

ESTTA Tracking number: **ESTTA520433**

Filing date: **02/07/2013**

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

Proceeding	91205046
Party	Plaintiff Christina Sukljian
Correspondence Address	CHRISTINA SUKLJIAN 13 MANOR STREET ALBANY, NY 12207 UNITED STATES info@zela.com
Submission	Other Motions/Papers
Filer's Name	Christina Sukljian
Filer's e-mail	info@zela.com
Signature	/Christina Sukljian/
Date	02/07/2013
Attachments	Respondents Reply to Petitioners Reply Cancelation No 92055279.pdf ( 33 pages )(2445721 bytes )



## **PRELIMINARY STATEMENT**

Petitioner's reply brief dated January 23, 2013 is riddled with falsities and inconsistencies. Petitioner Ate My Heart, Inc. does not dispute the fact that GAGA PURE PLATINUM® is not abandoned, and admits to the fact that GAGA PURE PLATINUM® was in use in commerce and not abandoned prior to its Petition to Cancel, a fact that Petitioner cannot and does not deny. Annexed hereto is exhibit A. GAGA PURE PLATINUM® is not abandoned and is an active federally registered trademark, used in commerce in Class 003, created in the year 2000, filed for registration on August 22, 2001, federally registered on November 2, 2004, filed for Section 8 & 15 on May 21, 2010, and the USPTO's Notice Of Acceptance And Acknowledgement Of §§8 & 15 Declaration was granted on June 5, 2010. Annexed hereto is Exhibit B. Despite the fog of unsupported assertions and self serving and adulatory statements, Petitioner Ate My Heart, Inc. continues to ignore the clear fact that GAGA PURE PLATINUM® is not abandoned and has always been readily and easily available to the public on the parent website [www.Zela.com](http://www.Zela.com) and [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com), all with a simple search that any reasonable fact finder, the public at large and Petitioner itself indeed had and has access to. Prior to Petitioner's bad faith cancellation action, Petitioner did in fact have vast knowledge to the use of Respondent's Trademark in commerce and Petitioner did visit both [www.Zela.com](http://www.Zela.com) and [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) but deliberately decided to ignore the clear facts and chose to proceed with its ill intended cancellation action because Respondent policed its trademark and filed an extension of time to oppose Petitioner's application (now Opposition No. 91205046) just 5 days prior. Annexed hereto is Exhibit C. Furthermore, Petitioner's attempts to infringe on Respondent's trademark were twice denied registration for the applied for marks, LADY GAGA Serial No. 85115004 filed on August 24, 2010, and LADY GAGA FAME Serial No. 85282752 filed on March 21, 2011. Both applications were refused and denied registration by the USPTO under Section 2(d) of the Trademark Act due to likelihood of confusion with GAGA PURE PLATINUM®. Respondent's Opposition No. 91205046 is Petitioner's third attempt.

Petitioner did in fact state to Respondent on the telephone that they had prior knowledge to the material facts and that Respondent's trademark was not abandoned and in use. Petitioner admitted to Respondent on the telephone that its Petition to Cancel was in fact ill intended and further threatened Respondent with the enormous undue burden, financial burden, harassment and vexation of a costly and lengthy trial if Respondent would not immediately give up its valid trademark and assign its registered trademark and all rights over to the Petitioner at once. Respondent did not give in to Petitioner's harassing threats and intimidations and Petitioner proceeded with its petition.

