

ESTTA Tracking number: **ESTTA494947**

Filing date: **09/17/2012**

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

Proceeding	92054201
Party	Defendant Sleep Innovations, Inc.
Correspondence Address	ROBERT W SMITH MCCARTER ENGLISH LLP FOUR GATEWAY CENTER, 100 MULBERRY STREET NEWARK, NJ 07102 UNITED STATES rsmith@mccarter.com, ihurtado@mccarter.com, dpopovic@mccarter.com
Submission	Other Motions/Papers
Filer's Name	Robert W. Smith
Filer's e-mail	rsmith@mccarter.com, ihurtado@mccarter.com, dpopovic@mccarter.com
Signature	/robert w. smith/
Date	09/17/2012
Attachments	Exhibit C to Declaration of Robert W. Smith.pdf (2 pages)(42257 bytes)

EXHIBIT C

United States of America

United States Patent and Trademark Office



Reg. No. 3,900,919

DAN-FOAM APS (DENMARK CORPORATION)
HOLMELUND 43
AARUP, DENMARK DK-5560

Registered Jan. 4, 2011

Int. Cls.: 10 and 20

FOR: SEATING AND COUCHING MATS IN THE NATURE OF A PILLOW OR SEAT LINER, PILLOWS, CUSHIONS, MATTRESSES, TOP MATTRESSES, BOLSTERS AND CHAIR PADS FOR MEDICAL USES, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

TRADEMARK

FIRST USE 5-31-2007; IN COMMERCE 5-31-2007.

PRINCIPAL REGISTER

FOR: SEATING AND COUCHING MATS IN THE NATURE OF A PILLOW OR SEAT LINER, PILLOWS, CUSHIONS, MATTRESSES, TOP MATTRESSES, BOLSTERS AND CHAIR PADS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 5-31-2007; IN COMMERCE 5-31-2007.

OWNER OF U.S. REG. NOS. 1,853,088, 2,495,299, AND OTHERS.

THE MARK CONSISTS OF A FEMALE FIGURE ON A PILLOW RECLINING ON TOP OF A CROSS AND THE WORDS "TEMPUR-PEDIC". THE PORTION OF THE MARK COMPRISED OF A CROSS DESIGN IS NOT DISPLAYED IN THE COLOR RED OR A COLORABLE IMITATION THEREOF; AND IS NOT USED AND WILL NOT BE USED IN THE COLOR RED OR A COLORABLE IMITATION THEREOF.

SN 77-180,017, FILED 5-14-2007.

JASON BLAIR, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office