

ESTTA Tracking number: **ESTTA482605**

Filing date: **07/10/2012**

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	Too Faced Cosmetics, LLC
Granted to Date of previous extension	07/21/2012
Address	17361 Armstrong Ave. Irvine, CA 92614 UNITED STATES

Attorney information	Amanda J. Mooney Goodman Mooney Berstein, LLP 8001 Irvine Center Drive, Suite 1170 Irvine, CA 92618 UNITED STATES uspto@goodmanmooney.com Phone:949.622.0020
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Applicant Information

Application No	85488195	Publication date	05/22/2012
Opposition Filing Date	07/10/2012	Opposition Period Ends	07/21/2012
Applicant	BJ Acquisition LLC 52-16 Barnett Avenue Long Island City, NY 11104 UNITED STATES		

Goods/Services Affected by Opposition

Class 003. All goods and services in the class are opposed, namely: Bath gels, bath oils, bath salts, cologne, eau de toilette, essential oils, skin moisturizers, perfume, scented body lotions, scented skin soaps, blush, body powder, cosmetics, eye pencils, eyeliner, eyeshadow, face powder, lipstick, mascara, nail polish

Grounds for Opposition

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

U.S. Registration No.	2265543	Application Date	08/19/1997
Registration Date	07/27/1999	Foreign Priority Date	NONE
Word Mark	TOO FACED		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 1998/02/23 First Use In Commerce: 1998/02/23 cosmetics, namely, eyeshadows, eyeliners, eyebrow pencils, mascara, lipstick, lip gloss, lipliner, nail polish, blush, powder, and foundation

U.S. Registration No.	3536381	Application Date	02/19/2008
Registration Date	11/25/2008	Foreign Priority Date	NONE

Word Mark WRINKLE INJECTION TOO FACED EXTREME WRINKLE FILLER



Description of Mark The mark consists of a syringe with the word "Wrinkle" on top of the needle and the word "Injection" below the needle The syringe includes the words "Too Faced Extreme Wrinkle Filler" inside it with the silhouette of a woman with a bouffant hairdo.

Goods/Services Class 003. First use: First Use: 2007/03/15 First Use In Commerce: 2007/03/15 Cosmetic creams for skin care

U.S. Registration No.	3147949	Application Date	05/19/2005
Registration Date	09/26/2006	Foreign Priority Date	NONE

Word Mark LIP INJECTION TOO FACED EXTREME LIP PUMPING TREATMENT



Description of Mark The mark consists of words Lip Injection straddling a needle; and silhouette of woman with words Too Faced, Extreme Lip Pumping Treatment on syringe.

Goods/Services Class 003. First use: First Use: 2003/01/31 First Use In Commerce: 2004/04/30 cosmetics, namely lip gloss

U.S. Registration No.	3949346	Application Date	06/29/2010
Registration Date	04/19/2011	Foreign Priority Date	NONE

Word Mark TOO FACED LOVE YOUR SKIN

Design Mark	TOO FACED LOVE YOUR SKIN		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Creamy face powder; Face powder; Make-up powder; Pressed face powder		

U.S. Registration No.	4018301	Application Date	08/17/2010
Registration Date	08/30/2011	Foreign Priority Date	NONE
Word Mark	TOO FACED PRIMED & PORELESS		
Design Mark	TOO FACED PRIMED & PORELESS		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2009/01/00 First Use In Commerce: 2009/01/00 Cosmetics		

U.S. Registration No.	4099053	Application Date	07/06/2011
Registration Date	02/14/2012	Foreign Priority Date	NONE
Word Mark	TOO FACED MATTE EYE		

Design Mark	TOO FACED MATTE EYE		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Cosmetics		

U.S. Registration No.	4099056	Application Date	07/06/2011
Registration Date	02/14/2012	Foreign Priority Date	NONE
Word Mark	TOO FACED SMOKEY EYE		
Design Mark	TOO FACED SMOKEY EYE		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2011/06/01 First Use In Commerce: 2011/06/01 Cosmetics		

U.S. Registration No.	4118677	Application Date	08/22/2011
Registration Date	03/27/2012	Foreign Priority Date	NONE
Word Mark	TOO FACED		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2001/03/00 First Use In Commerce: 2001/03/00 Cosmetics

Related Proceedings	Opposition No. 91204584 against Serial No. 85239082
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Attachments	77400799#TMSN.jpeg (1 page)(bytes) 78633212#TMSN.jpeg (1 page)(bytes) 85073747#TMSN.jpeg (1 page)(bytes) 85109670#TMSN.jpeg (1 page)(bytes) 85364587#TMSN.jpeg (1 page)(bytes) 85364614#TMSN.jpeg (1 page)(bytes) 85404068#TMSN.jpeg (1 page)(bytes) Notice of Opposition BETSEY JOHNSON TOO TOO PRETTY V3.pdf (31 pages)(1737329 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	/Amanda Mooney/
Name	Amanda J. Mooney
Date	07/10/2012

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

TOO FACED COSMETICS, LLC.,

Opposer

v.