### **ARGUMENT**

Respondent Christina Sukljian has respectfully and fully complied with the Board's order to answer discovery on time and has answered every one of Petitioner's Discovery Requests on time and did not evade discovery nor disregard the Board's order. Initially, when the Motion to Compel was filed, Respondent did not know at the time that it could respond to the Motion, and even though Respondent was not aware of this, Respondent respected and honored the Board's order and fully complied and answered Discovery on time. Had Respondent known its rights earlier, Respondent would have immediately responded to the Motion to Compel and objected against Petitioner's bad faith, harassing and unwarranted discovery demands that only exist with the sole objective to place unnecessary undue burden, overwhelming financial burden, intimidation and vexation on Respondent with unnecessary demands for unbridled access to Respondent's private information that contain trade secrets, confidential customer lists and invoices, etc. Petitioner's demands for this information is unnecessary to determine abandonment and further adds to the harassment, undue burden, and intimidation Petitioner seeks to impose on Respondent. A simple search clearly showed and shows the GAGA PURE PLATINUM® trademark is not abandoned and in use in commerce on the parent website, [www.Zela.com](http://www.Zela.com) and [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) all along. Annexed hereto is Exhibit D.

Product information, contact information, etc., regarding GAGA PURE PLATINUM® has always been publicly and readily available and easily accessible on the parent website [www.Zela.com](http://www.Zela.com).

[www.Zela.com](http://www.Zela.com) was registered in 1999. Not only was product information, etc, available on the parent website [www.Zela.com](http://www.Zela.com), but also publicly and readily available and easily accessible on [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com). [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) was registered in 2011 a fact that Respondent does not deny. Any reasonable fact finder could have very easily found this information. This is and was extremely easy public information that the worldwide public, including Petitioner Ate My Heart, Inc. and any reasonable fact finder has and had access to. Petitioner's claim that [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) was not live prior to Petitioner's cancellation action is patently false and a pure fabrication and no such statements were ever uttered by Respondent to Petitioner on the telephone as Petitioner falsely claims. It is a fact that product and contact information, etc, was always readily available on the parent website [www.Zela.com](http://www.Zela.com) and [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com). Petitioner was and is fully aware of the material fact to the existence of both the parent website [www.zela.com](http://www.zela.com) and [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) and had and has knowledge to the fact that GAGA PURE PLATINUM® is not abandoned, as Petitioner Ate My Heart, Inc. clearly agrees on and does not dispute this fact in its reply brief.

Furthermore, in its reply Petitioner states *"Ms. Sukljan registered a trademark, which she never used and never had any intention to use. Once Lady Gaga rose to international fame and began receiving virtually unparalleled publicity, Ms. Sukljan decided to capitalize on Lady Gaga's fame and goodwill by commencing use of the mark in commerce."* Petitioner's first statement *'never used and never had any intention to use'* is egregiously false. Petitioner goes on to admit, as the Board can clearly see in Petitioner's next statement, that Respondent's mark was in use and not abandoned. Petitioner has concocted a preposterous story that Respondent is a clairvoyant and invented a trademark, GAGA PURE PLATINUM®, solely to one day capitalize on 'Lady Gaga.' Petitioner admits the fact that Respondent's mark was in use in commerce and not abandoned. Petitioner's statements illustrate that Petitioner knew all along that Respondent's mark was actively in use in commerce and in fact cannot deny these facts and as such admitted these facts in her statement. Petitioner conjured ludicrous claims in its attempt to gain unbridled access to Respondent's confidential and proprietary information, trade secrets, etc. Petitioner's

claims are so fantastical it is clearly grasping at straws, nevertheless Petitioner cannot deny the fact that the mark was in use, and further proves its demands for Respondents confidential customer lists and invoices, etc are unwarranted, harassing and unnecessary.

Petitioner wrongly accuses Respondent of game playing and bad faith, while Petitioner plays fast and loose with its statements regarding discovery. Respondent directed Petitioner to the website [www.GagaPurePlatinum.com](http://www.GagaPurePlatinum.com) to obtain 'samples of goods' in response to Petitioner's discovery request for samples of goods.

Petitioner's harassing demands for claimed presumption of abandonment are ill intended and unnecessary. Instead, Petitioner Ate My Heart, Inc. decided to deliberately ignore the material facts and pursue an unwarranted and meritless Petition to Cancel action solely to inflict harm, intimidation, harassment and overwhelming undue burden on Respondent. In its reply brief Petitioner admits that Respondent's Trademark was not abandoned and used in commerce prior to its cancelation action.

