

ESTTA Tracking number: **ESTTA546878**

Filing date: **07/03/2013**

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	Guess? IP Holder L.P.
Granted to Date of previous extension	07/03/2013
Address	1444 South Alameda Street Los Angeles, CA 90021 UNITED STATES
Attorney information	Michael J. MacDermott, S.E. Lauridsen Christie, Parker & Hale, LLP P.O. Box 29001 Glendale, CA 91209-9001 UNITED STATES pto@cph.com Phone:(626)795-9900

Applicant Information

Application No	85677127	Publication date	03/05/2013
Opposition Filing Date	07/03/2013	Opposition Period Ends	07/03/2013
Applicant	Kenneth R Black 11919 Baylor Drive Baton Rouge, LA 70816 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 2011/07/01 First Use In Commerce: 2011/07/01 All goods and services in the class are opposed, namely: Computer software that provides web-based access to applications and services for managing individual right guesses or wrong guesses for each photo uploaded through a portal interface

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4210798	Application Date	01/12/2011
Registration Date	09/18/2012	Foreign Priority Date	NONE
Word Mark	GUESS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR

U.S. Registration No.	4210801	Application Date	01/12/2011
Registration Date	09/18/2012	Foreign Priority Date	NONE
Word Mark	GUESS?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR		

U.S. Registration No.	2308468	Application Date	03/03/1998
Registration Date	01/18/2000	Foreign Priority Date	NONE
Word Mark	GUESS?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 eyeglass frames, sunglasses, eyeglass cases, eyeglass chains Class 014. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 watches, clocks, jewelry, bracelets, earrings, cuff-links, tie clips Class 016. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 STATIONERY AND SCHOOL SUPPLIES, NAMELY, BINDERS, NOTEBOOKS, COMPOSITION BOOKS, FILE FOLDERS, NOTE PADS, PENCIL HOLDERS, AGENDA/DAY PLANNERS, PHOTO ALBUMS, ENVELOPES AND WRITING PAPER, INDEX BOOKS, AGENDAS, OPEN PORTFOLIO COVERS FOR STATIONERY TYPE PORTFOLIOS AND CALENDARS, NOTE JOTTERS Class 018. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 BOOK BAGS, BACKPACKS, HANDBAGS, WALLETS, TRI-FOLD BILLFOLDS, HIP-FOLD BILLFOLDS, CREDIT CARD CASES, CREDIT CARD MONEY FOLDS, TRAVEL KIT BAGS SOLD EMPTY, LUGGAGE, PURSES, COIN PURSES, COSMETIC CASES, TOTE BAGS, CARRY-ON TOTE BAGS,		

	<p>BRIEFCASES, TRAVEL BAGS, DUFFEL BAGS, CLOTH SHOPPING BAGS, AND SMALL LEATHER ARTICLES, NAMELY, KEY CASES, TIE CASES AND KEY FOBS</p> <p>Class 025. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 FULL LINE OF MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANT'S APPAREL, NAMELY, UNDWEAR, FOOTWEAR, SWIMWEAR, CAPS, HEADWEAR, APRONS, ROBES, PAJAMAS, HOSIERY, GLOVES, SUSPENDERS, BELTS, NECKTIES, WOMEN'S PANTIES, BRAS, TANK TOPS, CROP TOPS, BUSTIERS, CAMISOLES, TAP PANTS, TEDDIES, MEN'S BRIEFS, BOXER SHORTS, UNDER SHIRTS, SOCKS, SHIRTS, T-SHIRTS, SWEATPANTS, SWEATSHIRTS, KNIT TOPS, SKIRTS, PANTS, TROUSERS, SHORTS, SWEATERS, JEANS, VESTS, COATS, JACKETS, OVERALLS, BLAZERS, DRESSES, SCARVES, BLOUSES, CARDIGANS, GOWNS, GOLF SHIRTS, JOGGING SUITS, TURTLENECKS, SUITS, AND POLO SHIRTS</p> <p>Class 026. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 BUTTONS FOR CLOTHING</p> <p>Class 035. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 RETAIL STORE SERVICES IN THE FIELD OF APPAREL AND ACCESSORIES, AND, HOME FURNISHINGS, PROVIDING ON-LINE PRICING AND DESCRIPTIVE INFORMATION RELATING TO APPLICANT'S PRODUCTS, AND PROVIDING AN ON-LINE PHOTOGRAPHIC GALLERY</p>
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U.S. Registration No.	2370424	Application Date	02/22/1999
Registration Date	07/25/2000	Foreign Priority Date	NONE
Word Mark	GUESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/03/12 First Use In Commerce: 1999/03/12 ON-LINE RETAIL STORE SERVICES, IN THE FIELD OF CLOTHING AND ACCESSORIES RENDERED THROUGH A GLOBAL COMPUTER NETWORK		

