

ESTTA Tracking number: **ESTTA712893**

Filing date: **12/07/2015**

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 | Cupid Foundations, Inc. | | |
| Entity | Corporation | Citizenship | New York |
| Address | 475 Park Avenue South New York, NY 10016 UNITED STATES | | |

| | | | |
|----------------------|---|--|--|
| Attorney information | Bruce H. Sales Lerner, David, Littenberg, Krumholz & Mentlik 600 South Avenue West Westfield, NJ 07090 UNITED STATES bsales@ldlkm.com, litigation@ldlkm.com Phone:908 654-5000 | | |
|----------------------|---|--|--|

Applicant Information

| | | | |
|------------------------|--|------------------------|------------|
| Application No | 86669118 | Publication date | 11/10/2015 |
| Opposition Filing Date | 12/07/2015 | Opposition Period Ends | 12/10/2015 |
| Applicant | Li Zhang Room 402, Block 16, Kang Cheng Shang Yu Shun De, Fo Shan City, CHINA | | |

Goods/Services Affected by Opposition

| |
|---|
| Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Gloves; Men's and women's jackets, coats, trousers, vests; Pajamas; Swim wear; Underwear; Women's clothing, namely, shirts, dresses, skirts, blouses |
|---|

Grounds for Opposition

| | |
|--------------------------------------|-----------------------------|
| Priority and likelihood of confusion | Trademark Act section 2(d) |
| Other | No bona fide intent to use. |

Marks Cited by Opposer as Basis for Opposition

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 1394983 | Application Date | 10/04/1985 |
| Registration Date | 05/27/1986 | Foreign Priority Date | NONE |
| Word Mark | CUPID | | |
| Design Mark | | | |

| | |
|---------------------|---|
| Description of Mark | NONE |
| Goods/Services | Class 025. First use: First Use: 1944/00/00 First Use In Commerce: 1944/00/00 FOUNDATION GARMENTS, NAMELY GIRDLES, CONTROL PANTIES, PANTIES, CONTROLLERS, SHAPERS, AND BRAS |

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 3699658 | Application Date | 01/09/2008 |
| Registration Date | 10/20/2009 | Foreign Priority Date | NONE |

| | |
|-----------|-------|
| Word Mark | CUPID |
|-----------|-------|

| | |
|-------------|--|
| Design Mark |  |
|-------------|--|

| | |
|---------------------|--|
| Description of Mark | NONE |
| Goods/Services | Class 025. First use: First Use: 1944/12/31 First Use In Commerce: 1944/12/31 APPAREL, NAMELY, UNDERGARMENTS |

| | | | |
|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 4176057 | Application Date | 02/19/2010 |
| Registration Date | 07/17/2012 | Foreign Priority Date | NONE |

| | |
|-----------|---|
| Word Mark | CUPID INTIMATES THE BETTER WHY? COMPANY |
|-----------|---|

| | |
|-------------|--|
| Design Mark |  |
|-------------|--|

| | |
|---------------------|---|
| Description of Mark | NONE |
| Goods/Services | Class 025. First use: First Use: 2011/12/21 First Use In Commerce: 2011/12/21 UNDERGARMENTS |

| | |
|-------------|--|
| Attachments | 77367391#TMSN.png(bytes) 77940177#TMSN.png(bytes) Notice of Opposition (2).pdf(23970 bytes) |
|-------------|--|

| | |
|--|--|
| | 1,394,983 TSDR.pdf(17017 bytes) 3,699,658 TSDR.pdf(27925 bytes) 4,176,057 TSDR.pdf(33945 bytes) |
|--|--|

Certificate of Service

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

| | |
|-----------|------------------|
| Signature | /Bruce H. Sales/ |
| Name | Bruce H. Sales |
| Date | 12/07/2015 |

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

| | | |
|--------------------------|---|------------------------------|
| CUPID FOUNDATIONS, INC., | : | |
| | : | Serial No. 86/669,118 |
| Opposer, | : | |
| v. | : | Filed: June 24, 2015 |
| | : | |
| LI ZHANG, | : | Published: November 10, 2015 |
| | : | |
| Applicant. | : | Opposition No.: _____ |
| | X | |

