

ESTTA Tracking number: **ESTTA716918**

Filing date: **12/28/2015**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	A.G. Professional Hair Care Products Ltd.
Granted to Date of previous extension	12/30/2015
Address	3765 William Street Burnaby, BC V5C3H8 CANADA
Attorney information	Ludomir A. Budzyn Hoffmann & Baron, LLP 6900 Jericho Turnpike Syosset, NY 11791-4407 UNITED STATES LABdocket@hbiplaw.com Phone:973-331-1700

Applicant Information

Application No	79157864	Publication date	09/01/2015
Opposition Filing Date	12/28/2015	Opposition Period Ends	12/30/2015
International Registration No.	1229747	International Registration Date	05/26/2014
Applicant	Aderans Company Limited 13-4 Araki-cho JAPAN		

Goods/Services Affected by Opposition

<p>Class 026. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Artificial hair for hair addition; hairfor hair addition; hair pieces; artificial hair for wigs; hair for wigs; false hair; hair extensions; toupees; wigs; hair clips for affixing wigs, hair ornaments; false beards; false moustaches; insignias for wear, not of precious metal, namely, ornamental cloth patches; badges for wear, not of precious metal, namely, ornamental novelty badges; buckles for clothing, namely, clothing buckles; brooches for clothing; special sash clips for obi, namely, obi-dome; bonnet pins, not of precious metal; ornamental adhesivepatches for jackets; brassards</p>
<p>Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Retail and wholesale services, namely, retail and wholesale store services featuring artificial hair for hair addition, hair for hair addition, artificial hairfor wigs, hair for wigs, hair pieces, false hair, hair extensions, toupees, wigs, hair accessories constructed primarily of artificial or human hair, hair clips for affixing wigs, hair clips, hair ornaments, false beards, false moustaches; retail and wholesale services, namely, retail and wholesale store services featuring hair growth preparations, hair growth-promoting agent, health drinks for nutritional</p>

purpose, nutritional preparations, pharmaceutical, veterinary and sanitary preparations and medical supplies; retail and wholesale services, namely, retail and wholesale store services featuring hair growth materials, adhesives for affixing false hair, adhesives for affixing false eyelashes, antistatic preparations for artificial hair for household purposes, removers for wigs and false hair, shampoos, hair conditioner, styling products for the hair, hair care products, hair cosmetics having the effect of hair growth, soaps having the effect of hair growth, perfumes, perfumery and flavor materials, cosmetics, toiletries, dentifrices, soaps and detergents; retail and wholesale services, namely, retail and wholesale store services featuring false nails, false eyelashes, combs, hairbrushes, cosmetic and toilet utensils and personal articles; retail and wholesale services, namely, retail and wholesale store services featuring dietary supplements for humans, dietetic beverages adapted for medical purposes and dietetic food adapted for medical purposes; retail and wholesale services, namely, retail and wholesale store services featuring foods and beverages; retail and wholesale services, namely, retail and wholesale store services featuring esthetic massage apparatus for industrial purposes, industrial apparatus and instruments for improving blood circulation of head with LED irradiating function and apparatus and instruments for use in beauty salons or barbers' shop, not including hairdressing chairs; retail and wholesale services, namely, retail and wholesale store services featuring industrial LED irradiation apparatus and instruments for improving hair growth not for medical purposes; retail and wholesale services, namely, retail and wholesale store services featuring electric massage apparatus for household purposes, apparatus and instruments for improving blood circulation of head with LED irradiating function for household purposes and household electrothermic appliances; retail and wholesale services, namely, retail and wholesale store services featuring LED irradiation apparatus and instruments for improving hair growth for household purposes; retail and wholesale services, namely, retail and wholesale store services featuring electrical machinery and apparatus; Internet advertising services and information services relating thereto; advertising in placards and information services relating thereto; advertising and publicity services; business management; business administration; business management analysis and business consultancy; business information; business investigations; marketing research and analysis; providing information concerning commercial sales; providing information concerning commercial sales of goods relating hair growth, hair addition and hair implantation and wigs; commercial information and advice for consumers; presentation of goods on communication media, for retail purposes, namely, online retail store services featuring health and beauty products

