

ESTTA Tracking number: **ESTTA656372**

Filing date: **02/17/2015**

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	LIPSY LIMITED
Granted to Date of previous extension	02/18/2015
Address	Desford Road, Enderby Leicester, Leicestershire, LE19 4AT UNITED KINGDOM
Attorney information	Adam M. Cohen; Linda M. Dougherty KANE KESSLER, P.C. 1350 Avenue of the Americas New York, NY 10019 UNITED STATES trademark@kanekessler.com Phone:212-541-6222

### Applicant Information

Application No	86123633	Publication date	10/21/2014
Opposition Filing Date	02/17/2015	Opposition Period Ends	02/18/2015
Applicant	Jacoby Apparel LLC 10155 Perkins Rowe Baton Rouge, LA 70810 UNITED STATES		

### Goods/Services Affected by Opposition

Class 035. First Use: 2013/03/15 First Use In Commerce: 2013/03/15  
All goods and services in the class are opposed, namely: Computerized on-line retail store services in the field of clothing; Retail clothing boutiques

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4036801	Application Date	02/05/2010
Registration Date	10/11/2011	Foreign Priority Date	NONE
Word Mark	LIPSY		

Design Mark	
Description of Mark	<p>The mark consists of the wording "LIPSY" in white depicted inside a pink heart design; the black background is not claimed as a feature of the mark but merely represents a transparent background.</p>
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0  cleaning, polishing, scouring and abrasive preparations; soaps for personal use; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; bodys-prays; non-medicated toiletries; cosmetics; non-medicated toiletries in the form of face, body, cosmetic and beauty creams and lotions; cleansing products for personal use, namely, skin cleansers and facial cleansers; non-medicated cosmetic and skin care preparations for the body; preparations for hair care; preparations for nail care; nail varnish; preparations for care of skin; cosmetic preparations for the eyes; preparations for the face, namely, non-medicated skin care preparations for the face and make-up; non-medicated skin care preparations for the feet; non-medicated skin care preparations for the hands; coloring substances for cosmetic purposes, namely, hair coloring and dyes, eyelash and eyebrow coloring and dyes and self tanning substances; cosmetic kits, comprising make-up and non-medicated toiletries; cosmetic masks; personal deodorants; sponges impregnated with skin cleanser; talcum powder; bath and shower oils, gels, creams, lotions, milks and foams; bath beads; bath crystals; bath salt; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0  pre-recorded digital media featuring music and music videos; downloadable electronic publications, namely, e-magazines and e-books in the field of fashion, beauty and music; compact discs featuring music; digital music downloadable from the internet; pre-recorded CDs, video tapes, laser disks, DVDs and MP3s featuring music and videos; spectacles, eyeglasses, sunglasses, goggles for sport, contact lenses and cases therefor; chains and straps for eyeglasses, sunglasses and goggles for sport; spectacle and sunglass frames</p> <p>Class 014. First use: First Use: 0 First Use In Commerce: 0  Jewellery; costume jewellery; watches; clocks</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0  Bags, namely, handbags, beach bags, clutch bags, evening bags, shoulder bags, tote bags, rucksacks, backpacks, sports bags and shoe and boot bags for travel; vanity cases sold empty; purses; articles made from leather or imitation leather, namely, carrying cases, holdalls, tote bags and backpacks; wallets; belt bags; key cases; umbrellas; parasols</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0</p>

	<p>Footwear; Clothing, namely, bathing costumes, bathing suits, beach coverups, beachwear, bikinis, blazers, blouses, capri pants, capris, cardigans, clam diggers, coats, coats made of cotton, crewneck sweaters, crew necks, crop tops, denim jackets, denims, dresses, evening dresses, fabric belts, fitted swimming costumes with bra cups, halter tops, head scarves, heavy jackets, hoods, hosiery, jackets, jeans, jerseys, jogging outfits, jogging pants, jogging suits, jumpers, jumpsuits, leather belts, leather coats, leather jackets, leg warmers, leggings, longjackets, long sleeved vests, lounge pants, loungewear, miniskirts, neckwear, overcoats, pants, pantyhose, pedal pushers, pullovers, rain coats, rain jackets, rainproof jackets, rainwear, scarves, shirts, shorts, shoulder scarves, skirts, stockings, sweaters, swimwear, t-shirts, tights, topcoats, tops, trousers, tube tops, turtleneck sweaters, turtlenecks, v-neck sweaters, vests, waistbands, bathrobes, dressing gowns, nightwear; belts, belts made of leather, belts made of textile</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>The bringing together, for the benefit of others, of a variety of goods enabling consumers to conveniently view and purchase those goods through an internet web site in the field of clothing, headwear, footwear, bags, leather goods and jewellery; providing retail store services featuring clothing, headwear, footwear, bags, leather goods and jewellery; catalog ordering service featuring clothing, headwear, footwear, bags, leather goods and jewellery; providing home shopping services in the field of clothing, headwear, footwear, bags, leather goods and jewellery by means of television</p>
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U.S. Registration No.	2926041	Application Date	10/16/2003
Registration Date	02/08/2005	Foreign Priority Date	NONE
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 2003/09/22 First Use In Commerce: 2003/09/22</p> <p>women's and ladies [ and children's ] clothing, namely, sweaters, skirts, pants, shorts, tee shirts, underwear, cover-ups, jump suits, jumpers, jeans, pajamas, robes, sleepers, tops, shirts, blouses, [ newborn and infant wear, ] raincoats, scarves, hats, hoods, gloves, jackets, coats, socks, [ rompers, ] vests, shoes, ties, dresses, swimwear, lingerie, belts, sweatshirts, turtleneck shirts; and for body wear and exercise wear, namely, bathing suits, leotards, warm-up suits and sweatsuits</p>		

U.S. Registration No.	3530018	Application Date	10/09/2007
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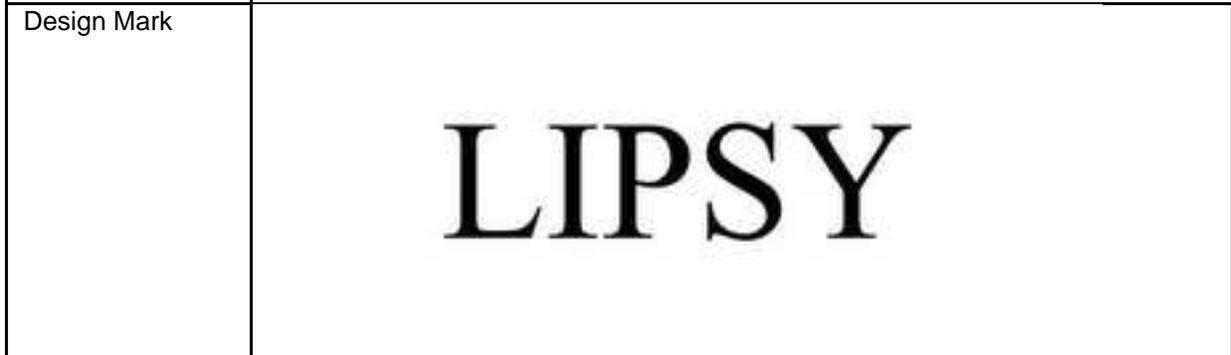
Registration Date	11/11/2008	Foreign Priority Date	NONE
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>[ Advertising services, namely, promoting and marketing the goods and services of others through all public communication means; Advertising services, public relations and marketing services, namely, promoting and marketing the goods and services of others through all public communication means; Advertising, including promotion relating to the sale of articles and services for third parties by the transmission of advertising material and the dissemination of advertising messages on computer networks; Business marketing consulting services; Business marketing services; Business merchandising display services; Business networking; Business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; ]</p> <p>Catalog ordering service featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Computerized on-line gift ordering service which matches the gift giver's requirements with the gift recipient's wants and needs; Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Computerized on-line retail store services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Contests and incentive award programs to promote the sale of products and services of others; [ Cooperative advertising and marketing; Cooperative advertising and marketing services by way of solicitation, customer service and providing marketing information via websites on a global computer network; Developing promotional campaigns for business; Development of marketing strategies and concepts; Direct marketing advertising for others; Direct marketing consulting services; Direct marketing services; ] Direct response retail services by means of infomercials in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Dissemination of advertisements and of advertising material; [ Dissemination of advertising for others via an on-line communications network on the internet; Dissemination of advertising for others via the Internet; ] Dissemination of advertising material; Dissemination of advertising matter; Electronic catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Mail order catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Mail order services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Marketing services, namely, providing informational web pages designed to generate sales traffic via hyperlinks to other web sites; On-line advertising and marketing services; On-line advertising on computer communication networks; ] On-line business directories featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; On-line ordering services featuring clothing, headwear, footwear, jewelry, leather</p>		

goods, bags, and carrying apparatus; On-line retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Operating an online shopping site in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Organisation of internet auctions; Organisation of promotions using audiovisual media; Preparing and placing advertisements for others; [ Preparing and placing of advertisements; Producing audio or video infomercials; Producing promotional videotapes, video discs, and audio visual recordings; Product merchandising; Promoting the goods and services of others by distributing advertising materials through a variety of methods; Promoting the goods and services of others by means of operating an on-line shopping mall with links to the retail websites of others; ] Promoting the goods and services of others by providing a web site at which users can link to clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Promoting the goods and services of others by providing hypertext links to the web sites of others; Promoting the goods and services of others through infomercials played on customer point of purchase television monitors in retail stores; ] Promoting the goods and services of others through on-line ordering and cataloging of those goods and services; [ Promoting the goods and services of others through search engine referral traffic analysis and reporting; Promoting the goods and services of others through the distribution of discount cards; Promoting the goods and services of others via a global computer network; ] Promoting the goods of others by means of on-line real time presentation for inspection, viewing or showing of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Promotion and marketing services and related consulting; Providing a searchable online advertising guide featuring the goods and services of other on-line vendors on the internet; Providing a web site which features advertisements for the goods and services of others on a global computer network; Providing business information, also via internet, the cable network or other forms of data transfer; Providing business marketing information; ] Providing home shopping services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus by means of television; Providing information about and making referrals in the field of consumer products and services for retail services concerning products, services, events, activities, attractions and facilities in particular geographic locations; Providing information about the goods and services of others via the global computer network; Publicity and sales promotion relating to goods and services, offered and ordered by telecommunication or the electronic way; [ Providing on-line facilities featuring transaction order entry, order directing and order confirmation services to customers in the field of investing; ] Providing space at a web site for the advertisement of the goods and services of others; [ Provision of a website featuring information on shopping; Provision of advertising space by electronic means and global information networks; ] Retail gift shops; Retail jewelry stores; Retail outlets featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail services by direct solicitation by sales agents in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail shop-at-home party services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail shops featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail store services featuring a wide variety of consumer goods of others; Retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail apparel stores; Retail clothing boutiques; Retail clothing stores; Retail department store services; Retail department stores; Retail store services, available through computer communications and interactive television, featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail stores featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus stores; Services with regard to product presentation to the public; Shop-at-home parties featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Tele-

	marketing; The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus [ ; Writing of publicity texts ]
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U.S. Registration No.	3530012	Application Date	10/08/2007
Registration Date	11/11/2008	Foreign Priority Date	NONE

