

ESTTA Tracking number: **ESTTA485785**

Filing date: **07/26/2012**

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

Proceeding	91206252
Party	Plaintiff Kindercare Learning Centers LLC, Knowledge Universe Education LLC
Correspondence Address	Camille M. Miller Cozen O'Connor 1900 Market Street Philadelphia, PA 19103 UNITED STATES cmiller@cozen.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Camille M. Miller
Filer's e-mail	cmiller@cozen.com
Signature	/Camille M. Miller/
Date	07/26/2012
Attachments	Amended_Notice_of_Opposition_US_Trademark_App_85_063_188_for_CHILDREN_S_WORLD.pdf (15 pages)(836541 bytes)

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

KINDERCARE LEARNING CENTERS LLC, and	:	
	:	
KNOWLEDGE UNIVERSE EDUCATION LLC	:	
	:	
Opposers,	:	Opposition No. 91206252
v.	:	Serial No. 85/063,188
	:	Filed: June 15, 2010
MID SERVICES S.A.	:	Published: April 17, 2012
	:	Mark: CHILDREN’S WORLD &
Applicant.	:	DESIGN

AMENDED NOTICE OF OPPOSITION

Kindercare Learning Centers LLC, a Delaware corporation with a principal place of business at 650 NE Holladay Street, Portland, Oregon 97232 (“Kindercare”) and Knowledge Universe Education LLC, a Delaware corporation with a principal place of business at 650 NE Holladay Street, Portland, Oregon 97232 (“Knowledge Universe”) (collectively, “Opposer”), each believes that it will be damaged by registration of the mark CHILDREN’S WORLD & DESIGN, which is the subject of application Serial No. 85/063,188, published in the April 17, 2012 *Official Gazette*, and hereby opposes the same.

As grounds of opposition, it is alleged that:

1. Upon information and belief, Mid Services S.A. (“Applicant”) is a Luxembourg corporation having an address of 57 Rue de Kirchberg, Luxembourg, L-1858.
2. Upon information and belief, Applicant filed an application to register the mark CHILDREN’S WORLD & DESIGN for “Babysitting services; Social service, namely,

companionship services for pre-school children” in International Class 45 in the United States Patent and Trademark Office on June 15, 2010 (the “Application”).

3. Applicant’s mark published in the Official Gazette on April 17, 2012.

4. Knowledge Universe is the owner of Registration No. 0,905,288 for the mark CHILDREN’S WORLD, for use in connection with “providing preschool, kindergarten, and elementary school facilities” in International Class 41.

5. Knowledge Universe is the owner of Registration No. 1,606,796 for the mark CHILDREN’S WORLD LEARNING CENTERS, for use in connection with “educational services-namely, offering instruction on the kindergarten [and the elementary school] levels, nursery school services [and camp services]” in International Class 41, and “nursery and day care services, and child care services” in International Class 42.

6. Knowledge Universe is an owner of Kindercare.

7. TESS/TARR printouts for the foregoing registrations are attached hereto as Exhibit A.

8. The CHILDREN’S WORLD and CHILDREN’S WORLD LEARNING CENTERS marks owned by Opposer, and described herein, are inherently distinctive and represent the exceedingly valuable goodwill of Knowledge Universe’s wide range of services.

9. The CHILDREN’S WORLD and CHILDREN’S WORLD LEARNING CENTERS marks owned by Opposer, and described herein, have become well known through their use.

10. There has been significant market success of Opposer’s services offered under the CHILDREN’S WORLD and CHILDREN’S WORLD LEARNING CENTERS marks owned by Opposer, and described herein, and the relevant public has come to rely upon and

recognize Opposer's services through the CHILDREN'S WORLD and CHILDREN'S WORLD LEARNING CENTERS marks owned by Opposer, and described herein. As a result, these marks have substantial goodwill associated with them.