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

Cupid Foundations, Inc., a corporation of the State of New York, having a place of business at 475 Park Avenue South, New York, New York 10016 ("Opposer"), will be damaged by the registration of the mark shown in Application Serial No. 86/669,118 (the "Application") filed by Li Zhang (the "Applicant") and hereby opposes the registration of the mark covered by the Application. The specific grounds for opposition are as follows:

1. Opposer owns and uses the trademarks and registrations CUPID covered by U.S. Trademark Registration No. 1,394,983; CUPID covered by U.S. Trademark Registration No. 3,699,658; and CUPID INTIMATES THE BETTER WHY? COMPANY, covered by U.S. Trademark Registration No. 4,176,057. Collectively, the aforementioned three trademarks are hereafter referred to as the "Marks."

2. TSDR printouts showing the current status and title of the three registrations in paragraph 1 are appended to this Notice. Opposer hereby makes such registrations of record.

3. Opposer uses and has used the Marks in commerce for undergarments and foundation garments insofar as the marks CUPID are concerned since 1944, and as far as the mark CUPID INTIMATES THE BETTER WHY? COMPANY for undergarments since December 21, 2011, and is entitled to claim first use of the Marks in the U.S. since such dates and constructively since the date of the filing of the CUPID INTIMATES THE BETTER WHY? COMPANY application. Opposer's right to the Marks long precede Applicant's constructive first use date of June 20, 2015, the date on which the Application was filed.

4. Opposer is the owner of U.S. Trademark Registration No. 1,394,983 for the mark CUPID covering "foundation garments, namely, girdles, control panties, panties, controllers, shapers, and bras."

5. Opposer is the owner of U.S. Trademark Registration No. 3,699,658 for the mark CUPID covering “apparel, namely, undergarments.”

6. Opposer is the owner of U.S. Trademark Registration No. 4,176,057 for the mark CUPID INTIMATES THE BETTER WHY? COMPANY covering “undergarments.”

7. Applicant uses or intends to use its THE VICTORY OF CUPID mark for “athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; gloves; men’s and women’s jackets, coats, trousers, vests; pajamas; swim wear; underwear; women’s clothing, namely, shirts, dresses, skirts, blouses.” The products covered by the Application are in the same field as Opposer’s Marks. Applicant’s products are all for clothing. Accordingly, the products are competitive and create an improper association between Applicant’s mark and Opposer’s Marks.

8. Upon information and belief, Applicant lacks the *bona fide* intention to use required by Section 1(b) of the Trademark Act. Accordingly, the Application is void *ab initio*.

9. Applicant’s THE VICTORY OF CUPID mark identifies confusingly similar goods such that if Applicant were to use the THE VICTORY OF CUPID mark to identify its products, customers are likely to be confused as to the source of Applicant’s products and Opposer’s products.

10. Opposer will suffer harm as a result of the confusion and false association likely to arise from the registration of the Application and from Opposer’s prior and ongoing use of the Marks.

11. This opposition is filed timely given that the publication date of the Application was November 10, 2015.

WHEREFORE, Opposer prays that the opposition be sustained, and that the Board deny registration of Application Serial No. 86/669,118.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
Attorneys for Opposer Zandera Ltd.
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000

Dated: December 7, 2015

By: /Bruce H. Sales/
Bruce H. Sales

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within NOTICE OF OPPOSITION was served upon the following this 7th day of December, 2015, as follows:

**VIA FEDERAL EXPRESS and
VIA ELECTRONIC MAIL**

Li Zhang
Room 402, Block 16, Kang Cheng Shang Yu
Shun De, Fo Shan City
CHINA
E-mail: cupid.brand@qq.com

/ Bruce H. Sales /

Bruce H. Sales

Generated on:

This page was generated by TSDR on 2015-12-01 10:27:52 EST

Mark: CUPID

US Serial Number: 73561561

Oct. 04, 1985

US Registration Number: 1394983

May 27, 1986

Register:

Principal

Mark Type:

Trademark

Status:

The registration has been renewed.

