

ESTTA Tracking number: **ESTTA601815**

Filing date: **05/01/2014**

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	Swatch AG (Swatch SA) (Swatch Ltd.)		
Entity	Corporation	Citizenship	Switzerland
Address	Jakob-Stamfli-Strasse 94 Biel/Bienne, SWITZERLAND		

Attorney information	Jess M. Collen Collen IP Intellectual Property Law P.C. The Holyoke-Manhattan Building 80 South Highland Avenue Ossining, NY 10562 UNITED STATES jcollen@collenip.com, tgulick@collenip.com, docket@collenip.com Phone:914-941-5668
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Applicant Information

Application No	86106846	Publication date	04/01/2014
Opposition Filing Date	05/01/2014	Opposition Period Ends	05/01/2014
Applicant	Ventus Wireless Mail Box 8 Norwalk, CT 06855 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Smart watches
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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.	1356512	Application Date	11/02/1984
Registration Date	08/27/1985	Foreign Priority Date	NONE
Word Mark	SWATCH		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 1982/05/31 First Use In Commerce: 1982/05/31 WATCHES AND PARTS THEREOF

U.S. Registration No.	1671076	Application Date	07/17/1990
Registration Date	01/07/1992	Foreign Priority Date	NONE
Word Mark	SWATCH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1981/11/12 First Use In Commerce: 1981/11/12 watches, clocks and parts thereof		

U.S. Registration No.	1799862	Application Date	02/21/1992
Registration Date	10/19/1993	Foreign Priority Date	NONE
Word Mark	SWATCH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1991/11/00 First Use In Commerce: 1992/03/20 retail store services; namely, retail shops featuring watches, watch parts and watch accesories		

U.S. Registration No.	2752980	Application Date	04/26/2002
Registration Date	08/19/2003	Foreign Priority Date	NONE
Word Mark	SWATCH		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 2000/08/00 First Use In Commerce: 2000/08/00 Jewelry, namely, earrings, necklaces, pendants, bracelets and rings

Attachments	73506848#TMSN.gif(bytes) 74801004#TMSN.gif(bytes) Q511 notice of opp and exhibits.pdf(257935 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	/Jess M. Collen/
Name	Jess M. Collen
Date	05/01/2014

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

Applicant : Ventus Wireless
Serial No. : 86106846
Filed : October 31, 2013
For : VWATCH
Published : April 1, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
Box TTAB-Fee
P. O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Opposer, Swatch AG (Swatch SA) (Swatch Ltd.), a corporation duly organized and existing under the laws of Switzerland, located at Jakob-Stamfli-Strasse 94 Biel/Bienne Switzerland believes it would be damaged by the mark shown in the above-identified application, and hereby opposes same, pursuant to 15 U.S.C. § 1063 and 37 C.F.R. § 2.104.

As grounds for opposition, it is alleged that:

(1) Opposer is and has been engaged in the sale and marketing of goods under the SWATCH trademark since a time long prior to the date of first use alleged by Applicant in its application for registration.

(2) Opposer is and has been engaged in the sale and marketing in commerce of watches since 1982, as well as a variety of accessories including watch bands, cases in which watches are sold, clocks, electronic apparatus, eyeglasses and sunglasses, clothing, publications, retail stores and

a range of other goods all under the SWATCH trademarks. Opposer has sold goods under its SWATCH trademarks continuously since that time.

(3) Opposer is also the owner of numerous valid United States Trademark registrations including:

SWATCH	Reg. 1,356,512
SWATCH	Reg. 1,671,076
SWATCH	Reg. 1,799,862
SWATCH	Reg. 2,752,980

(See Exhibits 1-4) (the "SWATCH Marks") and others.

(4) Opposer's registrations are *prima facie* proof of ownership and use of the mark from the original date of filing of the application, pursuant to 15 U.S.C. 1057(b), and of the exclusive right to use the registered mark in commerce. Registrations 1,356,512, 1,671,076, 1,799,862, and 2,752,980 are incontestable, pursuant to section 15 of the Trademark Act.

