

ESTTA Tracking number: **ESTTA756372**

Filing date: **07/05/2016**

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

**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Life Is Beautiful, LLC		
Entity	limited liability company	Citizenship	Nevada
Address	302 E. Carson Avenue Second Floor Las Vegas, NV 98101 UNITED STATES		

Attorney information	Lori N. Boatright Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Boulevard, 7th Fl Los Angeles, CA 90025 UNITED STATES tm_filings@bstz.com, Lori_Boatright@bstz.com Phone:310 207 3800		
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**Registration Subject to Cancellation**

Registration No	4971412	Registration date	06/07/2016
Registrant	AMUSEMENT ART, LLC 1110 SEWARD STREET LOS ANGELES, CA 90038 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 041. First Use: 2008/00/00 First Use In Commerce: 2008/06/18 All goods and services in the class are cancelled, namely: Arranging, organizing, conducting, and hosting social entertainment events; Artexhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing communityfestivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
No use of mark in commerce before application, amendment to allege use, or statement of use was filed	Trademark Act Sections 14(1) and 1(a), (c), and (d)
Failure to function as a mark	Trademark Act Sections 14(1) and 1,2 and 45
Registrant not rightful owner of mark for identified goods or services	Trademark Act Sections 14(1) and 1
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Related Proceedings	Amusement Art, LLC v. Life Is Beautiful, LLC et al., 2-14-cv-08290-DDP-JPR (C.D. Cal.)
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### Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	87085577	Application Date	06/27/2016
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LIFE IS BEAUTIFUL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2012/11/13 First Use In Commerce: 2013/10/26 Planning, conducting and hosting live music festivals; entertainment, namely, social entertainment festivals featuring music concerts, culinary demonstrations and tastings, wine, beer and spirits tastings, art installations and displays, and lectures and learning forums led by notable, celebrity or topical speakers		

Attachments	87085577#TMSN.png( bytes ) Petition for Cancellation 4971412.pdf(939960 bytes ) LIFE-CANCELLATION EXHIBIT A.pdf(3428301 bytes ) Pages from LIFE-CANCELLATION EXHIBIT B1.pdf(4134739 bytes ) Pages from LIFE-CANCELLATION EXHIBIT B2.pdf(5156703 bytes ) Pages from LIFE-CANCELLATION EXHIBIT B3.pdf(4561728 bytes ) LIFE-CANCELLATION EXHIBIT C.pdf(1183470 bytes ) LIFE-CANCELLATION EXHIBIT D.pdf(151725 bytes ) LIFE-CANCELLATION EXHIBIT E.pdf(166859 bytes ) LIFE-CANCELLATION EXHIBIT F.pdf(225207 bytes ) Pages from LIFE-CANCELLATION EXHIBIT G1.pdf(3156443 bytes ) Pages from LIFE-CANCELLATION EXHIBIT G2.pdf(3885630 bytes ) Pages from Pages from LIFE-CANCELLATION EXHIBIT G3a.pdf(4630510 bytes ) Pages from Pages from LIFE-CANCELLATION EXHIBIT G3b.pdf(4722044 bytes ) LIFE-CANCELLATION EXHIBIT H.pdf(1096834 bytes ) LIFE-CANCELLATION EXHIBIT I.pdf(561812 bytes ) LIFE-CANCELLATION EXHIBIT J.pdf(343941 bytes ) LIFE-CANCELLATION EXHIBIT K.pdf(361469 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	/Lori N. Boatright/
Name	Lori N. Boatright
Date	07/05/2016

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

<p>LIFE IS BEAUTIFUL, LLC</p> <p>Petitioner</p> <p>V.</p> <p>AMUSEMENT ART, LLC,</p> <p>Registrant</p>	<p>Cancellation No.: _____</p> <p>Mark: LIFE IS BEAUTIFUL Reg. No.: 4,971,412 Issued: June 7, 2016</p>
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**PETITION FOR CANCELLATION**

Life Is Beautiful, LLC ("Petitioner"), a Nevada limited liability company, having a principal place of business at 302 E. Carson Avenue, Second Floor, Las Vegas NV 98101, believes it is and will continue to be damaged by the registration owned by Amusement Art, LLC ("Registrant"), namely U.S. Registration No. 4,971,412 for the mark LIFE IS BEAUTIFUL and hereby petitions to cancel the registration.

As grounds for this petition, Petitioner alleges as follows:

**Petitioner and Petitioner's Mark**

1. Petitioner is the owner, organizer and host of the "LIFE IS BEAUTIFUL Festival," an annual multi-day music festival held in Las Vegas, NV. Petitioner owns the name and mark LIFE IS BEAUTIFUL for use on and in connection with its offering as a "music, art, food and learning festival" and with its primary notoriety as a music festival. Petitioner adopted the name and mark and publicly announced the LIFE IS BEAUTIFUL

festival at least as early as November 2012, and Petitioner held its first LIFE IS BEAUTIFUL festival on October 26-27, 2013. LIFE IS BEAUTIFUL festivals have taken place in 2013, 2014, and 2015; the 2016 festival is scheduled for September 23-25. The LIFE IS BEAUTIFUL festivals feature internationally acclaimed music performers as a key attraction (its past festivals included Kanye West, Stevie Wonder, Foo Fighters, Kendrick Lamar, Snoop Dog, Kings of Leon and Vampire Weekend, among many others). The LIFE IS BEAUTIFUL festivals feature multiple stages holding musical, cultural, comedy, artistic and learning offerings throughout each day of the multi-day event. In addition to the headlining musicians, the multiple stage offerings throughout the days feature celebrities, comedians, well-known chefs, and other notable personalities who participate in live events in the fields of fashion, film, art, food/wine, comedy, learning and discussions. The LIFE IS BEAUTIFUL festivals feature many kinds of artisan, charitable causes, political information, and other service booths and the festivals provide food, beverages, crafts, and other services for attendees (collectively “Festivals” or “Petitioner’s Services” as applicable).

2. Petitioner has invested and continues to invest substantial time, money and resources in the promotion of Petitioner's Festivals and the corresponding brand and mark as an essential element of that promotion. The LIFE IS BEAUTIFUL Festivals draw crowds/attendees from across the U.S. As a result of Petitioner’s investment of time and resources, the festival expanded from a two-day event in 2013 with roughly 60,000 attendees, to a three-day event in 2014 with attendance over 85,000 people. Attendance at the 2015 festival was reported at

104,000, and attendance at the 2016 festival is anticipated to exceed the 2015 attendance figure.

3. Petitioner filed an application for registration of the mark LIFE IS BEAUTIFUL based on use in commerce for “Planning, conducting and hosting live music festivals; entertainment namely social entertainment festivals featuring music concerts, culinary demonstrations and tastings, wine, beer and spirits tastings, art installations and displays, and lectures and learning forums led by notable, celebrity or topical speakers.” Filed in contemplation of this Petition, the use-based application for registration, Serial No. 87085577, was filed June 27, 2016 (“Petitioner’s Application”). Petitioner’s Application recites its “use in commerce” date at least as early as October 26, 2013, the first day of the 2013 festival, so as to leave no doubt that it had rendered every element of its recited services, including the hosting of the event. Planning, arranging, booking, and marketing efforts, including ticket sales, were offered by Petitioner under the mark throughout the year prior to the first day of the festival. Petitioner’s Application awaits examination.

4. Petitioner previously filed applications for registration of the marks LIFE IS BEAUTIFUL and LIFE IS BEAUTIFUL FESTIVAL on August 14, 2014 (both in standard characters and with a design feature for a total of four applications – Application Serial Nos. 86366959, 86367025, 86366989, and 86367058). Unfortunately, the applications were inadvertently abandoned by prior counsel for failure to timely respond to Office Actions; the abandonment date for each was December 4, 2015 (“Petitioner’s Abandoned Applications”).

5. Petitioner's Abandoned Applications were filed prior to Registrant's application Serial No. 86405252, described fully below, that matured to registration and which is the subject of this Petition. The Registrant's application was suspended pending disposition of Petitioner's applications given Petitioner's earlier filing date and the attendant possibility to bar registration. Despite the greater breadth of the Registrant's identification, Registrant's application was not blocked by the confusion citation faced by Petitioner. When Petitioner inadvertently abandoned its application, Registrant's mark was passed to Publication in the Official Gazette. Unaware that Registrant's subject application had been published for opposition, Petitioner failed to timely oppose registration. Upon realization of such events, Petitioner monitored Registrant's subject application and awaited issuance of the registration in order to take action. Petitioner now seeks cancellation of the registration that issued on June 7, 2016.

**Registrant and its Class 41 Registration**

6. On September 24, 2014, It's A Wonderful World, Inc., a California corporation, filed a use-based application under Section 1(a), 15 U.S.C. § 1051(a) for the mark LIFE IS BEAUTIFUL, namely Application Serial No. 86405252 ("the Application") as noted in the preceding paragraph. Registrant identified its services as "Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions" in Class 41. The Application matured

into Registration No. 4,971,412 on June 7, 2016 for the same services, and is the subject of this petition. For convenience purposes, a true and correct copy of the Application as filed is attached as Exhibit A.

7. Registrant identified the owner of the mark as It's A Wonderful World, Inc., a California corporation, with a principal address at 1110 Seward St., Los Angeles, CA 90038. The Application was executed by Debora Guetta, Vice President of the original applicant corporation, whose signature appears immediately following the standard declaration recitation that, under oath and subject to criminal penalties for violating laws prohibiting willful false statements, that "the applicant is the owner of the trademark/service mark sought to be registered."

8. In the Application, Debora Guetta, as Vice President of It's A Wonderful World, Inc., also declared under oath and subject to criminal penalties as noted that It's A Wonderful World, Inc. had used the mark LIFE IS BEAUTIFUL for the identified services since the recited first use in commerce date, June 18, 2008, and that It's A Wonderful World, Inc. was using the mark LIFE IS BEAUTIFUL on the filing date (September 24, 2014) for the identified services. It's A Wonderful World, Inc. also declared that its use of the mark LIFE IS BEAUTIFUL "anywhere" was at least as early as "00/00/2008."

9. The U.S. Trademark Office employs use of an online form through which applicants seek application for trademark or service mark registration; it is in the nature of a "wizard" based on a question and answer model to assist non-attorneys and attorneys who may be unfamiliar with U.S. trademark law and the application process. A true and correct copy of a blank document believed to be in use in September 2014 is attached as Exhibit B ("Sample Application" or "Sample"). The Sample Application provides guidance within

the form and emphasizes the importance of caution throughout. Additionally, links to instructional videos on various topics are included throughout the wizard, beginning with “NOTE: for an instructional video providing an overview of the most important issues you should be aware of when filing a trademark application [click here.](#)” With respect to properly identifying the owner of the mark, one finds “NOTE: This identifies who owns the mark, not necessarily who is filing the application. For an instructional video focusing on what is meant by the term ‘applicant,’ [click here.](#)”). Instructional videos are provided for identifying the goods and services and other topics.

10. In the Sample Application, with respect to the subject of the filing basis, considerable information and examples address “use” in contrast to “intent to use” (in addition to basing an application on a foreign application or registration). An instructional video is provided “on what is meant by ‘basis for filing’” and additional videos are offered explaining each basis for filing. In the Sample, caution is urged to ensure that the applicant understand claims based on use versus intent to use, for example. A final alert on the topic reads: “WARNING: Registration subject to Cancellation for Fraudulent Statements” under which the following appears, in red lettering, “You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration. The lack of a bona intention to use the mark with *all* the goods and/or services included in an application, or the lack of use on *all* the goods and/or services for which you claim use, could jeopardize the validity of the registration and will result in its cancellation.” [Emphasis in Sample.]

11. On January 15, 2015, the U.S. Trademark Office (“Trademark Office”) Examining Attorney issued an Office Action citing U.S. Reg. No. 4,230,609 for the

identical mark LIFE IS BEAUTIFUL owned by Amusement Art LLC (Registrant) as a bar to registration under likelihood of confusion grounds, Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). The Office Action in particular noted that the marks were identical and that It's A Wonderful World, Inc.'s recited services including art exhibition services while the cited registration, owned by Registrant, identified "art pictures" and "art prints." The Examining Attorney included an advisory paragraph specifically referencing the possibility that the cited registration may be owned by It's A Wonderful World, Inc., and if so, the Examining Attorney provided an explanation as to how It's A Wonderful World, Inc. could (if applicable) establish the ownership transfer and claim ownership of the cited registration owned by Amusement Art, LLC (Registrant). A true and correct copy of the Office Action dated 1/15/2015 and cited registration/applications is attached as Exhibit C. Noting that the "evidence" to establish relatedness of goods/services exceeded 100 pages, such material is *not* provided herewith.

12. On January 20, 2015, five days following issuance of the Office Action, It's A Wonderful World, Inc. submitted for recordation at the Assignment Division of the Trademark Office a two-page document titled "Assignment of Trademark" (a true and correct copy is attached hereto and incorporated as Exhibit D). The Assignment document states: *"It's A Wonderful World, Inc., a California corporation, ('Assignor') owns or holds all of the rights to use the "Life is Beautiful" trademark in Class 41, identified by the United States Patent and Trademark Office ("USPTO") as Serial No. 86405252 ("the Mark").* Emphasis added. Through such document, It's A Wonderful World, Inc. purported to assign such rights to Amusement Art, LLC (Registrant), on the stated "Effective Date" (typewritten below the heading) of October 23, 2014. The Assignment of Trademark

reflects the signatures of Thierry Guetta for both Assignor and Assignee (as “President” of Assignor, It’s A Wonderful World, Inc., and “Manager” of Amusement Art, LLC.). The date of signing does not appear on the document. The Trademark Assignment Cover Sheet, submitted by the law firm Novian & Novian LLP on January 20, 2015, identifies the “Execution Date” of the Assignment as 10/23/2014, the same as the later-stated “Effective Date.” The document does not state that the transfer had been *Nunc Pro Tunc* nor does it include any statement as to relatedness of the parties despite execution by Thierry Guetta on behalf of both parties.

13. The Trademark Office issued another Office Action on February 10, 2015, suspending the Application pending disposition of Petitioner’s Abandoned Applications and stated: *“This notice responds to applicant’s verbal communication of February 10, 2015. In view of the assignment of ownership of the subject application, the refusal under Trademark Act Section 2(d) is withdrawn.”* Presumably the Examining Attorney verified the acceptance of the assignment by the Assignment Division following a telephone conference notifying her as to same; the reference to “applicant” in such context is unclear as to whether it references Registrant or the original applicant. The Office Action does not reflect any contemplation as to whether or not the application was filed in the name of the wrong party in view of the many other applications filed by Registrant for the identical mark LIFE IS BEAUTIFUL and duplicative addresses and appearance and action by Patrick Guetta, Debora Guetta, and Thierry Guetta. Nothing of record attempts to explain or support the lengthy Assignment Document (terms and conditions of which exceed forms promulgated by the Trademark Office) as an “arm’s length” assignment in view that Thierry Guetta executed the Assignment on behalf of both Assignor and Assignee. Within the

application and assignment files, certain objective “facts” tend to suggest a relatedness of these entities, albeit a relatedness what would not meet the “strict exceptions” that would allow Applicant to change the owner of the Application by amendment. It’s A Wonderful World, Inc. and Amusement Art LLC prepared and executed the referenced Assignment yet failed to mention any relatedness of the two parties, and, specifically, neither party suggested any reasoning as to why It’s A Wonderful World, Inc. identified its “correspondent e-mail address” as “*amusementart@gmail.com*” (reflected on the Office Action and Response), or that the email addresses provided within the original application filing made by It’s a Wonderful Words, Inc. were “*asamusementart@gmail.com; debora@itsawonderful-world.com; and mikael@iawworld.com.*” Emphasis added.

14. At the time the Application was filed on September 24, 2014, Registrant Amusement Art, LLC had already filed at least eleven (11) applications at the Trademark Office for the mark LIFE IS BEAUTIFUL and no other applications for identical or similar marks were filed in the name of It’s A Wonderful World, Inc. (except the registration at issue). For convenience purposes, the Serial Numbers and Filing Dates at such time were: 85567326 – March 12, 2012; 85428697 – September 21, 2011; 85405044 – August 23, 2011; 85343683 – June 10, 2011; 85232574 – February 2, 2011; 85231834, 85231519, 85231779, 85231340 – February 1, 2011; 85230719 and 85230705 – January 31, 2011.

15. The prior filings on behalf of Amusement Art, LLC for the LIFE IS BEAUTIFUL mark were executed and filed on behalf of Registration by and through Patrick Guetta, holding/claiming different titles at different times. With respect to history of Patrick Guetta’s involvement in the Application, Guetta claimed authority as and in through it position as “Chief Administrative Officer of Registrant” despite that the nature of

Registrant's entity is that of an LLC for which "Officers" are atypical. Patrick Guetta attended to bulk of the work/filings/submissions associated with or filed on Registrant's behalf on behalf of Registrant as relating to LIFE IS BEATIFUL applications. Other than executing and filing the Application (in the name of It's A Wonderful World, Inc.) Debora Guetta was not the primary actor in other filings for the other LIFE IS BEAUTIFUL marks, noting, however, though that at various times she submitted documents in connection therewith and/or was included as an email correspondent identical to that used in the original filing of the Application (*debora@itsawonderful-world.com*).

16. Upon information and belief, the Application was filed in the wrong party's name and is void ab initio. In the Application, It's A Wonderful World, Inc. claimed to be the owner of the mark when, in truth, the application should have been filed by Registrant.

17. Upon information and belief, specifically as to ownership of the Application, Registrant and It's A Wonderful World, Inc. prepared and recorded the Assignment to prevent the Application from being deemed void ab initio and thus abandoned. Registrant executed documents, took actions, and made material submissions to the Trademark Office with knowledge that they were false or misleading, and with the intention to cause the Trademark Office to rely on such actions, submissions and statements. The Trademark Office did rely on such actions and statements, and, in consideration of all facts, Registrant committed fraud on the Trademark Office.

18. Neither It's A Wonderful World, Inc. nor Registrant had used or was using LIFE IS BEAUTIFUL as a mark on the services recited in the Application at the time of filing. Claims as to use and use dates were made in bad faith and in attempt to perpetrate a fraud on the Trademark Office because Registrant knew or acted in reckless disregard of the

truth when Registrant and its alleged predecessor in interest, It's A Wonderful World, Inc., claimed to have used LIFE IS BEAUTIFUL as a mark on or in connection with the services identified in the Application at the stated first use date and at the time of filing the Application. To the extent that It's A Wonderful World, Inc. was a genuinely distinct and separate entity and in the event that the application is not deemed to have been filed in the wrong name, Registrant continued prosecution of the Application with knowledge of the intentional falsehoods regarding claims of use for the identified services and failed to correct such falsehoods; both Registration and It's A Wonderful World, Inc. were complicit in the fraud and benefitted from the fraud. The Trademark Office reasonably relied on such materially false actions, submissions and statements in granting registration.

19. The parties are involved in a trademark action over the LIFE IS BEAUTIFUL mark; Registrant filed an action against Petitioner for trademark infringement and Petitioner filed a counterclaim to cancel the then-existing registrations, among other claims and actions. *Amusement Art, LLC v. Life Is Beautiful, LLC et al.*, 2-14-cv-08290-DDP-JPR (C.D. Cal.) ("Civil Action"). In the Civil Action, Petitioner alleged and alleges that the registrations for the LIFE IS BEAUTIFUL mark owned by Registrant were issued by the Trademark Office as a direct result of fraud on the Trademark Office by Registrant. Notably Petitioner claimed and claims that Registrant did not use LIFE IS BEAUTIFUL as a mark at the stated first use dates nor at the time the application was filed. Additionally, evidence of use (specimens) submitted by Registrant were fraudulent, known to be inaccurate or misleading, and were submitted with the intention that such specimens would be relied upon by the Trademark Office in order to wrongfully secure registration rights.

20. Petitioner through deposition testimony in the Civil Action elicited that Registrant had submitted “specimens” that were forged, altered, or created solely for the purpose of misleading the Trademark Office and were not in use in commerce as alleged.

21. On May 12, 2016, counsel for Petitioner in the Civil Action advised counsel for Registrant by letter of its intention to move for Summary Judgment on the issue that Registrant’s registrations were “obtained by fraud” based on testimony secured in discovery. On May 26, 2016, counsel for Registrant responded via email of its intention to “file the necessary documents with the USPTO in order to surrender the trademark registrations . . . which are the subject of defendants’ counter-claims.” (A true and correct copy of the letter and the responsive email are attached as Exhibits E and F respectively).

22. On May 27, 2016, Registrant filed Section 7 Surrender documents in connection with eight (8) registrations for the mark LIFE IS BEAUTIFUL (true and copies of the Surrender documents with identifying registration numbers are attached as Exhibit G). Each of the surrendered registrations issued prior to 2016 and such registrations were the only registrations owned by Registrant at the time of filing suit against Petitioner; likewise, and as a result, the registrations were the only registrations against which Petitioner filed its counterclaim to seek cancellation thereof.

23. Registrant surrendered such registrations in order to avoid having Petitioner prove fraud in a Summary Judgment Motion that would impact the Court’s impression of Registrant, its candor and veracity, and reflect negatively on claims asserted by Registrant against Petitioner in its action for monetary damages for alleged trademark infringement.

24. In connection with each of the eight surrendered LIFE IS BEAUTIFUL registrations, Registrant committed fraud on the Trademark Office. Registrant’s claims

regarding use on the identified goods/services in the respective applications for registration were false or misleading and were material to the applications/registrations. The Trademark Office did reasonably rely on such false or misleading claims, actions, and submissions. In each of the eight registrations, Registrant falsely claimed to have used LIFE IS BEAUTIFUL as a mark on the identified goods/services; Registrant's submissions were made under oath in filing of the application or under oath upon filing/submission of Statements of Use/Amendments to allege use, and in responses to Office Action through providing (also under oath) substitute specimens evidencing "use" in order to overcome refusals to register.

25. Registrant currently owns two remaining U.S. registrations for the mark LIFE IS BEAUTIFUL, namely, US Reg. No. 4,900,580 and the registration that is the subject of this proceeding. Both registrations issued in 2016 and as a result were not claimed by Registrant in the Civil Action (nor the subject of a counterclaim by Petitioner). The "status" of each of the eight registrations at the Trademark Office does not yet reflect that the earlier registrations have been cancelled, but Registrant intends that each of the eight registrations be cancelled in due course.

26. In the Civil Action, at the time that the registrations were surrendered, each such registration was the subject of Petitioner's counterclaim for cancellation. Registrant did not secure consent from Petitioner to surrender without prejudice nor would Petitioner have consented thereto. Had the cancellation action been filed at the Trademark Trial and Appeal Board, pursuant to its rules and practice, under such fact pattern (withdrawal during pendency of a cancellation proceeding without Petitioner's consent) the Board would have sustained Petitioner's cancellation action and issued a judgment against Registrant. Such

action is warranted in connection with this Petition in that Registrant has previously engaged and continues to engage in behavior that is in flagrant disregard of Trademark Office rules, authority and practice, Registrant manipulates the ex parte process in which Examining Attorneys are not in the position to investigate assertions yet must rely on statements, submissions and actions by parties and assume the truthfulness thereof, and Registrant undermines the integrity of the process through false and misleading statements, submissions and actions on the matter of ownership, use, dates of use, and specimens evidencing use to its benefit and at the expense of Petitioner, the Trademark Office, and the relevant public.

27. Upon information and belief, It's A Wonderful World, Inc., Registrant, and the individuals Thierry Guetta, Debora Guetta and/or Patrick Guetta failed to engage in a forthright manner as to the ownership of the alleged mark LIFE IS BEAUTIFUL in the prosecution of the Application. The actions of Registrant and the Guetta individuals should be viewed and judged in the context of intentional false statements, submissions, and actions in connection with each of the surrendered registration alleged above. Additionally, Registrant's actions must be scrutinized in light of its behavior in other co-pending LIFE IS BEAUTIFUL applications filed by Registrant. Not identified in the Civil Action for the reason that such application did not mature to registration, Registrant committed fraud in connection with Ser. No. 85405044 for the mark LIFE IS BEAUTIFUL filed by Registrant in Class 25 ("Registrant-Class 25 Application"). In such application, a refusal to register based on Sections 1, 2 and 45 (failure to function as a mark) was issued based on the Examining Attorney's assessment that the specimens (shirts) on which the alleged mark appeared were mere ornamentation in appearance.