LIKELIHOOD OF CONFUSION PURSUANT TO SECTION 2(D)

11. Opposer's CHILDREN'S WORLD and CHILDREN'S WORLD LEARNING CENTERS marks are confusingly similar to Applicant's claimed mark CHILDREN'S WORLD & DESIGN in sound, appearance, and meaning. Opposer's CHILDREN'S WORLD and CHILDREN'S WORLD LEARNING CENTERS marks and Applicant's claimed mark CHILDREN'S WORLD & DESIGN create similar, if not the same, commercial impressions.

12. Upon information and belief, the services associated with Opposer's CHILDREN'S WORLD and CHILDREN'S WORLD LEARNING CENTERS marks, and the services identified in the Application, would be sold in the same channels of trade.

13. If Applicant is permitted to register its mark, and, thereby, obtain the prima facie exclusive right to use the mark CHILDREN'S WORLD & DESIGN in the marketplace, confusion is likely to result and damage Opposer.

14. Applicant's use of its mark CHILDREN'S WORLD & DESIGN in connection with the services in its Application is likely to cause confusion or mistake or to deceive, within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

15. Allowance of Applicant's application and registration of Applicant's proposed mark CHILDREN'S WORLD & DESIGN would result in damage and injury to Opposer.

WHEREFORE, Opposer prays that allowance of Serial No. 85/063,188 be

refused and that this Opposition be sustained.

Respectfully submitted,



Date: July 26, 2012

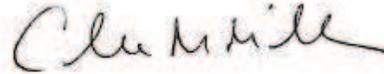
Camille M. Miller, Esq.
David M. Albert, Esq.
COZEN O'CONNOR, P.C.
1900 Market Street
Philadelphia, PA 19103
Telephone: (215) 665-7273
Facsimile: (215) 701-2273

Attorneys for Opposer

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing document was electronically filed with the U.S. Patent and Trademark Office, Trademark Trial and Appeal Board on July 26, 2012, and will be mailed on July 26, 2012 via First Class Mail, postage prepaid to Applicant at the following address:

Sarah E. Tallent Esq.
Reinhardt LLP
44 Wall Street, Floor 10
New York, NY 10005-2415



Camille M. Miller, Esq.

Date: July 26, 2012

EXHIBIT A

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-26 16:32:43 ET

Serial Number: 72309841 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 905288

Mark (words only): CHILDREN'S WORLD

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2011-01-26

Filing Date: 1968-10-17

Transformed into a National Application: No

Registration Date: 1970-12-29

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: (NOT AVAILABLE)

Date In Location: 2011-01-26

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

1. KNOWLEDGE LEARNING CORPORATION

Address:

KNOWLEDGE LEARNING CORPORATION
SUITE 1400 650 NE HOLLADAY STREET
PORTLAND, OR 97232
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

U.S. Class: 107 (International Class 041)

Class Status: Active

PROVIDING PRESCHOOL, KINDERGARTEN, AND ELEMENTARY SCHOOL FACILITIES

Basis: 1(a)

First Use Date: 1967-06-02

First Use in Commerce Date: 1967-06-02

ADDITIONAL INFORMATION

(NOT AVAILABLE)

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.

2012-05-01 - Attorney Revoked And/Or Appointed
2012-05-01 - TEAS Revoke/Appoint Attorney Received
2011-06-08 - Assignment Of Ownership Not Updated Automatically
2011-01-26 - Third renewal 10 year
2011-01-26 - Section 8 (10-year) accepted/ Section 9 granted
2011-01-11 - Combined Section 8 (10-year)/Section 9 filed
2011-01-26 - Review Of Correspondence Complete
2011-01-11 - TEAS Section 8 & 9 Received
2009-02-25 - Assignment Of Ownership Not Updated Automatically
2008-09-23 - Case File In TICRS
2002-07-09 - TEAS Change Of Correspondence Received
2001-04-28 - Second renewal 10 year
2001-04-28 - Section 8 (10-year) accepted/ Section 9 granted
2000-12-19 - Combined Section 8 (10-year)/Section 9 filed
2000-12-19 - Combined Section 8 (10-year)/Section 9 filed
1991-01-28 - First renewal 10 year
1990-12-20 - Section 9 filed/check record for Section 8
1984-04-02 - Section 15 acknowledged