U.S. Registration No.	2333738	Application Date	02/26/1998
Registration Date	03/21/2000	Foreign Priority Date	NONE
Word Mark	GUESS?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1999/03/12 First Use In Commerce: 1999/03/12 PROVIDING INFORMATION THROUGH A WIDE AREA COMPUTER NETWORK PERTAINING TO FASHION [AND PERSONAL ADVICE]		

U.S. Registration No.	1433022	Application Date	06/27/1986
Registration Date	03/17/1987	Foreign Priority Date	NONE
Word Mark	GUESS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1981/00/00 First Use In Commerce: 1981/00/00 MEN'S, WOMEN'S AND CHILDREN'S CLOTHING - NAMELY, JEANS, SUITS, COATS, JACKETS, SHIRTS, BLOUSES, VESTS, DRESSES, SKIRTS, SHORTS, JUMPSUITS, OVERALLS, SWEATSHIRTS, T-SHIRTS, SWEATERS, TROUSERS, [STOCKINGS,] SOCKS [AND TIGHTS]

U.S. Registration No.	2077475	Application Date	07/19/1996
Registration Date	07/08/1997	Foreign Priority Date	NONE
Word Mark	GUESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1984/09/18 First Use In Commerce: 1984/09/18 watches; clocks; jewelry; cuff-links; tie clips		

U.S. Registration No.	1704002	Application Date	06/11/1990
Registration Date	07/28/1992	Foreign Priority Date	NONE
Word Mark	GUESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1988/06/02 First Use In Commerce: 1988/06/08 Eau De toilette, perfume, cologne, after shave lotion, skin moisturizer, body powder, bath and shower gel, [talc lotion, body glace splash] Class 009. First use: First Use: 1984/09/18 First Use In Commerce: 1984/09/18 [TELEPHONES, TELEPHONE ANSWERING MACHINES, TAPE RECORDERS, TAPE PLAYERS, RADIOS, SPEAKERS, * CALCULATORS,] LENSES, SUNGLASSES, * EYEGLASS FRAMES, EYEGLASS CASES		

U.S. Registration No.	2180127	Application Date	02/20/1997
Registration Date	08/11/1998	Foreign Priority Date	NONE
Word Mark	?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1994/05/00 First Use In Commerce: 1995/04/00 men's, women's, boys', girls', children's and infant's apparel, namely, underwear, footwear, swimwear, [capes,] headwear, [aprons,] robes, pajamas, hosiery, gloves, [suspenders,] belts, neckties, undershirts, socks, shirts, T-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, scarves, handkerchiefs, blouses, cardigans, gowns, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap		

	pants and teddies; men's briefs and boxer shorts		
U.S. Registration No.	1427405	Application Date	06/16/1986
Registration Date	02/03/1987	Foreign Priority Date	NONE
Word Mark	GUESS ?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1984/11/00 First Use In Commerce: 1984/11/00 CLOCKS AND WATCHES		

U.S. Registration No.	4210802	Application Date	01/12/2011
Registration Date	09/18/2012	Foreign Priority Date	NONE
Word Mark	GUESS		
Design Mark			
Description of Mark	The mark consists of an equilateral, inverted triangle with the word "GUESS" inside the triangle. Below the word "GUESS" and within the triangle is a question mark symbol.		
Goods/Services	Class 009. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR		

Attachments	Ntc of Opposition (G440 110 128).pdf(879962 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	/Steven E. Lauridsen/
Name	Michael J. MacDermott, S.E. Lauridsen
Date	07/03/2013

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

In the matter of trademark application **Serial No. 85/677,127**
For the mark WHO WHAT WHERE? GUESSWWW.COM
Published in the Trademark *Official Gazette* on March 5, 2013 (the term for opposition having
been extended to July 3, 2013)

Guess? IP Holder L.P.	Opposer,	Opposition No.
v.		NOTICE OF OPPOSITION
Kenneth R. Black	Applicant.	