28. In such Registrant's Cl. 25 Application (a true and correct copy of the salient portions of the file history for which is attached as Exhibit H), the Examining Attorney issued the "failure to function as a mark" refusal to register, as noted, in an Office Action dated December 13, 2011. The next day, on December 14, 2011, a *new application* based on "intent to use" for the identical mark, also in Class 25 and also identifying clothing items, was filed in the name of Patrick Guetta, as an individual ("Guetta's Cl. 25 Application"). Attached as Exhibit I is a true and correct copy of salient portions of the file history for Ser. No. 85495720 for LIFE IS BEAUTIFUL filed by Patrick Guetta.

29. Patrick Guetta was the filing correspondent for the Registrant's Cl. 25 Application, and, of course, the correspondent in the application filed in his own name.

30. In the Response to Office Action in connection with Registrant's Cl. 25 Application, in response to the "failure to function as a mark" refusal, new specimens were submitted in the nature of hang tags that fit the informal standard followed by the Trademark Office and called the "neat and discreet" standard. In meeting such "neat and discreet" standard, such specimens showed the mark in such a way that was not deemed "merely ornamental" such that it failed to function as a mark. Additionally, such specimens were submitted in order to persuade the Examining Attorney to withdraw the refusal. The Trademark Office accepted as valid the substitute specimens, and the refusal to register was withdrawn for such reasoning. Upon information and belief, the specimens were not in use in commerce by Registrant for any goods at the time of the submission. Upon information and belief, the specimens were "created" or "prepared" solely for such purpose of overcoming the refusal and any and all assertions as to use were false, intentionally misleading, or misleading with reckless disregard of the truth that should have been known

by Registrant. The Trademark Office reasonably relied on such false statements and Registration benefitted from the Trademark Office's acceptance thereof and the attendant withdrawal of the refusal to register.

31. Guetta's Cl. 25 Application was suspended pending disposition of the Registrant's Cl. 25 Application for the reason that Registrant's Cl. 25 Application could be cited as a bar to registration.

32. Debora Guetta and Patrick Guetta both made submissions in connection with Guetta's Cl. 25 application in the nature of "change of correspondence" and "change of address" documents. Specifically, submissions were made to identify "Amusement Art, LLC" as line one of the "correspondence *address*" (no attempt to assign the mark was made). Patrick Guetta proceeded to prosecute both applications with the Trademark Office; at no point did he communicate with the Trademark Office about these applications that were prosecuted in tandem, nor did Guetta volunteer information or correct assumptions made by the Trademark Office.

33. In connection with Registrant's Cl. 25 Application and Guetta's Cl. 25 Application, the correspondence email addresses included *asamusementart@gmail.com* and *debora@itsawonderful-world.com*, although in the initial filing of Guetta's Cl. 25 Application, Patrick Guetta supplied only his own Gmail address. Both Class 25 applications were ultimately abandoned following inter partes actions in which a third party, namely Ahead Of Our Time, Inc. ("AOOT"), opposed both applications in succession. In connection with Registrant's Cl. 25 Application opposed by AOOT, an Answer and limited discovery took place prior to Registrant's abandonment without consent and subsequent entry of Judgment. A true and correct copy of the Trademark Office TTAB Status Page

identifying particulars and status of the Opposition against Registrant (and relevant excerpts) are attached as Exhibit J.

34. In the latter opposition filed by AOOT against Guetta's Cl. 25 application, in addition to opposing based on priority and likelihood of confusion, AOOT asserted a claim for *Claim and Issue Preclusion*. AOOT asserted that due to the relationship between Guetta and Registrant, the previous opposition and entry of Judgment should control against Guetta as well through claim preclusion. Guetta failed to Answer the Notice of Opposition and judgment was entered against Guetta. A true and correct copy of the Trademark Office TTAB Status Page identifying particulars and status of the Opposition against Guetta (and relevant excerpts) are attached as Exhibit K. Such judgment entered against Guetta would include the Claim and Issue Preclusion as to the parties' relationship, albeit through default judgment, and in effect acknowledge that Registrant, It's A Wonderful World, Inc., and the Guetta individuals had engaged in subterfuge and "entity shopping." Selection of an "owner" or "applicant" was designed for self-serving reasons, upon information and belief, and presumably to secure perceived competitive advantage and through such actions manipulate the Trademark Office and its Examining Attorneys who must accept as valid all comments except under limited circumstances. Such behavior, coupled with the history surrounding the surrender of the registrations, color the manner in which the facts of this Application and Registrant's behavior should be viewed. By way of example, the lack of truthfulness by Guetta and Registrant strongly suggest ill intent with respect to claims of ownership in the Application; the lack of commitment to truth and actions strongly suggest a willingness by Registrant to manipulate the filing process for its own gain.

35. Upon information and belief, in many instances, including the Application, Registrant knowingly made false statements, acted intentionally to mislead or acted with reckless disregard of the truth, in its Application. Through claims of use and dates of use, under oath, in original application filings, through Registrant's Amendments in which it submitted substitute specimens that were not and had not been used in commerce yet were designed to persuade the Examining Attorney to withdraw the "failure to function/ornamentation" refusal. The systematic false statements by Registrant related and relate primarily to its assertions of use of LIFE IS BEAUTIFUL as a mark on many goods/services for which it was not using and had not used LIFE IS BEAUTIFUL as a mark; such submissions were signed by Registrant under oath and were known to be false and/or misleading. Registrant acted with intent or reckless disregard for the truth, and Registrant made such statements, actions, or submissions for the purpose of securing registration. Such behavior was material to actions taken by the Trademark Office, and the Trademark Office reasonably relied on such false or misleading statements, submissions or action. By and through same, actions by Registrant constitute fraud.

**Count I: Fraud as to Use in Commerce**

36. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 35.

37. Upon information and belief, Registrant's claim of use of the LIFE IS BEAUTIFUL mark in the Application was false, made in bad faith and constitutes fraud upon the Trademark Office or an attempt to perpetrate fraud on the Trademark Office. Registrant acted with knowledge of the falsity, or acted with reckless disregard of the truth, and in fact knew that it was not entitled to registration based on its genuine actions. Moreover,

Registration did not use and is not using LIFE IS BEAUTIFUL as a mark in connection with the services identified in the Application either as of the date identified as the first use date, at the time the Application was filed, or at the time that Registrant submitted the substitute specimens (along with the attendant Declaration).

38. Such false statements by Registrant were material to securing registration.

39. Reasonably relying on the truth of such materially false statement, the Trademark Office approved the Application for registration, which matured to registration as Registration No. 4,971,412 on June 7, 2016.

40. Upon information and belief, the conduct of Registrant constitutes fraud on the Trademark Office and therefore Reg. No. 4,971,412 should be cancelled.

#### **Count II: Non-Use**

41. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 40.

42. Trademark Act Section 1(a), 15 U.S.C. § 1051(a), allows registration of trademarks only after the marks are "used in commerce" and such use must be the basis of a verified statement by the applicant that the mark is in use in commerce on or before the filing of the application. Section 45 of the Act, 15 U.S.C. §1127, defines "use in commerce" of a mark in connection with services "when it is used or displayed in the sale or advertising of services and the services are rendered in commerce, or the services are rendered in more than one State or in the United States and a foreign country and the person rendering the services is engaged in commerce in connection with the services."

43. Upon information and belief, Registrant had not used and does not use LIFE IS BEAUTIFUL as a mark on or in connection with the services identified in the Registration No. 4,971,412 and did not use LIFE IS BEAUTIFUL as a mark as of the September 24, 2014 filing date of the application, and, finally, Registrant did not use LIFE IS BEAUTIFUL as a mark at the claimed first use dates, all as required under Trademark Act Sections 1(a) and 45, 15 U.S.C. §§ 1051(a) and 1127.

44. Accordingly, the Application, and resulting Registration No. 4,971,412 was and is void ab initio, and the registration should be cancelled.

**Count III: Registrant Does not Own Mark**

45. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 44.

46. Upon information and belief, the Application was filed in the name of It's A Wonderful World, Inc., a California corporation, when the correct owner was and is Amusement Art LLC. Despite that It's A Wonderful World, Inc. may be somehow related to Amusement Art LLC, the two are separate legal entities and do not fit any enumerated "exceptions" that would allow amendment of the owner name.

47. Upon information and belief, when the Application was refused registration on the basis of a registration owned by Amusement Art LLC, Registrant learned of its error. Upon information and belief, rather than face a holding that the Application was void ab initio for having been filed in the wrong name, It's A Wonderful World, Inc., Inc. and/or Registrant had a formal assignment document prepared that was designed to wrongly suggest that an arm's length transaction in the nature of an assignment of trademark rights had taken place after filing and prior to the issuance of the Office Action. Upon information

and belief, It's A Wonderful World, Inc. did not own the mark at filing, and, in acting with Registrant or at its behest, the Assignment document was prepared to mislead the Trademark Examining Attorney responsible for prosecution of the Application.

48. Upon information and belief, in that there can be but one owner of a mark, and the Application was not filed in the name of its owner, such application is thus void ab initio under Section 1 of the Trademark Act, and 15 USC Section 1051(a) and the registration that issued therefrom must be cancelled. Upon information and belief, at no time did It's A Wonderful World, Inc. hold rights as alleged in the filing of the Application, and the registration should be cancelled for the reason that the application was and is void ab initio.

#### **Count IV: Fraud As To Ownership**

49. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 48.

50. Upon information and belief, the Assignment of the Application by It's A Wonderful World, Inc. recorded at the Trademark Office on January 20, 2015 was intended to mislead the Trademark Office to believe that a genuine assignment of rights had taken place when, instead, It's A Wonderful World, Inc. never held rights in LIFE IS BEAUTIFUL. The dates and timing support this assertion, including that at no time did It's A Wonderful World, Inc. bring to the attention of the Examining Attorney the true facts of the relationship between the parties. Likewise, Registrant has in the past participated in actions designed to mislead the Trademark Office including in at least one other instance filing an application in a name other than Registrant. Registrant, It's A Wonderful World, Inc. and the Guetta individuals have worked in concert to "game" the application process

through a series of false statements and claims not based on truth promulgated to wrongly benefit Registrant.

51. Upon information and belief, in that It's A Wonderful World Inc. did not hold rights in the mark LIFE IS BEAUTIFUL, then-Applicant and Registrant acted in bad faith to create what purported to be a genuine assignment document and further acted in bad faith in telephone communications with the Examining Attorney by misleading him/her about the alleged transfer and failing to acknowledge the relationship between the Assignor and Assignee that would result in the application being stricken. Upon information and belief, Registrant acted in concert with It's A Wonderful World, Inc. Upon information and belief, both It's A Wonderful World, Inc. and Registrant knew that had they been truthful with the Examining Attorney and admitted that the Application had been filed in the wrong name, such truthful assertion would render the application void ab initio.

52. In the event that Registrant now asserts that It's A Wonderful World, Inc. is *not* a separate party such that it could have simply amended the name of the owner to Registrant's name under a recognized "exception" (i.e., that administrative mistakes may be corrected provided that the mistake was only as to misidentify the correct owner only when the misidentified party is not a separate legal entity), such position would only underscore the egregiousness of its action in creating an assignment designed solely for the intention to mislead the Trademark Office. The Assignment document itself is more complex than assignment documents "suggested" by the Trademark Office in the past, and in and through its many extraneous conditions and terms, in all manners it suggests and promotes itself as an arm's length transfer of rights from one party to another when in fact (upon information and belief) it was a false document designed to mislead the Trademark Examining Attorney and

thus the Trademark Office. In either viewpoint, such action constitutes a materially false statement or action designed to intentionally mislead the Trademark Office in a material way to benefit Registrant.

53. Reasonably relying on the truth of such materially false statement or action, the Trademark Office accepted the Assignment as a valid transfer and caused the Examining Attorney to withdraw the refusal to register based on the existence of Registrant's prior registration despite confusing similarity between marks owned by Registrant, on the one hand, and It's A Wonderful World, Inc., on the other. Ultimately, the false statements, actions, and submissions, served an essential function in preventing the Trademark Office from declaring the Application void ab initio. In stark contrast, the Trademark Office accepted such Assignment as true, and the Trademark Office allowed the Application to mature to registration (issuing into Registration No. 4,971,412) on June 7, 2016.

54. Upon information and belief, the conduct of Registrant constitutes fraud on the Trademark Office and therefore Reg. No. 4,971,412 should be cancelled.

**Count V: Failure to Function as a Mark**

55. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 54.

56. Petitioner seeks cancellation under Section 1, 2 and 45 of the Trademark Act in that Registrant's limited use of LIFE IS BEAUTIFUL has not served a trademark function and was wholly ornamental or informational as applied to the goods/services on which such phrase was "used."

57. Registrant has sporadically included the phrase LIFE IS BEAUTIFUL over the years in a highly limited fashion and with such inconsistency that it does not and has never risen to serve a source-identifying function. Upon information and belief, while Registrant used LIFE IS BEAUTIFUL as the title of a single art exhibition in Los Angeles in 2008, no trademark rights were established at the time. In that there was but one art exhibition described in marketing efforts as the “LIFE IS BEAUTIFUL EXHIBIT” used on or in connection with the single art exhibition failed and fails to establish trademark or service mark rights for the reason that titles of single works are not trademark uses and do not serve as the basis of trademark or service mark applications. Titles of single works, whether such single work is a book title, single television program title, single film title, or single art exhibition title, as here, such titles are not protectable as trademarks for failing to serve as a source identifying function. Upon information and belief, the other alleged “uses” also failed to establish nor serve as trademark or service mark rights; for clarity purposes, Registrant’s sporadic or occasional inclusion of the phrase on the *backs* of individual art works (paintings) also fail to establish rights, and, with respect to use of LIFE IS BEAUTIFUL on street art posters (either at single locations or part of a “blast” or “plaster” of such posters around Los Angeles) also fails to serve a trademark function in that such “street art” includes no identifiable services or other earmarks of trademark use. Finally, in such “blasts,” LIFE IS BEAUTIFUL was but one of many graphic street art posters (with other words, phrases, and graphics) such that it holds no trademark significance. The context is likewise worthy of further review – such acts have the appearance of “graffiti” (albeit on paper) in public spaces which simply

state the phrase. The street art may be removed quickly or it may remain for months, but, in any event, such use cannot be claimed as a trademark right.

58. Informational or ornamental uses of phrases, including use a title of a single work, or cleverly included as one of many phrases/graphics on the backs of artworks or posted in a graffiti fashion, are not entitled to registration in that they do not serve a trademark function, and because Registrant's limited use is merely informational or ornamental, this Petition should be granted and Reg. No. 4,971,412 should be cancelled.

**Count VI: Alternative Claim; Petitioner is the Senior User for  
Festival Services and Registration Harms  
Petitioner on Basis of Likelihood of Confusion**

59. Petitioner repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 58.

60. In the alternative, and only in the event that the Board denies each of Petitioner's preceding claims that the Application and resulting registration U.S. Reg. No. 4,971,412 should be cancelled for non-use, having been filed in the name of the wrong party, for fraud stemming from false statements, submissions and actions including fraud as to claimed use, fraudulent specimens evidencing use and fraudulent claims of ownership, and, per Count V, for failure to function as a mark. Only if Registrant's registration remains intact (all claims denied) does Petitioner allege that it holds the rights to LIFE IS BEAUTIFUL in connection with "music festivals" and related services and that its trademark rights are infringed by Registrant's use of LIFE AS BEAUTIFUL on current goods/services (if any). In the event that Registrant commences use of the phrase LIFE IS BEAUTIFUL in a trademark manner on or in

connection with festival services or related good/services such acts would violate Petitioner's rights.

61. Upon information and belief, in the event that Registrant hold trademark or service mark rights in LIFE IS BEAUTIFUL, and in the event that a likelihood of confusion exists between the parties, such confusion must be charged against Registrant as the later adopter and user in relation to any festival services or related services. Petitioner's use of LIFE IS BEAUTIFUL for its well known and highly regarded festival services, services related thereto, and/or services as identified in Petitioner's Application are worthy of protection, and, too, the public must be protected from confusion that may be likely to result from existing or future use by Registrant or identical or closely related services.

62. Petitioner is and was the first party to use the mark LIFE IS BEAUTIFUL in relation to the festival and related services, and the services in Petitioner's Application, and Petitioner is the "senior user" and holds priority over Registrant for the mark in relation to such services. Any confusion that is likely to result from the parties' use in commerce will be caused by Registrant's actions as later-adopter and user (noting only Petitioner's use is open, consistent, and recognized as a brand and mark for clearly identified services). Registrant should not wrongfully benefit from Petitioner's goodwill or the brand recognition Petitioner alone has established and built for its services.

63. In connection with such likelihood of confusion, Registrant's use is the inferior and later-adopted use, and as the junior user, Registrant is responsible for adopting a mark unlikely to result in public confusion. Should confusion occur in the

minds of the relevant public, such public confusion is likely to be the erroneous impression that Registrant's services originate from or are associated with Petitioner and its LIFE IS BEAUTIFUL Festivals, and that Registrant's services are authorized by, sponsored by, or otherwise endorsed by Petitioner.

64. Registrant's use and registration is without license, authorization or permission from Petitioner and is likely to diminish, injure or otherwise result in harm to Petitioner and its mark, and be in violation of Petitioner's rights based on actual use in commerce.

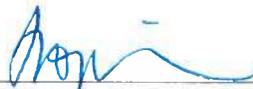
65. Petitioner asks that this Petition should be granted and that Reg. No. 4,971,412 be cancelled in view of its superior rights under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d), and for the reason that such registration is likely to be cited as a bar to registration in connection with Petitioner's Application.

**WHEREFORE**, Petitioner prays this Petition for Cancellation be sustained on all/any of the Claims as alleged, and Petitioner prays Registration No. 4,971,412 be cancelled.

Respectfully submitted,

LIFE IS BEAUTIFUL, LLC

Dated: July 5, 2016



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Lori N. Boatright  
BLAKELY SOKOLOFF TAYLOR ZAFMAN LLP  
12400 Wilshire Blvd., 7<sup>th</sup> Floor  
Los Angeles, CA 90025  
Telephone: 310-207-3800

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing PETITION FOR CANCELLATION was served by first class mail, postage prepaid, on this 5<sup>th</sup> day of July, 2016, upon Registrant at the following addresses of record and courtesy copies as identified:

OWNER OF RECORD – PTO ADDRESS:

AMUSEMENT ART, LLC  
1100 Seward Street  
Los Angeles, CA 90038

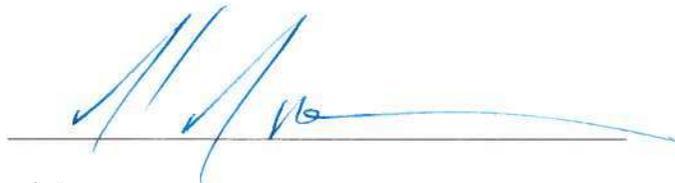
CORRESPONDENT IDENTIFIED IN REGISTRATION:

It's A Wonderful World, Inc.  
IT'S A WONDERFUL WORLD, INC  
1110 Seward St  
Los Angeles, California United States 90038-1308

COURTESY COPY TO EXPECTED COUNSEL:

Farhad Novian  
Joseph A. Lopez  
Sharon Raminfard  
NOVIAN & NOVIAN LLP  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067

Dated: July 5, 2016



Al Grossman

# EXHIBIT A

## Trademark/Service Mark Application, Principal Register

Serial Number: 86405252

Filing Date: 09/24/2014

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86405252
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">LIFE IS BEAUTIFUL</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	It's A Wonderful World, INC
<b>*STREET</b>	1110 Seward St
<b>*CITY</b>	Los Angeles
<b>*STATE (Required for U.S. applicants)</b>	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	90038
<b>PHONE</b>	323-465-2626 ext 104
<b>FAX</b>	323-465-2627
<b>EMAIL ADDRESS</b>	amusementart@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	041
<b>*IDENTIFICATION</b>	Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily <b>Art exhibitions</b> and also providing <b>film, fashion shows and exhibitions</b>

<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 00/00/2008
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 06/18/2008
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE012345670-7679174202-20140924173222212609 . Postcard event Art show 2008 lib.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0004.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE012345670-7679174202-20140924173222212609 . LA WEEKLY.pdf</a>
<b>CONVERTED PDF FILE(S) (4 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0005.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0006.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0007.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\864\052\86405252\xml1\APP0008.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	scanned postcard used for the promotion of the event (art show) and scanned LA weekly magazine edition from June 15, 2008 with an article about the event (art show)
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	It's A Wonderful World, INC
<b>FIRM NAME</b>	It's A Wonderful World, INC
<b>STREET</b>	1110 Seward St
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	90038
<b>PHONE</b>	323-465-2626 ext 104
<b>FAX</b>	323-465-2627
<b>EMAIL ADDRESS</b>	amusementart@gmail.com;deboraguetta@itsawonderful-world.com; mikael@iawworld.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Deboraguetta/
<b>SIGNATORY'S NAME</b>	Deboraguetta
<b>SIGNATORY'S POSITION</b>	Vice President
<b>DATE SIGNED</b>	09/24/2014

\_\_\_\_\_

\_\_\_\_\_

## Trademark/Service Mark Application, Principal Register

**Serial Number: 86405252**

**Filing Date: 09/24/2014**

### To the Commissioner for Trademarks:

**MARK:** LIFE IS BEAUTIFUL (Standard Characters, see [mark](#))

The literal element of the mark consists of LIFE IS BEAUTIFUL.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, It's A Wonderful World, INC, a corporation of California, having an address of  
1110 Seward St  
Los Angeles, California 90038  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 041: Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 00/00/2008, and first used in commerce at least as early as 06/18/2008, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) scanned postcard used for the promotion of the event (art show) and scanned LA weekly magazine edition from June 15, 2008 with an article about the event (art show).

### Original PDF file:

[SPE012345670-7679174202-20140924173222212609 . Postcard\\_event Art show 2008 lib.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

### Original PDF file:

[SPE012345670-7679174202-20140924173222212609 . LA WEEKLY.pdf](#)

**Converted PDF file(s)** (4 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

### The applicant's current Correspondence Information:

It's A Wonderful World, INC

It's A Wonderful World, INC

1110 Seward St

Los Angeles, California 90038

323-465-2626 ext 104(phone)

323-465-2627(fax)

amusementart@gmail.com;debor@itsawonderful-world.com; mikael@iawworld.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

## Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

### Declaration Signature

Signature: /Debora Guetta/ Date: 09/24/2014

Signatory's Name: Debora Guetta

Signatory's Position: Vice President

RAM Sale Number: 86405252

RAM Accounting Date: 09/25/2014

Serial Number: 86405252

Internet Transmission Date: Wed Sep 24 18:16:55 EDT 2014

TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2014092418165502

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CC-5041-20140924173222212609

LIFE IS BEAUTIFUL

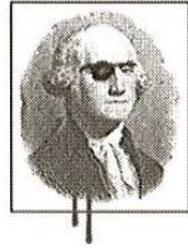


"Mr. Brainwash is a force of nature, he's a phenomenon. And I don't mean that in a good way."

- Banksy

"Mr. Brainwash is an enigma. I want to hug him one second and smack him the next. He is awesome, infuriating, almost impossible to define, but if an artist is defined by relentless, obsessive passion, then MBW is definitely an artist."

- Shepard Fairey



**Mr. Brainwash**

presents

**Life Is Beautiful**

A solo exhibit that includes 15,000 square ft. of fine art and installations.

Exhibit Open in June & July

Friday through Sunday 1-9pm

6121 W Sunset Blvd Los Angeles, 90028

Cameras and Video allowed

Show re-opens mid-September with new art and installations.

Visit [artshow2008.com](http://artshow2008.com) for more information and extended show dates.

Keep Smiling...

