

ESTTA Tracking number: **ESTTA561227**

Filing date: **09/25/2013**

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	Jean Michel Cazabat International Limited
Granted to Date of previous extension	09/25/2013
Address	263 Main Street Tortola, VIRGIN ISLANDS, BRITISH

Attorney information	Alan M. Sack Fox Rothschild LLP P.O. Box 5231 Princeton, NJ 08543-5231 UNITED STATES ipdocket@foxrothschild.com, amsack@foxrothschild.com, lbudow@foxrothschild.com, lkarczewski@foxrothschild.com, dmcgregor@foxrothschild.com Phone:(212) 905-2310
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Applicant Information

Application No	77783154	Publication date	05/28/2013
Opposition Filing Date	09/25/2013	Opposition Period Ends	09/25/2013
Applicant	Balle, Eyal 14918 S. Figueroa Street c/o Rebels Gardena, CA 90248 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 1993/09/15 First Use In Commerce: 1993/10/01 All goods and services in the class are opposed, namely: Footwear

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Applicant abandoned its prior registration and rights in the mark

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3573666	Application Date	11/09/2007
Registration Date	02/10/2009	Foreign Priority Date	NONE

Word Mark	LUXURY REBEL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2008/12/02 First Use In Commerce: 2008/12/02 WOMEN'S FOOTWEAR, NAMELY, DRESS SHOES, PUMPS, SLIPPERS, SANDALS, BOOTS; MEN'S FOOTWEAR, NAMELY, DRESS SHOES, LOAFERS, SLIPPERS, SANDALS AND BOOTS

U.S. Registration No.	3909956	Application Date	12/17/2009
Registration Date	01/25/2011	Foreign Priority Date	11/03/2009
Word Mark	LUXURY REBEL		
Design Mark			
Description of Mark	The mark consists of the wording "LUXURY REBEL" and a stylized heart tattoo.		
Goods/Services	Class 025. First use: Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots		

U.S. Registration No.	3909957	Application Date	12/17/2009
Registration Date	01/25/2011	Foreign Priority Date	11/03/2009
Word Mark	LUXURY REBEL		
Design Mark			
Description of Mark	The mark consists of the wording "LUXURY REBEL" and a stylized heart tattoo.		
Goods/Services	Class 025. First use: Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots		

Attachments	Notice of Opposition - 77783154.pdf(913721 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	/-d-/
Name	Deanna M. McGregor
Date	09/25/2013

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

In the Matter of Trademark Application Serial No. 77/783,154
Filed on July 16, 2009
For the mark REBELS
Published in the *Official Gazette* on May 28, 2013

JEAN MICHEL CAZABAT)	
INTERNATIONAL LTD.,)	
)	
Opposer,)	
)	
v.)	Opposition No.
)	
EYAL BALLE,)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

JEAN MICHEL CAZABAT INTERNATIONAL LTD. (“Opposer”), an international business company having its business address at 263 Main Street, Road Town, Tortola, British Virgin Islands, believes it will be damaged by EYAL BALLE’S (“Applicant”) application for trademark registration of the mark REBELS (“Applicant’s Mark”), shown in Trademark Application Serial No. 77/783,154, and opposes same.

As grounds of opposition, it is alleged that:

The Opposed Application For The Mark: REBELS

1. Applicant has requested registration of the REBELS mark for “Footwear” in International Class 025. Applicant’s application was filed on July 16, 2009 under Section 1(a) and was published in the *Official Gazette* on May 28, 2013.

Applicant Abandoned its Prior Registration and Rights in the REBELS Mark

2. Upon information and belief, prior to the filing of the opposed application, Applicant abandoned use of the REBELS mark in association with clothing and/or footwear by failing to use the mark for a period of three or more consecutive years, and/or by failing to use the mark for a period of less than three years coupled with an intent not to resume use of the mark in association with the goods.