Status Date:

Jun. 25, 2015

Publication Date: Mar. 04, 1986

Application Filing Date:

Registration Date:

Mark Information

Mark Literal Elements:

CUPID

Standard Character Claim:

No

Mark Drawing Type:

1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations:

0869744

Goods and Services

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

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

For:

FOUNDATION GARMENTS, NAMELY GIRDLES, CONTROL PANTIES, PANTIES, CONTROLLERS, SHAPERS, AND BRAS

International Class(es): 025 - Primary Class

U.S Class(es):

039

Class Status:

ACTIVE

Basis:

1(a)

First Use: 1944

Use in Commerce:

1944

Basis Information (Case Level)

| | | |
|--------------------|------------------------|-----------------|
| Filed Use: Yes | Currently Use: Yes | Amended Use: No |
| Filed ITU: No | Currently ITU: No | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name:

CUPID FOUNDATIONS, INC.

Owner Address:

475 PARK AVENUE SOUTH
NEW YORK, NEW YORK 10016
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:**

NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: BRUCE H. SALES

Docket Number:

CUPID 10.1-0

**Attorney Primary Email
Address:** trademarkadmin@ldkm.com

**Attorney Email
Authorized:**

Yes

Correspondent

**Correspondent
Name/Address:**

BRUCE H. SALES
LERNER, DAVID, LITTENBERG, ET AL
600 SOUTH AVENUE WEST
WESTFIELD, NEW JERSEY 07090-1497
UNITED STATES

Phone: 908-654-5000

Fax:

908-654-7866

Correspondent e-mail: trademarkadmin@ldkm.com

**Correspondent e-mail
Authorized:**

Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jun. 25, 2015 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Jun. 25, 2015 | REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS) | 68335 |
| Jun. 25, 2015 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | 68335 |
| Jun. 25, 2015 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 68335 |
| Jun. 04, 2015 | TEAS SECTION 8 & 9 RECEIVED | |
| Jun. 23, 2008 | CASE FILE IN TICRS | |
| Sep. 19, 2005 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | |
| Sep. 19, 2005 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Jul. 18, 2005 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Sep. 09, 2005 | ASSIGNED TO PARALEGAL | 76293 |
| Jul. 18, 2005 | PAPER RECEIVED | |
| Nov. 01, 1991 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | |
| Jun. 20, 1991 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED | |
| May 27, 1986 | REGISTERED-PRINCIPAL REGISTER | |
| Mar. 04, 1986 | PUBLISHED FOR OPPOSITION | |

Feb. 02, 1986 NOTICE OF PUBLICATION
Jan. 10, 1986 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 10, 1985 EXAMINER'S AMENDMENT MAILED

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:

Section 8 - Accepted

Affidavit of Incontestability:

Section 15 - Accepted

Renewal Date:

May 27, 2015

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: GENERIC WEB UPDATE

Date in Location:

Jun. 25, 2015

Proceedings

Summary

Number of Proceedings:

1

Type of Proceeding: Cancellation

Proceeding Number: [92061063](#)

Filing Date:

Mar 12, 2015

Status: Terminated

Status Date:

Jul 15, 2015

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name:

Tee of the Zhang Ft Pty Limited as Trustee for the Zhang Family Trust

Correspondent Address:

ROBERT M O'CONNELL JR
FISH & RICHARDSON PC
ONE MARINA PARK DRIVE
BOSTON MA , 02210
UNITED STATES

Correspondent e-mail:

tmdoctc@fr.com , connell@fr.com , bauer@fr.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--------------------------|--------------------------|-------------------------|
| CUPID GIRL | Cancelled - Section 7(D) | 79131097 | 4607634 |
| CUPID GIRL | Cancelled - Section 7(D) | 79130774 | 4607633 |

Plaintiff(s)

Name:

Cupid Foundations, Inc.