Guess? IP Holder L.P., a Delaware limited partnership, whose address is 1444 South Alameda Street, Los Angeles, California 90021, believes that it will be damaged by registration of the mark shown in application Serial No. **85/677,127** in International Class 9 and hereby opposes its registration on the basis of priority and likelihood of confusion as well as dilution.

As grounds for opposition, Opposer alleges that:

1. Opposer, through its predecessors and related companies (hereinafter collectively "Opposer"), has been and is now engaged in the manufacture and sale of a wide variety of fashion and other consumer products. More recently, Opposer has engaged in large scale e-commerce through both its website and its mobile phone application, and Opposer has a highly active social media presence.

2. Since long prior to Applicant's priority date, Opposer has continuously and extensively used in commerce the mark GUESS, alone and in combination with other terms and

designs (hereinafter the “GUESS Marks”), in connection with the sale of a variety of fashion and consumer products such as apparel, jewelry, watches, leather goods, eyewear, fragrances, stationery, bags, retail store services, and e-commerce. In addition, since prior to Applicant’s priority date, Opposer has continuously used one or more of the GUESS Marks in connection with social networking sites, including Facebook and Twitter, and in connection with downloadable software in the nature of mobile phone applications for shopping and accessing social networks, as well as social media for the promotion and sales of its broad range of fashion and consumer products.

3. Opposer is the owner of U.S. Registration No. 4210798, issued September 18, 2012 on the Principal Register of the mark GUESS for goods in Class 9, including decorative and protective covers and cases for portable electronic devices such as cell phones, mobile phones, and computers. Said registration is valid and subsisting. Attached hereto as Exhibit 1, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

4. Opposer is the owner of U.S. Registration No. 4210801, issued September 18, 2012 on the Principal Register of the mark GUESS? for goods in Class 9, including decorative and protective covers and cases for portable electronic devices such as cell phones, mobile phones, and computers. Said registration is valid and subsisting. Attached hereto as Exhibit 2, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

5. Opposer is the owner of U.S. Registration No. 4210802, issued September 18, 2012 on the Principal Register of the mark GUESS? and Design for goods in Class 9, including decorative and protective covers and cases for portable electronic devices such as cell phones, mobile phones, and computers. Said registration is valid and subsisting. Attached hereto as Exhibit 3, and made of record herein, is a current printout of information from the electronic

database records of the United States Patent and Trademark Office showing the current status and title of the registration.

6. Opposer is the owner of U.S. Registration No. 2308468, issued January 18, 2000 on the Principal Register of the mark GUESS? for goods in Classes 9, 14, 16, 18, 25 and 26, and services in Class 35, including providing on-line pricing and descriptive information relating to Opposer's products, and providing an on-line photographic gallery. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 4, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

7. Opposer is the owner of U.S. Registration No. 2370424, issued July 25, 2000 on the Principal Register of the mark GUESS for services in Class 35, including on-line retail store services, in the field of clothing and accessories rendered through a global computer network. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 5, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

8. Opposer is the owner of U.S. Registration No. 2333738, issued March 21, 2000 on the Principal Register of the mark GUESS? and Design for services in Class 42, including providing information through a wide area computer network pertaining to fashion. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 6, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

9. Opposer is the owner of U.S. Registration No. 1433022, issued March 17, 1987 on the Principal Register of the mark GUESS for goods in Class 25. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the

Trademark Act. Attached hereto as Exhibit 7, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

10. Opposer is the owner of U.S. Registration No. 2077475, issued July 8, 1997 on the Principal Register of the mark GUESS for goods in Class 14. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 8, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

11. Opposer is the owner of U.S. Registration No. 1704002, issued July 28, 1992 on the Principal Register of the mark GUESS for goods in Classes 3 and 9. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 9, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

12. Opposer is the owner of U.S. Registration No. 2180127, issued August 11, 1998 on the Principal Register of a Question Mark Design for goods in Class 25. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 10, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

13. Opposer is the owner of U.S. Registration No. 1427405, issued February 3, 1987 on the Principal Register of the mark GUESS ? for goods in Class 14. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 11, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

14. Through the widespread use and advertising of its GUESS Marks over a long period of time and by virtue of the quality of goods sold in connection with the GUESS Marks, Opposer has built up a valuable goodwill and reputation in connection with the GUESS Marks, which would be jeopardized by Applicant's use and registration of the mark GUESSWWW.COM, ETC.