Class 044. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Beauty salons; hair dressing salons; providing information about beauty and hair dressing; beauty and hair dressing consultancy; beauty and hair dressing guidance; providing information about selection and affixing of wigs, hair pieces, false hair, hair extensions or hair ornaments, namely, providing beauty and hair styling consultation services; consultancy and guidance about selection and affixing of wigs, hair pieces, false hair, hair extensions or hair ornaments, namely, providing beauty and hair styling consultation services; performing diagnosis of hair, namely, medical diagnosis of hair conditions; providing hair addition treatment, namely, hair extension services; affixing wigs and its adjustment; haircutting, styling, coloring services; hair growth, namely, providing cosmetic treatments to enhance hair growth; hair addition, hair extension services; hair implantation; providing information about hair growth, hair addition, hair implantation and hair loss protection; consultancy and guidance about hair growth, hair addition, hair implantation and hair loss protection; consultancy and guidance about the health of the scalp; providing information about health care; massage; scalp massage; therapeutic shiatsu massage; chiropractics; moxibustion; treatment for dislocated joints, sprain, bone fracture or the like, namely, judo-seifuku; acupuncture; medical services; providing medical information; medical examination; dentistry; preparation and dispensing of medications; rental of medical apparatus and instruments; rental of machines and apparatus for use in beauty salons or barbers' shops

Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1929067	Application Date	12/10/1993
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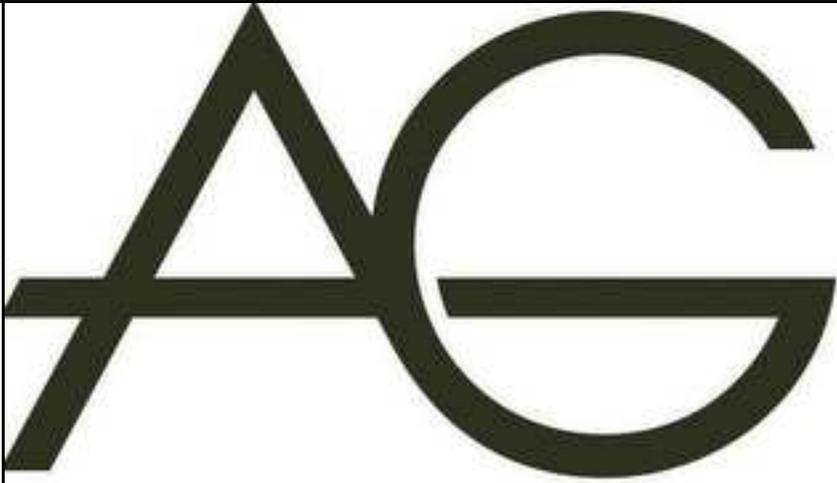
Registration Date	10/24/1995	Foreign Priority Date	NONE
Word Mark	AG		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 hair care products; namely, shampoos, conditioners, gels, styling sprays, styling mousse and mousse gel; hair care products; namely, styling creme, liquid gel, pomades and permanent wave solutions		

U.S. Registration No.	2373173	Application Date	01/09/1997
Registration Date	08/01/2000	Foreign Priority Date	NONE
Word Mark	AG LIQUID VARNISH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1995/02/03 First Use In Commerce: 1995/06/01 hair gel		

U.S. Registration No.	2710263	Application Date	01/09/1997
Registration Date	04/29/2003	Foreign Priority Date	08/13/1996
Word Mark	AG SPRAY BODY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 hair care products, namely, volumizing preparations for hair		

U.S. Registration	2819105	Application Date	11/12/2002
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No.			
Registration Date	03/02/2004	Foreign Priority Date	NONE
Word Mark	AG SHAMPOO RENEW		
Design Mark	<p style="text-align: center;">AG RENEW SHAMPOO</p>		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 Hair care products, namely, cleansing preparations for hair		

U.S. Registration No.	4305417	Application Date	04/14/2011
Registration Date	03/19/2013	Foreign Priority Date	11/16/2010
Word Mark	AG		
Design Mark			
Description of Mark	The mark consists of a stylized letter "A" followed by a stylized letter "G".		
Goods/Services	<p>Class 003. First use: First Use: 2009/09/00 First Use In Commerce: 2009/09/00 Hair care preparations, namely, shampoos, conditioners, rinses, gels, styling sprays, styling mousses, mousse gels, styling pastes, serums, creams, liquid gels, pomades, permanent wave hair preparations, curl activators, hair ointments, hair setting lotions, hair straighteners, hair shaping and styling formulations, hair styling lotions, hair moisturizing and scalp treatment formulations, hair polishes, molding resins, aerosol hair sprays, hair cleansing formulations, hair elasticity enhancers, hair shine and support enhancers, hair texture improving agents, curl definition enhancers, hair blow-dry lotions, and hair thermal sprays; skin care preparations, namely, moisturizing lotion [and sunscreen]</p> <p>Class 009. First use: First Use: 2009/09/00 First Use In Commerce: 2009/09/00 Hair care appliances, namely, electric flat irons, electric curling irons and replacement parts therefor</p>		

