

ESTTA Tracking number: **ESTTA713464**

Filing date: **12/09/2015**

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	CKL Holdings NV		
Entity	Naamloze vennootschap	Citizenship	Belgium
Address	12 Kaasrui Antwerp, 2000 BELGIUM		

Domestic Representative	Jonathan Morton General Counsel 246 West Broadway 4th Floor New York, NY 10013 UNITED STATES jonathan@ckl.com Phone:212-468-5491
-------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------

Applicant Information

Application No	86635433	Publication date	11/10/2015
Opposition Filing Date	12/09/2015	Opposition Period Ends	12/10/2015
Applicant	xuchang Longqi Beauty Hair products Co.,Ltd Dingxin Business Plaza, Nanguan Street Xuchang, 461000 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: Caps; Coats; Down jackets; Footwear; Hosiery; Ponchos; Sandals; Shawls; Skirts; Underclothing

Grounds for Opposition

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

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	86805628	Application Date	10/31/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	JULIA		

Design Mark	<h1>Julia</h1>
Description of Mark	NONE
Goods/Services	<p>Class 018. First use: First Use: 0 First Use In Commerce: 0 Articles of leather or imitation of leather and not included in other classes; trunks, suitcases, travelling cases, handbags, purses, wallets; umbrellas; parasols and walking sticks; whips, harness and saddlery</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing; footwear and headgear; swimwear; sportswear and leisurewear</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Technical and professional services in the field of design, graphic arts and technical research in the field of fashion</p>

Attachments	<p>86805628#TMSN.png(bytes) Ali Julia 86635433(2).pdf(461293 bytes)</p>
-------------	--------------------------------------------------------------------------------

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	/Jonathan G Morton/
Name	Jonathan Morton
Date	12/09/2015

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

CKL Holdings N.V.

Opposer,

v.

Xuchang Longqi Beauty Hair Products Co., Ltd.

Applicant

Trademark Application

Mark: Ali Julia
Mark: Ali Julia

Serial No. 86635433

Filed: May 20, 2015

Published: November 10, 2015

Opposition No. _____

NOTICE OF OPPOSITION

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Madam:

CKL Holdings N.V., a Belgian corporation located and engaged in business at Kaasrui 12, 2000 Antwerp, Belgium (“Opposer”), believes that it will be damaged by Xuchang Longqi Beauty Hair Products Co., Ltd’s (“Applicant”) registration of the “Ali Julia” mark shown in U.S. Application Number: 86635433 which was filed on May 20, 2015 and published for opposition in the Official Gazette of November 10, 2015 in the International Class 025 and hereby opposes the same.

The grounds for the opposition are as follows:

1. The Applicant filed a trademark application which was assigned Application Serial Number 86635433 to register the mark Ali Julia (“the Applicant’s Application”) on May 20, 2015 (“Applicant’s Filing Date”) in the United States Patent and Trademark Office (“PTO”) in International Class 25. Applicant’s list of goods is comprised of “Coats; Down Jackets; Footwear; Hosiery; Ponchos; Sandals; Shawls; Skirts; Underclothing” in Class 25 (“Applicant’s Goods”).
2. The Applicant filed the application on an intent-to-use basis. As of November 14, 2015, the Application has not been amended to reflect actual use in commerce.
3. The Opposer is the brand management arm of Bigfoot Ventures, LLC. (“Bigfoot”), a well-known provider of various related interactive entertainment services, including production and distribution of film and TV programs and it develops, produces, and finances media content, including independent feature films, television series, reality shows, filmmaking education, and community outreach among other things, as shown in Bigfoot’s Wikipedia page in Exhibit A. One of Bigfoot’s more well-known subsidiaries include Fashion One, which has a prominent presence in parts of Europe and South-East Asia, including Belgium, Singapore and Philippines, as can be seen on Fashion One’s Wikipedia page in Exhibit B. In Exhibit C, an article on the expansion of Fashion One’s broadcasting services on the Asia Broadcast Satellite can be found.
4. The Opposer is the owner of Benelux Registration Number: 0975239 for the “Julia” mark in International Classes 18, 25 and 42, filed May 15, 2015 and registered July 29, 2015 (“the Opposer’s Foreign Registration”). The Opposer’s goods and services as enumerated within its Foreign Registration include “Articles of leather or imitation leather and not included in other classes; trunks, suitcases, travelling cases, handbags, purses, wallets;

umbrellas; parasols and walking sticks; whips, harness and saddlery” in Class 18; “Clothing; footwear and headgear; swimwear; sportswear and leisurewear” in Class 25 and “Technical and professional services in the field of design, graphic arts and technical research in the field of fashion” in Class 42 (“the Opposer’s Goods and Services”).

