

ESTTA Tracking number: **ESTTA634011**

Filing date: **10/20/2014**

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	Sinclair Finance Company
Granted to Date of previous extension	10/22/2014
Address	550 East South Temple, P.O. Box 30825 Salt Lake City, UT 84130-0825 UNITED STATES
Attorney information	John C. Stringham Workman Nydegger 60 East South Temple, Suite 1000 Salt Lake City, UT 84111 UNITED STATES jstringham@wnlaw.com, docketing@wnlaw.com Phone:801-533-9800

Applicant Information

Application No	86175043	Publication date	06/24/2014
Opposition Filing Date	10/20/2014	Opposition Period Ends	10/22/2014
Applicant	Inspired Peru 220 Vista Roma Way San Jose, CA 95136 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2011/04/01 First Use In Commerce: 2011/04/01 All goods and services in the class are opposed, namely: On-line retail store services featuring Christmas ornaments, greeting cards, gift bags and baskets

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

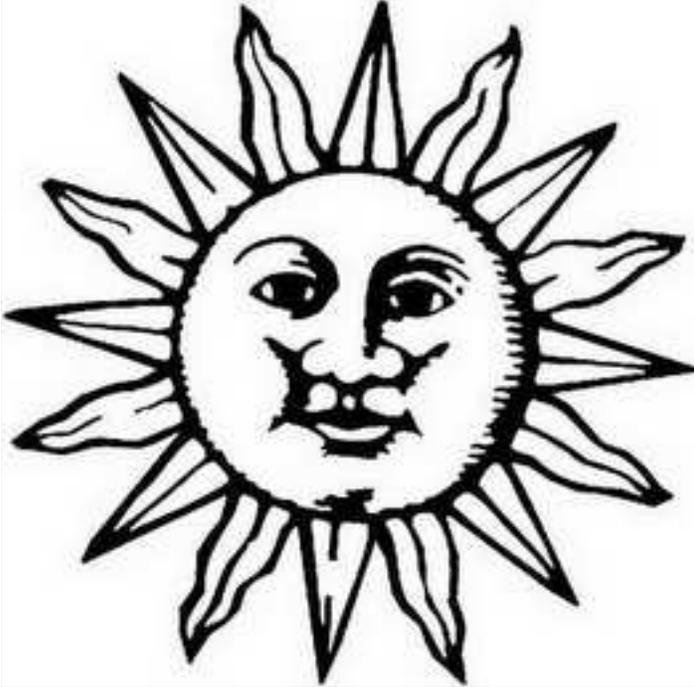
Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	929750	Application Date	11/12/1968
Registration Date	02/22/1972	Foreign Priority Date	NONE
Word Mark	SUN VALLEY		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 041. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 PROVIDING RECREATIONAL AND ENTERTAINMENT SERVICES AND FACILITIES THEREFOR-NAMELY, PROVIDING INSTRUCTION IN VARIOUS OUTDOOR SPORTS ACTIVITIES, SUCH AS SKIING, TENNIS AND GOLF; ARRANGEMENT AND ORGANIZATION OF SPORTING CONTESTS AND EXHIBITIONS-NAMELY, SKI RACES</p> <p>Class 042. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 RESTAURANT, HOTEL, LODGING, AND NIGHT CLUB SERVICES</p> <p>Class U101 (International Class 036, 042). First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 SALE, LEASING AND MANAGEMENT OF REAL ESTATE; RETAIL APPAREL AND GIFT STORE SERVICES</p>

U.S. Registration No.	2897067	Application Date	08/26/2002
Registration Date	10/26/2004	Foreign Priority Date	NONE
Word Mark	SUN VALLEY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1961/12/01 First Use In Commerce: 1961/12/01 Retail gift store services; retail grocery food and delicatessen services</p> <p>Class 036. First use: First Use: 1961/12/01 First Use In Commerce: 1961/12/01 Real estate agency services, namely leasing of real property and real estate</p>		

	<p>management of condominiums; leasing of shopping mall space</p> <p>Class 039. First use: First Use: 1961/12/01 First Use In Commerce: 1961/12/01 Transportation services, namely transportation of passengers by van or bus; travel agency services, namely making reservations and bookings for transportation; rental of bicycles</p> <p>Class 041. First use: First Use: 1961/12/01 First Use In Commerce: 1961/12/01 Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, iceskating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs</p> <p>Class 043. First use: First Use: 1961/12/01 First Use In Commerce: 1961/12/01 Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely making reservations and bookings for temporary lodging</p>
--	---

U.S. Registration No.	2978288	Application Date	08/26/2002
Registration Date	07/26/2005	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 006. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Goods made of metal, namely figurines of common metal, jewelry boxes of metal, metal bells, metal charms for identifying drinks, metal decorative boxes, baskets of common metal, metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs,</p>		

	<p>metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs</p> <p>Class 009. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Decorative magnets</p> <p>Class 014. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Jewelry and ornamental pins</p> <p>Class 016. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Posters, postcards, note pads, stationery, pens, magazines in the field of resort services and telephone directories</p> <p>Class 020. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 [Non-metal key chains, key rings, key tags and plastic banners]</p> <p>Class 021. First use: First Use: 2000/00/00 First Use In Commerce: 2000/00/00 Cups, mugs and glassware, namely beverage glasses and plates</p> <p>Class 025. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves and ties</p> <p>Class 026. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Embroidered and ornamental cloth patches</p> <p>Class 028. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Sporting goods, namely, golf balls, golf ball markers, golf tees, head covers for golf clubs, manually operated exercise equipment</p> <p>Class 035. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Retail gift store services; retail grocery food and delicatessen services</p> <p>Class 036. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Real estate agency services, namely leasing of real property and real estate management of condominiums; leasing of shopping mall space</p> <p>Class 039. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Transportation services, namely transportation of passengers by van or bus; travel agency services, namely making reservations and booking for transportation; rental of bicycles</p> <p>Class 041. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, iceskating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs</p> <p>Class 043. First use: First Use: 1964/12/11 First Use In Commerce: 1964/12/11 Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely making reservations and bookings for temporary lodging</p>
--	---

U.S. Registration No.	4242693	Application Date	03/07/2011
Registration Date	11/13/2012	Foreign Priority Date	NONE
Word Mark	SUN VALLEY		

Design Mark	
Description of Mark	The mark consists of a sun positioned above and to the right side of the words "Sun Valley".
Goods/Services	<p>Class 006. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Goods made of metal, namely, figurines of common metal, metal bells, non-precious metal decorative boxes, baskets of common metal, common metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs, metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs</p> <p>Class 008. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Pocket knives, and spoons</p> <p>Class 009. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Decorative magnets</p> <p>Class 014. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Jewelry and pins, namely, cloisonne pins, lapel pins, ornamental pins, ornamental lapel pins, tie pins; jewelry boxes of metal</p> <p>Class 016. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Posters, postcards, note pads, stationery, pens, magazines in the field of resort services and telephone directories</p> <p>Class 018. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 All-purpose sport, athletic and carrying bags, backpacks, daypacks, fanny packs, knapsacks and rucksacks; book bags, travel bags, tote bags, business and credit card cases, purses, change purses, keycases; leather key chains, golf umbrellas, leather wallets and bill folds</p> <p>Class 020. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Non-metal key chains, key rings, key tags and plastic banners</p> <p>Class 021. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Cups, mugs and glassware, namely, beverage glasses and plates; metal charms for identifying drinks</p> <p>Class 025. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Clothing, namely, t-shirts, golf shirts, polo shirts, hats, baseball caps, golfcaps, sweatshirts, sweaters, coats, vests, gloves, scarves, and ties</p> <p>Class 028. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Sporting goods, namely, golf balls, golf ball markers, golf tees, head covers for golf clubs, manually operated exercise equipment, namely, snowboards</p>

	<p>Class 035. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Real estate sales management, and retail apparel and gift store services, retail grocery food and delicatessen services</p> <p>Class 036. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Real estate agency services, namely, leasing of real property and real estate management of condominiums, leasing of shopping mall space; leasing of real estate; real estate management</p> <p>Class 039. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Transportation services, namely, transportation of passengers by van or bus, travel agency services, namely, making reservations and booking for transportation; rental of bicycles</p> <p>Class 041. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, iceskating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs</p> <p>Class 043. First use: First Use: 2010/09/00 First Use In Commerce: 2010/09/00 Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely, making reservations and bookings for temporary lodging; restaurant services; hotel services; lodging services</p>
--	---

U.S. Registration No.	4088538	Application Date	04/09/2010
Registration Date	01/17/2012	Foreign Priority Date	NONE
Word Mark	75		
Design Mark			

