

ESTTA Tracking number: **ESTTA522474**

Filing date: **02/20/2013**

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 | Chanel, Inc. |
| Granted to Date of previous extension | 02/27/2013 |
| Address | 9 West 57th Street 44th FL New York, NY 10019 UNITED STATES |

| | |
|----------------------|---|
| Attorney information | Barbara Solomon Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES bsolomon@fzlz.com Phone:212-813-5900 |
|----------------------|---|

Applicant Information

| | | | |
|------------------------|--|------------------------|------------|
| Application No | 85642279 | Publication date | 10/30/2012 |
| Opposition Filing Date | 02/20/2013 | Opposition Period Ends | 02/27/2013 |
| Applicant | Kang, Pil Sung 838 S. Gramercy Drive #103 Los Angeles, CA 90005 UNITED STATES | | |

Goods/Services Affected by Opposition

| |
|---|
| Class 003. First Use: 2012/05/01 First Use In Commerce: 2012/05/01 All goods and services in the class are opposed, namely: Adhesive removers; Adhesives for affixing false eyelashes; False eyelashes |
|---|

Grounds for Opposition

| | |
|--------------------------------------|----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
|--------------------------------------|----------------------------|

Marks Cited by Opposer as Basis for Opposition

| | | | |
|-----------------------|--------------|-----------------------|------------|
| U.S. Registration No. | 3234899 | Application Date | 06/07/2005 |
| Registration Date | 04/24/2007 | Foreign Priority Date | NONE |
| Word Mark | ROUGE ALLURE | | |

| | |
|---------------------|--|
| Design Mark | ROUGE ALLURE |
| Description of Mark | NONE |
| Goods/Services | Class 003. First use: First Use: 2006/05/01 First Use In Commerce: 2006/05/01 Cosmetics |

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2598290 | Application Date | 07/23/1998 |
| Registration Date | 07/23/2002 | Foreign Priority Date | NONE |
| Word Mark | ALLURE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 003. First use: First Use: 2002/03/19 First Use In Commerce: 2002/03/19 [Hair care,] fragrance and toiletries products, namely, [hair spray;] soap [and cleansing gel] | | |

| | | | |
|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2370933 | Application Date | 08/03/1999 |
| Registration Date | 07/25/2000 | Foreign Priority Date | NONE |
| Word Mark | ALLURE HOMME | | |
| Design Mark | ALLURE HOMME | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 003. First use: First Use: 1998/10/00 First Use In Commerce: 1998/10/00 Fragrances and toiletries, namely eau de toilette, after shave, skin moisturizer, personal deodorant, [toilette soap] and shower gel for cleaning hair and body | | |

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 2025798 | Application Date | 04/13/1993 |
| Registration Date | 12/24/1996 | Foreign Priority Date | NONE |
| Word Mark | ALLURE | | |
| Design Mark | | | |

| | |
|---------------------|---|
| Description of Mark | NONE |
| Goods/Services | Class 003. First use: First Use: 1996/03/15 First Use In Commerce: 1996/03/15 PERFUME (PARFUM), EAU DE TOILETTE, BODY LOTION, AND MOISTURIZER |

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 635700 | Application Date | 10/07/1955 |
| Registration Date | 10/09/1956 | Foreign Priority Date | NONE |

| | |
|-----------|--------|
| Word Mark | ALLURE |
|-----------|--------|

| | |
|-------------|--|
| Design Mark |  |
|-------------|--|

| | |
|---------------------|------|
| Description of Mark | NONE |
|---------------------|------|

| | |
|----------------|---|
| Goods/Services | Class U051 (International Class 003, 005). First use: First Use: 1914/12/00 First Use In Commerce: 1914/12/00 COSMETICS AND TOILET PREPARATIONS-NAMELY, [FACE POWDER, CLEANSING CREAM, NIGHT CREAM, EXTRA RICH NIGHT CREAM, DRY SKIN MIXTURE, FACIAL MASQUE, DOUBLE WHIPPED CREAM, ROLLING MASSAGE CREAM, HAND CREAM, ALMOND LOTION, PINE BATH OIL, LIPSTICK, DRY ROUGE, SKIN FRESHENER, SPECIAL ASTRINGENT, LEG MAKE-UP, SACHET POWDER, TALCUMPOWDER,SKIN TONER, POWDER FOUNDATION, EAU DE COLOGNE, CREAM DEODORANT, AND] PERFUME. |
|----------------|---|