(5) Opposer has used its marks in commerce extensively and has acquired a considerable and valuable goodwill and wide-scale recognition for its mark. The public has come to associate the SWATCH marks with Opposer and Opposer's goods. The SWATCH marks have acquired distinctiveness.

(6) Opposer is an innovative company which has associated its SWATCH marks with a range of goods, including a large assortment of watch products. Opposer also applies its marks to a line of jewelry. Opposer is the owner of many retail establishments, operating under the SWATCH trademarks throughout the United States.

(7) Applicant's mark is confusingly similar to Opposer's SWATCH trademarks and is likely, when applied to the goods of the Applicant, to cause confusion, or to cause mistake or to deceive.

(8) Consumers encountering Applicant's mark and goods are likely to believe that such goods originate from, or are authorized or sponsored by, Opposer, in view of the wide scale fame of the Opposer's SWATCH marks and the indistinguishable differences between Opposer's marks and goods and the Applicant's mark and goods.

(9) Use of the mark VWATCH will be likely to lead consumers and potential consumers of the Applicant's goods and services to believe that the mark is an addition to the SWATCH family of marks. The consumer will mistakenly perceive the goods sold under the Applicant's trademark as the natural result of a continuation or expansion of the SWATCH marks, and that the Applicant's goods thus emanate from SWATCH.

(10) Consumers hearing the Applicant's single-syllable mark will likely confuse it with the Opposer's SWATCH trademarks.

(11) Opposer's marks are registered for watches in class 14, and the Applicant's mark is pending for watches in class 14. Consumers would be likely to believe that the Opposer is the source of Applicant's goods, or that Applicant's use of the VWATCH mark would designate the Opposer as the source of those goods.

(12) SWATCH and VWATCH are confusingly similar.

(13) On information and belief, both the Applicant's mark and Opposer's marks are likely to be sold through the same or similar channels of distribution.

(14) On information and belief, the Applicant has adopted its VWATCH trademark with full knowledge of the Opposer's SWATCH trademarks.

(15) Opposer's SWATCH mark is a famous trademark.

(16) Opposer's SWATCH mark achieved fame prior to the filing date of Applicant's application to register the VWATCH mark.

(17) Opposer's SWATCH mark achieved fame prior to the Applicant's first use of the VWATCH mark.

(18) On information and belief, the Applicant's mark is also likely to diminish and dilute the value and distinctive character of this mark, to the great detriment of the Opposer's famous SWATCH mark, thus damaging the Opposer.

(19) Applicant's mark so resembles SWATCH, the Opposer's mark, as used in the United States and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

WHEREFORE, Opposer prays that this application Serial No. 86106846 be refused, that no registration be issued thereon to Applicant and that this Opposition be sustained in favor of Opposer.

Respectfully submitted for Opposer,

By: 

Jess M. Collen
Thomas P. Gulick
COLLEN IP
The Holyoke-Manhattan Building
80 South Highland Avenue
Ossining, NY 10562
914-941-5668
*Attorneys for Opposer, Swatch AG,
(SWATCH SA) (SWATCH LTD)*

Dated: May 1, 2014

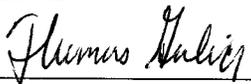
JMC/TPG

Enclosures: Exhibits 1-4
Opposition fee \$300.00 per class (\$300.00)

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE ON THE DATE BELOW.

COLLEN IP

By: 

Date: May 1, 2014

EXHIBIT 1

[STATUS](#) [DOCUMENTS](#)[Back to Search](#)[Print](#)

Generated on: This page was generated by TSDR on 2014-05-01 15:12:58 EDT

Mark: SWATCH

The Swatch logo is displayed in a large, lowercase, sans-serif font.

US Serial Number: 73506848

Application Filing Date: Nov. 02, 1984

US Registration Number: 1356512

Registration Date: Aug. 27, 1985

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 19, 2005

Publication Date: Jun. 18, 1985

Mark Information

Mark Literal Elements: SWATCH

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 [1227456](#), [1252863](#)
Registrations:

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: WATCHES AND PARTS THEREOF

International Class(es): 014 - Primary Class

U.S Class(es): 027

Class Status: ACTIVE

Basis: 1(a)

First Use: May 31, 1982

Use in Commerce: May 31, 1982

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: SWATCH S. A.