**MBW**

[mrbrainwash.com](http://mrbrainwash.com)

EXCLUSIVE: SKEWERED BY VANITY FAIR, BILLIONAIRE CLINTON PAL RON BURKLE SPEAKS BORDER GAMES: MARC COOPER UNCOVERS A MONEY PIT

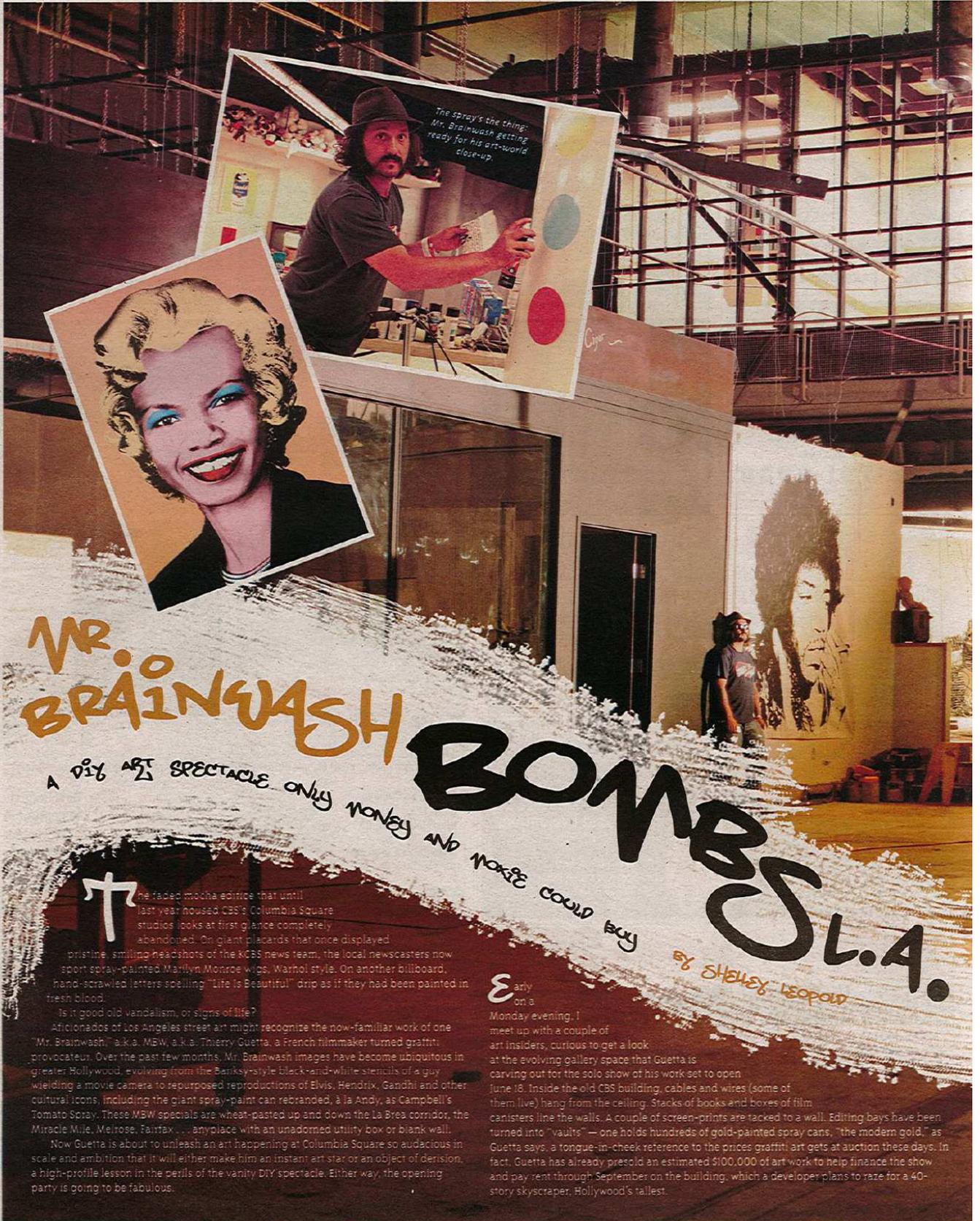
# LA WEEKLY

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MR.  
BRAINWASH  
BOMBS  
LA

A DIY ART  
SPECTACLE  
ONLY MONEY  
COULD BUY  
BY SHELLEY LEOPOLD



# MR. BRAINWASH BOMBS L.A.

A DIY ART SPECTACLE ONLY MONEY AND NOISE COULD BUY

BY SHELLEY LEOPOLD

**T**he faded mocha edifice that until last year housed CBS's Columbia Square studios looks at first glance completely abandoned. On giant placards that once displayed pristine, smiling headshots of the KCBS news team, the local newscasters now sport spray-painted Marilyn Monroe wigs, Warhol style. On another billboard, hand-scrawled letters spelling "Life Is Beautiful" drip as if they had been painted in fresh blood.

Is it good old vandalism, or signs of life? Aficionados of Los Angeles street art might recognize the now-familiar work of one "Mr. Brainwash," a.k.a. MBW, a.k.a. Thierry Guetta, a French filmmaker turned graffiti provocateur. Over the past few months, Mr. Brainwash images have become ubiquitous in greater Hollywood, evolving from the Batksy-style black-and-white stencils of a guy wielding a movie camera to repurposed reproductions of Elvis, Hendrix, Gandhi and other cultural icons, including the giant spray-paint can rebranded, à la Andy, as Campbell's Tomato Spray. These MBW specials are wheat-pasted up and down the La Brea corridor, the Miracle Mile, Melrose, Fairfax... anyplace with an unadorned utility box or blank wall.

Now Guetta is about to unleash an art happening at Columbia Square so audacious in scale and ambition that it will either make him an instant art star or an object of derision, a high-profile lesson in the perils of the vanity DIY spectacle. Either way, the opening party is going to be fabulous.

**E**arly on a Monday evening, I meet up with a couple of art insiders, curious to get a look at the evolving gallery space that Guetta is carving out for the solo show of his work set to open June 18. Inside the old CBS building, cables and wires (some of them live) hang from the ceiling. Stacks of books and boxes of film canisters line the walls. A couple of screen-prints are tacked to a wall. Editing bays have been turned into "vaults"—one holds hundreds of gold-painted spray cans, "the modern gold," as Guetta says, a tongue-in-cheek reference to the prices graffiti art gets at auction these days. In fact, Guetta has already presold an estimated \$100,000 of art work to help finance the show and pay rent through September on the building, which a developer plans to raze for a 40-story skyscraper, Hollywood's tallest.



Scenes from "Life Is Beautiful,"  
a work in progress.

PHOTOS BY  
GREGORY BOYER

"I see art everywhere here," exclaims Guetta, who broke his foot after falling off a ladder the day before and is giving us his tour on crutches. "I've been working for months and my ideas are always changing. This is my first show and I wanted to bring it to Los Angeles. It will be like nothing anyone has seen."

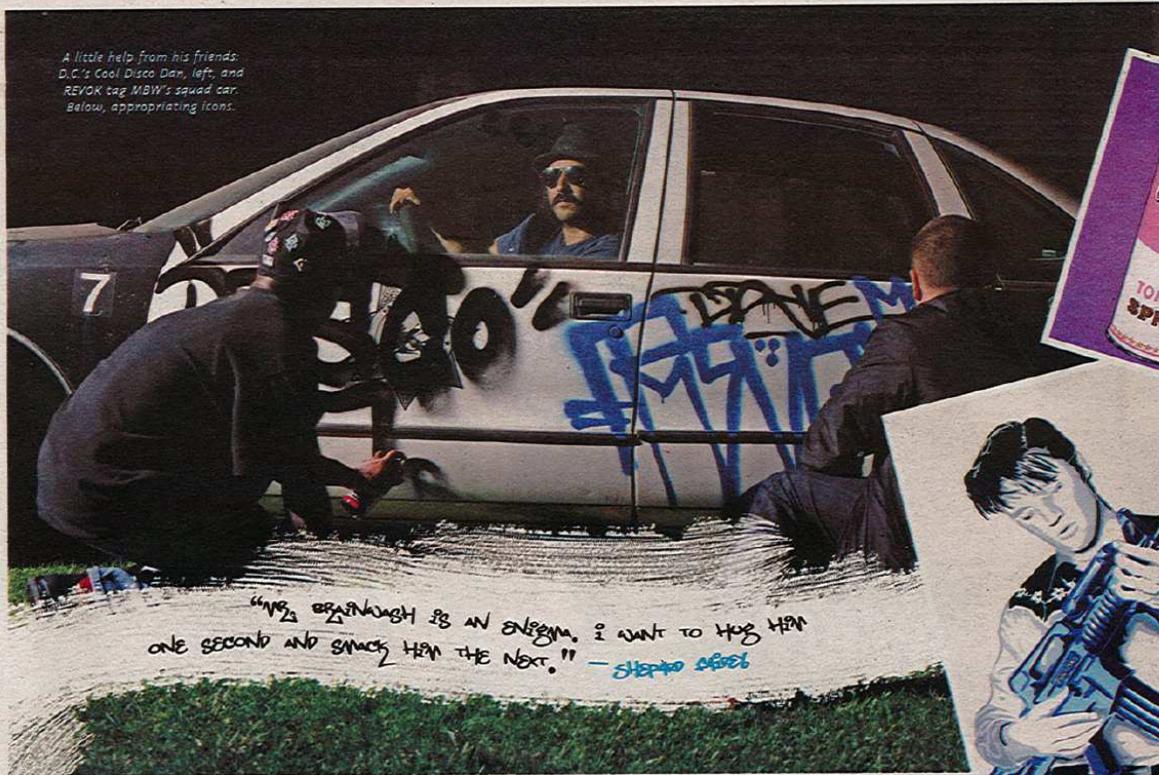
Guetta isn't the guy you'd figure to have such a large solo show in Los Angeles. He was introduced to the world of street art nine years ago as a documentary filmmaker, though he claims to have sold paintings to Michael Jackson in the '80s. It was only after collecting hundreds of hours of footage of Shepard Fairey, Banksy,

and other international street-art stars that he decided he might like to try his hand at art. The film, meanwhile, remains unfinished. Banksy—who has said of Guetta, "Mr. Brainwash is a force of nature; he's a phenomenon. And I don't mean that in a good way"—is threatening to do a movie about the documentary Guetta never made.

At the moment, Guetta isn't thinking about film, but about his plans to paint 100,000 shoes green and then hang them in the trees of Columbia Square. He'll be bringing over a 15-foot-tall takeout bag, complete with receipt, which he constructed at his nearby studio as an homage to Claes Oldenburg. And he's recruited graffiti artists to fill the walls that he can't get to himself. There's a lot of space to fill, and he's got just over two weeks before the opening to pull this off.

Fortunately, he's got friends in high and low places. Daniel Salin, a get-it-done guy who produced Banksy's "Barely Legal" L.A. debut in 2006, is the show's producer, though Guetta is largely financing the project himself. (Guetta won't confirm rumors that he and his family own commercial real estate on Melrose.) In addition, *Swindle* co-founder and art agent Roger Gastman and his partner, Sonja Teri are consultants for the show. And when Guetta didn't want to pay the estimated \$80,000 contractors quoted to clear out the leftover office debris at the

A little help from his friends: D.C.'s Cool Disco Dan, left, and REVOK tag MBW's saund car. Below, appropriating icons.



CBS space, he placed an ad on Craigslist with some photos and the offer, "Everything Free." By morning, he had 15 moving trucks lined up outside and crews to take away the miscellaneous office furniture and scrap metal.

For all of Guetta's movie, there are questions about the validity of his art — which is most often compared to Banksy — and the way he's inserting himself into the scene. What seems to temper these complaints is the fact that he hasn't alienated the artists you'd think he'd be in competition with. Though he does confound them.

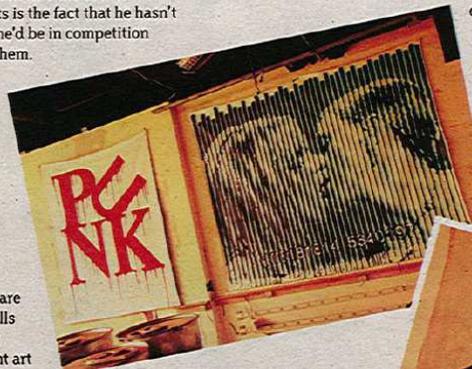
On Guetta's "Life Is Beautiful" Web site, Shepard Fairey is quoted as saying, "Mr. Brainwash is an enigma. I want to hug him one second and smack him the next. He is awesome, infuriating, almost impossible to define. But if an artist is defined by relentless, obsessive passion, then MBW is definitely an artist."

"If you're asking me to compare this show with Banksy's," Salin tells me, "all I can say is that the MBW show is a completely independent art show put on by the artist himself without any outside help from a gallery, museum or sponsorship of any kind [Banksy's shows are also independent]. And though MBW was more than likely influenced by Banksy's guerrilla-style hit-and-run shows that pop up in a random, sometimes-abandoned space — making you feel, 'Where did this come from and why doesn't it happen more often?' then next thing you know, it's gone — you can't really compare the two. It's like comparing apples and dirty socks. Oh, yeah, and there's no elephant to paint in the MBW show."

Two days after my first visit, I return to Columbia Square and am greeted by a miraculous sight: a 30-foot robot constructed from vintage televisions that Guetta has collected for more than a year. All of the sets are on — the ones that don't work are unceremoniously dropped from the scaffolding — and are displaying different test patterns. Awesome. Most

of the books have made their way into wall cubbies built to invite visitors to read or write on the pages with supplied markers. More of the infamous MBW stencils have made it onto the walls, and newly finished oil paintings are being carried away for framing. Guetta has replaced his old-school crutches with a set of fancy scooter wheels, which allow him more

mobility. His amped-up energy is indicative of the progress being made. The team has probably only slept a couple of hours in the past week, but there is no tension, only excitement. A buzz is building tonight as the legendary D.C. graf artist Cool Disco



Dan stops by on his way through town to throw a few tags while one of the police cars Guetta has purchased is delivered to the entrance lawn.

A couple of photographers show up and start shooting. The BBC calls. Seven-foot sea creatures built from film canisters peer out from around formerly blank corners, dripping with the cables cut from the walls. There are a Hoppersque diner counter and window from *Nighthawks*, waiting to be twisted into a Mr. Brainwash version of the famous painting.



"I was going to put skeletons in there dressed as the original characters, but that's too negative," Guetta explains. "I'm a positive guy! Life is beautiful. So my idea is changing again. Maybe I'll get actors to dress up as Warhol and stand in there, or maybe I'll break the window and make it an abandoned building — like modern times!"

There is already a tricked-out alley in the space behind the "diner" with a shopping cart and garbage. Cool Disco Dan throws up a tag and Guetta pauses for a portrait. We cut through the room to the original entrance of the studios on Sunset. It had been blocked off, used by CBS employees as a smoking area.

"I'm going to restore this and open the doors for the first time in years," Guetta states excitedly. "This was the first studio in Hollywood [originally Nestor Studios]. There's a plaque over there that says 1911. I'm going to have projections showing on all the surfaces and a jazz band playing as people come in."

It's easy to see that the ideas won't stop flowing just because the show opens officially. I'm beginning to believe that Guetta might just pull off his spectacle as the Seventh Letter's REVOK arrives to scout out his space in the stairwell to paint. And, as Shepard Fairey, paraphrasing Malcolm McLaren, says, if he doesn't, "a glorious failure is better than an underwhelming success."

"Life Is Beautiful," MBW solo show, Columbia Square, 6121 Sunset Blvd., Hlywd., [artshow2008.com](http://artshow2008.com). Opening reception, with Shepard Fairey as DJ, Wed., June 18, 7-11 p.m. Exhibit Thurs.-Sat., June 19-21, 1-9 p.m.; Sun., June 22, 1-5 p.m.

# EXHIBIT B



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OMB No. 0651-0009 (Exp. 12/31/2014)

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### Version 5.2

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<b>Entity Type</b> <input type="radio"/> <a href="#">Individual</a> <input type="radio"/> <a href="#">Corporation</a> <input type="radio"/> <a href="#">Limited Liability Company</a> <input type="radio"/> <a href="#">Partnership</a> <input type="radio"/> <a href="#">Limited Partnership</a> <input type="radio"/> <a href="#">Joint Venture</a> <input type="radio"/> <a href="#">Sole Proprietorship</a> <input type="radio"/> <a href="#">Trust</a> <input type="radio"/> <a href="#">Estate</a> <input type="radio"/> <a href="#">Other</a>	<p>← Click the appropriate circle on the left to indicate the applicant's entity type. The form will then display the field(s) for entering information corresponding to that specific entity type. If your entity type is not one of the options displayed directly to the left, you must click on "Other" and then select the appropriate entry from the relevant pull-down box.</p>
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<b>* <a href="#">Street Address</a></b>	<b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
<b>* <a href="#">City</a></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.
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<p><b><a href="#">Website address</a></b></p>	<input type="text"/>

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The color(s) \_\_\_\_\_ is/are claimed as a feature of the mark.

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#### Mark Information

Before the USPTO can register your mark, exactly what the mark is must be clear. You may present your [mark](#) as: (1) [standard characters](#), if not claiming a particular font, style, size, and/or color; or (2) [special form](#), if the mark includes a design or word(s) combined with a design, or is displayed in a particular font, style, size, and/or color; or (3) sound mark. In this section, do **not** upload your specimen of use (sample of actual use, e.g., a label or advertisement. This will be required in a different part of the form, if appropriate for your filing basis.) **WARNING:** You may submit only **one** mark per application, and any application that includes multiple marks may be denied a filing date or refused registration.

When you click on one of the three circles presented below, and follow the specific instructions, the form will automatically create a separate page that displays the mark for which you are applying or provides access to the applicant-supplied file if a sound mark. Please carefully review this page prior to final submission to the USPTO, to ensure that it accurately identifies your mark. You may not be able to [change or correct your mark](#) after filing this application. While minor changes in the mark are *sometimes* permitted, any [material alteration](#) will not be permitted and will result in the USPTO issuing a refusal on that ground.

**WARNING:** AFTER [SEARCHING](#) THE USPTO DATABASE, EVEN IF YOU THINK THE RESULTS ARE "O.K.," DO NOT ASSUME THAT YOUR MARK CAN BE REGISTERED. AFTER YOU FILE AN APPLICATION, THE USPTO WILL PERFORM ITS OWN SEARCH AND OTHER REVIEW, AND MIGHT [REFUSE TO REGISTER](#) YOUR MARK.

**NOTE:** For an instructional video on the importance of conducting a search of existing trademarks before filing your application, [click here](#).

\* Click the appropriate circle to indicate the Mark type:  [Standard Characters](#)  [Special Form \(Stylized and/or Design\)](#)  
 [Sound mark](#)

**NOTE:** For an instructional video on the importance of selecting the proper mark type, [click here](#).

Click on the "Browse/Choose File" button to select a [properly-sized JPG image file](#) (the only accepted format) from your local drive. This image should show the mark exactly as you would wish the mark to appear on your registration certificate, if the mark registers. If you are claiming color, you **must** submit a color image; otherwise, the image must be clear [black and white](#). After the file name appears in the window, click on the "Attach" button to upload the file into the application. A "thumbnail" version of the image will then display directly within the form.

**NOTE:** The image files for, respectively, the mark and the specimen (if filing under Section 1(a), use in commerce, and showing actual use in commerce of the mark at the time of this filing) should **NOT** be the same files (or, even if different files, should **not** display essentially the exact same thing). The mark image file should **ONLY** show the mark by itself, and **not** a representation of how the mark is used on the overall packaging for the goods or within an advertisement for services, for example. On the other hand, an image file that shows the complete package for the goods or a full advertisement for the services, with the mark clearly displayed

thereon or within, would be an appropriate attachment for a specimen in the later "basis" section of the form (which only appears where a Section 1(a) filing basis is being claimed).

Attach

**NOTE:** If you have attached the wrong image, simply repeat the BROWSE function to retrieve the proper image. The first attached image will be automatically replaced.

For any image that also includes a word(s), letter(s), and/or number(s), enter the [LITERAL ELEMENT](#) only of the mark here:

**NOTE:** Do **NOT** enter any word(s), letter(s), and/or number(s) that do not appear in the attached image file. Leave this space blank if your mark consists only of design elements. The image file **must** include **all** elements of the mark; *i.e.*, if your mark consists of a design and word(s), letter(s), and/or number(s), the image file must include all of these elements. Any entry in the [literal element](#) field that is not found in the attached image file will **not** be considered part of the mark.

\* If claiming color as a feature of the mark, list the colors below, including black and/or white if actual "colors" within the mark (*e.g.*, enter red, white, and blue). Begin the entry with a lower-case, **NOT** an upper-case, letter. (Entry required for color marks only.)

The color(s) \_\_\_\_\_ is/are claimed as a feature of the mark.

Check this box if you are **NOT** claiming color as a feature of the mark. **NOTE:** Check *only* if you believe your image is black and white, yet you received after clicking the "CONTINUE" button a **WARNING** about color within the mark (perhaps because the image consists of too much grayscale); otherwise, do not check this box, because the attached image was automatically accepted as black and white.

\* Enter a complete and accurate [description](#) of the entire mark below, being sure to include **ALL literal elements** and/or design elements that are found in the attached mark image, but **NOT** including any element not appearing in the image. If a color mark, you must specify the color(s) that are part of the mark, including black and white, and also state the location thereof in the mark image.

**The mark consists of: (do NOT repeat this language)**

**. (end period is automatic)**

**NOTE:** A description of the mark is required for **ALL** marks that are in a special form or a sound/motion mark (*i.e.*, for any mark not in standard characters). You must to enter a description even if what the mark represents is immediately clear, *e.g.*, "the letter C." Also, for any color mark, the description of the mark must include the nature and location of the color; *i.e.*, you must specifically state where each color is located within the mark, *e.g.*, "a bird with a red body, blue wings, and yellow beak."

**NOTE:** Do **NOT** include as part of the description either the words "The mark consists of" or a final period, because that introductory wording and the punctuation will automatically be added after validation; otherwise, the overall description will have improper repetitions. Also, begin the entry with a lower-case, **NOT** an upper-case, letter.

The "Additional Statement" section of this form is to enter various statement(s) that may pertain to the mark, for example, a disclaimer or translation. You are not required to enter any statement(s) at the time of filing; however, you may be required to add a statement(s) to the record during examination of the application. If you are unsure whether you should make such a statement, the examining attorney assigned to your application will issue a requirement, if appropriate.

Check here to display the full listing of additional statements from which you may make your selection.

[Additional Statement](#)

- To select a statement, enter any required information specific to your mark (or, for some statements, check the box in front of the statement). If you now realize that no statement is needed, you must click on the box that produced this section of the form to "uncheck" it, and the entire "Additional Statement" section below will be removed.

**WARNING:** Additional statements are not commonly used and are for special circumstances that only exist in certain applications. Selecting items that do not apply may delay the processing of your application. Note: As a general rule, include only words that are in the mark, or translations and transliterations of those words, within quotation marks in the text boxes below.

**DISCLAIMER:** No claim is made to the exclusive right to use  apart from the mark as shown.

- STIPPLING AS A FEATURE OF THE MARK:** The stippling is a feature of the mark and does not indicate color.
- STIPPLING FOR SHADING:** The stippling is for shading purposes only.

**PRIOR REGISTRATION(S):** The applicant claims ownership of U.S. Registration Number(s)   
, .

**NOTE:** Entry must not include any commas, and must be 7 numerals long (if necessary, add leading 0's to number, e.g., 0086417).

- and others: Check here to indicate there are additional prior U.S. Registration Number(s).

**TRANSLATION:**

The English translation of  in the mark is .

The wording  has no meaning in a foreign language.

**TRANSLITERATION:** (NOTE: Not required for any standard character marks.)

The non-Latin characters in the mark transliterate to  and this means  in English.

The non-Latin characters in the mark transliterate to  and this has no meaning in a foreign language.

**MEANING OR SIGNIFICANCE OF WORDING, LETTER(S), OR NUMERAL(S):**

appearing in the mark means or signifies or is a term of art for  in the relevant trade or industry or as applied to the goods/services listed in the application.

appearing in the mark has no significance nor is it a term of art in the relevant trade or industry or as applied to the goods/services listed in the application, or any geographical significance.

The word(s)  has no meaning in a foreign language.

- §2(f) Claim of Acquired Distinctiveness, based on Use:** The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

**§2(f) Claim of Acquired Distinctiveness, based on Prior Registration(s):** The mark has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). .

- §2(f) Claim of Acquired Distinctiveness, based on Evidence:** The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.

[Click here to Attach/Remove §2\(f\) Evidence](#)

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Use:**  has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Prior Registration(s):**  has become distinctive of the goods/services as evidenced by the ownership on the Principal Register for the same mark for related goods or services of U.S. Registration No(s). .

**§2(f) Claim of Acquired Distinctiveness, IN PART, based on Evidence:**  has become distinctive of the goods/services, as demonstrated by the attached evidence.

[Click here to Attach/Remove §2\(f\) Evidence](#)

**NAME(S), PORTRAIT(S), SIGNATURE(S) OF INDIVIDUAL(S):**

The name(s), portrait(s), and/or signature(s) shown in the mark identifies , whose consent(s) to register is made of record.

[Click here to Attach/Remove Consent\(s\)](#)

The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

**USE OF THE MARK IN ANOTHER FORM:** The mark was first used anywhere in a different form other than that sought to be registered at least as early as , and in commerce at least as early as .