| | |
|-------------|---|
| Attachments | 78645514#TMSN.jpeg (1 page)(bytes) 75766857#TMSN.gif (1 page)(bytes) 71696063#TMSN.gif (1 page)(bytes) Notice of Opposition (F1175872).PDF (30 pages)(412723 bytes) |
|-------------|---|

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 | /Barbara Solomon/ |
| Name | Barbara Solomon |
| Date | 02/20/2013 |

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

In the matter of Application Serial No. 85/642,279
Published in the Official Gazette on October 30, 2012
For the mark ALLURE

| | | |
|---------------------|---|----------------|
| -----X | | |
| CHANEL, INC., | : | |
| | : | Opposition No. |
| Opposer, | : | |
| | : | |
| v. | : | |
| | : | |
| PIL SUNG KANG d/b/a | : | |
| ALLURE COSMETICS, | : | |
| | : | |
| Applicant. | : | |
| -----X | | |

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

BOX TTAB - FEE

NOTICE OF OPPOSITION

Opposer Chanel, Inc., a New York corporation organized and existing under the laws of the state of New York, located and doing business at 9 West 57th Street, New York, New York 10019 (“Opposer”), believes that it will be damaged by the issuance of a registration for the mark ALLURE shown in Application Serial No. 85/642,279 for “adhesive removers; adhesives for affixing false eyelashes; false eyelashes” in International Class 3, and therefore opposes the same. As grounds for its opposition, Opposer, by its attorneys Fross Zelnick Lehrman & Zissu, P.C., alleges as follows:

FACTS

A. Opposer and the Famous ALLURE Mark

1. Opposer is a world renowned premiere manufacturer and seller of and a recognized leader in the fields of fragrance and beauty products. Among Chanel's most iconic fragrances are ALLURE for women and ALLURE HOMME for men.

2. In 1996, Chanel introduced its ALLURE fragrances, including its parfum and eau de toilette. In 1998, Chanel introduced its ALLURE HOMME line of fragrances for men, including eau de toilette and aftershave lotion. Subsequent line extensions include ALLURE SENSUELLE, ALLURE HOMME SPORT and ALLURE HOMME ÉDITION BLANCHE. Today, ALLURE, ALLURE SENSUELLE, ALLURE HOMME, ALLURE HOMME SPORT and ALLURE HOMME ÉDITION BLANCHE (collectively the "ALLURE Marks") are used on more than twenty different products, including parfum, eau de parfum spray, eau de toilette spray, body lotion, body cream, bath soap, aftershave lotion, aftershave moisturizer and deodorant sticks.

3. In addition to its fragrance items, in 2006 Chanel introduced its ROUGE ALLURE lip products in the United States. ROUGE ALLURE currently is available in more than twenty five different shades.

4. From 2008 - 2012 alone, U.S. sales by Chanel of products bearing the ALLURE Marks exceeded \$125 million.

5. Products under the ALLURE Marks are sold in all fifty states in the United States as well as via the Internet. ALLURE branded products are sold in Chanel's own free standing retail stores in the United States as well as in department stores and specialty stores throughout the United States.

6. In addition to being reproduced on tens of millions of dollars of products sold in the U.S. alone, the ALLURE Marks also are featured in advertisements that appear in national magazines and newspapers with wide circulation, on television, on radio, on the Internet and on billboards. Opposer has spent millions of dollars on advertising featuring the ALLURE Marks which is seen throughout the country.

7. In addition to Chanel’s own advertising efforts, the ALLURE mark and products receive significant unsolicited media coverage which reaches millions of consumers annually.

8. Chanel has invested a substantial amount of time, effort and money in promoting the ALLURE Marks and in ensuring the high quality of goods provided under the marks.