Attachments	74468424#TMSN.png(bytes) 75223085#TMSN.png(bytes) 76468309#TMSN.png(bytes) 85978623#TMSN.png(bytes) 699-258_Notice_of_Opposition.PDF(1687520 bytes)
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Certificate of Service

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

Signature	/Ludomir A. Budzyn/
Name	Ludomir A. Budzyn
Date	12/28/2015

and beauty products” in International Class 35, and for, *inter alia*, “beauty salons; hair dressing salons ... hair cutting, styling, coloring services; hair growth, namely, providing cosmetic treatments to enhance hair growth” in International Class 44, filed by Aderans Company Ltd. (hereinafter “Applicant”), with a business address at 13-4 Araki-cho Shinjuku-ku Tokyo 160-0007 Japan, A.G. Professional Hair Care Products Ltd. (hereinafter “Opposer”), with a business address at 3765 William St. Burnaby, BC, V5C 3H8, believes that it will be damaged by registration of Applicant’s Mark, and hereby opposes same.

The grounds for opposition are as follows:

1. Opposer is one of the leaders in hair care products. Opposer manufactures, markets and sells consumer hair-related and beauty salon-related goods including, but not limited to, shampoos, conditioners, hair styling products, and hair growth and regeneration products.
2. Opposer commenced its business more than 25 years ago in Vancouver, Canada. Since then, Opposer has expanded its business rapidly, and now employees and sells its products internationally, including the United States, Australia and Taiwan.
3. Opposer conducts its hair-related and beauty salon-related business utilizing its numerous trademarks.
4. Goods bearing Opposer’s trademarks have gained a reputation for high quality since Opposer started making hair-related and beauty salon-related products in 1989. Today, Opposer’s trademarks are well-established and well-known.
5. AG hair care products are advertised, marketed and promoted in approximately 14,000 beauty salons around the world, including the United States, and online (www.aghair.com).

6. Opposer is an owner of numerous trademarks (collectively, the “AG Trademarks”) in several classes in the United States, including:

(a) AG, United States Trademark Registration No. 1,929,067 (“the ‘067 registration”) registered on the Principal Register on October 24, 1995 for hair care products; namely, shampoos, conditioners, gels, styling sprays, styling mousse and mousse gel; hair care products; namely, styling crème, liquid gel, pomades and permanent wave solutions in International Class 3;

(b) AG LIQUID VANISH, United States Trademark Registration No. 2,373,173 (“the ‘173 registration”) registered on the Principal Register on August 1, 2000 for hair gel in International Class 3;

(c) AG SPRAY BODY, United States Trademark Registration No. 2,710,263 (“the ‘263 registration”) registered on the Principal Register on April 29, 2003 for hair care products, namely, volumizing preparations for hair in International Class 3;

(d) AG SHAMPOO RENEW, United States Trademark Registration No. 2,819,105 (“the ‘105 registration”) registered on the Principal Register on March 2, 2004 for hair care products, namely, cleansing preparations for hair in International Class 3;

(e) AG (Stylized), United States Trademark Registration No. 4,305,417 (“the ‘417 registration”) registered on the Principal Register on March 19, 2013 for hair care preparations, namely, shampoos, conditioners, rinses, gels, styling sprays, styling mousses, mousse gels, styling pastes, serums, creams, liquid gels, pomades, permanent wave hair preparations, curl activators, hair ointments, hair setting lotions, hair straighteners, hair shaping and styling formulations, hair styling lotions, hair moisturizing and scalp treatment formulations, hair polishes, molding resins, aerosol hair sprays, hair

cleansing formulations, hair elasticity enhancers, hair shine and support enhancers, hair texture improving agents, curl definition enhancers, hair blow-dry lotions, and hair thermal sprays; skin care preparations, namely, moisturizing lotion [and sunscreen] in International Class 3 and hair care appliances, namely, electric flat irons, electric curling irons and replacement parts therefor in International Class 9; and

(f) AG (Stylized), for hair growth and regeneration products, namely, shampoo, conditioner, serum, and lotion.

Copies of the '067 registration, the '173 registration, the '263 registration, the '105 registration and the '417 registration are attached as Exhibit A, Exhibit B, Exhibit C, Exhibit D and Exhibit E, respectively. A print-out from Opposer's website showing a hair growth and regeneration product is attached hereto as Exhibit F.

