; Hair pomades; Hair relaxers; Hair relaxing preparations; Hair removing cream; Hair rinses; Hair shampoos; Hair shampoos and conditioners; Hair spray; Hair sprays; Hair straightening preparations; Hair styling spray; Hair wax; Non-medicated hair serums; Non-medicated hair treatment preparations for cosmetic purposes" in International Class 3 in US Trademark Application Serial No. 85/375,129 (the "Application") and having

been granted an extension of time to oppose the Application up to and including April 18, 2012, hereby opposes the same. As grounds for the opposition, it is alleged that:

1. Opposer is the owner of numerous registrations and applications for OLAY for a variety of skin care and beauty products ("the Olay Marks"), among others, including:

Registrations

- US Reg. No. 1130648 of OLAY for "non medicated skin cleanser" having a first use date at least as early as October 13, 1978.
- US Reg. No 2449933 of OLAY for "cosmetics, namely, foundation, powder, concealer, tinted moisturizer" having a first use date at least as early as February 28, 2000.
- US Reg. No. 3251815 of OLAY for "non-medicated skin care preparations; bar soap; and body wash" having a first use date at least as early as June 1, 1957.
- US Reg. No. 3806792 of OLAY for "medicated skin care preparations" having a first use date at least as early as February 28, 2005.

(hereinafter collectively "Opposer's Registered Marks"). Printouts of US Trademark Office electronic records of status and title of such registration are attached hereto as Exhibit A.

2. Opposer's Registered Marks are valid and subsisting and constitute *prima facie* evidence of Opposer's exclusive right to use said marks in commerce on the goods specified in said registrations.
3. Opposer, either directly or through its predecessors in interest, has adopted variants of the mark OLAY alone or in combination with other words and devices as early as 1951 and has used and promoted said marks in commerce as an indicia of origin for a wide variety of beauty care goods and services on an exclusive basis long prior to Applicant's filing date of July 19, 2011.

4. As a result of the extensive sales and promotion of its goods and services bearing or offered in connection with Opposer's OLAY Marks, Opposer has built up highly valuable goodwill in Opposer's OLAY Marks, and said goodwill has become closely and uniquely identified and associated with Opposer.
5. Opposer's OLAY brand and its OLAY Marks are distinctive, well known and famous with respect to the beauty care goods and services to which they are applied and became distinctive, well known and famous with respect to the beauty care goods and services to which they are applied prior to Applicant's filing date of July 19, 2011.
6. Opposer actively uses the OLAY Marks in the course of its business and in connection with the goods identified above, among others.
7. The OLYA Mark that is the subject of the Application, when considered in its entirety, is similar in appearance, meaning and commercial impression to the OLAY Marks. Further, the goods covered by the Application are closely related to those goods and services covered by one or more of the Opposer's Registered Marks and common law OLAY Marks.
8. Upon information and belief, Opposer's rights in its OLAY Marks precede any use by Applicant of its OLYA Mark in United States commerce.
9. Applicant's OLYA Mark so resembles one or more of the Opposer's OLAY Marks, as to be likely when applied to Applicant's goods to cause confusion, or to cause mistake, or to deceive the trade and

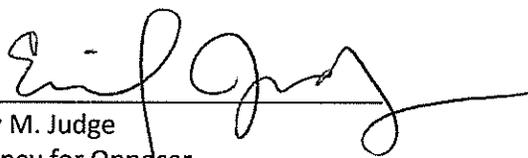
public, who are likely to believe that Applicant's goods and services have their origin with Opposer and/or that such goods and services are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. The OLYA Mark is also likely to be dilutive of the distinctive character of Opposer's OLYA Marks. Opposer would thereby be injured by the granting to Applicant of a certificate of registration for Applicant's OLYA Mark.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and that Application No. 85/375,129 not be permitted to proceed to registration.