Description of Mark	The mark consists of the stylized number "75" with a design inside the circular-bottom portion of the "75" consisting of a sun with a human face.
Goods/Services	Class 041. First use: First Use: 2010/03/02 First Use In Commerce: 2010/06/01 Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, iceskating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs Class 043. First use: First Use: 2010/03/02 First Use In Commerce: 2010/06/01 Hotel and resort lodging services; restaurant services; catering services; providing banquet and social function facilities for special occasions; travel agency services, namely, making reservations and bookings for temporary lodging

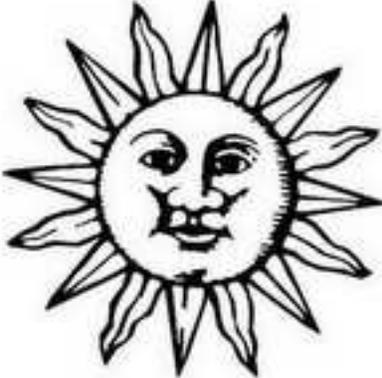
U.S. Registration No.	4064852	Application Date	04/09/2010
Registration Date	11/29/2011	Foreign Priority Date	NONE

Word Mark	75
-----------	----



Description of Mark	The mark consists of the stylized number "75" with a design inside the circular-bottom portion of the "75" consisting of a sun with a human face.
Goods/Services	Class 021. First use: First Use: 2010/03/02 First Use In Commerce: 2010/06/01 Cups, mugs and glassware, namely, beverage glasses and plates Class 025. First use: First Use: 2010/03/02 First Use In Commerce: 2010/06/01 Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, jackets, vests, gloves, scarves

U.S. Application No.	86353968	Application Date	07/31/2014
----------------------	----------	------------------	------------

Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a sun with a face design.		
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Real estate sales management; and retail apparel and gift store services; and convention services, namely, arranging business conventions</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0 Real estate agency services, namely, leasing of real property and real estate management of condominiums; leasing of shopping mall space; leasing of real estate; real estate management</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, iceskating, hockey, horseback riding, mountain biking, trap shooting, paddle boats, snow tubing; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; providing hiking, fishing and mountainbiking guided tours; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, iceskating shows and exhibitions, golf tournaments; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, music concerts, comedy performances, ice rinks, bowling alleys, swimming pools and playgroundfacilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs; day camp services; and convention services, namely, arranging conventions for educational and/or entertainmentpurposes</p> <p>Class 043. First use: First Use: 0 First Use In Commerce: 0 Resort hotel and resort lodging services; restaurant services; hotel and lodging services; convention services, namely,providing facilities for conventions; banquet and catering services and facilities; travel agency services, namely, making reservations and bookings for temporary lodging</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0</p>		

	Day spa services, namely, massages, hair salon services, facial treatment services, nail salon services and body waxingservices
--	---

Attachments	72311732#TMSN.png(bytes) 78157978#TMSN.png(bytes) 78157988#TMSN.png(bytes) 85260154#TMSN.png(bytes) 85010954#TMSN.png(bytes) 85975781#TMSN.png(bytes) 86353968#TMSN.png(bytes) 15027-450 2014-10-20 Notice of Opposition.pdf(2522670 bytes)
-------------	---

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	/John C. Stringham, 40831/
Name	John C. Stringham
Date	10/20/2014

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

In the matter of Trademark Application Serial No. 86/175,043
Published in the Official Gazette of June 24, 2014
Int'l Class 35
Filed: January 24, 2014

Mark:  INSPIRED PERU

SINCLAIR FINANCE COMPANY,)	NOTICE OF OPPOSITION
)	
Opposer,)	
)	
v.)	Opposition No.:
)	
INSPIRED PERU)	
)	
Applicant.)	

NOTICE OF OPPOSITION

SINCLAIR FINANCE COMPANY ("Opposer"), a Wyoming corporation, believes that it will be damaged by registration of the mark shown in Application Serial No. 86/175,043 in International Class 35 and hereby opposes the same. The grounds for the opposition are as follows:

1. Inspired Peru, composed of Enrique Arias, a sole proprietorship, whose address is 220 Vista Roma Way, San Jose, California, 95136 ("Applicant"), seeks to register the mark



in connection with “On-line retail store services featuring Christmas ornaments, greeting cards, gift bags and baskets” in International Class 35, as evidenced by the publication of such mark in the Official Gazette of June 24, 2014.

2. Applicant filed an application for registration under Trademark Act Section 1(a), on January 24, 2014, alleging first use on April 1, 2011 and first use in interstate commerce on April 1, 2011.

3. Since at least 1964 and long prior to the effective filing date of the subject application, Opposer has been engaged in providing and offering a wide variety of merchandise, goods and services in association with registered, pending, and common law marks of Opposer. Particularly, Opposer is the owner of numerous trademarks and common law marks used in connection with a broad array of goods and services, including but not limited to goods and services in the following International Classes: International Class 06: Goods made of metal, namely figurines of common metal, jewelry boxes of metal, metal bells, metal charms for identifying drinks, metal decorative boxes, baskets of common metal, metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs, metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs. International Class 09: Decorative magnets. International Class 14: Jewelry and ornamental pins. International Class 16: Posters, postcards, note pads, stationery, pens, magazines in the field of resort services and telephone directories. International Class 20: International Class 21: Cups, mugs and glassware, namely beverage glasses and plates.

International Class 25: Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves and ties. International Class 35: Retail gift store services; retail grocery food and delicatessen services. International Class 36: Real estate agency services, namely leasing of real property and real estate management of condominiums; leasing of shopping mall space. International Class 39: Transportation services, namely transportation of passengers by van or bus; travel agency services, namely making reservations and bookings for transportation; rental of bicycles. International Class 41: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs. International Class 43: Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely making reservations and bookings for temporary lodging.

The listed services are closely related or identified with the products and services covered under Opposer's Sun design and SUN VALLEY word and design marks. Opposer is well known to the consuming public. The merchandise, goods and services offered by Opposer in association

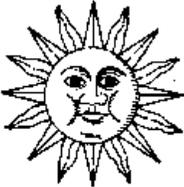
with such registered, pending and common law marks are such that the consuming public will likely be confused as to the source of the goods and services offered by the Applicant.

4. Opposer is the owner of the following relevant trademark registrations which have been duly and legally issued by the United States Patent and Trademark Office (copies of the TSDR Status are attached as Exhibit 'A':

REGISTRATIONS

Registration	Mark	Goods and Services
0929750		Restaurant, hotel, lodging, and night club services (International Class 42); Sale, leasing and management of real estate; retail apparel and gift store services (International Classes 36, 42); Providing recreational and entertainment services and facilities therefore, namely providing instruction in various outdoor sports activities, such as skiing, tennis and golf; arrangement and organization of sporting contests and exhibitions, namely ski races (International Class 41).

2897067		<p>Gift store services; retail store services; retail food and delicatessen services (International Class 35); Real estate agency services, namely leasing of real property and condominium management; leasing of shopping mall space (International Class 36); Transportation services, namely transportation of passengers by van or bus (International Class 39); Providing recreational and entertainment services and facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking; trap shooting. Providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating; swimming, trap shooting.</p> <p>Arrangement and organization of sporting contests and exhibitions, namely ski races and exhibitions, ice skating shows and exhibitions. Entertainment services in the nature of hayrides and sleigh rides. Movie theaters, ice rink, bowling alley, swimming pool, and playground facilities and services. Rental of sporting equipment, namely skis, snowboards, snowshoes, ice skates, bicycles, tennis rackets, golf clubs and related accessories (International Class 41); Resort services; restaurant services; hotel and lodging services; night club services; banquet and catering services and facilities; travel agency services, namely making reservations and booking for temporary lodging and transportation (International Class 43).</p>
---------	---	--