In its same reply brief dated January 23, 2013, Ate My Heart, Inc. goes on to claim that Respondent sent an email to the Village Voice. This claim is patently false and a pure fabrication. It is a fact that Respondent did not send an email to the Village Voice nor did the author of the article Michael Musto state, attribute or claim that the email he received was from the Respondent. Petitioner is again demonstrating its own practice of deceit before the Board. The link to the article is as follows [http://blogs.villagevoice.com/dailymusto/2012/06/lady\\_gaga\\_accus.php](http://blogs.villagevoice.com/dailymusto/2012/06/lady_gaga_accus.php) and a copy is annexed hereto as Exhibit E.

Petitioner Ate My Heart, Inc. admits to the fact that GAGA PURE PLATINUM® is not abandoned and was in use in commerce prior to its Petition to Cancel by stating such. These are facts that Petitioner cannot and does not dispute nor can Petitioner deny these facts. Petitioner admitted these facts in its reply brief dated January 23, 2013. In its Petition to Cancel filed on March 5, 2012 Petitioner claims that Respondent's mark is abandoned. However, in Petitioner's reply brief dated January 23, 2013, Petitioner admits that Respondent's mark GAGA PURE PLATINUM was not abandoned. Annexed

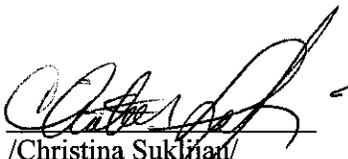
hereto is Exhibit A. Ate My Heart Inc.'s actions illustrate its deliberate attempt to file a bad faith cancellation action because Petitioner was twice denied registration and Respondent exercised her rights to police her mark. Petitioner filed a harassing Petition to Cancel in retaliation solely to inflict harm, intimidation, and undue burden on Respondent Christina Sukljian. Ate My Heart, Inc.'s petition to cancel is without merit and is wasting valuable time, energy, resources and money of both the Respondent and the Board. Petitioner's requests for sanctions are unfair and unjust and Petitioner further wants to take Respondent's rights away unfairly and unjustly. Petitioner's motion for sanctions should be denied in its entirety and judgment entered in favor of Respondent Christina Sukljian in its entirety in both the consolidated cancellation proceeding and opposition proceeding.

WHEREFORE, for the reasons set forth herein, Respondent Christina Sukljian respectfully requests that judgment be entered in its entirety in favor of Christina Sukljian in both the cancellation proceeding and opposition proceeding, and Petitioner's motion for sanctions be denied in its entirety, and Petitioner's Petition to Cancel be denied in its entirety and judgment entered against Ate My Heart, Inc. and entirely in favor of Christina Sukljian.

Dated: Albany, New York

February 7, 2013

Respectfully Submitted,

By:   
/Christina Sukljian/  
Christina Sukljian  
GAGA PURE PLATINUM  
13 Manor Street  
Albany, New York 12207

**CERTIFICATE OF PROOF OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **RESPONDENT'S REPLY TO PETITIONER'S REPLY TO RESPONDENT'S RESPONSE TO PLAINTIFF'S MOTION FOR SANCTIONS FOR FAILURE TO COMPLY WITH THE BOARD'S DISCOVERY ORDER AND REQUEST FOR JUDGMENT AND RESPONDENT'S REQUEST FOR JUDGMENT** has been served on Ate My Heart, Inc. by mailing said copy on February 7, 2013 via The United States Postal Service Priority Mail with Signature Confirmation in a USPS Priority Mail Envelope postage prepaid to: Ate My Heart, Inc. c/o Pryor Cashman LLP, 7 Times Square, New York, NY 10036.

