

ESTTA Tracking number: **ESTTA718211**

Filing date: **01/04/2016**

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	Hachette Filipacchi Presse
Granted to Date of previous extension	01/03/2016
Address	149 rue Anatole France Levallois-Perret Cedex, 92534 FRANCE

Attorney information	Gary H. Fechter MCCARTER & ENGLISH LLP 245 PARK AVENUE NEW YORK, NY 10167 UNITED STATES gfechter@mccarter.com, apang@mccarter.com, lshyavitz@mccarter.com, rdesalvo@mccarter.com Phone: 212-609-6800
----------------------	---

**Applicant Information**

Application No	86540377	Publication date	07/07/2015
Opposition Filing Date	01/04/2016	Opposition Period Ends	01/03/2016
Applicant	Kleha, Dani Elle 6000 Washington Ave Jermyn, PA 18433 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 025. First Use: 2004/01/01 First Use In Commerce: 2004/01/01 All goods and services in the class are opposed, namely: Shirts
Class 041. First Use: 2004/01/01 First Use In Commerce: 2004/01/01 All goods and services in the class are opposed, namely: Entertainment services by a musical artist and producer, namely, musical composition for others and production of musical sound recordings; Entertainment services in the nature of presenting live musical performances

**Grounds for Opposition**

False suggestion of a connection	Trademark Act section 2(a)
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	758137	Application Date	11/14/1962
-------------------	--------	------------------	------------

No.			
Registration Date	10/08/1963	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1945/11/01 First Use In Commerce: 1945/00/00 Magazine		

U.S. Registration No.	861159	Application Date	02/01/1966
Registration Date	11/26/1968	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1951/03/20 First Use In Commerce: 1955/10/13 PROMOTING THE SALE OF WOMEN'S APPAREL BY OTHERS BY STAGING STYLE SHOWS AND BY THE PREPARATION OF VARIOUS TYPES OF ADVERTISING		

U.S. Registration No.	862001	Application Date	07/24/1967
Registration Date	12/17/1968	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class U039 (International Class 010, 025, 026). First use: First Use: 1949/03/22 First Use In Commerce: 1965/03/22 DRESSES, [ CLOAKS, CAPES, ] SKIRTS, JACKETS, [ SUITS, TWO-PIECE COSTUMES OR SUITS, ] COATS, SWEATERS, [ BODICES, PULLOVERS, HOUSE-GOWNS, SLIPS, COMBINATION UNDERWEAR, PETTICOATS, CORSETS, SHEATH CORSETS, BUST-BODICES, BRASSIERES, UNDERSHIRTS, UNDERWEAR, ] BATHING SUITS, [ JODPHURS, KNICKERS, STOCKINGS, ] TIES, SCARVES, [ SQUARE SHAWLS, HATS, ] CAPS, GLOVES [ , AND SLIPPERS ]		

U.S. Registration No.	1454808	Application Date	02/28/1986
Registration Date	09/01/1987	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 TOILETRIES AND COSMETICS, NAMELY PERFUMES; [ COLOGNES; ] TOI-		

	LET WATER; ESSENTIAL OILS; [ HAIR; ] SKIN AND BATH LOTIONS;TOILET SOAPS; BODY LOTIONS [ AND POWDERS; PERSONAL DEODORANTS; FACE POWDER AND LOTIONS; ] LIPSTICK; [ LIP LINERS; EYE SHADOW; EYEBROW PENCILS; EYE LINERS; LIQUID FOUADATION; MASCARA; BLUSH; ROUGE; SKIN ASTRINGENTS; CLEANSERS AND SCRUBS; FACIAL MASKS; ] SKIN MOISTURIZING LOTION; [AND CREAMS; HAIR SHAMPOO; HAIR CONDITIONING LOTION; EYE MAKE-UP REMOVER; NAIL POLISH; NAIL HARDENER; NAIL POLISH REMOVER; CUTICLE REMOVERS AND CONDITIONERS; TALCUM POWDER; SHAVING CREAM; HAIR DEPILATOR-IES; SUN SCREENING CREAMS; FOAMS AND LOTIONS; HAIR STYLING MOUSSE AND GELS; HAIR SPRAY; ] BATH GELS AND OILS; [ BUBBLE-BATHS; AND DENTRIFICESS ]
--	---

U.S. Registration No.	1454393	Application Date	12/04/1986
Registration Date	08/25/1987	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1986/02/00 First Use In Commerce: 1986/02/00 LINGERIE		

U.S. Registration No.	1571639	Application Date	10/19/1988
Registration Date	12/19/1989	Foreign Priority Date	09/14/1988
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 ADDING MACHINES AND CALCULATORS		

U.S. Registration No.	1943456	Application Date	03/08/1994
Registration Date	12/26/1995	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 0 First Use In Commerce: 0		

	[ precious metals and their alloys, namely, gold, silver, platinum and bronze; items made of precious metal and their alloys or coated therewith, namely, ash-trays, cigar and cigarette boxes and cases, cigar and cigarette holders, match boxes, match holders, snuff boxes, lighters, buckles, busts, boxes for needles and boxes for sweetmeats, baskets for household purposes, trays, candelabra, candlesticks, candle rings, coffee services and more generally household utensils, such as cruet stands (for oil and vinegar) cups, egg cups, napkins holders and napkin rings, nut crackers, salt cellars and salt shakers, sugar bowls, table plates, tea caddies and tea services, toothpick holders, vases, sacred vessels, figures and statuettes, mirror and picture frames; ] jewelry, such as earrings, [ bracelets, ] necklaces, rings, [ long chain necklaces, brooches, chains, pendants, decorative buttons, including costume jewelry; precious gemstones; ] horological and chrometric instruments, namely, watches [ and clocks and accessories and parts and fittings thereof such as watch cases, watch bands, watch chains, watch glasses, clock cases ]
--	---

U.S. Registration No.	1322177	Application Date	11/10/1983
Registration Date	02/26/1985	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 0 First Use In Commerce: 0 (( Umbrellas; )) Articles Made of Leather, Imitation Leather and Canvas-Namely, Luggage, [ Travelling Bags, ] Tote Bags, Hand Bags, (( Beach Tote Bags, )) Shoulder Bags, Cosmetic Bags Sold Empty, [ Key Cases, ] Shopping Tote Bags [, (( and Wallets )) ]		

U.S. Registration No.	1318319	Application Date	11/10/1983
Registration Date	02/05/1985	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 026. First use: First Use: 0 First Use In Commerce: 0		

	Earrings of Nonprecious Metal		
U.S. Registration No.	1419815	Application Date	11/04/1985
Registration Date	12/09/1986	Foreign Priority Date	07/03/1985
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 SPECTACLES [AND VIDEOCASSETTES]		
U.S. Registration No.	1421118	Application Date	11/04/1985
Registration Date	12/16/1986	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 022. First use: First Use: 0 First Use In Commerce: 0 BAGS FOR STORAGE; SACKS OF TEXTILE FOR PACKAGING; [ NON-METALLIC WRAPPING OR BINDING BANDS ]		
U.S. Registration No.	1429609	Application Date	11/04/1985
Registration Date	02/17/1987	Foreign Priority Date	NONE
Word Mark	ELLE		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0 NEWS AGENCY SERVICES- NAMELY, GATHERING AND DISSEMINATING NEWS BY ELECTRONIC TRANSMISSION		

U.S. Registration No.	1314558	Application Date	11/10/1983
Registration Date	01/15/1985	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 0 First Use In Commerce: 0 Stationery-Namely, Notebooks, Writing Pads, (( Fountain Pens, )) Pencils,(( Pencil Holders, Indexes, Stationery Portfolios,)) Notebooks/Writing Pads ((, Address Books, Folders)) [, DIARIES ]		

U.S. Registration No.	1348158	Application Date	12/10/1984
Registration Date	07/09/1985	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 FOOTWEAR-NAMELY, SHOES [ , BOOTS, SLIPPERS, SANDALS AND CLOGS ]
----------------	--

U.S. Registration No.	1668272	Application Date	01/10/1990
Registration Date	12/17/1991	Foreign Priority Date	07/17/1989

Word Mark	ELLEDECOR
-----------	-----------

Design Mark	
-------------	--

Description of Mark	NONE
---------------------	------

Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 [ data processing equipment and computers; computer furniture; blank information holders and carriers for computer programs; namely, cards, bands, tapes, ribbons, drums, cassettes, discs, sheets and films; computer software programs and teaching apparatus and instruments consisting of computer drive peripherals and software and computer furniture for use in the field of consulting services on interior and exterior decorating, architecture, landscaping, gardening and horticulture, cuisine, art and sculpture, artifacts, antiques and collections, furniture, household accessories, accoutrements and fixtures, critiques of residences, biographical sketches, electronics for the home, national and international lifestyles, travel, tourism and photography ]</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 printed matter and periodicals, namely, newspapers, reviews, pamphlets, brochures, newsletters, information or advertising letters, journals and magazines in the fields of interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine [ ; art and sculpture, artifacts, antiques and collections; furniture; household accessories, accoutrements, and fixtures; critiques of residences, biographical sketches; electronics for the home; national and international life-styles, travel, tourism and photography; stationery; stationery boxes, cabinets, folders, writing paper and envelopes; paper; namely, bond, carbon, construction, corrugated, crepe, fiber, filler, illustration, lining, magnetic, mimeograph, newsprint, note, onion skin, packing, printing reproduction, tracing, type-written and wrapping; paper-board; blank or partially printed postcards; poster board; printing blocks; cards; namely, blank, business, file, index, gift and greeting, note, playing, record and score cards; cardboard containers (boxes) for wrapping and packaging; plastic for wrapping ]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 [ telecommunications services; telephone communication services; audio visual and video communication services; namely, audio visual, cable, and satellite telecommunication broadcast and telephone transmission services, home video, and recorded music services; telegraph services; cable telegram transmission and communication services; electronic mail services, providing electronic access to databanks; teleconferencing services; teletype communication services; operating closed circuit television for others; audio visual and video information and communication utilizing telecomputer terminal units, peripheral systems and video display systems ]</p> <p>Class 040. First use: First Use: 0 First Use In Commerce: 0</p>
----------------	--

	<p>[ film, video tape and audio tape duplication services ]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>[ educational and training services in the use and operation of licensees, commercial concessions and franchising networks, including basic training for personnel; fashion trends and clothing design; interior decorating; sewing and weaving; home furnishings, design and decoration of shutters, silk painting; home economics, all conducted through courses, seminars, tutorials, conferences, colloquies, lectures, and closed circuit television broadcasts; production of radio and television programs; ] publication of books, [ illustrations, ] magazines, and newspapers [ ; correspondence courses in the field of entertainment services through the use of television and/or radio, involving news, documentary, plays, movies, docu-drama, melodrama, sports, comedy, variety shows, game shows, serials, education, nature, public information, business, political and social commentary, and public debate programs; film, videotape and audio tape production services; film videotape rental services; audio tape recording studio services, and recordmaster production services ]</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>[ news agency services; namely, gathering and dissemination of news, news clipping services, and providing information to newspapers, other news services, magazines, publishers, local television stations and national television networking, public broadcasting stations; all cable television networks, satellite networks and systems; syndicated news programs, syndicated columnists, national syndicators, and radio stations in the field of national and international news, business, sports, politics, diplomacy, entertainment, science and medicine, and commentary ]</p>
--	--

U.S. Registration No.	1732988	Application Date	12/23/1991
Registration Date	11/17/1992	Foreign Priority Date	NONE
Word Mark	ELLE DECOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1989/10/03 First Use In Commerce: 1989/10/03 magazines featuring interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine; art and sculpture, artifacts, antiques and collections, furniture; household accessories, accoutrements, and fixtures; critiques of residences; biographical sketches; electronics for the home; national and international lifestyles, travel, tourism and photography		

U.S. Registration No.	2120688	Application Date	04/08/1994
Registration Date	12/16/1997	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [ promoting the goods and services of others through the distribution of discount and/or priority user cards;] offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques; [ copyright management services; advertising slogan licensing		

	<p>services; organizing trade show expositions in the entertainment arts field featuring music, theater and cinematographic products; organizing trade show expositions featuring home and garden decorating products, landscaping products and culinary products ]</p> <p>Class 042. First use: First Use: 1984/09/14 First Use In Commerce: 1984/09/14 [ interior design services;] [ architecture services; landscape gardening services; construction drafting services; technical research in the fields of landscaping, landscape gardening and interior and exterior decorating; consulting services in the fields of landscaping and landscape gardening; ] providing consultingto others in the fields of beauty, health and fashion wear; [consulting in the fields of interior and exterior decorating]; consulting services in the field ofcooking;[ providing temporary housing accommodations, providing boarding housesand convalescent homes; providing personal escort services; providing beauty and hairdressing salons; providing marriage bureaus; providing costume rentals; ] providing social clubs; editing written texts for others;[ dating services;] [ printing services; computer programming services]; [ personal letter writing for others;] setting up and compiling data banks; [ hotel and restaurant services; retail clothing boutique store services; ] mail order services rendered by a clothing boutique; [ retail clothing boutique store services offered within a department store ]</p>
--	---

U.S. Registration No.	2199132	Application Date	07/12/1993
Registration Date	10/27/1998	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>[ amusement apparatus adopted for use with television receivers, namely, audio visual teaching apparatus, namely, film and video projectors for use with or without slides, precision balances, weighing apparatus; dictating machines, record players, audiovideo receivers, audio/video tape recorders, video recorders, remote control apparatus, electronic and computer peripheral juke boxes, computers, data processors; ] data bases containingstored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; [ blank magnetic data carriers for computer programs and video equipment, for optical, digital or audiovisual use, namely, video discs, interactive video discs,blank and rereadable video disc; magnetic coded cards, blank audio tapes, blankmagnetic computer tapes, blank video tapes, prerecorded audio, computer and video tapes featuring themes such as music,theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; blank audio and blank video cassettes, prerecorded audio and prerecorded video cassettes featuring themes such as music, theater, cinema, literature, arts, education, home decora-</p>		

tion, gardening, landscaping, culinary arts, fashion and beauty; floppy discs for computers; ] compact discs, and audio and/or video discs featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; [ exposed camera film and motion picture film featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; computer software programs for use in the field of consulting services on interior and exterior decorating, architecture, landscaping, gardening and horticulture, cuisine, art, furniture, critiques of residences, biographical sketches, travel, tourism, photography, fashion and sporting activities; computer software programs for use in culinary arts, home decoration, fashion and beauty for household and domestic use; computer software programs for use in reviewing developments and current events in the field of cinema, arts, theater, dance, pantomime, mime, circus, musical and literary entertainment; computer software programs for use in the field of documentaries concerning science, natural science, animal and plant life, the human body and its functions, health and diet for humans and animals, learning-a-language programs, arts, cinema and literature; cash registers and calculating machines ]