5. A timely application, Serial No. 86805628, has been filed with the USPTO on October 31, 2015 to register the mark based on Opposer’s Foreign Registration (“the Opposer’s Application”). A copy of the TTAB record showing the current active status of the Opposer’s application is attached as Exhibit D.
6. The Opposer claims an effective filing date of May 15, 2015 (“Opposer’s Filing Date”) based on its Foreign Registration.
7. The Opposer’s Filing Date for the Opposer’s Mark has priority over the Applicant’s Filing Date because it precedes the Applicant’s Filing Date for the Applicant’s Mark.
8. The Applicant’s Mark is confusingly similar to the Opposer’s Mark as it incorporates the Opposer’s Mark in its entirety. The name “Julia” is a common first name and therefore, likely to be the dominant portion of the Applicant’s Mark that most customers will remember. The Applicant’s mark is thus confusingly similar. *See Craddock-Terry Shoe Corp. v. Sondra Manufacturing Co.*, 134 U.S.P.Q. 464 (TTAB 1962) [the term “Terry” found to be the most likely portion to be remembered, thus rendering TERRY TWINKS confusingly similar to TERRY and TOM TERRY JR.]; and *Lilly Pulitzer, Inc. v. Lilli Ann Corp.* 376 F.2d 324, 153 USPQ 406 (C.C.P.A. 1967) [THE LILLY and LILLI ANN held to be confusingly similar.] See also *Oleg Cassini v. Cassini Tailors and Ghassan Abdul Karim*, 18 U.S.P.Q.2D (BNA) 1285 (1990) [finding that the appropriate test for determining whether marks are confusingly similar “is whether the average consumer is

likely to confuse or associate the defendant or his services with the plaintiff in the isolated context of the marketplace, assuming the consumer has only a general recollection of the plaintiff's mark.”].

9. There is an overlap in Opposer's Goods and Services and the Applicant's Goods in International Class 25 with respect to “clothing”, “footwear” and “leisurewear”, making the Applicant's Goods functionally identical to the Opposer's Goods where the two overlap, which may give rise to confusion amongst consumers.
10. Customers, users and potential customers and users who are aware of the Opposer's Mark are likely to mistakenly believe that the Applicant's Goods are sponsored by, authorized, endorsed, affiliated with or otherwise approved by the Opposer because the Applicant's Mark sought to be registered is confusingly similar to the Opposer's Mark.
11. For the reasons set forth above, the registration sought by Applicant is contrary to the provisions of Section 2 of the Lanham Act, and Opposer believes that it would be damaged if Applicant uses or obtains registration of the trademark Ali Julia.

WHEREFORE, Opposer, CKL Holdings N.V. believes and avers that it will be damaged by said registration in International Classes 3, 25 and 26 and respectfully requests that this Opposition be sustained and registration of the mark and design shown in Application Serial Number 86635433 be refused.

DATED: December 9, 2015

By: /s/ Jonathan G. Morton/
Jonathan G. Morton, Esq.
Attorney for Opposer
General Counsel for CKL Holdings N.V.
D.C. Bar No. 989862
246 West Broadway, 4th Floor
New York, NY 10013
Telephone: (212) 468 5491

Facsimile: (212) 656 1828

Email: jonathan@ckl.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 9th day of September, 2015, a copy of the foregoing NOTICE OF OPPOSITION was served upon the correspondent of record for Applicant via international mail, postage prepaid, and addressed as follows:

Xuchang Longqi Beauty Hair products Co. Ltd
6640 Lusk Blvd, Suite A205A
San Diego, California 92121

By: /s/ Jonathan G. Morton/

Jonathan G. Morton, Esq.

Attorney for Opposer

General Counsel for CKL Holdings N.V.

Exhibit A

Exhibit B

MIAMI, FLORIDA [edit]

Fashion One television network also includes the channels F O , Fashion First, Fashion 4K and Fashion One 4K.

Fashion One 4K [edit]

Fashion One 4K is a satellite television channel broadcast in Asia, Latin America and North America that operates under the Fashion One television network. The channel was launched on September 1, 2015, and is the first English-language free-to-air channel to be broadcast in 4K resolution (or Ultra High Definition) in the continents mentioned above.^[a]

Fashion One also launched its sister channel Fashion 4K in Europe, making both channels the first free global launch of an Ultra HD channel.^[b]

Social Activism [edit]

In addition to its regular programming, Fashion One has a recent history of promoting social, political, and environmental activism. The channel's approach to activism can be seen in *The Girl With No Number*, talking about the facts and figures of human trafficking, *Light A Million Homes*, targeting sustainable social energy, and *Alaskan Relief Campaign*, a relief campaign for victims of typhoon Haiyan.

