

ESTTA Tracking number: **ESTTA608887**

Filing date: **06/09/2014**

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	INVISTA North America S. a.r.l.
Granted to Date of previous extension	06/08/2014
Address	4123 East 37th Street North Wichita, KS 67220 UNITED STATES
Attorney information	Anna Kurian Shaw Hogan Lovells US LLP 555 13th Street Washington, DC 20004 UNITED STATES anna.shaw@hoganlovells.com, DCTrademark@hoganlovells.com, DCDocketing@hoganlovells.com Phone:202.637.5600

**Applicant Information**

Application No	86087089	Publication date	12/10/2013
Opposition Filing Date	06/09/2014	Opposition Period Ends	06/08/2014
Applicant	JAB Distributors LLC 1500 S. Wolf Rd. Wheeling, IL 60090 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 024. First Use: 0 First Use In Commerce: 0 Opposed goods and services in the class: Mattress covers; Pillow covers
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**Grounds for Opposition**

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

U.S. Registration No.	3814781	Application Date	09/01/2009
Registration Date	07/06/2010	Foreign Priority Date	05/15/2009
Word Mark	ADVANSA THERMOÂ°COOL		

Design Mark			
Description of Mark	The mark consists of the wording "ADVANSA THERMO COOL" in stylized font, with a degree symbol between the words "THERMO" and "COOL", and curved lines on the top and the bottom of the mark, extending to the right side and left side of the mark, respectively.		
Goods/Services	Class 023. First use: First Use: 0 First Use In Commerce: 0 Synthetic threads and yarns for textile use; threads of plastic materials for textile use		

U.S. Registration No.	4359720	Application Date	09/26/2012
Registration Date	07/02/2013	Foreign Priority Date	06/15/2012

Word Mark	ADVANSA THERMO COOL
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Design Mark			
Description of Mark	The mark consists of the stylized word "ADVANSA" appearing in grey, stacked over the stylized word "THERMO" appearing in red with orange shadowing and a red degree symbol over it and then the stylized word "COOL" appearing in blue. To the left of the wording in the mark appears a silhouette of a man in blue with orange and red within a circle having orange and red on the top and fading to blue at the bottom. The color white appearing in the mark is not claimed as a feature of the mark.		
Goods/Services	Class 023. First use: First Use: 0 First Use In Commerce: 0 Synthetic threads and yarns for textile use, threads of plastic materials for textile use		

U.S. Registration No.	4006396	Application Date	05/31/2007
Registration Date	08/02/2011	Foreign Priority Date	NONE

Word Mark	ADVANSATHERMOOCOOL
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Design Mark	<b>ADVANSATHERMOOCOOL</b>
Description of Mark	NONE
Goods/Services	Class 023. First use: First Use: 2008/00/00 First Use In Commerce: 2009/00/00 synthetic yarns for textile use

Attachments	79073332#TMSN.jpeg( bytes ) 79122624#TMSN.jpeg( bytes ) 77193989#TMSN.jpeg( bytes ) Thermocool Notice of Opposition.pdf(2917613 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	/AKS/
Name	Anna Kurian Shaw
Date	06/09/2014

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

In the Matter of:

Mark: **THERMOCOOL**  
App. Ser. No. **86087089**  
Filed: **October 9, 2013**  
Published: **December 10, 2013**

INVISTA North America S.à r.l.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No.: _____
	:	
JAB Distributors, L.L.C. (d.b.a. "Protect-A-Bed"),	:	
	:	
Applicant.	:	
	:	

**NOTICE OF OPPOSITION**

INVISTA North America S.à r.l., a corporation organized under the laws of the Luxembourg, with an address of 20 rue Eugène Ruppert, L-2453 Luxembourg ("INVISTA"), believes that it will be damaged by registration of the mark of THERMOCOOL for namely, "Mattress covers; Pillow covers," as set forth in U.S. App. Ser. No. 86087089, filed October 9, 2013, and published December 10, 2013 (the "Application"), owned by JAB Distributors, L.L.C. (d.b.a. "Protect-A-Bed") ("Applicant"), a company organized and existing under the laws of Illinois, U.S.A., with a place of business at 1500 South Wolf Road, Wheeling, Illinois 60090, USA ("JAB"), and hereby opposes the same.