U.S. Registration No.	2242315	Application Date	05/09/1995
Registration Date	05/04/1999	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 028. First use: First Use: 0 First Use In Commerce: 0          [interactive video game programs; games, namely, board games, card games, manipulative games, toys, namely, wind-up toys, battery operated and non-battery operated mechanical action toys, plush toys, inflatable bath toys, battery operated and non-battery operated stuffed toys, battery operated and non-battery operated dolls]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0          [communication services, namely, radio communication services,] telephone communications services, [telegraph services and video teleconferencing services, telegraph services and video teleconferencing services;] electronic transmission of data, images and sounds and documents via computer terminals; [television and radio broadcasting services; including cable transmissions of such services; telex transmission services; telegram transmission services;] electronic transmission of information from data banks via computer terminals; [cable television transmission services]</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0          [home and office delivery of multimedia and audiovisual products, namely, videodiscs, compact discs, interactive discs, and compact discs with read only memory (CD-ROM)]</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0          [educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration,</p>		

gardening, landscaping, culinary arts, fashion and beauty; educational conferences, forums, congresses and colloquiums in the field of music, educational services, namely, administration of cultural exchange programs; entertainment services, namely, sponsoring sports competitions and tournaments; education in the field of music, theater, cinema, literature, arts, home decoration, gardening, landscaping, culinary arts, fashion and beauty rendered through correspondence courses; providing classes of instruction to beginners and advanced persons in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; conducting educational conferences, workshops and courses of instruction in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty; educational conferences,] forums, [congresses and colloquiums] in the field of [music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [ publication of books; entertainment in the nature of games and contests, namely, essay-writing and novel-writing contests; beauty pageants; indoor and outdoor sports competitions featuring, hockey, soccer, football and volleyball; production of radio and television programs; ] entertainment services, namely, providing an on-line entertainment variety show, featuring [music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts,] fashion and beauty; [ entertainment services in the nature of a cable television variety show featuring music, theater, cinema, literature, arts, education home decoration, gardening, landscaping, culinary arts, fashion and beauty; audio recording and production services; libraries and books lending services; video and game library services; video tape film production ]

Class 042. First use: First Use: 0 First Use In Commerce: 0

[legal consulting services; correspondence exchange services; ] licensing of intellectual property; [ computer programming services; programming electronic instruments for others; editing of written texts; news syndication reporting; language translation; printing services; rental of computers and rental of display apparatus for use in multimedia presentations using slides, film, tape recordings and special lighting effects; ] editing of written texts, [ illustrations books,] book reviews, [ newspapers, ] periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, [ desktop publishing of sound and/or visual media - or multimedia software programs for others; ] compiling data bases and data banks for use by others; [ production and rental of motion picture film, video-cassette tapes and multi-media entertainment software]

U.S. Registration No.	2560906	Application Date	05/07/1999
Registration Date	04/16/2002	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 031. First use: First Use: 0 First Use In Commerce: 0 Natural agricultural products, namely, living, natural [ and dried ] flowers, [agricultural seeds, living, natural anddried plants, bunches of flowers, wreaths of flowers, flower bulbs, ] rose bushes

U.S. Registration No.	2708222	Application Date	07/20/1989
Registration Date	04/22/2003	Foreign Priority Date	NONE

Word Mark	ELLE
-----------	------

Design Mark	
-------------	--

Description of Mark	NONE
---------------------	------

Goods/Services	Class 008. First use: First Use: 0 First Use In Commerce: 0 [ TABLE UTENSILS, NAMELY, KNIVES, FORKS, AND SPOONS ] Class 009. First use: First Use: 0 First Use In Commerce: 0 SPECTACLES Class 020. First use: First Use: 0 First Use In Commerce: 0 [ FURNITURE ] Class 021. First use: First Use: 0 First Use In Commerce: 0 [ DISHES, PLATES,][ CUPS,][ DRINKING GLASSES, BOTTLES, BOTTLE STANDS, COASTERS, BOTTLE OPENERS, JUGS, BRUSHES FOR CLEANING TANKS AND CONTAINERS, BRUSHES FOR FOOTWEAR, ELECTRIC BRUSHES, BRUSHES FOR CLOTHING, TOOTHBRUSHES, TRAYS, COFFEE SERVICE IN NON-PRECIOUS METAL, COFFEE POTS, MENU CARD RESTS, POTS FOR MAKE-UP SOLD EMPTY, FRUIT CUPS, STATUES AND FIGURINESOF PORCELAIN, TERRA COTTA AND GLASS, BASINS, COOKING POTS, BUTTER DISHES, GLASSJARS, DRINKING VESSELS, ORNAMENTAL BOXES OF GLASS, ALL-PURPOSE BOXES OF METAL FOR DOMESTIC USE, BASIN BOWLS, CORK SCREWS, SPONGES FOR HOUSEHOLD PURPOSES, TOILET SPONGES, FLASKS IN NON-PRECIOUS METAL, OIL CRUETS IN NON-PRECIOUS METAL, CRUMBTRAYS, FITTED VANITY CASES, PERFUME VAPORIZERS, CURRY COMBS, FITTED PICNIC BASKETS, HAND OPERATED PEPPER MILLS, PEPPER POTS IN NON-PRECIOUS METAL, POWDER COMPACTS IN NON-PRECIOUS METAL SOLD EMPTY, BUCKETS, PAILS, EPERGNES,][ MUGS, ][ GOBLETS, BASKETS FOR DOMESTIC USE, TRAYS FOR DOMESTIC USE, SAUCERS IN NON-PRECIOUS METAL,][ CUPS IN NON-PRECIOUS METAL ][, TABLE PLATES, DECANTERS, DISHES IN NON-PRECIOUS METAL, DECANTER STANDS, GLASS BOWLS, STEW PANS, EGG CUPS IN NON-PRECIOUS METAL, PITCHERS, POTS IN NON-PRECIOUSMETAL, AND KNIFE RESTS FOR THE TABLE ] Class 024. First use: First Use: 0 First Use In Commerce: 0 [ BATH TOWELS, HAND TOWELS ][, TABLE CLOTHS, TEXTILE TABLE NAPKINS, SHEETS, BLANKETS AND PILLOWCASES ] Class 025. First use: First Use: 0 First Use In Commerce: 0 FOOTWEAR - NAMELY, SHOES, BOOTS, [ SLIPPERS, ] SANDALS AND CLOGS
----------------	---

U.S. Registration No.	2914032	Application Date	08/30/1990
Registration Date	12/28/2004	Foreign Priority	NONE

		Date	
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0  beauty and cosmetic products, namely, [sun-tanning preparations (cosmetics),  cosmetic and eyebrow pencils,] cosmetics creams, [ make-up removing prepara-  tions, dentifrice, depilatories and depilatory preparations, cleansing milk for toilet-  purposes, make-up, make-up powder, make-up preparations, beauty masks,  nail care preparations, nail varnish, false-nails, ] cosmetic preparations for skin  care, [ cosmetic preparations for slimming purposes in the form of oil, lotion,  cream and gel, oils for cosmetic purposes, pomades for cosmetic purposes, de-  odorants for personal use, cotton sticks and cotton wool for cosmetic purposes,  cosmetic kits, namely, a small bag, box or case containing lipstick, blush, mas-  cara, cosmetic pencils and eyeshadow, cosmetic preparations for baths, cos-  metic preparations for eyelashes, eyebrow cosmetics, decorative transfers for  cosmetics purposes ]</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0  (( hair brushes, )) [ nail brushes, eyebrow brushes, hair combs, cosmetic wipes,  powder puffs and perfume sprayers sold empty ]</p>		

U.S. Registration No.	4284558	Application Date	06/11/2010
Registration Date	02/05/2013	Foreign Priority Date	NONE
Word Mark	ELLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0  (Based on 44(e)) Video recordings featuring music, theater, cinema, literat-  ure, arts, as well as home decoration, gardening, landscaping, culinary arts,  fashion and beauty</p> <p>Class 038. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30  (Based on Use in Commerce) Transmission and broadcast of images, sounds,  data, information by computer terminals; providing user access to a global com-  puter network; interactive communication services, namely, interactive delivery  of video over digital networks, transmission of sound and vision via satellite or in-  teractive multimedia networks; information transmission services via digital net-  works designed for public information; communications on computer networks in  general; transmission of information by electronic means; providing discussion  forums on the Internet; virtual chat rooms established via text messaging; instant  messaging services; wireless electronic transmission of voice signals, data, fac-</p>		

similes, images and information (Based on 44(e)) Television and radio broadcasting services, including cable transmissions of such services; communication services, namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communications channel, namely, cable, satellite and fiber optics and via telecommunication networks, wireless communication networks and the internet; broadcasting of radio and television programs; providing online forums for transmission of messages in the fields of literature, education, home decoration, publication of books

Class 041. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Online publication of books, periodicals, newspaper, magazines, illustrations; providing an online magazine featuring information in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertainment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields of entertainment, music, theater, cinema, literature, arts, and education; providing a web site featuring information in the fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e)) Entertainment in the nature of beauty pageants; production of television programs; entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information and entertainment programs; entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes

Class 042. First use: First Use: 2002/01/31 First Use In Commerce: 2002/01/31 (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the Internet in the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration

Class 044. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information in the

	<p>field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty</p> <p>Class 045. First use: First Use: 1996/11/30 First Use In Commerce: 1996/11/30 (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion</p>
--	---

Attachments	<p>74498259#TMSN.png( bytes )  73452261#TMSN.png( bytes )  73452264#TMSN.png( bytes )  73566634#TMSN.png( bytes )  73566638#TMSN.png( bytes )  73566750#TMSN.png( bytes )  73452244#TMSN.png( bytes )  73512968#TMSN.png( bytes )  74017819#TMSN.png( bytes )  74411619#TMSN.png( bytes )  75699473#TMSN.png( bytes )  85061017#TMSN.png( bytes )  DANI ELLE Notice of Opposition.pdf(92274 bytes )  Exhibit A to DANI-ELLE Notice of Opposition.pdf(1481122 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	/ghf/
Name	Gary H. Fechter
Date	01/04/2016

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

In the Matter of Application Serial No. 86/540,377  
Published in the *Official Gazette* on July 7, 2015

HACHETTE FILIPACCHI PRESSE,	:	Opposition No. _____
	:	
Opposer,	:	
	:	
v.	:	<b>NOTICE OF OPPOSITION</b>
	:	
DANI ELLE KLEHA,	:	
	:	
Applicant.	:	
	:	

Opposer Hachette Filipacchi Presse, a French corporation with a principal place of business at 149, Rue Anatole France, Levallois-Perret Cedex, 92534, France (“Opposer”), believes that it would be damaged by the issuance of a registration for the trademark DANI-ELLE (“Applicant’s Mark”) as applied for in Application Serial No. 86/540,377 (the “Application”) filed on February 19, 2015 by Dani Elle Kleha (“Applicant”), and therefore opposes registration of same under Section 13 of the U.S. Trademark Act, 15 U.S.C. § 1063.

The grounds for the opposition are:

1. On February 19, 2015, Applicant filed the Application for “Shirts” in Class 25 and “Entertainment services by a musical artist and producer, namely, musical composition for others and production of musical sound recordings; Entertainment services in the nature of presenting live musical performances” in Class 41. The Application was filed based on use in commerce and claims a first use date of January 1, 2004 and a first use in commerce date of January 1, 2004 for both the Class 25 goods and Class 41 services.

2. The Application was published for opposition in the Official Gazette on July 7, 2015.

3. Opposer timely filed two requests to extend the deadline for opposing the Application. Opposer's Notice of Opposition is timely filed.

4. Opposer is the owner of the world famous brand ELLE.

5. *ELLE* magazine was launched in the United States in 1985. *ELLE* is said to be the world's largest fashion magazine, with 46 international editions in over 60 countries, and 23 million readers globally. *ELLE* print and digital magazines features extensive coverage (*e.g.*, articles, photography and advertisements) of fashion, celebrities, apparel, jewelry, film, television, arts and entertainment. *ELLE* magazine and the ELLE brand are extensively promoted on the Internet, via social networking sites, at newsstands and elsewhere, and enjoy substantial sales and reputation.

6. *ELLE* magazine has been regularly distributed in the United States since its launch in 1985. The U.S. edition of *ELLE* magazine is widely circulated in print, with over 1.125 million copies sold monthly for a reach of nearly 5.6 million readers. *ELLE* magazine is also digitally available on Opposer's ELLE.com website, which receives over 4.6 million unique visitors for a total of approximately 25 million pages viewed each month, and, since at least as early as September 2010, on Apple and Android tablets through an ELLE application. ELLE's application reaches over 40,000 readers each month. Opposer's ELLE electronic newsletter is circulated weekly to its 130,000 subscribers.

7. Not only is Opposer's mark ELLE famous as a magazine publication, both in print and digital forms, but also more generally in the fashion, music and entertainment fields, with a strong diversification of the trademark for a wide range of goods and services. The ELLE mark has been extensively used in connection with such goods as clothing and accessories, shoes, the online publication of books and magazines, providing a website featuring information

in the field of music and articles in the field of entertainment, cosmetics, perfumes, home goods, furniture, electronic applications and goods, including videos, electronic publications, jewelry, hair accessories, watches, eyewear, bags and giftware advice as a natural extension of *ELLE* magazine's focus on fashion, shopping, beauty, pop culture, music, film, entertainment, art and celebrities. Opposer owns a number of United States Registrations for the trademark ELLE covering clothing, including Registration Nos. 0862001, in use since March 22, 1949 and in use in commerce since March 22, 1965, covering "dresses, skirts, jackets, coats, sweaters, bathing suits, caps, gloves."