The Girl With No Number [edit]

The Girl With No Number is a short film that was produced in January 2011 to raise awareness about human trafficking.^[a]

Light A Million Homes [edit]

Light A Million Homes is a project that promotes the use of solar energy, specifically targeting communities in the Philippines.^[a]

Alaskan Relief Campaign [edit]

The *Alaskan Relief Campaign* was started as a relief operation to raise awareness about the aftermath of super typhoon Haiyan aka Yolanda in the Philippines.^[a]

Fashion One Foundation [edit]

All of these campaigns have been organized by the Fashion One Foundation, a nonprofit organization, which raises awareness about poverty, human trafficking and other educational and environmental issues, in collaboration with its partners – Fashion Vogue, Digital Entertainment, Traffic Jam, and iTV 2307 – the foundation seeks to prevent modern slavery and other violations of human rights. The Fashion One Foundation was founded in 2013.^[a]

References [edit]

- ↑ http://www.thefashionone.com/press/whats/fashion-one-introduces-new-programming/Block-20141001-g/
- ↑ Fashion One Launches First HD Fashion Channel, Fashion One 4K, Simulcast with HDASAT *g*. *Revised* 2015-05-02.
- ↑ Fashion One 4K Channel Launches Globally - Digital TV Europe *g*. *www.digitalteveurope.net*. *Retrieved* 2015-05-02.
- ↑ http://www.thefashionone.com/
- ↑ http://thefashionone.org/press/whats/the-girl-with-no-number.html#sthash=
- ↑ http://thefashionone.org/press/whats/light-a-million-homes.html#sthash=
- ↑ http://thefashionone.org/press/whats/alaskan-relief-campaign.html#sthash=
- ↑ http://thefashionone.org/

External links [edit]

- Fashion One (Official Site)



Categories: Television networks | Television channels and stations established in 2010

Exhibit C



Fashion One Expands Distribution on Asia Broadcast Satellite

11 NOVEMBER 2013

[Home](#) [News](#) [Support](#) [Contact](#)

[Back to News](#)

- SATELLITE FLEET**
- ▶ ABS-2 17°E
 - ▶ ABS-3 17°E
 - ▶ ABS-3A 17°E in operation since 2012
 - ▶ ABS-4 (Intelsat) 17°E
 - ▶ ABS-4 19°E
 - ▶ ABS-7 116°E
 - ▶ ABS-1A 116°E under construction

ABS is now on mobile!

Download our App

Available on the **App Store**

Available on Android.com

Corporate Video

Hong Kong, October 20, 2013 – Fashion One, the international fashion network for fashion, entertainment and lifestyle, has selected Asia Broadcast Satellite (ABS) to provide broadcast services. The existing ABS channels (ABS-2, ABS-3 and ABS-4) will be used to reach Asia and Europe via the ABS-1 satellite, C-band and Ku-band wide-orbit platforms.

As a lead of Fashion One is received in Europe and spread from London and Hong Kong, respectively to C and Ku-band transponders of ABS-1, ABS is unique orbital location at 75°E above the Indian Ocean Region, the two vital feeds will be delivered to Asia, Asia & European TV markets.

With engaging and captivating programs, Fashion One is covering the year-round fashion, entertainment and lifestyle needs, profiles of A-list celebrities, luxury lifestyle destinations and new capabilities. Fashion One also remains a strong focus of original programming from reality shows, documentaries, beauty tips and lifestyle. The channel reveals fashion in all aspects of life when it launches in 2014.

Fashion One is distributed to over 120 countries worldwide, reaching over 100 million viewers. This collaboration with ABS is a strategic move to secure our distribution in the regional Asian and European markets, by meeting the rapidly growing demand of our channel in these regions. We are confident that the ABS one-stop service will help us achieve our business objective," said Arany Jomjai, CEO of Fashion One.

ABS is thrilled to partner with Fashion One, in supporting their business plan and growth in mobile TV markets. The addition of Fashion One adds to our strong line-up of international premium content taking advantage of our wide market coverage and unique locations of our satellites in Europe and Asia," said Richard Hoad, CEO of ABS.