3. On November 22, 1993, Applicant filed an application for registration of the REBELS mark for “clothing, namely[,] footwear” in International Class 025 under Trademark Application Serial No. 74/461,632. Applicant filed its application under a Section 1(a) basis and asserted first use and first use in commerce dates of September 15, 1993 and October 1, 1993, respectively. Applicant’s application was published in the *Official Gazette* on January 16, 1996. Applicant’s REBELS mark was registered on the Principal Register on April 9, 1996 under Registration No. 1,966,107.

4. On January 11, 2003, Applicant’s REBELS mark (Registration No. 1,966,107) was cancelled for Applicant’s failure to timely file an acceptable Section 8 Declaration of Continued Use or Excusable Non-Use with the United States Patent and Trademark Office. Printouts of the status information for this Registration, downloaded from the United States Patent and Trademark Office TESS and TSDR systems, are attached hereto as **Exhibit A**.

5. Upon information and belief, Applicant did not file its application for registration of Applicant’s Mark with the USPTO until July 16, 2009 (over six and a half years since Applicant’s original registration of the REBELS mark was cancelled by the USPTO on January 11, 2003) because Applicant had not used its REBELS mark in association with clothing and/or footwear until on or about the above filing date for Applicant’s Mark.

6. Upon information and belief, Applicant's REBELS mark has lost all capacity as a source indicator for Applicant's goods when its registration was cancelled on January 11, 2003.

Opposer's Prior Use And Registrations Of The Mark: LUXURY REBEL

7. Opposer uses the mark "LUXURY REBEL" for "Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots," in International Class 025. Opposer has used this mark continuously since at least as early as December 2, 2008. This mark was registered on the Principal Register on February 10, 2009 under Registration No. 3,573,666. Printouts of the status information for this Registration, downloaded from the United States Patent and Trademark Office TESS and TSDR systems, are attached hereto as **Exhibit B**.

8. In addition to Opposer's "LUXURY REBEL" mark above, Opposer has related registrations for "LUXURY REBEL" [and Design], namely, Registration Nos. 3,909,956 and 3,909,957. Printouts of the status information for these Registrations, downloaded from the United States Patent and Trademark Office TESS and TSDR systems, are attached hereto as **Exhibit C**.

9. Opposer is the owner of the foregoing registered marks for "LUXURY REBEL" and "LUXURY REBEL" [and Design]: Registration Nos. 3,573,666, 3,909,956, and 3,909,957 (collectively, "Opposer's Marks").

10. Opposer's Marks are symbolic of the valuable good will and consumer recognition built up by Opposer through time and effort in advertising and promotion.

Opposer will be Harmed by Registration of the Opposed REBELS Mark

11. Based on Opposer's earlier application for registration of the "LUXURY REBEL" mark with a filing date of November 9, 2007 and a first use date of December 2, 2008, Opposer has superior rights to Applicant's "REBELS" mark having a filing date of July 16, 2009.

12. Opposer has developed extensive goodwill with respect to Opposer's marks.

13. Opposer has spent substantial sums and effort in the advertisement and promotion of the goods sold in connection with Opposer's Marks.

14. As a result of the advertisement and promotion of its mark, along with the high quality of the goods and/or services sold in connection with its mark, Opposer has acquired a valuable reputation and goodwill in Opposer's Marks.

15. Applicant's Mark is confusingly similar to Opposer's Marks and is applied to goods that are the same or similar to those sold by Opposer.

16. Prospective purchasers and the trade are likely to consider the goods of Applicant sold under the mark REBELS as emanating from Opposer, and purchase such goods as those of the Opposer, resulting in loss of sales to Opposer.

17. Concurrent use of the mark by Applicant and Opposer is likely to result in irreparable damage to Opposer's reputation and goodwill if the goods sold by Applicant are inferior, since purchasers are likely to attribute the source of Applicant's goods to Opposer.

18. Opposer has been and will continue to be damaged by the registration and use of the REBELS mark identified in Trademark Application Serial No. 77/783,154 since confusion in the trade is likely to result from any concurrent use of Opposer's Marks and that of Applicant, all to the great detriment of Opposer.

19. If Applicant were granted the registration of the opposed application for the REBELS mark, he would obtain at least a *prima facie* exclusive right to the use of his mark. Such registration would be a source of damage and injury to Opposer.