By: 

/Christina Sukljan/

Christina Sukljan

13 Manor Street

Albany, NY 12207

Date of Deposit: February 7, 2013  
USPS Priority Mail

**CERTIFICATE OF MAILING THROUGH ESTTA**

I, Christina Sukljan, hereby certify that this **RESPONDENT'S REPLY TO PETITIONER'S REPLY TO RESPONDENT'S RESPONSE TO PLAINTIFF'S MOTION FOR SANCTIONS FOR FAILURE TO COMPLY WITH THE BOARD'S DISCOVERY ORDER AND REQUEST FOR JUDGMENT AND RESPONDENT'S REQUEST FOR JUDGMENT** is being filed electronically through ESTTA with The Trademark Trial And Appeal Board, United States Patent And Trademark Office, Alexandria, VA 22313-1451 on the date indicated below.

Date of Deposit: February 7, 2013

  
Signed: /Christina Sukljan/

# EXHIBIT A

### Preliminary Statement

Parsing through Ms. Sukljian's irrelevant ramblings, one thing is clear: Ms. Sukljian agrees that the only information produced to AMH in response to its comprehensive discovery requests and *after* the Board issued its Order to Compel, was a link to her website. Nothing else. For all of her boasting about her publicity (none of which she alleges is actually related to her supposed mark) as well as her naked claims of continuous use since 2001, Ms. Sukljian did not produce one invoice, one shipping document, any customer lists or any advertising examples proving that the mark was ever in use in commerce. These items were properly and reasonably requested by AMH and are not subject to any privilege, as she claimed in her tardy responses. In fact, during multiple calls between the parties, counsel for AMH repeatedly implored Ms. Sukljian to provide AMH with evidence of her use – even informally – but Ms. Sukljian refused.

Here is what is really going on: Ms. Sukljian registered a trademark, which she never used and never had any intention to use. Once Lady Gaga rose to international fame and began receiving virtually unparalleled publicity, Ms. Sukljian decided to capitalize on Lady Gaga's fame and good will by commencing use of the mark in commerce. Indeed, her domain name for the gagapureplatinum.com website was registered in 2011 – three years after Lady Gaga achieved worldwide renown. More specifically, the actual website associated with the domain did not go “live” until *after* AMH filed the cancellation action against Ms. Sukljian's registration – something she admitted on the phone during discussions with counsel. Put simply, Ms. Sukljian will not produce responsive documents illustrating that she has been actively using her mark in commerce since 2001 because, in fact, there are none.

Ms. Sukljian cannot use her registration as both a shield and a sword. She cannot continue to rely on the registration to oppose AMH's trademark without proving that the

# EXHIBIT B

**Int. Cl.: 3**

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

**Reg. No. 2,898,544**

**United States Patent and Trademark Office**

**Registered Nov. 2, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**GAGA PURE PLATINUM**

SUKLJIAN, CHRISTINA (UNITED STATES INDIVIDUAL)  
13 MANOR STREET  
ALBANY, NY 12207

FIRST USE 7-23-2000; IN COMMERCE 6-7-2001.

SER. NO. 76-305,015, FILED 8-27-2001.

FOR: COSMETICS; NAMELY NAIL POLISH, LIP-STICK, LIP-GLOSS, EYE-LINER, LIP-LINER, EYE SHADOW, FACE POWDER, BLUSH, MASCARA, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

BERYL GARDNER, EXAMINING ATTORNEY

Side - 1

**NOTICE OF ACCEPTANCE AND  
ACKNOWLEDGEMENT OF §§8 & 15  
DECLARATION  
MAILING DATE: Jun 5, 2010**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

**REG NUMBER: 2898544**  
**MARK: GAGA PURE PLATINUM**  
**OWNER: Sukljan, Christina**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS  
MAIL  
U.S POSTAGE  
PAID

CHRISTINA SUKLJIAN  
13 MNR ST  
ALBANY, NY 12207

# EXHIBIT C

ESTTA Tracking number: **ESTTA459134**

Filing date: **02/29/2012**

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

Applicant:	<b>Ate My Heart Inc.</b>
Application Serial Number:	<b>85215017</b>
Application Filing Date:	<b>01/11/2011</b>
Mark:	<b>HAUS OF GAGA</b>
Date of Publication:	<b>01/03/2012</b>

**60 Day Request for Extension of Time to Oppose for Good Cause**

Pursuant to 37 C.F.R. Section 2.102, Christina Sukljian, 13 Manor Street, Albany, NY 12207, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The time within which to file a notice of opposition is set to expire on 03/03/2012. Christina Sukljian respectfully requests that the time period within which to file an opposition be extended until 05/02/2012.