8. The ELLE mark has also established a strong presence on the Internet through numerous websites, including, but not limited to, [www.elle.com](http://www.elle.com) and [www.ellecanada.com](http://www.ellecanada.com), each of which has millions of visitors per month. For example, the [elle.com](http://elle.com) website features videos and film clips in the fields of fashion and accessories, hair and beauty, pop culture, film, news, life and love, shopping, and other topics of interest, plus links to third-party videos. The [elle.com](http://elle.com) site also offers a video platform with eight channels, which include fashion, celebrity and runway features. Consequently, Opposer's ELLE mark enjoys great media presence.

9. As a natural extension of its role in the fashion industry with expertise on the latest fashion trends, the ELLE mark has been used extensively in connection with clothing and apparel. Opposer has used the ELLE mark in commerce since at least as early as 1945 and since at least as early as March 22, 1965 in connection with clothing.

10. The ELLE mark has also been used in connection with entertainment related services and promotions. Among these many activities are the ELLE Style Awards, which have been awarded almost annually since 2002, and the ELLE Women in Music event, which honors some of the top female entertainers. In Fall 2014, Opposer sponsored its 21<sup>st</sup> annual ELLE

Women in Hollywood event, honoring some of the top female film actresses. These events are widely reported in internationally distributed media such as the *Hollywood Reporter*, *Variety*, *Celebrity Gossip*, *The Los Angeles Times*, *The Huffington Post*, *The Denver Post*, *YouTube* and, of course the various platforms for *ELLE* magazine and other widely distributed publications and websites.

11. The ELLE brand has been extensively promoted and advertised for magazines and various merchandise related to fashion, celebrity style, jewelry, film, arts, entertainment, beauty. As a result of Opposer's efforts, Opposer's ELLE-branded magazines and merchandise have resulted in annual sales of millions of dollars in the United States. The ELLE mark has become distinctive of Opposer's goods and services, and Opposer's ELLE mark has come to represent enormous goodwill for Opposer.

12. The ELLE mark is universally recognized as a distinct brand associated with inspiring women and girls to create and embrace their own style as well as other positive values in modern society.

13. The Trademark Trial and Appeal Board has determined that Opposer's mark ELLE "is famous in connection with its magazine and within the fashion industry generally, and is entitled to broad protection." *Hachette Filipacchi Presse v. Ev Int'l, LLC*, Opposition No. 91174433 (Sept. 5, 2008).

14. Opposer owns numerous registrations and applications for its family of ELLE-formative marks covering, as listed below, various goods and services (collectively, "Opposer's Goods and Services"), including the following (collectively, the "Opposer's Marks"):

<b>Mark</b>	<b>Reg. No./ Serial No.</b>	<b>Reg. Date/ Filing Date</b>	<b>Goods / Services</b>
ELLE	0758137	Oct. 8, 1963	Class 16: Magazines
ELLE	0861159	Nov. 26, 1968	Class 35: Promoting the sale of women's apparel by others by staging style shows and by the preparation of various types of advertising
ELLE	0862001	Dec. 17, 1968	Class 25: Dresses, skirts, jackets, coats, sweaters, bathing suits, ties, scarves, caps, gloves
ELLE	1454808	Sept. 1, 1987	Class 3: Toiletries and cosmetics, namely perfumes; toilet water; essential oils; skin and bath lotions; toilet soaps; body lotions lipstick; skin moisturizing lotion; bath gels and oils
ELLE	1454393	Aug. 25, 1987	Class 25: Lingerie
ELLE	1571639	Dec. 19, 1989	Class 9: Adding machines and calculators
E L L E	1943456	Dec. 16, 1995	Class 14: jewelry, such as earrings, necklaces, rings, horological and chrometric instruments, namely, watches
E L L E	1322177	Feb. 26, 1985	Class 18: (( Umbrellas; )) Articles Made of Leather, Imitation Leather and Canvas-Namely, Luggage, Tote Bags, Hand Bags, (( Beach Tote Bags, )) Shoulder Bags, Cosmetic Bags Sold Empty, Shopping Tote Bags
E L L E	1318319	Feb. 5, 1985	Class 26: Earrings of nonprecious metal
E L L E	1419815	Dec. 9, 1986	Class 9: Spectacles
E L L E	1421118	Dec. 16, 1986	Class 22: Bags for storage; sacks of textile for packaging
E L L E	1429609	Feb. 17, 1987	Class 42: News agency services- namely, gathering and disseminating news by electronic

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
			transmission
E L L E	1314558	Jan. 15, 1985	Class 16: Stationery-Namely, Notebooks, Writing Pads, (( Fountain Pens, )) Pencils,(( Pencil Holders, Indexes, Stationery Portfolios,)) Notebooks/Writing Pads ((, Address Books, Folders))
E L L E	1348158	July 9, 1985	Class 25: Footwear-namely, shoes
ELLEDECOR	1668272	Dec. 17, 1991	Class 16: Printed matter and periodicals, namely, newspapers, reviews, pamphlets, brochures, newsletters, information or advertising letters, journals and magazines in the fields of interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine  Class 41: Publication of books, magazines, and newspapers
ELLE DECOR	1732988	Nov. 17, 1992	Class 16: Magazines featuring interior and exterior decorating, architecture, landscaping, gardening and horticulture; cuisine; art and sculpture, artifacts, antiques and collections, furniture; household accessories, accoutrements, and fixtures; critiques of residences; biographical sketches; electronics for the home; national and international lifestyles, travel, tourism and photography
ELLE	2120688	Dec. 16, 1997	Class 35: Offering technical assistance in the establishment and/or operation of fashion shows and beauty pageants, beauty salons and fashion wear boutiques  Class 42: Providing consulting to others in the fields of beauty, health and fashion wear; consulting services in the field of cooking; providing social clubs; editing written texts for

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
			others; setting up and compiling data banks; mail order services rendered by a clothing boutique
E L L E	2199132	Oct. 27, 1998	Class 9: Data bases containing stored information in the field of music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty to be read/consulted and or used on computer terminals and video equipment; compact discs, and audio and/or video discs featuring themes such as music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, culinary arts, fashion and beauty
ELLE	2242315	May 4, 1999	<p>Class 38: Telephone communications services; electronic transmission of data, images and sounds and documents via computer terminals; electronic transmission of information from data banks via computer terminals</p> <p>Class 41: Forums in the field of fashion and beauty; entertainment services, namely, providing an on-line entertainment variety show, featuring fashion and beauty</p> <p>Class 42: Licensing of intellectual property; editing of written texts, book reviews, periodicals, magazines and publications of all types regardless of their form, including electronic and digitalized publications, compiling data bases and data banks for use by others</p>
E L L E	2560906	Apr. 16, 2002	Class 31: Natural agricultural products, namely, living, natural flowers, rose bushes
ELLE	2708222	Apr. 22, 2003	<p>Class 9: Spectacles</p> <p>Class 25: Footwear - namely, shoes, boots, sandals and clogs</p>

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
E L L E	2914032	Dec. 28, 2004	<p>Class 3: beauty and cosmetic products, namely, cosmetics creams, cosmetic preparations for skin care</p> <p>Class 21: (( hair brushes, ))</p>
ELLE	4284558	Feb. 5, 2013	<p>Class 9: (Based on 44(e)) Video recordings featuring music, theater, cinema, literature, arts, as well as home decoration, gardening, landscaping, culinary arts, fashion and beauty</p> <p>Class 38: (Based on Use in Commerce) Transmission and broadcast of images, sounds, data, information by computer terminals; providing user access to a global computer network; interactive communication services, namely, interactive delivery of video over digital networks, transmission of sound and vision via satellite or interactive multimedia networks; information transmission services via digital networks designed for public information; communications on computer networks in general; transmission of information by electronic means; providing discussion forums on the Internet; virtual chat rooms established via text messaging; instant messaging services; wireless electronic transmission of voice signals, data, facsimiles, images and information (Based on 44(e)) Television and radio broadcasting services, including cable transmissions of such services; communication services, namely, cable television transmission services; transmission and broadcast of images, sounds, data, information by cable, by data communications channel, namely, cable, satellite and fiber optics and via telecommunication networks, wireless communication networks and the internet; broadcasting of radio and television programs; providing online forums for transmission of</p>

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
			<p>messages in the fields of literature, education, home decoration, publication of books.</p> <p>Class 41: (Based on Use in Commerce) Online publication of books, periodicals, newspaper, magazines, illustrations; providing an online magazine featuring information in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping; entertainment services, namely, providing an online service featuring photographs, and other multimedia materials in the fields of entertainment, music, theater, cinema, literature, arts, and education; providing a web site featuring information in the fields of music, and commentary and articles of general interest issues in the fields of entertainment and games; (Based on 44(e)) Entertainment in the nature of beauty pageants; production of television programs; entertainment services in the nature of a cable television variety show featuring fashion and beauty; video tape film production; services for the public entertainment, namely, organization of shows for cultural purposes; organization of conferences, forums, congresses, colloquiums in the fields of fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, education, home decoration, gardening, landscaping, media for non business purposes; production and editing of movie, radio and television programs, including computer editing of texts and still or animated images and musical or non-musical sound, for interactive use or not; organization of sports competitions and arranging and conducting competitions in the fields of fitness and exercise, fashion, beauty, entertainment, cooking, music, theater, cinema, literature, arts, child and</p>

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
			<p>adolescent educational issues, home decoration, gardening, landscaping, and media; organization of games and lotteries; production and editing of radio information and entertainment programs. entertainment services, namely, providing on-line computer games; providing a web site featuring non downloadable musical performances, musical videos, video recordings and related film clips; assisting others with online electronic publishing; providing of information via the Internet in the fields of literature and education; publication of books; publishing of illustrations, books, newspapers, and video-cassette tapes.</p> <p>Class 42: (Based on Use in Commerce) Computer services, namely, interactive hosting services which allow the user to publish and share their own content and images online; providing search engines on the Internet; hosting a website allowing users to download texts, press articles, photographs, telegrams, pictures, logos, messages, data, sounds, ringtones, music, games, video, and information; providing customer-generated content in the nature of customized web pages and other data feed formats featuring user-defined information; hosting digital content of others automatically selected and customized based on the known or estimated geographical location of an Internet, mobile telephone or other wired or wireless digital network based customer; (Based on 44(e)) providing a website allowing users to upload and download electronic files; computer programming services; creating and designing web pages for others; providing search platforms to allow users to request content from and receive content to a mobile device; design, development and hosting of data banks, databases and websites for others; providing of information via the</p>

Mark	Reg. No./ Serial No.	Reg. Date/ Filing Date	Goods / Services
			<p>Internet in the field of home decoration; providing an online service featuring photographs, and other multimedia materials in the field of home decoration.</p> <p>Class 44: (Based on Use in Commerce) Providing a web site featuring information in the field of beauty; providing an online service featuring photographs, and other multimedia materials in the field of beauty.</p> <p>Class 45: (Based on Use in Commerce) Providing a web site featuring information and content in the fields of personal relationships, dating and fashion; providing horoscope information via computer networks; providing an online service featuring photographs, and other multimedia materials in the field of fashion.</p>

Copies of the certificates of registrations for Opposer’s Marks are attached as Exhibit A and made of record.

15. Each of Opposer’s Marks is valid, subsisting and in full force and effect.

16. Each of Opposer’s Marks is at least *prima facie* evidence of the validity of each registration, of Opposer’s ownership thereof, and of Opposer’s exclusive right to use such registered marks on the goods or services set forth in the registration.

17. Registration Nos. 0758137, 0861159, 0862001, 1314558, 1318319, 1322177, 1348158, 1419815, 1429609, 1454393, 1454808, 1571639, 1668272, 1732988, 1943456, 2120688, 2199132, 2242315, 2560906, 2708222 and 2914032 are incontestable pursuant to Section 15 of the U.S. Trademark Act, 15 U.S.C. § 1065, and thus serve as conclusive evidence of the validity of Opposer’s Marks pursuant to 15 U.S.C. § 1115(b).

18. As of Applicant's filing of the Application on February 19, 2015, Applicant was on constructive notice of Opposer's Marks and Opposer's rights in Opposer's Marks as set forth in the registrations for Opposer's Marks and, on information and belief, was on actual notice of Opposer's use of and rights in the ELLE mark, including in connection with the promotion of goods and services bearing the ELLE label in the fields of fashion, fashion accessories, arts, film, television, entertainment, music, lifestyle, beauty and hygiene, given the fame of the ELLE mark in the magazine publishing, fashion and entertainment, and beauty industries.

19. Opposer's rights as conferred by Opposer's Marks were in effect prior to any filing date or date of first use upon which Applicant can rely.

20. Applicant's Mark is confusingly similar to Opposer's Marks and is proposed to be applied to goods and services that either are identical or similar and closely related to the goods and services offered and sold by Opposer under Opposer's Marks. Applicant's Mark so closely resembles Opposer's Marks as to be likely to be confused therewith and mistaken therefor. Applicant's Mark is deceptively similar to Opposer's Marks so as to cause confusion and lead to deception as to the origin of goods bearing Applicant's Mark.

21. Upon information and belief, goods and services made in relation to Applicant's Mark will be promoted and sold or offered for sale through the same distribution channels and to the same classes of consumers as goods and services bearing Opposer's Marks.

22. Applicant's Mark suggests an affiliation, connection or sponsorship between Applicant and Opposer, where none exists.

23. Opposer is not affiliated or connected with Applicant; nor has Opposer endorsed or sponsored Applicant.

24. If Applicant is permitted to register Applicant's Mark, the registration will give Applicant a *prima facie* exclusive right to the use of Applicant's Mark in violation and derogation of the established prior rights of Opposer.