NOTE: If the use in another form claim does not relate to all classes in a multi-class application, specify within the miscellaneous statement section, below, the exact class(es) the claim covers.

**CONCURRENT USE:** Enter the appropriate concurrent use information, e.g., specify the goods and the geographic area for which registration is sought. WARNING: Enter text in the box only if you (1) intend to initiate a concurrent use registration proceeding before the Trademark Trial and Appeal Board; or (2) have a final determination by a court establishing your concurrent right to use the same or similar mark in commerce in a limited geographic area.

**MISCELLANEOUS STATEMENT:** Enter information for which no other section of the form is appropriate.

[Click here to Attach/Remove Miscellaneous](#)

[Go Back](#)

[Continue](#)

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp. 12/31/2014)

## Trademark/Service Mark Application, Principal Register

Version 5.2

### Goods and/or Services Information

#### Instructions:

**Step 1:** Click on the appropriate button, *below*, to indicate whether you wish to create your listing of goods/services by (1) taking entries directly from the *Manual of Trademark Acceptable Identifications of Goods & Services* (IDManual); or (2) entering your own free-text entry. **NOTE:** Option 1 is recommended, to ensure automatic acceptance of the listing in examination; however, if the entry requires customization through the insertion of free-form text, even Option 1 obviously will not ensure that the listing is automatically accepted.

**Step 2:** Click on the "Add Goods/Services" button.

**Step 3:** After creating the complete list of goods and/or services for this application, you will then be able in the next section of the form to designate the filing basis (or bases) appropriate for each listed item.

#### NOTE:

1. Your identification of goods/services must be precise and accurate. If using the "Searching IDManual" option, do NOT simply select a listing that is "close" to your goods/services. If you do not find a listing that accurately identifies your goods/services, you may e-mail [TMIDSUGGEST@uspto.gov](mailto:TMIDSUGGEST@uspto.gov) to request that your identification be added to the IDManual, and then wait for the addition before filing. For more information on this process, click [here](#). If your request is not approved or you wish to file immediately, you must use the "Entering Free-form text" option.
2. Some entries include instructional language beneath the actual entry, within < > symbols. This language is only to assist in the proper selection of an entry, and will NOT be included as part of the actual identification after the checked entry is inserted into the form. **New**
3. If you cannot access the IDManual through the "Add Goods/Services" button, try switching to another browser. If after changing browsers you still cannot access the IDManual through the "Add Goods/Services" button, please contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

**WARNING:** This form has a session time limit of 60 minutes. Your "session" began as soon as you accessed the initial Form Wizard page. If you exceed the 60-minute time limit, the form will not validate and you must begin the entire process again; you can, however, [extend the time limit](#). You should always try to have all information required to complete the form prior to starting any session.

\* Choose ONE method for adding the Goods and/or Services:  Searching IDManual  Entering Free-form text

NOTE: For an instructional video on goods and services and the importance of making the proper selection, [click here](#).

Add Goods/Services

Remove Checked Goods/Services

NOTE: Clicking "Go Back" will take you directly back to the MARK section of the form.



**WARNING:** The ID manual has a session limit of 30 minutes. If you will be working within the IDManual for an extended period of time, it is critical that you keep your form session "alive." To do so, it is recommended that you select no more than 20 entries at a time, then click the "Insert Check Entries" button. On the next page that displays all of your selections, use the "Add Goods/Services by Searching IDManual" button to return to the Manual to continue the process; repeat this process until all of your items are displayed in the overall listing on the page for assigning a filing basis.

Search for:

Go

## Instructions:

### Step 1: Enter a word or phrase to search for Goods and/or Services.

- Search requests can be for a single item (*e.g.*, pants), or multiple items (*e.g.*, pants shirts shoes). While also possible to search for goods and/or services in different classes at the same time (*e.g.*, pants baseballs), separate searches are recommended. The form will compile an "overall goods/services list," regardless of the search approach.  
**NOTE:** Most manual entries are displayed in the plural. *e.g.*, the entry is "soups," rather than "soup." While entering the search term "soup" will retrieve "soups," it would first be preceded by other listings, *e.g.*, "soup tureens" and "soup mixes."
- To search for an entry where the single entry consists of multiple words, enclose the complete entry within quotation marks; *e.g.*, enter "computer programs" rather than computer programs.
- To browse the complete listing of items in one or more classes, enter the following search criteria: class:NNN or class:(NNN NNN etc.), where NNN is the 3-digit International class number; *e.g.*, to search for all items in International Class 3, enter class:003; for all items in International Classes 25 and 42, enter class:(025 042).
- For a listing of all International class headings, including a summary of the types of items within each class, click [here](#).
- For more information about using advanced query syntax (*e.g.*, using truncation), click [here](#).

**Step 2:** Once the desired search criteria has been entered, click the "Go" button, and then all manual entries containing the requested term(s) will be displayed.

**NOTE:** Because the interfaces for TEAS and the *Trademark Acceptable Identification of Goods & Services Manual* differ, results for identical searches performed in each may vary slightly, even though both access the same data source.

Go Back



Search for:

Go

Insert Checked Entries

Found 469 entries in 24 page(s) for [cloth]: (For instructions on how to build the complete goods/services list, click [here](#).)

<a href="#">International Class</a>	Description
<input type="checkbox"/> 001	Carbon <b>cloth</b> to be placed in jewelry boxes and silver boxes to prevent tarnishing
<input type="checkbox"/> 001	Chemically treated <b>cloth</b> which absorbs excess dye from laundry and drying process
<input type="checkbox"/> 001	Fabric protectant for { <b>indicate general nature of items, e.g., clothing, textiles, carpets</b> }
<input type="checkbox"/> 001	Polymer base compositions used in the manufacture of goods, namely, <b>clothing</b> , exercise apparel, compression garments, home furnishing
<input type="checkbox"/> 001	Sensitized <b>cloth</b> for photography
<input type="checkbox"/> 001	Stain repellents for { <b>indicate general nature of item, e.g., clothing, carpets, textiles</b> }
<input type="checkbox"/> 003	Abrasive <b>cloth</b>
<input type="checkbox"/> 003	Abrasive <b>cloth</b> and paper
<input type="checkbox"/> 003	Anti-static spray for <b>clothing</b> < Transferred from Class 1 based on entry in the Nice Alphabetical List for antistatic preparations for household purposes in Class 3 >
<input type="checkbox"/> 003	<b>Cloths</b> impregnated with a detergent for cleaning
<input type="checkbox"/> 003	<b>Cloths</b> or tissues impregnated with a skin cleanser
<input type="checkbox"/> 003	Emery <b>cloth</b>
<input type="checkbox"/> 003	Eyewear cleaning kits comprised of cleaning fluid and a cleaning <b>cloth</b>
<input type="checkbox"/> 003	Glass <b>cloth</b> < This is a type of abrasive in 3. It is not for textile purposes so the former class, 24, was not correct. >
<input type="checkbox"/> 003	Impregnated cleaning <b>cloths</b> < Transferred from Class 21 pursuant to the 9th edition of the Nice Agreement. These are pre-moistened with a cleaning agent. Cloths that are just moistened with water or some other inert substance are in Class 16. >
<input type="checkbox"/> 003	Impregnated cleaning, dusting or polishing <b>cloths</b> < Transferred from Class 21 pursuant to the 9th edition of the Nice Agreement. These are pre-moistened with a cleaning agent. Cloths that are just moistened with water or some other inert substance are in Class 16. >
<input type="checkbox"/> 003	Impregnated <b>cloths</b> for polishing < Transferred from Class 21 pursuant to the 9th edition of the Nice Agreement. These are pre-moistened with a cleaning agent. Cloths that are just moistened with water or some other inert substance are in Class 16. >
<input type="checkbox"/> 003	Wrinkle removing spray for <b>clothing</b>
<input type="checkbox"/> 005	Cedar wood for use as a <b>clothing</b> protector and/or deodorizer
<input type="checkbox"/> 005	Deodorants for <b>clothing</b> or textiles < Transferred from Class 3 in accordance with 9th edition of Nice Agreement. Note that deodorants for personal use (use on the body of human or animal) are in Class 3 >

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) ... [24](#) [Next](#) >

Go Back

Insert Checked Entries



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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp. 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### Version 5.2

#### Basis for Filing

**NOTE:** For an instructional video on what is meant by "basis for filing," [click here](#).

Applicant requests registration of the trademark/service mark identified previously with the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. §1051 *et seq.*) for the Class(es) and Goods and/or Services displayed below, and asserts herein the specific basis(es) that covers the listed Goods and/or Services.

#### Instructions for assigning filing basis(es):

For each of the items listed in the chart below, you can assign a specific filing basis, or if appropriate, multiple bases. If the list is incorrect, you can either add or delete items, using the appropriate buttons, *below*. For an explanation of the possible filing basis(es), as identified by the 4 buttons beneath the listing of goods/services, click [here](#).

For complete step-by-step instructions on how correctly to assign the filing basis(es), click on the heading that corresponds to the factual scenario for this specific filing, *below*. For examples of filings corresponding to each of the heading descriptions, click on the link "*Examples*."

- [One class or multiple classes, with ONE filing basis for ALL listed items](#) *Examples*  
NOTE: This is the most common correct choice for any filing. The following are other options, but are much less likely to be appropriate:
- [One class or multiple classes, with same multiple filing bases for ALL listed items in class\(es\)](#) *Examples*
- [One class or multiple classes, with different filing basis\(es\) for different goods/services within the same class, and/or for different overall classes](#) *Examples*

\* Choose ONE method for adding the Goods and/or Services:  Searching IDManual  Entering Free-form text

**NOTE:** For an instructional video on goods and services and the importance of making the proper selection, [click here](#).

Add Goods/Services

Remove Checked Goods/Services

For instructions on how to add item(s) to the list displayed below, click [here](#).

For instructions on how to remove any item(s), click [here](#).

<input checked="" type="checkbox"/> Select All	<a href="#">International Class</a>	Goods and/or Services	Assigned Filing Basis(es)
<input checked="" type="checkbox"/>	001		

**NOTE:** The 4 **BUTTONS** below identify the choices of filing basis to be assigned to the items listed in the table, *above*. For an explanation of each basis, click [here](#). Because assignment of the correct basis to each item is critical, please read the explanations if you have *any* questions as to which basis(es) to select, before clicking the button(s),

**below, to begin the assignment of the basis(es). Since assignment of a filing basis is not a requirement within this version of the form, you can by-pass this step by clicking on the Continue button, below, if necessary.**

**WARNING: Registration Subject to Cancellation for Fraudulent Statements**

**You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration.** The lack of a bona intention to use the mark with all goods and/or services included in an application, or the lack of use on all goods and/or services for which you claim use, could jeopardize the validity of the registration and result in its cancellation.

Section 1(a)

Section 1(b)

Section 44(d)

Section 44(e)

Actually using mark in commerce  
now

No use of mark yet, intending to use

Foreign application exists for same  
goods/services

Foreign registration exists for same  
goods/services

**NOTE:** To assign the selected filing basis, click on "Assign Filing Basis" button, *below*. If you selected the wrong basis, click on the "Remove this [basis]" button, *above*, and start over. To assign multiple bases, click on another basis button and complete the section (and repeat process again, if appropriate) before clicking on the "Assign Filing Basis" button.

Assign Filing Basis

Exit

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#### Basis for Filing

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Applicant requests registration of the trademark/service mark identified previously with the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. §1051 *et seq.*) for the Class(es) and Goods and/or Services displayed below, and asserts herein the specific basis(es) that covers the listed Goods and/or Services.

#### Instructions for assigning filing basis(es):

For each of the items listed in the chart below, you can assign a specific filing basis, or if appropriate, multiple bases. If the list is incorrect, you can either add or delete items, using the appropriate buttons, *below*. For an explanation of the possible filing basis(es), as identified by the 4 buttons beneath the listing of goods/services, click [here](#).

For complete step-by-step instructions on how correctly to assign the filing basis(es), click on the heading that corresponds to the factual scenario for this specific filing, *below*. For examples of filings corresponding to each of the heading descriptions, click on the link "*Examples*."

- [One class or multiple classes, with ONE filing basis for ALL listed items](#) *Examples*

**NOTE:** This is the most common correct choice for any filing. The following are other options, but are much less likely to be appropriate:

- [One class or multiple classes, with same multiple filing bases for ALL listed items in class\(es\)](#) *Examples*
- [One class or multiple classes, with different filing basis\(es\) for different goods/services within the same class, and/or for different overall classes](#) *Examples*

\* Choose ONE method for adding the Goods and/or Services:  Searching IDManual  Entering Free-form text

**NOTE:** For an instructional video on goods and services and the importance of making the proper selection, [click here](#).

Add Goods/Services

Remove Checked Goods/Services

For instructions on how to add item(s) to the list displayed below, click [here](#).

For instructions on how to remove any item(s), click [here](#).

<input checked="" type="checkbox"/> Select All	<a href="#">International Class</a>	Goods and/or Services	Assigned Filing Basis(es)
<input checked="" type="checkbox"/>	001		

**Section 1(a)**, Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. §1051(a), as amended. Applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

**NOTE: For an instructional video on what is an appropriate specimen for a good or service, [click here.](#)"**

**NOTE: For attachment, the JPG/PDF image file(s) or sound/motion file(s) showing the specimen(s) must be on your local drive. The specimen file must show the overall context of how the mark is used, e.g., on the packaging for the goods or in an advertisement for services, with the mark clearly displayed thereon or within. This file should NOT be either (1) the same file used in the mark section; or (2) a newly-created file that nonetheless shows only the mark by itself. (Reminder: Within the earlier mark section, if you attached an image file for a stylized/design mark or a sound/motion file, you must ensure that it only shows the mark by itself, and does not display anything that would not truly be considered part of the actual mark, e.g., a scan of a complete business card would not be an acceptable mark image, although it may be an acceptable specimen).**

Remove this 1 (a)

<a href="#">Attach Specimen</a>	<input type="button" value="Attach/Remove Specimen"/>				
<a href="#">Description of Specimen</a>	<input type="text"/>				
<a href="#">Date of First Use of Mark Anywhere</a>	By the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as <input type="text"/> (MM/DD/YYYY)				
<a href="#">Date of First Use of the Mark in Commerce</a>	By the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as <input type="text"/> (MM/DD/YYYY)				
<table style="width: 100%; text-align: center;"> <tr> <td><input type="button" value="Section 44(d)"/></td> <td><input type="button" value="Section 44(e)"/></td> </tr> <tr> <td>Foreign application exists for same goods/services</td> <td>Foreign registration exists for same goods/services</td> </tr> </table>		<input type="button" value="Section 44(d)"/>	<input type="button" value="Section 44(e)"/>	Foreign application exists for same goods/services	Foreign registration exists for same goods/services
<input type="button" value="Section 44(d)"/>	<input type="button" value="Section 44(e)"/>				
Foreign application exists for same goods/services	Foreign registration exists for same goods/services				

**NOTE:** To assign the selected filing basis, click on "Assign Filing Basis" button, *below*. If you selected the wrong basis, click on the "Remove this [basis]" button, *above*, and start over. To assign multiple bases, click on another basis button and complete the section (and repeat process again, if appropriate) before clicking on the "Assign Filing Basis" button.

Assign Filing Basis

Exit

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp. 12/31/2014)

## Trademark/Service Mark Application, Principal Register

### Version 5.2

- Check here if an attorney is filing this form on behalf of applicant(s). If an attorney is not filing, simply click on the box if currently checked to "uncheck" that box.
- Check here if the applicant wishes to appoint a Domestic Representative. A Domestic Representative is OPTIONAL if the applicant's address is outside the United States. Once checked, a separate section of the form will appear to enter the Domestic Representative information.

<b>Attorney Information</b>	
<b>* <a href="#">Correspondent Attorney Name</a></b>	<input type="text"/>
<b><a href="#">Individual Attorney Docket/Reference Number</a></b>	<input type="text"/>
<b><a href="#">Other Appointed Attorney(s)</a></b>	<input type="text"/>
<b><a href="#">Firm Name</a></b>	<input type="text"/>
<b><a href="#">Internal Address</a></b>	<input type="text"/>
<b>* <a href="#">Street Address</a></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
<b>* <a href="#">City</a></b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.
<b>* <a href="#">State</a> (Required for U.S. applicants)</b>	<input type="text" value="Select State"/> <b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
<b>* <a href="#">Country or U.S. Territory</a></b>	<input type="text" value="Select Country or U.S. Territory"/>
<b>* <a href="#">Zip/Postal Code</a> (Required for U.S. applicants only)</b>	<input type="text"/>
<b><a href="#">Phone Number</a></b>	<input type="text"/>

<a href="#">Fax Number</a>	<input type="text"/>
<a href="#">Internet E-mail Address</a>	<input type="text"/> <p>An e-mail address for communication with the appointed attorney may be provided. The attorney must keep this address current in the Office's records. Specific authorization for this communication may be made, <i>below</i>.</p> <p><input type="checkbox"/> Check here to <a href="#">authorize</a> the USPTO to communicate with the appointed attorney via e-mail. (Informal communication is permissible without authorization.)</p> <p><b>NOTE:</b> By checking this box, the appointed attorney acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The appointed attorney should periodically check the status of its application through the <a href="#">Trademark Status &amp; Document Retrieval (TSDR)</a> database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the applicant's security or anti-spam software, or any problems within the applicant's e-mail system. All sent actions can be viewed on-line, from <a href="#">Trademark Status &amp; Document Retrieval</a>.</p>

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## Trademark/Service Mark Application, Principal Register

### Version 5.2

#### Correspondence Information

**Note:** Where an attorney or domestic representative has been appointed, the USPTO will correspond ONLY with the listed appointment. Do NOT attempt to change the correspondence address to the owner's address.

<b>* Name</b>	<input type="text"/>
<b>Firm Name</b>	<input type="text"/>
<b>Internal Address</b>	<input type="text"/>
<b>* Street Address</b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.
<b>* City</b>	<input type="text"/> <b>NOTE:</b> You must limit your entry here to no more than 22 characters.
<b>* State (Required for U.S. applicants)</b>	<input type="text"/> <b>NOTE:</b> You must include as part of the "city" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.
<b>* Country or U.S. Territory</b>	<input type="text"/>
<b>* Zip/Postal Code (Required for U.S. applicants only)</b>	<input type="text"/>
<b>Phone Number</b>	<input type="text"/>
<b>Fax Number</b>	<input type="text"/>
	Primary Email Address <input type="text"/> Secondary Email Address(es) <input type="text"/>
	Enter up to 4 addresses, separated by either a semicolon or a comma.

[Internet  
E-mail Address](#)

Only one e-mail address may be used for correspondence, in accordance with [Office policy](#). The applicant must keep this address current in the Office's records.

Check here to [authorize](#) the USPTO to communicate with the appointed attorney via e-mail. (Informal communication is permissible without authorization.)

**NOTE:** By checking this box, the appointed attorney acknowledges that it is solely responsible for receipt of USPTO documents sent via e-mail. The appointed attorney should periodically check the status of its application through the [Trademark Status & Document Retrieval \(TSDR\)](#) database, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to the applicant's security or anti-spam software, or any problems within the applicant's e-mail system. All sent actions can be viewed on-line, from [Trademark Status & Document Retrieval](#).

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 PTO Form 1478 (Rev 09/2006)  
 OMB No. 0651-0009 (Exp. 12/31/2014)

## Trademark/Service Mark Application, Principal Register

Version 5.2

### Fee Information

**Note:** The total fee is computed based on the Number of Classes in which the goods and/or services associated with the mark are classified. If the free-text approach for the goods/services has been used, and different filing bases exist within the same class, neither the displayed Number of Classes nor Total Fee Due will be correct. You must manually adjust the Total Fee Paid amount, using the pull-down box to select the correct fee amount.

**Note:** Three payment options ([credit card](#), [automated deposit account](#), and [Electronic Funds Transfer](#)) will appear after clicking on the **Pay/Submit** button, which is available on the bottom of the *Validation Page* after completing and validating this form.

<b><u>Number of Classes</u></b>	<b>1</b> (Class: 001)
<b>Fee per class</b>	<b>\$325</b>
<b><u>Total Fee Due</u></b>	<b>\$325</b>
<b>* <u>Total Paid Fees</u></b>	<b>\$325</b>

### Signature Information

Click to choose ONE [signature method](#):

[Sign directly](#)  [E-mail Text Form to second party for signature](#)  [Handwritten pen-and-ink signature](#)  [Submit application unsigned](#)

### Electronic Signature

The application will not be "signed" in the sense of a traditional paper document. To verify the contents of the application, the signatory must enter any alpha/numeric character(s) or combination thereof **of his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does **not** determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/; /jd/; or /123-4567/. The application may still be validated to check for missing information or errors even if the **signature** and **date signed** fields are left blank; however, you must specifically click the button for "Submit application unsigned," above.

### DECLARATION

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

<b>* <u>Signature</u></b>	<input style="width: 95%;" type="text"/>	<b>* <u>Date Signed</u></b>	<input style="width: 95%;" type="text"/> (MM/DD/YYYY)
<b>* <u>Signatory's Name</u></b>	<input style="width: 95%;" type="text"/>		
<b>* <u>Signatory's Position</u></b>	<input style="width: 95%;" type="text"/>		
	<p><b>NOTE:</b> Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner;" if an attorney, enter "Attorney of record, [<b>specify at least one state</b>] bar member;" if an authorized signatory of a business entity enter, e.g., "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).</p>		
<b><u>Signatory's Phone Number</u></b>	<input style="width: 95%;" type="text"/>		

NOTE: If there are multiple signatories, click on the "Add Signatory" button below, and repeat signature process. Otherwise, Click on the [Validate](#) button, or if necessary, the Go Back button.

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Add Signatory

Validate

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp. 12/31/2014)



## Trademark/Service Mark Application, Principal Register

### Version 5.2 - Validation Page

On \_\_\_\_\_ You completed all mandatory fields and successfully validated the form. It has NOT been filed to the USPTO at this point. Please complete all steps below to submit the application.

■ **STEP 1:** Review the application data in various formats, by clicking on the phrases under Application Data. Use the print function within your browser to print these pages for your own records. If the Mark and Specimens appear huge, click [here](#).

**Note:** It is important that you review this information for accuracy and completeness now. Corrections after submission may not be permissible, thereby possibly affecting your legal rights.

**Note:** If you are using the e-signature approach or the handwritten pen-and-ink signature approach, you must click on the final link to access the specific "text form" for that purpose.

#### Application Data

■ [Input](#)

■ [Mark](#)

■ [Specimen](#)

■ [XML File](#)

■ [Text Form](#)

■ **STEP 2:** If there are no errors and you are ready to file this application electronically, confirm the e-mail address for acknowledgment. Once you submit the form electronically, we will send an electronic acknowledgment of receipt to the e-mail address entered below. If no e-mail address appears, you must enter one. If we should send the acknowledgment to a different e-mail address, or to an additional address(es), please enter the proper address or additional address(es). For **multiple addresses/receipts**, please separate e-mail addresses by either a **semicolon** or a **comma**.

*NOTE:* This e-mail address is only for the purpose of receiving the acknowledgment that the transmission reached the USPTO, and is not related to the e-mail that will be used for correspondence purposes (although it could be the same address. The official e-mail address that the USPTO will use for any future communication is whatever appears in the specific correspondence section of the form.)

\* E-mail for acknowledgment

To ensure we can deliver your e-mail confirmation successfully, please re-enter your e-mail address(es) here:

\* E-mail for acknowledgment

■ **STEP 3:** To download and save the form data, click on the [Download Portable Data](#) button at the bottom of this page. The information will be saved to your local drive. To begin the submission process with saved data, you must open a new form, and click on the "Browse/Choose File" button displayed on the initial form wizard page, at "[OPTIONAL] To access previously-saved data, use the "Browse/Choose File" button below to access the file from your local drive." REMINDER: Do NOT try to open the saved .obj/.xml form directly. You must return to

the very first page of the form, as if starting a brand new form, and then use the specific "Browse/Choose File" button on that page to import the saved file. Clicking on the "Continue" button at the bottom of that first page will then properly open the saved version of your form.

■ **STEP 4: Read and check the following:**

**Important Notice:**

Once you submit this application, we will not cancel the filing or refund your fee. The fee is a processing fee, which we do not refund even if we cannot issue a registration after our substantive review. This is true regardless of how soon after submission you might attempt to request cancellation of the filing. Therefore, please review **ALL** information carefully prior to transmission.

