

ESTTA Tracking number: **ESTTA766077**

Filing date: **08/23/2016**

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	Bliss World LLC		
Entity	limited liability company	Citizenship	Florida
Address	200 Vesey Street New York, NY 10281 UNITED STATES		

Attorney information	David Ehrlich Fross Zelnick 866 UN Plaza New York, NY 10017 UNITED STATES ehrllich-docket@fzllz.com Phone:2128135920
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Applicant Information

Application No	86936195	Publication date	08/02/2016
Opposition Filing Date	08/23/2016	Opposition Period Ends	09/01/2016
Applicant	Life and Career Consultants, Inc. 714 Euclid Street Santa Monica, CA 90402 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Clothing, namely, t-shirts, long sleevet-shirts, and tank tops; headwear, namely, caps and hats
Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing education in the nature of live personal instruction, workshops, seminars, lectures, and conferences in the field of fitness, exercise, nutrition, meditation, relaxation, yoga, general health, emotional health, self-love, self-motivation, self-empowerment and entrepreneurship; and conducting on-line educational programs in the field of fitness, exercise, nutrition, meditation, relaxation, yoga, general health, emotional health, self-love, self-motivation, self-empowerment and entrepreneurship

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2116892	Application Date	05/01/1996
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Registration Date	11/25/1997	Foreign Priority Date	NONE
Word Mark	BLISS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1996/08/01 First Use In Commerce: 1996/08/01 health spa services		

U.S. Registration No.	2913434	Application Date	01/29/1998
Registration Date	12/21/2004	Foreign Priority Date	NONE
Word Mark	BLISS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2003/06/00 First Use In Commerce: 2003/09/00 SKIN MOISTURIZER, BODY SCRUBS, SKIN SOAP, SHOWER GEL, BODY FIRING GELS AND LOTIONS, SKIN MASKS, [MAKEUP,] HAND CREAM,FACIAL CLEANSERS, SKIN TONERS, EXFOLIATING BODY SCRUBS [, PERSONAL DEODORANTS]		

U.S. Registration No.	3011661	Application Date	01/29/1998
Registration Date	11/01/2005	Foreign Priority Date	NONE
Word Mark	BLISS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1997/02/00 First Use In Commerce: 1997/02/00 [EYE MAKEUP,] HAIR CARE [AND NON-MEDICATED SCALP CARE] PRE-PARATIONS, HAIR SHAMPOO, FOOT CREAM, [PERFUME, COLOGNE,((EAU DE TOILETTE)) SCENTED BODY SPRAY, SUN BLOCK, BODY OIL]		

U.S. Registration No.	4851487	Application Date	05/09/2011
Registration Date	11/10/2015	Foreign Priority Date	NONE
Word Mark	BLISS		

Design Mark	<h1>BLISS</h1>
Description of Mark	NONE
Goods/Services	Class 021. First use: First Use: 2013/00/00 First Use In Commerce: 2013/00/00 plastic water bottles sold empty; sports bottles sold empty Class 024. First use: First Use: 2015/07/22 First Use In Commerce: 2015/07/22 towels Class 025. First use: First Use: 2013/00/00 First Use In Commerce: 2013/00/00 yoga shirts; tops; shirts Class 028. First use: First Use: 2015/07/22 First Use In Commerce: 2015/07/22 yoga mats

U.S. Registration No.	4898935	Application Date	06/13/2013
Registration Date	02/09/2016	Foreign Priority Date	NONE
Word Mark	BLISS		
Design Mark	<h1>BLISS</h1>		
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 2015/01/00 First Use In Commerce: 2015/01/00 candles; scented candles; tea light candles		

Attachments	85316111#TMSN.png(bytes) 85959324#TMSN.png(bytes) Notice of Opposition v THE BLISS PROJECT.pdf(274924 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 First Class Mail on this date.

Signature	/dwe/
Name	David Ehrlich
Date	08/23/2016

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

In the Matter of Serial No. 86936195
Mark: THE BLISS PROJECT

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BLISS WORLD LLC, :
 :
Opposer, :
 :
- against - :
 :
LIFE AND CAREER :
CONSULTANTS, INC., :
Applicant. :
-----X

Opposition No.

NOTICE OF OPPOSITION

Opposer, Bliss World LLC (“Opposer”), a limited liability company organized and existing under the laws of Florida, believes that it will be damaged by registration of the mark as shown in the above-referenced intent-to-use application, and hereby opposes same.