Word Mark	LIPSY
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Description of Mark	NONE
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Goods/Services	<p>Class 025. First use: First Use: 0 First Use In Commerce: 0</p> <p>[ A-shirts; Ankle socks; Anklets; ] Athletic footwear; Athletic shoes; [ Baby body-suits; ] Baby doll pyjamas; [ Baby tops; Balloon pants; Bandanas; Baseball caps; Basketball sneakers; ] Bath slippers; [ Bathing caps; Bathing costumes; ] Bathing costumes for women; Bathing suits; [ Bathing suits for men; Bathing trunks; ] Bathrobes; Beach cover-ups; Beach cover ups; Beach footwear; Beach shoes; Beachwear; Belts; [ Belts made of leather; Belts of textile; Bermuda shorts; Bib overalls; ] Bikinis; Blazers; [ Bloomers; ] Blouses; [ Blousons; Board shorts; Boardshorts; Body shapers; Body stockings; ] Body suits; Boots; Bottoms; [ Bow ties; Boxer briefs; Boxer shorts; ] Bras; [ Briefs; Briefs; Camisettes; ] Camisoles; [ Camp shirts; Canvas shoes; Cap visors; Capelets; Capes; Capri pants; Capris; Caps; Caps with visors; ] Cardigans; [ Cargo pants; Chaps; Chemises; Chemisettes; Children's and infants' cloth bibs; Children's cloth eating bibs; Children's headwear; Clam diggers; Clogs; Cloth bibs; Clothing, namely, hand-warmers; Clothing, namely, knee warmers; Clothing, namely, neck tubes; Clothing, namely, wrap-arounds; ] Coats; Coats for men and women; [ Coats made of cotton; Coats of denim; Collars; Coveralls; Coverups; Crewneck sweaters; Crewnecks; ] Crop tops; Denim jackets; Denims; Down jackets; [ Drawers; Dress shirts; Dress suits; Dresses; ] Dressing gowns; Dungarees; Ear muffs; Ear warmers; Earbands; [ Espadrilles; ] Evening dresses; Evening gowns; [ Fabricbelts; Fitted swimming costumes with bra cups; Fleece pullovers; Fleece shorts; Fleece vests; ] Flip flops; Footwear; [ Footwear for men; ] Footwear for men and women; Footwear for women; Footwear not for sports; [ Footwear, namely, work boots; ] Footwear, namely, pumps; [ Footwear, namely, rubbers; Foul weather gear; Gauchos; ] Gloves; [ Golf caps; Golf shirts; Golf trousers; ] Gowns; Gym shorts; Gym suits; Halter tops; Hat bands; Hats; Head scarves; [ Head sweatbands; ] Head wear; Headbands; [ Headbands against sweating; Headwear; ] Heavy coats; Heavy jackets; [ Hiking boots; Hoods; Hoods; Horse-riding boots; Hosiery; Infant sleepers; Infant wear; Infants' trousers; Infantwear; ] Jackets; Jeans; Jerseys; Jogging outfits; Jogging pants; Jogging suits; Jumpers; Knit shirts; [ Knitted caps; ] Ladies' boots; Ladies' suits; Ladies' underwear; [ Layette; Leather belts; ] Leather coats; [ Leather headwear; ] Leather jackets; Leather pants; Leather shoes; [ Leather slippers; Leg shapers; Leg warmers; Leg-warmers; ] Leggings; [ Leotards; ] Lingerie; Long</p>
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jackets; Long sleeved vests; [ Long underwear; ] Long-sleeved shirts; Lounge pants; Loungewear; [ Maternity lingerie; Maternity sleepwear; ] Men and women jackets, coats, trousers, vests; [ Men's socks; Men's suits; Men's suits, women's suits; ] Miniskirts; Mittens; [ Moccasins; Mock turtle-neck sweaters; Mocknecks; Money belts; Motorcycle gloves; Motorcyclist boots; ] Muffs; Muscle tops; [ Neck bands; Neckerchiefs; Neckerchieves; Neckties; ] Neckwear; Negligees; Night gowns; Night shirts; Nightdresses; Nightgowns; Nighties; Nightwear; [ One piece garment for infants and toddlers; ] One-piece play suits; [ Open-necked shirts; ] Outdoor gloves; Outdoor mittens; [ Over coats; Over-trousers; Overalls; Overcoats; Overshoes; ] Pajama bottoms; Pajamas; [ Pantaloons; ] Panties; Panties, shorts and briefs; Pants; Pantsuits; Pantyhose; Parkas; [ Pedalpushers; ] Play suits; [ Polo shirts; ] Ponchos; Pullovers; Rain boots; Rain coats; Rain jackets; [ Rain slickers; Rainsuits; Rain trousers; Raincoats; ] Rainproof jackets; [ Rainwear; Riding boots; Riding coats; Riding gloves; ] Robes; Rompers; Rubber shoes; [ Rubbers; Rugby shirts; Rugby shorts; Rugby tops; Sandal-clogs; ] Sandals; [ Sashes; ] Scarves; Shawls; Shawls and stoles; Shirts; [ Shirts for suits; ] Shoes; Short sets; Shorttrousers; Short-sleeved or long-sleevedt-shirts; Short-sleeved shirts; [ Shortalls; ] Shorts; Shoulder scarves; Shoulder wraps; Shrugs; [ Silk scarves; Singlets; Skirt suits; ] Skirts; Skirts and dresses; Skorts; [ Slacks; ] Sleepwear; Sleeved or sleeveless jackets; Sleeveless jerseys; Slippers; [ Slips; ] Small hats; [ Smoking jackets; Sneakers; ] Socks; Socks and stockings; [ Sport coats; Sport shirts; Sports jackets; ] Sports jerseys; Sports shirts; [ Sports shirts with short sleeves; Stockings; ] Stockings; [Stoles; Stretch pants; Suede jackets; Suit coats; Suits; Suits of leather; Sun visors; Sun suits; Surf wear; Suspenders; Sweat bands; ] Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; [ Sweatbands; ] Sweaters; [ Sweatsocks; Swim caps; Swim trunks; ] Swim wear; Swim wear for gentlemen and ladies; [ Swimming caps; Swimming caps; ] Swimming costumes; [ Swimming trunks; ] Swimsuits; Swimwear; T-shirts; Tank tops; Tank-tops; Tankinis; [ Teddies; ] Tee shirts; Thermal underwear; Thongs; Tights; Top coats; Topcoats; Tops; Track pants; Track suits; Tracksuits; [ Training suits; ] Trench coats; Trousers; [ Trousers for sweating; Trousers of leather; ] Tube tops; Tunics; [ Turtleneck sweaters; Turtlenecks; ] Underclothes; [ Undergarments; Underpants; Undershirts; ] Underwear; Vests; [ Visors; Waist belts; Waistbands; ] Waistcoats; Walking shorts; Warm up suits; [ Waterproof jackets and pants; Wind coats; Wind pants; Wind resistant jackets; Wind shirts; Wind vests; Wind-jackets; ] Women's shoes; Women's underwear; [ Wraps; Wrist bands; Wristbands; ] Yoga pants; Yoga shirts

U.S. Registration No.	3530014	Application Date	10/08/2007
Registration Date	11/11/2008	Foreign Priority Date	NONE
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 0 First Use In Commerce: 0		

	[Alarm clocks;] Ankle bracelets; Body-piercing rings; Body-piercing studs; Bracelets; Bracelets of precious metal; [Bronze jewelry;] Brooches; Charms; Chokers; Clip earrings; [ Clocks; Cloisonne pins;] Costume jewelry; [ Diamond jewelry;] Diving watches; Ear clips; Ear studs; Earrings; Gemstone jewelry; [Identification bracelets;] Jewel chains; Jewel pendants; Jewelry chains; Jewelry; Jewelry watches; [ Lapel pins;] Neck chains; Necklaces; [Ornamental lapel pins; Ornamental pins; Ornaments of precious metal;] Pendants; [Pins;] Pins being jewelry; [ Pocket watches;] Rings; Rings; Rings being jewelry; [Small clocks; Stop watches; Table clocks; Tiaras; Tie bars; Tie clips; Tie fasteners; Tie pins; Tie tacks;] Timepieces; Timepieces and chronometric instruments; [Wall clocks;] Watch bands; Watch bands and straps; Watch bracelets; [Watch chains;] Watch straps; Watchbands; Watches; [Wedding bands;] Wrist watches; Wristwatches
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U.S. Registration No.	3530013	Application Date	10/08/2007
Registration Date	11/11/2008	Foreign Priority Date	NONE
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 0 First Use In Commerce: 0</p> <p>All purpose sport bags; All-purpose athletic bags; All-purpose carrying bags; [Animal harnesses; Animal leashes; ] Athletic bags; Attache cases; [ Backpacks; ] Backpacks; Bags and holdalls for sports clothing; Bags for sports; Bags for umbrellas; [ Banknote holders; ] Barrel bags; Beach bags; [ Beach umbrellas; Beachumbrellas; Belt bags; Billfolds; Blinders for horses; Blinkers for horses; Bookbags; Boston bags; Briefbags; Briefcase-type portfolios; Briefcases; Briefcases; Briefcases; Bumbags; ] Business card cases; [ Business cases; Calling card cases; ] Canvas shopping bags; [ Canvas wood carriers; ] Carry-all bags; Carry-on bags; [ Carryalls; Carrying cases; Carrying cases for documents; Catalog cases; ] Change purses; [ Charm bags (omamori-ire); ] Clutch bags; Clutch purses; Clutches; Coin purses; Coin purses not made of precious metal; Coin purses, not of precious metals; [ Collars for pets; ] Cosmetic bags sold empty; Cosmetic cases sold empty; [ Credit card cases; Daypacks; Diaper bags; Document cases; Dog collars; Dog leashes; ] Drawstring pouches; [ Duffel bags; Duffel bags for travel; Duffle bags; ] Evening handbags; [ Fanny packs; Felt pouches; ] Flexible bags for garments; [ Folding briefcases; ] Garment bags for travel; General purpose bags for carrying yoga equipment; [ Golf umbrellas; ] Gym bags; Handbags; [ Handbags for men; Harness fittings; Harness fittings not of precious metal; Harness straps; Harness traces; Harnesses; Hiking bags; Hiking rucksacks; Hipsacks; Holdalls; Horse collars; Horse halters; Horse tack, namely, bridles, reins, leads, bits, stirrup leathers, girth straps, lunge lines, halters; Hunting bags; ] Imitation leather; Imitation leather key chains; [ Imitation leather sold in bulk; Key bags;] Key case; [ Key cases; Key wallets; Key-cases of leather and skins; ] Knap sacks; Knapsacks; [ Leashes for animals; Leather; ] Leather and imitation leather; Leather and imitation leather bags; [ Leather bags</p>		

for merchandise packaging; ]Leather bags, suitcases and wallets; [ Leather boxes for storing greeting cards; Leather briefcases; Leather cases; Leather cases for keys; Leather for harnesses; Leather for shoes; ] Leather handbags; [ Leather key cases; Leather key chains; ] Leather purses; [ Leather shopping-bags; Leather sold in bulk; Leather straps; Leather thread; ] Luggage; Luggage tags; Make-up bags sold empty; [ Men's clutch bags; Mesh shopping bags; ] Overnight bags; Overnight cases; Overnight suitcases; [ Parasols; Parasols; Patio umbrellas; Pocket wallets; Pocketbooks; Pommel bags; Pouches and bags sold empty for attachment to backpacks; Pouches of leather; Purses; ] Purses; Purses not made of precious metal; [ Rainproof parasols; Reins; Reins; Riding saddles; Roll bags; ] Rucksacks; [ Saddle belts; Saddlebags; Saddlery; Saddlery of leather; Saddles; ] Satchels; School bags; School book bags; School knapsacks; [ Schoolchildren's backpacks; Shaving bags sold empty; ] Shoe bags for travel; Shoulder bags; [ Shoulder straps; ] Small backpacks; [ Small bags for men; ] Small clutch purses; Small purses; Small rucksacks; Small suitcases; [ Souvenir bags; ] Sports bags; [ Sports packs; Sportsman's hunting bags; String bags for shopping; ] Suit bags; Suitcases; [ Table umbrellas; Tanned leather; ] Telescopic umbrellas; Textile shopping bags; Toiletry bags sold empty; Toiletry cases sold empty; [ Tool bags sold empty; Tool pouches sold empty; Tool pouches, sold empty; ] Tote bags; Travel bags; Traveling bags; Travelling bags; [ Travelling cases of leather; Trunks; ] Umbrellas; Umbrellas and parasols; [ Umbrellas for children; Unfitted vanity cases; ] Vanity cases sold empty; [ Waist bags; Waist packs; Wallets; ] Wallets; [ Wallets with card compartments; ] Wash bags for carrying toiletries; Wearable strap-on pouch; [ Wheeled duffel bags; Wheeled messenger bags; Wheeled tote bags; Wine bags with handles for carrying or holding wine; Wrist mounted carryall bags; ] Wrist mounted purses; Wristlet bags