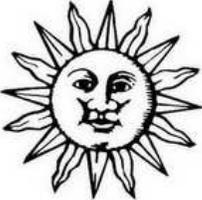
2978288		<p>Goods made of metal, namely figurines of common metal, jewelry boxes of metal, metal bells, metal charms for identifying drinks, metal decorative boxes, baskets of common metal, metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs, metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs (International Class 6); Decorative magnets (International Class 9); Jewelry and pins (International Class 14); Posters, postcards, note pads, stationery, pens, magazines and telephone directories (International Class 16); Non-metal key chains, key rings, key tags and plastic banners (International Class 20); Cups, mugs and glassware, namely glasses and plates (International Class 21); Clothing, namely t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves and ties (International Class 25); Embroidered and ornamental cloth patches (International Class 26); Sporting goods, golf balls, golf ball makers, golf tees, golf towels, head covers for golf clubs, exercise equipment (International Class 28); Gift store services; retail store services; retail food and delicatessen services (International Class 35); Real estate agency services, namely leasing of real property and condominium management; leasing of shopping mall space (International Class 36); Transportation services, namely transportation of passengers by van or bus (International Class 39); Providing recreational and entertainment services and facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking; trap shooting. Providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating; swimming, trap shooting. Arrangement and organization of sporting contests and exhibitions, namely ski races and exhibitions, ice skating shows and exhibitions. Entertainment services in the nature of hayrides and sleigh rides. Movie theaters, ice rink, bowling alley, swimming pool, and playground facilities and services. Rental of sporting equipment, namely skis, snowboards, snowshoes, ice skates, bicycles, tennis rackets, golf clubs and related accessories (International Class 41); Resort services; restaurant services; hotel and lodging services; night club services; banquet and catering services and facilities; travel agency services, namely making reservations and booking for temporary lodging and transportation (International Class 43).</p>
---------	---	--

4242693		<p>Goods made of metal, namely, figurines of common metal, metal bells, non-precious metal decorative boxes, baskets of common metal, common metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs, metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs (International Class 6); Pocket knives, and spoons (International Class 8); Decorative magnets (International Class 9); Jewelry and pins, namely, cloisonné pins, lapel pins, ornamental pins, ornamental lapel pins, tie pins; jewelry boxes of metal (International Class 14); Posters, postcards, note pads, stationery, pens, magazines in the field of resort services and telephone directories (International Class 16); All-purpose sport, athletic and carrying bags, backpacks, daypacks, fanny packs, knapsacks and rucksacks; book bags, travel bags, tote bags, business and credit card cases, purses, change purses, key cases; leather key chains, golf umbrellas, leather wallets and bill folds (International Class 18); Non-metal key chains, key rings, key tags and plastic banners (International Class 20); Cups, mugs and glassware, namely, beverage glasses and plates; metal charms for identifying drinks (International Class 21); Clothing, namely t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves and ties (International Class 25); Embroidered and ornamental cloth patches (International Class 26); Sporting goods, golf balls, golf ball makers, golf tees, golf towels, head covers for golf clubs, manually operated exercise equipment, namely, snowboards (International Class 28); Real estate sales management, and retail apparel and gift store services, retail grocery food and delicatessen services (International Class 35); estate agency services, namely, leasing of real property and real estate management of condominiums, leasing of shopping mall space; leasing of real estate; real estate management (International Class 36); Transportation services, namely, transportation of passengers by van or bus, travel agency services, namely, making reservations and booking for transportation; rental of bicycles (International Class 39);</p>
---------	---	---

		<p>Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services,); namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs services in the nature of hayrides and sleigh rides. Movie theaters, ice rink, bowling alley, swimming pool, and playground facilities and services. Rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, bicycles, tennis rackets, golf clubs and related accessories (International Class 41); Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely, making reservations and bookings for temporary lodging; restaurant services; hotel services; lodging services (International Class 43).</p>
4088538		<p>Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs (International Class 41); Hotel and resort lodging services; restaurant services; catering services; providing banquet and social function facilities for special occasions; travel agency services, namely, making reservations and bookings for temporary lodging (International Class 43)</p>

4064852		<p>Cups, mugs and glassware, namely, beverage glasses and plates (International Class 21); Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, jackets, vests, gloves, scarves (International Class 25)</p>
---------	---	---

PENDING APPLICATION

Serial Number	Mark	Goods and Services
86/353,968		<p>Real estate sales management; and retail apparel and gift store services (International Class 35) Real estate agency services, namely, leasing of real property and real estate management of condominiums; leasing of shopping mall space; leasing of real estate; real estate management (International Class 36) Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, hockey, horseback riding, mountain biking, trap shooting, paddle boats, snow tubing; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; providing hiking, fishing and mountain biking guided tours; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions, golf tournaments; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, music concerts, comedy performances, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs; day camp services; and convention services, namely, arranging conventions (International Class 41) Resort hotel and resort lodging services; restaurant services; hotel and lodging services; convention services, namely, providing facilities for conventions; banquet and catering services and facilities; travel agency services, namely, making reservations and bookings for temporary lodging (International Class 43) Day spa services, namely, massages, hair salon services, facial treatment services, nail salon services and body waxing services (International Class 44)</p>

5. Since the date of issuance of the above registrations, the names and marks have been continuously used in interstate commerce. Since the issuance of these trademark registrations, notice has been given to the public that the marks are registered trademarks by affixing notice provided in 15 U.S.C. § 1111.

6. The marks in U.S. Registration Nos. 0929750, 2897067 and 2978288 are deemed incontestable under Trademark Act Section 15, 15 U.S.C. § 1065.

7. Upon information and belief, at least some of Opposer's Sun design marks and Sun Valley word and design marks are famous and distinctive and became famous and distinctive well prior to Applicant's filing of its application.

8. Opposer has used its Sun design marks and Sun Valley word and design marks to distinguish its merchandise, goods and services from all other goods and services of the same type, and Opposer has acquired substantial goodwill in its Sun design marks and Sun Valley word and design marks and names through use thereof.

9. Since Opposer's initial use of its Sun design marks and Sun Valley word and design marks, Opposer has made a substantial investment in marketing and promoting its merchandise, goods and services under those marks. Opposer has extensively used, advertised, promoted and offered its merchandise, goods and services in association with its Sun design marks and Sun Valley word and design marks and other marks with the result that Opposer's customers and the general public have come to know and recognize Opposer's Sun design marks and Sun Valley word and design marks and other marks and that the public associates these marks with Opposer and/or its merchandise, goods and services. Opposer has built up extensive

goodwill in connection with its goods under its Sun design marks and Sun Valley word and design marks and other marks.

11. Applicant's mark includes a sun design with a face design and rays. The mark



proposed for registration by Applicant, , is similar to Opposer's registered Sun marks and Sun Valley word and design marks. Both design marks include a sun design with a face design and rays.

12. Applicant's mark is applied to a wide variety of merchandise, goods and services that are similar to Opposer's merchandise, goods and services and the merchandise, goods and services of Applicant could be confused by consumers as originating from Opposer and mistaken therefore. Accordingly, there is a potential to confuse, mislead and deceive the consuming public as to the source or origin of Applicant's merchandise, goods and services.

13. Registration of Applicant's trademark will result in damage to Opposer's marks and Opposer's business.

14. If Applicant is permitted to register its mark for its services as specified in the application herein opposed, such use and registration could result in confusion in the trade by reason of the appearance between Applicant's mark and one or more of Opposer's marks thereby damaging and injuring Opposer. Any such confusion may result in the loss of business to Opposer. Furthermore, any defect, objection or fault found with Applicant's merchandise and



services marketed under Applicant's mark may reflect upon and injure the

reputation which Opposer has established for its goods and services in association with one or more of Opposer's marks.

15. If Applicant is granted the registration herein opposed, it would thereby obtain at least a *prima facie* exclusive right to the use of its mark. Such registration would be a further source of damage to Opposer.

16. In view of the foregoing, Applicant is not entitled to federal registration of its claimed mark because Applicant does not have a right to exclusive use of said mark in commerce on Applicant's services, further, Applicant's claimed mark could be unable to be distinguished from the merchandise, goods and services offered by Opposer.

WHEREFORE, Opposer prays that the registration sought by Applicant be refused and that this Opposition be sustained.

The fee required under 37 C.F.R. §2.6(17) are enclosed.

All correspondence and telephonic communications should be directed to:

John C. Stringham
WORKMAN NYDEGGER
Suite 1000
60 East South Temple
Salt Lake City, Utah 84111
(801) 533-9800
jstringham@wnlaw.com

Notice of Opposition
Filed October 20, 2014

DATED this 20th day of October, 2014.

Respectfully submitted,

/John C. Stringham, 40831/

John C. Stringham, Reg. No. 40,831
SINCLAIR FINANCE COMPANY

WORKMAN NYDEGGER
ATTORNEYS FOR OPPOSER
60 East South Temple, Suite 1000
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707
jstringham@wnlaw.com

4802696_1.DOC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing NOTICE OF OPPOSITION was served on Applicant by mailing a true copy thereof to them, by First Class Mail, postage prepaid, on this the 20th day of October, 2014, in envelopes addressed as follows:

Inspired Peru
c/o Enrique Arias
220 Vista Roma Way
San Jose, California 95136

/Rachelle Turner/

Rachelle Turner

EXHIBIT 'A'

Owner Address: 550 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 841300825
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN C STRINGHAM
Attorney Primary Email Address: jstringham@wnlaw.com

Docket Number: 15027.57
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN C STRINGHAM
WORKMAN NYDEGGER
60 EAST SOUTH TEMPLE
1000 Eagle Gate Tower
SALT LAKE CITY, UTAH 84111
UNITED STATES

Phone: 801-533-9800

Fax: 801-328-1707

Correspondent e-mail: jstringham@wnlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2011	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	66607
Oct. 05, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Oct. 04, 2011	TEAS SECTION 8 & 9 RECEIVED	
Sep. 04, 2008	CASE FILE IN TICRS	
Apr. 05, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 07, 2002	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Oct. 07, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 12, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 12, 2002	TEAS SECTION 8 & 9 RECEIVED	
Jan. 30, 1992	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 03, 1992	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
May 31, 1977	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 22, 2012

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 05, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: SUN VALLEY COMPANY INC.

Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0307/0860](#)

Pages: 4

Date Recorded: May 25, 1977

Supporting Documents: No Supporting Documents Available

Assignor

Name: SUN VALLEY COMPANY INC. Execution Date: Apr. 08, 1977
Legal Entity Type: CORPORATION State or Country Where Organized: IDAHO

Assignee

Name: SUN VALLEY RESORTS, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: IDAHO
Address: SUN VALLEY, IDAHO 83353

Correspondent

Correspondent Name: NEUMAN, WILLIAMS, ET AL.
Correspondent Address: 77 W. WASHINGTON ST.
CHICAGO, IL 60602

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: CHANGE OF NAME 19771027
Reel/Frame: 0348/0544 Pages: 4
Date Recorded: May 16, 1979

Supporting Documents: No Supporting Documents Available

Assignor

Name: SUN VALLEY RESORTS, INC. Execution Date: May 04, 1979
Legal Entity Type: CORPORATION State or Country Where Organized: IDAHO

Assignee

Name: SUN VALLEY COMPANY
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found

Address: No Assignee Address Found

Correspondent

Correspondent Name: NEUMAN, WILLIAMS, ET AL.
Correspondent Address: 77 WEST WASHINGTON STREET
CHICAGO, IL 60602

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: MERGER 19861230WY
Reel/Frame: 0648/0355 Pages: 0
Date Recorded: Apr. 17, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: SINCLAIR MARKETING, INC. Execution Date: Dec. 14, 1986
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: SINCLAIR PIPELINE COMPANY Execution Date: Not Found
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: SINCLAIR PETROLEUM, INC. Execution Date: Not Found
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: PASCO REFINING, INC. Execution Date: Not Found
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: PASCO INVESTMENT COMPANY Execution Date: Not Found
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: SUN VALLEY COMPANY Execution Date: Not Found
Legal Entity Type: CORPORATION State or Country Where Organized: IDAHO

Assignee

Name: SINCLAIR OIL CORPORATION
Legal Entity Type: CORPORATION State or Country Where Organized: WYOMING
Address: No Assignee Address Found

Correspondent

Correspondent Name: NEUMAN, WILLIAMS, ANDERSON & OLSON
Correspondent Address: 77 W. WASHINGTON STREET
CHICAGO, IL 60602

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: 3283/0059 Pages: 13
Date Recorded: Apr. 05, 2006
Supporting Documents: assignment-tm-3283-0059.pdf

Assignor

Name: SINCLAIR OIL CORPORATION Execution Date: Feb. 01, 2006
Legal Entity Type: CORPORATION State or Country Where Organized: WYOMING

Assignee

Name: SINCLAIR FINANCE COMPANY
Legal Entity Type: CORPORATION State or Country Where Organized: WYOMING
Address: 550 EAST SOUTH TEMPLE
P.O. BOX 31825
SALT LAKE CITY, UTAH 84130-0825

Correspondent

Correspondent Name: JOHN C. STRINGHAM
Correspondent Address: 60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 4

Type of Proceeding: Opposition

Proceeding Number: 91189446 Filing Date: Mar 25, 2009
Status: Terminated Status Date: Nov 23, 2009
Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: The Luxury Marketing Council, LLC
Correspondent Address: DAVID H. BERNSTEIN, ESQ.
DEBEVOISE & PLIMPTON LLP
919 3RD AVE
NEW YORK NY , 10022-3902
UNITED STATES
Correspondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE LUXURY MARKETING COUNCIL	Registered	<u>77359247</u>	<u>3854196</u>

Plaintiff(s)

Name: Sinclair Finance Company
Correspondent Address: John C. Stringham
WORKMAN NYDEGGER
60 East South, 1000 Eagle Gate Tower
Salt Lake City UT , 84111
UNITED STATES
Correspondent e-mail: JStringham@WNLaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and Acknowledged	<u>78157988</u>	<u>2978288</u>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 25, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 25, 2009	May 04, 2009
3	PENDING, INSTITUTED	Mar 25, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Apr 30, 2009	
5	EXTENSION OF TIME GRANTED	Apr 30, 2009	
6	STIPULATION FOR AN EXTENSION OF TIME	Jun 03, 2009	
7	EXTENSION OF TIME GRANTED	Jun 03, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Aug 07, 2009	
9	EXTENSION OF TIME GRANTED	Aug 07, 2009	
10	STIPULATION FOR AN EXTENSION OF TIME	Oct 29, 2009	
11	EXTENSION OF TIME GRANTED	Oct 29, 2009	
12	WITHDRAWAL OF OPPOSITION	Nov 20, 2009	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 23, 2009	
14	TERMINATED	Nov 23, 2009	

Type of Proceeding: Opposition

Proceeding Number: 91185901

Filing Date: Aug 20, 2008

Status: Terminated

Status Date: Nov 21, 2009

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: The Luxury Marketing Council, LLC

Correspondent Address: DAVID H. BERNSTEIN
DEBEVOISE & PLIMPTON LLP
919 3RD AVENUE
NEW YORK NY , 10022-3902
UNITED STATES

Correspondent e-mail: szparnas@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Abandoned - After Inter-Partes Decision	<u>77359244</u>	

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: John C. Stringham
WORKMAN NYDEGGER
1000 Eagle Gate Tower, 60 East South Temple
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: jstringham@wnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and	<u>78157988</u>	<u>2978288</u>

Acknowledged

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 20, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 20, 2008	Sep 29, 2008
3	PENDING, INSTITUTED	Aug 20, 2008	
4	ANSWER	Sep 29, 2008	
5	STIPULATION FOR AN EXTENSION OF TIME	Oct 13, 2008	
6	Opposer's Request to Extend Denied; Trial Dates Reset	Dec 14, 2008	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 05, 2009	
8	SUSPENDED	May 05, 2009	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 06, 2009	
10	SUSPENDED	Nov 06, 2009	
11	WITHDRAWAL OF APPLICATION WITH CONSENT	Nov 19, 2009	
12	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 21, 2009	
13	TERMINATED	Nov 21, 2009	

Type of Proceeding: Opposition

Proceeding Number: 91178671

Filing Date: Aug 01, 2007

Status: Terminated

Status Date: Nov 04, 2008

Interlocutory Attorney: FRANCES S WOLFSON

Defendant

Name: Expres Publishing, Inc.

Correspondent Address: Ken J. Pedersen
Pedersen & Co., PLLC
1410 N 28th Street
Boise ID , 83703-5902
UNITED STATES

Correspondent e-mail: katfri@pedersenco.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUNVALLEYCENTRAL.COM.	Abandoned - After Inter-Partes Decision	<u>78779645</u>	

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: John C. Stringham
Workman Nydegger
60 East South Temple, 1000 Eagle Gate Tower
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: jstringham@wnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUN VALLEY	Renewed	<u>72310610</u>	<u>915211</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Renewed	<u>76242695</u>	<u>2536354</u>
SUN VALLEY	Renewed	<u>76401487</u>	<u>2766360</u>
SUN VALLEY	Renewed	<u>76976211</u>	<u>2815676</u>
SUN VALLEY AT SNOWBASIN	Cancelled - Section 8	<u>76340166</u>	<u>2865450</u>
SNOWBASIN A SUN VALLEY RESORT	Section 8 and 15 - Accepted and Acknowledged	<u>78134153</u>	<u>2880244</u>
SUN VALLEY	Renewed	<u>76976267</u>	<u>2882753</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
SUN VALLEY	Section 8 and 15 - Accepted and	<u>76401200</u>	<u>2900257</u>