WHEREFORE, Opposer prays for an Order sustaining the Opposition and refusing registration of Trademark Application Serial No. 77/783,154.

Opposer hereby appoints Alan M. Sack, Leonard N. Budow and Lisa A. Karczewski, attorneys of FOX ROTHSCHILD LLP, with offices at 100 Park Avenue, Suite 1500, New York, NY 10017, as its attorneys in this opposition proceeding, and being authorized to transact all business before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office in connection with this Opposition Proceeding.

Respectfully submitted,

FOX ROTHSCHILD LLP

Dated: September 25, 2013

By: /s/Alan M. Sack/
Alan M. Sack
Leonard N. Budow
Lisa A. Karczewski
Attorneys for Opposer
JEAN MICHEL CAZABAT
INTERNATIONAL LTD.

FOX ROTHSCHILD LLP
100 Park Avenue, Suite 1500
New York, NY 10017
Tel: (212) 878-7900
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E-mail: ipdocket@foxrothschild.com, amsack@foxrothschild.com, lbudow@foxrothschild.com,
lkarczewski@foxrothschild.com

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2013, I served a true copy of the foregoing **NOTICE OF OPPOSITION** upon Applicant's Attorney of Record via U.S. First Class mail, addressed as follows:

Susan L. Heller, Esq.
GREENBERG TRAURIG, LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067-2121

/-d-/
Deanna M. McGregor

EXHIBIT A



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REBELS

Word Mark REBELS

Goods and Services (CANCELLED) IC 025. US 022 039. G & S: clothing, namely footwear. FIRST USE: 19930915. FIRST USE IN COMMERCE: 19931001

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

Serial Number 74461632

Filing Date November 22, 1993

Current Basis 1A

Original Filing Basis 1A

Published for Opposition January 16, 1996

Registration Number 1966107

Registration Date April 9, 1996

Owner (REGISTRANT) Balle, Eyal INDIVIDUAL ISRAEL 1229 Comstock Avenue Los Angeles CALIFORNIA 90024

Attorney of Record Marc J. Kesten

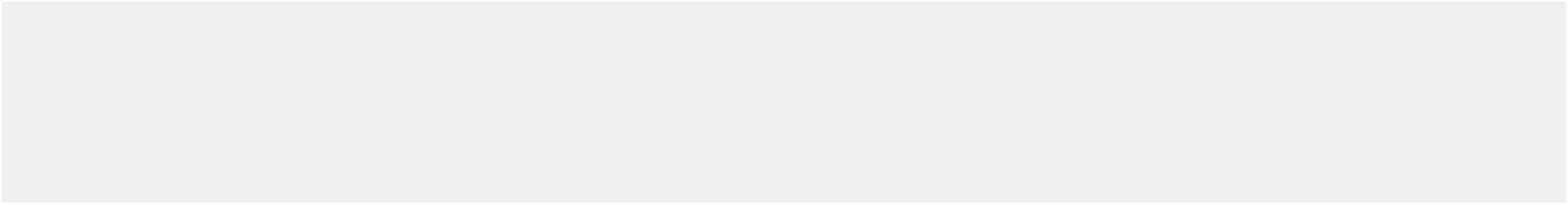
Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator DEAD

Cancellation Date January 11, 2003

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Mark: REBELS

REBELS

US Serial Number: 74461632

Application Filing Date: Nov. 22, 1993

US Registration Number: 1966107

Registration Date: Apr. 09, 1996

Register: Principal

Mark Type: Trademark

Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents click on the Trademark Document Retrieval link at the top of this page.

Status Date: Jan. 11, 2003

Publication Date: Jan. 16, 1996

Date Cancelled: Jan. 11, 2003

▼ Mark Information

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Mark Literal Elements: REBELS

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

▼ 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
- Asterisks *.* identify additional (new) wording in the goods/services.