Owner Address: JAKOB-STAMFLI-STRASSE 94
BIEL/BIENNE
SWITZERLAND

Legal Entity Type: CORPORATION

State or Country Where SWITZERLAND

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JESS M. COLLEN

Correspondent

Correspondent JESS M COLLEN
Name/Address: COLLEN IP
 THE HOLYOKE-MANHATTAN BLDG
 80 S HIGHLAND AVE
 OSSINING, NEW YORK 10562
 UNITED STATES

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Oct. 07, 2011	NOTICE OF SUIT	
Mar. 25, 2011	NOTICE OF SUIT	
Nov. 12, 2010	NOTICE OF SUIT	
Sep. 19, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 19, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 18, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 09, 2005	ASSIGNED TO PARALEGAL	76293
Jul. 18, 2005	PAPER RECEIVED	
Feb. 24, 2003	PAPER RECEIVED	
May 10, 1991	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 24, 1991	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 15, 1986	CANCELLATION TERMINATED NO. 999999	15213
Aug. 27, 1986	CANCELLATION DISMISSED NO. 999999	15213
Jan. 10, 1986	CANCELLATION INSTITUTED NO. 999999	15213
Aug. 27, 1985	REGISTERED-PRINCIPAL REGISTER	

Jun. 18, 1985	PUBLISHED FOR OPPOSITION
May 17, 1985	NOTICE OF PUBLICATION
Apr. 19, 1985	APPROVED FOR PUB - PRINCIPAL REGISTER
Apr. 04, 1985	CORRESPONDENCE RECEIVED IN LAW OFFICE
Jan. 31, 1985	NON-FINAL ACTION MAILED

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 27, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Dec. 02, 2005

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: ETA S.A. FABRIQUES D'EBAUCHES

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0505/0269](#)

Pages: 2

Date Recorded: Sep. 13, 1985

Supporting Documents: No Supporting Documents Available

Assignor

Name: [ETA S. A. FABRIQUES D'EBAUCHES](#)**Execution Date:** Aug. 15, 1985**Legal Entity Type:** CORPORATION**State or Country Where** SWITZERLAND**Organized:****Assignee****Name:** [SWATCH S. A.](#)**Legal Entity Type:** CORPORATION**State or Country Where** SWITZERLAND**Organized:****Address:** 9, ROUTE DE BOUJEAN
2502-BIENNE, SWITZERLAND**Correspondent****Correspondent Name:** MCGLEW AND TUTTLE**Correspondent Address:** 28 WEST 44TH ST.
NEW YORK, NY 10036**Domestic Representative - Not Found****Assignment 2 of 2****Conveyance:** ATTESTATION BY SUPERINTENDANT OF THE JOINT STOCK COMPANY, BIENNE, COMMERCIAL REGISTER SHOWING CHANGE OF ADDRESS ON NOV. 18, 1985 (IN FRENCH WITH ENGLISH TRANSLATION ATTACHED)**Reel/Frame:** [0517/0992](#)**Pages:** 3**Date Recorded:** Feb. 18, 1986**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [SWATCH AG \(SWATCH SA\) \(SWATCH LTD.\)](#)**Execution Date:** Dec. 11, 1985**Legal Entity Type:** UNKNOWN**State or Country Where** No Place Where Organized Found**Organized:****Assignee****Name:** [SWATCH AG \(SWATCH SA\) \(SWATCH LTD.\)](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 94 RUE JAKOB STAEMPFLI

Correspondent

Correspondent Name: MCGLEW AND TUTTLE

Correspondent Address: 28 WEST 44TH ST.
NEW YORK, NY 10036

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

EXHIBIT 2

STATUS **DOCUMENTS**[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-05-01 15:16:22 EDT**Mark:** SWATCH

No Image exists for this case.