Correspondent Address:

GREGG A PARADISE
LERNER DAVID LITTENBERG KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD NJ , 07090
UNITED STATES

Correspondent e-mail:

gparadise@ldkm.com , bsales@ldkm.com , wmentlik@ldkm.com, litigation@ldkm.com

Associated marks

| Serial | Registration |
|--------|--------------|
|--------|--------------|

| Mark | Application Status | Number | Number |
|---|--|--------------------------|-------------------------|
| CUPID INTIMATES THE BETTER WHY? COMPANY | Registered | 77940177 | 4176057 |
| CUPID | Section 8 and 15 - Accepted and Acknowledged | 77367391 | 3699658 |
| CUPID | Renewed | 73561561 | 1394983 |

| Prosecution History | | | |
|---------------------|--|--------------|--------------|
| Entry Number | History Text | Date | Due Date |
| 1 | FILED AND FEE | Mar 12, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Mar 13, 2015 | Apr 22, 2015 |
| 3 | PENDING, INSTITUTED | Mar 13, 2015 | |
| 4 | CHANGE OF CORRESP ADDRESS | Mar 16, 2015 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Apr 01, 2015 | |
| 6 | ANSWER | Apr 22, 2015 | |
| 7 | VOLUNTARY SURRENDER OF REGISTRATION | Jun 25, 2015 | |
| 8 | BD DECISION: DISMISSED W/O PREJ | Jul 06, 2015 | |
| 9 | COMMR ORDER CANCELLING REG | Jul 15, 2015 | |
| 10 | TERMINATED | Jul 15, 2015 | |

Generated on:

This page was generated by TSDR on 2015-12-01 10:28:25 EST

Mark: CUPID

CUPID

US Serial Number: 77367391

Jan. 09, 2008

Application Filing Date:

US Registration Number: 3699658

Oct. 20, 2009

Registration Date:

Register:

Principal

Mark Type:

Trademark

Status:

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

Status Date:

Nov. 05, 2014

Publication Date: Apr. 22, 2008

Notice of Allowance Date:

Aug. 19, 2008

Mark Information

Mark Literal Elements:

CUPID

Standard Character Claim:

Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type:

4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations:

0872615, 1394983

Goods and Services

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

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

For:

APPAREL, NAMELY, UNDERGARMENTS

International Class(es): 025 - Primary Class

U.S Class(es):

022, 039

Class Status:

ACTIVE

Basis:

1(a)

First Use: Dec. 31, 1944

Use in Commerce:

Dec. 31, 1944

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

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

Amended 44D: No
Amended 44E: No

Current Owner(s) Information

Owner Name:

CUPID FOUNDATIONS, INC.

Owner Address:

475 PARK AVENUE SOUTH
NEW YORK, NEW YORK 10016
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:**

NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: BRUCE H. SALES

Docket Number:

CUPID 10.0-1

**Attorney Primary Email
Address:** trademarkadmin@ldkm.com

**Attorney Email
Authorized:**

Yes

Correspondent

**Correspondent
Name/Address:**

BRUCE H. SALES
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 SOUTH AVENUE WEST
WESTFIELD, NEW JERSEY 07090-1497
UNITED STATES

Phone: 908-654-5000

Fax:

908-654-7866

Correspondent e-mail: trademarkadmin@ldkm.com

**Correspondent e-mail
Authorized:**

Yes

Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Nov. 05, 2014 | NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED | |
| Nov. 05, 2014 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | 76293 |
| Nov. 05, 2014 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 76293 |
| Oct. 24, 2014 | TEAS SECTION 8 & 15 RECEIVED | |
| Oct. 20, 2009 | REGISTERED-PRINCIPAL REGISTER | |
| Sep. 15, 2009 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 73797 |
| Sep. 11, 2009 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Sep. 02, 2009 | STATEMENT OF USE PROCESSING COMPLETE | 61813 |
| Aug. 04, 2009 | USE AMENDMENT FILED | 61813 |
| Sep. 02, 2009 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 61813 |
| Aug. 04, 2009 | TEAS STATEMENT OF USE RECEIVED | |
| Jan. 13, 2009 | EXTENSION 1 GRANTED | 98765 |
| Jan. 13, 2009 | EXTENSION 1 FILED | 98765 |
| Jan. 13, 2009 | TEAS EXTENSION RECEIVED | |
| Aug. 19, 2008 | NOA MAILED - SOU REQUIRED FROM APPLICANT | |
| Jul. 07, 2008 | EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED | |
| May 22, 2008 | EXTENSION OF TIME TO OPPOSE RECEIVED | |
| Apr. 22, 2008 | PUBLISHED FOR OPPOSITION | |
| Apr. 02, 2008 | NOTICE OF PUBLICATION | |