BJ ACQUISITION, LLC

Applicant.

Application Serial No. 85488195

Published on May 22, 2012

NOTICE OF OPPOSITION

In the matter of the application of BJ Acquisition, LLC (“Applicant”) for registration of the mark BETSEY JOHNSON TOO TOO PRETTY (Stylized) in International Class 03 for “[b]ath gels, bath oils, bath salts, cologne, eau de toilette, essential oils, skin moisturizers, perfume, scented body lotions, scented skin soaps, blush, body powder, cosmetics, eye pencils, eyeliner, eyeshadow, face powder, lipstick, mascara, nail polish,” Application Serial No. 85/488,195, published for opposition on May 22, 2012, Too Faced Cosmetics, LLC (“Opposer”), believing that it will be damaged by registration of the trademark, hereby opposes such application.

As grounds for opposition, Opposer, by its attorneys, alleges as follows:

1. Opposer is an industry leading manufacturer, marketer and supplier of color cosmetics and accessories sold extensively in the United States and internationally.

2. In 1998, Opposer, through its predecessor in interest, first commenced use

of the trademark TOO FACED for its branded cosmetic products.

3. All of the products in Opposer’s cosmetics line prominently bear the mark TOO FACED.

4. Opposer is the owner of numerous federal trademark registrations for TOO FACED or marks that include TOO FACED (collectively the “TOO Marks”) in connection with cosmetics. These marks include:

Mark	Reg. No.	Reg. Date	Goods
TOO FACED	2,265,543	7/27/1999	Cosmetics, namely, eyeshadows, eyeliners, eyebrow pencils, mascara, lipstick, lip gloss, lipliner, nail polish, blush, powder and foundation
	3,536,381	11/25/2008	Cosmetic creams for skin care
	3,147,949	9/26/2006	Cosmetics, namely lip gloss
TOO FACED LOVE YOUR SKIN	3949346	4/19/2011	Creamy face powder; face powder; Make-up powder; Pressed face powder
TOO FACED PRIMED & PORELESS	4018301	8/30/2011	Cosmetics
TOO FACED MATTE EYE	4099053	2/14/2012	Cosmetics
TOO FACED SMOKEY EYE	85364614	2/14/2012	Cosmetics
	4118677	3/27/2012	Cosmetics

All of the registrations set forth above are valid, subsisting and in full force and effect; all serve as prima facie evidence of Opposer’s exclusive rights in and to the TOO Marks; all establish that Opposer’s rights in marks that include in whole or in part TOO FACED are

superior to any rights on which Applicant can rely; and all serve to place Applicant on notice of Opposer's rights. See attached Exhibit "A."

5. Opposer's goods bearing the trademark TOO FACED have been extensively and continuously offered to the public through various channels of trade. Opposer has also extensively advertised its services under said trademark throughout the United States. By reason of such advertising and wide distribution of Opposer's goods bearing the trademark TOO FACED, the public has come to recognize the trademark TOO FACED, individually and as a family of "TOO" marks, as signifying Opposer and its goods, and Opposer has built up extensive goodwill in connection with the sale and provision of goods under the trademark.

6. Notwithstanding Opposer's prior rights in and to the trademark TOO FACED, Applicant has applied for registration of BETSEY JOHNSON TOO TOO PRETTY for cosmetics and related personal care products on an intent-to-use basis.

7. Opposer consistently uses the term TOO in or as part of its trademarks for cosmetics. Applicant has taken the term TOO as part of its mark thereby mimicking Opposer's use and making it appear that BETSEY JOHNSON TOO TOO PRETTY is part of Opposer's family of TOO Marks. By incorporating the term TOO into a mark for goods identical to those sold by Opposer, consumers are likely to believe that BETSEY JOHNSON TOO TOO PRETTY designates products sold by, endorsed by, sponsored by or affiliated with Opposer.