Dated April 17, 2012

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By: 
Emily M. Judge
Attorney for Opposer
299 E. Sixth Street, SY8-226
Cincinnati, OH 45202
(513)983-2105

I hereby certify that a true and complete copy of the Notice of Opposition has been served on Kimberly Tomei, Attorney of Record for Applicant, by mailing said copy on April 17, 2012, via courier, postage prepaid to:

Kimberly Tomei, Esq.
Law Office of Kimberly Tomei
136 Bay Street
Staten Island, NY 10301-2503

And further certify that a true and complete copy of the Notice of Opposition has also been also served on KAOS Enterprises, Inc., Applicant, by mailing of said copy on April 17, 2012, via courier, postage prepaid to:

KAOS Enterprises, Inc.
300 Gordons Corner Road
Manalapan, NJ 07726

By: 
Donna Leidenheimer

EXHIBIT A



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Typed Drawing

Word Mark OLAY
Goods and Services IC 003. US 052. G & S: NON-MEDICATED SKIN CLEANSER. FIRST USE: 19781013. FIRST USE IN COMMERCE: 19781013
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73190792
Filing Date October 26, 1978
Filing Basis 1A
Original Filing Basis 1A
Registration Number 1130648
Registration Date February 12, 1980

Owner (REGISTRANT) OLAY COMPANY, INC. CORPORATION
 DELAWARE ONE PROCTER & GAMBLE PLAZA CINCINNATI OHIO
 45202

(LAST LISTED OWNER) PROCTER & GAMBLE COMPANY, THE
 CORPORATION OHIO 299 EAST SIXTH STREET S8 CINCINNATI
 OHIO 45202

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record THOMAS A. ADAMS

Prior Registrations 0825078;0825081;1019120

Type of Mark Register TRADEMARK
 PRINCIPAL

Affidavit Text Renewal SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090227.
 2ND RENEWAL 20090227

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**Serial Number: 73190792 Assignment Information Trademark
Document Retrieval**

Registration Number: 1130648

Mark (words only): OLAY

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2009-02-27

Filing Date: 1978-10-26

Transformed into a National Application: No

Registration Date: 1980-02-12

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2009-02-27

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

1. PROCTER & GAMBLE COMPANY, THE

Address:

PROCTER & GAMBLE COMPANY, THE
299 EAST SIXTH STREET S8
CINCINNATI, OH 45202

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Ohio

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

NON-MEDICATED SKIN CLEANSER

Basis: 1(a)

First Use Date: 1978-10-13

First Use in Commerce Date: 1978-10-13

ADDITIONAL INFORMATION

Prior Registration Number(s):

825078

825081

1019120

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.

2009-02-27 - Second renewal 10 year

2009-02-27 - Section 8 (10-year) accepted/ Section 9 granted

2009-02-23 - Assigned To Paralegal

2009-02-19 - TEAS Section 8 & 9 Received

2008-01-30 - Case File In TICRS

2000-09-05 - First renewal 10 year

2000-09-05 - Section 8 (10-year) accepted/ Section 9 granted

2000-01-31 - Combined Section 8 (10-year)/Section 9 filed

1986-01-21 - Section 8 (6-year) accepted & Section 15 acknowledged

1985-11-04 - Section 8 (6-year) and Section 15 Filed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

THOMAS A. ADAMS

Correspondent

THOMAS A. ADAMS

THE PROCTER & GAMBLE COMPANY

S8

299 EAST SIXTH STREET

CINCINNATI OH 45202



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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [73190792](#) **Filing Dt:** 10/26/1978 **Reg #:** [1130648](#) **Reg. Dt:** 02/12/1980

Registrant: OLAY COMPANY, INC.

Mark: OLAY

Assignment: 1

Reel/Frame: [0538/0735](#) **Received:** **Recorded:** 09/24/1986 **Pages:** 4

Conveyance: CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE SECRETARY OF STATE OF DELAWARE, SHOWING MERGER OF ASSIGNORS AND CHANGE OF NAME OF THE SURVIVING CORPORATION ON JUNE 30, 1986

Assignors: [OLAY COMPANY, INC.](#)

Exec Dt: 08/22/1986

Entity Type: UNKNOWN

Citizenship: NONE

[VICKS INC.](#)

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

[VICKS PRODUCTS INC.](#)