As grounds for its opposition, INVISTA alleges the following:

1. Since prior to the filing date of the Application, and Applicant's alleged first use date, INVISTA has held significant common law and statutory rights in the United States for the

mark THERMOCOOL as applied to, *inter alia*, mattress covers, synthetic fibers and textiles ("THERMOCOOL Products"), by virtue of its use and federal registrations as pleaded hereinafter.

2. INVISTA is the owner and registrant of U.S. Registration No. 3814781 for the mark ADVANSA THERMO°COOL & Design; U.S. Registration No. 4359720 for the mark ADVANSA THERMO COOL & Design; and U.S. Registration No. 4006396 for the mark ADVANSATHERMOCOOL.

3. Copies of the registrations and applications pleaded in paragraph 2 above are attached as composite Exhibit A with the current status and title indicated thereon. The registrations are subsisting and valid.

4. INVISTA is also the owner and applicant of the mark THERMOCOOL as set forth in U.S. App. Ser. No. 86114191 for mattress covers, claiming a date of first use of March 31, 2013. INVISTA has used the THERMOCOOL mark in commerce in connection with mattress covers since at least as early as March 31, 2013.

5. By virtue of its high quality products sold, advertised, and promoted under Invista's various THERMOCOOL marks and by virtue of the sales, promotion and advertising of such high quality products, INVISTA's THERMOCOOL Products are well and favorably known throughout the United States.

6. On October 9, 2013, Applicant filed an application for U.S. App. Ser. No. 86087089 for the mark THERMOCOOL in connection with "Mattress covers; Pillow covers" in International Class 24 based on intent to use.

7. Applicant's application for the THERMOCOOL mark was published for opposition on December 10, 2013. INVISTA sought and was granted a timely extension of time to file a Notice of Opposition.

8. INVISTA's use and registration of its THERMOCOOL marks in the United States predate any alleged use of Applicant's THERMOCOOL mark in the United States.

9. Applicant's mark THERMOCOOL is confusingly similar to INVISTA's THERMOCOOL marks when used on or in connection with the goods as applied for.

10. Consumers and others familiar with INVISTA's THERMOCOOL Products will assume that Applicant's goods identified in the Application are products emanating from the present makers of THERMOCOOL, namely INVISTA.

11. Given INVISTA's prior and substantial use of the THERMOCOOL marks in connection with the THERMOCOOL Products, Applicant's use of the THERMOCOOL mark as set forth in U.S. App. Ser. No. 86087089 is likely to cause confusion, mistake, or deception with INVISTA's THERMOCOOL marks, or to cause the mistaken belief by consumers of the parties' respective goods and by others that Applicant or its goods are in some way legitimately connected with, sponsored by, or approved by INVISTA.

12. INVISTA believes, and therefore states, that it will be damaged by the registration of the mark that is the subject of U.S. App. Ser. No. 86087089.

13. WHEREFORE, INVISTA prays that this opposition be sustained and registration to Applicant be refused.

Please charge the required \$300 filing fee to the Deposit Account of Hogan Lovells US LLP, Account No. 50-1349, referencing our client number 021579-000249.

Respectfully submitted,

HOGAN LOVELLS US LLP

By:                   /aks/                    
Anna Kurian Shaw  
555 13<sup>th</sup> Street, NW  
Washington, D.C. 20004  
Telephone: 202.637.5687  
Fax: 202.637.5910

Attorney for Opposer,  
INVISTA North America S.à r.l.