All information you submit to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, e-mail address, and street address. By filing this application, you acknowledge that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view this information in the USPTO's on-line databases and through internet search engines and other on-line databases. This information will remain public even if the application is later abandoned or any resulting registration is surrendered, cancelled, or expired. To maintain confidentiality of banking or credit card information, only enter payment information in the secure portion of the site after validating your form. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

If you have read and understand the above notice, please check the box before you click on the **Pay/Submit** button.

■ **STEP 5: If you are ready to file electronically:**

Click on the **Pay/Submit** button *below*, to access the site where you will select one of three possible payment methods. After successful entry of payment information, you can complete the submission to the USPTO. A valid transaction will result in a screen that says **SUCCESS!** Also, we will send an e-mail acknowledgment within 24 hours.

**WARNING:** Click on the Pay/Submit button **ONLY** if you are now entirely prepared to complete the Pay/Submit process. After clicking the button, you can **NOT** return to the form, since you will have left the TEAS site entirely. Once in the separate payment site, you **must** complete the Pay/Submit process within **30 minutes**. If you are not prepared to complete the process now, you should select the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

**WARNING:** Fee payments by credit card may **not** be made from 2 a.m. to 6 a.m. Sunday, Eastern Standard Time. If you are attempting to file during that specific period, you **must** use either (1) the deposit account or electronic funds transfer payment method; or (2) the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later for a credit card payment.

Go Back to Modify

Download Portable Data

Pay/Submit

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## Trademark/Service Mark Application, Principal Register

*NOTE: Data fields with the \* are mandatory. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

**The table below presents the data as entered.**

Input Field	Entered
SERIAL NUMBER	N/A
<b>MARK INFORMATION</b>	
*MARK	
SPECIAL FORM	
USPTO-GENERATED IMAGE	
COLOR MARK	
COLOR(S) CLAIMED (If applicable)	The color(s) is/are claimed as a feature of the mark.
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of
PIXEL COUNT ACCEPTABLE	
PIXEL COUNT	
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	
*STREET	
*CITY	
*STATE (Required for U.S. applicants)	
*COUNTRY	
*ZIP/POSTAL CODE (Required for U.S. applicants only)	
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	
*IDENTIFICATION	
FILING BASIS	
FIRST USE ANYWHERE DATE	At least as early as
FIRST USE IN COMMERCE DATE	At least as early as

<b>SPECIMEN FILE NAME(S)</b>	
<b>SPECIMEN DESCRIPTION</b>	
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>DISCLAIMER</b>	No claim is made to the exclusive right to use apart from the mark as shown.
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	
<b>STREET</b>	
<b>CITY</b>	
<b>STATE</b>	
<b>COUNTRY</b>	
<b>ZIP/POSTAL CODE</b>	
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	
<b>STREET</b>	
<b>CITY</b>	
<b>STATE</b>	
<b>COUNTRY</b>	
<b>ZIP/POSTAL CODE</b>	
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	
<b>SIGNATORY'S NAME</b>	
<b>SIGNATORY'S POSITION</b>	
<b>DATE SIGNED</b>	

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View/Save Data as PDF

## Trademark/Service Mark Application, Principal Register

### To the Commissioner for Trademarks:

**MARK:** (Stylized and/or Design, see [mark](#))

The color(s) \_\_\_\_\_ is/are claimed as a feature of the mark. The mark consists of aaaa.

The applicant, \_\_\_\_\_, having an address of \_\_\_\_\_

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item listed below, click directly on the class heading(s).**

[International Class 001:](#)

In International Class 001, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 01/01/2014, and first used in commerce at least as early as 01/01/2014, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) test.

[Specimen-1](#) [ \_\_\_\_\_ ]

No claim is made to the exclusive right to use \_\_\_\_\_ apart from the mark as shown.

The applicant's current Attorney Information:

The applicant's current Correspondence Information:

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or

licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

### **Declaration Signature**

Signature:      Date:

Signatory's Name:

Signatory's Position:

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## United States Patent and Trademark Office

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### **Attention USPTO Deposit Account Holders**

*On September 30th, 2014 the USPTO will close the accounting date at 10:00am to facilitate the year-end closing process. Deposit account replenishments submitted on 9/30/14 must be received by 10:00am to be credited to the account in September. Replenishments received after 10:00am on 9/30/14 will not be posted to the account until 10/1/14. Accounts with balances below the minimum required amount as of 10:00am on 9/30/14 will be assessed the \$25.00 service charge.*

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The U.S. Patent and Trademark Office supports Secure Sockets Layer (SSL) for the security of all transactions. If you would like to read more about the security of your transaction click [here](#).

### **Credit or Debit Card Payment**

The USPTO accepts the following credit or debit cards for payment:  
Visa®, MasterCard®, Discover® and American Express®.



Pay by Credit or Debit Card

### **Deposit Account Payment**

A USPTO Deposit Account is required to pay using this method.  
For information about USPTO Deposit Accounts, click [here](#).

Pay by Deposit Account

### **EFT Payment**

An active EFT User Account is required to pay using this method.  
For information about the EFT payment method, click [here](#).

Pay by EFT

Cancel Payment



# EXHIBIT C

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**To:** It's A Wonderful World, INC ([amusementart@gmail.com](mailto:amusementart@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86405252 - LIFE IS BEAUTIFUL - N/A  
**Sent:** 1/15/2015 5:11:26 PM  
**Sent As:** ECOM113@USPTO.GOV

**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**  
**OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

<b>U.S. APPLICATION SERIAL NO.</b> 86405252  <b>MARK:</b> LIFE IS BEAUTIFUL	<p><b>*86405252*</b></p>
<b>CORRESPONDENT ADDRESS:</b> IT'S A WONDERFUL WORLD, INC IT'S A WONDERFUL WORLD, INC 1110 SEWARD ST LOS ANGELES, CA 90038-1308	<b>CLICK HERE TO RESPOND TO THIS LETTER:</b> <a href="http://www.uspto.gov/trademarks/teas/response_forms.jsp">http://www.uspto.gov/trademarks/teas/response_forms.jsp</a>  <a href="#">VIEW YOUR APPLICATION FILE</a>
<b>APPLICANT:</b> It's A Wonderful World, INC	
<b>CORRESPONDENT'S REFERENCE/DOCKET NO :</b> N/A <b>CORRESPONDENT E-MAIL ADDRESS:</b> amusementart@gmail.com	

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 1/15/2015**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

## Summary of Issues

- Section 2(d) refusal—likelihood of confusion with a registered mark;
- Advisory regarding ownership of cited registration;
- Advisory regarding earlier-filed pending application.

## Section 2(d) Refusal – Likelihood of Confusion

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration No. 4230609. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registration.

The applicant has applied to register the mark LIFE IS BEAUTIFUL for use in connection with the following services:

Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions, in International Class 41.

The registered mark is LIFE IS BEAUTIFUL for the following goods:

Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars, in International Class 16.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d). A determination of likelihood of confusion under Section 2(d) is made on a case-by case basis and the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) aid in this determination. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing *On-Line Careline, Inc. v. Am. Online, Inc.*, 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the *du Pont* factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d at 1355, 98 USPQ2d at 1260; *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont de Nemours & Co.*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods and/or services, and similarity of the trade channels of the goods and/or services. *See In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§1207.01 *et seq.*

### *Similarity of the Marks*

In a likelihood of confusion determination, the marks in their entireties are compared for similarities in appearance, sound, connotation, and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b)-(b)(v).

In the present case, applicant's mark is LIFE IS BEAUTIFUL in standard characters, and the registered mark is LIFE IS BEAUTIFUL in standard characters. Thus, the marks are identical in terms of appearance and sound. In addition, the connotation and commercial impression of the marks do not differ when considered in connection with applicant's and registrant's respective goods and/or services.

Therefore, the marks are confusingly similar.

### *Similarity of the Goods/Services and Trade Channels*

With respect to applicant's and registrant's goods and/or services, the question of likelihood of confusion is determined based on the

description of the goods and/or services stated in the application and registration at issue, not on extrinsic evidence of actual use. See *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1323, 110 USPQ2d 1157, 1162 (Fed. Cir. 2014) (quoting *Octocom Sys. Inc. v. Hous. Computers Servs. Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990)).

The goods and/or services of the parties need not be identical or even competitive to find a likelihood of confusion. See *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). The respective goods and/or services need only be “related in some manner and/or if the circumstances surrounding their marketing [be] such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

In the present case, the services described in the application are as follows:

Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions, in International Class 41.

The goods in the registration are:

Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars, in International Class 16.

The attached evidence shows that the services in the registration and the goods in the registrations are related because the goods are the kinds of items that are featured in connection with art exhibitions. Consumers are likely to be confused by the use of similar marks on or in connection with goods and with services featuring or related to those goods. TMEP §1207.01(a)(ii); see *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (holding BIGG'S for retail grocery and general merchandise store services likely to be confused with BIGGS for furniture); *In re United Serv. Distribs., Inc.*, 229 USPQ 237 (TTAB 1986) (holding design for distributorship services in the field of health and beauty aids likely to be confused with design for skin cream); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (holding 21 CLUB for various items of men's, boys', girls' and women's clothing likely to be confused with THE "21" CLUB (stylized) for restaurant services and towels); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (holding CAREER IMAGE (stylized) for retail women's clothing store services and clothing likely to be confused with CREST CAREER IMAGES (stylized) for uniforms); *Steelcase Inc. v. Steelcare Inc.*, 219 USPQ 433 (TTAB 1983) (holding STEELCARE INC. for refinishing of furniture, office furniture, and machinery likely to be confused with STEELCASE for office furniture and accessories); *Mack Trucks, Inc. v. Huskie Freightways, Inc.*, 177 USPQ 32 (TTAB 1972) (holding similar marks for trucking services and on motor trucks and buses likely to cause confusion).

Specifically, attached is evidence from the USPTO's X-Search database consisting of a representative sample of third-party marks registered for use in connection with the similar goods and services as those of both applicant and registrant in this case. This evidence shows that art exhibitions, on the one hand, and works of arts, posters, prints, and stationery items, on the other, are the types of goods and services that may emanate from a single source under a single mark. See *In re Anderson*, 101 USPQ2d 1912, 1919 (TTAB 2012); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988); TMEP §1207.01(d)(iii).

In addition, the attached Internet evidence consists of websites from art museums or galleries that offer for sale artworks, prints, posters, photographs, including the Museum of Modern Art (MOMA), the Neue Galerie, and the deYoung Museum. This evidence establishes that the same entity commonly provides the relevant goods and services and markets them under the same mark through the same trade channels. Therefore, applicant's and registrant's goods and services are considered related for likelihood of confusion purposes. See, e.g., *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Evidence obtained from the Internet may be used to support a determination under Trademark Act Section 2(d) that goods and/or services are related. See, e.g., *In re G.B.I. Tile & Stone, Inc.*, 92 USPQ2d 1366, 1371 (TTAB 2009); *In re Paper Doll Promotions, Inc.*, 84 USPQ2d 1660, 1668 (TTAB 2007).

## *Conclusion*

The marks of the parties are similar, and the goods and services are related. In view of the foregoing, registration of the applied-for mark is refused under Trademark Section Act 2(d) because of a likelihood of confusion with the mark in the cited registration.

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration.

### **Advisory: Ownership of Cited Registration**

If the mark in the cited registration has been assigned to applicant, applicant may provide evidence of ownership of the mark by satisfying one of the following:

- (1) Record the assignment with the USPTO's Assignment Recordation Branch (ownership transfer documents such as assignments can be filed online at <http://etas.uspto.gov>) and promptly notify the trademark examining attorney that the assignment has been duly recorded.
- (2) Submit copies of documents evidencing the chain of title.
- (3) Submit the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: **"Applicant is the owner of U.S. Registration No. 4230609."**

TMEP §812.01; *see* 15 U.S.C. §1060; 37 C.F.R. §§2.193(e)(1), 3.25, 3.73(a)-(b); TMEP §502.02(a).

Recording a document with the Assignment Recordation Branch does not constitute a response to an Office action. TMEP §503.01(d).

### **Advisory: Potentially Conflicting Pending Application(s) Found**

The filing dates of pending U.S. Application Serial Nos. 86367025, 86366959, 86367058, and 86366989 precede applicant's filing date. See attached referenced applications. If one or more of the marks in the referenced applications register, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion with the registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced applications.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the marks in the referenced applications. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

### **Response Guidelines**

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant's only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to active status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §§2.6, 2.66(b)(1).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

Because of the legal technicalities and strict deadlines involved in the USPTO application process, applicant may wish to hire a private attorney specializing in trademark matters to represent applicant in this process and provide legal advice. Although the undersigned trademark examining attorney is permitted to help an applicant understand the contents of an Office action as well as the application process in general, no USPTO attorney or staff is permitted to give an applicant legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06.

For attorney referral information, applicant may consult the American Bar Association's Consumers' Guide to Legal Help at <http://www.abanet.org/legalservices/findlegalhelp/home.cfm>, an attorney referral service of a state or local bar association, or a local telephone directory. The USPTO may not assist an applicant in the selection of a private attorney. 37 C.F.R. §2.11.

/April A. Hesik/  
Trademark Examining Attorney  
Law Office 113  
(571) 272-4735  
april.hesik@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

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**To:** It's A Wonderful World, INC ([amusementart@gmail.com](mailto:amusementart@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86405252 - LIFE IS BEAUTIFUL - N/A  
**Sent:** 1/15/2015 5:11:26 PM  
**Sent As:** ECOM113@USPTO.GOV

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**OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

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<b>CORRESPONDENT ADDRESS:</b> IT'S A WONDERFUL WORLD, INC IT'S A WONDERFUL WORLD, INC 1110 SEWARD ST LOS ANGELES, CA 90038-1308	<b>CLICK HERE TO RESPOND TO THIS LETTER:</b> <a href="http://www.uspto.gov/trademarks/teas/response_forms.jsp">http://www.uspto.gov/trademarks/teas/response_forms.jsp</a>  <a href="#">VIEW YOUR APPLICATION FILE</a>
<b>APPLICANT:</b> It's A Wonderful World, INC	
<b>CORRESPONDENT'S REFERENCE/DOCKET NO :</b> N/A <b>CORRESPONDENT E-MAIL ADDRESS:</b> amusementart@gmail.com	

**OFFICE ACTION**

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Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars, in International Class 16.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely a potential consumer would be confused, mistaken, or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. § 1052(d). A determination of likelihood of confusion under Section 2(d) is made on a case-by case basis and the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) aid in this determination. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d 1344, 1349, 98 USPQ2d 1253, 1256 (Fed. Cir. 2011) (citing *On-Line Careline, Inc. v. Am. Online, Inc.*, 229 F.3d 1080, 1085, 56 USPQ2d 1471, 1474 (Fed. Cir. 2000)). Not all the *du Pont* factors, however, are necessarily relevant or of equal weight, and any one of the factors may control in a given case, depending upon the evidence of record. *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 637 F.3d at 1355, 98 USPQ2d at 1260; *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont de Nemours & Co.*, 476 F.2d at 1361-62, 177 USPQ at 567.

In this case, the following factors are the most relevant: similarity of the marks, similarity and nature of the goods and/or services, and similarity of the trade channels of the goods and/or services. *See In re Viterra Inc.*, 671 F.3d 1358, 1361-62, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012); *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595-96 (TTAB 1999); TMEP §§ 1207.01 *et seq.*

### *Similarity of the Marks*

In a likelihood of confusion determination, the marks in their entireties are compared for similarities in appearance, sound, connotation, and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP § 1207.01(b)-(b)(v).

In the present case, applicant's mark is LIFE IS BEAUTIFUL in standard characters, and the registered mark is LIFE IS BEAUTIFUL in standard characters. Thus, the marks are identical in terms of appearance and sound. In addition, the connotation and commercial impression of the marks do not differ when considered in connection with applicant's and registrant's respective goods and/or services.

Therefore, the marks are confusingly similar.

### *Similarity of the Goods/Services and Trade Channels*

With respect to applicant's and registrant's goods and/or services, the question of likelihood of confusion is determined based on the

description of the goods and/or services stated in the application and registration at issue, not on extrinsic evidence of actual use. See *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1323, 110 USPQ2d 1157, 1162 (Fed. Cir. 2014) (quoting *Octocom Sys. Inc. v. Hous. Computers Servs. Inc.*, 918 F.2d 937, 942, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990)).

The goods and/or services of the parties need not be identical or even competitive to find a likelihood of confusion. See *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). The respective goods and/or services need only be “related in some manner and/or if the circumstances surrounding their marketing [be] such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source.” *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

In the present case, the services described in the application are as follows:

Arranging, organizing, conducting, and hosting social entertainment events; Art exhibition services; Art exhibitions; Audio production services, namely, creating and producing ambient soundscapes, and sound stories for museums, galleries, attractions, podcasts, broadcasts, websites and games; Audio recording and production; Augmented reality video production; Book publishing; Organizing community festivals featuring primarily Art exhibitions and also providing film, fashion shows and exhibitions, in International Class 41.

The goods in the registration are:

Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars, in International Class 16.

The attached evidence shows that the services in the registration and the goods in the registrations are related because the goods are the kinds of items that are featured in connection with art exhibitions. Consumers are likely to be confused by the use of similar marks on or in connection with goods and with services featuring or related to those goods. TMEP §1207.01(a)(ii); see *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (holding BIGG'S for retail grocery and general merchandise store services likely to be confused with BIGGS for furniture); *In re United Serv. Distribs., Inc.*, 229 USPQ 237 (TTAB 1986) (holding design for distributorship services in the field of health and beauty aids likely to be confused with design for skin cream); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (holding 21 CLUB for various items of men's, boys', girls' and women's clothing likely to be confused with THE "21" CLUB (stylized) for restaurant services and towels); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (holding CAREER IMAGE (stylized) for retail women's clothing store services and clothing likely to be confused with CREST CAREER IMAGES (stylized) for uniforms); *Steelcase Inc. v. Steelcare Inc.*, 219 USPQ 433 (TTAB 1983) (holding STEELCARE INC. for refinishing of furniture, office furniture, and machinery likely to be confused with STEELCASE for office furniture and accessories); *Mack Trucks, Inc. v. Huskie Freightways, Inc.*, 177 USPQ 32 (TTAB 1972) (holding similar marks for trucking services and on motor trucks and buses likely to cause confusion).

Specifically, attached is evidence from the USPTO's X-Search database consisting of a representative sample of third-party marks registered for use in connection with the similar goods and services as those of both applicant and registrant in this case. This evidence shows that art exhibitions, on the one hand, and works of arts, posters, prints, and stationery items, on the other, are the types of goods and services that may emanate from a single source under a single mark. See *In re Anderson*, 101 USPQ2d 1912, 1919 (TTAB 2012); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988); TMEP §1207.01(d)(iii).

In addition, the attached Internet evidence consists of websites from art museums or galleries that offer for sale artworks, prints, posters, photographs, including the Museum of Modern Art (MOMA), the Neue Galerie, and the deYoung Museum. This evidence establishes that the same entity commonly provides the relevant goods and services and markets them under the same mark through the same trade channels. Therefore, applicant's and registrant's goods and services are considered related for likelihood of confusion purposes. See, e.g., *In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Evidence obtained from the Internet may be used to support a determination under Trademark Act Section 2(d) that goods and/or services are related. See, e.g., *In re G.B.I. Tile & Stone, Inc.*, 92 USPQ2d 1366, 1371 (TTAB 2009); *In re Paper Doll Promotions, Inc.*, 84 USPQ2d 1660, 1668 (TTAB 2007).

## *Conclusion*

The marks of the parties are similar, and the goods and services are related. In view of the foregoing, registration of the applied-for mark is refused under Trademark Section Act 2(d) because of a likelihood of confusion with the mark in the cited registration.

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration.

### **Advisory: Ownership of Cited Registration**

If the mark in the cited registration has been assigned to applicant, applicant may provide evidence of ownership of the mark by satisfying one of the following:

- (1) Record the assignment with the USPTO's Assignment Recordation Branch (ownership transfer documents such as assignments can be filed online at <http://etas.uspto.gov>) and promptly notify the trademark examining attorney that the assignment has been duly recorded.
- (2) Submit copies of documents evidencing the chain of title.
- (3) Submit the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20: **"Applicant is the owner of U.S. Registration No. 4230609."**

TMEP §812.01; *see* 15 U.S.C. §1060; 37 C.F.R. §§2.193(e)(1), 3.25, 3.73(a)-(b); TMEP §502.02(a).

Recording a document with the Assignment Recordation Branch does not constitute a response to an Office action. TMEP §503.01(d).

### **Advisory: Potentially Conflicting Pending Application(s) Found**

The filing dates of pending U.S. Application Serial Nos. 86367025, 86366959, 86367058, and 86366989 precede applicant's filing date. See attached referenced applications. If one or more of the marks in the referenced applications register, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion with the registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced applications.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the marks in the referenced applications. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

### **Response Guidelines**

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant's only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to active status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §§2.6, 2.66(b)(1).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

Because of the legal technicalities and strict deadlines involved in the USPTO application process, applicant may wish to hire a private attorney specializing in trademark matters to represent applicant in this process and provide legal advice. Although the undersigned trademark examining attorney is permitted to help an applicant understand the contents of an Office action as well as the application process in general, no USPTO attorney or staff is permitted to give an applicant legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06.

For attorney referral information, applicant may consult the American Bar Association's Consumers' Guide to Legal Help at <http://www.abanet.org/legalservices/findlegalhelp/home.cfm>, an attorney referral service of a state or local bar association, or a local telephone directory. The USPTO may not assist an applicant in the selection of a private attorney. 37 C.F.R. §2.11.

/April A. Hesik/  
Trademark Examining Attorney  
Law Office 113  
(571) 272-4735  
[april.hesik@uspto.gov](mailto:april.hesik@uspto.gov)

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**DESIGN MARK**

**Serial Number**

85232574

**Status**

REGISTERED

**Word Mark**

LIFE IS BEAUTIFUL

**Standard Character Mark**

Yes

**Registration Number**

4230609

**Date Registered**

2012/10/23

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Amusement Art LLC. LIMITED LIABILITY COMPANY CALIFORNIA 1110 Seward St  
Los Angeles CALIFORNIA 90038

**Goods/Services**

Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050.

G & S: Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors,

**Print: Jan 12, 2015**

**85232574**

paper clips, pencil sharpeners, writing grips, glue and book marks;  
Series of fiction works, namely, novels and books; Stationery;  
Stickers; Stickers and decalcomanias; Stickers and transfers; Talking  
children's books; Tear-off calendars; Wall calendars. First Use:  
2011/04/06. First Use In Commerce: 2011/04/06.

**Filing Date**

2011/02/02

**Examining Attorney**

CASTRO, GIANCARLO

Life is beautiful

Print: Jan 12, 2015

86366959

**DESIGN MARK**

**Serial Number**

86366959

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

LIFE IS BEAUTIFUL

**Standard Character Mark**

Yes

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Life is Beautiful, LLC LIMITED LIABILITY COMPANY NEVADA 1208 Park Circle Las Vegas NEVADA 98102

**Goods/Services**

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Organizing community festivals featuring primarily music performances and exhibitions and also providing art exhibitions, film, fashion shows and exhibitions, food and wine tastings, wine festivals, and live entertainment shows in the nature of speaking performances. First Use: 2012/05/19. First Use In Commerce: 2012/11/13.

**Filing Date**

2014/08/14

**Examining Attorney**

POLZER, NATALIE

**Attorney of Record**

Brian C Konkell

Life is Beautiful

**DESIGN MARK**

**Serial Number**

86366989

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

LIFE IS BEAUTIFUL FESTIVAL

**Standard Character Mark**

Yes

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Life is Beautiful, LLC LIMITED LIABILITY COMPANY NEVADA 1208 Park  
Circle Las Vegas NEVADA 98102

**Goods/Services**

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Organizing  
community festivals featuring primarily music performances and  
exhibitions and also providing art exhibitions, film, fashion shows  
and exhibitions, food and wine tastings, wine festivals, and live  
entertainment shows in the nature of speaking performances. First  
Use: 2012/05/19. First Use In Commerce: 2012/11/13.

**Filing Date**

2014/08/14

**Examining Attorney**

POLZER, NATALIE

**Attorney of Record**

Brian C Konkel

Life is Beautiful Festival

Print: Jan 12, 2015

86367025

**DESIGN MARK**

**Serial Number**

86367025

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

LIFE IS BEAUTIFUL

**Standard Character Mark**

No

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

Life is Beautiful, LLC LIMITED LIABILITY COMPANY NEVADA 1208 Park Circle Las Vegas NEVADA 98102

**Goods/Services**

Class Status -- PARTIALLY PAID. IC 041. US 100 101 107. G & S: Organizing community festivals featuring primarily music performances and exhibitions and also providing art exhibitions, film, fashion shows and exhibitions, food and wine tastings, wine festivals, and live entertainment shows in the nature of speaking performances. First Use: 2012/10/17. First Use In Commerce: 2012/11/13.

