

ESTTA Tracking number: **ESTTA608559**

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

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	The Coca-Cola Company
Granted to Date of previous extension	07/09/2014
Address	One Coca-Cola Plaza Atlanta, GA 30313 UNITED STATES

Correspondence information	Uly S. Gunn Associate Alston & Bird LLP 1201 West Peachtree Street Northwest Atlanta, GA 30309 UNITED STATES sam.gunn@alston.com Phone:404-881-7000
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Applicant Information

Application No	86034697	Publication date	03/11/2014
Opposition Filing Date	06/06/2014	Opposition Period Ends	07/09/2014
Applicant	Ling, Cao Dormitory, Hunan National Education Yueyang, Hunan, CHINA		

Goods/Services Affected by Opposition

Class 005. First Use: 2012/01/21 First Use In Commerce: 2012/01/21 All goods and services in the class are opposed, namely: Biocides; Depuratives for the body; Medical lubricant, namely, vaginal lubricants; Medicated massage oils; Medicated sun care preparations; Medicinal oils; Nutritional supplements; Personal sexual lubricants; Pharmaceutical preparations, namely, an analgesic for human consumption taken orally; Saline wash for medical purposes
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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.	1738263	Application Date	10/28/1991
Registration Date	12/08/1992	Foreign Priority	NONE

		Date	
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 015. First use: First Use: 1991/05/29 First Use In Commerce: 1991/05/29 [musical dioramas] Class 024. First use: First Use: 1991/07/11 First Use In Commerce: 1991/07/11 kitchen linens; namely, towels and dishcloths Class 025. First use: First Use: 1991/07/08 First Use In Commerce: 1991/07/08 aprons		

U.S. Registration No.	2757341	Application Date	05/10/2002
Registration Date	08/26/2003	Foreign Priority Date	NONE
Word Mark	VANILLA COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2002/05/08 First Use In Commerce: 2002/05/08 [Beverages, namely, drinking waters, bottled waters, flavored waters, mineral and aerated waters; and other] non-alcoholic beverages, namely, soft drinks [, energy drinks and sports drinks; fruit drinks and fruit juices; syrups, concentrates and powders for making beverages, namely, mineral and aerated waters, soft drinks, energy drinks, sports drinks, fruit drinks and fruit juices]		

U.S. Registration No.	3487158	Application Date	05/25/2007
Registration Date	08/19/2008	Foreign Priority Date	NONE
Word Mark	THINGS GO BETTER WITH COKE		

Design Mark	<p style="text-align: center;">THINGS GO BETTER WITH COKE</p>
Description of Mark	NONE
Goods/Services	<p>Class 014. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Clocks and watches</p> <p>Class 016. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Stationery, calendars, printed paper signs</p> <p>Class 020. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Holiday ornaments made of plastic</p> <p>Class 021. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Dinnerware, namely, plates, cups, mugs</p> <p>Class 025. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Clothing, namely, belts, caps, shirts, sweat shirts, shorts, pants, sweat pants, socks, and pajamas</p>

U.S. Registration No.	3434466	Application Date	06/06/2007
Registration Date	05/27/2008	Foreign Priority Date	NONE

Word Mark	CHERRY COKE
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Design Mark	<p style="text-align: center;">CHERRY COKE</p>
Description of Mark	NONE
Goods/Services	<p>Class 032. First use: First Use: 1985/02/19 First Use In Commerce: 1985/02/19 Non-alcoholic beverages, namely, soft drinks; concentrate for making non-alcoholic beverages, namely, soft drinks</p>

U.S. Registration No.	3347889	Application Date	04/11/2007
Registration Date	12/04/2007	Foreign Priority Date	NONE

Word Mark	COKE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 1941/12/10 First Use In Commerce: 1941/12/10 Non-alcoholic beverages, namely, soft drinks; syrups and concentrates for making non-alcoholic beverages, namely, soft drinks

U.S. Registration No.	3391009	Application Date	03/02/2007
Registration Date	03/04/2008	Foreign Priority Date	NONE

Word Mark	MYCOKEREWARDS.COM
Design Mark	
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 2006/02/27 First Use In Commerce: 2006/02/27 Non-alcoholic beverages, namely, soft drinks Class 035. First use: First Use: 2006/02/27 First Use In Commerce: 2006/02/27 Online consumer loyalty incentive program for commercial, promotional and/or advertising purposes whereby participants accumulate value from purchases which can be redeemed for merchandise, discount or cash prizes