| | | |
|---------------|---|-------|
| Mar. 18, 2008 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 73797 |
| Mar. 18, 2008 | ASSIGNED TO LIE | 73797 |
| Feb. 28, 2008 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Feb. 25, 2008 | ASSIGNED TO EXAMINER | 76629 |
| Jan. 14, 2008 | NEW APPLICATION ENTERED IN TRAM | |

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:

Section 8 - Accepted

Affidavit of Incontestability:

Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105

Date in Location:

Nov. 05, 2014

Proceedings

Summary

Number of Proceedings:

2

Type of Proceeding: Cancellation

Proceeding Number: [92061063](#)

Filing Date:

Mar 12, 2015

Status: Terminated

Status Date:

Jul 15, 2015

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name:

Tee of the Zhang Ft Pty Limited as Trustee for the Zhang Family Trust

Correspondent Address:

ROBERT M O'CONNELL JR
FISH & RICHARDSON PC
ONE MARINA PARK DRIVE
BOSTON MA , 02210
UNITED STATES

Correspondent e-mail:

tmdoctc@fr.com , oconnell@fr.com , bauer@fr.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--------------------------|--------------------------|-------------------------|
| CUPID GIRL | Cancelled - Section 7(D) | 79131097 | 4607634 |
| CUPID GIRL | Cancelled - Section 7(D) | 79130774 | 4607633 |

Plaintiff(s)

Name:

Cupid Foundations, Inc.

Correspondent Address:

GREGG A PARADISE
LERNER DAVID LITTENBERG KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD NJ , 07090
UNITED STATES

Correspondent e-mail:

gparadise@ldlkm.com , bsales@ldlkm.com , wmentlik@ldlkm.com , litigation@ldlkm.com

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------|--------------------|---------------|---------------------|
|------|--------------------|---------------|---------------------|

| | | | |
|---|--|--------------------------|-------------------------|
| CUPID INTIMATES THE BETTER WHY? COMPANY | Registered | 77940177 | 4176057 |
| CUPID | Section 8 and 15 - Accepted and Acknowledged | 77367391 | 3699658 |
| CUPID | Renewed | 73561561 | 1394983 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Mar 12, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Mar 13, 2015 | Apr 22, 2015 |
| 3 | PENDING, INSTITUTED | Mar 13, 2015 | |
| 4 | CHANGE OF CORRESP ADDRESS | Mar 16, 2015 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Apr 01, 2015 | |
| 6 | ANSWER | Apr 22, 2015 | |
| 7 | VOLUNTARY SURRENDER OF REGISTRATION | Jun 25, 2015 | |
| 8 | BD DECISION: DISMISSED W/O PREJ | Jul 06, 2015 | |
| 9 | COMMR ORDER CANCELLING REG | Jul 15, 2015 | |
| 10 | TERMINATED | Jul 15, 2015 | |

Type of Proceeding: Extension of Time

Proceeding Number: [77367391](#)

Filing Date:

May 22, 2008

Status: Terminated

Status Date:

Aug 28, 2009

Interlocutory Attorney:

Defendant

Name:

CUPID FOUNDATIONS, INC.