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

[VICKS VAPORS COMPANY, MERGED IN TO](#)

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

[OLAY INC. OF DELAWARE CHANGED TO](#)

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [OLAY COMPANY, INC.](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: RICHARDSON-VICKS INC.
TEN WESTPORT ROAD
WILTON, CT 06897

Assignment: 2

Reel/Frame: [2147/0427](#) **Received:** 11/08/2000 **Recorded:** 11/08/2000 **Pages:** 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [OLAY COMPANY, INC.](#)

Exec Dt: 10/31/2000

Entity Type: CORPORATION

Assignee: PROCTER & GAMBLE COMPANY, THE
2-C-GO/LEGAL
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OHIO 45202

Citizenship: DELAWARE
Entity Type: CORPORATION
Citizenship: OHIO

Correspondent: DIANNA ICENHOWER
ONE PROCTER & GAMBLE PLAZA
2C - GO LEGAL
CINCINNATI, OHIO 45202

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Web interface last modified: Jan 26, 2012 v.2.3.1

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Int. Cl.: 3

U.S. Cl.: 52

Reg. No. 1,130,648

U.S. Patent and Trademark Office

Reg. Feb. 12, 1980

TRADEMARK

Principal Register

OLAY

Olay Company, Inc. (Delaware corporation)
Ten Westport Rd.
Wilton, Conn. 06897

For: Non-Medicated Skin Cleanser —in Class 3. (U.S. Cl.
52).

First use Oct. 13, 1978; in commerce Oct. 13, 1978.
Owner of U.S. Reg. Nos. 825,078, 825,081 and 1,019,120.

Ser. No. 190,792. Filed Oct. 26, 1978.

JOHN C. DEMOS, Primary Examiner

J. J. FINGERET, Examiner



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Typed Drawing

Word Mark **OLAY**
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics, namely, foundation, [blush,] powder, concealer, tinted moisturizer [, eye liner, eye brow pencil, eye shadow, mascara, lipstick. lipliner, nail enamel]. FIRST USE: 20000228. FIRST USE IN COMMERCE: 20000228
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75720132
Filing Date June 25, 1999
Filing Basis 1A
Original Filing Basis 1B
Published for Opposition December 21, 1999
Registration

Number 2449933
Registration Date May 8, 2001
Owner (REGISTRANT) Olay Company, Inc. CORPORATION DELAWARE
 One Procter & Gamble Plaza Cincinnati OHIO 45202

 (LAST LISTED OWNER) Procter & Gamble Company, The
 CORPORATION OHIO One Procter & Gamble Plaza Cincinnati OHIO
 45202

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record EMILY M. JUDGE
Prior Registrations 0825078;1130648;1935564;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20101129.
Renewal 1ST RENEWAL 20101129
Live/Dead Indicator LIVE

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Serial Number: 75720132 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2449933

Mark (words only): OLAY

Standard Character claim: No

Current Status: A Section 15 declaration has been acknowledged.

Date of Status: 2012-03-24

Filing Date: 1999-06-25

Transformed into a National Application: No

Registration Date: 2001-05-08

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: M10 -TMO Law Office 110

Date In Location: 2012-03-24

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

1. Procter & Gamble Company, The

Address:

Procter & Gamble Company, The
One Procter & Gamble Plaza
Cincinnati, OH 45202
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Ohio

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Cosmetics, namely, foundation, powder, concealer, tinted moisturizer

Basis: 1(a)

First Use Date: 2000-02-28

First Use in Commerce Date: 2000-02-28

ADDITIONAL INFORMATION

Prior Registration Number(s):

825078

1130648

1935564

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.

