



3. Opposer is the owner of U.S. Trademark Registration No. 2003997 issued October 1, 1996 for the mark TARO covering “house mark for dermatological preparations; pharmaceutical preparations, namely analgesics, nasal decongestants, antibiotics, antifungal preparations, nasal spray preparations, medical lubricating jelly, medicated skin care preparations, steroid preparations, steroid-antibiotic preparations, topical corticosteroid preparations, anticonvulsant preparations.” Said registration is in full force and effect and Opposer’s rights thereunder are Incontestable pursuant to the Lanham Act.
4. Opposer first used the mark shown in Registration No. 2003997 in commerce, at least as early as 1986
5. Opposer is the owner of U.S. Trademark Registration No. 3017240 issued November



22, 2005 for the mark  for “full line of pharmaceutical products intended for the treatment of dermatological, cardiovascular, neurological, hematological, gynecological, allergic and infectious disease conditions.” Said registration is in full force and effect and Opposer’s rights thereunder are Incontestable pursuant to the Lanham Act.

6. Opposer first used the mark shown in Registration No. 2003997 in commerce, at least as early as 1988.



7. Applicant did not use the trademark in the U.S. prior to April 2014.
8. Opposer's registration dates and dates of first use for the mark TARO in the U.S. are earlier than any date of first use that may be relied upon by the applicant.



9. The goods for which applicant seeks to register the mark are related to goods offered by Opposer under its mark and name TARO, and related to goods covered in Opposer's pleaded registration.



10. The trademark sought to be registered by the applicant is substantially similar to Opposer's trademark TARO.
11. Consumers are likely to be confused and to mistakenly believe that applicant's products



12. If the applicant were permitted to use and register its mark for its goods as specified in its application, confusion among consumers resulting in damage and injury to Opposer would be caused by virtue of the similarity between applicant's trademark and offered under its mark either emanate from or are licensed by, sponsored by, or associated with opposer, or that they incorporate opposer's TARO products.
12. Opposer's trademark, and the related nature of the goods covered by those marks. Any

defect, objection or fault found with applicant's goods would reflect upon, seriously injure, and dilute the reputation and value that Opposer has established under its trademark and trade name.

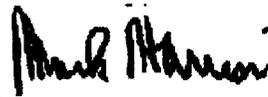
13. Confusion as to source or product between medicinal products may produce physically harmful results to purchasers.

**WHEREFORE**, Opposer prays that Application Serial No. 86/242832 be rejected, that no registration be issued thereon to applicant, and that this opposition be sustained in favor of the Opposer.

This Notice of Opposition is submitted together with the statutory filing fee of \$300.00 (Class 5). Should any additional fee be required, please charge the same to our Account No. 22-0261 and notify the undersigned accordingly.

Opposer appoints Mark B. Harrison, Rebecca Liebowitz, Linda Zirkelbach, Janet Satterthwaite, Jeremy Klass and Halle Markus along with the law firm of Venable LLP, P.O. Box 34385, Washington, D.C. 20043-9998 to transact all business on its behalf in connection with this Opposition.

Respectfully submitted,



Date: December 10, 2014

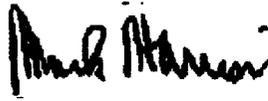
By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served by U.S. Mail, first class, postage prepaid, on this 10<sup>th</sup> day of December 2014 on the Applicant's attorney of record at the address listed in the current U.S. Trademark Office Records as follows:

H. TROY FARAHMAND  
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**Mark Harrison**