US Serial Number: 74079220**Application Filing Date:** Jul. 17, 1990**US Registration Number:** 1671076**Registration Date:** Jan. 07, 1992**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Feb. 23, 2012**Publication Date:** May 14, 1991

Mark Information

Mark Literal Elements: SWATCH**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
- Asterisks *..* identify additional (new) wording in the goods/services.

For: watches, clocks and parts thereof

International Class(es): 014 - Primary Class

U.S Class(es): 027

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 12, 1981

Use in Commerce: Nov. 12, 1981

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: Swatch S.A.

Owner Address: 94 Rue Jakob Stampfli
Bienne
SWITZERLAND

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jess M. Collen

Docket Number: 21296

Attorney Primary Email trademark@collenip.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Name/Address: Jess M. Collen
 THE HOLYOKE MANHATTAN BLDG
 80 S HIGHLAND AVENUE
 OSSINING, NEW YORK 10562-5615
 UNITED STATES

Phone: 9149415668

Fax: 9149416091

Correspondent e-mail: trademark@collenip.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jess M. Collen

Phone: 9149415668

Fax: 9149416091

Domestic Representative e-mail: trademark@collenip.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 23, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 23, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Feb. 23, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Feb. 23, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Jan. 09, 2012	TEAS SECTION 8 & 9 RECEIVED	
Oct. 07, 2011	NOTICE OF SUIT	

Mar. 25, 2011	NOTICE OF SUIT	
Nov. 12, 2010	NOTICE OF SUIT	
Dec. 12, 2007	CASE FILE IN TICRS	
Mar. 01, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 01, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 28, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 28, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 08, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 07, 1992	REGISTERED-PRINCIPAL REGISTER	
May 14, 1991	PUBLISHED FOR OPPOSITION	
Apr. 12, 1991	NOTICE OF PUBLICATION	
Jan. 03, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 03, 1991	ASSIGNED TO EXAMINER	66582
Dec. 13, 1990	ASSIGNED TO EXAMINER	66728

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 07, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 23, 2012

Assignment Abstract Of Title Information - None recorded

Proceedings - Click to Load

EXHIBIT 3

STATUS **DOCUMENTS**[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-05-01 15:18:15 EDT**Mark:** SWATCHThe Swatch logo, consisting of the word "swatch" in a lowercase, bold, sans-serif font.**US Serial Number:** 74801004**Application Filing Date:** Feb. 21, 1992**US Registration Number:** 1799862**Registration Date:** Oct. 19, 1993**Register:** Principal**Mark Type:** Service Mark**Status:** The registration has been renewed.**Status Date:** Sep. 04, 2013**Publication Date:** Jul. 27, 1993

Mark Information

Mark Literal Elements: SWATCH**Standard Character Claim:** No**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM**Color(s) Claimed:** Color is not claimed as a feature of the mark.

Related Properties Information

Claimed Ownership of US [1490111](#), [1664054](#), [1671076](#), [74248413](#) and others**Registrations:****Child Of:** [74248413](#)

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: retail store services; namely, retail shops featuring watches, watch parts and watch accesories

International Class(es): 042 - Primary Class

U.S Class(es): 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1991

Use in Commerce: Mar. 20, 1992

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: SWATCH SA

Owner Address: 94, rue Jakob Stampfli
2501 Bienne
SWITZERLAND

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jess M. Collen

Docket Number: 34470

Attorney Primary Email Address: trademark@collenip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jess M. Collen

COLLEN IP INTELLECTUAL PROPERTY LAW, P.C.
80 South Highland Avenue
THE HOLYOKE-MANHATTAN BUILDING
TOWN OF OSSINING, NEW YORK 10562
UNITED STATES

Phone: 9149415668

Correspondent e-mail: trademark@collenip.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jess M. Collen

Phone: 9149415668

Domestic Representative e-mail: trademark@collenip.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Sep. 04, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 04, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76985