U.S. Registration No.	4486657	Application Date	07/01/2009
Registration Date	02/25/2014	Foreign Priority Date	NONE
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0</p> <p>Face soap, hand soap, cosmetic soap, bath soap; perfumery, essential oils, hairlotions; dentifrices; perfumes; colognes; body sprays; cosmetics; non-medicatedtoiletries; face cream, face lotion; moisturizing lotions for the body, hands and face; body cream, body lotion; cosmetic creams and cosmetic lotions; cleansing preparations for personal use, namely, skin cleansers and facial cleansers; body care cosmetics; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations for the body, the eyes, the face, the feet and the hands; cosmetic masks; deodorants for personal use; self-tanning lotions, creams and oils; talcum powder; bath and shower oils, gels, creams, lotions, milks and foams; bath beads; bath crystals; bath salts; but not</p>		

	including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products
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U.S. Registration No.	3803386	Application Date	03/23/2009
Registration Date	06/15/2010	Foreign Priority Date	09/24/2008
Word Mark	LIPSY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Eyeglasses, sunglasses, goggles for sport; eyewear cases; chains and straps foreyeglasses, sunglasses and goggles; spectacle and sunglass frames; contact lenses		

U.S. Registration No.	3891702	Application Date	02/07/2008
Registration Date	12/21/2010	Foreign Priority Date	12/19/2007
Word Mark	LIPSY V.I.P		
Design Mark			
Description of Mark	The mark consists of a stylized representation of a butterfly and the words "LIPSY V.I.P".		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 Bleaching preparations for household use, namely, laundry use; soaps; per-		

fumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; cosmetics; body and beauty care cosmetics; non-medicated toiletries; non-medicated toiletries in the form of creams and lotions, namely, skin creams and skin lotions; non-medicated cleansing products, namely, soap and face wash; cosmetic preparations for body care; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations; cosmetic preparations for the eyes, feet, hands and nails; coloring preparations for cosmetic purposes; makeup kits comprised of eye shadow, mascara, blush, lipstick, lip gloss and face powder; face and skin masks; personal deodorants; talcum powder; bath and shower oils, gels; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products

Class 014. First use: First Use: 0 First Use In Commerce: 0

Jewelry; costume jewelry; watches; clocks

Class 016. First use: First Use: 0 First Use In Commerce: 0

Photographs; stationery; materials for packaging, namely, bags of paper and plastic and boxes of cardboard; gift wrapping paper; cellophane paper; magazines, books and catalogues, all in the fields of fashion, make-up and celebrity; posters

Class 018. First use: First Use: 0 First Use In Commerce: 0

All purpose bags and handbags; suitcases; briefcases; holdalls, tote bags, rucksacks, backpacks, bags for sports; shoe and boot bags for travel; vanity cases sold empty; wallets, purses; leather shoulder belts and straps; harnesses; key cases; umbrellas; parasols; toiletry bags and cases sold empty; cosmetic bags and cases sold empty

Class 025. First use: First Use: 0 First Use In Commerce: 0

A-shirts; Ankle socks; Anklets; Athletic footwear; Athletic shoes; Baby bodysuits; Baby doll pajamas; Baby tops; Balloon pants; Bandanas; Baseball caps; Basketball sneakers; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Beachcover-ups; Beach footwear; Beach shoes; Beachwear; Belts; Belts made of leather; Belts of textile; Bermuda shorts; Bib overalls; Bikinis; Blazers; Bloomers; Blouses; Blousons; Board shorts; Body shapers; Body stockings; Body suits; Boots; Bottoms; Bow ties; Boxer briefs; Boxer shorts; Bras; Briefs; Camisettes; Camisoles; Camp shirts; Canvas shoes; Cap visors; Capelets; Capes; Capri pants; Capris; Caps; Caps with visors; Cardigans; Cargo pants; Chaps; Chemises; Chemisettes; Children's and infants' cloth bibs; Children's cloth eating bibs; Children's headwear; Clam diggers; Clogs; Cloth bibs; Clothing, namely, hand-warmers; Clothing, namely, knee warmers; Clothing, namely, neck tubes; Clothing, namely, wrap-arounds; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Collars; Coveralls; Coverups; Crewneck sweaters; Crewnecks; Crop tops; Denim jackets; Denims; Down jackets; Drawers; Dress shirts; Dress suits; Dresses; Dressing gowns; Dungarees; Ear muffs; Ear warmers; Earbands; Espadrilles; Evening dresses; Evening gowns; Fabric belts; Fitted swimming costumes with bra cups; Fleece pullovers; Fleece shorts; Fleece vests; Flip flops; Footwear; Footwear for men; Footwear for men and women; Footwear for women; Footwear not for sports; Footwear, namely, work boots; Footwear, namely, pumps; Footwear, namely, rubbers; Foul weather gear; Gauchos; Gloves; Golf caps; Golf shirts; Golf trousers; Gowns; Gym shorts; Gym suits; Halter tops. Hat bands; Hats; Head scarves; Head sweatbands; Headwear; Headbands; Headbands against sweating; Headwear; Heavy coats; Heavy jackets; Hiking boots; Hoods; Horse-riding boots; Hosiery; Infant sleepers; Infant wear; Infants' trousers; Jackets; Jeans; Jerseys; Jogging outfits; Jogging pants; Jogging suits; Jumpers; Knit shirts; Knitted caps; Ladies' boots; Ladies' suits; Ladies' underwear; Layettees; Leather belts; Leather coats; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leg shapers; Leg warmers; Leggings; Leotards; Lingerie; Long jackets; Long sleeved vests; Long underwear; Long-sleeved shirts; Lounge pants; Loun-

	<p>gewear; Maternity lingerie; Maternity sleepwear; Men and women jackets, coats, trousers, vests; Men's socks; Men's suits, women's suits; Miniskirts; Mittens; Moccasins; Mock turtle-neck sweaters; Mocknecks; Money belts; Motorcycle gloves; Motorcyclist boots; Muffs; Muscletops; Neck bands; Neckerchiefs; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightdresses; Nighties; Nightwear; One piece garment for infants and toddlers; One-piece play suits; Open-necked shirts; Outdoor gloves; Outdoor mittens; Over-trousers; Overalls; Overcoats; Overshoes; Pajama bottoms; Pajamas; Pantaloons; Panties; Panties, shorts and briefs; Pants; Pantsuits; Pantyhose; Parkas; Pedal pushers; Play suits; Polo shirts; Ponchos; Pullovers; Rain boots; Rain coats; Rain jackets; Rain slickers; Rainsuits; Rain trousers; Rainproof jackets; Rainwear; Riding boots; Riding coats; Riding gloves; Robes; Rompers; Rubber shoes; Rubbers; Rugby shirts; Rugby shorts; Rugby tops; Sandal-clogs; Sandals; Sashes; Scarves; Shawls; Shawls and stoles; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Shortalls; Shorts; Shoulder scarves; Shoulder wraps; Shrugs; Silk scarves; Singlets; Skirt suits; Skirts. Skirts addresses; Skorts; Slacks; Sleepwear; Sleeved or sleeveless jackets; Sleeveless jerseys; Slippers; Slips; Small hats; Smoking jackets; Sneakers; Socks; Socks and stockings; Sport coats; Sport shirts; Sports jackets; Sports jerseys; Sports shirts; Sports shirts with short sleeves; Stockings; Stoles; Stretch pants; Suede jackets; Suit coats; Suits; Suits of leather; Sun visors; Sun-suits; Surf wear; Suspenders; Sweat bands; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweaters; Sweatsocks; Swim caps; Swim trunks; Swim wear; Swim wear for gentlemen and ladies; Swimming caps; Swimming costumes; Swimsuits; T-shirts; Tank-tops; Tankinis; Teddies; Thermal underwear; Thongs; Tights; Top coats; Tops; Track pants; Track suits; Training suits; Trench coats; Trousers; Trousers for sweating; Trousers of leather; Tube tops; Tunics; Turtleneck sweaters; Turtlenecks; Underclothes; Undergarments; Underpants; Undershirts; Underwear; Vests; Visors; Waist belts; Waistbands; Waistcoats; Walking shorts; Warm up suits; Waterproof jackets and pants; Wind coats; Wind pants; Wind resistant jackets; Wind shirts; Wind vests; Wind-jackets; Women's shoes; Women's underwear; Wraps; Wrist bands; Yoga pants; Yoga shirts</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Retail store services featuring clothing, headwear, footwear, handwear, bags, leather goods, jewelry, toiletries, stationary and printed matter</p>
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Attachments	<p>77929564#TMSN.png( bytes )  76551554#TMSN.png( bytes )  77298986#TMSN.png( bytes )  77298609#TMSN.png( bytes )  77298614#TMSN.png( bytes )  77298612#TMSN.png( bytes )  77772362#TMSN.png( bytes )  79071196#TMSN.png( bytes )  77391013#TMSN.png( bytes )  YIPSY Notice of Opposition (FINAL).pdf(367385 bytes )</p>
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/lmdougherty/
Name	Adam M. Cohen; Linda M. Dougherty

Date	02/17/2015
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Lipsy Limited,	)	In the Matter of Trademark Application
	)	No. 86/123,633
Opposer,	)	Filed: November 20, 2013
	)	Published in the Official Gazette
v.	)	on October 21, 2014
	)	
	)	Opposition No. _____
	)	
	)	
Jocoby Apparel LLC DBA Yipsy,	)	Mark: YIPSY
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Opposer Lipsy Limited (“Opposer”) believes that it is or will be damaged by registration of the mark YIPSY (the “Opposed Mark”) as shown in Application Serial No. 86/123,633 (the “Application”), filed by Jocoby Apparel LLC DBA Yipsy (“Applicant”), and hereby opposes the same pursuant to Section 13 of the Trademark Act of 1946, as amended, 15 U.S.C. Section 101 *et seq.* (the “Trademark Act”) on the following grounds:

**ALLEGATIONS APPLICABLE TO ALL CLAIMS FOR RELIEF**

**The Parties**

1. Opposer is a limited company registered under the laws of England and Wales with a place of business located at Desford Road, Enderby, Leicester, Leicestershire LE19 4AT, United Kingdom.

2. Opposer is an internationally famous retailer and provider of apparel and related goods under the LIPSY brand.

3. Opposer has been offering apparel in the United Kingdom and throughout Europe under the mark LIPSY since at least as early as 1989.

4. Opposer has been manufacturing and distributing apparel in the United States under the mark LIPSY (the “LIPSY Mark”) since well before any priority date Applicant has asserted or may assert.

5. Opposer’s LIPSY Mark has become well-known and famous throughout the United States and Europe by virtue, among other things, of Opposer’s longtime and continuous use of the LIPSY Mark, significant sales of goods bearing the LIPSY Mark and Opposer’s significant marketing, advertising and promotional efforts and expenditures in connection with the LIPSY Mark.