9. Chanel owns the following federal trademark and service mark registrations, among others, for the ALLURE mark:

| <u>MARK</u> | <u>Registration Number</u> | <u>Date of Registration</u> | <u>Goods/Services</u> |
|------------------|----------------------------|-----------------------------|--|
| ROUGE ALLURE | 3234899 | 4/24/07 | Cosmetics |
| *ALLURE | 2598290 | 7/23/02 | Fragrance and toiletries products, namely soap |
| *ALLURE HOMME | 2370933 | 7/25/00 | Fragrances and toiletries |
| *ALLURE | 2025798 | 12/24/96 | Perfume, eau de toilette, body lotion, moisturizer |
| *ALLURE | 635700 | 10/9/56 | Cosmetics and toilet preparations, namely perfume |

All of the listed registrations are valid, subsisting, and in full force and effect, and serve as *prima facie* evidence of Chanel's ownership of the listed marks and its exclusive right to use each of the marks. In addition, the asterisked registrations are incontestable as to the goods identified in the registrations, meaning that the registration is conclusive evidence of Opposer's exclusive right to

the registered mark in commerce on or in connection with the goods stated in the registration, as provided by Section 33(b) of the Lanham Act, 15 U.S.C. § 1115(b). Printouts from the United States Patent and Trademark Office's online database reflecting the registrations identified above are attached as Exhibit A and are made part of the record in these proceedings.

10. By virtue of the use and promotion of its ALLURE Marks for over a decade, the extensive use of the ALLURE Marks and the sale and promotion of products under the ALLURE Marks, ALLURE has come to be recognized as identifying products and services finding their origin exclusively in or otherwise associated with Opposer, is distinctive of Opposer's goods, and has come to represent enormous goodwill of Opposer.

11. By virtue of its registrations for and use of the ALLURE Marks, Opposer has standing to bring this opposition.

B. Applicant and His Application

12. Upon information and belief, Applicant is an individual from the Republic of Korea residing or doing business at 838 S. Gramercy Drive #103, Los Angeles, California 90005.

13. On June 4, 2012, Applicant filed Application Serial No. 85/642,279 in the United States Patent and Trademark Office to register ALLURE for "adhesive removers; adhesives for affixing false eyelashes; false eyelashes" in International Class 3, based on alleged use since May 1, 2012.

14. Applicant's filing date and its alleged use date – the only dates on which Applicant can rely – are long after Opposer began using the ALLURE Marks, long after the ALLURE Marks were registered, and long after the ALLURE Marks had acquired widespread recognition.

15. Upon information and belief, Applicant was on actual notice of Opposer's prior rights in the ALLURE Marks before adopting and seeking to register the identical mark ALLURE for his own cosmetics products. As a matter of law, based on Opposer's federal trademark registrations for its ALLURE Marks, Applicant was deemed on constructive notice of Opposer's rights in the ALLURE Marks and ALLURE.

16. There never has been any relationship between Applicant and Opposer and Opposer has never authorized or consented to Applicant's use or application to register the ALLURE mark opposed here.

17. Applicant's application and the presumption of exclusivity that would come from a registration to Applicant of the ALLURE mark sought to be registered is inconsistent with the prior rights of Opposer in the ALLURE Marks and Chanel's statutory grant of rights flowing from its own trademark registrations for such marks.

COUNT I: CLAIM FOR RELIEF UNDER 15 U.S.C. § 1052(d) – LIKELIHOOD OF
CONFUSION

18. Opposer incorporates by reference paragraphs 1 through 17 as if fully set forth herein.

19. Opposer's rights in the ALLURE Marks were established long prior to any date on which Applicant can rely.

20. Applicant seeks to register Opposer's very trademark ALLURE which Chanel has used and registered for more than a decade. Because Applicant has chosen to register Chanel's very word mark, the opposed mark clearly is identical in sound, meaning and commercial impression to Opposer's registered and long-used ALLURE trademark.