**FIRST CLAIM FOR RELIEF  
LIKELIHOOD OF CONFUSION**

25. Opposer incorporates by reference Paragraphs 1 through 24, as if fully set forth herein.

26. Applicant's Mark is highly similar in sound, appearance and commercial impression to Opposer's Marks, since the dominant element of Applicant's mark is "ELLE," which is identical to Opposer's famous ELLE mark. In addition, Opposer co-brands the ELLE mark for products and services, and thus the additional wording "DANI-" could be viewed as denoting another line extension or co-branding project from Opposer.

27. Applicant's Mark is being used in connection with goods and services that are identical or closely related to the goods and services for which Opposer uses Opposer's Marks and any extension, and are promoted and sold or offered for sale in the same or similar channels of trade, to the same or similar purchasers.

28. Based on the similarities of the marks and the goods and services, the public is likely to associate the goods and services offered by Applicant under Applicant's Mark with Opposer or with Opposer's Goods and Services to believe that Applicant's goods are sponsored, endorsed or licensed by Opposer, or that there is some relationship between Applicant and Opposer.

29. The granting of a trademark registration for Applicant's Mark to Applicant would be contrary to Section 2(d) of the U.S. Trademark Act, 15 U.S.C. § 1052(d), and would violate or diminish the prior and superior rights of Opposer in Opposer's Marks.

30. The presumption of exclusivity that would arise from a registration to Applicant of Applicant's Mark is inconsistent with Opposer's prior rights in Opposer's Marks.

31. Opposer will be thus damaged by the registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of the Applicant's Mark and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

**SECOND CLAIM FOR RELIEF  
FALSE SUGGESTION OF A CONNECTION WITH OPPOSER**

32. Opposer incorporates by reference Paragraphs 1 through 31, as if fully set forth herein.

33. Applicant has no legitimate connection with Opposer and has no authority or permission to use a trademark suggesting such a connection.

34. Applicant's Mark is not registrable pursuant to Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a), because it falsely suggests a connection or affiliation with Opposer.

35. Opposer will be damaged by the registration of Applicant's Mark on the grounds that Applicant's use and registration of Applicant's Mark will falsely suggest a connection between Applicant and Opposer to the damage of Opposer and injury to the public, in violation of Section 2(a) of the U.S. Trademark Act, 15 U.S.C. § 1052(a).

**THIRD CLAIM FOR RELIEF  
DILUTION**

36. Opposer incorporates by reference Paragraphs 1 through 35, as if fully set forth herein.

37. Opposer's ELLE mark is inherently distinctive and has been used in commerce since 1945 in connection with *ELLE* magazine, March 22, 1965 in connection with clothing and

1996 in connection with the website [www.elle.com](http://www.elle.com), long before any date on which Applicant may rely. The ELLE mark is famous in the fashion industry. As used as the title of the magazine *ELLE* and in connection with the website [www.elle.com](http://www.elle.com), the ELLE mark is also renowned in the beauty, arts, entertainment and music fields. The ELLE mark is also well-known via its use on labels that are attached to all ELLE goods all over the world, its branded social networking sites, and its use in electronic applications and goods, including television and video broadcasts shown on the [www.elle.com](http://www.elle.com) website and online publications. The ELLE mark is the subject of numerous federal trademark registrations, a number of which are incontestable. In view of the strength and notoriety of the ELLE mark, the duration and extent of Opposer's nationwide use and advertising of the ELLE mark, and the degree of recognition of the ELLE mark, the mark ELLE is famous within the meaning of Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

38. Applicant's mark was adopted and the application at issue was filed long after Opposer's ELLE mark became famous.

39. Upon information and belief, Applicant applied to register Applicant's Mark with full knowledge of the prior use and fame of Opposer's Marks.

40. By virtue of the similarity between Applicant's Mark and the ELLE mark, the fame of the ELLE mark, and the exclusive association between the ELLE mark and Opposer, Applicant's Mark is likely to cause, and will cause, dilution of the distinctive value of Opposer's Marks under Section 43(c) of the U.S. Trademark Act, 15 U.S.C. § 1125(c).

41. Opposer will be damaged by the registration of Applicant's Mark because it will cause dilution of the distinctive quality of Opposer's Marks. Therefore, registration of Applicant's Mark should be refused under 15 U.S.C. §§ 1125(c) and 1063(a).

WHEREFORE, Opposer requests that this Opposition be sustained, and that the registration of U.S. Trademark Application Serial No. 86/540,377 be refused.

Dated: January 4, 2016

Respectfully submitted.

McCARTER & ENGLISH, LLP

By: /Gary H. Fechter/  
Gary H. Fechter  
Lori J. Shyavitz  
Alice M. Pang  
Attorneys for Opposer  
HACHETTE FILIPACCHI PRESSE  
245 Park Avenue  
New York, New York 10167  
Tel.: (212) 609-6800  
Fax: (212) 609-6921

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing NOTICE OF OPPOSITION has been served by First Class Mail, postage prepaid, on Applicant's attorney of record at the following address:

Noah C. McPike, Esq.  
Almon & McPike, PLLC  
1222 16th Ave S Ste 26  
Nashville, Tennessee 37212-2926

Date: January 4, 2016

\_\_\_\_\_  
Alice M. Pang

# **EXHIBIT A**

**United States Patent Office**

758,137  
Registered Oct. 8, 1963

**PRINCIPAL REGISTER  
Trademark**

Ser. No. 157,311, filed Nov. 14, 1962

**ELLE**

France Editions & Publications (French limited-liability  
company)  
100 Rue Rossmur  
Paris 2<sup>e</sup>, France

For: MAGAZINE, in CLASS 38.  
First use Nov. 1, 1945; in commerce 1945.  
An English translation of the French word "elle" is  
"she."

Int. Cl.: 35

Prior U.S. Cl.: 101

United States Patent and Trademark Office  
Removal

Reg. No. 561,159  
Registered Nov. 25, 1968  
OG Date Mar. 14, 1989

**SERVICE MARK  
PRINCIPAL REGISTER**

**ELLE**

FRANCE EDITIONS & PUBLICATIONS  
(FRANCE CORPORATION)  
1, RUE ANCELLE  
92200 NEUILLY-SUR-SEINE, FRANCE

PRIORITY CLAIMED UNDER SEC.  
44(D) ON FRANCE, FILED 1-3-1964,  
REG. NO. 559704 DATED 1-3-1964.  
OWNER OF U.S. REG. NO. 754,137,  
THE WORD "ELLE" IN LANGUE "SENE"  
IN ENGLISH.

FOR PROMOTING THE SALE OF  
WOMEN'S APPAREL BY OTHERS BY  
STAGING-STYLE SHOWS AND BY THE  
PREPARATION OF VARIOUS TYPES  
OF ADVERTISING, IN CLASS 101 (INT.  
CL. 15).

FIRST USE 1-20-1951; IN COMMERCE  
10-13-1951.  
SER. NO. 237,734, FILED 2-1-1964.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Mar. 14, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Renewal

Reg. No. 862,001

Registered Dec. 17, 1968

OG Date Apr. 25, 1989

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

FRANCE EDITIONS & PUBLICATIONS  
(FRANCE COMPANY)  
100 RUE REAUMUR  
PARIS, FRANCE

OWNER OF U.S. REG. NO. 758,137.

FOR: DRESSES, CLOAKS, CAPES,  
SKIRTS, JACKETS, SUITS, TWO-PIECE  
COSTUMES OR SUITS, COATS, SWEAT-  
ERS, [BODICES, PULLOVERS, HOUSE-  
GOWNS, SLIPS, COMBINATION UN-

DERWEAR, PETTICOATS, CORSETS,  
SHEATH CORSETS, BUST-BODICES,  
BRASSIERES, UNDERSHIRTS, UNDER-  
WEAR.] BATHING SUITS, JODPHURS,  
KNICKERS, [STOCKINGS.] TIES,  
SCARVES, SQUARE SHAWLS, HATS,  
CAPS, GLOVES, AND SLIPPERS, IN  
CLASS 39 (INT. CL. 25).

FIRST USE 3-22-1949; IN COMMERCE  
3-22-1965.

SER. NO. 276,692, FILED 7-24-1967.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Apr. 25, 1989.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office  
Amended

Reg. No. 862,001  
Registered Dec. 17, 1968  
OG Date June 7, 1988

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

FRANCE EDITIONS & PUBLICATIONS  
(FRANCE COMPANY)  
100 RUE REAUMUR  
PARIS, FRANCE, ASSIGNEE OF  
FRANCE EDITIONS & PUBLICATIONS  
(FRANCE COMPANY) PARIS,  
FRANCE

OWNER OF U.S. REG. NO. 758,137.  
FOR: DRESSES, CLOAKS, CAPES,  
SKIRTS, JACKETS, SUITS, TWO-PIECE  
COSTUMES OR SUITS, COATS, SWEATERS,  
[BODICES,] PULLOVERS, HOUSE-

GOWNS, [SLIPS, COMBINATION UNDERWEAR,  
PETTICOATS, CORSETS, SHEATH CORSETS,  
BUST-BODICES, BRASSIERES, UNDERSHIRTS,  
UNDERWEAR,] BATHING SUITS, JODPHURS,  
KNICKERS, [STOCKINGS,] TIES, SCARVES,  
SQUARE SHAWLS, HATS, CAPS, GLOVES,  
AND SLIPPERS, IN CLASS 39 (INT. CL. 25).

FIRST USE 3-22-1949; IN COMMERCE  
3-22-1965.

SER. NO. 276,692, FILED 7-24-1967.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on June 7, 1988.*

COMMISSIONER OF PATENTS AND TRADEMARKS

# United States Patent Office

862,001  
Registered Dec. 17, 1968

## PRINCIPAL REGISTER Trademark

Ser. No. 276,692, filed July 24, 1967

### ELLE

France Editions & Publications (French company)  
100 Rue Reaumur  
Paris 2, France, assignee of  
S.A.R.L. Editions Mai (French company)  
Paris 8, France

For: DRESSES, CLOAKS, CAPES, SKIRTS, JACKETS, SUITS, TWO-PIECE COSTUMES OR SUITS, COATS, SWEATERS, BODICES, PULLOVERS, HOUSE-GOWNS, SLIPS, COMBINATION UNDERWEAR, PEJICOATS, CORSETS, SHEATH CORSETS, BUST-BODICES, BRASSIERES, UNDER-SHIRTS, UNDERWEAR, BATHING SUITS, JODPHURS, KNICKERS, STOCKINGS, TIES, SCARVES, SQUARE SHAWLS, HATS, CAPS, GLOVES, AND SLIPPERS, in CLASS 39 (INT. CL. 25).

First use Mar. 22, 1949; in commerce Mar. 22, 1965.  
Owner of U.S. Reg. No. 758,137.

Int. Cl.: 3

Prior U.S. Cls.: 51 and 52

**United States Patent and Trademark Office**

Reg. No. 1,454,808

Registered Sep. 1, 1987

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE COMPANY)  
6 RUE ANCELLE  
NEUILLY-SUR-SEINE, HAUTE-DE-SEINE,  
FRANCE

FOR: TOILETRIES AND COSMETICS,  
NAMELY PERFUMES; COLOGNES; TOILET  
WATER; ESSENTIAL OILS; HAIR; SKIN AND  
BATH LOTIONS; TOILET SOAPS; BODY LO-  
TIONS AND POWDERS; PERSONAL DEODOR-  
ANTS; FACE POWDER AND LOTIONS; LIP-  
STICK; LIP LINERS; EYE SHADOW; EYE-  
BROW PENCILS; EYE LINERS; LIQUID FOU-  
DATION; MASCARA; BLUSH; ROUGE; SKIN  
ASTRINGENTS; CLEANSERS AND SCRUBS;  
FACIAL MASKS; SKIN MOISTURIZING  
LOTION; AND CREAMS; HAIR SHAMPOO;  
HAIR CONDITIONING LOTION; EYE MAKE-

UP REMOVER; NAIL POLISH; NAIL HARDEN-  
ER; NAIL POLISH REMOVER; CUTICLE RE-  
MOVERS AND CONDITIONERS; TALCUM  
POWDER; SHAVING CREAM; HAIR DEPILA-  
TORIES; SUN SCREENING CREAMS; FOAMS  
AND LOTIONS; HAIR STYLING MOUSSE AND  
GELS; HAIR SPRAY; BATH GELS AND OILS;  
BUBBLE BATHS; AND DENTRIFICESS, IN  
CLASS 3 (U.S. CLS. 51 AND 52).

OWNER OF FRANCE REG. NO. 1113720,  
DATED 6-28-1979, EXPIRES 6-28-1989.

OWNER OF U.S. REG. NOS. 758,137, 1,348,158  
AND OTHERS.

THE ENGLISH TRANSLATION OF THE  
FRENCH WORD "ELLE" IS "SHE".

SER. NO. 585,396, FILED 2-28-1986.

EDWARD NELSON, EXAMINING ATTORNEY

**Int. Cl.: 25**

**Prior U.S. Cl.: 39**

**United States Patent and Trademark Office**

**Reg. No. 1,454,393**

**Registered Aug. 25, 1987**

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

**FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE JOINT STOCK COMPANY)  
6 RUE ANCELLE A NEUILLY SUR SEINE  
HAUTS DE SEINE, FRANCE**

**FOR: LINGERIE, IN CLASS 25 (U.S. CL. 39).  
FIRST USE 2-0-1986; IN COMMERCE  
2-0-1986.**

**OWNER OF U.S. REG. NOS. 758,137, 862,001  
AND OTHERS.  
THE ENGLISH TRANSLATION OF "ELLE" IS  
"SHE".**

**SER. NO. 633,631, FILED 12-4-1986.  
ERIC WACHSPRESS, EXAMINING ATTORNEY**

**Int. Cl.: 9**

**Prior U.S. Cl.: 26**

**United States Patent and Trademark Office**

**Reg. No. 1,571,639**

**Registered Dec. 19, 1989**

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE CORPORATION)  
2, RUE ANCELLE  
NEUILLY-SUR-SEINE, FRANCE

FOR: ADDING MACHINES AND CALCULATORS, IN CLASS 9 (U.S. CL. 26).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 954311, FILED

9-14-1988, REG. NO. 1504810, DATED 9-14-1988, EXPIRES 9-14-1998.

OWNER OF U.S. REG. NOS. 758,137, 1,454,393 AND OTHERS.