U.S. Registration No.	3820750	Application Date	09/17/2009
Registration Date	07/20/2010	Foreign Priority Date	NONE
Word Mark	DIET COKE		

Design Mark	<h1>DIET COKE</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1982/07/00 First Use In Commerce: 1982/08/09 Non-alcoholic beverages, namely, soft drinks; and syrups and concentrates for making non-alcoholic beverages namely soft drinks		

U.S. Registration No.	2789860	Application Date	08/08/2002
Registration Date	12/02/2003	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2002/12/15 First Use In Commerce: 2003/01/01 Beverages, namely, drinking waters, [flavored waters, mineral and aerated waters;] and other non-alcoholic beverages, namely, soft drinks, energy drinks and sports drinks; fruit drinks and juices; [syrups, concentrates and powders for making beverages, namely, flavored waters, mineral and aerated waters, soft drinks, energy drinks, sports drinks, fruit drinks and juices]		

U.S. Registration No.	2853811	Application Date	06/19/2003
Registration Date	06/15/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1960/01/01 First Use In Commerce: 1960/01/01 [Step stools;] drinking straws; plastic novelty license plates; indoor and outdoor		

	furniture; picture frames; [wooden signs;] wood boxes; pillows; cushions; [inflatable plastic signs;] plastic boxes; [air mattresses for use when camping; air cushions not for medical purposes; air pillows not for medical purposes;] non-electric fans for personal use; mirrors; figurines [and Christmas stocking holders of wood, plastic, cold cast resin;] bar stools; [engraved and cut stone plaques; chair pads; dispensers for pills or capsules sold empty; jewelry boxes not of precious metal;] tables; [baker's racks; sofas; chairs; ottomans; cabinets;] plastic key rings; [non-metal shower hooks;] plastic banners; [non-metal clips for bags; ceramic fan pulls; electrically-activated moving Christmas figures made of plastic]
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U.S. Registration No.	2853812	Application Date	06/19/2003
Registration Date	06/15/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 1941/01/01 First Use In Commerce: 1941/01/01 Plates; cups; drinking glasses; tankards not of precious metal; mugs; tumblers; [drinking steins;] pitchers; [decanter, goblets; ice buckets, coasters not of paper and not being table linen;] serving pieces, namely, [serving tongs,] serving platters; serving trays not of precious metal; salt and pepper shakers; [condiment holders, sugar dispensers and basins,] toothpick holders; napkin holders; [dispensers for paper towels; holders for facial tissue; fitted picnic baskets; trivets,] cookie jars; canister sets, [storage containers for household and kitchen use not of precious metal;] party bowls; [floral containers;] bottle openers; straw dispensers; dinnerware, bottles sold empty; dishware, namely, plates, bowls, cups and saucers; [creamer pitchers;] candy dishes; [spoon rests; flower pots; corn cob holders; cutting boards; cookie cutters;] candle holders not of precious metal; [bread boxes; bird houses of wood; cooking utensils, namely, grill covers;] utensils for barbecues, namely, forks, turners; [stove burner covers; recipe boxes; coffee pots not of precious metal; tea pots not of precious metal;] utensils for barbecues, namely, forks, tongs and spatulas; lunch boxes; [soap and shampoo dispensers; toothbrush holders; wastepaper baskets;] thermal insulated containers for beverages; portable coolers; portable ice chests for food and beverages; thermal insulated wrap for cans to keep the contents cold or hot; foam drink holders; non-metal coin banks; [china, crystal,] glass and porcelain ornaments, not including Christmas tree ornaments; [sun catchers; wind chimes; vases; crystal, glass, porcelain, china and ceramic figurines and Christmas stocking holders; decorative plates]		

U.S. Registration No.	2853813	Application Date	06/19/2003
Registration Date	06/15/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1950/01/01 First Use In Commerce: 1950/01/01 [Board games;] checker sets; [playing cards; card games;] puzzles; balloons; hand held unit for playing electronic games; Christmas decorations and accessories of all kinds, namely, Christmas tree skirts, [artificial Christmas garlands;] Christmas tree ornaments; Christmas stockings; Christmas tree decora-		