	Acknowledged		
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>76401385</u>	<u>2900258</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>76400936</u>	<u>2981362</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78240820</u>	<u>3080365</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 01, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 01, 2007	Sep 10, 2007
3	PENDING, INSTITUTED	Aug 01, 2007	
4	STIPULATION FOR AN EXTENSION OF TIME	Sep 10, 2007	
5	EXTENSION OF TIME GRANTED	Sep 10, 2007	
6	STIPULATION FOR AN EXTENSION OF TIME	Oct 09, 2007	
7	EXTENSION OF TIME GRANTED	Oct 09, 2007	
8	STIPULATION FOR AN EXTENSION OF TIME	Nov 09, 2007	
9	EXTENSION OF TIME GRANTED	Nov 09, 2007	
10	STIPULATION FOR AN EXTENSION OF TIME	Dec 07, 2007	
11	EXTENSION OF TIME GRANTED	Dec 07, 2007	
12	STIPULATION FOR AN EXTENSION OF TIME	Jan 08, 2008	
13	EXTENSION OF TIME GRANTED	Jan 08, 2008	
14	STIPULATION FOR AN EXTENSION OF TIME	Feb 21, 2008	
15	EXTENSION OF TIME GRANTED	Feb 21, 2008	
16	STIPULATION TO REOPEN DISCOVERY	Feb 22, 2008	
17	RESPONSE DUE 30 DAYS (DUE DATE)	May 05, 2008	Jun 04, 2008
18	WITHDRAWAL OF APPLICATION	Oct 31, 2008	
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 04, 2008	
20	TERMINATED	Nov 04, 2008	

Type of Proceeding: Interference

Proceeding Number: 93006946

Filing Date: Jul 30, 1971

Status: Terminated

Status Date: Jan 06, 1972

Interlocutory Attorney:

Plaintiff(s)

Name: SUN VALLEY COMPANY INC.

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>

Name: SUN VALLEY COMPANY INC.

Associated marks

Mark	Application Status	Serial Number	Registration Number
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>

Name: VIVIAN CORPORATION

Associated marks

Mark	Application Status	Serial Number	Registration Number
		<u>72304721</u>	

Prosecution History

Entry Number	History Text	Date	Due Date
1	PENDING, INSTITUTED	Jul 30, 1971	
	BOARD'S DECISION: DISSOLVED		

2

BOARD'S DECISION: DISSOLVED

Jan 03, 1972

3

TERMINATED

Jan 06, 1972

Generated on: This page was generated by TSDR on 2014-07-21 16:12:14 EDT

Mark: SUN VALLEY



US Serial Number: 78157978

Application Filing Date: Aug. 26, 2002

US Registration Number: 2897067

Registration Date: Oct. 26, 2004

Register: Principal

Mark Type: Service Mark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Sep. 15, 2010

Publication Date: Aug. 03, 2004

Mark Information

Mark Literal Elements: SUN VALLEY

Standard Character Claim: No

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

Design Search Code(s): 01.05.03 - Sun representing a human face or an animal
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 0915211, 0929749, 0929750

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

For: Retail gift store services; retail grocery food and delicatessen services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1961

Use in Commerce: Dec. 01, 1961

For: Real estate agency services, namely leasing of real property and real estate management of condominiums; leasing of shopping mall space

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1961

Use in Commerce: Dec. 01, 1961

For: Transportation services, namely transportation of passengers by van or bus; travel agency services, namely making reservations and bookings for transportation; rental of bicycles

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1961

Use in Commerce: Dec. 01, 1961

For: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1961

Use in Commerce: Dec. 01, 1961

For: Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely making reservations and bookings for temporary lodging

International Class(es): 043 - Primary Class

U.S Class(es): 100. 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1961

Use in Commerce: Dec. 01, 1961

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: SINCLAIR FINANCE COMPANY
Owner Address: 550 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 841300825
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John C. Stringham
Attorney Primary Email Address: jstringham@wnspat.com
Docket Number: 15027.205
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN C STRINGHAM
WORKMAN, NYDEGGER & SEELEY
1000 EAGLE GATE TWR
60 E S TEMPLE
SALT LAKE CITY, UTAH 84111
UNITED STATES
Phone: (801) 533-9800
Fax: (801) 328-1707
Correspondent e-mail Authorized: Yes
jstringham@wnspat.com

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 15, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70619
Sep. 15, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70619
Sep. 07, 2010	TEAS SECTION 8 & 15 RECEIVED	
Apr. 05, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 26, 2004	REGISTERED-PRINCIPAL REGISTER	
Aug. 03, 2004	PUBLISHED FOR OPPOSITION	
Jul. 14, 2004	NOTICE OF PUBLICATION	
Jun. 18, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 18, 2004	EXAMINERS AMENDMENT E-MAILED	
Jun. 17, 2004	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 03, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	

Apr. 19, 2004 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Apr. 17, 2004 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Oct. 30, 2003 NON-FINAL ACTION E-MAILED
 Aug. 08, 2003 CORRESPONDENCE RECEIVED IN LAW OFFICE
 Sep. 17, 2003 CASE FILE IN TICRS
 Aug. 08, 2003 TEAS RESPONSE TO OFFICE ACTION RECEIVED
 Feb. 11, 2003 NON-FINAL ACTION E-MAILED
 Jan. 17, 2003 ASSIGNED TO EXAMINER

73714

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
 File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Sep. 15, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Sinclair Oil Corporation

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3283/0059

Pages: 13

Date Recorded: Apr. 05, 2006

Supporting Documents: [assignment-tm-3283-0059.pdf](#)

Assignor

Name: SINCLAIR OIL CORPORATION

Execution Date: Feb. 01, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Assignee

Name: SINCLAIR FINANCE COMPANY

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Address: 550 EAST SOUTH TEMPLE
 P.O. BOX 31825
 SALT LAKE CITY, UTAH 84130-0825

Correspondent

Correspondent Name: JOHN C. STRINGHAM

Correspondent Address: 60 EAST SOUTH TEMPLE
 1000 EAGLE GATE TOWER
 SALT LAKE CITY, UT 84111

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: 91189446

Filing Date: Mar 25, 2009

Status: Terminated

Status Date: Nov 23, 2009

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: The Luxury Marketing Council, LLC

Correspondent Address: DAVID H. BERNSTEIN, ESQ.
 DEBEVOISE & PLIMPTON LLP

919 3RD AVE
NEW YORK NY , 10022-3902
UNITED STATES

Correspondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE LUXURY MARKETING COUNCIL	Registered	<u>77359247</u>	<u>3854196</u>

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: John C. Stringham
WORKMAN NYDEGGER
60 East South, 1000 Eagle Gate Tower
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: JStringham@WNLaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and Acknowledged	<u>78157988</u>	<u>2978288</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 25, 2009	
2	NOTICE AND TRIAL DATES SENT: ANSWER DUE:	Mar 25, 2009	May 04, 2009
3	PENDING, INSTITUTED	Mar 25, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Apr 30, 2009	
5	EXTENSION OF TIME GRANTED	Apr 30, 2009	
6	STIPULATION FOR AN EXTENSION OF TIME	Jun 03, 2009	
7	EXTENSION OF TIME GRANTED	Jun 03, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Aug 07, 2009	
9	EXTENSION OF TIME GRANTED	Aug 07, 2009	
10	STIPULATION FOR AN EXTENSION OF TIME	Oct 29, 2009	
11	EXTENSION OF TIME GRANTED	Oct 29, 2009	
12	WITHDRAWAL OF OPPOSITION	Nov 20, 2009	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 23, 2009	
14	TERMINATED	Nov 23, 2009	

Type of Proceeding: Opposition

Proceeding Number: 91185901

Filing Date: Aug 20, 2008

Status: Terminated

Status Date: Nov 21, 2009

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: The Luxury Marketing Council. LLC

Correspondent Address: DAVID H. BERNSTEIN
DEBEVOISE & PLIMPTON LLP
919 3RD AVENUE
NEW YORK NY , 10022-3902
UNITED STATES

Correspondent e-mail: szparnass@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Abandoned - After Inter-Partes Decision	<u>77359244</u>	

Plaintiff(s)**Name:** Sinclair Finance Company**Correspondent Address:** John C. Stringham
WORKMAN NYDEGGER
1000 Eagle Gate Tower, 60 East South Temple
Salt Lake City UT , 84111
UNITED STATES**Correspondent e-mail:** jstringham@wnlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and Acknowledged	<u>78157988</u>	<u>2978288</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 20, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 20, 2008	Sep 29, 2008
3	PENDING, INSTITUTED	Aug 20, 2008	
4	ANSWER	Sep 29, 2008	
5	STIPULATION FOR AN EXTENSION OF TIME	Oct 13, 2008	
6	Opposer's Request to Extend Denied: Trial Dates Reset	Dec 14, 2008	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 05, 2009	
8	SUSPENDED	May 05, 2009	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 06, 2009	
10	SUSPENDED	Nov 06, 2009	
11	WITHDRAWAL OF APPLICATION WITH CONSENT	Nov 19, 2009	
12	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 21, 2009	
13	TERMINATED	Nov 21, 2009	