THE ENGLISH TRANSLATION OF THE FRENCH WORD "ELLE" IS "SHE".

SER. NO. 73-759,067, FILED 10-19-1988.

FRANK HELLWIG, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

Reg. No. 1,943,456

United States Patent and Trademark Office Registered Dec. 26, 1995

TRADEMARK  
PRINCIPAL REGISTER

E L L E

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)  
149, RUE ANATOLE FRANCE  
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: PRECIOUS METALS AND THEIR ALLOYS, NAMELY GOLD, SILVER, PLATINUM AND BRONZE; ITEMS MADE OF PRECIOUS METAL AND THEIR ALLOYS OR COATED THEREWITH, NAMELY ASHTRAYS, CIGAR AND CIGARETTE BOXES AND CASES, CIGAR AND CIGARETTE HOLDERS, MATCH BOXES, MATCH HOLDERS, SNUFF BOXES, LIGHTERS, BUCKLES, BUSTS, BOXES FOR NEEDLES AND BOXES FOR SWEETMEATS, BASKETS FOR HOUSEHOLD PURPOSES, TRAYS, CANDELABRA, CANDLESTICKS, CANDLE RINGS, COFFEE SERVICES AND MORE GENERALLY HOUSEHOLD UTENSILS, SUCH AS CRUET STANDS (FOR OIL AND VINEGAR) CUPS, EGG CUPS, NAPKINS HOLDERS AND NAPKIN RINGS, NUT CRACKERS, SALT CELLARS AND SALT SHAKERS, SUGARBOWLS, TABLE PLATES, TEA CAD-

DIES AND TEA SERVICES, TOOTHPICK HOLDERS, VASES, SACRED VESSELS, FIGURES AND STATUETTES, MIRROR AND PICTURE FRAMES; JEWELRY, SUCH AS EARRINGS, BRACELETS, NECKLACES, RINGS, LONG CHAIN NECKLACES, BROOCHES, CHAINS, PENDANTS, DECORATIVE BUTTONS, INCLUDING COSTUME JEWELRY; PRECIOUS GEMSTONES; HOROLOGICAL AND CHROMETRIC INSTRUMENTS, NAMELY WATCHES AND CLOCKS AND ACCESSORIES AND PARTS AND FITTINGS THEREOF SUCH AS WATCH CASES, WATCH BANDS, WATCH CHAINS, WATCH GLASSES, CLOCK CASES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

OWNER OF FRANCE REG. NO. 1,538,354, DATED 6-27-1989, EXPIRES 6-27-1999.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-498,259, FILED 3-8-1994.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cl.: 18

Prior U.S. Cls.: 3 and 41

**United States Patent and Trademark Office**

**Reg. No. 1,322,177**

Registered Feb. 26, 1985

**TRADEMARK**  
Principal Register

**E L L E**

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine (Hauts de Seine), France

For: UMBRELLAS; ARTICLES MADE OF LEATHER, IMITATION LEATHER AND CANVAS—NAMELY, LUGGAGE, TRAVELLING BAGS, TOTE BAGS, HAND BAGS, BEACH TOTE BAGS, SHOULDER BAGS, COSMETIC BAGS SOLD EMPTY, KEY CASES, SHOPPING TOTE BAGS, AND WALLETS, in CLASS 18 (U.S. Cls. 3 and 41).

Owner of France Reg. No. 1,113,720, dated Jun. 28, 1979, expires Jun. 28, 1989.

"Elle" may be translated as "She".

Ser. No. 452,261, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

Prior U.S. Cls.: 3 and 41

**United States Patent and Trademark Office**

**Reg. No. 1,322,177**

Registered Feb. 26, 1985

**TRADEMARK**  
Principal Register

**E L L E**

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine (Hauts de Seine), France

For: UMBRELLAS; ARTICLES MADE OF LEATHER, IMITATION LEATHER AND CANVAS—NAMELY, LUGGAGE, TRAVELLING BAGS, TOTE BAGS, HAND BAGS, BEACH TOTE BAGS, SHOULDER BAGS, COSMETIC BAGS SOLD EMPTY, [KEY CASES], SHOPPING TOTE BAGS, AND WALLETS, in CLASS 18 (U.S. Cls. 3 and 41).

Owner of France Reg. No. 1,113,720, dated Jun. 28, 1979, expires Jun. 28, 1989.

"Elle" may be translated as "She".

Ser. No. 452,261, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

Int. Cl.: 18

Prior U.S. Cls.: 3 and 41

**United States Patent and Trademark Office**

**Reg. No. 1,322,177**

Registered Feb. 26, 1985

**TRADEMARK**

Principal Register

**E L L E**

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine (Hauts de Seine), France

For: UMBRELLAS; ARTICLES MADE OF LEATHER, IMITATION LEATHER AND CANVAS—NAMELY, LUGGAGE, TRAVELLING BAGS, TOTE BAGS, HAND BAGS, BEACH TOTE BAGS, SHOULDER BAGS, COSMETIC BAGS SOLD EMPTY, KEY CASES, SHOPPING TOTE BAGS, AND WALLETS, in CLASS 18 (U.S. Cls. 3 and 41).

Owner of France Reg. No. 1,113,720, dated Jun. 28, 1979, expires Jun. 28, 1989.

"Elle" may be translated as "She".

Ser. No. 452,261, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

Int. Cl.: 26

Prior U.S. Cl.: 28

**United States Patent and Trademark Office**

**Reg. No. 1,318,319**

Registered Feb. 5, 1985

**TRADEMARK**  
Principal Register

**E L L E**

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine (Hauts de Seine), France

For: EARRINGS OF NONPRECIOUS METAL,  
in CLASS 26 (U.S. Cl. 28).

Owner of France Reg. No. 1,113,720, dated Jun.  
28, 1979, expires Jun. 28, 1989.

The English translation of the word "Elle" is  
"she".

Ser. No. 452,264, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

Int. Cl.: 26

Prior U.S. Cl.: 28

**United States Patent and Trademark Office**

**Reg. No. 1,318,319**

Registered Feb. 5, 1985

**TRADEMARK**  
Principal Register

**E L L E**

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine (Hauts de Seine), France

For: EARRINGS OF NONPRECIOUS METAL,  
in CLASS 26 (U.S. Cl. 28).

Owner of France Reg. No. 1,113,720, dated Jun.  
28, 1979, expires Jun. 28, 1989.

The English translation of the word "Elle" is  
"she".

Ser. No. 452,264, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

Int. Cl.: 9

Prior U.S. Cls.: 21 and 26

United States Patent and Trademark Office

Reg. No. 1,419,815

Registered Dec. 9, 1986

TRADEMARK  
PRINCIPAL REGISTER

E L L E

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE JOINT STOCK COMPANY)  
6 RUE ANCELLE, NEUILLY-SUR-SEINE  
HAUTS-DE-SEINE, FRANCE

FOR: SPECTACLES AND VIDEOCAS-  
SETTES, IN CLASS 9 (U.S. CLS. 21 AND 26).  
PRIORITY CLAIMED UNDER SEC. 44(D) ON  
FRANCE APPLICATION NO. 750648, FILED  
7-3-1985, REG. NO. 1315174, DATED 7-3-1985,  
EXPIRES 7-3-1995.

OWNER OF U.S. REG. NOS. 758,137, 862,001  
AND OTHERS.

THE ENGLISH TRANSLATION OF THE  
WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 566,634, FILED 11-4-1985.

MARILYN MCMAHON, EXAMINING ATTOR-  
NEY

Int. Cl.: 9

Prior U.S. Cls.: 21 and 26

**United States Patent and Trademark Office**

**Reg. No. 1,419,815**

Registered Dec. 9, 1986

**TRADEMARK  
PRINCIPAL REGISTER**

**E L L E**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE JOINT STOCK COMPANY)  
6 RUE ANCELLE, NEUILLY-SUR-SEINE  
HAUTS-DE-SEINE, FRANCE

FOR: SPECTACLES AND VIDEOCAS-  
SETTES, IN CLASS 9 (U.S. CLS. 21 AND 26).  
PRIORITY CLAIMED UNDER SEC. 44(D) ON  
FRANCE APPLICATION NO. 750648, FILED  
7-3-1985, REG. NO. 1315174, DATED 7-3-1985,  
EXPIRES 7-3-1995.

OWNER OF U.S. REG. NOS. 758,137, 862,001  
AND OTHERS.

THE ENGLISH TRANSLATION OF THE  
WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 566,634, FILED 11-4-1985.

MARILYN MCMAHON, EXAMINING ATTOR-  
NEY

Int. Cl.: 22

Prior U.S. Cl.: 2

**United States Patent and Trademark Office**

Reg. No. 1,421,118

Registered Dec. 16, 1986

**TRADEMARK  
PRINCIPAL REGISTER**

**E L L E**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE COMPANY)  
6 RUE ANCELLE, NEUILLY-SUR-SEINE  
HAUTS-DE-SEINE, FRANCE

FOR: BAGS FOR STORAGE; SACKS OF TEXTILE FOR PACKAGING; NON-METALLIC WRAPPING OR BINDING BANDS, IN CLASS 22 (U.S. CL. 2).

OWNER OF FRANCE REG. NO. 1113720, DATED 6-28-1979, EXPIRES 6-28-1989.

OWNER OF U.S. REG. NOS. 758,137, 862,001 AND OTHERS.

THE ENGLISH TRANSLATION OF THE WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 566,638, FILED 11-4-1985.

STEWART J. BELLUS, EXAMINING ATTORNEY

Int. Cl.: 22

Prior U.S. Cl.: 2

**United States Patent and Trademark Office** **Reg. No. 1,421,118**  
Registered Dec. 16, 1986

**TRADEMARK  
PRINCIPAL REGISTER**

**E L L E**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE COMPANY)  
6 RUE ANCELLE, NEUILLY-SUR-SEINE  
HAUTS-DE-SEINE, FRANCE

FOR: BAGS FOR STORAGE; SACKS OF TEXTILE FOR PACKAGING; NON-METALLIC WRAPPING OR BINDING BANDS, IN CLASS 22 (U.S. CL. 2).

OWNER OF FRANCE REG. NO. 1113720, DATED 6-28-1979, EXPIRES 6-28-1989.

OWNER OF U.S. REG. NOS. 758,137, 862,001 AND OTHERS.

THE ENGLISH TRANSLATION OF THE WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 566,638, FILED 11-4-1985.

STEWART J. BELLUS, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 104

**United States Patent and Trademark Office**

Reg. No. 1,429,609

Registered Feb. 17, 1987

**SERVICE MARK  
PRINCIPAL REGISTER**

**E L L E**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE JOINT STOCK COMPANY)  
6 RUE ANCELLE  
NEUILLY-SUR-SEINE, HAUTS-DE-SEINE,  
FRANCE

FOR: NEWS AGENCY SERVICES- NAMELY,  
GATHERING AND DISSEMINATING NEWS  
BY ELECTRONIC TRANSMISSION, IN CLASS  
42 (U.S. CLS. 100 AND 104).

OWNER OF FRANCE REG. NO. 926992,  
DATED 6-20-1975, RENEWED AS REG. NO.  
745834, DATED 6-3-1985, EXPIRES 6-20-1995.  
THE ENGLISH TRANSLATION OF THE  
FRENCH WORD "ELLE" IN THE MARK IS  
"SHE".

SER. NO. 366,750, FILED 11-4-1985.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cl.: 37

United States Patent and Trademark Office

Reg. No. 1,314,558

Registered Jan. 15, 1985

**TRADEMARK**  
Principal Register

E L L E

France Editions & Publications (France corporation)  
6 rue Ancelle  
Neuilly-sur-Seine, (Hauts-de-Seine), France

For: STATIONERY—NAMELY, NOTE-  
BOOKS, WRITING PADS, FOUNTAIN PENS,  
PENCILS, PENCIL HOLDERS, INDEXES, STA-  
TIONERY PORTFOLIOS,  
NOTEBOOKS/WRITING PADS, ADDRESS  
BOOKS, FOLDERS, DIARIES, in CLASS 16 (U.S.  
Cl. 37).

Owner of France Reg. No. 1,113,720, dated Jun.  
28, 1979, expires Jun. 28, 1989.

The mark "Elle" may be translated into English as  
"she".

Ser. No. 452,244, filed Nov. 10, 1983.

SUE CARRUTHERS, Examining Attorney

**Int. Cl.: 16**

**Prior U.S. Cl.: 37**

**United States Patent and Trademark Office**

**Reg. No. 1,314,558**

**Registered Jan. 15, 1985**

**TRADEMARK**  
**Principal Register**

**E L L E**

**France Editions & Publications (France corporation)**  
6 rue Ancelle  
Neuilly-sur-Seine, (Hauts-de-Seine), France

For: **STATIONERY—NAMELY, NOTE-BOOKS, WRITING PADS, FOUNTAIN PENS, PENCILS, PENCIL HOLDERS, INDEXES, STATIONERY PORTFOLIOS, NOTEBOOKS/WRITING PADS, ADDRESS BOOKS, FOLDERS, DIARIES, in CLASS 16 (U.S. Cl. 37).**

Owner of France Reg. No. 1,113,720, dated Jun. 28, 1979, expires Jun. 28, 1989.

The mark "Elle" may be translated into English as "she".

Ser. No. 452,244, filed Nov. 10, 1983.

**SUE CARRUTHERS, Examining Attorney**

Int. Cl.: 25

Prior U.S. Cl.: 39

**United States Patent and Trademark Office**

Reg. No. 1,348,158

Registered July 9, 1985

**TRADEMARK  
PRINCIPAL REGISTER**

**E L L E**

FRANCE EDITIONS & PUBLICATIONS  
(FRANCE CORPORATION)  
6 RUE ANCELLE NEUILLY-SUR-SEINE,  
HAUTS DE SEINE, FRANCE

FOR: FOOTWEAR—NAMELY, SHOES,  
BOOTS, SLIPPERS, SANDALS AND CLOGS, IN  
CLASS 25 (U.S. CL. 39).

OWNER OF FRANCE REG. NO. 1113720,  
DATED 6-28-1979, EXPIRES 6-28-1989.