	<p>tions; snow globes; sporting equipment and accessories for soccer, namely, soccer balls; sporting equipment and accessories for golf, namely, golf balls, golf tees, golf ball markers, ball cleaners, golf putters, divot repair tools, golf bags; [sporting equipment and accessories for skating, namely, in-line skates, skate boards; elbow pads for athletic use; knee pads for athletic use; shin pads for athletic use; badminton game playing equipment;] sporting equipment and accessories for fishing, namely, fishing lures; billiard cues, billiard balls, billiard game playing equipment and accessories, namely, billiard bridges, [billiard bumpers, billiard chalk, billiard cue racks, billiard cushions, billiard nets, billiard tables, billiard tally balls, billiard tips, billiard triangles, cue sticks for billiard or pool; snow sleds for recreational use; pinball machines;] sport balls; toy vehicles; toy electric trains; toy model train sets; [train set accessories, namely, artificial trees, turf, foliage, ballast, buildings, figurines, billboards, lichen and grass; toy banks, toy mobiles, multiple activity baby toys;] dart board cases; dart boards; dolls and accessories therefor; plush toys; yo-yos; flying discs [; inflatable toys]</p>
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U.S. Registration No.	2958649	Application Date	12/18/2003
Registration Date	05/31/2005	Foreign Priority Date	NONE
Word Mark	STYLE MY COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 007. First use: First Use: 2004/04/02 First Use In Commerce: 2004/04/16 Machines that customize bottled beverages with shrink wrap at the point of sale</p> <p>Class 032. First use: First Use: 2004/04/02 First Use In Commerce: 2004/04/16 Beverages, namely, soft drinks</p>		

U.S. Registration No.	2844972	Application Date	06/19/2003
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 1983/04/01 First Use In Commerce: 1983/04/01 Metal key rings; [metal license plates;] decorated tins; [metal storage containers, metal boot scrapers; wall hooks of metal; non-luminous and] non-mechanical signs made of metal; [metal step stools; sculptures made of non-precious metal;] metal coin banks; [metal cash boxes and metal piggy banks; common metal</p>		

	drawer pulls]
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U.S. Registration No.	2844973	Application Date	06/19/2003
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1964/01/01 First Use In Commerce: 1964/01/01 [Electric ceiling light fixtures; shades and globes for light fixtures; lamp shades and lamp globes; lamp finials; lamps; electric night lights; flashlights;]electric holiday lights; electric string lights for decorating; [fans, namely, ceiling fans; electric fans;] barbecue grills; refrigerators [; decorative table-top water fountains]		

U.S. Registration No.	2844976	Application Date	06/19/2003
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1963/06/01 First Use In Commerce: 1963/06/01 Clocks; clocks incorporating radios; watches and [parts for watches;] jewelry; [precious metal money clips;]jewelry, namely, lapel pins [; cabinet hardware, namely, drawer pulls of precious metal]		

U.S. Registration No.	2844977	Application Date	06/19/2003
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1941/01/01 First Use In Commerce: 1941/01/01 Purses; handbags; general gear carryingbags; wallets; billfolds; fanny bags; gym bags; backpacks; luggage; luggage tags; tote bags; travel bags; duffel bags; beach bags; business card cases; umbrellas; caf� umbrellas [; trunks]		

U.S. Registration No.	2844978	Application Date	06/19/2003
Registration Date	05/25/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1950/01/01 First Use In Commerce: 1950/01/01		

	Clothing for men, women and children, namely, [belts,] jackets, coats, tops, [vests,] shirts, blouses,[jerseys,] bottoms, shorts,[pants, trousers,] boxer shorts, [dresses, skirts,] neckties, [scarves, bandannas,] night gowns, night shirts, pajamas, loungewear, [socks, sweaters,] sweat shirts, sweat pants, [cummerbunds,] aprons, t-shirts, headwear, hats,caps; [sun visors; slippers]
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U.S. Registration No.	2847553	Application Date	06/19/2003
Registration Date	06/01/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1948/01/01 First Use In Commerce: 1948/01/01 DISPOSABLE CAMERAS; 35MM CAMERAS; CALCULATORS; COMPUTER PERIPHERALS [AND ACCESSORIES, NAMELY, ANTI-GLARE GUARDS FOR COMPUTER MONITOR SCREENS; WRIST RESTS FOR USE WITH COMPUTERS; WRIST SUPPORTS FOR COMPUTER MOUSE USERS;] MOUSE PADS; [COMPUTER MOUSE COVERS; COMPUTER SCREEN SAVER SOFTWARE; STORAGE CASES FOR COMPACT DISCSAND BLANK VIDEO CASSETTES;] RADIOS; CDPLAYERS; DIGITAL VIDEO DEVICES PLAYERS;PORTABLE LISTENING DEVICES, NAMELY, MP3PLAYERS;[VIDEO CASSETTE PLAYERS; AUDIOCASSETTE RECORDERS;] DIGITAL AUDIO TAPEPLAYERS; [TURNTABLES;] NEON SIGNS; TELEPHONES; THERMOMETERS NOT FOR MEDICAL USE; BINOCULARS; MAGNETS; KITCHEN TIMERS; [EYEGLOSS CASES; SPECIALTY HOLSTERS FOR CARRYING CELLULAR PHONES; COVERS FOR CELLULAR PHONES;] SUNGLASSES; VENDING MACHINES [; BICYCLE HELMETS; PROTECTIVE HELMETS; RAIN GAUGES]		