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Camille M. Miller

Correspondent

Camille M. Miller
COZEN O'CONNOR
1900 MARKET STREET
PHILADELPHIA PA 19103
Phone Number: 215-665-7273
Fax Number: 215-701-2273



United States Patent and Trademark Office

Home | Site Index | Search | Guides | Contacts | eBusiness | eBiz alerts | News | Help

Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 13

Serial #: 72309841

Filing Dt: 10/17/1968

Reg #: 905288

Reg. Dt: 12/29/1970

Registrant: CHILDREN'S WORLD

Mark: CHILDREN'S WORLD

Assignment: 1

Reel/Frame: 0298/0825

Received:

Recorded: 11/26/1976

Pages: 1

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: CHILDREN'S WORLD

Composed of:

COMPOSED OF LUCY ANNE MORRELLI AND MICHAEL MORRELLI, AS PARTNERS

Assignee: CHILDREN'S WOLRD, INC.

166-NINTH STREET

OGDEN, UTAH

Correspondent: MALLINCKRODT & MALLINCKRODT

10 EXCHANGE PLACE

SALT LAKE CITY, UT 84111

Exec Dt: 10/29/1976

Entity Type: A COPARTNERSHIP

Citizenship: NONE

Entity Type: CORPORATION

Citizenship: UTAH

Assignment: 2

Reel/Frame: 0500/0259

Received:

Recorded: 07/05/1985

Pages: 1

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: CHILDREN'S WORLD, INC.Assignee: CHILDREN'S WORLD, INC.

EVERGREEN, COLORADO

Correspondent: GRANDMET USA, INC.

PARAGON DRIVE

MONTVALE, NJ 07645

Exec Dt: 01/27/1984

Entity Type: CORPORATION

Citizenship: UTAH

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignment: 3

Reel/Frame: 0649/0423

Received:

Recorded: 05/01/1989

Pages: 0

Conveyance: MERGER AND CHANGE OF NAME 19881222DE

Assignors: DAYBRIDGE LEARNING CENTERS, INC. (MERGED INTO)NEW SERVICES, INC., (MERGED INTO)CHILDREN'S WORLD, INC., (CHANGED TO)Assignees: CHILDREN'S WORLD, INC., (CHANGED TO)CHILDREN'S WORLD LEARNING CENTERS, INC.

Correspondent: FULBRIGHT & JAWORSKI

1301 MCKINNEY

HOUSTON, TX 77010

Exec Dt: 12/19/1988

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: DELAWARE

Exec Dt: 00/00/0000

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignment: 4

Reel/Frame: 1672/0724

Received: 01/15/1998

Recorded: 01/09/1998

Pages: 6

Conveyance: CHANGE OF NAME

Assignor: CHILDREN'S WORLD LEARNING CENTERS, INC.Assignee: MERITUS EDUCATIONAL RESOURCES COMPANY

573 PARK POINT DRIVE

GOLDEN, COLORADO 80401

Exec Dt: 10/30/1997

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: WOODCOCK WASHBURN KURTZ MACKIEWICZ &
NORRIS LLP - SCOTT B. SCHWARTZ
ONE LIBERTY PLACE, 46TH FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103-7301

Assignment: 5

Reel/Frame: 1672/0730 **Received:** 01/15/1998

Recorded: 01/09/1998

Pages: 6

Conveyance: CHANGE OF NAME

Assignor: MERITUS EDUCATION RESOURCES COMPANY

Exec Dt: 10/30/1997

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: ARAMARK EDUCATIONAL RESOURCES, INC.
573 PARK POINT DRIVE
GOLDEN, COLORADO 80401

Correspondent: WOODCOCK WASHBURN KURTZ MACKIEWICZ &
NORRIS LLP - SCOTT B. SCHWARTZ
1650 MARKET STREET, 46TH FLOOR
ONE LIBERTY PLACE
PHILADELPHIA, PA 19103-7301

Assignment: 6

Reel/Frame: 2764/0416 **Received:** 12/16/2003

Recorded: 12/15/2003

Pages: 6

Conveyance: CHANGE OF NAME

Assignor: ARAMARK EDUCATIONAL RESOURCES, INC.