OWNER OF U.S. REG. NOS. 758,137 AND  
861,159.

THE MARK ELLE MAY BE TRANSLATED  
INTO ENGLISH AS "SHE".

SER. NO. 512,968, FILED 12-10-1984.

SUE CARRUTHERS, EXAMINING ATTORNEY

Int. Cls.: 9, 16, 38, 40, 41 and 42

Prior U.S. Cls.: 2, 14, 22, 26, 37, 38, 100, 104,  
106 and 107

Reg. No. 1,668,272

United States Patent and Trademark Office Registered Dec. 17, 1991

TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER

ELLEDECOR

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE CORPORATION)  
2 RUE ANCELLE  
92200 NEUILLY-SUR-SEINE, FRANCE

FOR: DATA PROCESSING EQUIPMENT AND COMPUTERS; COMPUTER FURNITURE; BLANK INFORMATION HOLDERS AND CARRIERS FOR COMPUTER PROGRAMS; NAMELY, CARDS, BANDS, TAPES, RIBBONS, DRUMS, CASSETTES, DISCS, SHEETS AND FILMS; COMPUTER SOFTWARE PROGRAMS AND TEACHING APPARATUS AND INSTRUMENTS CONSISTING OF COMPUTER DRIVE PERIPHERALS AND SOFTWARE AND COMPUTER FURNITURE FOR USE IN THE FIELD OF CONSULTING SERVICES ON INTERIOR AND EXTERIOR DECORATING, ARCHITECTURE, LANDSCAPING, GARDENING AND HORTICULTURE, CUISINE, ART AND SCULPTURE, ARTIFACTS, ANTIQUES AND COLLECTIONS, FURNITURE, HOUSEHOLD ACCESSORIES, ACCOUTREMENTS AND FIXTURES, CRITIQUES OF RESIDENCES, BIOGRAPHICAL SKETCHES, ELECTRONICS FOR THE HOME, NATIONAL AND INTERNATIONAL LIFESTYLES, TRAVEL, TOURISM AND PHOTOGRAPHY, IN CLASS 9 (U.S. CLS. 26 AND 38).

FOR: PRINTED MATTER AND PERIODICALS; NAMELY, NEWSPAPERS, REVIEWS, PAMPHLETS, BROCHURES, NEWSLETTERS, INFORMATION OR ADVERTISING LETTERS, JOURNALS AND MAGAZINES IN THE

FIELDS OF INTERIOR AND EXTERIOR DECORATING, ARCHITECTURE, LANDSCAPING, GARDENING AND HORTICULTURE; CUISINE; ART AND SCULPTURE, ARTIFACTS, ANTIQUES AND COLLECTIONS; FURNITURE; HOUSEHOLD ACCESSORIES, ACCOUTREMENTS, AND FIXTURES; CRITIQUES OF RESIDENCES, BIOGRAPHICAL SKETCHES; ELECTRONICS FOR THE HOME; NATIONAL AND INTERNATIONAL LIFESTYLES, TRAVEL, TOURISM AND PHOTOGRAPHY; STATIONERY; STATIONERY BOXES, CABINETS, FOLDERS, WRITING PAPER AND ENVELOPES; PAPER; NAMELY, BOND, CARBON, CONSTRUCTION, CORRUGATED, CREPE, FIBER, FILLER, ILLUSTRATION, LINING, MAGNETIC, MIMEOGRAPH, NEWS-PRINT, NOTE, ONION SKIN, PACKING, PRINTING REPRODUCTION, TRACING, TYPEWRITTEN AND WRAPPING; PAPERBOARD; BLANK OR PARTIALLY PRINTED POSTCARDS; POSTER BOARD; PRINTING BLOCKS; CARDS; NAMELY, BLANK, BUSINESS, FILE, INDEX, GIFT AND GREETING, NOTE, PLAYING, RECORD AND SCORE CARDS; CARDBOARD CONTAINERS (BOXES) FOR WRAPPING AND PACKAGING; PLASTIC FOR WRAPPING, IN CLASS 16 (U.S. CLS. 2, 14, 22, 37 AND 38).

FOR: TELECOMMUNICATIONS SERVICES; TELEPHONE COMMUNICATION SERVICES; AUDIO VISUAL AND VIDEO COMMUNICATION SERVICES; NAMELY, AUDIO VISUAL, CABLE, AND SATELLITE TELECOMMUNICA-

TION BROADCAST AND TELEPHONE TRANSMISSION SERVICES, HOME VIDEO, AND RECORDED MUSIC SERVICES; TELEGRAPH SERVICES; CABLE TELEGRAM TRANSMISSION AND COMMUNICATION SERVICES; ELECTRONIC MAIL SERVICES, PROVIDING ELECTRONIC ACCESS TO DATABANKS; TELECONFERENCING SERVICES; TELETYPE COMMUNICATION SERVICES; OPERATING CLOSED CIRCUIT TELEVISION FOR OTHERS; AUDIO VISUAL AND VIDEO INFORMATION AND COMMUNICATION UTILIZING TELECOMPUTER TERMINAL UNITS, PERIPHERAL SYSTEMS AND VIDEO DISPLAY SYSTEMS, IN CLASS 38 (U.S. CLS. 100 AND 104).

FOR: FILM, VIDEO TAPE AND AUDIO TAPE DUPLICATION SERVICES, IN CLASS 40 (U.S. CL. 106).

FOR: EDUCATIONAL AND TRAINING SERVICES IN THE USE AND OPERATION OF LICENSEES, COMMERCIAL CONCESSIONS AND FRANCHISING NETWORKS, INCLUDING BASIC TRAINING FOR PERSONNEL; FASHION TRENDS AND CLOTHING DESIGN; INTERIOR DECORATING; SEWING AND WEAVING; HOME FURNISHINGS, DESIGN AND DECORATION OF SHUTTERS, SILK PAINTING; HOME ECONOMICS, ALL CONDUCTED THROUGH COURSES, SEMINARS, TUTORIALS, CONFERENCES, COLLOQUIES, LECTURES, AND CLOSED CIRCUIT TELEVISION BROADCASTS; PRODUCTION OF RADIO AND TELEVISION PROGRAMS; PUBLICATION OF BOOKS, ILLUSTRATIONS, MAGAZINES, AND NEWSPAPERS; CORRESPONDENCE COURSES IN THE FIELD OF ENTERTAINMENT SERVICES THROUGH THE USE OF TELEVISION AND/OR RADIO, INVOLVING NEWS, DOCUMENTARY, PLAYS, MOVIES, DOCU-DRAMA; MELODRAMA, SPORTS, COMEDY, VARIETY SHOWS, GAME

SHOWS, SERIALS, EDUCATION, NATURE, PUBLIC INFORMATION, BUSINESS, POLITICAL AND SOCIAL COMMENTARY, AND PUBLIC DEBATE PROGRAMS; FILM, VIDEO TAPE AND AUDIO TAPE PRODUCTION SERVICES; FILM VIDEOTAPE RENTAL SERVICES; AUDIO TAPE RECORDING STUDIO SERVICES, AND RECORD MASTER PRODUCTION SERVICES, IN CLASS 41 (U.S. CLS. 100 AND 107).

FOR: NEWS AGENCY SERVICES; NAMELY, GATHERING AND DISSEMINATION OF NEWS, NEWS CLIPPING SERVICES, AND PROVIDING INFORMATION TO NEWSPAPERS; OTHER NEWS SERVICES, MAGAZINES, PUBLISHERS, LOCAL TELEVISION STATIONS AND NATIONAL TELEVISION NETWORKING, PUBLIC BROADCASTING STATIONS; ALL CABLE TELEVISION NETWORKS, SATELLITE NETWORKS AND SYSTEMS; SYNDICATED NEWS PROGRAMS, SYNDICATED COLUMNISTS, NATIONAL SYNDICATORS, AND RADIO STATIONS IN THE FIELD OF NATIONAL AND INTERNATIONAL NEWS, BUSINESS, SPORTS, POLITICS, DIPLOMACY, ENTERTAINMENT, SCIENCE AND MEDICINE, AND COMMENTARY, IN CLASS 42 (U.S. CLS. 100 AND 104).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 143871, FILED 7-17-1989, REG. NO. 1541556, DATED 7-17-1989, EXPIRES 7-17-1999.

OWNER OF U.S. REG. NOS. 758,137, 1,314,558 AND OTHERS.

THE ENGLISH TRANSLATION OF THE FRENCH WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 74-017,819, FILED 1-10-1990.

JOHN MICHOS, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cl.: 38

Reg. No. 1,732,988

**United States Patent and Trademark Office** Registered Nov. 17, 1992

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE DECOR**

FRANCE EDITIONS ET PUBLICATIONS  
(FRANCE CORPORATION)  
2 RUE ANCELLE  
92200 NEUILLY-SUR-SEINE, FRANCE

FOR: MAGAZINES FEATURING INTERIOR  
AND EXTERIOR DECORATING, ARCHITEC-  
TURE, LANDSCAPING, GARDENING AND  
HORTICULTURE; CUISINE; ART AND SCULP-  
TURE, ARTIFACTS, ANTIQUES AND COL-  
LECTIONS, FURNITURE; HOUSEHOLD AC-  
CESSORIES, ACCOUTREMENTS, AND FIX-  
TURES; CRITIQUES OF RESIDENCES; BIO-  
GRAPHICAL SKETCHES; ELECTRONICS FOR  
THE HOME; NATIONAL AND INTERNATION-

AL LIFESTYLES, TRAVEL, TOURISM AND  
PHOTOGRAPHY, IN CLASS 16 (U.S. CL. 38).

FIRST USE 10-3-1989; IN COMMERCE  
10-3-1989.

OWNER OF U.S. REG. NOS. 1,654,884 AND  
1,668,272.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "DECOR", APART FROM THE  
MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE  
WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 74-232,527, FILED 12-23-1991.

CHERYL LYNN BLACK, EXAMINING ATTOR-  
NEY

Int. Cls.: 35 and 42  
Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,120,688

Registered Dec. 16, 1997

SERVICE MARK  
PRINCIPAL REGISTER

ELLE

HACHETTE FILIPACCHI PRESSE (FRANCE  
CORPORATION)  
149, RUE ANATOLE FRANCE  
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: PROMOTING THE GOODS AND SERVICES OF OTHERS THROUGH THE DISTRIBUTION OF DISCOUNT AND/OR PRIORITY USER CARDS; OFFERING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND/OR OPERATION OF FASHION SHOWS AND BEAUTY PAGEANTS, BEAUTY SALONS AND FASHION WEAR BOUTIQUES; COPYRIGHT MANAGEMENT SERVICES; ADVERTISING SLOGAN LICENSING SERVICES; ORGANIZING TRADE SHOW EXPOSITIONS IN THE ENTERTAINMENT ARTS FIELD FEATURING MUSIC, THEATER AND CINEMATOGRAPHIC PRODUCTS; ORGANIZING TRADE SHOW EXPOSITIONS FEATURING HOME AND GARDEN DECORATING PRODUCTS, LANDSCAPING PRODUCTS AND CULINARY PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

FOR: INTERIOR DESIGN SERVICES; ARCHITECTURE SERVICES; LANDSCAPE GARDENING SERVICES; CONSTRUCTION DRAFTING SERVICES; TECHNICAL RESEARCH IN THE FIELDS OF LANDSCAPING, LANDSCAPE GARDENING AND INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELDS OF LANDSCAPING AND LANDSCAPE GARDENING; PROVIDING CONSULTING TO OTHERS IN THE

FIELDS OF BEAUTY, HEALTH AND FASHION WEAR; CONSULTING IN THE FIELDS OF INTERIOR AND EXTERIOR DECORATING; CONSULTING SERVICES IN THE FIELD OF COOKING; PROVIDING TEMPORARY HOUSING ACCOMMODATIONS; PROVIDING BOARDING HOUSES AND CONVALESCENT HOMES; PROVIDING PERSONAL ESCORT SERVICES; PROVIDING BEAUTY AND HAIRDRESSING SALONS; PROVIDING MARRIAGE BUREAUS; PROVIDING COSTUME RENTALS; PROVIDING SOCIAL CLUBS; EDITING WRITTEN TEXTS FOR OTHERS; DATING SERVICES; PRINTING SERVICES; COMPUTER PROGRAMMING SERVICES; PERSONAL LETTER WRITING FOR OTHERS; SETTING UP AND COMPILING DATA BANKS; HOTEL AND RESTAURANT SERVICES; RETAIL CLOTHING BOUTIQUE STORE SERVICES; MAIL ORDER SERVICES RENDERED BY A CLOTHING BOUTIQUE; RETAIL CLOTHING BOUTIQUE STORE SERVICES OFFERED WITHIN A DEPARTMENT STORE, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-14-1984; IN COMMERCE 9-14-1984.