Respectfully submitted,  
/Christina Sukljian/  
02/29/2012

**Christina Sukljian**  
**13 Manor Street**  
**Albany, NY 12207**  
**UNITED STATES**  
**info@zela.com**

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Christina Sukljian

13 Manor Street  
Albany, NY 12207

**Mailed: February 29, 2012**

**Serial No.: 85215017**  
**ESTTA TRACKING NO: ESTTA459134**

The request to extend time to oppose is granted until  
5/2/2012 on behalf of potential opposer **ChristinaSukljian**

Please do not hesitate to contact the Trademark Trial and  
Appeal Board at (571)272-8500 if you have any questions  
relating to this extension.

**Note from the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to  
oppose, notices of opposition, petition for cancellation, notice  
of ex parte appeal, and inter partes filings are now available  
at <http://estta.uspto.gov>. Images of TTAB proceeding files can  
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

# EXHIBIT D



ZELA INTERNATIONAL CO.  
QUALITY. PERFORMANCE. INTEGRITY.

EXPERTISE SINCE 1968

[our brands](#)

[mission and values](#)

[history](#)

[creation](#)

[contact us](#)

## our brands



*Mode  
Couleurs*

*Christina*

Little  
Gems

GAGA  
PURE PLATINUM®

MODE  
NEW YORK



ZELA INTERNATIONAL CO.

QUALITY. PERFORMANCE. INTEGRITY.

EXPERTISE SINCE 1968

[our brands](#)

[mission and values](#)

[history](#)

[creation](#)

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g a g a

GAGA  
PURE PLATINUM®

A unisex line of edgy sophistication, GAGA Pure Platinum offers a wide selection of unconventional products and color palettes. Designed and infused with precious gems in sharp urban packaging. The color selection is more avant-garde than conventional standards, eternally fashion forward.

For a unique sense of individualistic style, GAGA is it.



[click here to visit the official website: www.gagapureplatinum.com](http://www.gagapureplatinum.com)



ZELA INTERNATIONAL CO.  
QUALITY. PERFORMANCE. INTEGRITY.

EXPERTISE SINCE 1968

- [our brands](#)
- [mission and values](#)
- [history](#)
- [creation](#)
- [contact us](#)

contact us

For all inquiries:  
email: [info@zela.com](mailto:info@zela.com)  
phone: 518.436.1833



# register.com

Don't just make a website. Make an impact.

## Whois Server Version 2.0

Domain names in the .com and .net domains can now be registered with many different competing registrars.

Go to <http://www.internic.net> for detailed information.

% The data in the WHOIS database of 1&1 Internet AG is provided by  
% 1&1 for information purposes, and to assist persons in obtaining  
% information about or related to a domain name registration record.  
% 1&1 does not guarantee its accuracy. By submitting a WHOIS query,  
% you agree that you will use this data only for lawful purposes and that,  
% under no circumstances, you will use this data to  
% (1) allow, enable, or otherwise support the transmission by e-mail,  
% telephone, or facsimile of mass, unsolicited, commercial advertising or  
% solicitations to entities other than the data recipient's own existing  
% customers; or  
% (2) enable high volume, automated, electronic processes that send queries or  
% data to the systems of any Registry Operator or ICANN-Accredited registrar,  
% except as reasonably necessary to register domain names or modify existing  
% registrations.  
% 1&1 reserves the right to modify these terms at any time.  
% By submitting this query, you agree to abide by this policy.