6. Upon information and belief, Applicant is a trust legally organized in the state of Louisiana, having a business address of 10155 Perkins Rowe, Suite 160, Baton Rouge, Louisiana 70810.

### **Opposer’s Marks**

7. Opposer is the owner of the U.S. trademark registrations for the LIPSY Mark and marks otherwise incorporating the term “LIPSY” set forth on Exhibit A. Copies of the U.S. Patent and Trademark Office’s *TESS* printouts of these registrations are attached hereto as Exhibit B.

8. Opposer has been using the LIPSY Mark in commerce and in interstate commerce at least in connection with goods in Class 25 and services in Class 35 since at least as early as a date that precedes any priority date that Applicant has asserted or could assert.

9. Opposer's priority dates for the LIPSY Mark precede any priority date Applicant has asserted or may assert.

**Applicant's Mark**

10. The Application was filed on November 20, 2013, for "computerized on-line retail store services in the field of clothing; retail clothing boutiques" in Class 35. The Application was filed under Section 1(A) based on actual use of the Opposed Mark in commerce in the United States, with an alleged first use date of March 15, 2013. The Application was published for opposition on October 21, 2014. Opposer timely requested, and the TTAB granted, a 90-day extension of time to oppose the Application through and including February 18, 2015.

11. Opposer believes that it would be damaged by registration of the Opposed Mark, and therefore has standing to interpose this Notice of Opposition, for the reasons asserted below. Opposer has rights in the LIPSY Mark that predate Applicant's filing date of the Application and any alleged date of first use of the Opposed Mark. Opposer has registrations for at least nine (9) marks that are confusingly similar to the Opposed Mark. Therefore, Opposer has standing to interpose this Notice of Opposition.

**COUNT I: LIKELIHOOD OF CONFUSION**

12. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 11 of this Notice of Opposition as if fully set forth here.

13. Applicant's use and/or intended use of the Opposed Mark is likely to cause confusion among an appreciable number of reasonably prudent purchasers, who may mistakenly assume that Applicant's goods and services emanate from, or are licensed, sponsored or otherwise authorized by, Opposer, whereas in fact they are not.

14. The Opposed Mark so closely resembles the LIPSY Mark as to be likely, when applied to Applicant's goods and services, to cause confusion or mistake or to deceive members of the trade and public, who are likely to believe that Applicant's goods and services originated with Opposer or are somehow connected to Opposer.

15. The Opposed Mark and the LIPSY Mark are confusingly similar in appearance, pronunciation, connotation and commercial impression, and the goods and services of Opposer and Applicant are identical as both include apparel and online retail store services and retail store services in the field of clothing.

16. In light of the foregoing, the use and registration of the Opposed Mark by Applicant is likely to damage and destroy the distinctiveness, goodwill and reputation built by Opposer in the LIPSY Mark by virtue of the confusion, mistake and deception likely to occur between the Opposed Mark and the LIPSY Mark.

17. The Opposed Mark is confusingly and deceptively similar to Opposer's LIPSY Mark as applied to its goods and/or related goods and services, such that the use and registration of Applicant's mark is likely to cause confusion and mistake and will deceive the public into believing that Applicant's goods and services originate or are in some way sponsored, licensed, associated or otherwise authorized by Opposer.

18. Pursuant to Section 2(d) of the Trademark Act, Applicant is not entitled to registration of the Opposed Mark because the current use in commerce and registration of the Opposed Mark and the LIPSY Mark is likely to cause confusion or to cause mistake and/or to deceive.

## **COUNT II: DILUTION**

19. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 18 of this Notice of Opposition as if fully set forth here.

20. In view of the strength of Opposer's LIPSY Mark, the duration and extent of Opposer's use and advertising of its LIPSY Mark and the degree of recognition of Opposer's LIPSY Mark, Opposer's LIPSY Mark was well-known and famous prior to the filing date of Applicant's Application for the Opposed Mark and any alleged date of first use of the Opposed Mark.

21. The Opposed Mark and Application are likely to cause, and will cause, dilution of the distinctive value of Opposer's LIPSY Mark under Section 43(c) of the Lanham Act of 1946, as amended, 15 U.S.C. 1125(c).

22. Opposer will be damaged if a registration is granted for the Application because Applicant will obtain statutory rights in the Opposed Mark in violation and derogation of the established prior rights of Opposer.

**WHEREFORE**, Opposer respectfully requests that the Notice of Opposition be sustained, that the registration of the Opposed Mark, Application Serial No. 86/123,633, to Applicant be refused and that the Board grant such other and further relief as the Board deems proper.

Dated: New York, New York  
February 17, 2015

Respectfully submitted,  
KANE KESSLER, P.C.

/lmdougherty/  
Adam M. Cohen, Esq. (acohen@kanekessler.com)  
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Exhibit A

	<b>MARK</b>	<b>REG. NO. / SERIAL NO.</b>	<b>FILING DATE; REG. DATE</b>	<b>GOODS / SERVICES</b>
1	LIPSY	3,530,018	Oct. 9, 2007;  Nov. 11, 2008	Cl. 35: catalog ordering service featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; computerized on-line gift ordering service which matches the gift giver's requirements with the gift recipient's wants and needs; computerized on-line ordering featuring general merchandise and general consumer goods; computerized on-line ordering services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; computerized on-line retail store services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; contests and incentive award programs to promote the sale of products and services of others; direct response retail services by means of infomercials in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; dissemination of advertisements and of advertising material; dissemination of advertising matter; electronic catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; mail order catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; mail order services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; on-line business directories featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; on-line ordering services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; on-line retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; operating an online shopping site in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; organisation of internet auctions; organisation of promotions

				<p>using audiovisual media; preparing and placing advertisements for others; promoting the goods and services of others by providing a web site at which users can link to clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; promoting the goods and services of others through on-line ordering and cataloging of those goods and services; promoting the goods of others by means of on-line real time presentation for inspection, viewing or showing of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; providing home shopping services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus by means of television; providing information about and making referrals in the field of consumer products and services for retail services concerning products, services, events, activities, attractions and facilities in particular geographic locations; providing information about the goods and services of others via the global computer network; publicity and sales promotion relating to goods and services, offered and ordered by telecommunication or the electronic way; providing space at a web site for the advertisement of the goods and services of others; retail gift shops; retail jewelry stores; retail outlets featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail services by direct solicitation by sales agents in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail shop-at-home party services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail shops featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail store services featuring a wide variety of consumer goods of others. retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail apparel stores; retail clothing boutiques; retail clothing stores; retail department store services; retail department stores; retail store services, available through</p>
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				computer communications and interactive television, featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail stores featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; retail clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus stores; services with regard to product presentation to the public; shop-at-home parties featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; telemarketing; the bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus.
2		4,036,801	Feb. 5, 2010; Oct. 11, 2011	Cl. 3: cleaning, polishing, scouring and abrasive preparations; soaps for personal use; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; non-medicated toiletries; cosmetics; non-medicated toiletries in the form of face, body, cosmetic and beauty creams and lotions; cleansing products for personal use, namely, skin cleansers and facial cleansers; non-medicated cosmetic and skin care preparations for the body; preparations for hair care; preparations for nail care; nail varnish; preparations for care of skin; cosmetic preparations for the eyes; preparations for the face, namely, non-medicated skin care preparations for the face and make-up; non-medicated skin care preparations for the feet; non-medicated skin care preparations for the hands; coloring substances for cosmetic purposes, namely, hair coloring and dyes, eyelash and eyebrow coloring and dyes and self tanning substances; cosmetic kits, comprising make-up and non-medicated toiletries; cosmetic masks; personal deodorants; sponges impregnated with skin cleanser; talcum powder; bath and shower oils, gels, creams, lotions, milks and foams; bath beads; bath crystals; bath salt; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products.

				<p>Cl. 9: pre-recorded digital media featuring music and music videos; downloadable electronic publications, namely, e-magazines and e-books in the field of fashion, beauty and music; compact discs featuring music; digital music downloadable from the internet; pre-recorded CDs, video tapes, laser disks, DVDs and MP3s featuring music and videos; spectacles, eyeglasses, sunglasses, goggles for sport, contact lenses and cases therefor; chains and straps for eyeglasses, sunglasses and goggles for sport; spectacle and sunglass frames.</p> <p>Cl. 14: Jewellery; costume jewellery; watches; clocks.</p> <p>Cl. 18: Bags, namely, handbags, beach bags, clutch bags, evening bags, shoulder bags, tote bags, rucksacks, backpacks, sports bags and shoe and boot bags for travel; vanity cases sold empty; purses; articles made from leather or imitation leather, namely, carrying cases, holdalls, tote bags and backpacks; wallets; belt bags; key cases; umbrellas; parasols.</p> <p>Cl. 25: Footwear; Clothing, namely, bathing costumes, bathing suits, beach coverups, beachwear, bikinis, blazers, blouses, capri pants, capris, cardigans, clam diggers, coats, coats made of cotton, crewneck sweaters, crew necks, crop tops, denim jackets, denims, dresses, evening dresses, fabric belts, fitted swimming costumes with bra cups, halter tops, head scarves, heavy jackets, hoods, hosiery, jackets, jeans, jerseys, jogging outfits, jogging pants, jogging suits, jumpers, jumpsuits, leather belts, leather coats, leather jackets, leg warmers, leggings, long jackets, long sleeved vests, lounge pants, loungewear, miniskirts, neckwear, overcoats, pants, pantyhose, pedal pushers, pullovers, rain coats, rain jackets, rainproof jackets, rainwear, scarves, shirts, shorts, shoulder scarves, skirts, stockings, sweaters, swimwear, t-shirts, tights, topcoats, tops, trousers, tube tops, turtleneck sweaters, turtlenecks, v-neck sweaters, vests, waistbands, bathrobes, dressing gowns, nightwear;</p>
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				<p>belts, belts made of leather, belts made of textile.</p> <p>Cl. 35: The bringing together, for the benefit of others, of a variety of goods enabling consumers to conveniently view and purchase those goods through an internet web site in the field of clothing, headwear, footwear, bags, leather goods and jewellery; providing retail store services featuring clothing, headwear, footwear, bags, leather goods and jewellery; catalog ordering service featuring clothing, headwear, footwear, bags, leather goods and jewellery; providing home shopping services in the field of clothing, headwear, footwear, bags, leather goods and jewellery by means of television.</p>
3	LIPSY	2,926,041	Oct. 16, 2003; Feb. 8, 2005	<p>C. 25: women's and ladies clothing, namely, sweaters, skirts, pants, shorts, tee shirts, underwear, cover-ups, jump suits, jumpers, jeans, pajamas, robes, sleepers, tops, shirts, blouses, raincoats, scarves, hats, hoods, gloves, jackets, coats, socks, vests, shoes, ties, dresses, swimwear, lingerie, belts, sweatshirts, turtleneck shirts; and for body wear and exercise wear, namely, bathing suits, leotards, warm-up suits and sweatsuits. FIRST USE: 20030922. FIRST USE IN COMMERCE: 20030922</p>
4	LIPSY	3,530,012	Oct. 8, 2007; Nov. 11, 2008	<p>Cl. 25: athletic footwear; athletic shoes; baby doll pyjamas; bath slippers; bathing costumes for women; bathing suits; bathrobes; beach cover-ups; beach cover ups; beach footwear; beach shoes; beachwear; belts; bikinis; blazers; blouses; body suits; boots; bottoms; bras; camisoles; cardigans; coats; coats for men and women; crop tops; denim jackets; denims; down jackets; dressing gowns; dungarees; ear muffs; ear warmers; earbands; evening dresses; evening gowns; flip flops; footwear; footwear for men and women. footwear for women; footwear not for sports; footwear, namely, pumps; gloves; gowns; gym shorts; gym suits; halter tops; hat bands; hats; head scarves; head wear; headbands; heavy coats; heavy jackets; jackets; jeans; jerseys; jogging outfits; jogging pants; jogging suits; jumpers; knit shirts; ladies'</p>