7. The AG Trademarks are valid and in full force and effect. The Principal Register registrations are *prima facie* evidence of the validity of the AG Trademarks of Opposer's ownership of the AG Trademarks and of its exclusive right to use the AG Trademarks in commerce. Moreover, the registrations provide constructive notice to Applicant and all others of Opposer's claim of ownership of the AG Trademarks.

8. The AG Trademarks have been continually and extensively used in commerce in the United States by Opposer prior to the filing date (May 26, 2014) of the Application. Applicant has not claimed any use of the Applicant's Mark. A copy of Applicant's Mark is attached as Exhibit G.

9. Opposer has extensively advertised and promoted its products under the AG Trademarks, making a substantial investment both in the United States and internationally. Also, Opposer's products have received considerable publicity. For instance, Opposer's products have

been featured at the Oscars via Oscar Gift Bags (www.jointhegossip.com/2009/02/ag-hair-cosmetics-featured-in-oscars.html). (Exhibit H.)

10. As a result of the advertising, marketing and promoting of products bearing the AG Trademarks, the AG Trademarks became strong, well-established and well-known before the filing date of the Application, and entitled to priority trademark rights. As a result of Opposer's efforts, consumers associate and attribute usage of the AG Trademarks with Opposer.

11. During the prosecution of the Application, in the Office Action dated January 6, 2015, the Examiner required the inclusion of a description of the mark and suggested the following as a possible description of Applicant's Mark: "the mark consists of a diamond with rounded corners containing two triangle like shapes with a curved band in the middle". In response, Applicant submitted an amendment dated June 30, 2015 to the USPTO, in which it amended the description of the mark as follows: "the mark consists of a diamond with rounded corners containing two triangle like shapes defining a stylized 'A' and a stylized 'G'". Applicant, on its own volition, added the term "a stylized 'A' and a stylized 'G'" into the description of the mark which is now of record.

12. Applicant's Mark is substantially and confusingly similar to the AG Trademarks. Specifically, Applicant's Mark is substantially similar in appearance, sound and connotation to the AG Trademarks. For purposes of sound, as specified by the Applicant, the Applicant's Mark is made up of the letters "A" and "G" and is verbalized as "AG," completely overlapping the AG Trademarks. For purposes of appearance and connotation, the AG Trademarks are registered as standard character trademarks. Accordingly, the AG Trademarks are not limited in form and may be presented with a diamond shaped logo with the letters "A" and "G" in stylized font in the same fashion as Applicant's Mark.

13. The goods and services for which Applicant's Mark seeks to register, namely, "artificial hair for hair addition; hair for hair addition" in International Class 26, namely, *inter alia*, "retail and wholesale services, namely, retail and wholesale store services featuring hair growth preparations, hair growth-promoting agent ... retail and wholesale services, namely, retail and wholesale store services featuring hair growth materials ... shampoos, hair conditioner, styling products for the hair, hair care products, hair cosmetics having the effect of hair growth ... presentation of goods on communication media, for retail purposes, namely, online retail store services featuring health and beauty products" in International Class 35 and namely, *inter alia*, "beauty salons; hair dressing salons ... hair cutting, styling, coloring services; hair growth, namely, providing cosmetic treatments to enhance hair growth" in International Class 44 overlap with Opposer' goods and services registered with the AG Trademarks. Because of registrations of the AG Trademarks on hair-related and beauty salon-related goods and services, the registration of Applicant's Mark for the goods and services identified under International Class 35 and International Class 44 creates a strong likelihood of confusion and/or mistake with the AG Trademarks.

14. Upon information and belief, the goods identified in the Application would be in the same marketing channels as Opposer's products since goods identified in the Application fall directly and squarely with Opposer's hair-related and beauty salon-related goods.

15. As a result, Applicant's Mark is substantially similar to Opposer's AG Trademarks in appearance, sound and connotation. Thus, the registration of Applicant's Mark will likely create a likelihood of confusion, mistake, and/or deception among the trade and the purchasing public in that consumers are likely to believe Applicant's goods and services are Opposer's goods and services, or the goods and services of a person or company that is

sponsored, authorized or licensed by, or in some other way legitimately connected with, Opposer.

16. The AG Trademarks are well-known and recognized by hair care products consumers. Opposer's hair care products are continuously and extensively advertised, marketed and promoted internationally, including the United States, and also in approximately 14,000 beauty salons around the world. As a result, the registration Applicant's Mark will damage Opposer because such registration is likely to cause dilution by blurring and/or tarnishment of Opposer's well-known AG Trademarks.