15. Applicant's goods and services for which it seeks to register the mark GUESSWWW.COM, ETC. are related to the goods and services distributed, sold and rendered by Opposer under the GUESS Marks.

16. Applicant's GUESSWWW.COM, ETC mark so resembles Opposer's GUESS Marks, previously used in commerce and/or registered by Opposer and not abandoned, as to be likely, when applied to the goods or services of Applicant, to cause confusion or to cause mistake or to deceive.

17. Opposer has extensively used and marketed the GUESS Marks, and as a result, the GUESS Marks have achieved extensive recognition and are famous in the United States and worldwide.

18. Applicant has averred use of the GUESSWWW.COM, ETC. mark in connection with certain goods and services in the United States. Applicant's use of this mark indicates a likelihood of dilution by blurring by impairing the distinctiveness of Opposer's famous GUESS Marks, causing irreparable injury and damage to Opposer.

19. If Applicant's application is allowed to proceed to registration, dilution, damage, and/or other injury to Opposer will occur.

WHEREFORE, Opposer prays that this Opposition be sustained and that registration of Application Serial No. **85/677,127** be refused.

Docket No. 110.2*128/G440

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date July 3, 2013

By /s/Steven E. Lauridsen

Michael J. MacDermott

Steven E. Lauridsen

Attorneys for Opposer

P.O. Box 29001

Glendale, California 91209-9001

626/795-9900

EXHIBIT ONE



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GUESS

Word Mark GUESS

Goods and Services IC 009. US 021 023 026 036 038. G & S: DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR. FIRST USE: 19840000. FIRST USE IN COMMERCE: 19840000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85216171

Filing Date January 12, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition May 24, 2011

Registration Number 4210798

**International
Registration
Number** 1086568; 1086568A; 1086568B

**Registration
Date** September 18, 2012

Owner (REGISTRANT) Guess? IP Holder L.P. Guess? Licensing, Inc., a Delaware corporation LIMITED
PARTNERSHIP DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021

**Attorney of
Record** Michael J. MacDermott

**Prior
Registrations** 1704002;2308468;3573181;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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EXHIBIT TWO



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GUESS?

Word Mark GUESS?
Goods and Services IC 009. US 021 023 026 036 038. G & S: DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR. FIRST USE: 19840000. FIRST USE IN COMMERCE: 19840000
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85216198
Filing Date January 12, 2011
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 24, 2011
Registration Number 4210801

**International
Registration
Number** 1088676; 1088676A; 1088676B

**Registration
Date** September 18, 2012

Owner (REGISTRANT) Guess? IP Holder L.P. Guess? Licensing, Inc., a Delaware corporation LIMITED PARTNERSHIP DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021

**Attorney of
Record** Michael J. MacDermott

**Prior
Registrations** 1704002;2308468

Type of Mark TRADEMARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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**EXHIBIT
THREE**



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Word Mark GUESS
Goods and Services IC 009. US 021 023 026 036 038. G & S: DECORATIVE AND PROTECTIVE COVERS AND CASES FOR PORTABLE ELECTRONIC DEVICES, NAMELY, PERSONAL ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, TELEPHONES, COMPUTERS, LAPTOP COMPUTERS, TABLET COMPUTERS, NOTEBOOK COMPUTERS, MP3 PLAYERS, PORTABLE MUSIC PLAYERS, PERSONAL DIGITAL ASSISTANTS, ELECTRONIC READING DEVICES, DIGITAL CAMERAS, AND CAMERAS; EYEWEAR. FIRST USE: 19840000. FIRST USE IN COMMERCE: 19840000
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS .
Design Search Code 24.17.14 - Ampersands (&); At symbol (@); Brackets, punctuation; Commas; Diacritical marks; Exclamation points (!); Punctuation marks; Question marks (?)
 26.05.02 - Plain single line triangles; Triangles, plain single line
 26.05.20 - Triangles inside one another
 26.05.21 - Triangles that are completely or partially shaded
Serial Number 85216398
Filing Date January 12, 2011
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 24, 2011

Registration Number 4210802

International

Registration Number 1089696; 1089696A; 1089696B

Registration Date

September 18, 2012

Owner

(REGISTRANT) Guess? IP Holder L.P. Guess? Licensing, Inc., a Delaware corporation LIMITED PARTNERSHIP DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021

Attorney of Record

Michael J. MacDermott

Prior Registrations

1712645

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of an equilateral, inverted triangle with the word "GUESS" inside the triangle. Below the word "GUESS" and within the triangle is a question mark symbol.