U.S. Registration No.	2847554	Application Date	06/19/2003
Registration Date	06/01/2004	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1941/01/01 First Use In Commerce: 1941/01/01 Paper napkins, [paper placemats,] paper table cloths; stationery, namely, writing paper, writing pads, note pads, postcards, greeting cards, note cards, notebooks, note paper; writing instruments; [bookmarks; bookends; posters;] prints; [school supplies, namely,] drawing rulers, [erasers, markers,] note book paper, [rubber stamps;] office requisites, namely, staplers, pen and pencil holders, desktop business card holders; paper clip holders, paper clips; bookends; paper gift wrap; paper gift bags; paper gift tags;[stencils; tissue paper;] paper bags;[children's activity books; erasable memorandum boards;] folders; calendars; [letter openers; stickers; decals;] book covers; [chalk boards for school and homeuse;] lunch bags; [trading cards;] Christmas cards; [lithographs;] bank checks; [checkbook covers; address labels;] printed products, namely, menu boards; recipe books;[recipe cards;] art prints, paper coasters; magnetic memo holders		

U.S. Registration	3600289	Application Date	12/02/2005
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No.			
Registration Date	03/31/2009	Foreign Priority Date	NONE
Word Mark	THE COKE SIDE OF LIFE		
Design Mark	<p style="text-align: center;">THE COKE SIDE OF LIFE</p>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2006/04/01 First Use In Commerce: 2006/04/01 Non-alcoholic beverages, namely, carbonated soft drinks		

U.S. Registration No.	3490468	Application Date	03/15/2006
Registration Date	08/19/2008	Foreign Priority Date	02/06/2006
Word Mark	DIET COKE PLUS		
Design Mark	<p style="text-align: center;">DIET COKE PLUS</p>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 2007/05/01 First Use In Commerce: 2007/05/01 Non-alcoholic beverages, namely, carbonated soft drinks; syrups and concentrates for making beverages, namely, carbonated soft drinks		

U.S. Registration No.	3326653	Application Date	09/16/2005
Registration Date	10/30/2007	Foreign Priority Date	NONE
Word Mark	MY COKE REWARDS		

Design Mark	MY COKE REWARDS
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 2006/02/27 First Use In Commerce: 2006/02/27 Non-alcoholic beverages, namely, soft drinks Class 035. First use: First Use: 2006/03/03 First Use In Commerce: 2006/03/03 Consumer loyalty incentive program for commercial, promotional and/or advertising purposes whereby participants accumulate value from purchases which can be redeemed for merchandise, discount or cashprizes

U.S. Registration No.	415755	Application Date	03/27/1944
Registration Date	08/14/1945	Foreign Priority Date	NONE

Word Mark	COKE
Design Mark	Coke
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 1941/12/10 First Use In Commerce: 1941/12/10 NON-ALCOHOLIC MALTLESS BEVERAGES AND THE SYRUPS FOR MAKING SUCH BEVERAGES

U.S. Registration No.	1139280	Application Date	06/07/1976
Registration Date	09/02/1980	Foreign Priority Date	NONE

Word Mark	COKE ADDS LIFE TO...
Design Mark	
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 1976/05/06 First Use In Commerce: 1976/05/06 SOFT DRINKS

U.S. Registration No.	1271871	Application Date	02/03/1982
Registration Date	03/27/1984	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1981/03/18 First Use In Commerce: 1981/03/18 Domestic Linens and Textile Products-Namely, Sheets, Pillow Cases, Blankets, Comforters, Bedspreads, Drapes, Curtains and Slumber Bags-Namely, a Comforter Folded and Constructed to Look Like a Sleeping Bag, for Indoor Use Only		