Correspondent Address:

BRUCE H. SALES
LERNER, DAVID, LITTENBERG, KRUMHOLZ & ME
600 SOUTH AVE W STE 2
WESTFIELD NJ , 07090-1497
UNITED STATES

Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|-------|--|--------------------------|-------------------------|
| CUPID | Section 8 and 15 - Accepted and Acknowledged | 77367391 | 3699658 |

Potential Opposer(s)

Name:

East Lion Corporation

Correspondent Address:

Edward R. Schwartz
P.O. Box 7068
Pasadena CA , 91109-7068
UNITED STATES

Correspondent e-mail:

pto@cph.com

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|-------------------------------------|--------------|----------|
| 1 | INCOMING - EXT TIME TO OPPOSE FILED | May 22, 2008 | |
| 2 | EXTENSION OF TIME GRANTED | May 22, 2008 | |
| 3 | TERMINATED | Aug 28, 2009 | |

Generated on:

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Mark: CUPID INTIMATES THE BETTER WHY? COMPANY

CUPID INTIMATES THE BETTER
WHY? COMPANY

US Serial Number: 77940177

Application Filing Date:

Feb. 19, 2010

US Registration Number: 4176057

Registration Date:

Jul. 17, 2012

Register:

Principal

Mark Type:

Trademark

Status:

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

Status Date:

Jul. 17, 2012

Publication Date: May 24, 2011

Notice of Allowance Date:

Jul. 19, 2011

Mark Information

Mark Literal Elements:

CUPID INTIMATES THE BETTER WHY? COMPANY

Standard Character Claim:

Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type:

4 - STANDARD CHARACTER MARK

Disclaimer:

"INTIMATES"

Related Properties Information

**Claimed Ownership of US
Registrations:**

1394983, 3699658

Goods and Services

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

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

For:

UNDERGARMENTS

International Class(es): 025 - Primary Class

U.S Class(es):

022, 039

Class Status:

ACTIVE

Basis:

1(a)

First Use: Dec. 21, 2011

Use in Commerce:

Dec. 21, 2011

Basis Information (Case Level)

| | | |
|---------------------------|-------------------------------|------------------------|
| Filed Use: No | Currently Use: Yes | Amended Use: No |
| Filed ITU: Yes | Currently ITU: No | Amended ITU: No |
| Filed 44D: No | Currently 44D: No | Amended 44D: No |
| Filed 44E: No | Currently 44E: No | Amended 44E: No |
| Filed 66A: No | Currently 66A: No | |
| Filed No Basis: No | Currently No Basis: No | |

Current Owner(s) Information

Owner Name:

Cupid Foundations, Inc.

Owner Address:

475 Park Avenue South
New York, NEW YORK 10016
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized:

NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Bruce H. Sales

Docket Number:

CUPID 10.0-1

Attorney Primary Email Address: trademarkadmin@ldkm.com

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Domestic Representative - Not Found

Prosecution History

| Date | Description | Proceeding Number |
|---------------|--|-------------------|
| Jul. 17, 2012 | REGISTERED-PRINCIPAL REGISTER | |
| Jun. 09, 2012 | NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED | |
| Jun. 08, 2012 | LAW OFFICE REGISTRATION REVIEW COMPLETED | 66213 |
| Jun. 06, 2012 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED | |
| Jun. 06, 2012 | TEAS/EMAIL CORRESPONDENCE ENTERED | 66213 |
| Jun. 06, 2012 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 66213 |
| May 30, 2012 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| Jan. 24, 2012 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | |
| Jan. 24, 2012 | NON-FINAL ACTION E-MAILED | |
| Jan. 24, 2012 | SU - NON-FINAL ACTION - WRITTEN | 73712 |
| Jan. 24, 2012 | STATEMENT OF USE PROCESSING COMPLETE | 76985 |
| Dec. 22, 2011 | USE AMENDMENT FILED | 76985 |
| Jan. 24, 2012 | CASE ASSIGNED TO INTENT TO USE PARALEGAL | 76985 |
| Dec. 22, 2011 | TEAS STATEMENT OF USE RECEIVED | |
| Jul. 19, 2011 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT | |
| May 24, 2011 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | |
| May 24, 2011 | PUBLISHED FOR OPPOSITION | |