For: clothing, namely footwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Sep. 15, 1993

Use in Commerce: Oct. 01, 1993

▼ 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:	Balle, Eyal		
Owner Address:	1229 Comstock Avenue Los Angeles, CALIFORNIA 90024 UNITED STATES		
Legal Entity Type:	INDIVIDUAL	Citizenship:	ISRAEL

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Marc J. Kesten	Docket Number:	TM93-05
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Correspondent

Correspondent Name/Address:	MARC J KESTEN LAW OFFICE OF MARC J KESTEN 3850 INGLEWOOD BLVD STE 3 LOS ANGELES, CALIFORNIA 90066 UNITED STATES		
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Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Jan. 11, 2003	CANCELLED SEC. 8 (6-YR)	
Apr. 09, 1996	REGISTERED-PRINCIPAL REGISTER	
Jan. 16, 1996	PUBLISHED FOR OPPOSITION	
Dec. 15, 1995	NOTICE OF PUBLICATION	
Aug. 10, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 1995	REINSTATED	
Aug. 10, 1995	PREVIOUS ACTION COUNT WITHDRAWN	
May 16, 1994	NON-FINAL ACTION MAILED	
Apr. 15, 1994	ASSIGNED TO EXAMINER	69227
Apr. 05, 1994	ASSIGNED TO EXAMINER	72008

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	OFFICE OF PUBLIC RECORDS - SPECIAL HANDLING SECTION	Date in Location:	Apr. 24, 2012
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No assignment has been recorded at the USPTO

For Serial Number: 74461632

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Web interface last modified: Jul 8, 2013 v.2.3.4

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EXHIBIT B



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LUXURY REBEL

Word Mark LUXURY REBEL

Goods and Services IC 025. US 022 039. G & S: WOMEN'S FOOTWEAR, NAMELY, DRESS SHOES, PUMPS, SLIPPERS, SANDALS, BOOTS; MEN'S FOOTWEAR, NAMELY, DRESS SHOES, LOAFERS, SLIPPERS, SANDALS AND BOOTS. FIRST USE: 20081202. FIRST USE IN COMMERCE: 20081202

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77325434

Filing Date November 9, 2007

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 1, 2008

Registration Number 3573666

Registration Date February 10, 2009

Owner (REGISTRANT) Jean Michel Cazabat INDIVIDUAL FRANCE 115 Wooster St Apt 4F New York NEW YORK 10012
 (LAST LISTED OWNER) JEAN MICHEL CAZABAT INTERNATIONAL LIMITED INTERNATIONAL BUSINESS

COMPANY BR.VIRGIN ISLANDS 263 MAIN STREET ROAD TOWN TORTOLA BR.VIRGIN ISLANDS

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record LIEONARD N BUDOW

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Name/Address: Phillips Nizer LLP
666 Fifth Avenue
29th Floor
New York, NEW YORK 10103-0084
UNITED STATES

Phone: 212-841-0741

Fax: 212 2625152

Correspondent e-mail: lbudow@phillipsnizer.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 18, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 18, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 18, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 11, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 10, 2009	REGISTERED-PRINCIPAL REGISTER	
Jan. 06, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76985
Jan. 06, 2009	ASSIGNED TO LIE	76985
Jan. 02, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 18, 2008	STATEMENT OF USE PROCESSING COMPLETE	69302
Dec. 04, 2008	USE AMENDMENT FILED	69302
Dec. 18, 2008	EXTENSION 1 GRANTED	69302
Dec. 04, 2008	EXTENSION 1 FILED	69302
Dec. 18, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Dec. 04, 2008	TEAS EXTENSION RECEIVED	
Dec. 04, 2008	TEAS STATEMENT OF USE RECEIVED	
Jun. 24, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 01, 2008	PUBLISHED FOR OPPOSITION	
Mar. 12, 2008	NOTICE OF PUBLICATION	
Feb. 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	68602
Feb. 28, 2008	ASSIGNED TO LIE	68602
Feb. 26, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2008	ASSIGNED TO EXAMINER	74288
Nov. 14, 2007	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: Jan. 06, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Jean Michel Cazabat

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4093/0299](#)

Pages: 7

Date Recorded: Nov. 09, 2009

Supporting Documents: [assignment-tm-4093-0299.pdf](#)