U.S. Registration No.	1260160	Application Date	09/23/1982
Registration Date	12/06/1983	Foreign Priority Date	NONE
Word Mark	DIET COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1982/07/00 First Use In Commerce: 1982/08/09 Soft Drinks (AND SYRUPS AND CONCENTRATES FOR MAKING THE SAME)		

U.S. Registration No.	1436191	Application Date	12/16/1985
Registration Date	04/14/1987	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			

Description of Mark	NONE
Goods/Services	<p>Class 006. First use: First Use: 1964/00/00 First Use In Commerce: 1964/00/00 CONTAINERS MADE OF METAL/TIN, KEYRINGS [AND MONEY CLIPS NOT MADE OF PRECIOUS METALS]</p> <p>Class 008. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 [CUTLERY -NAMELY, FORKS, KNIVES, AND SPOONS USED AS TABLE-WARE;] NON-MECHANICAL CAN/BOTTLE OPENER</p> <p>Class 009. First use: First Use: 1948/00/00 First Use In Commerce: 1948/00/00 RADIOS, [TELEPHONES, CALCULATORS, THERMOMETERS, SUNGLASSES, PLASTIC MAGNETS ANDMAGNETIC MEMO HOLDERS FOR REFRIGERATORSAND KITCHEN CABINETS]</p> <p>Class 011. First use: First Use: 1964/04/30 First Use In Commerce: 1964/04/30 ELECTRIC LAMPS, ELECTRIC COOLERS IN THENATURE OF REFRIGERATION UNITS [, AND PORTABLE GRILLS FOR COOKING]</p> <p>Class 014. First use: First Use: 1963/06/00 First Use In Commerce: 1963/06/00 JEWELRY, NAMELY [CHARMS, PENDANTS,] RINGS, BRACELETS AND [NECKLACES, STICK PINS,] LAPEL PINS, WATCHES, CLOCKS [, MONEY CLIPS, AND MEDALLIONS, MADE OF PRECIOUS AND NONPRECIOUS METALS]</p> <p>Class 016. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 WRITING INSTRUMENTS; NAMELY-PENS, PENCILS AND [MECHANICAL PENCILS;] WRITING PADS AND [NOTEBOOKS,] FOLDERS AND PORTFOLIOS FOR PAPERS, PEN AND [PENCIL HOLDERS,] PAPER CLIP HOLDERS, PAPER WEIGHTS,AND [LETTER OPENERS,] PLAYING CARDS, [BOOK COVERS,] POSTCARDS AND [POSTERS,] PAPER NAPKINS, ADHESIVE STICKERS, GREETING CARDS [, BOOKMARKS AND ERASABLE MEMO BOARDS, CALENDARS]</p> <p>Class 018. First use: First Use: 1969/00/00 First Use In Commerce: 1969/00/00 [UMBRELLAS, BUSINESS FOLDERS, NAMELY BRIEF CASE TYPE PORTFOLIOS, BRIEF CASES MADE OF LEATHER AND VINYL, ATTACHE CASES,VARIOUS LUGGAGE AND BAGS, NAMELY, PURSES, HANDBAGS,] ALL PURPOSE SPORTS BAGS, [GYM BAGS] AND ALL PURPOSE GEAR CARRYING BAGS [, LUGGAGE AND LUGGAGE TAGS MADE OF LEATHER, VINYL AND TEXTILES, WALLETS, AND CREDIT CARD HOLDERS]</p> <p>Class 020. First use: First Use: 1960/00/00 First Use In Commerce: 1960/00/00 [HASSOCKS,] MIRRORS, WOODEN STORAGE BOXES FOR THE HOME, AIR MATTRESSES, [AIRPILLOWS, AIR CUSHIONS,] GARDEN UMBRELLAS [, BEAN BAG CHAIRS, CHILDREN'S FURNITURE, AND INFLATABLE CUSHIONS]</p> <p>Class 021. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 [DISHWARE MADE OF NONPRECIOUS METAL AND PAPER, NAMELY, DISHES, MUGS, BOWLS, GOBLETS, TANKARDS, CUPS,] COASTERS, AND SERVING TRAYS, [GLASSWARE, NAMELY, TANKARDS,] MUGS, TUMBLERS, [GOBLETS, STEMWARE, PLATES, PITCHERS, DECANTERS, PARTY BOWLS,] STORAGE JARS, [AND FLORAL CONTAINERS; PORCELAIN GIFTWARE, NAMELY,] FIGURINES, [PLATES, CUPS, SAUCERS, BELLS AND EGGS; DECANTERS, CERAMIC TRIVETS,] THERMAL INSULATED BEVERAGE HOLDERS, ICE BUCKETS, AND ICE CHESTS</p> <p>Class 024. First use: First Use: 1981/03/00 First Use In Commerce: 1981/03/00 [BATH LINEN, NAMELY, BATH TOWELS, FINGERTIP TOWELS AND WASH CLOTHS, SHOWER ANDWINDOW CURTAINS; KITCHEN LINEN, NAMELY, TABLECLOTHS, TABLE RUNNERS, NAPKINS, AND PLACE MATS MADE OF FABRIC;] BARBECUE AND OVEN MITTS, [CURTAINS, POTHOLD-</p>