**COUNT I – LIKELIHOOD OF CONFUSION
WITH OPPOSER'S AG TRADEMARKS**

17. Paragraphs 1-16 are incorporated under this heading as if set out in full.

18. The registration of Applicant's Mark will likely create confusion among consumers with the well-known AG Trademarks.

19. For the reasons set forth herein, Opposer will be irreparably damaged by the registration of Applicant's Mark.

20. Pursuant to 15 U.S.C. §1063, registration of Applicant's Mark should be denied.

**COUNT II – LIKELIHOOD OF DILUTION
WITH OPPOSER'S AG TRADEMARKS**

21. Paragraphs 1-16 are incorporated under this heading as if set out in full.

22. The registration of Applicant's Mark will likely dilute the distinctiveness of the well-known AG Trademarks.

23. For the reasons set forth herein, Opposer will be irreparably damaged by the registration of Applicant's Mark.

24. Pursuant to 15 U.S.C. §1063, registration of Applicant's Mark should be denied.

WHEREFORE, Opposer files this Notice of Opposition and prays that the Application herein opposed be denied; that registration of the mark therein disclosed be refused, and for such other and further relief in the premises as may be deemed to be just and proper.

The filing fee of \$900.00 is presented herewith.

Please recognize as Opposer's attorneys the following: Applicant hereby appoints Daniel A. Scola, Jr., Salvatore J. Abbruzzese, Ludomir A. Budzyn, John S. Sopko, Andrea M. Wilkovich, Stephen J. Brown, Matthew J. Solow, Anthony R. Curro, Gie Yoon and Michael I. Chakansky, each of them of HOFFMANN & BARON, LLP, 6 Campus Drive, Parsippany, NJ 07054-4406 and Ronald J. Baron, Glenn T. Henneberger, Anthony E. Bennett, James F. Harrington, Steven T. Zuschlag, Roderick S. Turner, Susan A. Sipos, Kevin E. McDermott, Lauren T. Emr, Linda D. Chin, Alexander G. Vodovozov, Perry Y. Woo, Mark E. Baron, Celeste M. Butera and John T. Gallagher each of them of HOFFMANN & BARON, LLP, 6900 Jericho Turnpike, Syosset, NY 11791, its attorneys herein, with full power of substitution and revocation, to transact all business in the U.S. Patent and Trademark Office and in the courts in connection herewith.

Please direct all correspondence to:

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Respectfully submitted,
A.G. Professional Hair Care Products Ltd.

By: / Ludomir A. Budzyn /
Ludomir A. Budzyn
Gie Yoon

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(973) 331-1700

Attorneys for Opposer
A.G. Professional Hair Care
Products Ltd.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing is being sent via Federal Express on December 28, 2015 in an envelope addressed to:

Daniel M. Cislo, Esq.
Cislo & Thomas LLP
12100 Wilshire Blvd., Suite 1700
Los Angeles, CA 90025-7103

By: / Ludomir A. Budzyn /
Ludomir A Budzyn

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Syosset, NY 11791-4407
(973) 331-1700

Attorneys for Opposer
A.G. Professional Hair Care
Products Ltd.

EXHIBIT A

United States of America

United States Patent and Trademark Office

AG

Reg. No. 1,929,067

Registered Oct. 24, 1995

Amended Nov. 24, 2015

Int. Cl.: 3

TRADEMARK

PRINCIPAL REGISTER

A.G. PROFESSIONAL HAIR CARE PRODUCTS LTD. (CANADA CORPORATION)
3765 WILLIAM STREET
BURNABY, BRITISH COLUMBIA, CANADA V5C 3H8

FOR: HAIR CARE PRODUCTS; NAMELY, SHAMPOOS, CONDITIONERS, GELS, STYLING SPRAYS, STYLING MOUSSE AND MOUSSE GEL; HAIR CARE PRODUCTS; NAMELY, STYLING CREME, LIQUID GEL, POMADES AND PERMANENT WAVE SOLUTIONS, IN CLASS 3 (U.S. CL. 51).

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

OWNER OF CANADA REG. NO. TMA386143, DATED 6-28-1991.

SER. NO. 74-468,424, FILED 12-10-1993.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

EXHIBIT B

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52

Reg. No. 2,373,173

United States Patent and Trademark Office

Registered Aug. 1, 2000

**TRADEMARK
PRINCIPAL REGISTER**

AG LIQUID VARNISH

A.G. PROFESSIONAL HAIR CARE PRODUCTS, LTD.
(CANADA CORPORATION)
3765 WILLIAM STREET
BURNABY, BRITISH COLUMBIA V5C 3H8, CAN-
ADA

FOR: HAIR GEL, IN CLASS 3 (U.S. CLS. 1, 4,
6, 50, 51 AND 52).
FIRST USE 2-3-1995; IN COMMERCE 6-1-1995.