As grounds for the opposition, Opposer, through its attorneys, Fross Zelnick Lehrman & Zissu, P.C., alleges as follows:

1. Opposer operates day spas under the mark BLISS in commerce, offering facials, manicures, pedicures, and other beauty services, as well as relaxing massages, in New York, Chicago, Los Angeles, Hollywood, San Francisco, Dallas, Miami Beach, Fort Lauderdale, Atlanta, Boston, Washington, D.C., Scottsdale, Arizona and Hoboken, New Jersey. Opposer also uses the mark BLISS in commerce for skin care preparations and other beauty products sold at high-end retail stores, such as Sephora and Macy’s, as well as in BLISS spas and through its BLISS mail-order and ecommerce business at www.blissworld.com. In addition, through licensees, Opposer uses its mark BLISS for t-shirts and drawstring pants suitable for relaxing, jogging, exercise or yoga and uses the mark BLISS for yoga mats and for candles that feature mood-enhancing scents. Opposer also sells health and wellness products, in its BLISS online store, of other manufacturers, such as nutritional supplements, and promotes its BLISS business on its website with taglines such as “the beauty of

happiness” and “higher state of happy” and text such as “everything we do is geared to one goal of helping you feel beautiful, healthy and happy.” Opposer also promotes positive thinking and emotional health through posts in the blog section of its blissworld.com website, such as the post attached as Exhibit A. All of these rights of Opposer pre-date the March 10, 2016 filing date of the opposed ITU application.

2. Opposer owns valid and incontestable U.S. trademark registrations for BLISS, U.S. Reg. No. 2,913,434, for “skin moisturizer, body scrubs, skin soap, shower gel, body firming gels and lotions, skin masks, hand cream, facial cleansers, skin toners, exfoliating body scrubs,” Reg. No. 3011661 for “hair care preparations, hair shampoo,” among other goods, and Reg. No. 2,116,892 for “health spa services,” among other applications and registrations, and Reg. No. 4851487 for BLISS for, among other goods, “yoga shirts; tops; shirts” and “yoga mats,” and Reg. No. 4898935 for BLISS for “scented candles.”

3. Upon information and belief, Applicant has no basis to claim an earlier priority date in the U.S. than its filing date, March 10, 2016.

4. The goods and services in the opposed application are related to the BLISS products and services of Opposer.

5. Applicant’s mark so resembles Opposer’s mark BLISS as to be likely, when used for the goods and services of Applicant, to cause confusion, or to cause mistake, or to deceive.

6. Opposer would be injured by the granting to Applicant of a Certificate of Registration for its mark because this would tend to damage Opposer’s goodwill in its mark.

7. By reason of the foregoing, Applicant is not entitled to register the mark in the application herein opposed.

Dated: New York, New York
August 23, 2016

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: David Ehrlich

David Ehrlich
Attorney for Opposer
866 United Nations Plaza
New York, New York 10017
(212) 813-5900
Opposer's Ref: BLSW USA TC-1605872

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by first class mail on the attorney for Applicant, Jeffrey H. Epstein, at Cowan Liebowitz & Latman P C, 114 West 47th Street, New York, New York 10036-6710, on August 23, 2016.

David Ehrlich

David Ehrlich

bliss[®]

Sep 27, 2012

Author: blissworld blog

spread a little sunshine

There's plenty of power in positive thinking. And when you feel great about yourself, your good vibes will find their way to those around you. At Bliss, where we specialize in happy, we've put together some recommendations for spreading good karma around.

Helping a friend after a bad break-up

Have a friend with a broken heart? Help her look on the bright side of things by focusing on all the good that change can bring. Create a



Exhibit A

special day
for her that
starts with



a spa treatment. Then do something out of the ordinary, like walking around a new neighborhood or trying a new sport. (Whacking golf balls at the driving range might be a great way to work off her anger!)

Turn a work-related frown upside down

Know someone down in the dumps over work? Laughter can be great medicine. Leave her a funny voicemail or send her a link to a video that made you laugh. If you are looking for a product that will make her smile, send her something from our Fabulous collection of spa-powered skin essentials, including the world's best make-up remover.

Extend the good vibes to strangers

Hold the door or the elevator for the person behind you. If you see someone wearing something you like on the bus or train, make a point of telling them. You are guaranteed to make their day a little brighter! It's these random, small acts of kindness that have the greatest power to remind us all that we're going to be okay.

When you are feeling sunny, you wield great power to light up other peoples' days. And when it comes to positive energy, you the more you share the more you build your own resources for staying uplifted.

What's your go-to method for spreading sunshine? Let us know!

Sep 27, 2012



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