Date: June 9, 2014



# EXHIBIT A

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,814,781**  
**Registered July 6, 2010**  
**Int. Cl.: 23**

**TRADEMARK**  
**PRINCIPAL REGISTER**

ADVANSA B.V. (NETHERLANDS LIMITED LIABILITY COMPANY)  
HOLLAND OFFICE CENTRE KRUISWEG 829  
2ND FLOOR  
NL-2132 NG HOOFDDORP, NETHERLANDS

FOR: SYNTHETIC THREADS AND YARNS FOR TEXTILE USE; THREADS OF PLASTIC MATERIALS FOR TEXTILE USE, IN CLASS 23 (U.S. CL. 43).

OWNER OF U.S. REG. NO. 3,272,499.

PRIORITY DATE OF 5-15-2009 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1014521 DATED 9-1-2009, EXPIRES 9-1-2019.

THE MARK CONSISTS OF THE WORDING "ADVANSA THERMO COOL" IN STYLIZED FONT, WITH A DEGREE SYMBOL BETWEEN THE WORDS "THERMO" AND "COOL", AND CURVED LINES ON THE TOP AND THE BOTTOM OF THE MARK, EXTENDING TO THE RIGHT SIDE AND LEFT SIDE OF THE MARK, RESPECTIVELY.

SER. NO. 79-073,332, FILED 9-1-2009.

LIEF MARTIN, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

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Mark: ADVANSA THERMO°COOL



US Serial Number: 79073332

Application Filing Date: Sep. 01, 2009

US Registration Number: 3814781

Registration Date: Jul. 06, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 06, 2010

Publication Date: Apr. 20, 2010

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## Mark Information

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Mark Literal Elements: ADVANSA THERMO°COOL

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 "ADVANSA THERMO COOL" in stylized font, with a degree symbol between the words "THERMO" and "COOL", and curved lines on the top and the bottom of the mark, extending to the right side and left side of the mark, respectively.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 24.17.25 - Biohazard symbol; Degree sign (°); Equal sign (=); Greater than symbol > (mathematical); Handicapped symbol; Hazardous materials symbol; Less than symbol < (mathematical); Pound sign (#)  
26.01.02 - Circles, plain single line; Plain single line circles  
26.11.03 - Rectangles (incomplete); Incomplete rectangles  
26.11.25 - Rectangles with one or more curved sides

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## Related Properties Information

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International Registration Number: 1014521

International Registration Date: Sep. 01, 2009

Claimed Ownership of US Registrations: 3272499

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## Goods and Services

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

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

For: Synthetic threads and yarns for textile use; threads of plastic materials for textile use

International Class(es): 023 - Primary Class

U.S Class(es): 043

Class Status: ACTIVE

Basis: 66(a)

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## Basis Information (Case Level)

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Filed Use: No

Currently Use: No

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: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

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## Current Owner(s) Information

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Owner Name: INVISTA Technologies S.à.r.l.

Owner Address: Kreuzackerstrasse 9

CH-9000 St. Gallen  
SWITZERLAND

Legal Entity Type: UNKNOWN

State or Country Where No Place Where Organized Found  
Organized:

## Attorney/Correspondence Information

### Attorney of Record - None Correspondent

Correspondent Name/Address: AWAPATENT AB  
Bellevuevägen 46  
SE-200 71 Malmö  
SWEDEN

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 01, 2014	CHANGE OF OWNER RECEIVED FROM IB	
Jul. 20, 2013	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Nov. 09, 2010	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 13, 2010	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 13, 2010	FINAL DISPOSITION PROCESSED	67445
Oct. 07, 2010	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jul. 06, 2010	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2010	PUBLISHED FOR OPPOSITION	
Mar. 31, 2010	NOTICE OF PUBLICATION	
Mar. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 10, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Feb. 25, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Feb. 23, 2010	ASSIGNED TO LIE	67215
Jan. 25, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 22, 2010	REFUSAL PROCESSED BY IB	
Dec. 09, 2009	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Dec. 09, 2009	REFUSAL PROCESSED BY MPU	68359
Dec. 08, 2009	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Dec. 07, 2009	NON-FINAL ACTION WRITTEN	85328
Dec. 05, 2009	ASSIGNED TO EXAMINER	85328
Oct. 24, 2009	APPLICATION FILING RECEIPT MAILED	
Oct. 20, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 16, 2009	LIMITATION OF GOODS/SERVICES FROM IB ENTERED	68359
Oct. 15, 2009	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