21. Applicant claims to use and seeks to register the ALLURE mark for use in connection with beauty products, namely false eyelashes and adhesives used to remove and affix

false eyelashes. Applicant has not limited its channels of trade or its consumers for the listed products.

22. Chanel is a recognized leader in both the fragrance and beauty fields. As evidenced by Chanel's own business, many companies use the identical mark for fragrance products as well as beauty products. Indeed, Chanel uses the ALLURE mark not only in connection with fragrances but also in connection with lipsticks. Thus consumers would expect that fragrances and cosmetics bearing the same mark come from the same source.

23. The goods identified in Applicant's application, being cosmetics, are clearly related to and complimentary to Chanel's cosmetics and fragrances provided under its ALLURE Marks. Indeed, the USPTO has previously found that eyelash preparations are related to Opposer's goods and has refused registration to LASH ALLURE for such products.

24. Because Applicant has not restricted its channels of trade or its consumers, as a matter of law goods under the ALLURE mark will be deemed to be sold in all channels of trade that are customary for such products and to all consumers for such goods. Retailers that sell cosmetic products generally tend to sell fragrance products and consumers who are looking for beauty enhancing products like false eyelashes likely are consumers of fragrances. Thus, there is clearly an overlap between the party's channels of trade and consumers.

25. Applicant's adoption and use of Opposer's very trademark ALLURE for the goods identified in the opposed application is likely to create the erroneous impression that Applicant's goods originate from or are otherwise associated with Opposer, or that Applicant's use of Opposer's trademark ALLURE is endorsed by or is in some way connected with Opposer all to Opposer's injury and harm.

26. Registration of the ALLURE mark in connection with the goods set forth in Application Serial No. 85/642,279 is likely to cause confusion, cause mistake or to deceive the public into the false belief that the goods offered by Applicant under the ALLURE mark come from, are licensed by, sponsored by, or connected with Opposer or otherwise are associated with Opposer in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

27. Further, registration of the opposed mark will have an adverse commercial impact on Opposer.

28. By reason of the foregoing, Opposer will be damaged by the registration of the mark ALLURE to Applicant.

WHEREFORE, it is respectfully requested that this opposition be sustained and that registration sought by Application Serial No. 85/642,279 be denied.

The Trademark Trial and Appeal Board is hereby authorized to charge the opposition filing fee of \$300 to oppose in a single class to Opposer's counsel's deposit Account Number 230825.

Dated: February 20, 2013
New York, New York

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 

Barbara A. Solomon

Attorneys for Petitioner
866 United Nations Plaza
New York, New York 10017
(212) 813-5900

Attorneys for Opposer Chanel, Inc.

EXHIBIT A

Generated on: This page was generated by TSDR on 2013-02-20 11:11:54 EST

Mark: ROUGE ALLURE

ROUGE ALLURE

US Serial Number: 78645514

Application Filing Date: Jun. 07, 2005

US Registration Number: 3234899

Registration Date: Apr. 24, 2007

Register: Principal

Mark Type: Trademark

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

Status Date: Apr. 24, 2007

Publication Date: Feb. 28, 2006

Notice of Allowance Date: May 23, 2006

Mark Information

Mark Literal Elements: ROUGE ALLURE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "ROUGE"

Translation: The foreign wording in the mark translates into English as RED.

Related Properties Information

Claimed Ownership of US Registrations: [0635700](#), [2025798](#), [2598290](#), and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Cosmetics

International Class: 003 - Primary Class **U.S Class:** 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2006 **Use in Commerce:** May 01, 2006

Basis Information (Case Level)

| | | | | | |
|------------------------|-----|----------------------------|-----|---------------------|----|
| Filed Use: | No | Currently Use: | Yes | Amended Use: | No |
| Filed ITU: | Yes | Currently ITU: | No | Amended ITU: | No |
| Filed 44D: | No | Currently 44D: | No | Amended 44D: | No |
| Filed 44E: | No | Currently 44E: | No | Amended 44E: | No |
| Filed 66A: | No | Currently 66A: | No | | |
| Filed No Basis: | No | Currently No Basis: | No | | |

Current Owner(s) Information

Owner Name: Chanel, Inc.