OWNER OF U.S. REG. NO. 1,929,067.

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

SN 75-223,085, FILED 1-9-1997.

NANCY L. HANKIN, EXAMINING ATTORNEY

EXHIBIT C

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,710,263

Registered Apr. 29, 2003

**TRADEMARK
PRINCIPAL REGISTER**

AG SPRAY BODY

A.G. PROFESSIONAL HAIR CARE PRODUCTS,
LTD. (CANADA CORPORATION)
3765 WILLIAM STREET
BURNABY, BRITISH COLUMBIA V5C 3H8, CANA-
DA

FOR: HAIR CARE PRODUCTS, NAMELY, VOLU-
MIZING PREPARATIONS FOR HAIR, IN CLASS 3
(U.S. CLS. 1, 4, 6, 50, 51 AND 52).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
CANADA APPLICATION NO. 820471, FILED 8-13-

1996, REG. NO. TMA497378, DATED 7-17-1998, EX-
PIRES 7-17-2013.

OWNER OF U.S. REG. NO. 1,929,067.

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

SER. NO. 75-223,084, FILED 1-9-1997.

SOPHIA S. KIM, EXAMINING ATTORNEY

EXHIBIT D

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

Reg. No. 2,819,105

United States Patent and Trademark Office

Registered Mar. 2, 2004

**TRADEMARK
PRINCIPAL REGISTER**

AG SHAMPOO RENEW

A.G. PROFESSIONAL HAIR CARE PRODUCTS,
LTD. (CANADA CORPORATION)
3765 WILLIAM STREET
BURNABY, BRITISH COLUMBIA, CANADA V5C
3H8

FOR: HAIR CARE PRODUCTS, NAMELY,
CLEANSING PREPARATIONS FOR HAIR, IN
CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

OWNER OF CANADA REG. NO. TMA503,501,
DATED 11-3-1998, EXPIRES 11-3-2013.

OWNER OF U.S. REG. NOS. 1,929,067, 2,373,173,
AND 2,449,406.

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

SER. NO. 76-468,309, FILED 11-12-2002.

LOURDES AYALA, EXAMINING ATTORNEY

EXHIBIT E

United States of America

United States Patent and Trademark Office

AG

Reg. No. 4,305,417
Registered Mar. 19, 2013
Amended July 7, 2015
Int. Cls.: 3 and 9

TRADEMARK

PRINCIPAL REGISTER

A.G. PROFESSIONAL HAIR CARE PRODUCTS LTD. (CANADA CORPORATION)
3765 WILLIAM STREET
BURNABY, BC, CANADA V5C3H8

FOR: HAIR CARE PREPARATIONS, NAMELY, SHAMPOOS, CONDITIONERS, RINSES, GELS, STYLING SPRAYS, STYLING MOUSSES, MOUSSE GELS, STYLING PASTES, SERUMS, CREAMS, LIQUID GELS, POMADES, PERMANENT WAVE HAIR PREPARATIONS, CURL ACTIVATORS, HAIR OINTMENTS, HAIR SETTING LOTIONS, HAIR STRAIGHTENERS, HAIR SHAPING AND STYLING FORMULATIONS, HAIR STYLING LOTIONS, HAIR MOISTURIZING AND SCALP TREATMENT FORMULATIONS, HAIR POLISHES, MOLDING RESINS, AEROSOL HAIR SPRAYS, HAIR CLEANSING FORMULATIONS, HAIR ELASTICITY ENHANCERS, HAIR SHINE AND SUPPORT ENHANCERS, HAIR TEXTURE IMPROVING AGENTS, CURL DEFINITION ENHANCERS, HAIR BLOW-DRY LOTIONS, AND HAIR THERMAL SPRAYS; SKIN CARE PREPARATIONS, NAMELY, MOISTURIZING LOTION [AND SUNSCREEN], IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 9-0-2009; IN COMMERCE 9-0-2009.

FOR: HAIR CARE APPLIANCES, NAMELY, ELECTRIC FLAT IRONS, ELECTRIC CURLING IRONS AND REPLACEMENT PARTS THEREFOR, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-2009; IN COMMERCE 9-0-2009.

PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 1504962, FILED 11-16-2010, REG. NO. TMA819961, DATED 3-15-2012.

OWNER OF U.S. REG. NOS. 1,929,067, 2,710,263 AND OTHERS.

THE MARK CONSISTS OF A STYLIZED LETTER "A" FOLLOWED BY A STYLIZED LETTER "G".