	<p>ERS, FABRIC APPLIANCE COVERS,] BEACH TOWELS WHICH INCLUDE STANDARD AND OVERSIZED TOWELS</p> <p>Class 025. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 CLOTHING, NAMELY-[HATS,] T-SHIRTS, SWEATSHIRTS, [SHORTS,] [PA-JAMAS, SWEATERS,] [SOCKS,] SUN VISORS; [NECKTIES, JOGGING SUITS, ATHLETIC HEAD AND WRIST] BANDS, CAPS, VISORS, JACKETS, [VESTS AND APRONS]</p> <p>Class 026. First use: First Use: 1973/00/00 First Use In Commerce: 1973/00/00 BELT BUCKLE [AND BADGES NOT MADE OF PRECIOUS METALS, TIE PINS AND TIE CLIPS]</p> <p>Class 027. First use: First Use: 1976/12/00 First Use In Commerce: 1976/12/00 WALL HANGINGS NOT OF TEXTILE; RUGS [, AND VINLY OR PLASTIC PLACEMATS]</p> <p>Class 028. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 [SPORTING EQUIPMENT, NAMELY, GOLF TEES, GOLF BALLS, BASKETBALLS, FISHING LURES, TENNIS BALLS AND TENNIS RACKETS, BATS,AND BASKETBALL BACKBOARDS,] TOYS, NAMELY [--DOLLS, PUZZLES, DART BOARDS, PLASTIC DISH SETS, WHISTLES,] YOM-OS'S, INFLATABLE AIR MATTRESSES AND [BALLS FOR RECREATIONAL USE, BANKS, RUBBER BALLS,] NON-POWERED TOY VEHICLES AND [ACCESSORIES,] DIE CAST METAL VEHICLES, TRAINS AND CHRISTMAS TREE ORNAMENTS AND DECORATIONS</p> <p>Class 034. First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 [MATCHES,] LIGHTERS [, AND ASHTRAYS]</p>
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U.S. Registration No.	1751276	Application Date	06/15/1992
Registration Date	02/09/1993	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1989/03/00 First Use In Commerce: 1989/03/00 paper bags		

U.S. Registration No.	1754128	Application Date	07/13/1992
Registration Date	02/23/1993	Foreign Priority Date	NONE
Word Mark	THIS CALLS FOR A COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 032. First use: First Use: 1992/03/02 First Use In Commerce: 1992/03/02 soft drinks, syrups and concentrates for making the same		

U.S. Registration No.	1824556	Application Date	06/08/1993
Registration Date	03/01/1994	Foreign Priority Date	NONE

Word Mark	COKE CLASSIC
Design Mark	
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 1985/07/19 First Use In Commerce: 1985/07/19 soft drinks and syrups and concentrates for making the same

U.S. Registration No.	2052760	Application Date	05/17/1996
Registration Date	04/15/1997	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1988/03/11 First Use In Commerce: 1988/03/11 footwear		

U.S. Registration No.	2490517	Application Date	08/03/2000
Registration Date	09/18/2001	Foreign Priority Date	NONE
Word Mark	COKE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 1994/03/00 First Use In Commerce: 1994/03/00 salt/pepper shakers, [sugar shakers, straw dispensers,] toothpick dispensers [,] * and * napkin dispensers[, and ice buckets]		