Owner Address: Legal Department
Legal Department 9 West 57th Street
New York, NEW YORK 10019
UNITED STATES

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: LEGAL DEPT
CHANEL INC
9 W 57TH ST
NEW YORK, NEW YORK 10019
UNITED STATES

Phone: 212-688-5055

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|--------------------------|
| Apr. 24, 2007 | REGISTERED-PRINCIPAL REGISTER | |
| Mar. 07, 2007 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 76538 |
| Mar. 06, 2007 | ASSIGNED TO LIE | 76538 |
| Feb. 03, 2007 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Jan. 25, 2007 | STATEMENT OF USE PROCESSING COMPLETE | 65362 |
| Nov. 20, 2006 | USE AMENDMENT FILED | 65362 |
| Nov. 20, 2006 | TEAS STATEMENT OF USE RECEIVED | |
| May 23, 2006 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Feb. 28, 2006 | PUBLISHED FOR OPPOSITION | |
| Feb. 08, 2006 | NOTICE OF PUBLICATION | |
| Jan. 12, 2006 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 72067 |
| Dec. 30, 2005 | ASSIGNED TO LIE | 72067 |
| Dec. 29, 2005 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Dec. 28, 2005 | ASSIGNED TO EXAMINER | 78447 |
| Jun. 13, 2005 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Mar. 16, 2007

Generated on: This page was generated by TSDR on 2013-02-20 11:12:23 EST

Mark: ALLURE

US Serial Number: 75526069

Application Filing Date: Jul. 23, 1998

US Registration Number: 2598290

Registration Date: Jul. 23, 2002

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jul. 30, 2012

Publication Date: Mar. 23, 1999

Notice of Allowance Date: Jun. 15, 1999

Mark Information

Mark Literal Elements: ALLURE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: [0635700,2025798](#),and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

[Hair care,] fragrance and toiletries products, namely, [hair spray;] soap [and

For: cleansing gel]
International Class: 003 - Primary Class **U.S Class:** 001, 004, 006, 050, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 19, 2002 **Use in Commerce:** Mar. 19, 2002

Basis Information (Case Level)

| | | | | | |
|------------------------|-----|----------------------------|-----|---------------------|----|
| Filed Use: | No | Currently Use: | Yes | Amended Use: | No |
| Filed ITU: | Yes | Currently ITU: | No | Amended ITU: | No |
| Filed 44D: | No | Currently 44D: | No | Amended 44D: | No |
| Filed 44E: | No | Currently 44E: | No | Amended 44E: | No |
| Filed 66A: | No | Currently 66A: | No | | |
| Filed No Basis: | No | Currently No Basis: | No | | |

Current Owner(s) Information

Owner Name: Chanel, Inc.
9 West 57th Street
Owner Address: New York, NEW YORK 10019
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Attorney/Correspondence Information

Attorney Name: VERONICA L HRDY
Attorney of Record
Correspondent
Correspondent Name/Address: Chanel, Inc.
9 West 57th Street
Chanel Legal Department
NEW YORK, NEW YORK 10019
UNITED STATES
Phone: 212-688-5055

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|--------------------------|
| Jul. 30, 2012 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED | |
| Jul. 30, 2012 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 69471 |
| Jul. 30, 2012 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | 69471 |
| Jul. 30, 2012 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 69471 |
| Jul. 19, 2012 | TEAS SECTION 8 & 9 RECEIVED | |
| Jul. 19, 2012 | TEAS CHANGE OF CORRESPONDENCE RECEIVED | |
| May 18, 2009 | NOTICE OF SUIT | |
| Jun. 13, 2008 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 77315 |
| Jun. 13, 2008 | ASSIGNED TO PARALEGAL | 77315 |
| May 29, 2008 | TEAS SECTION 8 & 15 RECEIVED | |
| Dec. 26, 2007 | CASE FILE IN TICRS | |
| Jul. 23, 2002 | REGISTERED-PRINCIPAL REGISTER | |
| May 13, 2002 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| May 13, 2002 | ASSIGNED TO EXAMINER | 76732 |
| Apr. 24, 2002 | STATEMENT OF USE PROCESSING COMPLETE | |
| Apr. 24, 2002 | USE AMENDMENT FILED | |
| Apr. 24, 2002 | PAPER RECEIVED | |
| Dec. 29, 2001 | EXTENSION 5 GRANTED | |
| Dec. 07, 2001 | EXTENSION 5 FILED | |
| May 27, 2001 | EXTENSION 4 GRANTED | |
| May 14, 2001 | EXTENSION 4 FILED | |
| Feb. 06, 2001 | EXTENSION 3 GRANTED | |
| Dec. 11, 2000 | EXTENSION 3 FILED | |