**Description of Mark**

The mark consists of splattered paint heart design with the words "Life is Beautiful" in capital letters to the right of the heart design.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

2014/08/14

**Examining Attorney**

POLZER, NATALIE

**Attorney of Record**

Brian C Konkel



**LIFE IS BEAUTIFUL**

**Print: Jan 12, 2015**

**86367058**

**DESIGN MARK**

**Serial Number**

86367058

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

LIFE IS BEAUTIFUL FESTIVAL

**Standard Character Mark**

No

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

Life is Beautiful, LLC LIMITED LIABILITY COMPANY NEVADA 1208 Park Circle Las Vegas NEVADA 98102

**Goods/Services**

Class Status -- PARTIALLY PAID. IC 041. US 100 101 107. G & S: Organizing community festivals featuring primarily music performances and exhibitions and also providing art exhibitions, film, fashion shows and exhibitions, food and wine tastings, wine festivals, and live entertainment shows in the nature of speaking performances. First Use: 2012/10/17. First Use In Commerce: 2012/11/13.

**Description of Mark**

The mark consists of splattered paint heart design with the words "Life is Beautiful Festival" to the right of the heart design.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

2014/08/14

**Examining Attorney**

POLZER, NATALIE

**Attorney of Record**

Brian C Konkel



# LIFE IS BEAUTIFUL

FESTIVAL

# EXHIBIT D

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM329477

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
It's A Wonderful World, Inc.		10/23/2014	CORPORATION: CALIFORNIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Amusement Art, LLC		
<b>Street Address:</b>	1110 Seward Street		
<b>City:</b>	Los Angeles		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	90038		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	86405252	LIFE IS BEAUTIFUL	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Email:</b>	sharon@novianlaw.com		
<b>Correspondent Name:</b>	Novian & Novian LLP		
<b>Address Line 1:</b>	1801 Century Park East, Suite 1201		
<b>Address Line 4:</b>	Los Angeles, CALIFORNIA 90067		
<b>NAME OF SUBMITTER:</b>	Sharon Raminfard		
<b>SIGNATURE:</b>	/Sharon Raminfard/		
<b>DATE SIGNED:</b>	01/20/2015		
<b>Total Attachments: 2</b>			
source=2014.10.23 TM Assignment LIB Class 41 signed#page1.tif			
source=2014.10.23 TM Assignment LIB Class 41 signed#page2.tif			

OP \$40.00 86405252

## ASSIGNMENT OF TRADEMARK

Effective Date: October 23, 2014

**WHEREAS** Its a Wonderful World, Inc., a California corporation, ("Assignor") owns or holds all of the rights to use the "Life Is Beautiful" trademark in International Class 41, identified by the United States Patent and Trademark Office ("USPTO") as Serial No. 86405252 ("the Mark").

**WHEREAS**, Amusement Art, LLC, a California limited liability company, ("Assignee") desires to acquire all of Assignor's right, title, and interest in and to the Mark and all goodwill associated therewith, all common law and statutory rights, and all applications and registrations thereof; and, Assignor desires to assign all of its rights, title, and interest in the foregoing to the Assignee.

**NOW, THEREFORE**, for good and valuable consideration from Assignee to Assignor, the receipt and sufficiency of which is hereby acknowledged,

**Assignment of Rights.** Assignor hereby sells and irrevocably transfers unto said Assignee all right, title, and interest in and to the Mark, and any colorable imitation thereof, whether in existence now or in existence in the future, as to all media now known or hereinafter devised, together with any and all rights to sue and recover for, and the right to profits or damages due or accrued arising out of or in connection with the Mark.

**Entire Understanding.** This Agreement constitutes a single integrated contract expressing the entire agreement of the parties hereto with respect to the subject matter hereof and supersedes all prior understandings, negotiations, or agreements, written or oral, express or implied. The Recitals are incorporated by reference into this Agreement.

**Further Acts.** It is further agreed that upon that the parties shall duly execute, acknowledge, and deliver all such further acts, deeds, assignments, transfers, conveyances, powers of attorney as may be reasonably required to effect the terms of this Agreement.

**Acknowledgment.** Each party to this Agreement acknowledges that it has had the opportunity to seek independent legal counsel.

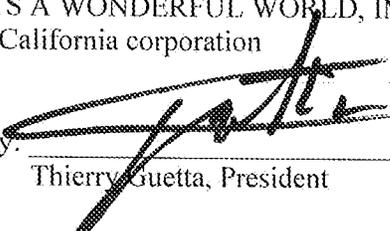
**Governing Law.** This Agreement is executed and delivered within the State of California and shall in all respects be interpreted, enforced, and governed by and under the laws of the State of California without regard to conflict of law principles.

**Severability.** If any term, provision, covenant, or condition of this Agreement is held in a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions remains in effect.

**Counterparts.** This Assignment may be executed in any number of counterpart copies and each such counterpart copy shall be deemed to be an original, but all of which, when taken together, shall constitute one agreement. Email and facsimile signatures shall have the same force and effect as originals.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment as of the date first above written.

**ASSIGNOR**  
ITS A WONDERFUL WORLD, INC.  
a California corporation

By:   
Thierry Guetta, President

**ASSIGNEE**  
AMUSEMENT ART, LLC  
a California limited liability company

By:   
Thierry Guetta, Manager

ASSIGNMENT OF TRADEMARK

2

# EXHIBIT E

MUNGER, TOLLES & OLSON LLP

RONALD L. OLSON\*  
ROBERT E. DENHAM  
JEFFREY I. WEINBERGER  
CARY B. LERMAN  
GREGORY P. STONE  
BRAD D. BRIAN  
BRADLEY S. PHILLIPS  
GEORGE M. GARVEY  
WILLIAM D. TEMKO  
STEPHEN M. KRISTOVICH  
JOHN W. SPIEGEL  
TERRY E. SANCHEZ  
STEVEN M. PERRY  
MARK B. HELM  
JOSEPH D. LEE  
MICHAEL R. DOYEN  
MICHAEL E. SOLOFF  
GREGORY D. PHILLIPS  
KATHLEEN M. M'DOWELL  
GLENN D. POMERANTZ  
THOMAS B. WALPER  
PATRICK J. CAFFERTY, JR.  
JAY M. FUJITANI  
O'MALLEY M. MILLER  
SANDRA A. SEVILLE-JONES  
MARK H. EPSTEIN  
HENRY WEISSMANN  
KEVIN S. ALLRED  
JEFFREY A. HEINTZ  
JUDITH T. KITANO  
KRISTIN LINSLEY MYLES  
MARC T.G. DWORSKY  
JEROME C. ROTH  
STEPHEN D. ROSE  
GARTH T. VINCENT  
TED DANE  
STUART N. SENATOR  
MARTIN D. BERN  
DANIEL P. COLLINS  
ROBERT L. DELL ANGELO  
BRUCE A. ABBOTT  
JONATHAN E. ALTMAN  
MARY ANN TODD  
MICHAEL J. O'SULLIVAN  
KELLY M. KLAUS  
DAVID B. GOLDMAN  
KEVIN S. MASUDA  
PETER A. DETRE  
DAVID H. FRY  
LISA J. DEMSKY  
MALCOLM A. HEINICKE  
GREGORY J. WEINGART

SUSAN E. NASH  
TAMARA J. GOUDLEY  
JAMES C. RUTTEN  
RICHARD ST. JOHN  
ROHIT K. SINGLA  
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CAROLYN HOECKER LUEDTKE  
C. DAVID LEE  
FRED A. ROWLEY, JR.  
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BLANCA FROMM YOUNG  
RANDALL G. SOMMER  
ROSEMARIE T. RING  
TODD J. ROSEN  
MELINDA EADES LEMOINE  
SETH GOLDMAN  
GRANT A. DAVIS-DENNY  
JONATHAN H. BLAVIN  
DANIEL B. LEVIN  
MIRIAM KIM  
MISTY M. SANFORD  
KATHERINE KU  
HAILYN J. CHEN  
BETHANY W. KRISTOVICH  
JACOB S. KREILKAMP  
JEFFREY Y. WU  
LAURA D. SMOLOWE  
ANJAN CHOUDHURY  
KYLE W. MACH  
HEATHER E. TAKAHASHI  
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E. MARTIN ESTRADA  
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ADAM I. KAPLAN  
AMELIA L.B. SARGENT  
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FACSIMILE (415) 512-4077

JASMINE M. ROBERTS  
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GREGORY M. SERGI  
ACHYUT J. PHADKE  
MARI OVERBECK  
JESSE MAX CREED  
JOHN M. GILLERLEIVE  
ERIC K. CHIU  
SARAH L. GRAHAM  
JESSICA BARCLAY-STROBEL  
ZACHARY M. BRIERS  
JENNIFER M. BRODER  
SAMUEL T. GREENBERG  
CAROLINE M. CUNNINGHAM  
EMILY B. VIGLIETTA  
KEVIN L. BRADY  
EMILY R. D. MURPHY  
ELLEN MEDLIN RICHMOND  
JORDAN D. SEGALL  
WESLEY T.L. BURRELL  
CHRISTA L. CULVER  
KAREN A. LORANG  
KURUVILLA J. OLASA  
KEVIN H. SCOTT  
JUSTIN P. RAPHAEL  
HANNAH E. SHEARER  
CRAIG A. LAVOIE  
ROBERT W. GRAY, JR.  
THOMAS P. CLANCY  
JOSHUA PATASHNIK  
ERIC C. TUNG  
GUHA KRISHNAMURTHI  
JOSHUA S. MELTZER  
SARA E. CROLL  
ANDREW G. PROUT  
THANE REHN  
ADAM B. WEISS  
ROSE LEDA EHLER  
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JUSTIN T. HELLMAN  
ANDREW CATH RUBENSTEIN  
RIO PIERCE  
JEFFREY A. PAYNE

VARUN BEHL  
HANNAH L. DUERTY  
ADAM GOTTESFELD  
NICHOLAS D. FRAM  
JOSHUA L. BENESH  
JOHN F. MULLER  
BRIONNA N. NED  
LAURA C. ZARAGOZA  
JOHN L. SCHWAB  
SARA N. TAYLOR  
ALEXANDER D. TEREPKA  
MAXIMILLIAN L. FELDMAN  
SAMUEL T. BOYD  
PETER E. BOOS  
SETH J. FORTIN  
DAVID T. RYAN  
ANKUR MANDHANIA  
J'HE K. FORREST  
ASHLEY D. KAPLAN  
JESSICA REICH BARIL  
JULIANA M. YEE  
JEREMY K. BEECHER  
MATTHEW K. DONOHUE  
ALLYSON R. BENNETT  
ARIEL GREEN  
ELIZABETH A. LAUGHTON  
EMILY CURRAN-HUBERTY  
TIMOTHY J. MOON  
JORDAN X. NAVARRETTE  
JOHN B. MAJOR  
BRYN A. WILLIAMS  
DAVID J. FEDER  
LAUREN C. BARNETT  
NICHOLAS R. SIDNEY  
C. HUNTER HAYES  
KIMBERLY D. OMENS  
EMILY BUSSIGEL  
BRADLEY E. MARKANO

OF COUNSEL

ROBERT K. JOHNSON\*  
ALAN V. FRIEDMAN\*  
MARK H. KIM  
ALLISON B. STEIN  
BRAD SCHNEIDER  
ERIC P. TUTTLE  
PETER E. GRATZINGER

E. LEROY TOLLES  
(1922-2008)

May 12, 2016

\*A PROFESSIONAL CORPORATION

Writer's Direct Contact  
(213) 683-9265  
Samuel.Boyd@mto.com

VIA E-MAIL

Rebecca Calkins, Esq.  
Eisner Jaffe LLP  
9601 Wilshire Blvd, Suite 700  
Beverly Hills, CA 90210

Re: *Amusement Art, LLC v. Life Is Beautiful, LLC et al.*, 2-14-cv-08290-DDP-JPR  
(C.D. Cal.)

Dear Rebecca:

I write to inform you that Defendants intend to file a motion for summary judgment on May 23 and request a meet and confer concerning that motion. Defendants intend to move for summary judgment on the following issues on which there is no dispute of material fact: (1) Plaintiff's trademark claims on the grounds that Amusement Art does not own trademarks over the phrase "Life is Beautiful" and heart images because it has not used them as trademarks and/or has not, but is required to, established secondary meaning over them; (2) Plaintiff's trademark claims on the grounds that there is no likelihood of confusion; (3) Plaintiff's copyright claims on the grounds that the parties' heart images are not substantially similar; (4) All claims against defendant Downtown Las Vegas Management LLC on the grounds that its only role in the festival is as manager of Life is Beautiful LLC; (5) Defendants' counterclaim for cancellation of Amusement Art's registrations on the grounds that they were obtained by fraud; and (5) Defendants' affirmative defense of unclean hands.

Rebecca Calkins  
Eisner Jaffe LLP  
May 12, 2016  
Page 2

I hereby request pursuant to Local Rule 7-3 that we meet and confer on this matter telephonically. I propose tomorrow, Friday May 13 at 10:00 AM. If that time is not convenient for you please inform me of another that is no later than Monday May 16<sup>th</sup>.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Samuel T. Boyd', with a stylized flourish at the end.

Samuel T. Boyd

cc: Tamerlin Godley

# EXHIBIT F



Message

## Amusement Art LLC

Beau Boudreaux

Sent: Thursday, May 26, 2016 at 11:09 AM

To: Boyd, Samuel

Cc: Rebecca Calkins; James Turken; Godley, Tamerlin

Hi Sam,

I am writing to inform you that on or before Friday, May 27, Amusement Art LLC will file the necessary documents with the USPTO in order to surrender the trademark registrations listed below, which are the subject of defendants' counter-claims.

Class 002 (Paints) Registration Number: 4222551

Class 014 (Jewelry, Clocks, Watches) Registration Number: 4230601

Class 018 (Leather and Travel Goods) Registration Number: 4230603

Class 021 (Household and Kitchen Goods) Registration Number: 4230604

Class 024 (Textiles) Registration Number: 4230605

Class 016 (Paper Goods) Registration Number: 4230609

Class 009 (Electronic and Mechanical Goods) Registration Number: 4400693

Class 017 (Tape) Registration Number: 4568728

Please let us know if you would like to discuss.

All rights reserved.

Thanks,  
Beau



Beau Boudreaux

EISNER JAFFE  
A Professional Corporation

9601 Wilshire Blvd. | Suite 700 | Beverly Hills, CA 90210

T 310.855.3200 | F 310.855.3201

[bboudreaux@eisnerlaw.com](mailto:bboudreaux@eisnerlaw.com) | [www.eisnerlaw.com](http://www.eisnerlaw.com)

This e-mail, and any attachments hereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments hereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me at 310.855.3200 and permanently delete the original and any copy of any e-mail and any printout thereof.

# EXHIBIT G

## Surrender of Registration for Cancellation

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85230705
<b>REGISTRATION NUMBER</b>	4222551
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/85230705/large">http://tmng-al.uspto.gov/resting2/api/img/85230705/large</a>
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass2IW_20164277226143.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\307\85230705\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:06:44 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527190644876705-42225 51-20160527184509540014-N /A-N/A-201605271845095400 14

## Surrender of Registration for Cancellation

To the Commissioner for Trademarks:

The following is submitted for registration number. **4222551**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass2IW\\_20164277226143.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85230705

Internet Transmission Date: Fri May 27 19:06:44 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719064487

6705-4222551-20160527184509540014-N/A-N/

A-20160527184509540014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4222551  
Registration Date: October 29, 2012  
Class: 2

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4222551 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

***Class 2: Colourants; Fingerprint; Food coloring; Paints, lacquers, varnishes; Primers; Varnish; Watercolor paints; Aerosol Spray Paints; Clear and pigmented coatings used in the nature of paint***

Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:  \_\_\_\_\_

Name: MICHAELANGELO LOBBIA

Position: GENERAL COUNSEL

Date: 05-27-2016

## Surrender of Registration for Cancellation

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85231340
<b>REGISTRATION NUMBER</b>	4230601
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/85231340/large
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass14IW-SurrenderDeclaration_201642772515187.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\313\85231340\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:26:31 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527192631388013-42306 01-20160527191836496470-N /A-N/A-201605271918364964 70

## Surrender of Registration for Cancellation

**To the Commissioner for Trademarks:**

The following is submitted for registration number. **4230601**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass14IW-SurrenderDeclaration\\_201642772515187.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85231340

Internet Transmission Date: Fri May 27 19:26:31 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719263138

8013-4230601-20160527191836496470-N/A-N/

A-20160527191836496470

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230601  
Registration Date: October 23, 2012  
Class: 14

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230601 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 14: Ankle bracelets; Bracelets; Charms for collar jewelry and bracelet; Clocks; Cuff links; Diamond jewelry; Earrings; Imitation jewellery; Jewelry; Neck chains; Pendants; Rings; Tie clips; Trophies of precious metals; Wall clocks; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watches; Women's jewelry; Wristwatches*

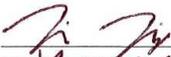
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOBBIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

## Surrender of Registration for Cancellation

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85231519
<b>REGISTRATION NUMBER</b>	4230603
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/85231519/large
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass18IW-SurrenderDeclaration_20164277404953.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\315\85231519\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:40:48 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527194048185022-42306 03-20160527193937799005-N /A-N/A-201605271939377990 05

## Surrender of Registration for Cancellation

To the Commissioner for Trademarks:

The following is submitted for registration number. **4230603**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass18IW-SurrenderDeclaration\\_20164277404953.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85231519

Internet Transmission Date: Fri May 27 19:40:48 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719404818

5022-4230603-20160527193937799005-N/A-N/

A-20160527193937799005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230603  
Registration Date: October 23, 2012  
Class: 18

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230603 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 18: All purpose sport bags; All-purpose athletic bags; Backpacks; Beach bags; Beach umbrellas; Billfolds; Book bags; Business card cases; Clutch bags; Coin purses; Cosmetic bags sold empty; Credit card cases; Duffel bags; Handbags; Key cases; Knapsacks; Luggage; Luggage and trunks; Luggage tags; Messenger bags; Purses; School bags; Shoulder bags; Sport bags; Sports bags; Suitcases; Toiletry bags sold empty; Toiletry cases sold empty; Tote bags; Traveling bags; Umbrellas; Vanity cases sold empty; Wallets*

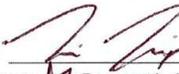
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOBSTER  
Position: GENERAL COUNSEL  
Date: 05-27-2016

## Surrender of Registration for Cancellation

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85231779
<b>REGISTRATION NUMBER</b>	4230604
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/85231779/large
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass21IW-SurrenderDeclaration_201642775721636.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\317\85231779\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:58:19 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527195819700201-42306 04-20160527194226312697-N /A-N/A-201605271942263126 97

## Surrender of Registration for Cancellation

**To the Commissioner for Trademarks:**

The following is submitted for registration number. **4230604**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass21IW-SurrenderDeclaration\\_201642775721636.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85231779

Internet Transmission Date: Fri May 27 19:58:19 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719581970

0201-4230604-20160527194226312697-N/A-N/

A-20160527194226312697

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230604  
Registration Date: October 23, 2012  
Class: 21

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230604 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

***Class 21: Bakeware; Bath sponges; Beverage glassware; Bottle openers; Bottles, sold empty; Bowls; Bread baskets for domestic use; Brushes for pets; Buckets; Butter dishes; Cake molds; Candle holders; Candle holders not of precious metal; Carafes; Cardboard cups; Ceramic tissue box covers; Cleaning sponges; Coasters not of paper and not being table linen; Cocktail picks; Cocktail shakers; Cookie jars; Cookware, namely, pots and pans; Cups; Dispensers for paper towels; Drinking glasses; Drinking glasses, namely, tumblers; Earthenware basins; Earthenware mugs; Figurines made out of fiberglass; Figurines of glass, porcelain, acrylic; Flasks; Flower vases; Hair brushes; Hair combs; Hairbrushes; Holiday ornaments of porcelain; Household utensils, namely, spatulas; Household utensils, namely, turners; Ice buckets; Ice cube molds; Ice scoops; Jugs; Knife boards; Lunch boxes; Meal trays; Mugs; Napkin holders and napkin rings not of precious metal; Non-electric egg beaters; Ovenware; Paper cups; Paper plates; Pepper grinders; Pet feeding and drinking bowls; Plastic cups; Plates; Portable coolers; Portable ice chests for food and beverages; Pots; Rolling pins; Salt and pepper shakers; Sculptures of earthenware, fiberglass; Serving trays; Soap dishes; Statues of china, earthenware, glass, terra cotta, porcelain; Tea pots; Tea pots not of precious metal; Tooth brushes; Toothbrush cases; Toothbrush holders; Trash cans; Trays for domestic purposes; Vases; Work gloves; Works of art of china, earthenware, glass, porcelain, terra cotta; House ware and glassware, namely, shot glasses; holiday ornaments of glass; table center sculpture made of ceramic, china, crystal, earthenware, glass, porcelain; salt and pepper cellars***

Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com);  
[mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOGGIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

## Surrender of Registration for Cancellation

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85231834
<b>REGISTRATION NUMBER</b>	4230605
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/85231834/large">http://tmng-al.uspto.gov/resting2/api/img/85231834/large</a>
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass24IW-SurrenderDeclaration_201642775951241.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\318\85231834\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 20:00:24 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527200024093481-42306 05-20160527195929458731-N /A-N/A-201605271959294587 31

## Surrender of Registration for Cancellation

To the Commissioner for Trademarks:

The following is submitted for registration number. **4230605**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass24IW-SurrenderDeclaration\\_201642775951241.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85231834

Internet Transmission Date: Fri May 27 20:00:24 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052720002409

3481-4230605-20160527195929458731-N/A-N/

A-20160527195929458731

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230605  
Registration Date: October 23, 2012  
Class: 24

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230605 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 24: Banners and flags of textile; Bath linen; Bath sheets; Bath towels; Beach towels; Bed blankets; Bed covers; Bed linen; Bed sheets; Bed spreads; Blanket throws; Blankets for outdoor use; Cashmere blankets; Comforters; Curtains; Curtains of textile or plastic; Duvet covers; Duvets; Eiderdown covers; Eiderdowns; Fabrics for textile use; Flat bed sheets; Hand towels; Kitchen towels; Pillow cases; Pillow shams; Pillowcases; Place mats, not of paper; Plastic place mats; Shower curtains; Table linen; Table linen, namely, napkins; Table mats not of paper; Tablecloths, not of paper; Throws; Towels; Vinyl place mats; Sheets, namely, contour sheets, bed sheets*

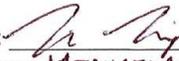
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debor@itsawonderful-world.com](mailto:debor@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOGGIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

## Surrender of Registration for Cancellation

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85232574
<b>REGISTRATION NUMBER</b>	4230609
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/85232574/large
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIB16Class16IW-SurrenderDeclaration_201642773024957.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\852\325\85232574\xml9\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:31:14 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527193114633675-42306 09-20160527192830166697-N /A-N/A-201605271928301666 97

## Surrender of Registration for Cancellation

**To the Commissioner for Trademarks:**

The following is submitted for registration number. **4230609**

**FORM INFORMATION**

**Original PDF file:**

[LIB16Class16IW-SurrenderDeclaration\\_201642773024957.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85232574

Internet Transmission Date: Fri May 27 19:31:14 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719311463

3675-4230609-20160527192830166697-N/A-N/

A-20160527192830166697

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230609  
Registration Date: October 23, 2012  
Class: 16

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230609 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 16: Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars*

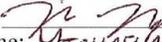
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com);  
[mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By: 

Name: MICHAEL ANGELO LOBBIA

Position: GENERAL COUNSEL

Date: 05-27-2016

## Surrender of Registration for Cancellation

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85428697
<b>REGISTRATION NUMBER</b>	4400693
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/85428697/large
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass9IW-Surrender_20164277956774.pdf</a>
<b>CONVERTED PDF FILE(S)</b> (7 pages)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\854\286\85428697\xml16\S7S0002.jpg</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\854\286\85428697\xml16\S7S0003.jpg</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\854\286\85428697\xml16\S7S0004.jpg</a>
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	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\854\286\85428697\xml16\S7S0008.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:12:58 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527191258812123-44006 93-20160527190902075722-N /A-N/A-201605271909020757 22

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Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form No Form Number (Rev 01/2012)

OMB No. 0651-0050 (Exp 07/31/2018)