Type of Mark TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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G U E S S ?

Word Mark GUESS?

Goods and Services IC 009. US 021 023 026 036 038. G & S: eyeglass frames, sunglasses, eyeglass cases, eyeglass chains. FIRST USE: 19970700. USED IN ANOTHER FORM September 1984. FIRST USE IN COMMERCE: 19970700

IC 014. US 002 027 028 050. G & S: watches, clocks, jewelry, bracelets, earrings, cuff-links, tie clips. FIRST USE: 19970700. USED IN ANOTHER FORM November 1984. FIRST USE IN COMMERCE: 19970700

IC 016. US 002 005 022 023 029 037 038 050. G & S: STATIONERY AND SCHOOL SUPPLIES, NAMELY, BINDERS, NOTEBOOKS, COMPOSITION BOOKS, FILE FOLDERS, NOTE PADS, PENCIL HOLDERS, AGENDA/DAY PLANNERS, PHOTO ALBUMS, ENVELOPES AND WRITING PAPER, INDEX BOOKS, AGENDAS, OPEN PORTFOLIO COVERS FOR STATIONERY TYPE PORTFOLIOS AND CALENDARS, NOTE JOTTERS. FIRST USE: 19970700. USED IN ANOTHER FORM September 1984. FIRST USE IN COMMERCE: 19970700

IC 018. US 001 002 003 022 041. G & S: BOOK BAGS, BACKPACKS, HANDBAGS, WALLETS, TRI-FOLD BILLFOLDS, HIP-FOLD BILLFOLDS, CREDIT CARD CASES, CREDIT CARD MONEY FOLDS, TRAVEL KIT BAGS SOLD EMPTY, LUGGAGE, PURSES, COIN PURSES, COSMETIC CASES, TOTE BAGS, CARRY-ON TOTE BAGS, BRIEFCASES, TRAVEL BAGS, DUFFEL BAGS, CLOTH SHOPPING BAGS, AND SMALL LEATHER ARTICLES, NAMELY, KEY CASES, TIE CASES AND KEY FOBS. FIRST USE: 19970700. USED IN ANOTHER FORM September, 1984. FIRST USE IN COMMERCE: 19970700

IC 025. US 022 039. G & S: FULL LINE OF MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANTS APPAREL, NAMELY, UNDWEAR, FOOTWEAR, SWIMWEAR, CAPS, HEADWEAR, APRONS, ROBES, PAJAMAS, HOSIERY, GLOVES, SUSPENDERS, BELTS, NECKTIES, WOMEN'S PANTIES, BRAS, TANK TOPS, CROP TOPS, BUSTIERS, CAMISOLES, TAP PANTS, TEDDIES,

MEN'S BRIEFS, BOXER SHORTS, UNDER SHIRTS, SOCKS, SHIRTS, T-SHIRTS, SWEATPANTS, SWEATSHIRTS, KNIT TOPS, SKIRTS, PANTS, TROUSERS, SHORTS, SWEATERS, JEANS, VESTS, COATS, JACKETS, OVERALLS, BLAZERS, DRESSES, SCARVES, BLOUSES, CARDIGANS, GOWNS, GOLF SHIRTS, JOGGING SUITS, TURTLENECKS, SUITS, AND POLO SHIRTS. FIRST USE: 19970700. USED IN ANOTHER FORM 1981. FIRST USE IN COMMERCE: 19970700

IC 026. US 037 039 040 042 050. G & S: BUTTONS FOR CLOTHING. FIRST USE: 19970700. USED IN ANOTHER FORM September 1984. FIRST USE IN COMMERCE: 19970700

IC 035. US 100 101 102. G & S: RETAIL STORE SERVICES IN THE FIELD OF APPAREL AND ACCESSORIES, AND, HOME FURNISHINGS, PROVIDING ON-LINE PRICING AND DESCRIPTIVE INFORMATION RELATING TO APPLICANT'S PRODUCTS, AND PROVIDING AN ON-LINE PHOTOGRAPHIC GALLERY. FIRST USE: 19970700. USED IN ANOTHER FORM 1989. FIRST USE IN COMMERCE: 19970700

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 75443708

Filing Date March 3, 1998

Current Basis 1A

Original Filing Basis 1A

Published for Opposition October 26, 1999

Registration Number 2308468

Registration Date January 18, 2000

Owner (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. GUESS? LICENSING, INC., A DELAWARE CORPORATION LIMITED PARTNERSHIP DELAWARE 1444 S. ALAMEDA STREET LOS ANGELES CALIFORNIA 90021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record MICHAEL J. MACDERMOTT

Prior Registrations 1299580;1433022;1435363;1765883;AND OTHERS

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100122.