2012-03-24 - Sec. 15 Acknowledgement - E-Mailed

2012-03-24 - Section 15 acknowledged

2012-03-23 - Case Assigned To Post Registration Paralegal

2012-01-26 - TEAS Section 15 Received

2010-11-29 - First renewal 10 year

2010-11-29 - Section 8 (10-year) accepted/ Section 9 granted

2010-11-22 - TEAS Section 8 & 9 Received

2007-11-16 - Section 8 (6-year) accepted

2007-11-08 - TEAS Section 8 Received

2006-11-02 - Case File In TICRS

2001-05-08 - Registered - Principal Register

2001-02-05 - Allowed for Registration - Principal Register (SOU accepted)

2001-02-01 - Statement Of Use Processing Complete

2000-12-11 - Use Amendment Filed
2000-11-07 - Extension 1 granted
2000-09-05 - Extension 1 filed
2000-03-14 - NOA Mailed - SOU Required From Applicant
1999-12-21 - Published for opposition
1999-11-19 - Notice of publication
1999-09-16 - Approved For Pub - Principal Register
1999-09-14 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
EMILY M. JUDGE

Correspondent
EMILY M. JUDGE
THE PROCTER & GAMBLE COMPANY
S8-226
299 EAST SIXTH STREET
CINCINNATI OH 45202
Phone Number: 513-983-2105
Fax Number: 513-945-6798



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Filing Dt: 06/25/1999

Reg #: [2449933](#)

Reg. Dt: 05/08/2001

Registrant: Olay Company, Inc.

Mark: OLAY

Assignment: 1Reel/Frame: [2147/0427](#)

Received: 11/08/2000

Recorded: 11/08/2000

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [OLAY COMPANY, INC.](#)

Exec Dt: 10/31/2000

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: [PROCTER & GAMBLE COMPANY, THE](#)

2-C-GO/LEGAL

ONE PROCTER & GAMBLE PLAZA

CINCINNATI, OHIO 45202

Entity Type: CORPORATION

Citizenship: OHIO

Correspondent: DIANNA ICENHOWER

ONE PROCTER & GAMBLE PLAZA

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CINCINNATI, OHIO 45202

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Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

Reg. No. 2,449,933

United States Patent and Trademark Office

Registered May 8, 2001

**TRADEMARK
PRINCIPAL REGISTER**

OLAY

OLAY COMPANY, INC. (DELAWARE COR-
PORATION)
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202

FIRST USE 2-28-2000; IN COMMERCE 2-28-2000.

OWNER OF U.S. REG. NOS. 825,078, 1,935,564,
AND OTHERS.

FOR: COSMETICS, NAMELY, FOUNDATION,
BLUSH, POWDER, CONCEALER, TINTED MOIST-
URIZER, EYE LINER, EYE BROW PENCIL, EYE
SHADOW, MASCARA, LIPSTICK, LIPLINER, NAIL
ENAMEL, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND
52).

SN 75-720,132, FILED 6-25-1999.

LINDA E. BLOHM, EXAMINING ATTORNEY



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OLAY

Word Mark	OLAY
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Non-medicated skin care preparations; bar soap; and body wash. FIRST USE: 19511231. FIRST USE IN COMMERCE: 19570601
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78953353
Filing Date	August 16, 2006
Filing Basis	1A
Original Filing Basis	1A
Published for	March 27, 2007

Opposition

Registration Number 3251815

Registration Date June 12, 2007

Owner (REGISTRANT) The Procter & Gamble Company CORPORATION
OHIO One Procter & Gamble Plaza Cincinnati OHIO 45202

Prior Registrations 0825078;2449933;3066692;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 78953353 Assignment Information Trademark Document Retrieval

Registration Number: 3251815

Mark

OLAY

(words only): OLAY

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2007-06-12

Filing Date: 2006-08-16

Transformed into a National Application: No

Registration Date: 2007-06-12

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-06-12

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

1. The Procter & Gamble Company

Address:

The Procter & Gamble Company
One Procter & Gamble Plaza
Cincinnati, OH 45202
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Ohio**Phone Number:** 513-983-1100**Fax Number:** 513-983-1992

GOODS AND/OR SERVICES

International Class: 003**Class Status:** Active

Non-medicated skin care preparations; bar soap; and body wash

Basis: 1(a)**First Use Date:** 1951-12-31**First Use in Commerce Date:** 1957-06-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

825078

2449933

3066692

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.