## **Surrender of Registration for Cancellation**

### **To the Commissioner for Trademarks:**

The following is submitted for registration number. **4400693**

#### **FORM INFORMATION**

##### **Original PDF file:**

[LIBClass9IW-Surrender\\_20164277956774.pdf](#)

##### **Converted PDF file(s) (7 pages)**

[Attachments-1](#)

[Attachments-2](#)

[Attachments-3](#)

[Attachments-4](#)

[Attachments-5](#)

[Attachments-6](#)

[Attachments-7](#)

#### **SIGNATURE(S)**

##### **Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85428697

Internet Transmission Date: Fri May 27 19:12:58 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719125881

2123-4400693-20160527190902075722-N/A-N/

A-20160527190902075722

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4400693  
Registration Date: September 10, 2013  
Class: 9

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4400693 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

***Class 9: Blank USB flash drives; Decorative magnets; Downloadable images in the field of artworks for mobile phones; Downloadable computer application software for mobile phones for use in electronic storage of games, images, and videos for use in cell phones, smart phones, or digital tablets; Eyeglass cases; Eyeglass frames; Eyeglasses; Goggles for sports; blank hard drives for computers; Headphones; Mouse pads; Mousepads; Ski goggles; Sunglasses; Faceplates and covers for cell phones, personal digital assistants and laptops.; Video and computer game software for personal computer and home video game console; Cellular telephone accessories, namely, hands-free audio accessories, cellular telephone covers and cellular telephone face covers; Magnetically encoded cards, namely, pre-paid telephone calling cards, credit cards, cash cards, debit cards, and key cards; Downloadable screensaver software in the nature of a mobile application for use creating screen savers for cell phones, smart phones, tablet computers, and digital music players; Carrying case and bags designed for storage and transportation of Consumer electronics, namely, portable computers, mp3 players, Cellular telephone, digital camera, digital tablets, digital music players, and personal digital assistant; Downloadable images in the field of art for tablets***

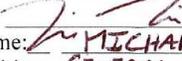
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com);  
[mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

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Amusement Art LLC

By: 

Name: MICHAELANGELO LOGGIA

Position: GENERAL COUNSEL

Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230601  
Registration Date: October 23, 2012  
Class: 14

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230601 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 14: Ankle bracelets; Bracelets; Charms for collar jewelry and bracelet; Clocks; Cuff links; Diamond jewelry; Earrings; Imitation jewellery; Jewelry; Neck chains; Pendants; Rings; Tie clips; Trophies of precious metals; Wall clocks; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watches; Women's jewelry; Wristwatches*

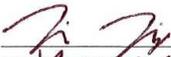
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

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Amusement Art LLC

By:   
Name: MICHAELANGELO LOBBIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230609  
Registration Date: October 23, 2012  
Class: 16

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230609 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 16: Art pictures; Art prints; Art prints on canvas; Blackboards and scrap books; Blank journal books; Blank or partially printed postcards; Book covers; Book marks; Books in the field of art; Bumper stickers; Calendar desk pads; Calendars; Cards, namely, greeting and birthday cards; Children's books; Coasters made of paper; Coloring books; Comic books; Date books; Day planners; Decals; Diaries; Fitted fabric notebook covers; Framed art prints; Greeting cards; Heat transfer paper; Lithographic prints; Lithographic works of art; Lithographs; Mounted and unmounted photographs; Napkin paper; Note books; Note pads; Notebooks; Pens for marking; Photographic prints; Photographs; Picture postcards; Postcard paper; Postcards; Postcards and greeting cards; Postcards and picture postcards; Posters; Posters made of paper; Printed calendars; School supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue and book marks; Series of fiction works, namely, novels and books; Stationery; Stickers; Stickers and decalcomanias; Stickers and transfers; Talking children's books; Tear-off calendars; Wall calendars*

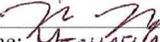
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com);  
[mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

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Amusement Art LLC

By: 

Name: MICHAEL ANGELO LOBBIA

Position: GENERAL COUNSEL

Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4568728  
Registration Date: July 15, 2014  
Class: 17

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4568728 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 17: Adhesive packing tape for industrial or commercial use; Duct tape; Masking tape; Plastic crime scene tape used to create a visual barrier to deny access to a crime scene; Plastic evidence tape for sealing envelopes, bags and other packages or containers holding evidence*

Current contact information for the Owner of this registration and the correspondent is as follows:

---

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

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Amusement Art LLC

By:   
Name: MICHAELANGELO LOBBIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230603  
Registration Date: October 23, 2012  
Class: 18

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230603 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 18: All purpose sport bags; All-purpose athletic bags; Backpacks; Beach bags; Beach umbrellas; Billfolds; Book bags; Business card cases; Clutch bags; Coin purses; Cosmetic bags sold empty; Credit card cases; Duffel bags; Handbags; Key cases; Knapsacks; Luggage; Luggage and trunks; Luggage tags; Messenger bags; Purses; School bags; Shoulder bags; Sport bags; Sports bags; Suitcases; Toiletry bags sold empty; Toiletry cases sold empty; Tote bags; Traveling bags; Umbrellas; Vanity cases sold empty; Wallets*

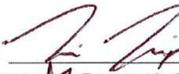
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOBSTER  
Position: GENERAL COUNSEL  
Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230604  
Registration Date: October 23, 2012  
Class: 21

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230604 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

***Class 21: Bakeware; Bath sponges; Beverage glassware; Bottle openers; Bottles, sold empty; Bowls; Bread baskets for domestic use; Brushes for pets; Buckets; Butter dishes; Cake molds; Candle holders; Candle holders not of precious metal; Carafes; Cardboard cups; Ceramic tissue box covers; Cleaning sponges; Coasters not of paper and not being table linen; Cocktail picks; Cocktail shakers; Cookie jars; Cookware, namely, pots and pans; Cups; Dispensers for paper towels; Drinking glasses; Drinking glasses, namely, tumblers; Earthenware basins; Earthenware mugs; Figurines made out of fiberglass; Figurines of glass, porcelain, acrylic; Flasks; Flower vases; Hair brushes; Hair combs; Hairbrushes; Holiday ornaments of porcelain; Household utensils, namely, spatulas; Household utensils, namely, turners; Ice buckets; Ice cube molds; Ice scoops; Jugs; Knife boards; Lunch boxes; Meal trays; Mugs; Napkin holders and napkin rings not of precious metal; Non-electric egg beaters; Ovenware; Paper cups; Paper plates; Pepper grinders; Pet feeding and drinking bowls; Plastic cups; Plates; Portable coolers; Portable ice chests for food and beverages; Pots; Rolling pins; Salt and pepper shakers; Sculptures of earthenware, fiberglass; Serving trays; Soap dishes; Statues of china, earthenware, glass, terra cotta, porcelain; Tea pots; Tea pots not of precious metal; Tooth brushes; Toothbrush cases; Toothbrush holders; Trash cans; Trays for domestic purposes; Vases; Work gloves; Works of art of china, earthenware, glass, porcelain, terra cotta; House ware and glassware, namely, shot glasses; holiday ornaments of glass; table center sculpture made of ceramic, china, crystal, earthenware, glass, porcelain; salt and pepper cellars***

Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com);  
[mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOGGIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4230605  
Registration Date: October 23, 2012  
Class: 24

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4230605 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 24: Banners and flags of textile; Bath linen; Bath sheets; Bath towels; Beach towels; Bed blankets; Bed covers; Bed linen; Bed sheets; Bed spreads; Blanket throws; Blankets for outdoor use; Cashmere blankets; Comforters; Curtains; Curtains of textile or plastic; Duvet covers; Duvets; Eiderdown covers; Eiderdowns; Fabrics for textile use; Flat bed sheets; Hand towels; Kitchen towels; Pillow cases; Pillow shams; Pillowcases; Place mats, not of paper; Plastic place mats; Shower curtains; Table linen; Table linen, namely, napkins; Table mats not of paper; Tablecloths, not of paper; Throws; Towels; Vinyl place mats; Sheets, namely, contour sheets, bed sheets*

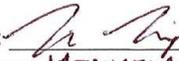
Current contact information for the Owner of this registration and the correspondent is as follows:

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debor@itsawonderful-world.com](mailto:debor@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOGGIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

## Surrender of Registration for Cancellation

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85567326
<b>REGISTRATION NUMBER</b>	4568728
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tmng-al.uspto.gov/resting2/api/img/85567326/large">http://tmng-al.uspto.gov/resting2/api/img/85567326/large</a>
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ATTACHMENT(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">LIBClass17IW-SurrenderDeclaration_201642773715221.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\855\673\85567326\xml21\S7S0002.jpg</a>
<b>SIGNATURE SECTION</b>	
<b>SUBMISSION SIGNATURE</b>	/Michaelangelo Loggia/
<b>SIGNATORY'S NAME</b>	Michaelangelo Loggia
<b>SIGNATORY'S POSITION</b>	Attorney of record, Massachusetts bar member
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626 x101
<b>DATE SIGNED</b>	05/27/2016
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri May 27 19:37:47 EDT 2016
<b>TEAS STAMP</b>	USPTO/S7S-XX.XX.XXX.XXX-2 0160527193747646606-45687 28-20160527193650637638-N /A-N/A-201605271936506376 38

## Surrender of Registration for Cancellation

**To the Commissioner for Trademarks:**

The following is submitted for registration number. **4568728**

**FORM INFORMATION**

**Original PDF file:**

[LIBClass17IW-SurrenderDeclaration\\_201642773715221.pdf](#)

**Converted PDF file(s)** (1 page)

[Attachments-1](#)

**SIGNATURE(S)**

**Submission Signature**

Signature: /Michaelangelo Loggia/ Date: 05/27/2016

Signatory's Name: Michaelangelo Loggia

Signatory's Position: Attorney of record, Massachusetts bar member

Signatory's Phone Number: 323-465-2626 x101

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person(s) with legal authority to bind the owner of the registration.

Serial Number: 85567326

Internet Transmission Date: Fri May 27 19:37:47 EDT 2016

TEAS Stamp: USPTO/S7S-XX.XX.XXX.XXX-2016052719374764

6606-4568728-20160527193650637638-N/A-N/

A-20160527193650637638

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mark: LIFE IS BEAUTIFUL  
Registration No.: 4568728  
Registration Date: July 15, 2014  
Class: 17

**DECLARATION FOR SURRENDER OF REGISTRATION FOR CANCELLATION**

Registration no. 4568728 for all goods listed in said registration is hereby being surrendered in its entirety for cancellation.

*Class 17: Adhesive packing tape for industrial or commercial use; Duct tape; Masking tape; Plastic crime scene tape used to create a visual barrier to deny access to a crime scene; Plastic evidence tape for sealing envelopes, bags and other packages or containers holding evidence*

Current contact information for the Owner of this registration and the correspondent is as follows:

---

Owner and Correspondent: Amusement Art LLC  
1110 Seward Street  
Los Angeles, California 90038  
United States  
Phone number: 323-465-2626 ext 104  
Email: [amusementart@gmail.com](mailto:amusementart@gmail.com); [debora@itsawonderful-world.com](mailto:debora@itsawonderful-world.com); [mikael@iawworld.com](mailto:mikael@iawworld.com)

**DECLARATION**

The undersigned, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC §1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner, and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Amusement Art LLC

By:   
Name: MICHAELANGELO LOBBIA  
Position: GENERAL COUNSEL  
Date: 05-27-2016

# EXHIBIT H

**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Tue Jul 5 03:20:55 EDT 2016

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP PREV LIST CURR LIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 12 out of 19**

USDR ASSIGN Status TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

# LIFE IS BEAUTIFUL

Word Mark	LIFE IS BEAUTIFUL
Goods and Services	(ABANDONED) IC 025, US 022 039, G & S: T-shirts, FIRST USE: 20080626, FIRST USE IN COMMERCE: 20080626
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85405044
Filing Date	August 23, 2011
Current Basis	1A
Original Filing Basis	1A:1B
Published for Opposition	June 5, 2012
International Registration Number	1098704
Owner	(APPLICANT) Amusement Art LLC LIMITED LIABILITY COMPANY CALIFORNIA 1110 Seward St Los Angeles CALIFORNIA 90038
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	May 1, 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG Top HELP PREV LIST CURR LIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

## Trademark/Service Mark Application, Principal Register

Serial Number: 85405044

Filing Date: 08/23/2011

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85405044
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">LIFE IS BEAUTIFUL</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Amusement Art LLC
<b>*STREET</b>	332 S. Clark Dr
<b>*CITY</b>	Beverly Hills
<b>*STATE (Required for U.S. applicants)</b>	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	90211
<b>PHONE</b>	323-936-2626
<b>FAX</b>	323-936-2626
<b>EMAIL ADDRESS</b>	amusementart@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	limited liability company
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	California
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>*IDENTIFICATION</b>	Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts
<b>FILING BASIS</b>	SECTION 1(b)
<b>INTERNATIONAL CLASS</b>	025
<b>*IDENTIFICATION</b>	T-shirts

<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 06/00/2008
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 06/00/2008
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">spec-99706482-155601470 . LIF tshirt woman.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT1\IMAGEOUT1\854\050\85405044\xml1\APP0003.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">spec-99706482-155601470 . LIB tshirt man.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT1\IMAGEOUT1\854\050\85405044\xml1\APP0004.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	scanned/digitally photographed catalogue
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Amusement Art LLC
<b>FIRM NAME</b>	Amusement Art LLC
<b>STREET</b>	332 S. Clark Dr
<b>CITY</b>	Beverly Hills
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	90211
<b>PHONE</b>	323-936-2626
<b>FAX</b>	323-936-2626
<b>EMAIL ADDRESS</b>	amusementart@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Patrick Guetta/
<b>SIGNATORY'S NAME</b>	Patrick Guetta
<b>SIGNATORY'S POSITION</b>	Chief Administrative Officer
<b>DATE SIGNED</b>	08/23/2011

## Trademark/Service Mark Application, Principal Register

Serial Number: 85405044

Filing Date: 08/23/2011

### To the Commissioner for Trademarks:

**MARK:** LIFE IS BEAUTIFUL (Standard Characters, see [mark](#))

The literal element of the mark consists of LIFE IS BEAUTIFUL.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Amusement Art LLC, a limited liability company legally organized under the laws of California, having an address of  
332 S. Clark Dr  
Beverly Hills, California 90211  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts; T-shirts

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

In International Class 025, the mark was first used at least as early as 06/00/2008, and first used in commerce at least as early as 06/00/2008, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) scanned/digitally photographed catalogue.

### Original PDF file:

[spec-99706482-155601470 . LIF tshirt woman.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File 1](#)

### Original PDF file:

[spec-99706482-155601470 . LIB tshirt man.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File 1](#)

The applicant's current Correspondence Information:

Amusement Art LLC  
Amusement Art LLC  
332 S. Clark Dr  
Beverly Hills, California 90211  
323-936-2626(phone)  
323-936-2626(fax)  
amusementart@gmail.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely,

when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Patrick Guetta/ Date Signed: 08/23/2011

Signatory's Name: Patrick Guetta

Signatory's Position: Chief Administrative Officer

RAM Sale Number: 13360

RAM Accounting Date: 08/24/2011

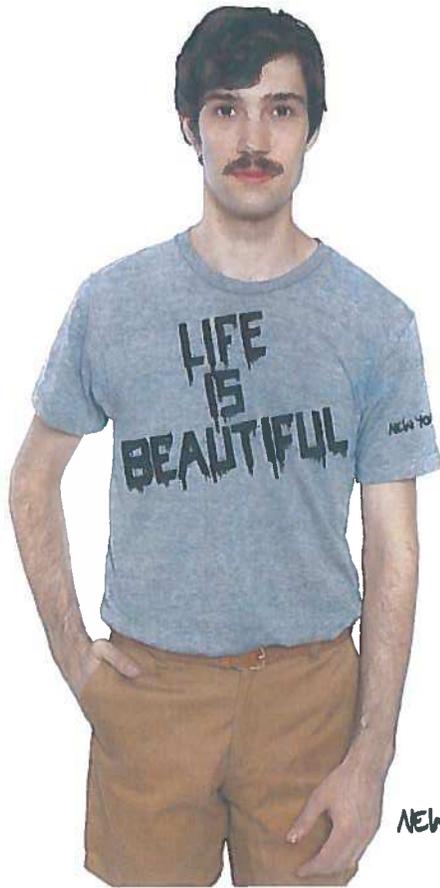
Serial Number: 85405044

Internet Transmission Date: Tue Aug 23 16:52:02 EDT 2011

TEAS Stamp: USPTO/BAS-XX.XX.XX.XX-201108231652024759

84-85405044-480e0a5121b26845fa9b5f27a2db

ee4a98-CC-13360-20110823155601470875



NEW YORK.NY

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**To:** Amusement Art LLC ([amusementart@gmail.com](mailto:amusementart@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85405044 - LIFE IS BEAUTIFUL - N/A  
**Sent:** 12/13/2011 10:59:44 AM  
**Sent As:** ECOM114@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
[Attachment - 5](#)  
[Attachment - 6](#)  
[Attachment - 7](#)  
[Attachment - 8](#)  
[Attachment - 9](#)  
[Attachment - 10](#)  
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[Attachment - 18](#)  
[Attachment - 19](#)  
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[Attachment - 21](#)  
[Attachment - 22](#)  
[Attachment - 23](#)

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UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85405044

MARK: LIFE IS BEAUTIFUL

**\*85405044\***

**CORRESPONDENT ADDRESS:**

AMUSEMENT ART LLC  
AMUSEMENT ART LLC  
332 S CLARK DR  
BEVERLY HILLS, CA 90211-3608

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Amusement Art LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

[amusementart@gmail.com](mailto:amusementart@gmail.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE

RESPONSE TO THIS LETTER WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 12/13/2011

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

### **TRADEMARK ACT SECTIONS 1, 2, AND 45 REFUSAL - ORNAMENTATION**

Registration is refused because the applied-for mark, as used on the specimen of record, is merely a decorative or ornamental feature of applicant's clothing; it does not function as a trademark to identify the source of applicant's clothing and distinguish applicant's clothing from that of others. Trademark Act Sections 1, 2, and 45, 15 U.S.C. §§1051-1052, 1127; *see* TMEP §§904.07(b), 1202.03 *et seq.*

When evaluating a mark that appears to be ornamental, "the size, location, dominance and significance of the alleged mark as applied to the goods" are all relevant factors to be considered in determining whether it also functions as a trademark. *E.g., In re Pro-Line Corp.*, 28 USPQ2d 1141, 1142 (TTAB 1993); *In re Dimitri's Inc.*, 9 USPQ2d 1666, 1667 (TTAB 1988); *In re Astro-Gods Inc.*, 223 USPQ 621, 623 (TTAB 1984); *see* TMEP §1202.03(a). Although there is no prescribed method or place for affixation of a mark to goods, the location of a mark on the goods "is part of the environment in which the [mark] is perceived by the public and . . . may influence how the [mark] is perceived." *In re Tilcon Warren Inc.*, 221 USPQ 86, 88 (TTAB 1984); *see In re Paramount Pictures Corp.*, 213 USPQ 1111, 1115 (TTAB 1982).

With respect to clothing, consumers have been conditioned to recognize small designs or discrete wording as trademarks if placed, for example, on the pocket or breast area of a shirt; however, consumers typically do not perceive larger designs or slogans as trademarks, especially when such matter is displayed in a different location on the clothing. *See* TMEP §1202.03(a), (b), (f)(i), (f)(ii); *see, e.g., In re Pro-Line Corp.*, 28 USPQ2d at 1142 (finding "BLACKER THE COLLEGE SWEETER THE KNOWLEDGE," centered in large letters across most of the upper half of a shirt, to be a primarily ornamental slogan that is not likely to be perceived as source indicator); *In re Dimitri's Inc.*, 9 USPQ2d at 1667-68 (finding "SUMO," used in connection with stylized depictions of sumo wrestlers and displayed in large lettering across the top-center portion of t-shirts and caps, to be an ornamental feature of the goods that does not function as a trademark).

In this case, the submitted specimen shows the applied-for mark, LIFE IS BEAUTIFUL, appearing directly on the upper-center area of the front of the shirt, where ornamental elements may appear on such goods. *See* TMEP §1202.03(a)(b). Furthermore, the mark is displayed in a relatively large size on the clothing, such that it dominates the overall appearance of the goods. Lastly, the applied-for mark appears to be a slogan with no particular trademark significance.

Therefore, consumers would view the applied-for mark as a decorative or ornamental feature of the goods, rather than as a trademark to identify the source of applicant's goods and distinguish applicant's goods from those of others.

The attached evidence from OOShirts and Spread Shirt, both t-shirt design companies, shows that t-shirts typically feature a design or slogan on the front, center of the t-shirt.

Therefore, applicant's proposed mark, as used on the specimens of record, is merely a decorative or ornamental feature of the goods; it does not function as a trademark to identify and distinguish applicant's goods from those of others and to indicate the source of applicant's goods.

Accordingly, registration is refused under Trademark Act Sections 1, 2, and 45, because the mark is ornamental.

#### **Ornamentation Response Advisory**

Applicant may respond to the stated refusal by submitting a verified substitute specimen or amending the application to an intent to use filing basis under Trademark Act Section 1(b) by following the suggested directions below for responding either online or by mail.

**If applicant responds to this Office action online via the Trademark Electronic Application System (TEAS)**, applicant should provide a substitute specimen as follows: (1) answer "yes" to the TEAS response form wizard question to "submit a new or substitute specimen," (2) attach a jpg or pdf file of the substitute specimen, and (3) select the statement that "The substitute specimen(s) was in use in commerce at least as early as the filing date of the application." However, if applicant is responding by amending the application to a Section 1(b) filing basis, applicant should do the following: (1) answer "yes" to the TEAS response form wizard questions to "change filing basis" and for a "signed declaration," respectively; (2) uncheck the box for "Filing Basis Section 1(a)," and (3) check the box for "Filing Basis Section 1(b)." Please note that these steps appear on different pages of the TEAS response form.

Whether submitting a substitute specimen or amending the filing basis to Section 1(b), applicant must also personally sign or personally enter his/her electronic signature and date after the declaration at the end of the TEAS response form, and print or type the name of the signatory immediately below or adjacent to his/her signature or identify it elsewhere in the filing. *See* 37 C.F.R. §§2.34(a)(2), 2.59(a), 2.193(a), (c)-(d), (e)(1); TMEP §§611.01(c), 804.01(b).

If applicant experiences difficulty in submitting the required substitute specimen, supporting statement and/or declaration, or changing the filing basis, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov) for technical assistance regarding the TEAS response form.

**If applicant responds to this Office action on paper, via regular mail**, applicant may provide a verified substitute specimen by (1) checking the first statement below and personally signing, dating, and printing or typing the name of the signatory in the declaration appearing below the statement; and (2) submitting a substitute specimen showing the applied-for mark in use in commerce. *See* 37 C.F.R. §§2.20, 2.59(a), 2.193(a)(1), (d), (e)(1); TMEP §§611.01(b), 804.01(b), 904.05. If applicant is responding by amending the application to a Section 1(b) filing basis, applicant may check the second statement below, and personally sign, date, and enter the printed or typed name of the signatory in the declaration appearing below the statement. *See* 37 C.F.R. §§2.20, 2.34(a)(2), 2.193(a)(1), (d), (e)(1); TMEP §§611.01(b), 804.01(b), 806.03(c).

- q **The substitute specimen was in use in commerce at least as early as the filing date of the application.**
- q **Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods and/or services listed in the application as of the filing date of the application.**

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print or Type Name and Position)

\_\_\_\_\_  
(Date)

## **RESPONSE GUIDELINES**

Because of the legal technicalities involved in this application, applicant may wish to hire an attorney specializing in trademark or intellectual property law. For attorney referral information, applicant may consult the American Bar Association's Consumers' Guide to Legal Help at <http://www.abanet.org/legalservices/findlegalhelp/home.cfm> or a local telephone directory. The USPTO cannot aid in the selection of an attorney. 37 C.F.R. §2.11.

For this application to proceed toward registration, applicant must explicitly address each refusal and/or requirement raised in this Office action. If the action includes a refusal, applicant may provide arguments and/or evidence as to why the refusal should be withdrawn and the mark should register. Applicant may also have other options for responding to a refusal and should consider such options carefully. To respond to requirements and certain refusal response options, applicant should set forth in writing the required changes or statements.