domain: zela.com  
created: 09-Dec-1999  
last-changed: 08-Sep-2012  
registration-expiration: 09-Dec-2013

nserver: ns27.1and1.com 217.160.82.147  
nserver: ns28.1and1.com 217.160.83.147

status: CLIENT-TRANSFER-PROHIBITED

registrant-firstname: John  
registrant-lastname: Sukljian  
registrant-street1: 13 Manor ST  
registrant-pcode: 12207  
registrant-state: NY  
registrant-city: Albany  
registrant-ccode: US  
registrant-phone: +1.5184361833  
registrant-email: support@zela.com

HOME > SHOP > FACE > POP OFF NEO-POP BLUSH™ CREAM CHEEK COLOUR

## Face

FREE SHIPPING over \$50

### POP OFF NEO-POP™ CREAM BLUSH CREAM CHEEK COLOUR

\$20.00

**ADD TO MY BAG**

This superbly smooth cream blush provides a gorgeous pop of healthy color to cheeks that naturally moisturizes delicate skin with a blend of antioxidant rich barbery fig and pomegranate superfruits at the same time. Neo-Pop blends easily to gives cheeks that fresh and long lasting 'pinch me I'm dreaming' flush.

#### Product Details

- cream dewy finish
- nutrient and vitamin rich superfruits
- skin nourishing barbery fig
- made with love in USA
- .38 oz - 11 g

• [VIEW INGREDIENTS](#)

#### INGREDIENT SPOTLIGHT



Candy pink



#### You Will Also Love...



HOME > SHOP > NAILS > MEEP MEEP MOXIE NAIL COSMETIC

## Nails

FREE SHIPPING over \$50

### MEEP MEEP MOXIE NAIL COSMETIC

\$14.00

**ADD TO MY BAG**

GAGA Pure Platinum Nail Cosmetic is liquid jewelry for the nails with finely crushed, silky smooth GEMLUST™ powder in every bottle. Nails are lacquered in concentrated fashion-forward color for superior wear and gloss with every beautiful coat. This advanced formula provides chip resistant wear while the 600+hair luxe brush delivers strengthening and streak free results for days on end.

#### Product Details

- *prismatic satin finish*
- *advanced 3 free formula*
- *luxe 600+ hair brush*
- *made with love in USA*
- *1/2 fl oz - 15 ml*

• [VIEW INGREDIENTS](#)

#### INGREDIENT SPOTLIGHT



Rollover To View Product Detail



#### You Will Also Love...



HOME > SHOP > NAILS

# Nails

FREE SHIPPING over \$50

*Nails are lacquered in this advanced formula with concentrated color for superior wear and gloss with every beautiful coat.*



**Meep Meep Moxie**  
NAIL COSMETIC

SHOP NOW



**Hullabaloo**  
NAIL COSMETIC

SHOP NOW



**Prim & Awkward**  
NAIL COSMETIC

SHOP NOW



**Old Flame**  
NAIL COSMETIC

SHOP NOW



**Zenith**  
NAIL COSMETIC

SHOP NOW



**Beam Me Up**  
NAIL COSMETIC

SHOP NOW



**Spendthrift Jungle**  
NAIL COSMETIC

SHOP NOW



**Lock Me Up**  
NAIL COSMETIC

SHOP NOW



**Love Addict**  
NAIL COSMETIC

SHOP NOW



**Big Bang Boom**  
NAIL COSMETIC

SHOP NOW



**Yowza**  
NAIL COSMETIC

SHOP NOW



**White Hot Shock**  
NAIL COSMETIC

SHOP NOW

*This universally flattering creamed peach nude coats nails in fortified luxury in our advanced long wear, chip resistant formula.*



**Avec Moi Nail Cosmetic**  
PART OF THE ETERNALLY CHIC SET

SHOP NOW

HOME > SHOP > COMPLEXION > STAR CONCEALER FAIR

## Face

FREE SHIPPING over \$50

### FAIR STAR CONCEALER

\$18.00

**ADD TO MY BAG**

This full coverage exceptionally pigment rich concealer is a star performer. With the lasting skin benefits of Moroccan argan and avocado, this creamy lightweight formula brightens while blending to perfection. Conceals dark spots, under eye circles, discolorations, blemishes, and any other flaw you would rather not see.