Type of Proceeding: Opposition**Proceeding Number:** 91178671**Filing Date:** Aug 01, 2007**Status:** Terminated**Status Date:** Nov 04, 2008**Interlocutory Attorney:** FRANCES S WOLFSON**Defendant****Name:** Expres Publishing, Inc.**Correspondent Address:** Ken J. Pedersen
Pedersen & Co., PLLC
1410 N 28th Street
Boise ID , 83703-5902
UNITED STATES**Correspondent e-mail:** katri@pedersenco.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SUNVALLEYCENTRAL.COM	Abandoned - After Inter-Partes Decision	<u>78779645</u>	

Plaintiff(s)**Name:** Sinclair Finance Company**Correspondent Address:** John C. Stringham
Workman Nydegger
60 East South Temple, 1000 Eagle Gate Tower
Salt Lake City UT , 84111
UNITED STATES**Correspondent e-mail:** jstringham@wnlaw.com**Associated marks****Serial** **Registration**

Mark	Application Status	Number	Number
SUN VALLEY	Renewed	<u>72310610</u>	<u>915211</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Renewed	<u>76242695</u>	<u>2536354</u>
SUN VALLEY	Renewed	<u>76401487</u>	<u>2766360</u>
SUN VALLEY	Renewed	<u>76976211</u>	<u>2815676</u>
SUN VALLEY AT SNOWBASIN	Cancelled - Section 8	<u>76340166</u>	<u>2865450</u>
SNOWBASIN A SUN VALLEY RESORT	Section 8 and 15 - Accepted and Acknowledged	<u>78134153</u>	<u>2880244</u>
SUN VALLEY	Renewed	<u>76976267</u>	<u>2882753</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>76401200</u>	<u>2900257</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>76401385</u>	<u>2900258</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>76400936</u>	<u>2981362</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78240820</u>	<u>3080365</u>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 01, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 01, 2007	Sep 10, 2007
3	PENDING, INSTITUTED	Aug 01, 2007	
4	STIPULATION FOR AN EXTENSION OF TIME	Sep 10, 2007	
5	EXTENSION OF TIME GRANTED	Sep 10, 2007	
6	STIPULATION FOR AN EXTENSION OF TIME	Oct 09, 2007	
7	EXTENSION OF TIME GRANTED	Oct 09, 2007	
8	STIPULATION FOR AN EXTENSION OF TIME	Nov 09, 2007	
9	EXTENSION OF TIME GRANTED	Nov 09, 2007	
10	STIPULATION FOR AN EXTENSION OF TIME	Dec 07, 2007	
11	EXTENSION OF TIME GRANTED	Dec 07, 2007	
12	STIPULATION FOR AN EXTENSION OF TIME	Jan 08, 2008	
13	EXTENSION OF TIME GRANTED	Jan 08, 2008	
14	STIPULATION FOR AN EXTENSION OF TIME	Feb 21, 2008	
15	EXTENSION OF TIME GRANTED	Feb 21, 2008	
16	STIPULATION TO REOPEN DISCOVERY	Feb 22, 2008	
17	RESPONSE DUE 30 DAYS (DUE DATE)	May 05, 2008	Jun 04, 2008
18	WITHDRAWAL OF APPLICATION	Oct 31, 2008	
19	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 04, 2008	
20	TERMINATED	Nov 04, 2008	

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: [Non-metal key chains, key rings, key tags and plastic banners]

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Cups, mugs and glassware, namely beverage glasses and plates

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 2000

Use in Commerce: 2000

For: Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves and ties

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Embroidered and ornamental cloth patches

International Class(es): 026 - Primary Class

U.S Class(es): 037, 039, 040, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Sporting goods, namely, golf balls, golf ball markers, golf tees, head covers for golf clubs, manually operated exercise equipment

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Retail gift store services; retail grocery food and delicatessen services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Real estate agency services, namely leasing of real property and real estate management of condominiums; leasing of shopping mall space

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Transportation services, namely transportation of passengers by van or bus; travel agency services, namely making reservations and booking for transportation; rental of bicycles

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

For: Resort hotel and resort lodging services; restaurant services, hotel and lodging services; banquet and catering services and facilities; travel agency services, namely making reservations and bookings for temporary lodging

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 11, 1964

Use in Commerce: Dec. 11, 1964

Basis Information (Case Level)

Filed Use: Yes	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: SINCLAIR FINANCE COMPANY
Owner Address: 550 EAST SOUTH TEMPLE
P.O. BOX 31825
SALT LAKE CITY, UTAH 841300825
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record
Attorney Name: John C. Stringham
Docket Number: 15027.204
Attorney Primary Email Address: jstringham@wnlaw.com
Attorney Email Yes Authorized:
Correspondent
Correspondent Name/Address: John C. Stringham
WORKMAN, NYDEGGER & SEELEY
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
UNITED STATES
Phone: (801) 533-9800
Fax: (801) 328-1707
Correspondent e-mail: jstringham@wnlaw.com
Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 07, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 07, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Aug. 31, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jul. 21, 2011	TEAS SECTION 8 & 15 RECEIVED	
Apr. 05, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 26, 2005	REGISTERED-PRINCIPAL REGISTER	
Jun. 07, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	76538
Jun. 03, 2005	ASSIGNED TO LIE	76538
Jun. 01, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 20, 2005	STATEMENT OF USE PROCESSING COMPLETE	70565
May 20, 2005	EXTENSION 1 GRANTED	70565

Apr. 26, 2005	USE AMENDMENT FILED	70565
Apr. 26, 2005	EXTENSION 1 FILED	70565
Apr. 28, 2005	PAPER RECEIVED	
Oct. 26, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 03, 2004	PUBLISHED FOR OPPOSITION	
Jul. 14, 2004	NOTICE OF PUBLICATION	
Jun. 18, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 18, 2004	EXAMINERS AMENDMENT E-MAILED	
Jun. 17, 2004	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 27, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 19, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 17, 2004	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 30, 2003	NON-FINAL ACTION E-MAILED	
Aug. 08, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 17, 2003	CASE FILE IN TICRS	
Aug. 08, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 11, 2003	NON-FINAL ACTION E-MAILED	
Jan. 17, 2003	ASSIGNED TO EXAMINER	73714

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Sep. 07, 2011

Assignment Abstract Of Title Information

Summary:

Total Assignments: 1

Registrant: Sinclair Oil Corporation

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3283/0059

Pages: 13

Date Recorded: Apr. 05, 2006

Supporting Documents: [assignment-tm-3283-0059.pdf](#)

Assignor

Name: SINCLAIR OIL CORPORATION

Execution Date: Feb. 01, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Assignee

Name: SINCLAIR FINANCE COMPANY

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Address: 550 EAST SOUTH TEMPLE
P.O. BOX 31825
SALT LAKE CITY, UTAH 84130-0825

Correspondent

Correspondent Name: JOHN C. STRINGHAM

Correspondent Address: 60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: 91189446

Filing Date: Mar 25, 2009

Status: Terminated

Status Date: Nov 23, 2009

Interlocutory Attorney: JENNIFER KRISP

Defendant

Name: The Luxury Marketing Council, LLC

Correspondent Address: DAVID H. BERNSTEIN, ESQ.
DEBEVOISE & PLIMPTON LLP
919 3RD AVE
NEW YORK NY , 10022-3902
UNITED STATES

Correspondent e-mail: trademarks@debevoise.com , szparnass@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
THE LUXURY MARKETING COUNCIL	Registered	<u>77359247</u>	<u>3854196</u>

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: John C. Stringham
WORKMAN NYDEGGER
60 East South, 1000 Eagle Gate Tower
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: JStringham@WNLaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and Acknowledged	<u>78157988</u>	<u>2978288</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 25, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 25, 2009	May 04, 2009
3	PENDING, INSTITUTED	Mar 25, 2009	
4	STIPULATION FOR AN EXTENSION OF TIME	Apr 30, 2009	
5	EXTENSION OF TIME GRANTED	Apr 30, 2009	
6	STIPULATION FOR AN EXTENSION OF TIME	Jun 03, 2009	
7	EXTENSION OF TIME GRANTED	Jun 03, 2009	
8	STIPULATION FOR AN EXTENSION OF TIME	Aug 07, 2009	
9	EXTENSION OF TIME GRANTED	Aug 07, 2009	
10	STIPULATION FOR AN EXTENSION OF TIME	Oct 29, 2009	
11	EXTENSION OF TIME GRANTED	Oct 29, 2009	
12	WITHDRAWAL OF OPPOSITION	Nov 20, 2009	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 23, 2009	
14	TERMINATED	Nov 23, 2009	