Sep. 04, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76985
Aug. 22, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	76985
Sep. 04, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76985
Aug. 22, 2013	TEAS SECTION 8 & 9 RECEIVED	
Sep. 12, 2007	CASE FILE IN TICRS	
Sep. 06, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 06, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 23, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 23, 2003	PAPER RECEIVED	
Feb. 11, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 19, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 19, 1993	REGISTERED-PRINCIPAL REGISTER	
Jul. 27, 1993	PUBLISHED FOR OPPOSITION	
Jun. 25, 1993	NOTICE OF PUBLICATION	
May 05, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 05, 1993	USE AMENDMENT ACCEPTED	
May 03, 1993	AMENDMENT TO USE PROCESSING COMPLETE	
Oct. 22, 1992	USE AMENDMENT FILED	
May 03, 1993	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jan. 08, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 1992	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 29, 1992	DIVISIONAL PROCESSING COMPLETE	
Apr. 23, 1992	NON-FINAL ACTION MAILED	
Apr. 09, 1992	ASSIGNED TO EXAMINER	70428

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Oct. 19, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 04, 2013

Assignment Abstract Of Title Information - None recorded

Proceedings - [Click to Load](#)

EXHIBIT 4

STATUS **DOCUMENTS**[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-05-01 15:19:10 EDT**Mark:** SWATCH

No Image exists for this case.

US Serial Number: 78124477**Application Filing Date:** Apr. 26, 2002**US Registration Number:** 2752980**Registration Date:** Aug. 19, 2003**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Aug. 24, 2013**Publication Date:** May 27, 2003

Mark Information

Mark Literal Elements: SWATCH**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US [1356512](#), [2100605](#), [2217468](#) and others
Registrations:

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: Jewelry, namely, earrings, necklaces, pendants, bracelets and rings

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 2000

Use in Commerce: Aug. 2000

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: Swatch S.A. (Swatch A.G.) (Swatch Ltd.)

Owner Address: 94, rue Jakob Stampfli
Bienne CH-2501
SWITZERLAND

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jess M. Collen

Docket Number: 78225

Attorney Primary Email Address: trademark@collenip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jess M. Collen

Collen IP Intellectual Property Law, P.C.
THE HOLYOKE-MANHATTAN BUILDING
80 South Highland Avenue
Ossining, NEW YORK 10562
UNITED STATES

Phone: (914) 941-5668

Fax: (914) 941-6091

Correspondent e-mail: trademark@collenip.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jess M. Collen

Phone: (914) 941-5668

Fax: (914) 941-6091

Domestic Representative e-mail: trademark@collenip.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Aug. 24, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 24, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131

Aug. 24, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Aug. 08, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
Aug. 24, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Aug. 08, 2013	TEAS SECTION 8 & 9 RECEIVED	
Mar. 25, 2011	NOTICE OF SUIT	
Nov. 12, 2010	NOTICE OF SUIT	
Jun. 25, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	60234
Jun. 25, 2009	ASSIGNED TO PARALEGAL	60234
May 04, 2009	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 04, 2009	PAPER RECEIVED	
Jun. 23, 2008	CASE FILE IN TICRS	
Aug. 19, 2003	REGISTERED-PRINCIPAL REGISTER	
May 27, 2003	PUBLISHED FOR OPPOSITION	
May 07, 2003	NOTICE OF PUBLICATION	
Apr. 07, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 03, 2003	PAPER RECEIVED	
Nov. 14, 2002	FINAL REFUSAL MAILED	
Oct. 09, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 09, 2002	PAPER RECEIVED	
Aug. 14, 2002	NON-FINAL ACTION MAILED	
Aug. 12, 2002	ASSIGNED TO EXAMINER	74284

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 19, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 24, 2013

Assignment Abstract Of Title Information - None recorded

Proceedings - [Click to Load](#)

CERTIFICATE OF SERVICE

I, Troy L. Jordan, hereby certify that I caused true and correct copy of the foregoing Notice of Opposition to be served upon Applicant at the following address, postage pre-paid, on this 1st Day of May, 2014:

VENTUS WIRELESS
10 NORDEN PL
NORWALK, CONNECTICUT 06855-1452

Troy L. Jordan