Aug. 03, 2000 EXTENSION 2 GRANTED
Jun. 12, 2000 EXTENSION 2 FILED
Dec. 14, 1999 EXTENSION 1 GRANTED
Dec. 14, 1999 EXTENSION 1 FILED
Jun. 15, 1999 NOA MAILED - SOU REQUIRED FROM APPLICANT
Mar. 23, 1999 PUBLISHED FOR OPPOSITION
Feb. 19, 1999 NOTICE OF PUBLICATION
Dec. 30, 1998 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 22, 1998 ASSIGNED TO EXAMINER 75567

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jul. 23, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 30, 2012

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Mark: ALLURE HOMME

ALLURE HOMME

US Serial Number: 75766857

Application Filing Date: Aug. 03, 1999

US Registration Number: 2370933

Registration Date: Jul. 25, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jul. 16, 2010

Publication Date: May 02, 2000

Mark Information

Mark Literal Elements: ALLURE HOMME

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Translation: The English translation of "HOMME" is "man".

Related Properties Information

Claimed Ownership of US Registrations: [0635700,2025798](#), and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- • Brackets [...] indicate deleted goods/services;
- • Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- • Asterisks *.* identify additional (new) wording in the goods/services.

For: Fragrances and toiletries, namely eau de toilette, after shave, skin moisturizer, personal deodorant, [toilette soap] and shower gel for cleaning hair and body

International Class: 003 - Primary Class **U.S Class:** 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1998 **Use in Commerce:** Oct. 1998

Basis Information (Case Level)

| | | | | | |
|------------------------|-----|----------------------------|-----|---------------------|----|
| Filed Use: | Yes | Currently Use: | Yes | Amended Use: | No |
| Filed ITU: | No | Currently ITU: | No | Amended ITU: | No |
| Filed 44D: | No | Currently 44D: | No | Amended 44D: | No |
| Filed 44E: | No | Currently 44E: | No | Amended 44E: | No |
| Filed 66A: | No | Currently 66A: | No | | |
| Filed No Basis: | No | Currently No Basis: | No | | |

Current Owner(s) Information

Owner Name: Chanel, Inc.

Owner Address: Legal Department
9 West 57th Street
New York, NEW YORK 10019
UNITED STATES

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: LEGAL DEPT
CHANEL INC
9 W 57TH ST
NEW YORK, NEW YORK 10019
UNITED STATES

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|--------------------------|
| Jul. 16, 2010 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 74886 |
| Jul. 16, 2010 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Jul. 15, 2010 | TEAS SECTION 8 & 9 RECEIVED | |
| May 18, 2009 | NOTICE OF SUIT | |
| Nov. 22, 2006 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 74886 |
| Nov. 22, 2006 | ASSIGNED TO PARALEGAL | 74886 |
| Jul. 12, 2006 | TEAS SECTION 8 & 15 RECEIVED | |
| Mar. 10, 2006 | CASE FILE IN TICRS | |
| Jul. 25, 2000 | REGISTERED-PRINCIPAL REGISTER | |
| May 02, 2000 | PUBLISHED FOR OPPOSITION | |
| Mar. 31, 2000 | NOTICE OF PUBLICATION | |
| Mar. 09, 2000 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Feb. 23, 2000 | EXAMINER'S AMENDMENT MAILED | |
| Dec. 06, 1999 | NON-FINAL ACTION MAILED | |
| Dec. 01, 1999 | ASSIGNED TO EXAMINER | 75567 |