SER. NO. 85-978,623, FILED 4-14-2011.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

EXHIBIT F

SEARCH

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VOLUME

AG's Volume category delivers light, airy and uplifting products that provide volume and fullness to otherwise flat hair. AG's proprietary all-natural Regenerative Complex has been infused into each product, rebalancing the growth cycle while creating the optimal environment for healthy hair growth.

Please scroll down to view products [v](#)



Thikk Wash
volumizing shampoo



Thikk Rinse
volumizing conditioner



Root Thikkening Serum
for fine to thinning hair



Thikkening Lotion
for fine to very fine hair



Plastique
extreme hold volumizer



Foam
weightless volumizer



Spray Body
soft-hold volumizer



Bigwigg
root volumizer



High & Dry
matte volume and finish
spray

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ABOUT

PRODUCTS / VOLUME / ROOT THICKENING SERUM

ROOT THICKENING SERUM

For Fine To Thinning Hair

Dramatically improve the volume of fine or thinning hair, starting directly at the root. Enhanced with our highest concentration of AG's Regenerative Complex, containing clinically-proven pea sprout extract coupled with ginseng and ginger, helping to create and maintain the optimal environment for healthy hair growth. Gentle polymers lift at the root, giving the appearance of thicker, fuller hair.

USE IT:	+
WHAT'S IN IT:	+
BUY IT:	+



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EXHIBIT G



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Word Mark AG

Goods and Services

IC 026. US 037 039 040 042 050. G & S: Artificial hair for hair addition; hair for hair addition; hair pieces; artificial hair for wigs; hair for wigs; false hair; hair extensions; toupees; wigs; hair clips for affixing wigs, hair ornaments; false beards; false moustaches; insignias for wear, not of precious metal, namely, ornamental cloth patches; badges for wear, not of precious metal, namely, ornamental novelty badges; buckles for clothing, namely, clothing buckles; brooches for clothing; special sash clips for obi, namely, obi-dome; bonnet pins, not of precious metal; ornamental adhesive patches for jackets; brassards

IC 035. US 100 101 102. G & S: Retail and wholesale services, namely, retail and wholesale store services featuring artificial hair for hair addition, hair for hair addition, artificial hair for wigs, hair for wigs, hair pieces, false hair, hair extensions, toupees, wigs, hair accessories constructed primarily of artificial or human hair, hair clips for affixing wigs, hair clips, hair ornaments, false beards, false moustaches; retail and wholesale services, namely, retail and wholesale store services featuring hair growth preparations, hair growth-promoting agent, health drinks for nutritional purpose, nutritional preparations, pharmaceutical, veterinary and sanitary preparations and medical supplies; retail and wholesale services, namely, retail and wholesale store services featuring hair growth materials, adhesives for affixing false hair, adhesives for affixing false eyelashes, antistatic preparations for artificial hair for household purposes, removers for wigs and false hair, shampoos, hair conditioner, styling products for the hair, hair care products, hair cosmetics having the effect of hair growth, soaps having the effect of hair growth, perfumes, perfumery and flavor materials, cosmetics, toiletries, dentifrices, soaps and detergents; retail and wholesale services, namely, retail and wholesale store services featuring false nails, false eyelashes, combs, hair brushes, cosmetic and toilet utensils and personal articles; retail and wholesale services, namely, retail and wholesale store services featuring dietary supplements for humans, dietetic beverages adapted for medical purposes and dietetic food adapted for medical purposes; retail and wholesale services, namely, retail and wholesale store services featuring foods and beverages. retail and wholesale services, namely, retail and wholesale store services featuring esthetic massage apparatus for industrial purposes, industrial apparatus and instruments for improving blood circulation of head with LED irradiating function and apparatus and instruments for use in beauty salons or barbers' shop, not including hairdressing chairs; retail and wholesale services, namely, retail and wholesale store services featuring industrial LED irradiation apparatus and instruments for improving hair growth not for medical purposes; retail and

wholesale services, namely, retail and wholesale store services featuring electric massage apparatus for household purposes, apparatus and instruments for improving blood circulation of head with LED irradiating function for household purposes and household electrothermic appliances; retail and wholesale services, namely, retail and wholesale store services featuring LED irradiation apparatus and instruments for improving hair growth for household purposes; retail and wholesale services, namely, retail and wholesale store services featuring electrical machinery and apparatus; Internet advertising services and information services relating thereto; advertising in placards and information services relating thereto; advertising and publicity services; business management; business administration; business management analysis and business consultancy; business information; business investigations; marketing research and analysis; providing information concerning commercial sales; providing information concerning commercial sales of goods relating hair growth, hair addition and hair implantation and wigs; commercial information and advice for consumers; presentation of goods on communication media, for retail purposes, namely, online retail store services featuring health and beauty products