Attachments	76405693#TMSN.gif(bytes) 77190244#TMSN.jpeg(bytes) 77198674#TMSN.jpeg(bytes) 77153712#TMSN.jpeg(bytes) 77121027#TMSN.jpeg(bytes) 77829084#TMSN.jpeg(bytes) 78152352#TMSN.gif(bytes) 78342605#TMSN.jpeg(bytes) 78765968#TMSN.jpeg(bytes) 78837882#TMSN.jpeg(bytes) 78714789#TMSN.jpeg(bytes) 71468708#TMSN.gif(bytes) 73348553#TMSN.gif(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	/Uly S. Gunn/
Name	Uly S. Gunn
Date	06/06/2014

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

In the Matter of U.S. Application Serial No. 86/034,697
Mark: COKELIFE

THE COCA-COLA COMPANY,)	
)	
Opposer,)	
)	
vs.)	Opposition No. _____
)	
CAO LING,)	
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

The Coca-Cola Company (“Opposer” or “Coca-Cola”), a corporation organized and existing under the laws of the state of Delaware, having its principal place of business at One Coca-Cola Plaza, NW, Atlanta, GA 30313, will be damaged by registration of Application Serial No. 86/034,697 (the “Application”) and hereby opposes such registration. The grounds for opposition are as follows:

Coca-Cola’s COKE Marks

1. Since as early as 1887, Coca-Cola and its related companies have continuously used the COCA-COLA mark, and variations thereof, in commerce in connection with beverages, syrups, and concentrates for making beverages.

2. The Coca-Cola beverage is commonly known as COKE, and Coca-Cola and its related companies have, since as early as 1941, used the COKE mark in commerce in connection with beverages, syrups, and concentrates for making beverages.

3. Since as early as 1948, use of the COKE mark has been expanded to a variety of promotional items. Coca-Cola owns federal registrations for its COKE mark for radios, watches, pens, coolers, air mattresses, lighters, sheets, clothing, shoes, and toothpick dispensers (among numerous other goods).

4. In addition to the COKE mark, Coca-Cola owns federal registrations for a family of COKE-formative marks, including the marks DIET COKE, COKE CLASSIC, VANILLA COKE, CHERRY COKE, MY COKE REWARDS, COKE ADDS LIFE TO..., and THE COKE SIDE OF LIFE (collectively, the “COKE Marks”).

5. The details of some of the registrations for the COKE Marks are set forth below:

Mark	Reg. Number	Goods/Services	Application and Registration Dates
Coke	415,755	Class 32: Non-alcoholic maltless beverages and the syrups for making such beverages.	App. Date: March 27, 1944 Reg. Date: August 14, 1945
Coke	1,271,871	Class 24: Domestic Linens and Textile Products-Namely, Sheets, Pillow Cases, Blankets, Comforters, Bedspreads, Drapes, Curtains and Slumber Bags-Namely, a Comforter Folded and Constructed to Look Like a Sleeping Bag, for Indoor Use Only.	App. Date: February 3, 1982 Reg. Date: March 27, 1984
COKE	2,052,760	Class 25: Footwear	App. Date: May 17, 1996 Reg. Date: April 15, 1997
COKE	2,847,553	Class 9: Disposable cameras; 35mm cameras; calculators; computer peripherals; mouse pads; radios; cd players; digital video devices players; portable listening devices, namely, mp3 players; digital audio tape players; neon signs; telephones; thermometers not for	App. Date: June 19, 2003 Reg. Date: June 1, 2004

		medical use; binoculars; magnets; kitchen timers; sunglasses; vending machines	
COKE	2,844,976	Class 14: Clocks; clocks incorporating radios; watches; jewelry; jewelry, namely, lapel pins.	App. Date: June 19, 2003 Reg. Date: May 25, 2004
COKE	2,853,813	Class 28: Checker sets; puzzles; balloons; hand held unit for playing electronic games; Christmas decorations and accessories of all kinds, namely, Christmas tree skirts, Christmas tree ornaments; Christmas stockings; Christmas tree decorations; snow globes; sporting equipment and accessories for soccer, namely, soccer balls; sporting equipment and accessories for golf, namely, golf balls, golf tees, golf ball markers, ball cleaners, golf putters, divot repair tools, golf bags; sporting equipment and accessories for fishing, namely, fishing lures; billiard cues, billiard balls, billiard game playing equipment and accessories, namely, billiard bridges; sport balls; toy vehicles; toy electric trains; toy model train sets; dart board cases; dart boards; dolls and accessories therefor; plush toys; yo-yos; flying discs	App. Date: June 19, 2003 Reg. Date: June 15, 2004
COKE ADDS LIFE TO...	1,139,280	Class 32: Soft drinks	App. Date: June 7, 1976 Reg. Date: September 2, 1980
THE COKE SIDE OF LIFE	3,600,289	Class 32: Non-alcoholic beverages, namely, carbonated soft drinks.	App. Date: December 2, 2005 Reg. Date: March 31, 2009