Type of Proceeding: Opposition

Proceeding Number: 91185901

Filing Date: Aug 20, 2008

Status: Terminated

Status Date: Nov 21, 2009

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: The Luxury Marketing Council, LLC

Correspondent Address: DAVID H. BERNSTEIN
DEBEVOISE & PLIMPTON LLP
919 3RD AVENUE
NEW YORK NY , 10022-3902
UNITED STATES

Correspondent e-mail: szparnas@debevoise.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Abandoned - After Inter-Partes Decision	<u>77359244</u>	

Plaintiff(s)

Name: Sinclair Finance Company

Correspondent Address: John C. Stringham
WORKMAN NYDEGGER
1000 Eagle Gate Tower, 60 East South Temple
Salt Lake City UT , 84111
UNITED STATES

Correspondent e-mail: jstringham@wnlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	Expired	<u>72310611</u>	<u>929749</u>
SUN VALLEY	Renewed	<u>72311732</u>	<u>929750</u>
SUN VALLEY	Section 8 and 15 - Accepted and Acknowledged	<u>78157978</u>	<u>2897067</u>
	Section 8 and 15 - Accepted and Acknowledged	<u>78157988</u>	<u>2978288</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 20, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 20, 2008	Sep 29, 2008
3	PENDING, INSTITUTED	Aug 20, 2008	
4	ANSWER	Sep 29, 2008	
5	STIPULATION FOR AN EXTENSION OF TIME	Oct 13, 2008	
6	Opposer's Request to Extend Denied; Trial Dates Reset	Dec 14, 2008	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 05, 2009	
8	SUSPENDED	May 05, 2009	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 06, 2009	
10	SUSPENDED	Nov 06, 2009	
11	WITHDRAWAL OF APPLICATION WITH CONSENT	Nov 19, 2009	
12	BD'S DECISION: DISMISSED W/ PREJUDICE	Nov 21, 2009	
13	TERMINATED	Nov 21, 2009	

Generated on: This page was generated by TSDR on 2014-07-21 16:09:58 EDT

Mark: SUN VALLEY



US Serial Number: 85260154 Application Filing Date: Mar. 07, 2011
US Registration Number: 4242693 Registration Date: Nov. 13, 2012
Register: Principal
Mark Type: Trademark, Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 13, 2012
Publication Date: Jan. 17, 2012 Notice of Allowance Date: Mar. 13, 2012

Mark Information

Mark Literal Elements: SUN VALLEY
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 a sun positioned above and to the right side of the words "Sun Valley".
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 01.05.03 - Sun representing a human face or an animal

Related Properties Information

Claimed Ownership of US Registrations: 2897067, 3486335, 3879686 and others

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 incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Goods made of metal, namely, figurines of common metal, metal bells, non-precious metal decorative boxes, baskets of common metal, common metal holiday ornaments - not tree ornaments, metal identification bracelets of non-precious metal, metal key chains, metal key fobs, metal key rings, statues and statuettes of non-precious metal, non-luminous and non-mechanical metal signs

International Class(es): 006 - Primary Class

U.S. Class(es): 002, 012, 013, 014, 023, 025, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2010

Use in Commerce: Sep. 2010

For: Pocket knives, and spoons

International Class(es): 008 - Primary Class

U.S. Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2010

Use in Commerce: Sep. 2010

For: Decorative magnets

International Class(es): 009 - Primary Class

U.S. Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2010

Use in Commerce: Sep. 2010

For: Jewelry and pins, namely, cloisonne pins, lapel pins, ornamental pins, ornamental lapel pins, tie pins; jewelry boxes of metal

International Class(es): 014 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Posters, postcards, note pads, stationery, pens, magazines in the field of resort services and telephone directories
International Class(es): 016 - Primary Class **U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: All-purpose sport, athletic and carrying bags, backpacks, daypacks, fanny packs, knapsacks and rucksacks; book bags, travel bags, tote bags, business and credit card cases, purses, change purses, key cases; leather key chains, golf umbrellas, leather wallets and bill folds
International Class(es): 018 - Primary Class **U.S Class(es):** 001, 002, 003, 022, 041
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Non-metal key chains, key rings, key tags and plastic banners
International Class(es): 020 - Primary Class **U.S Class(es):** 002, 013, 022, 025, 032, 050
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Cups, mugs and glassware, namely, beverage glasses and plates; metal charms for identifying drinks
International Class(es): 021 - Primary Class **U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Clothing, namely, t-shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, vests, gloves, scarves, and ties
International Class(es): 025 - Primary Class **U.S Class(es):** 022, 039
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Sporting goods, namely, golf balls, golf ball markers, golf tees, head covers for golf clubs, manually operated exercise equipment, namely, snowboards
International Class(es): 028 - Primary Class **U.S Class(es):** 022, 023, 038, 050
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Real estate sales management, and retail apparel and gift store services, retail grocery food and delicatessen services
International Class(es): 035 - Primary Class **U.S Class(es):** 100, 101, 102
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Real estate agency services, namely, leasing of real property and real estate management of condominiums, leasing of shopping mall space; leasing of real estate; real estate management
International Class(es): 036 - Primary Class **U.S Class(es):** 100, 101, 102
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010
For: Transportation services, namely, transportation of passengers by van or bus, travel agency services, namely, making reservations and booking for transportation; rental of bicycles
International Class(es): 039 - Primary Class **U.S Class(es):** 100, 105
Class Status: ACTIVE

Basis: 1(a)
First Use: Sep. 2010 **Use in Commerce:** Sep. 2010

For: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2010

Use in Commerce: Sep. 2010

For: Resort hotel and resort lodging services; restaurant services; hotel and lodging services; banquet and catering services and facilities; travel agency services, namely, making reservations and bookings for temporary lodging; restaurant services; hotel services; lodging services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2010

Use in Commerce: Sep. 2010

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: Sinclair Finance Company
Owner Address: 550 East South Temple
Salt Lake City, UTAH 84130
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John C. Stringham
Attorney Primary Email Address: jstringham@wnlaw.com
Docket Number: 15027.365
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JOHN C. STRINGHAM
WORKMAN NYDEGGER
60 E SOUTH TEMPLE
Suite 1000
SALT LAKE CITY, UTAH 84111-1004
UNITED STATES
Phone: 801-533-9800
Fax: 801-328-1707
Correspondent e-mail: jstringham@wnlaw.com docketing@wnlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 13, 2012	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 10, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	66121
Oct. 05, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 18, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Sep. 06, 2012	USE AMENDMENT FILED	76874

Sep. 12, 2012	RESPONSE TO ITU OFFICE ACTION ENTERED	76874
Sep. 12, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 11, 2012	ITU OFFICE ACTION ISSUED FOR STATEMENT OF USE	76874
Sep. 11, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Sep. 06, 2012	TEAS STATEMENT OF USE RECEIVED	
Sep. 06, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 13, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 17, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 17, 2012	PUBLISHED FOR OPPOSITION	
Dec. 28, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 10, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Dec. 08, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 08, 2011	EXAMINER'S AMENDMENT ENTERED	66121
Dec. 08, 2011	ASSIGNED TO LIE	66121
Dec. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Dec. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Dec. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	76134
Jun. 10, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 10, 2011	NON-FINAL ACTION E-MAILED	6325
Jun. 10, 2011	NON-FINAL ACTION WRITTEN	76134
Jun. 07, 2011	ASSIGNED TO EXAMINER	76134
Mar. 12, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 11, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 10, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 10, 2012

Mark: 75



US Serial Number: 85010954

Application Filing Date: Apr. 09, 2010

US Registration Number: 4088538

Registration Date: Jan. 17, 2012

Register: Principal

Mark Type: Service Mark

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

Status Date: Jan. 17, 2012

Publication Date: May 17, 2011

Notice of Allowance Date: Jul. 12, 2011

Mark Information

Mark Literal Elements: 75

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 number "75" with a design inside the circular bottom portion of the "75" consisting of a sun with a human face.