Renewal 1ST RENEWAL 20100122

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Typed Drawing

Word Mark GUESS

Goods and Services IC 035. US 100 101 102. G & S: ON-LINE RETAIL STORE SERVICES, IN THE FIELD OF CLOTHING AND ACCESSORIES RENDERED THROUGH A GLOBAL COMPUTER NETWORK. FIRST USE: 19990312. FIRST USE IN COMMERCE: 19990312

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75645430

Filing Date February 22, 1999

Current Basis 1A

Original Filing Basis 1B

Published for May 2, 2000

Opposition

Registration Number 2370424

Registration Date July 25, 2000

Owner (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 S. Alameda Street Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444 South Alameda Street LOS ANGELES CALIFORNIA 90021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record MICHAEL J MACDERMOTT

Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100719.
Renewal 1ST RENEWAL 20100719
Live/Dead Indicator LIVE

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Word Mark GUESS?

Goods and Services IC 042. US 100 101. G & S: PROVIDING INFORMATION THROUGH A WIDE AREA COMPUTER NETWORK PERTAINING TO FASHION [AND PERSONAL ADVICE]. FIRST USE: 19990312. FIRST USE IN COMMERCE: 19990312

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 24.17.14 - Ampersands (&); At symbol (@); Brackets, punctuation; Commas; Diacritical marks; Exclamation points (!); Punctuation marks; Question marks (?)
26.05.02 - Plain single line triangles; Triangles, plain single line

Serial Number 75440869

Filing Date February 26, 1998

Current Basis UNKNOWN

Original Filing Basis 1B

Published for Opposition August 10, 1999

Registration Number 2333738

Registration Date March 21, 2000

Owner (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 S. Alameda Street Los Angeles

CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444 S.
ALAMEDA ST LOS ANGELES CALIFORNIA 90021

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** Michael J. MacDermott

**Prior
Registrations** 1465363;1546993;1712645;1722102;1978398;AND OTHERS

Type of Mark SERVICE MARK

Register PRINCIPAL

**Affidavit
Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100324.

Renewal 1ST RENEWAL 20100324

**Live/Dead
Indicator** LIVE

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SEVEN



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Typed Drawing

Word Mark GUESS

Goods and Services IC 025. US 022 039. G & S: MEN'S, WOMEN'S AND CHILDREN'S CLOTHING - NAMELY, JEANS, SUITS, COATS, JACKETS, SHIRTS, BLOUSES, VESTS, DRESSES, SKIRTS, SHORTS, JUMPSUITS, OVERALLS, SWEATSHIRTS, T-SHIRTS, SWEATERS, TROUSERS, [STOCKINGS,] SOCKS [AND TIGHTS]. FIRST USE: 19810000. FIRST USE IN COMMERCE: 19810000

Mark Drawing Code (1) TYPED DRAWING

Serial Number 73606665

Filing Date June 27, 1986

Current Basis 1A

Original Filing Basis 1A

Published for December 23, 1986

Opposition

Registration Number 1433022

Registration Date March 17, 1987

Owner (REGISTRANT) GUESS ?, INC. CORPORATION CALIFORNIA 1444 SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER, L.P. GUESS? LICENSING, INC. A GENERAL PARTNER LIMITED PARTNERSHIP DELAWARE 1444 S. ALAMEDA ST. LOS ANGELES CALIFORNIA 90021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record MICHAEL J. MACDERMOTT
Prior Registrations 0849861;1271896;1299580;1352913;1404671;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070402.
Renewal 1ST RENEWAL 20070402
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Typed Drawing

Word Mark GUESS
Goods and Services IC 014. US 002 027 028 050. G & S: watches; clocks; jewelry; cuff-links; tie clips. FIRST USE: 19840918. FIRST USE IN COMMERCE: 19840918
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75136597
Filing Date July 19, 1996
Current Basis 1A
Original Filing Basis 1A
Published for Opposition April 15, 1997
Registration Number 2077475
Registration Date July 8, 1997
Owner (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021
 (LAST LISTED OWNER) GUESS:? IP HOLDER L.P. Composed of GUESS? Licensing, Inc., a Delaware Corporation LIMITED PARTNERSHIP DELAWARE 1444 S ALAMEDA STREET LOS ANGELES CALIFORNIA 90021
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record MICHAEL J MACDERMOTT

Prior Registrations 1427405;1465363

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070713.