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 25, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 16, 2010

Generated on: This page was generated by TSDR on 2013-02-20 11:12:58 EST

Mark: ALLURE

US Serial Number: 74378874

Application Filing Date: Apr. 13, 1993

US Registration Number: 2025798

Registration Date: Dec. 24, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 17, 2007

Publication Date: May 31, 1994

Notice of Allowance Date: Aug. 23, 1994

Mark Information

Mark Literal Elements: ALLURE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: PERFUME (PARFUM), EAU DE TOILETTE, BODY LOTION, AND MOISTURIZER

International Class: 003 - Primary Class

U.S Class: 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 15, 1996

Use in Commerce: Mar. 15, 1996

Basis Information (Case Level)

| | | | | | |
|------------------------|-----|----------------------------|-----|---------------------|----|
| Filed Use: | No | Currently Use: | Yes | Amended Use: | No |
| Filed ITU: | Yes | Currently ITU: | No | Amended ITU: | No |
| Filed 44D: | No | Currently 44D: | No | Amended 44D: | No |
| Filed 44E: | No | Currently 44E: | No | Amended 44E: | No |
| Filed 66A: | No | Currently 66A: | No | | |
| Filed No Basis: | No | Currently No Basis: | No | | |

Current Owner(s) Information

Owner Name: Chanel, Inc.

Owner Address: CHANEL LEGAL DEPT.
9 West 57th Street
New York, NEW YORK 10019
UNITED STATES

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Veronica L. Hrdy

Correspondent

Correspondent Name/Address: Adrienne Hahn
Chanel, Inc.
9 WEST 57TH ST.
CHANEL LEGAL DEPT.
NEW YORK, NEW YORK 10019
UNITED STATES

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|------------------------------|
| Feb. 17, 2010 | NOTICE OF SUIT | |
| May 18, 2009 | NOTICE OF SUIT | |
| Feb. 17, 2007 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 59136 |
| Feb. 17, 2007 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Jan. 31, 2007 | ASSIGNED TO PARALEGAL | 59136 |
| Nov. 30, 2006 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Nov. 30, 2006 | TEAS SECTION 8 & 9 RECEIVED | |
| Sep. 22, 2006 | CASE FILE IN TICRS | |
| Jul. 08, 2002 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | |
| May 02, 2002 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED | |
| Mar. 17, 1997 | REPRINTING REGISTRATION CERTIFICATE | |
| Feb. 27, 1997 | POST REGISTRATION ACTION MAILED - SEC. 7 | |
| Dec. 24, 1996 | REGISTERED-PRINCIPAL REGISTER | |
| Oct. 18, 1996 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Oct. 14, 1996 | STATEMENT OF USE PROCESSING COMPLETE | |
| Oct. 11, 1996 | EXTENSION 4 GRANTED | |
| Aug. 21, 1996 | USE AMENDMENT FILED | |
| Aug. 21, 1996 | EXTENSION 4 FILED | |
| Feb. 05, 1996 | EXTENSION 3 GRANTED | |
| Dec. 01, 1995 | EXTENSION 3 FILED | |
| Sep. 01, 1995 | EXTENSION 2 GRANTED | |
| Aug. 08, 1995 | EXTENSION 2 FILED | |
| Mar. 30, 1995 | EXTENSION 1 GRANTED | |
| Feb. 01, 1995 | EXTENSION 1 FILED | |
| Aug. 23, 1994 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| May 31, 1994 | PUBLISHED FOR OPPOSITION | |
| Apr. 29, 1994 | NOTICE OF PUBLICATION | |

Mar. 03, 1994 APPROVED FOR PUB - PRINCIPAL REGISTER
Jan. 18, 1994 CORRESPONDENCE RECEIVED IN LAW OFFICE
Aug. 13, 1993 NON-FINAL ACTION MAILED
Jul. 22, 1993 ASSIGNED TO EXAMINER 62126