				<p>boots; ladies' suits; ladies' underwear; leather coats; leather jackets; leather pants; leather shoes; leggings; lingerie; long jackets; long sleeved vests; long-sleeved shirts; lounge pants; loungewear; men and women jackets, coats, trousers, vests; miniskirts; mittens; muffs; muscle tops; neckwear; negligees; night gowns; night shirts; nightdresses; nightgowns; nighties; nightwear; one-piece play suits; outdoor gloves; outdoor mittens; pajama bottoms; pajamas; panties; pants, shorts and briefs; pants; pantsuits; pantyhose; parkas; play suits; ponchos; pullovers; rain boots; rain coats; rain jackets; rainproof jackets; robes; rompers; rubber shoes; sandals; scarves; shawls; shawls and stoles; shirts; shoes; short sets; short trousers; short-sleeved or long-sleeved t-shirts; short-sleeved shirts; shorts; shoulder scarves; shoulder wraps; shrugs; skirts; skirts and dresses; skorts; sleepwear; sleeved or sleeveless jackets; sleeveless jerseys; slippers; small hats; socks; socks and stockings; sports jerseys; sports shirts; stockings; sweat pants; sweat shirts; sweat shorts; sweat suits; sweaters; swim wear; swim wear for gentlemen and ladies; swimming costumes; swimsuits; swimwear; t-shirts; tank tops; tank-tops; tankinis; tee shirts; thermal underwear; thongs; tights; top coats; topcoats; tops; track pants; track suits; tracksuits; trench coats; trousers; tube tops; tunics; underclothes; underwear; vests; waistcoats; walking shorts; warm up suits; women's shoes; women's underwear; yoga pants; yoga shirts.</p>
5	LIPSY	3,530,014	Oct. 8, 2007; Nov. 11, 2008	<p>Cl. 14: ankle bracelets; body-piercing rings; body-piercing studs; bracelets; bracelets of precious metal; brooches; charms; chokers; clip earrings; costume jewelry; diving watches; ear clips; ear studs; earrings; gemstone jewelry; jewel chains; jewel pendants; jewelry chains; jewelry; jewelry watches; neck chains; necklaces; pendants; pins being jewelry; rings; rings; rings being jewelry; timepieces; timepieces and chronometric instruments; watch bands; watch bands and straps; watch bracelets; watch straps; watchbands; watches; wrist watches; wristwatches.</p>

6	LIPSY	3,530,013	Oct. 8, 2007; Nov. 11, 2008	<p>CI 18: all purpose sport bags; all-purpose athletic bags; all-purpose carrying bags; athletic bags; attache cases; backpacks; bags and holdalls for sports clothing; bags for sports; bags for umbrellas; barrel bags; beach bags; business card cases; canvas shopping bags; carry-all bags; carry-on bags; change purses; clutch bags; clutch purses; clutches; coin purses; coin purses not made of precious metal; coin purses, not of precious metals; cosmetic bags sold empty; cosmetic cases sold empty; drawstring pouches; evening handbags; flexible bags for garments; garment bags for travel; general purpose bags for carrying yoga equipment; gym bags; handbags; imitation leather; imitation leather key chains; key case; knap sacks; knapsacks; leather and imitation leather; leather and imitation leather bags; leather bags, suitcases and wallets; leather handbags; leather purses; luggage; luggage tags; make-up bags sold empty; overnight bags; overnight cases; overnight suitcases; purses; purses not made of precious metal; rucksacks; satchels; school bags; school book bags; school knapsacks; shoe bags for travel; shoulder bags; small backpacks; small clutch purses; small purses; small rucksacks; small suitcases; sports bags; suit bags; suitcases; telescopic umbrellas. textile shopping bags; toiletry bags sold empty; toiletry cases sold empty; tote bags; travel bags; traveling bags; travelling bags; umbrellas; umbrellas and parasols; vanity cases sold empty; wallets; wash bags for carrying toiletries; wearable strap-on pouch; wrist mounted purses; wristlet bags.</p>
7	LIPSY	4,486,657	July 1, 2009; Feb. 25, 2014	<p>CI. 3: face soap, hand soap, cosmetic soap, bath soap; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; cosmetics; non-medicated toiletries; face cream, face lotion; moisturizing lotions for the body, hands and face; body cream, body lotion; cosmetic creams and cosmetic lotions; cleansing preparations for personal use, namely, skin cleansers and facial cleansers; body care cosmetics; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations for the body, the eyes, the face, the feet and the hands; cosmetic</p>

				masks; deodorants for personal use; self-tanning lotions, creams and oils; talcum powder; bath and shower oils, gels, creams, lotions, milks and foams; bath beads; bath crystals; bath salts; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products.
8	LIPSY	3,803,386	March 23, 2009; June 15, 2010	Cl 9: eyeglasses, sunglasses, goggles for sport; eyewear cases; chains and straps for eyeglasses, sunglasses and goggles; spectacle and sunglass frames; contact lens.
9		3,891,702	Feb. 7, 2008; Dec. 21, 2010	<p>Cl. 3: bleaching preparations for household use, namely, laundry use; soaps; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; cosmetics; body and beauty care cosmetics; non-medicated toiletries; non-medicated toiletries in the form of creams and lotions, namely, skin creams and skin lotions; non-medicated cleansing products, namely, soap and face wash; cosmetic preparations for body care; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations; cosmetic preparations for the eyes, feet, hands and nails; coloring preparations for cosmetic purposes; makeup kits comprised of eye shadow, mascara, blush, lipstick, lip gloss and face powder; face and skin masks; personal deodorants; talcum powder; bath and shower oils, gels; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products.</p> <p>Cl. 14: jewelry; costume jewelry; watches; clocks.</p> <p>Cl. 16: photographs; stationery; materials for packaging, namely, bags of paper and plastic and boxes of cardboard; gift wrapping paper; cellophane paper; magazines, books and catalogues, all in the fields of fashion, make-up and celebrity; posters.</p> <p>Cl. 18: all purpose bags and handbags; suitcases; briefcases; holdalls, tote bags, rucksacks, backpacks, bags for sports; shoe and boot bags for travel; vanity cases sold empty; wallets, purses; leather</p>

				<p>shoulder belts and straps; harnesses; key cases; umbrellas; parasols; toiletry bags and cases sold empty; cosmetic bags and cases sold empty.</p> <p>Cl. 25: a-shirts; ankle socks; anklets; athletic footwear; athletic shoes; baby bodysuits; baby doll pajamas; baby tops; balloon pants; bandanas; baseball caps; basketball sneakers; bath slippers; bathing caps; bathing costumes; bathing costumes for women; bathing suits; bathing suits for men; bathing trunks; bathrobes; beach cover-ups; beach footwear; beach shoes; beachwear; belts; belts made of leather; belts of textile; bermuda shorts; bib overalls; bikinis; blazers; bloomers; blouses; blousons; board shorts; body shapers; body stockings; body suits; boots; bottoms; bow ties; boxer briefs; boxer shorts; bras; briefs; camisettes; camisoles; camp shirts; canvas shoes; cap visors; capelets; capes; capri pants; capris; caps; caps with visors; cardigans; cargo pants; chaps; chemises; chemisettes; children's and infants' cloth bibs; children's cloth eating bibs; children's headwear; clam diggers; clogs; cloth bibs; clothing, namely, hand-warmers; clothing, namely, knee warmers; clothing, namely, neck tubes; clothing, namely, wrap-arounds; coats; coats for men and women; coats made of cotton; coats of denim; collars; coveralls; coverups; crewneck sweaters; crewnecks; crop tops; denim jackets; denims; down jackets; drawers; dress shirts; dress suits; dresses; dressing gowns; dungarees; ear muffs; ear warmers; earbands; espadrilles; evening dresses; evening gowns; fabric belts; fitted swimming costumes with bra cups; fleece pullovers; fleece shorts; fleece vests; flip flops; footwear; footwear for men; footwear for men and women; footwear for women; footwear not for sports; footwear, namely, work boots; footwear, namely, pumps; footwear, namely, rubbers; foul weather gear; gauchos; gloves; golf caps; golf shirts; golf trousers; gowns; gym shorts; gym suits; halter tops. hat bands; hats; head scarves; head sweatbands; head wear; headbands; headbands against sweating; headwear; heavy coats; heavy jackets; hiking boots; hoods; horse-riding boots; hosiery; infant sleepers; infant</p>
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				<p>wear; infants' trousers; jackets; jeans; jerseys; jogging outfits; jogging pants; jogging suits; jumpers; knit shirts; knitted caps; ladies' boots; ladies' suits; ladies' underwear; layettes; leather belts; leather coats; leather headwear; leather jackets; leather pants; leather shoes; leather slippers; leg shapers; leg warmers; leggings; leotards; lingerie; long jackets; long sleeved vests; long underwear; long-sleeved shirts; lounge pants; loungewear; maternity lingerie; maternity sleepwear; men and women jackets, coats, trousers, vests; men's socks; men's suits, women's suits; miniskirts; mittens; moccasins; mock turtle-neck sweaters; mocknecks; money belts; motorcycle gloves; motorcyclist boots; muffs; muscle tops; neck bands; neckerchiefs; neckties; neckwear; negligees; night gowns; night shirts; nightdresses; nighties; nightwear; one piece garment for infants and toddlers; one-piece play suits; open-necked shirts; outdoor gloves; outdoor mittens; over-trousers; overalls; overcoats; overshoes; pajama bottoms; pajamas; pantaloons; panties; pants, shorts and briefs; pants; pantsuits; pantyhose; parkas; pedal pushers; play suits; polo shirts; ponchos; pullovers; rain boots; rain coats; rain jackets; rain slickers; rain suits; rain trousers; rainproof jackets; rainwear; riding boots; riding coats; riding gloves; robes; rompers; rubber shoes; rubbers; rugby shirts; rugby shorts; rugby tops; sandal-clogs; sandals; sashes; scarves; shawls; shawls and stoles; shirts; shirts for suits; shoes; short sets; short trousers; short-sleeved or long-sleeved t-shirts; short-sleeved shirts; shortalls; shorts; shoulder scarves; shoulder wraps; shrugs; silk scarves; singlets; skirt suits; skirts. skirts and dresses; skorts; slacks; sleepwear; sleeved or sleeveless jackets; sleeveless jerseys; slippers; slips; small hats; smoking jackets; sneakers; socks; socks and stockings; sport coats; sport shirts; sports jackets; sports jerseys; sports shirts; sports shirts with short sleeves; stockings; stoles; stretch pants; suede jackets; suit coats; suits; suits of leather; sun visors; sunsuits; surf wear; suspenders; sweat bands; sweat pants; sweat shirts; sweat shorts; sweat suits; sweaters; sweatsocks; swim caps; swim</p>
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				<p>trunks; swim wear; swim wear for gentlemen and ladies; swimming caps; swimming costumes; swimsuits; t-shirts; tank-tops; tankinis; teddies; thermal underwear; thongs; tights; top coats; tops; track pants; track suits; training suits; trench coats; trousers; trousers for sweating; trousers of leather; tube tops; tunics; turtleneck sweaters; turtlenecks; underclothes; undergarments; underpants; undershirts; underwear; vests; visors; waist belts; waistbands; waistcoats; walking shorts; warm up suits; waterproof jackets and pants; wind coats; wind pants; wind resistant jackets; wind shirts; wind vests; wind-jackets; women's shoes; women's underwear; wraps; wrist bands; yoga pants; yoga shirts.</p> <p>Cl. 35: retail store services featuring clothing, headwear, footwear, handwear, bags, leather goods, jewelry, toiletries, stationary and printed matter.</p>
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Exhibit B