Exec Dt: 05/05/2003

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: KNOWLEDGE LEARNING ENTERPRISES, INC.
573 PARK POINTE DRIVE
GOLDEN, COLORADO 80401

Correspondent: C/O O'MELVENY & MYERS LLP
GINA DURHAM, ESQ.
400 SOUTH HOPE STREET
ROOM 1919
LOS ANGELES, CA 90071

Assignment: 7

Reel/Frame: 2655/0864 **Received:** 05/16/2003

Recorded: 05/15/2003

Pages: 12

Conveyance: GRANT OF TRADEMARK SECURITY INTEREST

Assignor: ARAMARK EDUCATIONAL RESOURCES, INC.

Exec Dt: 05/09/2003

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: BNP PARIBAS, AS AGENT
ONE FRONT STREET, 23RD FLOOR
ATTN: CREDIT ADMINISTRATION
SAN FRANCISCO, CALIFORNIA 94111-5325

Correspondent: C/O O'MELVENY & MYERS LLP
GINA DURHAM, ESQ.
400 SOUTH HOPE STREET, ROOM 1919
LOS ANGELES, CA 90071

Assignment: 8

Reel/Frame: 2737/0878 **Received:** 06/02/2003

Recorded: 05/29/2003

Pages: 5

Conveyance: CHANGE OF NAME

Assignor: ARAMARK EDUCATIONAL RESOURCES, INC.

Exec Dt: 05/09/2003

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: KNOWLEDGE LEARNING ENTERPRISES, INC.
573 PARK POINT DRIVE
GOLDEN, COLORADO 80401

Correspondent: LAURA GENOVESE MILLER
COZEN O'CONNOR
1900 MARKET STREET, 6TH FLOOR
PHILADELPHIA, PA 19103

Assignment: 9

Reel/Frame: 3009/0459 **Received:** 01/13/2005

Recorded: 01/13/2005

Pages: 9

Conveyance: GRANT OF TRADEMARK SECURITY INTEREST

Assignor: KNOWLEDGE LEARNING ENTERPRISES, INC.**Exec Dt:** 01/07/2005**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** UNKNOWN**Citizenship:** NONE**Assignee:** BNP PARIBAS, AS AGENTONE FRONT STREET, 23RD FLOOR
SAN FRANCISCO, CALIFORNIA 94111-5325**Correspondent:** GINA M. DURHAM, ESQ.
400 SOUTH HOPE STREET
LOS ANGELES, CA 90071**Assignment: 10****Reel/Frame:** 3193/0312**Received:** 11/12/2005**Recorded:** 11/12/2005**Pages:** 6**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** KNOWLEDGE LEARNING ENTERPRISES, INC. (F/K/A CHILDREN'S WORLD LEARNING CENTERS, INC. ITS PREDECESSOR IN INTEREST)**Exec Dt:** 10/01/2005**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** KNOWLEDGE LEARNING CORPORATION650 NE HOLLADAY STREET, SUITE 1400
PORTLAND, OREGON 97232**Correspondent:** GINA M. DURHAM, ESQ.
400 SOUTH HOPE STREET
O'MELVENY & MYERS LLP
LOS ANGELES, CA 90071**Assignment: 11****Reel/Frame:** 3193/0301**Received:** 11/12/2005**Recorded:** 11/12/2005**Pages:** 9**Conveyance:** GRANT OF TRADEMARK SECURITY INTEREST**Assignor:** KNOWLEDGE LEARNING CORPORATION**Exec Dt:** 11/09/2005**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** UNKNOWN**Citizenship:** NONE**Assignee:** BNP PARIBAS, AS AGENTONE FRONT STREET, 23RD FLOOR
SAN FRANCISCO, CALIFORNIA 94111-5325**Correspondent:** GINA M. DURHAM, ESQ.
400 SOUTH HOPE STREET
O'MELVENY & MYERS LLP
LOS ANGELES, CA 90071**Assignment: 12****Reel/Frame:** 4463/0120**Received:** 01/28/2011**Recorded:** 01/28/2011**Pages:** 17**Conveyance:** SECURITY INTEREST**Assignor:** KNOWLEDGE LEARNING CORPORATION**Exec Dt:** 06/25/2010**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** SOCIETE ANONYME**Citizenship:** FRANCE**Assignee:** BNP PARIBAS100 CRESCENT COURT, SUITE 500
DALLAS, TEXAS 75201**Correspondent:** BRUCE GOLDNER
FOUR TIMES SQUARE
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
NEW YORK, NY 10036-6522**Assignment: 13****Reel/Frame:** 4553/0376**Received:** 06/03/2011**Recorded:** 06/03/2011**Pages:** 7**Conveyance:** CONVERSION**Assignor:** KNOWLEDGE LEARNING CORPORATION**Exec Dt:** 05/02/2011**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** DELAWARE**Assignee:** KNOWLEDGE UNIVERSE EDUCATION LLC650 NE HOLLADAY STREET
PORTLAND, OREGON 97232**Correspondent:** SCOTT BRADLEY SCHWARTZ
1900 MARKET STREET
PHILADELPHIA, PA 19103