OWNER OF FRANCE REG. NO. 1,538,334, DATED 6-27-1989, EXPIRES 6-27-1999.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-540,441, FILED 4-8-1994.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,199,132

United States Patent and Trademark Office

Registered Oct. 27, 1998

TRADEMARK  
PRINCIPAL REGISTER

E L L E

HACHETTE FILIPACCHI PRESSE (FRANCE  
CORPORATION)  
149, RUE ANATOLE FRANCE  
92534 LEVALLOIS-PERRET, FRANCE

FOR: AMUSEMENT APPARATUS ADAPTED  
FOR USE WITH TELEVISION RECEIVERS,  
NAMBL Y, AUDIO VISUAL TEACHING APPA-  
RATUS, NAMBL Y, FILM AND VIDEO PROJEC-  
TORS FOR USE WITH OR WITHOUT SLIDES,  
PRECISION BALANCES, WEIGHING APPARA-  
TUS, DICTATING MACHINES, RECORD  
PLAYERS, AUDIO/VIDEO RECEIVERS,  
AUDIO/VIDEO TAPE RECORDERS, VIDEO  
RECORDERS, REMOTE CONTROL APPARA-  
TUS, ELECTRONIC AND COMPUTER PERIPH-  
ERAL JUKE BOXES, COMPUTERS, DATA  
PROCESSORS, DATA BASES CONTAINING  
STORED INFORMATION IN THE FIELD OF  
MUSIC, THEATER, CINEMA, LITERATURE,  
ARTS, EDUCATION, HOME DECORATION,  
GARDENING, LANDSCAPING, CULINARY  
ARTS, FASHION AND BEAUTY TO BE READ/  
CONSULTED AND OR USED ON COMPUTER  
TERMINALS AND VIDEO EQUIPMENT,  
BLANK MAGNETIC DATA CARRIERS FOR  
COMPUTER PROGRAMS AND VIDEO EQUIP-  
MENT, FOR OPTICAL, DIGITAL OR AUDIO-  
VISUAL USE, NAMBL Y, VIDEO DISCS,  
INTERACTIVE VIDEO DISCS, BLANK AND  
REREADABLE VIDEO DISCS, MAGNETIC  
CODED CARDS, BLANK AUDIO TAPES,  
BLANK MAGNETIC COMPUTER TAPES,  
BLANK VIDEO TAPES, PRERECORDED  
AUDIO, COMPUTER AND VIDEO TAPES FEAT-

TURING THEMES SUCH AS MUSIC, THEA-  
TER, CINEMA, LITERATURE, ARTS, EDUCA-  
TION, HOME DECORATION, GARDENING,  
LANDSCAPING, CULINARY ARTS, FASHION  
AND BEAUTY, BLANK AUDIO AND BLANK  
VIDEO CASSETTES, PRERECORDED AUDIO  
AND PRERECORDED VIDEO CASSETTES  
FEATURING THEMES SUCH AS MUSIC, THEA-  
TER, CINEMA, LITERATURE, ARTS, EDUCA-  
TION, HOME DECORATION, GARDENING,  
LANDSCAPING, CULINARY ARTS, FASHION  
AND BEAUTY; FLOPPY DISCS FOR COMPUT-  
ERS; COMPACT DISCS, AND AUDIO AND/OR  
VIDEO DISCS FEATURING THEMES SUCH AS  
MUSIC, THEATER, CINEMA, LITERATURE,  
ARTS, EDUCATION, HOME DECORATION,  
GARDENING, LANDSCAPING, CULINARY  
ARTS, FASHION AND BEAUTY; EXPOSED  
CAMERA FILM AND MOTION PICTURE FILM  
FEATURING THEMES SUCH AS MUSIC, THEA-  
TER, CINEMA, LITERATURE, ARTS, EDU-  
CATION, HOME DECORATION, GARDENING,  
LANDSCAPING, CULINARY ARTS, FASHION  
AND BEAUTY; COMPUTER SOFTWARE PRO-  
GRAMS FOR USE IN THE FIELD OF CON-  
SULTING SERVICES ON INTERIOR AND EX-  
TERIOR DECORATING, ARCHITECTURE,  
LANDSCAPING, GARDENING AND HORTI-  
CULTURE, CUISINE, ART, FURNITURE, CRIT-  
TIQUES OF RESIDENCES, BIOGRAPHICAL  
SKETCHES, TRAVEL, TOURISM, PHOTOGRA-  
PHY, FASHION AND SPORTING ACTIVITIES;  
COMPUTER SOFTWARE PROGRAMS FOR  
USE IN CULINARY ARTS, HOME DECORA-  
TION, FASHION AND BEAUTY FOR HOUSE-

~~WORLD AND DOMESTIC USE; COMPUTER SOFTWARE PROGRAMS FOR USE IN REVIEWING DEVELOPMENTS AND CURRENT EVENTS IN THE FIELD OF CINEMA, ARTS, THEATER, DANCE, PANTOMIME, MIME, CIRCUS, MUSICAL AND LITERARY ENTERTAINMENT; COMPUTER SOFTWARE PROGRAMS FOR USE IN THE FIELD OF DOCUMENTARIES CONCERNING SCIENCE, NATURAL SCIENCE, ANIMAL AND PLANT LIFE, THE HUMAN BODY AND ITS FUNCTIONS, HEALTH AND DIST FOR HUMANS AND ANIMALS. LEARNING LANGUAGE PROG.~~

~~CHANCE, ARTS, CINEMA AND LITERATURE; CASH REGISTERS AND CALCULATING MACHINES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).~~  
 OWNER OF FRANCE REG. NO. 1,538,356, DATED 6-27-1989, EXPIRES 6-27-1999.  
 OWNER OF U.S. REG. NOS. 1,419,813, 1,767,100 AND OTHERS.  
 THE WORD "ELLE" MEANS "SHE" IN ENGLISH.  
 SER. NO. 74-411,619, FILED 7-12-1993.  
 RUSS HERMAN, EXAMINING ATTORNEY

Int. Cls.: 28, 38, 39, 41 and 42

Prior U.S. Cls.: 22, 23, 38, 50, 100, 101, 104, 105  
and 107

Reg. No. 2,242,315

United States Patent and Trademark Office

Registered May 4, 1999

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**ELLE**

HACHETTE FILIPACCHI PRESSE (FRANCE  
JOINT STOCK COMPANY)  
149, RUE ANATOLE FRANCE  
92534 LEVALLOIS-PERRET CEDEX, FRANCE

FOR: INTERACTIVE VIDEO GAME PRO-  
GRAMS; GAMES, NAMELY, BOARDGAMES,  
CARD GAMES, MANIPULATIVE GAMES,  
TOYS, NAMELY, WIND-UP TOYS, BATTERY  
OPERATED AND NON-BATTERY OPERATED  
MECHANICAL ACTION TOYS, PLUSH TOYS,  
INFLATABLE BATH TOYS, BATTERY OPER-  
ATED AND NON-BATTERY OPERATED  
STUFFED TOYS, BATTERY OPERATED AND  
NON-BATTERY OPERATED DOLLS, IN CLASS  
28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: COMMUNICATION SERVICES,  
NAMELY, RADIO COMMUNICATION SERV-  
ICES, TELEPHONE COMMUNICATIONS SERV-  
ICES, TELEGRAPH SERVICES AND VIDEO  
TELECONFERENCING SERVICES, TELE-  
GRAPH SERVICES AND VIDEO TELECON-  
FERENCING SERVICES; ELECTRONIC  
TRANSMISSION OF DATA, IMAGES AND  
SOUNDS AND DOCUMENTS VIA COMPUTER  
TERMINALS; TELEVISION AND RADIO  
BROADCASTING SERVICES; INCLUDING  
CABLE TRANSMISSIONS OF SUCH SERVICES;  
TELEX TRANSMISSION SERVICES; TELE-  
GRAM TRANSMISSION SERVICES; ELEC-  
TRONIC TRANSMISSION OF INFORMATION  
FROM DATA BANKS VIA COMPUTER TERM-  
INALS; CABLE TELEVISION TRANSMISSION  
SERVICES, IN CLASS 38 (U.S. CLS. 100, 101  
AND 104).

FOR: HOME AND OFFICE DELIVERY OF  
MULTIMEDIA AND AUDIOVISUAL PROD-  
UCTS, NAMELY, VIDEODISCS, COMPACT  
DISCS, INTERACTIVE DISCS, AND COMPACT  
DISCS WITH READ ONLY MEMORY (CD-  
ROM), IN CLASS 39 (U.S. CLS. 100 AND 105).

FOR: EDUCATIONAL SERVICES, NAMELY,  
ADMINISTRATION OF CULTURAL EX-  
CHANGE PROGRAMS; ENTERTAINMENT  
SERVICES, NAMELY, SPONSORING SPORTS  
COMPETITIONS AND TOURNAMENTS; EDU-  
CATION IN THE FIELD OF MUSIC, THEATER,  
CINEMA, LITERATURE, ARTS, HOME DECOR-  
ATION, GARDENING, LANDSCAPING, CUL-  
INARY ARTS, FASHION AND BEAUTY REND-  
ERED THROUGH CORRESPONDENCE  
COURSES; PROVIDING CLASSES OF IN-  
STRUCTION TO BEGINNERS AND AD-  
VANCED PERSONS IN THE FIELD OF MUSIC,  
THEATER, CINEMA, LITERATURE, ARTS,  
EDUCATION, HOME DECORATION, GAR-  
DENING, LANDSCAPING, CULINARY ARTS,  
FASHION AND BEAUTY; CONDUCTING EDU-  
CATIONAL CONFERENCES, WORKSHOPS  
AND COURSES OF INSTRUCTION IN THE  
FIELD OF MUSIC, THEATER, CINEMA, LIT-  
ERATURE, ARTS, EDUCATION, HOME DECOR-  
ATION, GARDENING, LANDSCAPING, CUL-  
INARY ARTS, FASHION AND BEAUTY; EDU-  
CATIONAL CONFERENCES, FORUMS, CON-  
GRESSES AND COLLOQUIUMS IN THE FIELD  
OF MUSIC, THEATER, CINEMA, LITERA-  
TURE, ARTS, EDUCATION, HOME DECORA-  
TION, GARDENING, LANDSCAPING, CULI-  
NARY ARTS, FASHION AND BEAUTY; PUBLI-

CATION OF BOOKS; ENTERTAINMENT IN THE NATURE OF GAMES AND CONTESTS, NAMELY, ESSAY-WRITING AND NOVEL-WRITING CONTESTS; BEAUTY PAGEANTS; INDOOR AND OUTDOOR SPORTS COMPETITIONS FEATURING, HOCKEY, SOCCER, FOOTBALL AND VOLLEYBALL; PRODUCTION OF RADIO AND TELEVISION PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING AN ON-LINE ENTERTAINMENT VARIETY SHOW, FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY; AUDIO RECORDING AND PRODUCTION SERVICES; LIBRARIES AND BOOKS LENDING SERVICES; VIDEO AND GAME LIBRARY SERVICES; VIDEO TAPE FILM PRODUCTION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: LEGAL CONSULTING SERVICES; CORRESPONDENCE EXCHANGE SERVICES; LICENSING OF INTELLECTUAL PROPERTY; COMPUTER PROGRAMMING SERVICES; PROGRAMMING ELECTRONIC INSTRUMENTS FOR OTHERS; EDITING OF WRITTEN TEXTS; NEWS SYNDICATION REPORTING; LAN-

GUAGE TRANSLATION; PRINTING SERVICES; RENTAL OF COMPUTERS AND RENTAL OF DISPLAY APPARATUS FOR USE IN MULTIMEDIA PRESENTATIONS USING SLIDES, FILM, TAPE RECORDINGS AND SPECIAL LIGHTING EFFECTS; EDITING OF WRITTEN TEXTS, ILLUSTRATIONS BOOKS, BOOK REVIEWS, NEWSPAPERS, PERIODICALS, MAGAZINES AND PUBLICATIONS OF ALL TYPES REGARDLESS OF THEIR FORM, INCLUDING ELECTRONIC AND DIGITALIZED PUBLICATIONS, DESKTOP PUBLISHING OF SOUND AND/OR VISUAL MEDIA OR MULTIMEDIA SOFTWARE PROGRAMS FOR OTHERS; COMPILING DATA BASES AND DATA BANKS FOR USE BY OTHERS; PRODUCTION AND RENTAL OF MOTION PICTURE FILM, VIDEO-CASSETTE TAPES AND MULTI-MEDIA ENTERTAINMENT SOFTWARE, IN CLASS 41 (U.S. CLS. 100 AND 101).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 94/543,958, FILED 11-9-1994, REG. NO. 94543958, DATED 11-9-1994, EXPIRES 11-9-2004.

OWNER OF U.S. REG. NOS. 758,137, 1,419,815 AND OTHERS.

THE WORD "ELLE" MEANS "SHE" IN ENGLISH.

SER. NO. 74-671,723, FILED 5-9-1995.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cl.: 31

Prior U.S. Cls.: 1 and 46

United States Patent and Trademark Office

Reg. No. 2,560,906

Registered Apr. 16, 2002

**TRADEMARK  
PRINCIPAL REGISTER**

**E L L E**

HACHETTE FILIPACCHI PRESSE (FRANCE  
JOINT STOCK COMPANY)  
149 RUE ANATOLE FRANCE  
92500 LEVALLOIS-PERRET, FRANCE

FOR: NATURAL AGRICULTURAL PRODUCTS,  
NAMELY, LIVING, NATURAL AND DRIED FLOW-  
ERS, AGRICULTURAL SEEDS, LIVING, NATURAL  
AND DRIED PLANTS, BUNCHES OF FLOWERS,  
WREATHS OF FLOWERS, FLOWER BULBS, ROSE  
BUSHES, IN CLASS 31 (U.S. CLS. 1 AND 46).

OWNER OF FRANCE REG. NO. 1538354, DATED  
6-27-1999, EXPIRES 6-27-2009.

THE ENGLISH TRANSLATION OF "ELLE" IS  
"SHE".

SER. NO. 75-699,473, FILED 5-7-1999.

RUSS HERMAN, EXAMINING ATTORNEY

Int. Cls.: 8, 9, 20, 21, 24 and 25

Prior U.S. Cls.: 2, 23, 26, 29, 30, 32, 33, 34, 39 and 42

Reg. No. 2,708,222

United States Patent and Trademark Office

Registered Apr. 22, 2003

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)  
92534 LEVALLOIS-PERRET CEDEX, FRANCE  
149, RUE ANATOLE, FRANCE, BY CHANGE OF NAME FRANCE EDITIONS ET PUBLICATIONS (FRANCE CORPORATION) HAUTS DE SEINE, FRANCE

FOR: TABLE UTENSILS, NAMELY, KNIVES, FORKS, AND SPOONS, IN CLASS 8 (U.S. CL. 23).

FOR: SPECTACLES, IN CLASS 9 (U.S. CL. 26).

FOR: FURNITURE, IN CLASS 20 (U.S. CL. 32).