Assignor

Name: [CAZABAT, JEAN MICHEL, MR.](#)

Execution Date: Oct. 21, 2009

Legal Entity Type: INDIVIDUAL

Citizenship: FRANCE

Assignee

Name: [JEAN MICHEL CAZABAT INTERNATIONAL LIMITED](#)

Legal Entity Type: INTERNATIONAL BUSINESS COMPANY

State or Country Where Organized: VIRGIN ISLANDS, BRITISH

Address: 263 MAIN STREET
ROAD TOWN
TORTOLA, VIRGIN ISLANDS, BRITISH

Correspondent

Correspondent Name: LEONARD N. BUDOW

Correspondent Address: 666 FIFTH AVENUE
PHILLIPS NIZER LLP
NEW YORK, NY 10103

Domestic Representative

Domestic Representative Name: LEONARD N. BUDOW

Domestic Representative Address: 666 FIFTH AVENUE
PHILLIPS NIZER LLP
NEW YORK, NY 10103

[Assignments on the Web](#) > [Trademark Query](#)**Trademark Assignment Abstract of Title****Total Assignments: 1****Serial #:** [77325434](#)**Filing Dt:** 11/09/2007**Reg #:** [3573666](#)**Reg. Dt:** 02/10/2009**Registrant:** Jean Michel Cazabat**Mark:** LUXURY REBEL**Assignment: 1****Reel/Frame:** [4093/0299](#)**Recorded:** 11/09/2009**Pages:** 7**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [CAZABAT, JEAN MICHEL, MR.](#)**Exec Dt:** 10/21/2009**Entity Type:** INDIVIDUAL**Citizenship:** FRANCE**Assignee:** [JEAN MICHEL CAZABAT INTERNATIONAL LIMITED](#)**Entity Type:** INTERNATIONAL BUSINESS COMPANY

263 MAIN STREET

Citizenship: VIRGIN ISLANDS, BRITISH

ROAD TOWN

TORTOLA, VIRGIN ISLANDS, BRITISH

Correspondent: LEONARD N. BUDOW

666 FIFTH AVENUE

PHILLIPS NIZER LLP

NEW YORK, NY 10103

Domestic rep: LEONARD N. BUDOW

666 FIFTH AVENUE

PHILLIPS NIZER LLP

NEW YORK, NY 10103

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Word Mark	LUXURY REBEL
Goods and Services	IC 025. US 022 039. G & S: Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	02.11.13 - Hearts used as backgrounds or carriers 26.11.21 - Rectangles that are completely or partially shaded
Trademark Search Facility	SHAPES-BAR-BANDS Designs with bar, bands or lines SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
Classification Code	SHAPES-HEARTS Heart shaped design SHAPES-MISC Miscellaneous shaped designs
Serial Number	77895435
Filing Date	December 17, 2009
Current Basis	44E
Original Filing Basis	44D
Published for Opposition	November 9, 2010
Registration Number	3909957
Registration Date	January 25, 2011
Owner	(REGISTRANT) Jean Michel Cazabat International Limited CORPORATION BR.VIRGIN ISLANDS 263 Main Street, Road Town Tortola BR.VIRGIN ISLANDS

Attorney of Record Leonard N. Budow
Priority Date November 3, 2009
Prior Registrations 3573666
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the wording "LUXURY REBEL" and a stylized heart tattoo.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Mark: LUXURY REBEL



US Serial Number: 77895435 Application Filing Date: Dec. 17, 2009
US Registration Number: 3909957 Registration Date: Jan. 25, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 25, 2011
Publication Date: Nov. 09, 2010

Mark Information

Mark Literal Elements: LUXURY REBEL
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark: The mark consists of the wording "LUXURY REBEL" and a stylized heart tattoo.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 02.11.13 - Hearts used as backgrounds or carriers
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 3573666

Foreign Information

Priority Claimed: Yes
Foreign Application Number: 301464471 Foreign Application Filing Date: Nov. 03, 2009
Foreign Registration Number: 301464471 Foreign Registration Date: Aug. 23, 2010
Foreign Application/Registration Country: HONG KONG Foreign Expiration Date: Aug. 23, 2020

