

ESTTA Tracking number: **ESTTA487278**

Filing date: **08/03/2012**

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	Paul Frank Industries LLC
Granted to Date of previous extension	08/05/2012
Address	10100 Santa Monica Blvd., Suite 600 Los Angeles, CA 90067 UNITED STATES

Correspondence information	Paul Frank Industries LLC c/o Jerod Partin 10100 Santa Monica Blvd., Suite 600 Los Angeles, CA 90067 UNITED STATES jpartin@sabanbrands.com Phone:310-557-5241
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Applicant Information

Application No	85386776	Publication date	02/07/2012
Opposition Filing Date	08/03/2012	Opposition Period Ends	08/05/2012
Applicant	Maandi Park MS, LLC 2251 Lake Park Drive Smyrna, GA 30030 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Clothing, namely, shirts, sweaters, sweatshirts, blouses, jerseys, pants, shorts, skirts, dresses, swimwear, loungewear, sleepwear, underwear, boxer shorts, socks, scarves, gloves, mittens, coats, jackets; belts; headwear; footwear
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Grounds for Opposition

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

U.S. Registration No.	3583780	Application Date	10/26/2006
Registration Date	03/03/2009	Foreign Priority Date	NONE
Word Mark	JULIUS		

Design Mark	<h1>JULIUS</h1>
Description of Mark	NONE
Goods/Services	<p>Class 012. First use: First Use: 2002/08/00 First Use In Commerce: 2002/08/00 Bicycles</p> <p>Class 014. First use: First Use: 2001/10/00 First Use In Commerce: 2001/10/00 Clocks, watches</p> <p>Class 016. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Children's books; series of fiction and non-fiction books featuring animated characters; address books; stationery</p> <p>Class 018. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 Bags, namely, all-purpose carrying bags, beach bags, handbags, wallets, backpacks, book bags, school bags, tote bags, shoulder bags, umbrellas</p> <p>Class 024. First use: First Use: 2001/07/00 First Use In Commerce: 2001/07/00 Textiles and textile goods, namely, household linens, bed linen, bathroom linen, curtains of textile or plastic, pillow shams, bed sheets, duvets, covers for duvets, pillow cases, shower curtains, towels, bed blankets, comforters, throws</p> <p>Class 025. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 Clothing, namely, T-shirts, jeans, shorts, sweatshirts, shirts, pants, socks, dresses, sweaters, blouses, undershirts, skirts, jackets, tank tops, skorts, overalls, hooded sweatshirts, lounge wear, wovens, namely, pajamas; bras, underwear, ponchos, scarves, gloves, belts; footwear, namely, slippers, thongs, mukluks; head wear, namely, hats, beanies, baseball caps, berets</p> <p>Class 028. First use: First Use: 2001/10/00 First Use In Commerce: 2001/10/00 Toys, namely, stuffed toys, stuffed toy animals, plush toys, children's multiple activity toys; games, namely, card games</p> <p>Class 041. First use: First Use: 1999/04/01 First Use In Commerce: 1999/04/01 Entertainment in the nature of cartoons, web episodes, and ongoing comedy and dramatic episodic multimedia programs, distributed over television and the Internet, featuring animated characters</p>

Attachments	<p>77029371#TMSN.jpeg (1 page)(bytes) Opposition against TM Application 85386776, Mark JULIUS STYLES.pdf (3 pages)(48248 bytes)</p>
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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	/Jerod Partin/
Name	Paul Frank Industries LLC
Date	08/03/2012

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

PAUL FRANK INDUSTRIES LLC)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
MAANDI PARK MS)	
)	
Applicant.)	

RE: Application No. 85/386776
MARK: JULIUS STYLES
Applicant: Maandi Park MS, LLC LIMITED LIABILITY COMPANY
Filed: August 2, 2011
Published: February 7, 2012

NOTICE OF OPPOSITION

Dear Sir:

Paul Frank Industries LLC, a Delaware limited liability company, with a place of business at 10100 Santa Monica Blvd., Suite 600, Los Angeles, California 90067 (“Opposer”), hereby states that it will be damaged by registration of the mark JULIUS STYLES, covered by U.S. Application No. 85/386776, owned by Maandi Park MS (“Applicant”), and hereby opposes registration of same.

The grounds for the notice are as follows:

1. Opposer is using and owns registrations for the trademark JULIUS in connection with clothing, namely, T-shirts, jeans, shorts, sweatshirts, shirts, pants, socks, dresses, sweaters, blouses, undershirts, skirts, jackets, tank tops, skorts, overalls, hooded

sweatshirts, lounge wear, wovens, namely, pajamas; bras, underwear, ponchos, scarves, gloves, belts; footwear, namely, slippers, thongs, mukluks; head wear, namely, hats, beanies, baseball caps, berets. Opposer's JULIUS mark was registered on March 3, 2009 at Registration No. 3583780 in International Class No. 25 and Opposer has made continuous use of that mark since at least as early as November 1995. Opposer's registration of the JULIUS mark is in full force and effect.

2. Applicant filed a U.S. Trademark Application to register the mark JULIUS STYLES (application serial No. 85/386776) ("Applicant's Application") for use in connection with "Clothing, namely, shirts, sweaters, sweatshirts, blouses, jerseys, pants, shorts, skirts, dresses, swimwear, loungewear, sleepwear, underwear, boxer shorts, socks, scarves, gloves, mittens, coats, jackets; belts; headwear; footwear." Applicant's Application was published for opposition on February 7, 2012 in the Official Gazette (Trademarks) of the United States Patent and Trademark Office ("USPTO"). Since that time, Opposer has filed multiple extensions with the USPTO to extend the time in which Opposer can file its opposition against Applicant's Application. All of Opposer's extension requests were granted by the USPTO. Accordingly, Opposer has until August 5, 2012 to oppose, and this Notice of Opposition is, therefore, being timely filed today, August 3, 2012.

3. If Applicant's Application matures to registration, the registration will interfere with Opposer's use and registration of its JULIUS mark, and is likely to cause irreparable damage to the goodwill and consumer recognition that Opposer has built up in Opposer's JULIUS mark.

WHEREFORE, Opposer prays that said Application Serial No. 85/386776 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Opposer has paid the requisite filing fee prescribed by 37 C.F.R. § 2.6(a)(17) in connection with filing this Notice of Opposition.

All correspondence relating to this matter should be directed to the undersigned Opposer.

Respectfully submitted,

PAUL FRANK INDUSTRIES LLC

Dated: August 3, 2012

By:



Rami Yanni
Senior Vice President of Business & Legal
Affairs (Opposer)

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