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# LIPSY

**Word Mark** LIPSY

**Goods and Services** IC 035. US 100 101 102. G & S: [ Advertising services, namely, promoting and marketing the goods and services of others through all public communication means; Advertising services, public relations and marketing services, namely, promoting and marketing the goods and services of others through all public communication means; Advertising, including promotion relating to the sale of articles and services for third parties by the transmission of advertising material and the dissemination of advertising messages on computer networks; Business marketing consulting services; Business marketing services; Business merchandising display services; Business networking; Business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; ] Catalog ordering service featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Computerized on-line gift ordering service which matches the gift giver's requirements with the gift recipient's wants and needs; Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Computerized on-line retail store services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Contests and incentive award programs to promote the sale of products and services of others; [ Cooperative advertising and marketing; Cooperative advertising and marketing services by way of solicitation, customer service and providing marketing information via websites on a global computer network; Developing promotional campaigns for business; Development of marketing strategies and concepts; Direct marketing advertising for others; Direct marketing consulting services. Direct marketing services; ] Direct response retail services by means of infomercials in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Dissemination of advertisements and of advertising material; [ Dissemination of advertising for others via an on-line communications network on the internet; Dissemination of advertising for others via the Internet; ] Dissemination of advertising material; Dissemination of advertising matter; Electronic catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Mail order catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Mail order catalog services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Marketing services, namely, providing informational web pages designed to generate sales traffic via hyperlinks to other web sites; On-line advertising and marketing services; On-line advertising on computer communication networks; ] On-line business directories featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; On-line ordering services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; On-line retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Operating an online shopping site in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Organisation of internet auctions; Organisation of promotions using audiovisual media; Preparing and placing advertisements for others; [ Preparing and placing of advertisements; Producing audio or video infomercials; Producing promotional videotapes, video discs, and audio visual recordings; Product merchandising. Promoting the goods and services of others by distributing advertising materials through a variety of methods; Promoting the goods and services of others by means of operating an on-line shopping mall with links to the retail web sites of others; ] Promoting the goods and services of others by providing a web site at which users can link to clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Promoting the goods and services of others by providing hypertext links to the web sites of others; Promoting the goods and services of others through infomercials played on customer point of purchase television monitors in retail stores; ] Promoting the goods and services of others through on-line ordering and cataloging of those goods and services; [ Promoting the goods and services of others through search engine referral traffic analysis and reporting; Promoting the goods and services of others through the distribution of discount cards; Promoting the goods and services of others via a global computer network; ] Promoting the goods of others by means of on-line real time presentation for inspection, viewing or showing of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; [ Promotion and marketing services and related consulting; Providing a searchable online advertising guide featuring the goods and services of other on-line vendors on the internet; Providing a web site which features advertisements for the goods and services of others on a global computer network. Providing business information, also via internet, the cable network or other forms of data transfer; Providing business marketing information; ] Providing home shopping services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus by means of television; Providing information about and making referrals in the field of consumer products and services for retail services concerning products, services, events, activities, attractions and facilities in particular geographic locations; Providing information about the goods and services of others via the global computer network; Publicity and sales promotion relating to goods and services, offered and ordered by telecommunication or the electronic way; [ Providing on-line facilities featuring transaction order entry, order directing and order confirmation services to customers in the field of investing; ] Providing space at a web site for the advertisement of the goods and services of others; [ Provision of a website featuring information on shopping; Provision of advertising space by electronic means and global information networks; ] Retail gift shops; Retail jewelry stores; Retail outlets featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail services by direct solicitation by sales agents in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail shop-at-home party services in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail shops featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail store services featuring a wide variety of consumer goods of others. Retail store services featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail apparel stores; Retail clothing boutiques; Retail clothing stores; Retail department store services; Retail department stores; Retail store services, available through computer communications and interactive television, featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail stores featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Retail clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus stores; Services with regard to product presentation to the public; Shop-at-home parties featuring clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus; Telemarketing; The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in the field of clothing, headwear, footwear, jewelry, leather goods, bags, and carrying apparatus [ ; Writing of publicity texts ]

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77298986**Filing Date** October 9, 2007**Current Basis** 44E**Original Filing Basis** 1B;44E**Published for Opposition** August 26, 2008**Registration Number** 3530018**Registration Date** November 11, 2008**Owner** (REGISTRANT) Lipsy Limited LIMITED LIABILITY COMPANY GREAT BRITAIN 45-46 Berners Street London GREAT BRITAIN W1T3NE**Attorney of Record** Adam M. Cohen**Prior Registrations** 2926041**Description of Mark** Color is not claimed as a feature of the mark.**Type of Mark** SERVICE MARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)



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IC 009. US 021 023 026 036 038. G &amp; S: pre-recorded digital media featuring music and music videos; downloadable electronic publications, namely, e-magazines and e-books in the field of fashion, beauty and music; compact discs featuring music; digital music downloadable from the internet; pre-recorded CDs, video tapes, laser disks, DVDs and MP3s featuring music and videos; spectacles, eyeglasses, sunglasses, goggles for sport, contact lenses and cases therefor; chains and straps for eyeglasses, sunglasses and goggles for sport; spectacle and sunglass frames

IC 014. US 002 027 028 050. G &amp; S: Jewellery; costume jewellery; watches; clocks

IC 018. US 001 002 003 022 041. G &amp; S: Bags, namely, handbags, beach bags, clutch bags, evening bags, shoulder bags, tote bags, rucksacks, backpacks, sports bags and shoe and boot bags for travel; vanity cases sold empty; purses; articles made from leather or imitation leather, namely, carrying cases, holdalls, tote bags and backpacks; wallets; belt bags; key cases; umbrellas; parasols

IC 025. US 022 039. G &amp; S: Footwear; Clothing, namely, bathing costumes, bathing suits, beach coverups, beachwear, bikinis, blazers, blouses, capri pants, capris, cardigans, clam diggers, coats, coats made of cotton, crewneck sweaters, crew necks, crop tops, denim jackets, denims, dresses, evening dresses, fabric belts, fitted swimming costumes with bra cups, halter tops, head scarves, heavy jackets, hoods, hosiery, jackets, jeans, jerseys, jogging outfits, jogging pants, jogging suits, jumpers, jumpsuits, leather belts, leather coats, leather jackets, leg warmers, leggings, long jackets, long sleeved vests, lounge pants, loungewear, miniskirts, neckwear, overcoats, pants, pantyhose, pedal pushers, pullovers, rain coats, rain jackets, rainproof jackets, rainwear, scarves, shirts, shorts, shoulder scarves, skirts, stockings, sweaters, swimwear, t-shirts, tights, topcoats, tops, trousers, tube tops, turtleneck sweaters, turtle necks, v-neck sweaters, vests, waistbands, bathrobes, dressing gowns, nightwear; belts, belts made of leather, belts made of textile

IC 035. US 100 101 102. G &amp; S: The bringing together, for the benefit of others, of a variety of goods enabling consumers to conveniently view and purchase those goods through an internet web site in the field of clothing, headwear, footwear, bags, leather goods and jewellery; providing retail store services featuring clothing, headwear, footwear, bags, leather goods and jewellery; catalog ordering service featuring clothing, headwear, footwear, bags, leather goods and jewellery; providing home shopping services in the field of clothing, headwear, footwear, bags, leather goods and jewellery by means of television

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design Search Code** 02.11.13 - Hearts used as backgrounds or carriers**Serial Number** 77929564**Filing Date** February 5, 2010**Current Basis** 44E**Original Filing Basis** 1B;44D**Published for Opposition** July 26, 2011**Registration Number** 4036801**Registration Date** October 11, 2011**Owner** (REGISTRANT) Lipsy Limited limited company (Ltd.) UNITED KINGDOM Desford Road, Enderby Leicester UNITED KINGDOM LE194AT**Attorney of Record** Sara J. Crisafulli**Prior Registrations** 2926041;3530013;AND OTHERS**Description of Mark** The color(s) pink and white is/are claimed as a feature of the mark. The mark consists of the wording "LIPSY" in white depicted inside a pink heart design; the black background is not claimed as a feature of the mark but merely represents a transparent background.**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)



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# LIPSY

<b>Word Mark</b>	LIPSY
<b>Goods and Services</b>	IC 025. US 022 039. G & S: women's and ladies [ and children's ] clothing, namely, sweaters, skirts, pants, shorts, tee shirts, underwear, cover-ups, jump suits, jumpers, jeans, pajamas, robes, sleepers, tops, shirts, blouses, [ newborn and infant wear, ] raincoats, scarves, hats, hoods, gloves, jackets, coats, socks, [ rompers, ] vests, shoes, ties, dresses, swimwear, lingerie, belts, sweatshirts, turtleneck shirts; and for body wear and exercise wear, namely, bathing suits, leotards, warm-up suits and sweatsuits. FIRST USE: 20030922. FIRST USE IN COMMERCE: 20030922
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76551554
<b>Filing Date</b>	October 16, 2003
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Date Amended to Current Register</b>	August 6, 2004
<b>Registration Number</b>	<b>2926041</b>
<b>Registration Date</b>	February 8, 2005
<b>Owner</b>	(REGISTRANT) A.I.J.J. Enterprises, Inc. CORPORATION NEW YORK 1000 Pennsylvania Avenue Brooklyn NEW YORK 11207  (LAST LISTED OWNER) LIPSY LTD. COMPANY UNITED KINGDOM Desford Road, Enderby, Leicester, Leicestershire UNITED KINGDOM LE194AT
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Brendan P. McFeely
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	SUPPLEMENTAL
<b>Affidavit Text</b>	SECT 8 (6-YR).
<b>Live/Dead Indicator</b>	LIVE