FOR: DISHES, PLATES, CUPS, DRINKING GLASSES, BOTTLES, BOTTLE STANDS, COASTERS, BOTTLE OPENERS, JUGS, BRUSHES FOR CLEANING TANKS AND CONTAINERS, BRUSHES FOR FOOTWEAR, ELECTRIC BRUSHES, BRUSHES FOR CLOTHING, TOOTHBRUSHES, TRAYS, COFFEE SERVICE IN NON-PRECIOUS METAL, COFFEE POTS, MENU CARD RESTS, POTS FOR MAKE-UP SOLD EMPTY, FRUIT CUPS, STATUES AND FIGURINES OF PORCELAIN, TERRA COTTA AND GLASS, BASINS, COOKING POTS, BUTTER DISHES, GLASS JARS, DRINKING VESSELS, ORNAMENTAL BOXES OF GLASS, ALL-PURPOSE BOXES OF METAL FOR DOMESTIC USE, BASIN BOWLS, CORK SCREWS, SPONGES FOR HOUSEHOLD PURPOSES, TOILET SPONGES, FLASKS IN NON-PRECIOUS METAL, OIL CRUETS IN NON-PRECIOUS METAL, CRUMB TRAYS, FITTED VANITY CASES, PERFUME VAPORIZERS, CURRY COMBS, FITTED PICNIC BASKETS, HAND OPERATED PEPPER MILLS, PEPPER POTS IN NON-PRECIOUS METAL, POWDER COMPACTS IN

NON-PRECIOUS METAL SOLD EMPTY, BUCKETS, PAILS, EPERGNES, MUGS, GOBLETS, BASKETS FOR DOMESTIC USE, TRAYS FOR DOMESTIC USE, SAUCERS IN NON-PRECIOUS METAL, CUPS IN NON-PRECIOUS METAL, TABLE PLATES, DECANTERS, DISHES IN NON-PRECIOUS METAL, DECANTER STANDS, GLASS BOWLS, STEW PANS, EGG CUPS IN NON-PRECIOUS METAL, PITCHERS, POTS IN NON-PRECIOUS METAL, AND KNIFE RESTS FOR THE TABLE, IN CLASS 21 (U.S. CLS. 2, 23, 29, 30, 33 AND 34).

FOR: BATH TOWELS, HAND TOWELS, TABLE CLOTHS, TEXTILE TABLE NAPKINS, SHEETS, BLANKETS AND PILLOWCASES, IN CLASS 24 (U.S. CL. 42).

FOR: FOOTWEAR - NAMELY, SHOES, BOOTS, SLIPPERS, SANDALS AND CLOGS, IN CLASS 25 (U.S. CL. 39).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FRANCE APPLICATION NO. 104229, FILED 1-20-1989, REG. NO. 1500024, DATED 1-20-1989, EXPIRES 1-20-1999.

OWNER OF U.S. REG. NOS. 1,374,805 AND 1,408,531.

THE ENGLISH TRANSLATION OF THE WORD "ELLE" IN THE MARK IS "SHE".

SER. NO. 73-814,081, FILED 7-20-1989.

KATHY DE JONGE, EXAMINING ATTORNEY

**Int. Cls.: 3 and 21**

**Prior U.S. Cls.: 1, 4, 6, 13, 29, 40, 50, 51 and 52**

**Reg. No. 2,914,032**

**United States Patent and Trademark Office**

**Registered Dec. 28, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**ELLE**

HACHETTE FILIPACCHI PRESS (FRANCE CORPORATION)  
149, RUE ANATOLE FRANCE  
LEVALLOIS-PERRET CEDEX, FRANCE 92534

FOR: BEAUTY AND COSMETIC PRODUCTS, NAMELY, SUN-TANNING PREPARATIONS (COSMETICS), COSMETIC AND EYEBROW PENCILS, COSMETICS CREAMS, MAKE-UP REMOVING PREPARATIONS, DENTIFRICE, DEPILATORIES AND DEPILATORY PREPARATIONS, CLEANSING MILK FOR TOILET PURPOSES, MAKE-UP, MAKE-UP POWDER, MAKE-UP PREPARATIONS, BEAUTY MASKS, NAIL CARE PREPARATIONS, NAIL VARNISH, FALSE-NAILS, COSMETIC PREPARATIONS FOR SKIN CARE, COSMETIC PREPARATIONS FOR SLIMMING PURPOSES IN THE FORM OF OIL, LOTION, CREAM AND GEL, OILS FOR COSMETIC PURPOSES, POMADES FOR COSMETIC PURPOSES, DEODORANTS FOR PERSONAL USE, COTTON STICKS AND COTTON WOOL FOR COSMETIC PURPOSES, COSMETIC KITS, NAMELY, A SMALL BAG, BOX OR CASE CONTAINING LIPSTICK, BLUSH, MASCARA, COSMETIC PENCILS AND EYESHADOW, COSMETIC PREPARATIONS

FOR BATHS, COSMETIC PREPARATIONS FOR EYELASHES, EYEBROW COSMETICS, DECORATIVE TRANSFERS FOR COSMETICS PURPOSES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: HAIR BRUSHES, NAIL BRUSHES, EYEBROW BRUSHES, HAIR COMBS, COSMETIC WIPES, POWDER PUFFS AND PERFUME SPRAYERS SOLD EMPTY, IN CLASS 21 (U.S. CLS. 13, 29 AND 40).

OWNER OF FRANCE REG. NO. 1500024, DATED 1-20-1989, RENEWED AS REG. NO. 1500024, DATED 1-20-1999, EXPIRES 1-20-2009.

OWNER OF U.S. REG. NOS. 1,374,805, 1,408,531 AND OTHERS.

THE ENGLISH TRANSLATION OF THE WORD "ELLE" IS "SHE".

SER. NO. 74-092,685, FILED 8-30-1990.

ANGELA M. MICHELI, EXAMINING ATTORNEY

United States of America  
United States Patent and Trademark Office

ELLE

Reg. No. 4,284,558  
Registered Feb. 5, 2013

HACHETTE FILIPACCHI PRESSE (FRANCE CORPORATION)  
149, RUE ANATOLE, 92534 LEVALLOIS-PERRET  
CEDEX, FRANCE

Int. Cls.: 9, 38, 41, 42, 44  
and 45

FOR: (BASED ON 44(B)) VIDEO RECORDINGS FEATURING MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AS WELL AS HOME DECORATION, GARDENING, LANDSCAPING, CULINARY ARTS, FASHION AND BEAUTY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK,  
SERVICE MARK  
PRINCIPAL REGISTER

FOR: (BASED ON USE IN COMMERCE) TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY COMPUTER TERMINALS; PROVIDING USER ACCESS TO A GLOBAL COMPUTER NETWORK; INTERACTIVE COMMUNICATION SERVICES, NAMELY, INTERACTIVE DELIVERY OF VIDEO OVER DIGITAL NETWORKS, TRANSMISSION OF SOUND AND VISION VIA SATELLITE OR INTERACTIVE MULTIMEDIA NETWORKS; INFORMATION TRANSMISSION SERVICES VIA DIGITAL NETWORKS DESIGNED FOR PUBLIC INFORMATION; COMMUNICATIONS ON COMPUTER NETWORKS IN GENERAL; TRANSMISSION OF INFORMATION BY ELECTRONIC MEANS; PROVIDING DISCUSSION FORUMS ON THE INTERNET; VIRTUAL CHAT ROOMS ESTABLISHED VIA TEXT MESSAGING; INSTANT MESSAGING SERVICES; WIRELESS ELECTRONIC TRANSMISSION OF VOICE SIGNALS, DATA, FACSIMILES, IMAGES AND INFORMATION (BASED ON 44(B)) TELEVISION AND RADIO BROADCASTING SERVICES, INCLUDING CABLE TRANSMISSIONS OF SUCH SERVICES; COMMUNICATION SERVICES, NAMELY, CABLE TELEVISION TRANSMISSION SERVICES; TRANSMISSION AND BROADCAST OF IMAGES, SOUNDS, DATA, INFORMATION BY CABLE, BY DATA COMMUNICATIONS CHANNEL, NAMELY, CABLE, SATELLITE AND FIBER OPTICS AND VIA TELECOMMUNICATION NETWORKS, WIRELESS COMMUNICATION NETWORKS AND THE INTERNET; BROADCASTING OF RADIO AND TELEVISION PROGRAMS; PROVIDING ONLINE FORUMS FOR TRANSMISSION OF MESSAGES IN THE FIELDS OF LITERATURE, EDUCATION, HOME DECORATION, PUBLICATION OF BOOKS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).



FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

*Lisa S. Smith*  
Acting Director of the United States Patent and Trademark Office

FOR: (BASED ON USE IN COMMERCE) ONLINE PUBLICATION OF BOOKS, PERIODICALS, NEWSPAPER, MAGAZINES, ILLUSTRATIONS; PROVIDING AN ONLINE MAGAZINE FEATURING INFORMATION IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING; ENTERTAINMENT SERVICES, NAMELY,

Reg. No. 4,284,558 PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELDS OF ENTERTAINMENT, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, AND EDUCATION; PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELDS OF MUSIC, AND COMMENTARY AND ARTICLES OF GENERAL INTEREST ISSUES IN THE FIELDS OF ENTERTAINMENT AND GAMES; (BASED ON 44(E)) ENTERTAINMENT IN THE NATURE OF BEAUTY PAGEANTS; PRODUCTION OF TELEVISION PROGRAMS; ENTERTAINMENT SERVICES IN THE NATURE OF A CABLE TELEVISION VARIETY SHOW FEATURING FASHION AND BEAUTY; VIDEO TAPE FILM PRODUCTION; SERVICES FOR THE PUBLIC ENTERTAINMENT, NAMELY, ORGANIZATION OF SHOWS FOR CULTURAL PURPOSES; ORGANIZATION OF CONFERENCES, FORUMS, CONGRESSES, COLLOQUIUMS IN THE FIELDS OF FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, EDUCATION, HOME DECORATION, GARDENING, LANDSCAPING, MEDIA FOR NON BUSINESS PURPOSES; PRODUCTION AND EDITING OF MOVIE, RADIO AND TELEVISION PROGRAMS, INCLUDING COMPUTER EDITING OF TEXTS AND STILL OR ANIMATED IMAGES AND MUSICAL OR NON-MUSICAL SOUND, FOR INTERACTIVE USE OR NOT; ORGANIZATION OF SPORTS COMPETITIONS AND ARRANGING AND CONDUCTING COMPETITIONS IN THE FIELDS OF FITNESS AND EXERCISE, FASHION, BEAUTY, ENTERTAINMENT, COOKING, MUSIC, THEATER, CINEMA, LITERATURE, ARTS, CHILD AND ADOLESCENT EDUCATIONAL ISSUES, HOME DECORATION, GARDENING, LANDSCAPING, AND MEDIA; ORGANIZATION OF GAMES AND LOTTERIES; PRODUCTION AND EDITING OF RADIO INFORMATION AND ENTERTAINMENT PROGRAMS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING ONLINE COMPUTER GAMES; PROVIDING A WEB SITE FEATURING NON DOWNLOADABLE MUSICAL PERFORMANCES, MUSICAL VIDEOS, VIDEO RECORDINGS AND RELATED FILM CLIPS; ASSISTING OTHERS WITH ONLINE ELECTRONIC PUBLISHING; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELDS OF LITERATURE AND EDUCATION; PUBLICATION OF BOOKS; PUBLISHING OF ILLUSTRATIONS, BOOKS, NEWSPAPERS, AND VIDEO-CASSETTE TAPES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) COMPUTER SERVICES, NAMELY, INTERACTIVE HOSTING SERVICES WHICH ALLOW THE USER TO PUBLISH AND SHARE THEIR OWN CONTENT AND IMAGES ONLINE; PROVIDING SEARCH ENGINES ON THE INTERNET; HOSTING A WEBSITE ALLOWING USERS TO DOWNLOAD TEXTS, PRESS ARTICLES, PHOTOGRAPHS, TELEGRAMS, PICTURES, LOGOS, MESSAGES, DATA, SOUNDS, RINGTONES, MUSIC, GAMES, VIDEO, AND INFORMATION; PROVIDING CUSTOMER-GENERATED CONTENT IN THE NATURE OF CUSTOMIZED WEB PAGES AND OTHER DATA FEED FORMATS FEATURING USER-DEFINED INFORMATION; HOSTING DIGITAL CONTENT OF OTHERS AUTOMATICALLY SELECTED AND CUSTOMIZED BASED ON THE KNOWN OR ESTIMATED GEOGRAPHICAL LOCATION OF AN INTERNET, MOBILE TELEPHONE OR OTHER WIRED OR WIRELESS DIGITAL NETWORK BASED CUSTOMER; (BASED ON 44(E)) PROVIDING A WEBSITE ALLOWING USERS TO UPLOAD AND DOWNLOAD ELECTRONIC FILES; COMPUTER PROGRAMMING SERVICES; CREATING AND DESIGNING WEB PAGES FOR OTHERS; PROVIDING SEARCH PLATFORMS TO ALLOW USERS TO REQUEST CONTENT FROM AND RECEIVE CONTENT TO A MOBILE DEVICE; DESIGN, DEVELOPMENT AND HOSTING OF DATA BANKS, DATABASES AND WEBSITES FOR OTHERS; PROVIDING OF INFORMATION VIA THE INTERNET IN THE FIELD OF HOME DECORATION; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF HOME DECORATION, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-31-2002; IN COMMERCE 1-31-2002.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION IN THE FIELD OF BEAUTY; PROVIDING AN ONLINE SERVICE FEATURING

**Reg. No. 4,284,558** PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF BEAUTY,  
IN CLASS 44 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

FOR: (BASED ON USE IN COMMERCE) PROVIDING A WEB SITE FEATURING INFORMATION AND CONTENT IN THE FIELDS OF PERSONAL RELATIONSHIPS, DATING AND FASHION; PROVIDING HOROSCOPE INFORMATION VIA COMPUTER NETWORKS; PROVIDING AN ONLINE SERVICE FEATURING PHOTOGRAPHS, AND OTHER MULTIMEDIA MATERIALS IN THE FIELD OF FASHION, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1996; IN COMMERCE 11-30-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF FRANCE REG. NO. 053363763, DATED 6-8-2005, EXPIRES 6-8-2015.

OWNER OF FRANCE REG. NO. 94343958, DATED 11-9-1994, EXPIRES 11-9-2014.

SER. NO. 85-061,017, FILED 6-11-2010.

JAMES GRIFFIN, EXAMINING ATTORNEY