Search Results as of: 07/26/2012 04:32 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v2.3.2
Web interface last modified: July 10, 2012 v2.3.2

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-07-25 15:05:24 ET

Serial Number: 73801220 Assignment Information Trademark Document Retrieval

Registration Number: 1606796

Mark (words only): CHILDREN'S WORLD LEARNING CENTERS

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2010-07-21

Filing Date: 1989-05-19

Transformed into a National Application: No

Registration Date: 1990-07-17

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: (NOT AVAILABLE)

Date In Location: 2010-07-21

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

1. KNOWLEDGE UNIVERSE EDUCATION LLC

Address:

KNOWLEDGE UNIVERSE EDUCATION LLC
650 NE HOLLADAY STREET
PORTLAND, OR 97232
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 041

Class Status: Active

EDUCATIONAL SERVICES-NAMELY, OFFERING INSTRUCTION ON THE KINDERGARTEN LEVELS, NURSERY SCHOOL SERVICES

Basis: 1(a)

First Use Date: 1988-01-15

First Use in Commerce Date: 1988-01-15

International Class: 042
Class Status: Active
NURSERY AND DAY CARE SERVICES, AND CHILD CARE SERVICES
Basis: 1(a)
First Use Date: 1988-01-15
First Use in Commerce Date: 1988-01-15

ADDITIONAL INFORMATION

Disclaimer: "LEARNING CENTERS"

Prior Registration Number(s):
905288

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.

2012-05-01 - Attorney Revoked And/Or Appointed
2012-05-01 - TEAS Revoke/Appoint Attorney Received
2012-04-18 - Automatic Update Of Assignment Of Ownership
2010-07-21 - Second renewal 10 year
2010-07-21 - Section 8 (10-year) accepted/ Section 9 granted
2010-07-15 - TEAS Section 8 & 9 Received
2009-02-25 - Assignment Of Ownership Not Updated Automatically
2008-12-29 - Case File In TICRS
2002-07-09 - TEAS Change Of Correspondence Received
2001-01-04 - First renewal 10 year
2001-01-04 - Section 8 (10-year) accepted/ Section 9 granted
2000-05-18 - Combined Section 8 (10-year)/Section 9 filed
1996-05-15 - Section 8 (6-year) accepted & Section 15 acknowledged
1995-10-03 - Section 8 (6-year) and Section 15 Filed
1990-07-17 - Registered - Principal Register
1990-04-24 - Published for opposition

1990-03-24 - Notice of publication
1989-12-06 - Approved for Pub - Principal Register (Initial exam)
1989-11-29 - Examiner's amendment mailed
1989-11-02 - Non-final action mailed
1989-08-16 - Communication received from applicant
1989-08-03 - Non-final action mailed
1989-07-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Camille M. Miller

Correspondent

Camille M. Miller
COZEN O'CONNOR
1900 MARKET STREET
PHILADELPHIA PA 19103
Phone Number: 215-665-7273
Fax Number: 215-701-2273