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
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: Yes	Amended 44E: No

Filed 66A: No
Filed No Basis: No

Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: Jean Michel Cazabat International Limited
Owner Address: 263 Main Street, Road Town
Tortola
VIRGIN ISLANDS, BRITISH
Legal Entity Type: CORPORATION
State or Country Where Organized: VIRGIN ISLANDS, BRITISH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Leonard N. Budow
Attorney Primary Email Address: lbudow@phillipsnizer.com
Docket Number: 84004.0003
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Leonard Budow
Fox Rothschild LLP
P.O. Box 5231
Princeton, NEW JERSEY 08543-5231
UNITED STATES
Phone: (212) 878-7902
Correspondent e-mail: ipdocket@foxrothschild.com
Fax: (609) 896-1469
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 25, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 09, 2010	PUBLISHED FOR OPPOSITION	
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Sep. 22, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
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Sep. 20, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Mar. 23, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 23, 2010	LETTER OF SUSPENSION E-MAILED	6332
Mar. 23, 2010	SUSPENSION LETTER WRITTEN	76502
Mar. 18, 2010	ASSIGNED TO EXAMINER	76502
Dec. 24, 2009	NOTICE OF DESIGN SEARCH CODE MAILED	
Dec. 23, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 21, 2009	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: Jan. 25, 2011



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For Serial Number: 77895435

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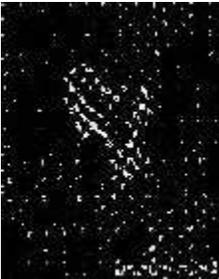
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Word Mark LUXURY REBEL

Goods and Services IC 025. US 022 039. G & S: Women's footwear, namely, dress shoes, pumps, slippers, sandals, boots; men's footwear, namely, dress shoes, loafers, slippers, sandals and boots

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

Design Search Code 02.11.13 - Hearts used as backgrounds or carriers
25.03.05 - Backgrounds covered with dots; Dotted backgrounds
26.11.21 - Rectangles that are completely or partially shaded

Trademark Search Facility Classification Code INAN Inanimate objects such as lighting, clouds, footprints, atomic configurations, snowflakes, rainbows, flames
SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons
SHAPES-HEARTS Heart shaped design

Serial Number 77895402

Filing Date December 17, 2009

Current Basis 44E

Original Filing Basis 44D

Published for Opposition November 9, 2010

Registration Number 3909956

Registration Date January 25, 2011

Owner (REGISTRANT) Jean Michel Cazabat International Limited CORPORATION BR.VIRGIN ISLANDS 263 Main

Street, Road Town Tortola BR.VIRGIN ISLANDS

Attorney of Record

Leonard N. Budow

Priority Date

November 3, 2009

Prior Registrations

3573666

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of the wording "LUXURY REBEL" and a stylized heart tattoo.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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Mark: LUXURY REBEL



US Serial Number: 77895402 **Application Filing Date:** Dec. 17, 2009
US Registration Number: 3909956 **Registration Date:** Jan. 25, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jan. 25, 2011
Publication Date: Nov. 09, 2010

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Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
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Related Properties Information

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Priority Claimed: Yes
Foreign Application Number: 301464462 **Foreign Application Filing Date:** Nov. 03, 2009
Foreign Registration Number: 301464462 **Foreign Registration Date:** Aug. 23, 2010
Foreign Application/Registration Country: HONG KONG **Foreign Expiration Date:** Aug. 23, 2020

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Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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Owner Name: Jean Michel Cazabat International Limited
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Tortola
VIRGIN ISLANDS, BRITISH
Legal Entity Type: CORPORATION **State or Country Where Organized:** VIRGIN ISLANDS, BRITISH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Leonard N. Budow **Docket Number:** 84004.0003
Attorney Primary Email Address: lbudow@phillipsnizer.com **Attorney Email Authorized:** No

Correspondent

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UNITED STATES
Phone: (212) 878-7902 **Fax:** (609) 896-1469
Correspondent e-mail: ipdocket@foxrothschild.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

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TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 25, 2011



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