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Dec. 24, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Feb. 17, 2007

Generated on: This page was generated by TSDR on 2013-02-20 11:13:16 EST

Mark: ALLURE



| | | | |
|--------------------------------|------------------------------------|---------------------------------|---------------|
| US Serial Number: | 71696063 | Application Filing Date: | Oct. 07, 1955 |
| US Registration Number: | 635700 | Registration Date: | Oct. 09, 1956 |
| Register: | Principal | | |
| Mark Type: | Trademark | | |
| Status: | The registration has been renewed. | | |
| Status Date: | Dec. 17, 2006 | | |

Mark Information

| | |
|----------------------------------|--|
| Mark Literal Elements: | ALLURE |
| Standard Character Claim: | No |
| Mark Drawing Type: | 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM |

Related Properties Information

Claimed Ownership of US Registrations: [0250030](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

Correspondent Name/Address: ADRIENNE HAHN
CHANEL INC
9 W 57TH ST
NEW YORK, NEW YORK 10019
UNITED STATES

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|--------------------------|
| Feb. 17, 2010 | NOTICE OF SUIT | |
| May 18, 2009 | NOTICE OF SUIT | |
| Jan. 23, 2009 | CASE FILE IN TICRS | |
| Dec. 17, 2006 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 69471 |
| Dec. 17, 2006 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Dec. 12, 2006 | ASSIGNED TO PARALEGAL | 69471 |
| Oct. 03, 2006 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Oct. 03, 2006 | TEAS SECTION 8 & 9 RECEIVED | |
| Nov. 21, 1996 | REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS) | |
| Oct. 03, 1996 | REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8 | |
| Nov. 03, 1993 | CANCELLATION DISMISSED NO. 999999 | 21744 |
| Jun. 21, 1993 | CANCELLATION INSTITUTED NO. 999999 | 21744 |
| Jan. 19, 1982 | NEW CERTIFICATE ISSUED, SEC. 7D | |
| Oct. 09, 1976 | CANCELLATION TERMINATED NO. 999999 | |

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 09, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND Date in Location: Jan. 23, 2009

Assignment Abstract of Title Information

Summary

Total Assignments: 3 Registrant: PURITAN COSMETICS COMPANY

Assignment 1 of 3

Conveyance: CERTIFICATE BY THE SECRETARY OF STATE OF MISSOURI, SHOWING CHANGES OF NAME ON JULY 13, 1948 AND DEC. 14, 1965.

Reel/Frame: [0264/0419](#) Pages: 1

Date Recorded: Mar. 17, 1975

Supporting Documents: No Supporting Documents

Assignor

Name: [PURITAN DRUG COMPANY -CHANGED TO-](#) Execution Date: Mar. 12, 1975

Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found

Name: [PURITAN COSMETICS COMPANY -CHANGED TO-](#) Execution Date: Not Found

Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [HELEN AYARS, INC.](#) State or Country Where Organized: No Place Where Organized Found

Date Recorded: Sep. 27, 1993

Supporting Documents: No Supporting Documents

Assignor

Name: [MENNEN COMPANY, THE](#) **Execution Date:** Aug. 31, 1993

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: [CHANEL, INC.](#)

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Address: 9 WEST 57TH STREET
NEW YORK, NY 10019

Correspondent

Correspondent Name: VERONICA L. HRDY

Correspondent Address: CHANEL, INC.
9 WEST 57TH STREET
NEW YORK, NY 10019

Domestic Representative - Not Found

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 20TH day of February, 2013 a true and correct copy of the foregoing Notice of Opposition and Exhibits thereto was served by first class mail postage prepaid on Applicant at the below listed address which is the address identified on the records of the United States Patent and Trademark Office.

Pil Sung Kang
838 S. Gramercy Drive Apt 103
Los Angeles, CA 90005-3490

I further certify that a courtesy copy of the foregoing was sent by email to the addresses included in the USPTO records as the correspondent's email addresses, namely *psk217@yahoo.com*.



Barbara Solomon