Renewal 1ST RENEWAL 20070713

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Typed Drawing

Word Mark	GUESS
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Eau De toilette, perfume, cologne, after shave lotion, skin moisturizer, body powder, bath and shower gel, [talc lotion, body glace splash]. FIRST USE: 19880602. FIRST USE IN COMMERCE: 19880608
	IC 009. US 021 023 026 036 038. G & S: [TELEPHONES, TELEPHONE ANSWERING MACHINES, TAPE RECORDERS, TAPE PLAYERS, RADIOS, SPEAKERS, * CALCULATORS,] LENSES, SUNGLASSES, * EYEGLASS FRAMES, EYEGLASS CASES. FIRST USE: 19840918. FIRST USE IN COMMERCE: 19840918
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74067648
Filing Date	June 11, 1990
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	June 25, 1991
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	1704002
International Registration Number	1028222; 1028222A; 1028222B; 1028222C; 1028222D

Registration Date July 28, 1992

Owner (REGISTRANT) Guess ?, Inc. CORPORATION CALIFORNIA 1444 South Alameda Street Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444 SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Michael J. MacDermott

Prior Registrations 1435363;1437016;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120601.

Renewal 2ND RENEWAL 20120601

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Word Mark ?

Goods and Services IC 025. US 022 039. G & S: men's, women's, boys', girls', children's and infant's apparel, namely, underwear, footwear, swimwear, [capes,] headwear, [aprons,] robes, pajamas, hosiery, gloves, [suspenders,] belts, neckties, undershirts, socks, shirts, T-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, scarves, handkerchiefs, blouses, cardigans, gowns, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap pants and teddies; men's briefs and boxer shorts. FIRST USE: 19940500. FIRST USE IN COMMERCE: 19950400

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 24.17.14 - Ampersands (&); At symbol (@); Brackets, punctuation; Commas; Diacritical marks; Exclamation points (!); Punctuation marks; Question marks (?)
26.05.21 - Triangles that are completely or partially shaded

Serial Number 75244785

Filing Date February 20, 1997

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 19, 1998

Registration Number 2180127

Registration Date August 11, 1998

Owner (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 S. Alameda St. Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444 SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record MICHAEL J MACDERMOTT

Prior Registrations 1299580;1762986;1918025

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080414.

Renewal 1ST RENEWAL 20080414

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Typed Drawing

Word Mark	GUESS ?
Goods and Services	IC 014. US 027. G & S: CLOCKS AND WATCHES. FIRST USE: 19841100. FIRST USE IN COMMERCE: 19841100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73604433
Filing Date	June 16, 1986
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	November 11, 1986
Registration Number	1427405
Registration Date	February 3, 1987
Owner	(REGISTRANT) GUESS ?, INC. CORPORATION CALIFORNIA 1444 SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021 (LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444 SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	MICHAEL J. MACDERMOTT
Prior Registrations	0849861;1271896;1299580;1352913;1404671;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070505.
Renewal 1ST RENEWAL 20070505
Live/Dead Indicator LIVE

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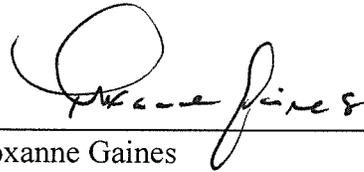
I certify that on July 3, 2013, the foregoing **NOTICE OF OPPOSITION** is being electronically transmitted to:

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Alexandria, VA 22313-1451

It is further certified that on July 3, 2013, the foregoing **NOTICE OF OPPOSITION** is being served by mailing a copy thereof by first-class mail addressed to:

Kenneth R. Black
11919 Baylor Drive
Baton Rouge, Louisiana 70816
(225) 405-3442 (Telephone)

By



Roxanne Gaines
Christie, Parker & Hale, LLP
P.O. Box 29001
Glendale, CA 91209-9001
pto@cph.com