8. Applicant's application is unrestricted with respect to the marketing and retail channels in which it intends to market and sell its goods. As the goods identified in Applicant's application are substantially identical to the goods sold under the TOO

Marks, it can be assumed that Applicant markets and sells or will market and sell its products through identical retail channels as Opposer and to the same consumers as Opposer.

9. Applicant's alleged mark so resembles Opposer's trademark TOO FACED as to be likely, when used on or in connection with the services of Applicant, to cause confusion, mistake, or deception within the meaning of Section 2(d) of the Lanham Act.

10. As a matter of law, by virtue of Opposer's registrations, Applicant had constructive knowledge of Opposer's prior rights in the TOO Marks prior to adopting or seeking to register BETSEY JOHNSON TOO TOO PRETTY. In addition, upon information and belief, Applicant was on actual notice of Opposer's prior rights in the TOO Marks.

11. For the foregoing reasons, Applicant's alleged mark is not entitled to registration on the Principal Register under Section 2(d) of the Lanham Act, 15 U.S.C. § 1025(d) and Section 2.69 of the Trademark Rules of Practice, 37 C.F.R. § 2.69.

WHEREFORE, Opposer prays that Application Serial No. 85/488,195 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Opposer hereby appoints Goodman Mooney & Berstein, LLP to act as its attorneys with full power to prosecute this opposition, to transact all relevant business in the Patent and Trademark Office, and to receive all communications with respect to this opposition.

DATED this 10th day of July, 2012.

Respectfully submitted,

GOODMAN MOONEY & BERSTEIN, LLP

By: /Amanda J. Mooney/

Amanda J. Mooney, Esq.
8001 Irvine Center Drive, Suite 1170
Irvine, CA 92618
Tel. 949.622.0020
Fax. 949.622.0024
uspto@goodmanmooney.com
Attorneys for Opposer

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that the attached NOTICE OF OPPOSITION was filed electronically with the Trademark Trial and Appeal Board on July 10, 2012.

/Amanda J. Mooney/

Amanda J. Mooney
Attorney for Opposer

CERTIFICATE OF SERVICE

I certify that a true and complete copy of the attached NOTICE OF OPPOSITION has been served on Applicant by mailing said copy on July 10, 2012, via First Class Mail, postage prepaid to the Applicant's correspondence address listed in the TARR system on this date, as follows:

ALI R. LATIFI
TUCKER & LATIFI, LLP
160 E 84TH ST APT 5E
NEW YORK, NY 10028-005

/Amanda J. Mooney/

Amanda J. Mooney
Attorney for Opposer

Exhibit “A”



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Typed Drawing

Word Mark	TOO FACED
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: cosmetics, namely, eyeshadows, eyeliners, eyebrow pencils, mascara, lipstick, lip gloss, lipliner, nail polish, blush, powder, and foundation. FIRST USE: 19980223. FIRST USE IN COMMERCE: 19980223
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75343415
Filing Date	August 19, 1997
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	May 12, 1998
Registration Number	2265543
International Registration Number	0891949
Registration Date	July 27, 1999
Owner	(REGISTRANT) BLANDINO, JERROD W. INDIVIDUAL UNITED STATES 25 IBIZA AISLE IRVINE CALIFORNIA 92614 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Amanda J. Mooney
Type of Mark	TRADEMARK
Register	PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090401.
Renewal 1ST RENEWAL 20090401
Live/Dead Indicator LIVE

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**NOTICE OF ACCEPTANCE OF §8
DECLARATION AND §9 RENEWAL
MAILING DATE: Apr 1, 2009**

The declaration and renewal application filed in connection with the registration identified below meets the requirements of Sections 8 and 9 of the Trademark Act, 15 U.S.C. §§1058 and 1059. The declaration is accepted and renewal is granted. 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: 2265543
MARK: TOO FACED
OWNER: TOO FACED COSMETICS, INC.

Side - 2

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

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Eric J. Goodman
Burkhalter Kessler Goodman & George LLP
Suite 600
2020 Main St.
Irvine, CA 92614

Int. Cl.: 3

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

Reg. No. 3,536,381

United States Patent and Trademark Office

Registered Nov. 25, 2008

TRADEMARK
PRINCIPAL REGISTER



TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

FOR: COSMETIC CREAMS FOR SKIN CARE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 3-15-2007; IN COMMERCE 3-15-2007.

OWNER OF U.S. REG. NOS. 2,265,543, 3,147,949, AND 3,360,988.