#### Product Details

- *super concentrated pigment*
- *skin nourishing superfruit oils*
- *skin protecting vitamin E*
- *made with love in USA*
- *.11 oz - 3 g*

• [VIEW INGREDIENTS](#)

#### INGREDIENT SPOTLIGHT



Rollover To View Product Detail



#### You Will Also Love...



HOME > SHOP > FACE > LUNAR FLASH PRISM PAVE™ LUMINIZER

## Face

FREE SHIPPING over \$50

### LUNAR FLASH PRISM PAVE™ LUMINIZER

\$22.00

ADD TO MY BAG

This weightless cream luminizer provides luxurious satin luminosity and superb radiance to your complexion. Prism Pave™ instantly brightens and enhances skin's appearance with natural optical reflectors that bend with the light to provide beautiful radiance to cheeks, brow-bones and face.

#### Product Details

- *super silky satin luminosity*
- *antioxidant rich pomegranate*
- *skin restoring Moroccan argan*
- *made with love in USA*
- *.38 oz - 11 g*

• [VIEW INGREDIENTS](#)

#### BENEFICIAL INGREDIENTS



Satin champagne



#### You Will Also Love...



HOME > SHOP > LIPS > PINK PARIS LIP LUST LUXE COLOR GLOSS

## Lips

### PINK PARIS LIP LUST LUXE COLOR GLOSS

\$12.50

ADD TO MY BAG

The performance of glamorous color and uber shine of a gloss fused with the benefits of a conditioning, protective balm - that's Lip Lust. Nourishing botanicals hydrate lips in a divine buttery-rich formula.

#### Product Details

- *lasting high gloss finish*
- *moisture and condition with rich shea butter*
- *sooth lips with nourishing sweet almond*
- *made with love in USA*
- *.11 oz - 3 g*

• [VIEW INGREDIENTS](#)

#### INGREDIENT SPOTLIGHT



FREE SHIPPING over \$50



Shimmering golden fuchsia



#### You Will Also Love



HOME > SHOP > LIPS > RIVE GAUCHE ART DÉCORATIF HYDRATING LIPSTICK

## Lips

### RIVE GAUCHE ART DÉCORATIF HYDRATING LIPSTICK

\$16.00

ADD TO MY BAG

Exceptionally creamy and long-lasting, Art Decoratif Hydrating Lipstick instantly delivers high impact powerful color in just one effortless stroke. Lock in natural moisture with conditioning essential fruit oils for supple, kiss me now lips.

#### Product Details

- *hydrating long wearing color in one stroke*
- *condition with essential açai fruit oil*
- *enhanced with orchid flower extract*
- *made with love in USA*
- *.13 oz - 3.7 g*

• [VIEW INGREDIENTS](#)

#### INGREDIENT SPOTLIGHT



FREE SHIPPING over \$50



Real sultry red



#### You Will Also Love...



HOME > SHOP > SETS > ETERNALLY CHIC SET

## Sets

FREE SHIPPING over \$50

### ETERNALLY CHIC SET 3 PIECE TRAVEL COMPANION

\$20.00

ADD TO MY BAG

The perfect three-piece set that has everything you need for instant sophistication. Infused with our signature GEMLUST™ Jewels, this set is the ultimate companion for any destination. Polish lips, tips, and lashes in this universally flattering color palette.

#### Product Details

##### NAIL COSMETIC IN AVEC MOI

- *creamed peach nude, the go to color for any occasion*
- *advanced 3 free formula*
- *made with love in USA*
- *.34 fl oz - 10 ml*

##### ETHEREAL FINISH MASCARA

- *provides perfectly groomed and polished lashes*
- *pampers lashes with nourishing Moroccan argan*
- *made with love in USA*
- *.1 fl oz - 3 ml*

##### 58 FACETS BRILLIANT LIP GLOSS

- *highlight lips with sparkling dimension*
- *moisturize with sweet almond*
- *refreshing essential grapefruit aroma*
- *made with love in USA*
- *.1 fl oz - 3 ml*