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

Disclaimer: "75"

Design Search Code(s): 01.05.03 - Sun representing a human face or an animal

Related Properties Information

Claimed Ownership of US Registrations: 0929749, 0929750, 2978288, 85975781

Parent Of: 85975781

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

For: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, horseback riding, mountain biking, trap shooting; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 02, 2010

Use in Commerce: Jun. 01, 2010

For: Hotel and resort lodging services; restaurant services; catering services; providing banquet and social function facilities for special occasions; travel agency services, namely, making reservations and bookings for temporary lodging

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 02, 2010

Use in Commerce: Jun. 01, 2010

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: Sinclair Finance Company
 Owner Address: P.O. Box 30825
 550 East South Temple
 Salt Lake City, UTAH 841300825
 UNITED STATES
 Legal Entity Type: CORPORATION State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record
 Attorney Name: John C. Stringham Docket Number: 15027.349
 Attorney Primary Email Address: jstringham@wnlaw.com Attorney Email Authorized: No
Correspondent
 Correspondent Name/Address: JOHN C. STRINGHAM
 WORKMAN NYDEGGER
 60 E SOUTH TEMPLE
 SALT LAKE CITY, UTAH 84111-1004
 UNITED STATES
 Phone: (801) 533-9800 Fax: (801) 328-1707
 Correspondent e-mail: jstringham@wnlaw.com Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 17, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 10, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 09, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Dec. 08, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 07, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68123
Dec. 07, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68123
Nov. 23, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 24, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 24, 2011	NON-FINAL ACTION E-MAILED	
Oct. 24, 2011	SU - NON-FINAL ACTION - WRITTEN	74814
Oct. 06, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Oct. 04, 2011	USE AMENDMENT FILED	76874
Oct. 06, 2011	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2011	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Oct. 04, 2011	TEAS STATEMENT OF USE RECEIVED	
Sep. 21, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Jul. 12, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 17, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 17, 2011	PUBLISHED FOR OPPOSITION	
Apr. 14, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123

Apr. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 07, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Apr. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	74814
Apr. 06, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 22, 2011	ASSIGNED TO LIE	68123
Sep. 21, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 21, 2010	LETTER OF SUSPENSION E-MAILED	6332
Sep. 21, 2010	SUSPENSION LETTER WRITTEN	74814
Sep. 08, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 07, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 07, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 15, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 15, 2010	NON-FINAL ACTION E-MAILED	6325
Jul. 15, 2010	NON-FINAL ACTION WRITTEN	74814
Jul. 14, 2010	ASSIGNED TO EXAMINER	74814
Apr. 16, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 15, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 09, 2011

Generated on: This page was generated by TSDR on 2014-07-21 16:11:25 EDT

Mark: 75



US Serial Number: 85975781 Application Filing Date: Apr. 09, 2010
US Registration Number: 4064852 Registration Date: Nov. 29, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 29, 2011
Publication Date: May 17, 2011 Notice of Allowance Date: Jul. 12, 2011

Mark Information

Mark Literal Elements: 75
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 number "75" with a design inside the circular bottom portion of the "75" consisting of a sun with a human face.
Color(s) Claimed: Color is not claimed as a feature of the mark.
Disclaimer: "75"
Design Search Code(s): 01.05.03 - Sun representing a human face or an animal

Related Properties Information

Claimed Ownership of US Registrations: 0929749, 0929750, 2978288, 85010954
Child Of: 85010954

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

For: Cups, mugs and glassware, namely, beverage glasses and plates

International Class(es): 021 - Primary Class U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 02, 2010 Use in Commerce: Jun. 01, 2010

For: Clothing, namely, t-shirts, shirts, golf shirts, polo shirts, hats, baseball caps, golf caps, sweatshirts, sweaters, coats, jackets, vests, gloves, scarves

International Class(es): 025 - Primary Class U.S Class(es): 022, 039
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 02, 2010 Use in Commerce: Jun. 01, 2010

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
Filed 66A: No
Filed No Basis: No

Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended 44E: No

Current Owner(s) Information

Owner Name: Sinclair Finance Company
Owner Address: P.O. Box 30825
550 East South Temple
Salt Lake City, UTAH 841300825
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John C. Stringham
Attorney Primary Email Address: jstringham@wnlaw.com
Docket Number: 15027.349
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JOHN C. STRINGHAM
WORKMAN NYDEGGER
60 E SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111-1004
UNITED STATES
Phone: (801) 533-9800
Fax: (801) 328-1707
Correspondent e-mail: jstringham@wnlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Oct. 28, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 27, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Oct. 24, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 07, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 07, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 06, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Sep. 20, 2011	USE AMENDMENT FILED	76874
Oct. 06, 2011	EXTENSION 1 GRANTED	76874
Sep. 20, 2011	EXTENSION 1 FILED	76874
Oct. 06, 2011	DIVISIONAL PROCESSING COMPLETE	
Sep. 20, 2011	DIVISIONAL REQUEST RECEIVED	
Sep. 20, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Sep. 20, 2011	TEAS EXTENSION RECEIVED	
Sep. 21, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Sep. 20, 2011	TEAS STATEMENT OF USE RECEIVED	
Jul. 12, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 17, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 17, 2011	PUBLISHED FOR OPPOSITION	
Apr. 14, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Apr. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 07, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Apr. 07, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Apr. 07, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Apr. 07, 2011	EXAMINERS AMENDMENT -WRITTEN	74814
Apr. 06, 2011	LIE CHECKED SUSP - TO ATTY FOR ACTION	68123
Mar. 22, 2011	ASSIGNED TO LIE	68123
Sep. 21, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Sep. 21, 2010	LETTER OF SUSPENSION E-MAILED	6332
Sep. 21, 2010	SUSPENSION LETTER WRITTEN	74814
Sep. 08, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 07, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 07, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 15, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 15, 2010	NON-FINAL ACTION E-MAILED	6325
Jul. 15, 2010	NON-FINAL ACTION WRITTEN	74814
Jul. 14, 2010	ASSIGNED TO EXAMINER	74814
Apr. 16, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 15, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 13, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

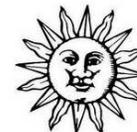
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 27, 2011

Generated on: This page was generated by TSDR on 2014-10-20 18:33:06 EDT

Mark:



US Serial Number: 86353968

Application Filing Date: Jul. 31, 2014

Register: Principal

Mark Type: Service Mark

Status: An Examiner's Amendment has been sent (issued) to the applicant. To view all documents in the file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Oct. 19, 2014

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a sun with a face design.

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

Design Search Code(s): 01.05.03 - Sun representing a human face or an animal

Related Properties Information

Claimed Ownership of US Registrations: 0929750, 2978288, 4242693 and others

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

For: Real estate sales management; and retail apparel and gift store services; and convention services, namely, arranging business conventions

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

For: Real estate agency services, namely, leasing of real property and real estate management of condominiums; leasing of shopping mall space; leasing of real estate; real estate management

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

For: Providing recreational, sports and entertainment facilities for skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, hockey, horseback riding, mountain biking, trap shooting, paddle boats, snow tubing; providing instruction in various outdoor sports, namely, skiing, snowboarding, snowshoeing, golfing, tennis, ice skating, swimming, trap shooting; providing hiking, fishing and mountain biking guided tours; arranging and conducting sporting contests and exhibitions, namely, ski races and exhibitions, ice skating shows and exhibitions, golf tournaments; entertainment services, namely, providing facilities for hayrides, sleigh rides, movie theaters, music concerts, comedy performances, ice rinks, bowling alleys, swimming pools and playground facilities; rental of sporting equipment, namely, skis, snowboards, snowshoes, ice skates, tennis rackets, golf clubs and related accessories; ski resorts; night clubs; day camp services; and convention services, namely, arranging conventions for educational and/or entertainment purposes

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(b)

For: Resort hotel and resort lodging services; restaurant services; hotel and lodging services; convention services, namely, providing facilities for conventions; banquet and catering services and facilities; travel agency services, namely, making reservations and

bookings for temporary lodging

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

For: Day spa services, namely, massages, hair salon services, facial treatment services, nail salon services and body waxing services

International Class(es): 044 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

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: Sinclair Finance Company

Owner Address: 550 East South Temple, P.O. Box 30825
Salt Lake City, UTAH 841300825
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WYOMING

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John C. Stringham

Docket Number: 15027.204.1

Attorney Primary Email Address: jstringham@wnlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN C. STRINGHAM
WORKMAN NYDEGGER
60 E SOUTH TEMPLE STE 1000
SALT LAKE CITY, UTAH 84111-1011
UNITED STATES

Phone: 801-533-9800

Fax: 8001-328-1707

Correspondent e-mail: jstringham@wnlaw.com docketing@wnlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 19, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 19, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 19, 2014	EXAMINERS AMENDMENT -WRITTEN	76637
Sep. 17, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 17, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 17, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 17, 2014	EXAMINERS AMENDMENT -WRITTEN	76637
Sep. 13, 2014	ASSIGNED TO EXAMINER	76637
Aug. 09, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Aug. 08, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 04, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: KOLACZ, KATHLEEN L

Law Office Assigned: LAW OFFICE 117

File Location

Current Location: LAW OFFICE 117 - EXAMINING ATTORNEY
ASSIGNED

Date in Location: Oct. 19, 2014