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

THE MARK CONSISTS OF A SYRINGE WITH THE WORD "WRINKLE" ON TOP OF THE NEEDLE AND THE WORD "INJECTION" BELOW THE NEEDLE. THE SYRINGE INCLUDES THE WORDS "TOO FACED EXTREME WRINKLE FILLER" INSIDE IT WITH THE SILHOUETTE OF A WOMAN WITH A BOUFFANT HAIRDO.

SER. NO. 77-400,799, FILED 2-19-2008.

LINDA M. KING, EXAMINING ATTORNEY



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Word Mark	WRINKLE INJECTION TOO FACED EXTREME WRINKLE FILLER
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Cosmetic creams for skin care. FIRST USE: 20070315. FIRST USE IN COMMERCE: 20070315
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	10.07.01 - Hypodermic syringe; Needles, syringes (medical); Syringes, hypodermic 26.01.21 - Circles that are totally or partially shaded. 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded
Trademark Search Facility Classification Code	ART-10.07 Medical devices and apparatus SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals
Serial Number	77400799
Filing Date	February 19, 2008
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	September 9, 2008
Registration Number	3536381

Registration Date November 25, 2008

Owner (REGISTRANT) Too Faced Cosmetics, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614
 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Amanda J. Mooney

Prior Registrations 2265543;3147949;3360988

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WRINKLE" AND "WRINKLE FILLER" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a syringe with the word "Wrinkle" on top of the needle and the word "Injection" below the needle The syringe includes the words "Too Faced Extreme Wrinkle Filler" inside it with the silhouette of a woman with a bouffant hairdo.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Int. Cl.: 3

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

Reg. No. 3,147,949

United States Patent and Trademark Office

Registered Sep. 26, 2006

TRADEMARK
PRINCIPAL REGISTER



TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
16510 ASTON STREET
IRVINE, CA 92606

FOR: COSMETICS, NAMELY LIP GLOSS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 1-31-2003; IN COMMERCE 4-30-2004.

OWNER OF U.S. REG. NOS. 2,265,543 AND 3,020,575.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIP" AND "EXTREME LIP PLUMP-

ING TREATMENT", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF WORDS LIP INJECTION STRADDLING A NEEDLE; AND SILHOUETTE OF WOMAN WITH WORDS TOO FACED, EXTREME LIP PUMPING TREATMENT ON SYRINGE.

SER. NO. 78-633,212, FILED 5-19-2005.

STEVEN JACKSON, EXAMINING ATTORNEY



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Word Mark LIP INJECTION TOO FACED EXTREME LIP PUMPING TREATMENT
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: cosmetics, namely lip gloss. FIRST USE: 20030131. FIRST USE IN COMMERCE: 20040430
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women
 10.07.01 - Hypodermic syringe; Needles, syringes (medical); Syringes, hypodermic
 26.01.21 - Circles that are totally or partially shaded.
 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number 78633212
Filing Date May 19, 2005
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition July 4, 2006
Registration Number 3147949
Registration Date September 26, 2006
Owner (REGISTRANT) Too Faced Cosmetics, Inc. CORPORATION CALIFORNIA 16510 Aston Street Irvine CALIFORNIA 92606
 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Amanda J. Mooney
Prior Registrations 2265543;3020575
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LIP" and "EXTREME LIP PLUMPING TREATMENT" APART FROM THE MARK AS SHOWN
Description of Mark The mark consists of words Lip Injection straddling a needle; and silhouette of woman with words Too Faced, Extreme Lip Pumping Treatment on syringe.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

TOO FACED LOVE YOUR SKIN

Reg. No. 3,949,346

Registered Apr. 19, 2011

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

FOR: CREAMY FACE POWDER; FACE POWDER; MAKE-UP POWDER; PRESSED FACE POWDER, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 9-0-2010; IN COMMERCE 9-0-2010.

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

OWNER OF U.S. REG. NOS. 2,265,543, 3,536,381, AND OTHERS.

SN 85-073,747, FILED 6-29-2010.

CHRISTINE MARTIN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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TOO FACED LOVE YOUR SKIN

Word Mark	TOO FACED LOVE YOUR SKIN
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Creamy face powder; Face powder; Make-up powder; Pressed face powder. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85073747
Filing Date	June 29, 2010
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 30, 2010
Registration Number	3949346
Registration Date	April 19, 2011
Owner	(REGISTRANT) Too Faced Cosmetics, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614
Assignment Recorded	ASSIGNMENT RECORDED

Attorney of Record Amanda J. Mooney
Prior Registrations 2265543;3147949;3536381;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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TOO FACED PRIMED & PORELESS

Reg. No. 4,018,301

TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

Registered Aug. 30, 2011

Int. Cl.: 3

FOR: COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

TRADEMARK

FIRST USE 1-0-2009; IN COMMERCE 1-0-2009.