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#### INGREDIENT SPOTLIGHT

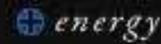


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# Inside Gaga Pure Platinum

## The Story

GAGA Pure Platinum Cosmetics defines avant-garde beauty that is eternally fashion-forward. We believe in positive energy and through the power of color, we believe in drawing out the inner beauty that resides in all of us. Our natural formulations deliver intense color that is infused with GEMLUST™—crushed to a fine silky smooth powder—for the ultimate in luxurious beneficial beauty. The natural beauty, power, and allure of these fine and precious stones treasured for centuries include: ruby, coral, jade, pearl, amethyst, amber, and tourmaline. Each beauty product is presented with our signature velvet pouch, an experience that one can only expect from GAGA Pure Platinum.

## The Heritage

Created in 2000 by second generation cosmetics purveyors and sisters, Cristina Samuels and Jennifer Isaac combined their decades of expertise and insight to create Gaga Pure Platinum. Drawing inspiration from art and beauty, coupled with the finest natural ingredients, the sisters fused these elements in their creations to convey the experience of platinum beauty. Today, these beauty mavens continue the family's nearly half-a-century legacy and tradition in creating and innovating American beauty. Designed, created and made with love in NY USA.

The sisters have the distinct recognition of GCI (Global Cosmetic Industry Magazine) as being 2 of '20 To Know' in the global cosmetic industry. "Cristina Samuels and Jennifer Isaac epitomize the strengths of the beauty industry—continuity and tradition propelled by innovation and evolution." – GCI

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domain: gagapureplatinum.com  
created: 11-Feb-2011  
last-changed: 31-Aug-2012  
registration-expiration: 11-Feb-2013  
  
nserver: ns51.1and1.com 217.160.80.164  
nserver: ns52.1and1.com 217.160.81.164

status: CLIENT-TRANSFER-PROHIBITED

registrant-firstname: John  
registrant-lastname: Sukljian  
registrant-street1: 13 Manor ST  
registrant-pcode: 12207  
registrant-state: NY  
registrant-city: Albany  
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By Michael Musto Tue., Jun. 26 2012 at 11:29 AM  
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In came the email:

"**Lady Gaga** (Ate My Heart, Inc /Stefani Germanotta) is a bully and suing the family business that owns the 12-year-old registered trademark brand Gaga Pure Platinum cosmetics because she can't get a federal trademark registration, after being blocked registration twice.

"Gaga Pure Platinum was created and has existed since 2000 and to try to get what she wants, with no regard to who she hurts, she is trying to steal the Gaga registered trademark from Gaga Pure Platinum with a lawsuit. Lady Gaga doesn't own any trademark rights to Gaga in cosmetics because Gaga Pure Platinum cosmetics owns it and trademarked it when Stefani Germanotta was 14 years old, long before Lady Gaga came into existence.

"So much for her anti bullying campaigns because she is bullying a family business and her tactic is to lie by using fraudulent, baseless and groundless claims in federal trademark court so she can bully them with her fame....Looks like she's living up to her self proclaimed title of 'mother monster' and has proven to be a total hypocrite. Once again she has copied yet another artist that came before her, Gaga Pure Platinum.

All the public information is available at [this link](#)."

I reached out to Gaga's people for a response, and I didn't have to bully them for it. Here it is:

"Lady Gaga and her companies respect intellectual property and would never infringe on anyone's rights. But this particular trademark hasn't been used in what appears to be years.

"In fact, Lady Gaga's counsel tried several times to speak to the original owners about their alleged use of their mark in an effort to find a way to amicably coexist. There was never a response."

And now, here's the response to *that* from the trademark owners:

"The Gaga Pure Platinum trademark has been and continues to be in use. Lady Gaga's counsel never contacted Gaga Pure Platinum nor did we ever receive any communication from Lady Gaga nor it's representatives. No effort to communicate was ever made, only a court action."

Judges?

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