International Registration Number: 1014521

Priority Claimed Flag: Yes

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Notification of Designation Date: Oct. 15, 2009

International Registration Renewal Date: Sep. 01, 2019

First Refusal Flag: Yes

International Registration Date: Sep. 01, 2009

Date of Section 67 Priority Claim: May 15, 2009

Date of International Registration Status: Oct. 15, 2009

Date of Automatic Protection: Apr. 15, 2011

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 06, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: Advansa B.V.

### Assignment 1 of 1

Conveyance: CHANGE OF ADDRESS

Reel/Frame: [5073/0612](#)

Pages: 2

Date Recorded: Jul. 20, 2013

Supporting Documents: [assignment-tm-5073-0612.pdf](#)

### Assignor

Name: [ADVANSA B.V.](#)

Execution Date: Jul. 01, 2013

Legal Entity Type: UNKNOWN

State or Country Where Organized: NETHERLANDS

### Assignee

Name: [ADVANSA B.V.](#)

Legal Entity Type: NOT PROVIDED

State or Country Where Organized: NOT PROVIDED

Address: GILZEWEG 51  
NL-4861 PM CHAAM, NETHERLANDS

### Correspondent

Correspondent Name: ADVANSA B.V.

Correspondent Address: GILZEWEG 51  
NL-4861 PM CHAAM  
NETHERLANDS

Domestic Representative - Not Found

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,359,720**

ADVANSA B.V. (NETHERLANDS JOINT STOCK COMPANY)  
GILZEWEG 51

**Registered July 2, 2013**

NL-4861 PM CHAAM, NETHERLANDS

**Int. Cl.: 23**

FOR: SYNTHETIC THREADS AND YARNS FOR TEXTILE USE, THREADS OF PLASTIC MATERIALS FOR TEXTILE USE, IN CLASS 23 (U.S. CL. 43).

**TRADEMARK**

OWNER OF U.S. REG. NOS. 3,272,499, 4,006,396 AND OTHERS.

**PRINCIPAL REGISTER**

PRIORITY DATE OF 6-15-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1141495 DATED 9-26-2012, EXPIRES 9-26-2022.

THE COLOR(S) BLUE, RED, ORANGE AND GREY IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE STYLIZED WORD "ADVANSA" APPEARING IN GREY, STACKED OVER THE STYLIZED WORD "THERMO" APPEARING IN RED WITH ORANGE SHADOWING AND A RED DEGREE SYMBOL OVER IT AND THEN THE STYLIZED WORD "COOL" APPEARING IN BLUE. TO THE LEFT OF THE WORDING IN THE MARK APPEARS A SILHOUETTE OF A MAN IN BLUE WITH ORANGE AND RED WITHIN A CIRCLE HAVING ORANGE AND RED ON THE TOP AND FADING TO BLUE AT THE BOTTOM. THE COLOR WHITE APPEARING IN THE MARK IS NOT CLAIMED AS A FEATURE OF THE MARK.



SER. NO. 79-122,624, FILED 9-26-2012.

JACLYN KIDWELL WALKER, EXAMINING ATTORNEY

*Lea Street Lee*

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

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Mark: ADVANSA THERMO COOL



US Serial Number: 79122624

Application Filing Date: Sep. 26, 2012

US Registration Number: 4359720

Registration Date: Jul. 02, 2013

Register: Principal

Mark Type: Trademark

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

Status Date: Jul. 02, 2013

Publication Date: Apr. 16, 2013

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## Mark Information

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Mark Literal Elements: ADVANSA THERMO COOL