About Fashion One

Fashion One (F1) is a global fashion and entertainment TV network for women focused on glamour and inspiration. Fashion One is an aspect of the ABS Group, owned and managed by ABS, with the ABS Group and its parent companies, ABS Group and ABS, located in London, UK. ABS Group is a subsidiary of ABS, a global satellite operator. ABS Group is a subsidiary of ABS, a global satellite operator. ABS Group is a subsidiary of ABS, a global satellite operator. ABS Group is a subsidiary of ABS, a global satellite operator.

Global Asia Broadcast Satellite

Asia Broadcast Satellite (ABS) is one of the fastest growing premium satellite operators in the world. ABS offers a range of services through its Asian, African, European and the Middle East regional gateways. ABS offers a complete range of services, including broadcast, cellular, satellite, VSAT and internet broadband services. ABS satellite fleet includes five satellites (ABS-1, ABS-1A, ABS-2, ABS-3 and ABS-7) and its sixth satellite (ABS-4) is scheduled to launch in January 2014. The ABS-2 satellite will be launched in 2014. ABS-4 will be launched with up to 100 Ku-band C, Ku, and Ka-band transponders. ABS Group provides a range of TV, broadcast, multimedia applications, telecommunications and data transmission services for Asia Pacific, Africa, the Middle East, Europe and Russia/CIS countries. ABS has also entered into new Broadband (BB) satellite with the satellite to add more capacity over the next 1.5 years to its growing satellite fleet.

For more information, visit www.absatellite.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 7th day of December, 2015, a copy of the foregoing NOTICE OF OPPOSITION was served upon the correspondent of record for Applicant via international mail, postage prepaid, and addressed as follows:

XUCHANG LONGQI BEAUTY HAIR PRODUCTS CO.,LTD
Suite A205A
6640 Lusk Blvd
San Diego, CALIFORNIA 92121
UNITED STATES

By: /s/ Jonathan G. Morton/
Jonathan G. Morton, Esq.
Attorney for Opposer
General Counsel for Bigfoot Ventures

Exhibit D

Generated on:

This page was generated by TSDR on 2015-12-09 01:59:11 EST

Mark: JULIA

Julia

US Serial Number: 86805628

Application Filing Date:

Oct. 31, 2015

Filed as TEAS RF: Yes

Currently TEAS RF:

Yes

Register:

Principal

Mark Type:

Trademark, Service Mark

Status:

New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date:

Nov. 04, 2015

Mark Information

Mark Literal Elements:

JULIA

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

Foreign Information

Foreign Registration Number: 0975239
May 15, 2015

Foreign Registration Date:

Foreign Application/Registration Country: BENELUX
May 15, 2025

Foreign Expiration Date:

Foreign Registration Number: 0975239
Jul. 29, 2015

Foreign Registration Date:

Foreign Application/Registration Country: BENELUX
May 15, 2015

Foreign Expiration Date:

Foreign Registration Number: 0975239
Jul. 29, 2015

Foreign Registration Date:

Foreign Application/Registration Country: BENELUX
May 15, 2025

Foreign Expiration Date:

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:

Articles of leather or imitation of leather and not included in other classes; trunks, suitcases, travelling cases, handbags, purses, wallets; umbrellas; parasols and walking sticks; whips, harness and saddlery

International Class(es): 018 - Primary Class

U.S Class(es):

001, 002, 003, 022, 041

Class Status:

ACTIVE

Basis:

44(e)

For:

Clothing; footwear and headgear; swimwear; sportswear and leisurewear

International Class(es): 025 - Primary Class

U.S Class(es):

022, 039

Class Status:

ACTIVE

Basis:

44(e)

For:

Technical and professional services in the field of design, graphic arts and technical research in the field of fashion

International Class(es): 042 - Primary Class

U.S Class(es):

100, 101

Class Status:

ACTIVE

Basis:

44(e)

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name:

CKL HOLDINGS N.V.

Owner Address:

Antwerp
Kaasrui 12
BELGIUM

Legal Entity Type: naamloze vennootschap (nv)

State or Country Where Organized:

BELGIUM

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jonathan G. Morton

Attorney Primary Email Address: jonathan@ckl.com

Attorney Email Authorized:

Yes

Correspondent

Correspondent Name/Address:

JONATHAN G. MORTON
JONATHAN G. MORTON
246 WEST BROADWAY
4TH FLOOR
NEW YORK, NEW YORK 10013
UNITED STATES

Phone: 212-468-5491

Fax:

212-656-1828

Correspondent e-mail: jonathan@ckl.com harmeet@ckl.com samantha@ckl.com

Correspondent e-mail
Authorized:

Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 04, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 04, 2015	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: NEW APPLICATION PROCESSING

Date in Location:

Nov. 04, 2015