IC 044. US 100 101. G & S: Beauty salons; hair dressing salons; providing information about beauty and hair dressing; beauty and hair dressing consultancy; beauty and hair dressing guidance; providing information about selection and affixing of wigs, hair pieces, false hair, hair extensions or hair ornaments, namely, providing beauty and hair styling consultation services; consultancy and guidance about selection and affixing of wigs, hair pieces, false hair, hair extensions or hair ornaments, namely, providing beauty and hair styling consultation services; performing diagnosis of hair, namely, medical diagnosis of hair conditions; providing hair addition treatment, namely, hair extension services; affixing wigs and its adjustment; hair cutting, styling, coloring services; hair growth, namely, providing cosmetic treatments to enhance hair growth; hair addition, hair extension services; hair implantation; providing information about hair growth, hair addition, hair implantation and hair loss protection; consultancy and guidance about hair growth, hair addition, hair implantation and hair loss protection; consultancy and guidance about the health of the scalp; providing information about health care; massage; scalp massage; therapeutic shiatsu massage; chiropractics; moxibustion; treatment for dislocated joints, sprain, bone fracture or the like, namely, judo-seifuku; acupuncture; medical services; providing medical information; medical examination; dentistry; preparation and dispensing of medications; rental of medical apparatus and instruments; rental of machines and apparatus for use in beauty salons or barbers' shops

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

Design Search Code 26.05.03 - Incomplete triangles (must have two angles); Triangle, incomplete (two angles)
 26.07.12 - Diamonds with bars, bands and lines
 26.07.21 - Diamonds that are completely or partially shaded
 26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved
 27.03.01 - Geometric figures forming letters, numerals or punctuation

Serial Number 79157864

Filing Date May 26, 2014

Current Basis 66A

Original Filing Basis 66A

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International Registration Number 1229747

Owner (APPLICANT) Aderans Company Limited CORPORATION JAPAN 13-4 Araki-cho Shinjuku-ku Tokyo 160-0007 JAPAN

Attorney of Record Daniel M. Cislo, Esq.

Priority Date January 17, 2014

Description of Mark Color is not claimed as a feature of the mark. The mark consists of a diamond with rounded corners containing two triangle like shapes defining a stylized "A" and a stylized "G".

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Monday, February 16, 2009

AG HAIR COSMETICS FEATURED IN OSCARS GIFT BAGS



hair cosmetics

As I have blogged about various times, I am a huge fan of **AG Hair Cosmetics**. After trying the line once I fully converted and have never gone back to any other brands. I am currently loving the split ends spa repair serum. It's a fantastic leave-in conditioner that makes my hair feel silky smooth. Also an AG must-have for me right now: **xtramoist shampoo** and **ultramoist conditioner**. For the first time in my life, I have a really dry scalp. It's horrendous, but AG has helped so much!

In addition to me loving AG, so do many celebrities. And if they don't now, they will after receiving items in their Oscars Gift Bags. The swag will be given to the non-winning nominees. That's great exposure for the brand, which was founded in 1989.

"It's extremely rewarding to know that AG products will be given to the likes of Brad Pitt, Sean Penn, Angelina Jolie, Kate Winslet and other distinguished actors and actresses," says Lotte Davis, AG Hair Cosmetics' CEO and Co-founder. "More and more celebrities and their hairstylists are asking for AG. In fact, our products were used on the set of many of the films nominated this year."



Included in the bags are AG's colour savour shampoo and conditioner (which are products I personally stand by), foam weightless volumizer, re:coil curl activator, and dv8 texture spray. All seen in the picture above.

If you want hair like a **celebrity**, head over to your local salon to pick up some AG products. The line can be found in Canada (where the headquarters are located) and in over 10,000 stores throughout the U.S.

And tune in to view the **Academy Awards** on Sunday, February 22.

Photos courtesy of: **AG Hair Cosmetics**

Posted by **Leeann** @ **Join the Gossip** at **9:01 AM**

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Labels: **AG Hair Cosmetics**, **Oscars**, **Oscars Gift Bags**

8 comments:



My Fashion Frenzy said...

Oscar hair? How much, girl? haha...

February 16, 2009 at 9:04 AM



Join the Gossip said...

Hey Fashion Frenzy! For shampoo and conditioner, I pay about \$30. Not bad at all!

February 16, 2009 at 10:35 AM



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