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 stylized word "ADVANSA" appearing in grey, stacked over the stylized word "THERMO" appearing in red with orange shadowing and a red degree symbol over it and then the stylized word "COOL" appearing in blue. To the left of the wording in the mark appears a silhouette of a man in blue with orange and red within a circle having orange and red on the top and fading to blue at the bottom. The color white appearing in the mark is not claimed as a feature of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue, red, orange and grey is/are claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
24.17.25 - Equal sign (=); Degree sign (°); Biohazard symbol; Greater than symbol > (mathematical); Pound sign (#); Handicapped symbol; Hazardous materials symbol; Less than symbol < (mathematical)  
26.01.02 - Circles, plain single line; Plain single line circles

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## Related Properties Information

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International Registration Number: 1141495

International Registration Date: Sep. 26, 2012

Claimed Ownership of US Registrations: 3272499, 3814781, 4006396 and others

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## Goods and Services

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

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

For: Synthetic threads and yarns for textile use, threads of plastic materials for textile use

International Class(es): 023 - Primary Class

U.S Class(es): 043

Class Status: ACTIVE

Basis: 66(a)

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## Basis Information (Case Level)

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Filed Use: No

Currently Use: No

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: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

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## Current Owner(s) Information

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**Owner Name:** INVISTA Technologies S.à.r.l.

**Owner Address:** Kreuzackerstrasse 9  
CH-9000 St. Gallen  
SWITZERLAND

**Legal Entity Type:** UNKNOWN

**State or Country Where Organized:** No Place Where Organized Found

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## Attorney/Correspondence Information

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### Attorney of Record - None

#### Correspondent

**Correspondent Name/Address:** AWAPATENT AB  
Matroskatan 1,  
P.O. Box 5117  
SE-200 71 Malmö  
SWEDEN

### Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
May 01, 2014	CHANGE OF OWNER RECEIVED FROM IB	
Oct. 21, 2013	FINAL DECISION TRANSACTION PROCESSED BY IB	
Oct. 03, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 03, 2013	FINAL DISPOSITION PROCESSED	68359
Oct. 02, 2013	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jul. 02, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 18, 2013	NOTIFICATION PROCESSED BY IB	
Apr. 16, 2013	PUBLISHED FOR OPPOSITION	
Mar. 27, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Mar. 27, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Mar. 27, 2013	NOTICE OF PUBLICATION	
Mar. 12, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Mar. 04, 2013	ASSIGNED TO LIE	67287
Feb. 27, 2013	REFUSAL PROCESSED BY IB	
Feb. 19, 2013	EXAMINERS AMENDMENT MAILED	
Feb. 19, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 19, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 19, 2013	EXAMINERS AMENDMENT -WRITTEN	83169
Feb. 16, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 15, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 15, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 04, 2013	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Feb. 04, 2013	REFUSAL PROCESSED BY MPU	68359
Feb. 02, 2013	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Feb. 01, 2013	NON-FINAL ACTION WRITTEN	83169
Jan. 25, 2013	ASSIGNED TO EXAMINER	83169
Jan. 08, 2013	APPLICATION FILING RECEIPT MAILED	
Jan. 03, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 02, 2013	LIMITATION FROM ORIGINAL APPLICATION ENTERED	72589
Dec. 27, 2012	SN ASSIGNED FOR SECT 66A APPL FROM IB	

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## International Registration Information (Section 66a)

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**International Registration Number:** 1141495

**International Registration Date:** Sep. 26, 2012

Priority Claimed Flag: Yes

Date of Section 67 Priority Claim: Jun. 15, 2012

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Date of International Registration Status: Dec. 27, 2012

Notification of Designation Date: Dec. 27, 2012

Date of Automatic Protection: Jun. 27, 2014

International Registration Renewal Date: Sep. 26, 2022

First Refusal Flag: Yes

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## TM Staff and Location Information

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TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 02, 2013

# United States of America

United States Patent and Trademark Office

ADVANSATHERMOOCOOL

**Reg. No. 4,006,396**

**Registered Aug. 2, 2011**

**Int. Cl.: 23**

**TRADEMARK**

**PRINCIPAL REGISTER**

ADVANSA BV (NETHERLANDS JOINT STOCK COMPANY)  
KRUISWEG 829, 2ND FLOOR  
HOLLAND OFFICE CENTER  
HOOFDDORP, NETHERLANDS NL-2132 N

FOR: SYNTHETIC THREADS AND YARNS FOR TEXTILE USE, IN CLASS 23 (U.S. CL. 43).