6. Coca-Cola's registrations for its COKE Marks are valid and subsisting in law, were duly and legally issued, constitute *prima facie* evidence of the validity of the marks

registered, and constitute constructive notice of Coca-Cola's ownership of the marks in accordance with Sections 7(b) and 22 of the Trademark Act of 1946, 15 U.S.C. §§ 1057(b) and 1072.

7. With the exception of Reg. No. 3,600,289, the registrations listed above are incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §§ 1065, and, pursuant to Section 33(b) of the Act, 15 U.S.C. § 1115(b), constitute conclusive evidence of Coca-Cola's exclusive right to use the COKE mark and the COKE ADDS LIFE TO... mark in commerce in the United States.

8. Apart from a small number of registrations for marks containing the term "coke" descriptively to refer to the fuel product known as "coke," Coca-Cola is, upon information and belief, the only trademark registrant who owns trademark registrations containing the term "Coke" for any goods.

9. Coca-Cola and its predecessors have invested a substantial amount of time, effort, and money in advertising and promoting products offered in connection with the COKE Marks and have continuously and extensively used the COKE Marks in the United States and all over the world in connection with beverage-related products and numerous other products. Consequently, Coca-Cola's goods bearing the COKE Marks have become widely associated with Coca-Cola.

10. Through years of advertising, promotion, and use, the COKE Marks are famous and are assets of substantial value to Coca-Cola.

Applicant's COKELIFE Application

11. On or about August 12, 2013, Cao Ling ("Applicant") filed an application under Section 1(a) of the Lanham Act to register the mark COKELIFE in International Class 5 for the following goods and services:

Biocides; Depuratives for the body; Medical lubricant, namely, vaginal lubricants; Medicated massage oils; Medicated sun care preparations; Medicinal oils; Nutritional supplements; Personal sexual lubricants; Pharmaceutical preparations, namely, an analgesic for human consumption taken orally; Saline wash for medical purposes.

12. Applicant's mark is confusingly similar to Coca-Cola's COKE Marks, for which Coca-Cola owns senior rights. The mark is likely to be confused by consumers as another in Coca-Cola's family of COKE Marks, particularly as the only portion of Applicant's mark that does not reproduce the COKE Mark in full consists of the term "Life," a term contained in two of the marks in Coca-Cola's family of COKE Marks.

13. Applicant's mark, when used in connection with the goods identified in the application (or, for that matter, almost any goods, due to the strength and fame of the COKE Marks) is likely to mislead or deceive consumers into believing that Applicant's goods originate from Coca-Cola, that Coca-Cola and Applicant are associated or affiliated with one another, and/or that Coca-Cola sponsors or endorses Applicant or its goods. Registration of Applicant's mark would thus infringe Coca-Cola's COKE Marks and thereby damage Coca-Cola within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

14. Registration of Applicant's mark, when used in connection with the goods identified in the application (which include "personal sexual lubricants") will further damage Coca-Cola because the COKELIFE mark dilutes the distinctive quality of the famous COKE marks and harms the reputation of the famous COKE marks within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

15. Applicant is not now, and was not at the time it filed its Application, entitled to registration of the mark identified in the Application for the goods listed therein, and Applicant's efforts to register the COKELIFE mark are an attempt to trade unlawfully on the fame of the COKE Marks.

WHEREFORE, Coca-Cola prays that the Application be denied and that this Opposition be sustained in Coca-Cola's favor.

Respectfully submitted, this 6th day of June, 2014.

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The Coca-Cola Company*

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

I hereby certify that this correspondence is being submitted to the Trademark Trial and Appeal Board via electronic means by filing with the Electronic Systems for Trademark Trial and Appeals on June 6th, 2014. A true and correct copy was also mailed to Applicant's attorney at the following address via U.S. Mail:

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Houston, TX 77043-3238

/Uly S. Gunn/
Uly S. Gunn, Esq.