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# LIPSY

**Word Mark** LIPSY**Goods and Services** IC 025. US 022 039. G & S: [ A-shirts; Ankle socks; Anklets; ] Athletic footwear; Athletic shoes; [ Baby bodysuits; ] Baby doll pyjamas; [ Baby tops; Balloon pants; Bandanas; Baseball caps; Basketball sneakers; ] Bath slippers; [ Bathing caps; Bathing costumes; ] Bathing costumes for women; Bathing suits; [ Bathing suits for men; Bathing trunks; ] Bathrobes; Beach cover-ups; Beach cover ups; Beach footwear; Beach shoes; Beachwear; Belts; [ Belts made of leather; Belts of textile; Bermuda shorts; Bib overalls; ] Bikinis; Blazers; [ Bloomers; ] Blouses; [ Blouses; Board shorts; Boardshorts; Body shapers; Body stockings; ] Body suits; Boots; Bottoms; [ Bow ties; Boxer briefs; Boxer shorts; ] Bras; [ Briefs; Briefs; Camisettes; ] Camisoles; [ Camp shirts; Canvas shoes; Cap visors; Capelets; Capes; Capri pants; Capris; Caps; Caps with visors; ] Cardigans; [ Cargo pants; Chaps; Chemises; Chemisettes; Children's and infants' cloth bibs; Children's cloth eating bibs; Children's headwear; Clam diggers; Clogs; Cloth bibs; Clothing, namely, hand-warmers; Clothing, namely, knee warmers; Clothing, namely, neck tubes; Clothing, namely, wrap-arounds; ] Coats; Coats for men and women; [ Coats made of cotton; Coats of denim; Collars; Coveralls; Coverups; Crewneck sweaters; Crewnecks; ] Crop tops; Denim jackets; Denims; Down jackets; [ Drawers; Dress shirts; Dress suits; Dresses; ] Dressing gowns; Dungarees; Ear muffs; Ear warmers; Earbands; [ Espadrilles; ] Evening dresses; Evening gowns; [ Fabric belts; Fitted swimming costumes with bra cups; Fleece pullovers; Fleece shorts; Fleece vests; ] Flip flops; Footwear; [ Footwear for men; ] Footwear for men and women. Footwear for women; Footwear not for sports; [ Footwear, namely, work boots; ] Footwear, namely, pumps; [ Footwear, namely, rubbers; Foul weather gear; Gauchos; ] Gloves; [ Golf caps; Golf shirts; Golf trousers; ] Gowns; Gym shorts; Gym suits; Halter tops; Hat bands; Hats; Head scarves; [ Head sweatbands; ] Head wear; Headbands; [ Headbands against sweating; Headwear; ] Heavy coats; Heavy jackets; [ Hiking boots; Hoods; Hoods; Horse-riding boots; Hosiery; Infant sleepers; Infant wear; Infants' trousers; Infantwear; ] Jackets; Jeans; Jerseys; Jogging outfits; Jogging pants; Jogging suits; Jumpers; Knit shirts; [ Knitted caps; ] Ladies' boots; Ladies' suits; Ladies' underwear; [ Layettes; Leather belts; ] Leather coats; [ Leather headwear; ] Leather jackets; Leather pants; Leather shoes; [ Leather slippers; Leg shapers; Leg warmers; Leg-warmers; ] Leggings; [ Leotards; ] Lingerie; Long jackets; Long sleeved vests; [ Long underwear; ] Long-sleeved shirts; Lounge pants; Loungewear; [ Maternity lingerie; Maternity sleepwear; ] Men and women jackets, coats, trousers, vests; [ Men's socks; Men's suits; Men's suits, women's suits; ] Miniskirts; Mittens; [ Moccasins; Mock turtle-neck sweaters; Mocknecks; Money belts; Motorcycle gloves; Motorcyclist boots; ] Muffs; Muscle tops; [ Neck bands; Neckerchiefs; Neckerchieves; Neckties; ] Neckwear; Negligees; Night gowns; Night shirts; Nightdresses; Nightgowns; Nighties; Nightwear; [ One piece garment for infants and toddlers; ] One-piece play suits; [ Open-necked shirts; ] Outdoor gloves; Outdoor mittens; [ Over coats; Over-trousers; Overalls; Overcoats; Overshoes; ] Pajama bottoms; Pajamas; [ Pantaloons; ] Panties; Panties, shorts and briefs; Pants; Pantsuits; Pantyhose; Parkas; [ Pedal pushers. ] Play suits; [ Polo shirts; ] Ponchos; Pullovers; Rain boots; Rain coats; Rain jackets; [ Rain slickers; Rain suits; Rain trousers; Raincoats; ] Rainproof jackets; [ Rainwear; Riding boots; Riding coats; Riding gloves; ] Robes; Rompers; Rubber shoes; [ Rubbers; Rugby shirts; Rugby shorts; Rugby tops; Sandal-clogs; ] Sandals; [ Sashes; ] Scarves; Shawls; Shawls and stoles; Shirts; [ Shirts for suits; ] Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; [ Shortalls; ] Shorts; Shoulder scarves; Shoulder wraps; Shrugs; [ Silk scarves; Singlets; Skirt suits; ] Skirts; Skirts and dresses; Skorts; [ Slacks; ] Sleepwear; Sleeved or sleeveless jackets; Sleeveless jerseys; Slippers; [ Slips; ] Small hats; [ Smoking jackets; Sneakers; ] Socks; Socks and stockings; [ Sport coats; Sport shirts; Sports jackets; ] Sports jerseys; Sports shirts; [ Sports shirts with short sleeves; Stockings; ] Stockings; [ Stoles; Stretch pants; Suede jackets; Suit coats; Suits; Suits of leather; Sun visors; Sun suits; Surf wear; Suspenders; Sweat bands; ] Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; [ Sweatbands; ] Sweaters; [ Sweatsocks; Swim caps; Swim trunks; ] Swim wear; Swim wear for gentlemen and ladies; [ Swimming caps; Swimming caps; ] Swimming costumes; [ Swimming trunks; ] Swimsuits; Swimwear; T-shirts; Tank tops; Tank-tops; Tankinis; [ Teddies; ] Tee shirts; Thermal underwear; Thongs; Tights; Top coats; Topcoats; Tops; Track pants; Track suits; Tracksuits; [ Training suits; ] Trench coats; Trousers; [ Trousers for sweating; Trousers of leather; ] Tube tops; Tunics; [ Turtle-neck sweaters; Turtlenecks. ] Underclothes; [ Undergarments; Underpants; Undershirts; ] Underwear; Vests; [ Visors; Waist belts; Waistbands; ] Waistcoats; Walking shorts; Warm up suits; [ Waterproof jackets and pants; Wind coats; Wind pants; Wind resistant jackets; Wind shirts; Wind vests; Wind-jackets; ] Women's shoes; Women's underwear; [ Wraps; Wrist bands; Wristbands; ] Yoga pants; Yoga shirts**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 77298609**Filing Date** October 8, 2007**Current Basis** 44E**Original Filing Basis** 1B;44E**Published for Opposition** August 26, 2008**Registration Number** 3530012**Registration Date** November 11, 2008**Owner** (REGISTRANT) Lipsy Limited LIMITED LIABILITY COMPANY GREAT BRITAIN 45-46 Berners Street London GREAT BRITAIN W1T3NE**Attorney of Record** Adam M. Cohen**Prior Registrations** 2926041**Description of Mark** Color is not claimed as a feature of the mark.**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)



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# LIPSY

**Word Mark** LIPSY**Goods and Services** IC 014. US 002 027 028 050. G & S: [Alarm clocks;] Ankle bracelets; Body-piercing rings; Body-piercing studs; Bracelets; Bracelets of precious metal; [Bronze jewelry;] Brooches; Charms; Chokers; Clip earrings; [Clocks; Cloisonne pins;] Costume jewelry; [Diamond jewelry;] Diving watches; Ear clips; Ear studs; Earrings; Gemstone jewelry; [Identification bracelets;] Jewel chains; Jewel pendants; Jewelry chains; Jewelry; Jewelry watches; [Lapel pins;] Neck chains; Necklaces; [Ornamental lapel pins; Ornamental pins; Ornaments of precious metal;] Pendants; [Pins;] Pins being jewelry; [Pocket watches;] Rings; Rings; Rings being jewelry; [Small clocks; Stop watches; Table clocks; Tiaras; Tie bars; Tie clips; Tie fasteners; Tie pins; Tie tacks;] Timepieces; Timepieces and chronometric instruments; [Wall clocks;] Watch bands; Watch bands and straps; Watch bracelets; [Watch chains;] Watch straps; Watchbands; Watches; [Wedding bands;] Wrist watches; Wristwatches**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 77298614**Filing Date** October 8, 2007**Current Basis** 44E**Original Filing Basis** 1B;44E**Published for Opposition** August 26, 2008**Registration Number** 3530014**Registration Date** November 11, 2008**Owner** (REGISTRANT) Lipsy Limited LIMITED LIABILITY COMPANY GREAT BRITAIN 45-46 Berners Street London GREAT BRITAIN W1T3NE**Attorney of Record** Adam M. Cohen**Prior Registrations** 2926041**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)[| .HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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# LIPSY

**Word Mark** LIPSY**Goods and Services** IC 018. US 001 002 003 022 041. G & S: All purpose sport bags; All-purpose athletic bags; All-purpose carrying bags; [ Animal harnesses; Animal leashes; ] Athletic bags; Attache cases; [ Backpacks; ] Backpacks; Bags and holdalls for sports clothing; Bags for sports; Bags for umbrellas; [ Banknote holders; ] Barrel bags; Beach bags; [ Beach umbrellas; Beach umbrellas; Belt bags; Billfolds; Blinders for horses; Blinkers for horses; Book bags; Boston bags; Briefbags; Briefcase-type portfolios; Briefcases; Briefcases; Bumbags; ] Business card cases; [ Business cases; Calling card cases; ] Canvas shopping bags; [ Canvas wood carriers; ] Carry-all bags; Carry-on bags; [ Carryalls; Carrying cases; Carrying cases for documents; Catalog cases; ] Change purses; [ Charm bags (omamori-ire); ] Clutch bags; Clutch purses; Clutches; Coin purses; Coin purses not made of precious metal; Coin purses, not of precious metals; [ Collars for pets; ] Cosmetic bags sold empty; Cosmetic cases sold empty; [ Credit card cases; Daypacks; Diaper bags; Document cases; Dog collars; Dog leashes; ] Drawstring pouches; [ Duffel bags; Duffel bags for travel; Duffle bags; ] Evening handbags; [ Fanny packs; Felt pouches; ] Flexible bags for garments; [ Folding briefcases; ] Garment bags for travel; General purpose bags for carrying yoga equipment; [ Golf umbrellas; ] Gym bags; Handbags; [ Handbags for men; Harness fittings; Harness fittings not of precious metal; Harness straps; Harness traces; Harnesses; Hiking bags; Hiking rucksacks; Hipsacks; Holdalls; Horse collars; Horse halters; Horse tack, namely, bridles, reins, leads, bits, stirrup leathers, girth straps, lunge lines, halters; Hunting bags. ] Imitation leather; Imitation leather key chains; [ Imitation leather sold in bulk; Key bags; ] Key case; [ Key cases; Key wallets; Key-cases of leather and skins; ] Knap sacks; Knapsacks; [ Leashes for animals; Leather; ] Leather and imitation leather; Leather and imitation leather bags; [ Leather bags for merchandise packaging; ] Leather bags, suitcases and wallets; [ Leather boxes for storing greeting cards; Leather briefcases; Leather cases; Leather cases for keys; Leather for harnesses; Leather for shoes; ] Leather handbags; [ Leather key cases; Leather key chains; ] Leather purses; [ Leather shopping bags; Leather sold in bulk; Leather straps; Leather thread; ] Luggage; Luggage tags; Make-up bags sold empty; [ Men's clutch bags; Mesh shopping bags; ] Overnight bags; Overnight cases; Overnight suitcases; [ Parasols; Parasols; Patio umbrellas; Pocket wallets; Pocketbooks; Pommel bags; Pouches and bags sold empty for attachment to backpacks; Pouches of leather; Purses; ] Purses; Purses not made of precious metal; [ Rainproof parasols; Reins; Reins; Riding saddles; Roll bags; ] Rucksacks; [ Saddle belts; Saddlebags; Saddlery; Saddlery of leather; Saddles; ] Satchels; School bags; School book bags; School knapsacks; [ Schoolchildren's backpacks; Shaving bags sold empty; ] Shoe bags for travel; Shoulder bags; [ Shoulder straps; ] Small backpacks; [ Small bags for men; ] Small clutch purses; Small purses; Small rucksacks; Small suitcases; [ Souvenir bags; ] Sports bags; [ Sports packs; Sportsman's hunting bags; String bags for shopping; ] Suit bags; Suitcases; [ Table umbrellas; Tanned leather; ] Telescopic umbrellas. Textile shopping bags; Toiletry bags sold empty; Toiletry cases sold empty; [ Tool bags sold empty; Tool pouches sold empty; Tool pouches, sold empty; ] Tote bags; Travel bags; Traveling bags; Travelling bags; [ Travelling cases of leather; Trunks; ] Umbrellas; Umbrellas and parasols; [ Umbrellas for children; Unfitted vanity cases; ] Vanity cases sold empty; [ Waist bags; Waist packs; Wallets; ] Wallets; [ Wallets with card compartments; ] Wash bags for carrying toiletries; Wearable strap-on pouch; [ Wheeled duffel bags; Wheeled messenger bags; Wheeled tote bags; Wine bags with handles for carrying or holding wine; Wrist mounted carryall bags; ] Wrist mounted purses; Wristlet bags**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 77298612**Filing Date** October 8, 2007**Current Basis** 44E**Original Filing Basis** 1B;44E**Published for Opposition** August 26, 2008**Registration Number** 3530013**Registration Date** November 11, 2008**Owner** (REGISTRANT) Lipsy Limited LIMITED LIABILITY COMPANY GREAT BRITAIN 45-46 Berners Street London GREAT BRITAIN W1T3NE**Attorney of Record** Adam M. Cohen**Prior Registrations** 2926041**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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# LIPSY