FIRST USE 0-0-2008; IN COMMERCE 0-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,272,499.

SN 77-193,989, FILED 5-31-2007.

JASON TURNER, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or  
reminder of these filing requirements.**

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**



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**Domestic Representative**

**Domestic Representative** David Ehrlich  
**Name:**

**Phone:** 212-813-5900

## Prosecution History

Date	Description	Proceeding Number
Feb. 26, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 08, 2011	CERTIFICATE OF CORRECTION ISSUED	73376
Sep. 07, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Aug. 29, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Aug. 02, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jun. 30, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jun. 27, 2011	ASSIGNED TO LIE	68171
Jun. 27, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 20, 2011	STATEMENT OF USE PROCESSING COMPLETE	76873
Jun. 17, 2011	USE AMENDMENT FILED	76873
Jun. 17, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 21, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Dec. 20, 2010	EXTENSION 5 GRANTED	76873
Dec. 17, 2010	EXTENSION 5 FILED	76873
Dec. 17, 2010	TEAS EXTENSION RECEIVED	
Jun. 18, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jun. 17, 2010	EXTENSION 4 GRANTED	76873
Jun. 08, 2010	EXTENSION 4 FILED	76873
Jun. 08, 2010	TEAS EXTENSION RECEIVED	
Nov. 05, 2009	EXTENSION 3 GRANTED	76873
Oct. 29, 2009	EXTENSION 3 FILED	76873
Oct. 29, 2009	TEAS EXTENSION RECEIVED	
Jul. 09, 2009	EXTENSION 2 GRANTED	76873
Jun. 15, 2009	EXTENSION 2 FILED	76873
Jul. 09, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Jun. 15, 2009	TEAS EXTENSION RECEIVED	
Dec. 15, 2008	EXTENSION 1 GRANTED	98765
Dec. 15, 2008	EXTENSION 1 FILED	98765
Dec. 15, 2008	TEAS EXTENSION RECEIVED	
Jul. 09, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jul. 09, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 17, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 25, 2008	PUBLISHED FOR OPPOSITION	
Mar. 05, 2008	NOTICE OF PUBLICATION	
Feb. 21, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	69350
Feb. 19, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	69350
Feb. 19, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	69350
Feb. 19, 2008	ASSIGNED TO LIE	69350

Jan. 17, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 16, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 04, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 04, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 11, 2007	NON-FINAL ACTION MAILED	
Sep. 10, 2007	NON-FINAL ACTION WRITTEN	73712
Sep. 10, 2007	ASSIGNED TO EXAMINER	73712
Jun. 07, 2007	NOTICE OF PSEUDO MARK MAILED	
Jun. 06, 2007	NEW APPLICATION ENTERED IN TRAM	

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## Maintenance Filings or Post Registration Information

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**Change in Registration:** Yes

**Correction made to Registration:** In the Statement, line 5, "THREADS AND" should be deleted.

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## TM Staff and Location Information

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TM Staff Information - None

File Location

**Current Location:** POST REGISTRATION

**Date in Location:** Oct. 18, 2011

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## Assignment Abstract Of Title Information

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### Summary

**Total Assignments:** 1

**Registrant:** Advansa BV

### Assignment 1 of 1

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [5217/0890](#)

**Pages:** 7

**Date Recorded:** Feb. 17, 2014

**Supporting Documents:** [assignment-tm-5217-0890.pdf](#)

### Assignor

**Name:** [ADVANSA B.V.](#)

**Execution Date:** Sep. 30, 2013

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NETHERLANDS

### Assignee

**Name:** [INVISTA NORTH AMERICA S.A.R.L.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** LUXEMBOURG

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### Correspondent

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**Domestic Representative - Not Found**