| | | |
|---------------|--|-------|
| Apr. 20, 2011 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 66213 |
| Apr. 19, 2011 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Apr. 01, 2011 | PREVIOUS ALLOWANCE COUNT WITHDRAWN | |
| Mar. 25, 2011 | WITHDRAWN FROM PUB - OG REVIEW QUERY | 76621 |
| Mar. 17, 2011 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 66213 |
| Mar. 16, 2011 | ASSIGNED TO LIE | 66213 |
| Feb. 28, 2011 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Feb. 28, 2011 | EXAMINER'S AMENDMENT ENTERED | 88888 |
| Feb. 28, 2011 | NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED | 6328 |
| Feb. 28, 2011 | EXAMINERS AMENDMENT E-MAILED | 6328 |
| Feb. 28, 2011 | EXAMINERS AMENDMENT -WRITTEN | 73712 |
| Dec. 10, 2010 | NOTIFICATION OF FINAL REFUSAL EMAILED | |
| Dec. 10, 2010 | FINAL REFUSAL E-MAILED | |
| Dec. 10, 2010 | FINAL REFUSAL WRITTEN | 73712 |
| Nov. 18, 2010 | TEAS/EMAIL CORRESPONDENCE ENTERED | 88889 |
| Nov. 18, 2010 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 88889 |
| Nov. 18, 2010 | TEAS RESPONSE TO OFFICE ACTION RECEIVED | |
| May 24, 2010 | NOTIFICATION OF NON-FINAL ACTION E-MAILED | 6325 |
| May 24, 2010 | NON-FINAL ACTION E-MAILED | 6325 |
| May 24, 2010 | NON-FINAL ACTION WRITTEN | 73712 |
| May 24, 2010 | ASSIGNED TO EXAMINER | 73712 |
| Feb. 25, 2010 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | |
| Feb. 23, 2010 | NEW APPLICATION ENTERED IN TRAM | |

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location:

Jun. 08, 2012

Proceedings

Summary

Number of Proceedings:

1

Type of Proceeding: Cancellation

Proceeding Number: [92061063](#)

Filing Date:

Mar 12, 2015

Status: Terminated

Status Date:

Jul 15, 2015

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name:

Tee of the Zhang Ft Pty Limited as Trustee for the Zhang Family Trust

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Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|------------|--------------------------|--------------------------|-------------------------|
| CUPID GIRL | Cancelled - Section 7(D) | 79131097 | 4607634 |
| CUPID GIRL | Cancelled - Section 7(D) | 79130774 | 4607633 |

Plaintiff(s)

Name:

Cupid Foundations, Inc.

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Associated marks

| Mark | Application Status | Serial Number | Registration Number |
|---|--|--------------------------|-------------------------|
| CUPID INTIMATES THE BETTER WHY? COMPANY | Registered | 77940177 | 4176057 |
| CUPID | Section 8 and 15 - Accepted and Acknowledged | 77367391 | 3699658 |
| CUPID | Renewed | 73561561 | 1394983 |

Prosecution History

| Entry Number | History Text | Date | Due Date |
|--------------|--|--------------|--------------|
| 1 | FILED AND FEE | Mar 12, 2015 | |
| 2 | NOTICE AND TRIAL DATES SENT; ANSWER DUE: | Mar 13, 2015 | Apr 22, 2015 |
| 3 | PENDING, INSTITUTED | Mar 13, 2015 | |
| 4 | CHANGE OF CORRESP ADDRESS | Mar 16, 2015 | |
| 5 | D APPEARANCE / POWER OF ATTORNEY | Apr 01, 2015 | |
| 6 | ANSWER | Apr 22, 2015 | |
| 7 | VOLUNTARY SURRENDER OF REGISTRATION | Jun 25, 2015 | |
| 8 | BD DECISION: DISMISSED W/O PREJ | Jul 06, 2015 | |
| 9 | COMMR ORDER CANCELLING REG | Jul 15, 2015 | |
| 10 | TERMINATED | Jul 15, 2015 | |