**Word Mark** LIPSY**Goods and Services** IC 003. US 001 004 006 050 051 052. G & S: Face soap, hand soap, cosmetic soap, bath soap; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; cosmetics; non-medicated toiletries; face cream, face lotion; moisturizing lotions for the body, hands and face; body cream, body lotion; cosmetic creams and cosmetic lotions; cleansing preparations for personal use, namely, skin cleansers and facial cleansers; body care cosmetics; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations for the body, the eyes, the face, the feet and the hands; cosmetic masks; deodorants for personal use; self-tanning lotions, creams and oils; talcum powder; bath and shower oils, gels, creams, lotions, milks and foams; bath beads; bath crystals; bath salts; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 77772362**Filing Date** July 1, 2009**Current Basis** 44E**Original Filing Basis** 1B**Published for Opposition** December 10, 2013**Registration Number** 4486657**Registration Date** February 25, 2014**Owner** (REGISTRANT) Lipsy Limited limited company (Ltd.) UNITED KINGDOM 45-46 Berners Street London UNITED KINGDOM W1T3NE**Attorney of Record** Sara J. Crisafulli**Prior Registrations** 2926041;3530012;3530013;AND OTHERS**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)[.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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**Word Mark** LIPSY

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Eyeglasses, sunglasses, goggles for sport; eyewear cases; chains and straps for eyeglasses, sunglasses and goggles; spectacle and sunglass frames; contact lenses

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 79071196

**Filing Date** March 23, 2009

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** March 30, 2010

**Registration Number** **3803386**

**International Registration Number** 1008462

**Registration Date** June 15, 2010

**Owner** (REGISTRANT) Lipsy Limited Limited Company UNITED KINGDOM Desford Road Enderby, Leicester LE19 4AT UNITED KINGDOM

**Priority Date** September 24, 2008

**Prior Registrations** 2926041;3530012;3530013;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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LIPSY V.I.P

**Goods and Services**

IC 003. US 001 004 006 050 051 052. G & S: Bleaching preparations for household use, namely, laundry use; soaps; perfumery, essential oils, hair lotions; dentifrices; perfumes; colognes; body sprays; cosmetics; body and beauty care cosmetics; non-medicated toiletries; non-medicated toiletries in the form of creams and lotions, namely, skin creams and skin lotions; non-medicated cleansing products, namely, soap and face wash; cosmetic preparations for body care; hair care preparations; nail care preparations; nail varnish; non-medicated skin care preparations; cosmetic preparations for the eyes, feet, hands and nails; coloring preparations for cosmetic purposes; makeup kits comprised of eye shadow, mascara, blush, lipstick, lip gloss and face powder; face and skin masks; personal deodorants; talcum powder; bath and shower oils, gels; but not including lip salves, lip protectors and/or lip care preparations and none of the aforesaid goods being lip-related products

IC 014. US 002 027 028 050. G &amp; S: Jewelry; costume jewelry; watches; clocks

IC 016. US 002 005 022 023 029 037 038 050. G & S: Photographs; stationery; materials for packaging, namely, bags of paper and plastic and boxes of cardboard; gift wrapping paper; cellophane paper; magazines, books and catalogues, all in the fields of fashion, make-up and celebrity; posters

IC 018. US 001 002 003 022 041. G & S: All purpose bags and handbags; suitcases; briefcases; holdalls, tote bags, rucksacks, backpacks, bags for sports; shoe and boot bags for travel; vanity cases sold empty; wallets, purses; leather shoulder belts and straps; harnesses; key cases; umbrellas; parasols; toiletry bags and cases sold empty; cosmetic bags and cases sold empty

IC 025. US 022 039. G & S: A-shirts; Ankle socks; Anklets; Athletic footwear; Athletic shoes; Baby bodysuits; Baby doll pajamas; Baby tops; Balloon pants; Bandanas; Baseball caps; Basketball sneakers; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Beach cover-ups; Beach footwear; Beach shoes; Beachwear; Belts; Belts made of leather; Belts of textile; Bermuda shorts; Bib overalls; Bikinis; Blazers; Bloomers; Blouses; Blousons; Board shorts; Body shapers; Body stockings; Body suits; Boots; Bottoms; Bow ties; Boxer briefs; Boxer shorts; Bras; Briefs; Camisettes; Camisoles; Camp shirts; Canvas shoes; Cap visors; Capelets; Capes; Capri pants; Capris; Caps; Caps with visors; Cardigans; Cargo pants; Chaps; Chemises; Chemisettes; Children's and infants' cloth bibs; Children's cloth eating bibs; Children's headwear; Clam diggers; Clogs; Cloth bibs; Clothing, namely, hand-warmers; Clothing, namely, knee warmers; Clothing, namely, neck tubes; Clothing, namely, wrap-arounds; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Collars; Coveralls; Coverups; Crewneck sweaters; Crewnecks; Crop tops; Denim jackets; Denims; Down jackets; Drawers; Dress shirts; Dress suits; Dresses; Dressing gowns; Dungarees; Ear muffs; Ear warmers; Earbands; Espadrilles; Evening dresses; Evening gowns; Fabric belts; Fitted swimming costumes with bra cups; Fleece pullovers; Fleece shorts; Fleece vests; Flip flops; Footwear; Footwear for men; Footwear for men and women; Footwear for women; Footwear not for sports; Footwear, namely, work boots; Footwear, namely, pumps; Footwear, namely, rubbers; Foul weather gear; Gauchos; Gloves; Golf caps; Golf shirts; Golf trousers; Gowns; Gym shorts; Gym suits; Halter tops. Hat bands; Hats; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headwear; Heavy coats; Heavy jackets; Hiking boots; Hoods; Horse-riding boots; Hosiery; Infant sleepers; Infant wear; Infants' trousers; Jackets; Jeans; Jerseys; Jogging outfits; Jogging pants; Jogging suits; Jumpers; Knit shirts; Knitted caps; Ladies' boots; Ladies' suits; Ladies' underwear; Layettes; Leather belts; Leather coats; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leg shapers; Leg warmers; Leggings; Leotards; Lingerie; Long jackets; Long sleeved vests; Long underwear; Long-sleeved shirts; Lounge pants; Loungewear; Maternity lingerie; Maternity sleepwear; Men and women jackets, coats, trousers, vests; Men's socks; Men's suits, women's suits; Miniskirts; Mittens; Moccasins; Mock turtle-neck sweaters; Mocknecks; Money belts; Motorcycle gloves; Motorcyclist boots; Muffs; Muscle tops; Neck bands; Neckerchiefs; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightdresses; Nighties; Nightwear; One piece garment for infants and toddlers; One-piece play suits; Open-necked shirts; Outdoor gloves; Outdoor mittens; Over-trousers; Overalls; Overcoats; Overshoes; Pajama bottoms; Pajamas; Pantaloons; Panties; Panties, shorts and briefs; Pants; Pantsuits; Pantyhose; Parkas; Pedal pushers; Play suits; Polo shirts; Ponchos; Pullovers; Rain boots; Rain coats; Rain jackets; Rain slickers; Rain suits; Rain trousers; Rainproof jackets; Rainwear; Riding boots; Riding coats; Riding gloves; Robes; Rompers; Rubber shoes; Rubbers; Rugby shirts; Rugby shorts; Rugby tops; Sandal-clogs; Sandals; Sashes; Scarves; Shawls; Shawls and stoles; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Shortalls; Shorts; Shoulder scarves; Shoulder wraps; Shrug; Silk scarves; Singlets; Skirt suits; Skirts. Skirts and dresses; Skorts; Slacks; Sleepwear; Sleeved or sleeveless jackets; Sleeveless jerseys; Slippers; Slips; Small hats; Smoking jackets; Sneakers; Socks; Socks and stockings; Sport coats; Sport shirts; Sports jackets; Sports jerseys; Sports shirts; Sports shirts with short sleeves; Stockings; Stoles; Stretch pants; Suede jackets; Suit coats; Suits; Suits of leather; Sun visors; Sun suits; Surf wear; Suspenders; Sweat bands; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweaters; Sweatsocks; Swim caps; Swim trunks; Swim wear; Swim wear for gentlemen and ladies; Swimming caps; Swimming costumes; Swimsuits; T-shirts; Tank-tops; Tankinis; Teddies; Thermal underwear; Thongs; Tights; Top coats; Tops; Track pants; Track suits; Training suits; Trench coats; Trousers; Trousers for sweating; Trousers of leather; Tube tops; Tunics; Turtle-neck sweaters; Turtlenecks; Underclothes; Undergarments; Underpants; Undershirts; Underwear; Vests; Visors; Waist belts; Waistbands; Waistcoats; Walking shorts; Warm up suits; Waterproof jackets and pants; Wind coats; Wind pants; Wind resistant jackets; Wind shirts; Wind vests; Wind-jackets; Women's shoes; Women's underwear; Wraps; Wrist bands; Yoga pants; Yoga shirts

IC 035. US 100 101 102. G &amp; S: Retail store services featuring clothing, headwear, footwear, handwear, bags, leather goods, jewelry, toiletries, stationary and printed matter

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

03.23.01 - Butterflies; Moths

03.23.24 - Stylized insects, spiders and micro-organisms

26.07.21 - Diamonds that are completely or partially shaded

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

**Mark Drawing Code****Design Search Code****Trademark Search Facility****Classification Code**

ANI-INV Invertebrate; animals that are lacking a spinal column, have no backbone or internal skeleton

LETTER-3-OR-MORE VIP Combination of three or more letters as part of the mark

NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters, punctuation and mathematical signs, zodiac signs, prescription marks

SHAPES-BAR-BANDS Designs with bar, bands or lines

SHAPES-DIAMONDS Diamond shaped designs including shaded or more than one diamond

**Serial Number**

77391013

**Filing Date**

February 7, 2008

**Current Basis**

44E

**Original Filing Basis**

1B;44D

**Published for Opposition**

December 1, 2009

**Registration Number****3891702****Registration Date**

December 21, 2010

**Owner**

(REGISTRANT) Lipsy Limited LIMITED LIABILITY COMPANY GREAT BRITAIN 45-46 Berners Street London GREAT BRITAIN W1T3NE

**Attorney of Record**

Brendan P. McFeeley

**Priority Date**

December 19, 2007

**Prior Registrations**

2926041;3530014;3530018;AND OTHERS

**Description of Mark**

Color is not claimed as a feature of the mark. The mark consists of a stylized representation of a butterfly and the words "LIPSY V.I.P."

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL

**Live/Dead Indicator**

LIVE

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#)

## **CERTIFICATE OF SERVICE**

This is to certify that on the 17th day of February 2015, the undersigned served the foregoing NOTICE OF OPPOSITION via e-mail and First Class Mail, postage prepaid, on Applicant's counsel as follows:

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/lmdougherty/  
Linda M. Dougherty