2007-06-12 - Registered - Principal Register

2007-03-27 - Published for opposition

2007-03-07 - Notice of publication

2007-02-07 - Law Office Publication Review Completed

2007-02-07 - Assigned To LIE

2007-01-04 - Approved for Pub - Principal Register (Initial exam)

2006-12-27 - Assigned To Examiner

2006-08-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

SUSAN M. SHOOK
THE PROCTER & GAMBLE COMPANY
C2 BOX 11
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202
Phone Number: 513-983-4225
Fax Number: 513-983-1992



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Web interface last modified: Jan 26, 2012 v.2.3.1

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Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,251,815

Registered June 12, 2007

TRADEMARK
PRINCIPAL REGISTER

OLAY

THE PROCTER & GAMBLE COMPANY (OHIO
CORPORATION)

ONE PROCTER & GAMBLE PLAZA

CINCINNATI, OH 45202

FOR: NON-MEDICATED SKIN CARE PREPARA-
TIONS; BAR SOAP; AND BODY WASH, IN CLASS 3
(U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 12-31-1951; IN COMMERCE 6-1-1957.

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

OWNER OF U.S. REG. NOS. 825,078, 3,066,692 AND
OTHERS.

SER. NO. 78-953,353, FILED 8-16-2006.

CURTIS FRENCH, EXAMINING ATTORNEY



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OLAY

Word Mark	OLAY
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Medicated skin care preparations. FIRST USE: 20050228. FIRST USE IN COMMERCE: 20050228
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77863010
Filing Date	November 2, 2009

Filing Basis 1A
Original Filing Basis 1A
Published for Opposition April 6, 2010
Registration Number 3806792
Registration Date June 22, 2010
Owner (REGISTRANT) Procter & Gamble Company, The CORPORATION
OHIO One Procter & Gamble Plaza Cincinnati OHIO 45202
Attorney of Record Thomas A. Adams
Prior Registrations 1130648;2449933;3066692;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 77863010 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3806792

Mark

OLAY

(words only): OLAY

Standard Character claim: Yes

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2010-06-22

Filing Date: 2009-11-02

Transformed into a National Application: No

Registration Date: 2010-06-22

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2010-06-22

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

1. Procter & Gamble Company, The

Address:

Procter & Gamble Company, The
One Procter & Gamble Plaza
Cincinnati, OH 45202
United States

Legal Entity Type: Corporation**State or Country of Incorporation:** Ohio**Phone Number:** 513-983-1100**Fax Number:** 513-945-6798

GOODS AND/OR SERVICES

International Class: 005**Class Status:** Active

Medicated skin care preparations

Basis: 1(a)**First Use Date:** 2005-02-28**First Use in Commerce Date:** 2005-02-28

ADDITIONAL INFORMATION

Prior Registration Number(s):

1130648

2449933

3066692

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.

2010-06-22 - Registered - Principal Register

2010-04-06 - Official Gazette Publication Confirmation E-Mailed

2010-04-06 - Published for opposition

2010-03-03 - Law Office Publication Review Completed

2010-03-03 - Assigned To LIE

2010-02-05 - Approved for Pub - Principal Register (Initial exam)

2010-02-05 - Assigned To Examiner

2009-11-05 - New Application Office Supplied Data Entered In Tram

2009-11-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Thomas A. Adams

Correspondent

THOMAS A. ADAMS

THE PROCTER & GAMBLE COMPANY

299 E 6TH ST

CINCINNATI, OH 45202-3216

Phone Number: 513-983-8478

Fax Number: 513-945-6798



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For Serial Number: 77863010

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United States of America

United States Patent and Trademark Office

OLAY

Reg. No. 3,806,792

Registered June 22, 2010

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

PROCTER & GAMBLE COMPANY, THE (OHIO CORPORATION)
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202

FOR: MEDICATED SKIN CARE PREPARATIONS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-28-2005; IN COMMERCE 2-28-2005.

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

OWNER OF U.S. REG. NOS. 1,130,648, 3,066,692 AND OTHERS.

SER. NO. 77-863,010, FILED 11-2-2009.

SUSAN HAYASH, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office