PRINCIPAL REGISTER

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

OWNER OF U.S. REG. NOS. 2,265,543, 3,536,381 AND OTHERS.

SER. NO. 85-109,670, FILED 8-17-2010.

CHRISTINE MARTIN, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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TOO FACED PRIMED & PORELESS

Word Mark TOO FACED PRIMED & PORELESS
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics. FIRST USE: 20090100. FIRST USE IN COMMERCE: 20090100
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85109670
Filing Date August 17, 2010
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition June 14, 2011
Registration Number 4018301
Registration Date August 30, 2011
Owner (REGISTRANT) TOO FACED Cosmetics, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614
 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Amanda J. Mooney
Prior Registrations 2265543;3147949;3536381;AND OTHERS

Type of Mark TRADEMARK
Register PRINCIPAL
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United States of America

United States Patent and Trademark Office

TOO FACED MATTE EYE

Reg. No. 4,099,053

Registered Feb. 14, 2012

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

FOR: COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 6-1-2011; IN COMMERCE 6-1-2011.

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

OWNER OF U.S. REG. NOS. 2,265,543, 3,949,346, AND 4,018,301.

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

SER. NO. 85-364,587, FILED 7-6-2011.

TOBY BULLOFF, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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TOO FACED MATTE EYE

Word Mark TOO FACED MATTE EYE
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics. FIRST USE: 20110601. FIRST USE IN COMMERCE: 20110601
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85364587
Filing Date July 6, 2011
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition November 29, 2011
Registration Number 4099053
Registration Date February 14, 2012
Owner (REGISTRANT) TOO FACED COSMETICS, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614
 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Amanda J. Mooney
Prior Registrations 2265543;3949346;4018301

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MATTE EYE" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

TOO FACED SMOKEY EYE

Reg. No. 4,099,056

TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

Registered Feb. 14, 2012

Int. Cl.: 3

FOR: COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

TRADEMARK

FIRST USE 6-1-2011; IN COMMERCE 6-1-2011.

PRINCIPAL REGISTER

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

OWNER OF U.S. REG. NOS. 2,265,543, 3,949,346, AND 4,018,301.

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

SER. NO. 85-364,614, FILED 7-6-2011.

TOBY BULLOFF, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



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TOO FACED SMOKEY EYE

Word Mark TOO FACED SMOKEY EYE

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics. FIRST USE: 20110601. FIRST USE IN COMMERCE: 20110601

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85364614

Filing Date July 6, 2011

Filing Basis 1A

Original Filing Basis 1A

Published for Opposition November 29, 2011

Registration Number 4099056

Registration Date February 14, 2012

Owner (REGISTRANT) TOO FACED COSMETICS, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614

 (LAST LISTED OWNER) TOO FACED COSMETICS, LLC LIMITED LIABILITY COMPANY DELAWARE 17361 ARMSTRONG AVE. IRVINE CALIFORNIA 92614

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Amanda J. Mooney

Prior Registrations 2265543;3949346;4018301

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SMOKEY EYE" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America
United States Patent and Trademark Office

Too Faced

Reg. No. 4,118,677

Registered Mar. 27, 2012

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

TOO FACED COSMETICS, INC. (CALIFORNIA CORPORATION)
17361 ARMSTRONG AVENUE
IRVINE, CA 92614

FOR: COSMETICS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 3-0-2001; IN COMMERCE 3-0-2001.

OWNER OF U.S. REG. NOS. 2,265,543, 3,949,346 AND OTHERS.

SER. NO. 85-404,068, FILED 8-22-2011.

KATHERINE CHANG, EXAMINING ATTORNEY



David J. Kyffes

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Too Faced

Word Mark TOO FACED
Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Cosmetics. FIRST USE: 20010300. FIRST USE IN COMMERCE: 20010300
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 85404068
Filing Date August 22, 2011
Filing Basis 1A
Original Filing Basis 1A
Published for Opposition January 10, 2012
Registration Number 4118677
Registration Date March 27, 2012
Owner (REGISTRANT) TOO FACED COSMETICS, Inc. CORPORATION CALIFORNIA 17361 Armstrong Avenue Irvine CALIFORNIA 92614
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Amanda J. Mooney
Prior Registrations 2265543;3680847;3949346;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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