If applicant does not respond to this Office action within six months of the issue/ mailing date, or responds by expressly abandoning the application, the application process will end, the trademark will fail to register, and the application fee will not be refunded. *See* 15 U.S.C. §1062(b); 37 C.F.R. §§2.65(a), 2.68(a), 2.209(a); TMEP §§405.04, 718.01, 718.02. Where the application has been abandoned for failure to respond to an Office action, applicant's only option would be to file a timely petition to revive the application, which, if granted, would allow the application to return to live status. *See* 37 C.F.R. §2.66; TMEP §1714. There is a \$100 fee for such petitions. *See* 37 C.F.R. §2.6, 2.66(b)(1).

If there are questions regarding this action or the application in general, the undersigned examining attorney can be contacted at the telephone number below.

/Shaile E. Settles/  
Trademark Examining Attorney

## Response to Office Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	85405044
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 114
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85405044">http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85405044</a>
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Amusement Art LLC
<b>STREET</b>	332 S. Clark Dr
<b>CITY</b>	Beverly Hills
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	90211
<b>COUNTRY</b>	United States
<b>PHONE</b>	323-936-2626
<b>FAX</b>	323-936-2626
<b>EMAIL</b>	amusementart@gmail.com
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Amusement Art LLC
<b>STREET</b>	1110 Seward St
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	90038
<b>COUNTRY</b>	United States
<b>PHONE</b>	323-936-2626
<b>FAX</b>	3234652627
<b>EMAIL</b>	amusementart@gmail.com
<b>LEGAL ENTITY SECTION (current)</b>	
<b>TYPE</b>	limited liability company
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	California

<b>LEGAL ENTITY SECTION (proposed)</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	
(Based on Use in Commerce) T-shirts(Based on Intent to Use) Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/00/2008
FIRST USE IN COMMERCE DATE	At least as early as 06/00/2008
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
INTERNATIONAL CLASS	025
DESCRIPTION	
(Based on Use in Commerce) T-shirts(Based on Intent to Use) Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/26/2008
FIRST USE IN COMMERCE DATE	At least as early as 06/26/2008
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	
JPG FILE(S)	<a href="#">\\TICRS\EXPORT11\IMAGEOUT 11\854\050\85405044\xml5\ ROA0003.JPG</a>
ORIGINAL PDF FILE	<a href="#">SPU0-108228144253-204230831 . 3-22-2012_5-48-14_PM.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\854\050\85405044\xml5\ROA0002.JPG</a>
SPECIMEN DESCRIPTION	Picture of t-shirt with tag of mark
<b>CORRESPONDENCE SECTION</b>	
ORIGINAL ADDRESS	AMUSEMENT ART LLC AMUSEMENT ART LLC 332 S CLARK DR BEVERLY HILLS California (CA) US 90211-3608
<b>NEW CORRESPONDENCE SECTION</b>	
NAME	AMUSEMENT ART LLC
FIRM NAME	AMUSEMENT ART LLC

<b>STREET</b>	1110 Seward St
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	90038
<b>COUNTRY</b>	United States
<b>PHONE</b>	323-936-2626
<b>FAX</b>	3234652627
<b>EMAIL</b>	amusementart@gmail.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/patrickguetta/
<b>SIGNATORY'S NAME</b>	Patrick Guetta
<b>SIGNATORY'S POSITION</b>	Chief Administrative Officer
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626
<b>DATE SIGNED</b>	03/23/2012
<b>RESPONSE SIGNATURE</b>	/patrickguetta/
<b>SIGNATORY'S NAME</b>	Patrick Guetta
<b>SIGNATORY'S POSITION</b>	Chief Administrative Officer
<b>SIGNATORY'S PHONE NUMBER</b>	323-465-2626
<b>DATE SIGNED</b>	03/26/2012
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Mar 26 16:23:18 EDT 2012
<b>TEAS STAMP</b>	USPTO/ROA-XXX.XXX.XXX.XXX -20120326162318882166-854 05044-4907e477a86e0e91665 b4ebb62b56aaffe6-N/A-N/A- 20120322212713897135

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **85405044** LIFE IS BEAUTIFUL(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85405044>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 025 for (Based on Use in Commerce) T-shirts(Based on Intent to Use) Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 06/00/2008 and first used in commerce at least as early as 06/00/2008 , and is now in use in such commerce.

**Proposed:** Class 025 for (Based on Use in Commerce) T-shirts(Based on Intent to Use) Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts

Deleted Filing Basis: 1(b)

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 06/26/2008 and first used in commerce at least as early as 06/26/2008 , and is now in use in such commerce. Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of Picture of t-shirt with tag of mark . "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].

**JPG file(s):**

[Specimen File1](#)

**Original PDF file:**

[SPU0-108228144253-204230831 . 3-22-2012 5-48-14 PM.pdf](#)

**Converted PDF file(s) ( 1 page)**

[Specimen File1](#)

#### **APPLICANT AND/OR ENTITY INFORMATION**

**Applicant proposes to amend the following:**

**Current:** Amusement Art LLC, a limited liability company legally organized under the laws of California, having an address of  
332 S. Clark Dr  
Beverly Hills, California 90211  
United States

amusementart@gmail.com

323-936-2626

323-936-2626

**Proposed:** Amusement Art LLC, a limited liability company legally organized under the laws of California, having an address of

1110 Seward St

Los Angeles, California 90038

United States

amusementart@gmail.com

323-936-2626

3234652627

#### **CORRESPONDENCE ADDRESS CHANGE**

Applicant proposes to amend the following:

**Current:**

AMUSEMENT ART LLC

AMUSEMENT ART LLC

332 S CLARK DR

BEVERLY HILLS

California (CA)

US  
90211-3608

**Proposed:**

AMUSEMENT ART LLC of AMUSEMENT ART LLC, having an address of  
1110 Seward St Los Angeles, California 90038

United States  
amusementart@gmail.com  
323-936-2626  
3234652627

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34(a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /patrickguetta/ Date: 03/23/2012  
Signatory's Name: Patrick Guetta  
Signatory's Position: Chief Administrative Officer  
Signatory's Phone Number: 323-465-2626

**Response Signature**

Signature: /patrickguetta/ Date: 03/26/2012  
Signatory's Name: Patrick Guetta  
Signatory's Position: Chief Administrative Officer

Signatory's Phone Number: 323-465-2626

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either (1) the applicant or (2) a person(s) with legal authority to bind the applicant; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

Mailing Address: AMUSEMENT ART LLC  
AMUSEMENT ART LLC  
1110 Seward St  
Los Angeles, California 90038

Serial Number: 85405044  
Internet Transmission Date: Mon Mar 26 16:23:18 EDT 2012  
TEAS Stamp: USPTO/ROA-XXX.XXX.XXX.XXX-20120326162318  
882166-85405044-4907e477a86e0e91665b4ebb  
62b56aaffe6-N/A-N/A-20120322212713897135





### Trademark Status & Document Retrieval (TSDR) ?

SEARCH MULTI-SEARCH ?

US Serial, Registration, or Reference No:

Status results found

STATUS DOCUMENTS ?

Generated on: This page was generated by TSDR on 2016-07-05 15:37:45 EDT

Mark: LIFE IS BEAUTIFUL

# LIFE IS BEAUTIFUL

US Serial Number: 85405044

Application Filing Date: Aug. 23, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status

Descriptor:



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: May 01, 2013

Publication Date: Jun. 05, 2012

Date Abandoned: May 01, 2013

- ▲ [Mark Information](#)
- ▲ [Related Properties Information](#)
- ▲ [Goods and Services](#)
- ▲ [Basis Information \(Case Level\)](#)
- ▲ [Current Owner\(s\) Information](#)
- ▲ [Attorney/Correspondence Information](#)
- ▲ [Prosecution History](#)
- ▲ [TM Staff and Location Information](#)
- ▲ [Assignment Abstract Of Title Information - Click to Load](#)
- ▲ [Proceedings - Click to Load](#)

▼ [Expand All](#)

[Download Adobe Reader](#)

If you are the applicant or the applicant's attorney and have questions about this file, please contact the [Trademark Assistance Center](#)

# EXHIBIT I



**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Tue Jul 5 03:20:55 EDT 2016

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DOC SEARCH OG BOTTOM HELP PREV LIST CURR LIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At:  OR Jump to record:  **Record 9 out of 19**

**TSDR** **ASSIGN Status** **TTAB Status** ( Use the "Back" button of the Internet Browser to return to TESS)

# LIFE IS BEAUTIFUL

**Word Mark** LIFE IS BEAUTIFUL

**Goods and Services** (ABANDONED) IC 025 US 022 039, G & S: Beanies; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Fabric belts; Hats; Headgear, namely, caps; Jackets; Jeans; Leather belts; Leather jackets; Pants; Polo shirts; Scarves; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Shorts; Sneakers; Socks; Socks and stockings; Sweat shorts; Sweaters; T-shirts; Turtleneck sweaters; Underwear; V-neck sweaters; Waist belts; Women's underwear

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85495720

**Filing Date** December 14, 2011

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** November 12, 2013

**Owner** (APPLICANT) Patrick Guetta INDIVIDUAL UNITED STATES 1110 Seward St Los Angeles CALIFORNIA 90038

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** June 16, 2014

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DOC SEARCH OG TOP HELP PREV LIST CURR LIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

## Trademark/Service Mark Application, Principal Register

Serial Number: 85495720

Filing Date: 12/14/2011

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85495720
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<u>LIFE IS BEAUTIFUL</u>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	LIFE IS BEAUTIFUL
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Patrick Guetta
<b>*STREET</b>	1110 Seward St
<b>*CITY</b>	Los Angeles
<b>*STATE</b> (Required for U.S. applicants)	California
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b> (Required for U.S. applicants only)	90038
<b>PHONE</b>	323-465-2626
<b>FAX</b>	323-465-2627
<b>EMAIL ADDRESS</b>	phguetta@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	individual
<b>COUNTRY OF CITIZENSHIP</b>	United States
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	025
<b>*IDENTIFICATION</b>	Beanies; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Fabric belts; Hats; Headgear, namely, caps; Jackets; Jeans; Leather belts; Leather jackets; Pants; Polo shirts; Scarves; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Shorts; Sneakers; Socks; Socks and stockings; Sweat shorts; Sweaters; T-shirts; Turtleneck sweaters; Underwear; V-neck sweaters;

	Waist belts; Women's underwear
<b>FILING BASIS</b>	SECTION 1(b)
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Patrick Guetta
<b>STREET</b>	1110 Seward St
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	90038
<b>PHONE</b>	323-652-7615
<b>EMAIL ADDRESS</b>	phguetta@gmail.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Patrick Guetta/
<b>SIGNATORY'S NAME</b>	Patrick Guetta
<b>SIGNATORY'S POSITION</b>	Owner
<b>DATE SIGNED</b>	12/14/2011

## Trademark/Service Mark Application, Principal Register

Serial Number: 85495720

Filing Date: 12/14/2011

### To the Commissioner for Trademarks:

**MARK:** LIFE IS BEAUTIFUL (Standard Characters, see [mark](#))

The literal element of the mark consists of LIFE IS BEAUTIFUL.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Patrick Guetta, a citizen of United States, having an address of  
1110 Seward St  
Los Angeles, California 90038  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

### For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Beanies; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Fabric belts; Hats; Headgear, namely, caps; Jackets; Jeans; Leather belts; Leather jackets; Pants; Polo shirts; Scarves; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Shorts; Sneakers; Socks; Socks and stockings; Sweat shorts; Sweaters; T-shirts; Turtleneck sweaters; Underwear; V-neck sweaters; Waist belts; Women's underwear

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Correspondence Information:

Patrick Guetta  
1110 Seward St  
Los Angeles, California 90038  
323-652-7615(phone)  
phguetta@gmail.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

### Declaration Signature

Signature: /Patrick Guetta/ Date: 12/14/2011  
Signatory's Name: Patrick Guetta  
Signatory's Position: Owner  
RAM Sale Number: 8747  
RAM Accounting Date: 12/15/2011

---

**To:** Patrick Guetta ([phguetta@gmail.com](mailto:phguetta@gmail.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85495720 - LIFE IS BEAUTIFUL - N/A  
**Sent:** 3/22/2012 3:40:18 PM  
**Sent As:** ECOM110@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)

---

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

APPLICATION SERIAL NO. 85495720

MARK: LIFE IS BEAUTIFUL

**\*85495720\***

CORRESPONDENT ADDRESS:  
PATRICK GUETTA  
1110 SEWARD ST  
LOS ANGELES, CA 90038-1308

GENERAL TRADEMARK INFORMATION:  
<http://www.uspto.gov/trademarks/index.jsp>

APPLICANT: Patrick Guetta

CORRESPONDENT'S REFERENCE/DOCKET NO :  
N/A

CORRESPONDENT E-MAIL ADDRESS:  
[phguetta@gmail.com](mailto:phguetta@gmail.com)

**SUSPENSION NOTICE: NO RESPONSE NEEDED**

**ISSUE/MAILING DATE: 3/22/2012**

The trademark examining attorney is suspending action on the application for the reason(s) stated below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the trademark examining attorney will issue as needed an inquiry letter to applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. *See* TMEP §716.04.

No response to this notice is necessary; however, if applicant wants to respond, applicant should use the "Response to Suspension Inquiry or Letter of Suspension" form online at <http://teasroa.uspto.gov/rsi/rsi>.

**PRIOR-FILED PENDING APPLICATION(S) FOUND:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no similar registered marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d). However, a mark(s) in a prior-filed pending application(s) may present a bar to registration of applicant's mark.

The effective filing date of the pending application(s) identified below precedes the filing date of applicant's application. If the mark in the referenced application(s) registers, applicant's mark may be refused registration under Section 2(d) because of a likelihood of confusion with that registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, action on this application is suspended until the earlier-filed referenced application(s) is either registered or abandoned. 37 C.F.R. §2.83(c). A copy of information relevant to this referenced application(s) is attached.

- Application Serial No(s). 85405044

/Daniel Capshaw/  
Trademark Attorney  
Law Office 110  
571.272.9356  
daniel.capshaw@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**DESIGN MARK**

**Serial Number**

85405044

**Status**

NON-FINAL ACTION - MAILED

**Word Mark**

LIFE IS BEAUTIFUL

**Standard Character Mark**

Yes

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Amusement Art LLC LIMITED LIABILITY COMPANY CALIFORNIA 332 S. Clark Dr  
Beverly Hills CALIFORNIA 90211

**Goods/Services**

Class Status -- ACTIVE. IC 025. US 022 039. G & S: (Based on Use  
in Commerce) T-shirts(Based on Intent to Use) Belts; Belts for  
clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts. First Use:  
2008/06/00. First Use In Commerce: 2008/06/00.

**Filing Date**

2011/08/23

**Examining Attorney**

SETTLES, SHAILA

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85495720
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 110
<b>MARK SECTION</b>	
<b>MARK</b>	LIFE IS BEAUTIFUL
<b>CORRESPONDENCE SECTION (current)</b>	
<b>ORIGINAL ADDRESS</b>	PATRICK GUETTA LOS ANGELES California 90038-1308 US 323-652-7615 323-465-2627 phguetta@gmail.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NEW ADDRESS</b>	AMUSEMENT ART LLC 1110 Seward St LOS ANGELES California United States 90038 323-652-7615 323-465-2627 amusementart@gmail.com;patrick@iawworld.com; debora@itsawonderful-world.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Patrick Guetta/
<b>SIGNATORY NAME</b>	Patrick Guetta
<b>SIGNATORY DATE</b>	06/18/2012
<b>SIGNATORY POSITION</b>	Chief Administrative Officer
<b>SIGNATORY PHONE NUMBER</b>	323-652-7615
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Mon Jun 18 16:04:26 EDT 2012
<b>TEAS STAMP</b>	USPTO/CCA-XXX.XX.XXX.XX-2 0120618160426975300-85495 720-490df7984de5ee3e6cc9e 4f52c847cffdae-N/A-N/A-20 120618160044953617

## Change Of Correspondence Address

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85495720
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 110
<b>MARK SECTION</b>	
<b>MARK</b>	LIFE IS BEAUTIFUL
<b>CORRESPONDENCE SECTION (current)</b>	
<b>ORIGINAL ADDRESS</b>	AMUSEMENT ART LLC 1110 SEWARD ST LOS ANGELES California 90038 US 323-652-7615 323-465-2627 amusementart@gmail.com;patrick@iawworld.com;debora@itsawonderful-world.com
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NEW ADDRESS</b>	AMUSEMENT ART LLC 1110 SEWARD ST LOS ANGELES California United States 90038 323-465-2626 ext 104 323-465-2627 amusementart@gmail.com;debora@itsawonderful-world.com; mikael@iawworld.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Debora Guetta/
<b>SIGNATORY NAME</b>	Debora Guetta
<b>SIGNATORY DATE</b>	10/12/2012
<b>SIGNATORY POSITION</b>	Vice President
<b>SIGNATORY PHONE NUMBER</b>	323-465-2626 ext 104
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri Oct 12 15:43:55 EDT 2012
<b>TEAS STAMP</b>	USPTO/CCA-XXX.XX.XXX.XX-2 0121012154355949160-85495 720-490bce8260a495d932c11 76bb40719c20-N/A-N/A-2012 1012153813355611

SEARCH MULTI-SEARCH ?
US Serial, Registration, or Reference No. 85495720 Status Documents

Status results found

STATUS DOCUMENTS ? Download Print Preview

Generated on: This page was generated by TSDR on 2016-07-05 15:20:19 EDT

Mark: LIFE IS BEAUTIFUL

LIFE IS BEAUTIFUL

US Serial Number: 85495720

Application Filing Date: Dec. 14, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Jun. 16, 2014

Publication Date: Nov. 12, 2013

Date Abandoned: Jun. 16, 2014

- Mark Information
Goods and Services
Basis Information (Case Level)
Current Owner(s) Information
Attorney/Correspondence Information
Prosecution History
TM Staff and Location Information
Assignment Abstract Of Title Information - Click to Load
Proceedings - Click to Load

Expand All

Download Adobe Reader

If you are the applicant or the applicant's attorney and have questions about this file, please contact the Trademark Assistance Center

# EXHIBIT J



## Opposition

Number: 91207246

Status: Terminated

Filing Date: 10/01/2012

Status Date: 05/01/2013

General Contact Number: 571-272-8500

Interlocutory Attorney: [BENJAMIN U OKEKE](#)

Paralegal Name: [AMY L MATELSKI](#)

### Defendant

Name: [Amusement Art LLC](#)

Correspondence: [MAURICE B PILOSOFF](#)

LAW OFFICES OF MAURICE B PILOSOFF  
1925 CENTURY PARK EAST, SUITE 2300  
LOS ANGELES, CA 90067  
UNITED STATES  
[amusementart@gmail.com](mailto:amusementart@gmail.com), [patrick@lawworld.com](mailto:patrick@lawworld.com), [mpilosoff@ipbymbp.com](mailto:mpilosoff@ipbymbp.com)  
Phone: 310-985-4283

Serial #: [85405044](#)

[Application File](#)

[Assignment](#)

Application Status: Abandoned - After Inter-Partes Decision

Mark: LIFE IS BEAUTIFUL

### Plaintiff

Name: [Ahead of Our Time, Inc.](#)

Correspondence: [LAWRENCE E JAMES JR](#)

NEAL GERBER & EISENBERG LLP  
2 NORTH LASALLE STREET, 17TH FLOOR  
CHICAGO, IL 60602-3801  
UNITED STATES  
[TRADEMARKS@NGELAW.COM](mailto:TRADEMARKS@NGELAW.COM), [lames@ngelaw.com](mailto:lames@ngelaw.com), [mbenson@ngelaw.com](mailto:mbenson@ngelaw.com)  
Phone: 312-269-8000

Serial #: [77626064](#)

[Application File](#)

[Assignment](#)

Application Status: Abandoned - No Statement Of Use Filed

Mark: LIFE IS BEAUTIFUL

### Prosecution History

#	Date	History Text	Due Date
11	05/01/2013	TERMINATED	
<a href="#">10</a>	05/01/2013	<a href="#">BD DECISION: SUSTAINED</a>	
<a href="#">9</a>	04/27/2013	<a href="#">W/DRAW OF APPLICATION</a>	
<a href="#">8</a>	04/02/2013	<a href="#">STIP NOTED AND APPROVED</a>	
<a href="#">7</a>	03/18/2013	<a href="#">STIPULATED PROTECTIVE ORDER</a>	
<a href="#">6</a>	11/19/2012	<a href="#">ANSWER</a>	
<a href="#">5</a>	11/15/2012	<a href="#">EXTENSION OF TIME GRANTED</a>	
<a href="#">4</a>	11/09/2012	<a href="#">D'S MOT FOR EXTEN. OF TIME W/ CONSENT</a>	
<a href="#">3</a>	10/01/2012	PENDING, INSTITUTED	
<a href="#">2</a>	10/01/2012	<a href="#">NOTICE AND TRIAL DATES SENT: ANSWER DUE:</a>	11/10/2012
<a href="#">1</a>	10/01/2012	<a href="#">FILED AND FEE</a>	

ESTTA Tracking number: **ESTTA497500**

Filing date: **10/01/2012**

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	Ahead of Our Time, Inc.
Granted to Date of previous extension	10/03/2012
Address	46 GRAND STREET #2F New York, NY 10013-1659 UNITED STATES
Correspondence information	Lawrence E. James Jr. NEAL GERBER & EISENBERG LLP. 2 NORTH LASALLE STREET 17TH FLOOR CHICAGO, IL 60602 UNITED STATES TRADEMARKS@NGELAW.COM Phone:312-269-8000

#### Applicant Information

Application No	85405044	Publication date	06/05/2012
Opposition Filing Date	10/01/2012	Opposition Period Ends	10/03/2012
Applicant	Amusement Art LLC 1110 Seward St Los Angeles, CA 90038 UNITED STATES		

#### Goods/Services Affected by Opposition

Class 025. First Use: 2008/06/26 First Use In Commerce: 2008/06/26 All goods and services in the class are opposed, namely: T-shirts
---

#### Grounds for Opposition

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

#### Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77626064	Application Date	12/03/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LIFE IS BEAUTIFUL		

Design Mark	<h1>Life is Beautiful</h1>
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2006/07/27 First Use In Commerce: 2006/12/27 (Based on Use in Commerce) Baseball caps; Caps; Headgear, namely, hats, caps, baseball caps, visors, golf caps, knitted caps, trucker hats, flat-brimmed caps; Jerseys; Long-sleeved shirts; Pants; Shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Sweat shirts; T-shirts; Tank-tops; Tee shirts; Trousers; Vests; (Based on Intent to Use) Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseball shoes; Briefs; Canvas shoes; Caps with visors; Cargo pants; Golf caps; Golf shirts; Golf shoes; Golf trousers; Hats; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jogging pants; Knit shirts; Knitted caps; Knitted underwear; Ladies' underwear; Long jackets; Long underwear; Men's and women's jackets, coats, trousers, vests; Night shirts; Open-necked shirts; Polo shirts; Rugby shirts; Rugby tops; Running shoes; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Sports jackets; Sports pants; Sports shirts; Sweat pants; Tank tops; Tennis shoes; Thermal underwear; Tops; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Trousers for sweating; Underwear; Underwear, namely, boy shorts; Women's shoes; Women's underwear; Woven or knitted underwear; Yoga shirts

Attachments	77626064#TMSN.jpeg ( 1 page )( bytes ) NoticeOfOpposition.pdf ( 6 pages )(218912 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	/Lawrence E. James Jr./
Name	Lawrence E. James Jr.
Date	10/01/2012

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

In the Matter of:  
Application Serial No. 85/405,044  
Published in the *Official Gazette*  
June 5, 2012

AHEAD OF OUR TIME INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. _____
	)	
AMUSEMENT ART LLC,	)	
	)	
Applicant.	)	Mark: LIFE IS BEAUTIFUL

**NOTICE OF OPPOSITION**

Opposer, Ahead of Our Time, LLC (“AOT”), a corporation organized and existing under the laws of the State of New York, believes that it will be damaged by registration of the mark LIFE IS BEAUTIFUL (the “Subject Mark”) in International Class 25, as shown in Application Serial No. 85/405,044 filed by Applicant, Amusement Art LLC (“Applicant”), and hereby opposes the same and requests that registration to Applicant be refused.

As grounds for its opposition, AOT alleges that:

1. Since at least as early as December 27, 2006, AOT has been marketing and selling T-shirts and headgear under its LIFE IS BEAUTIFUL mark in commerce in the United States.
2. On August 3, 2008, AOT filed an application with the U.S. Patent and Trademark Office, which was assigned Serial No. 77/626,064 (the “2008 AOT Application”), to register its mark LIFE IS BEAUTIFUL in connection “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseball caps; Baseball shoes; Briefs; Canvas shoes; Caps; Caps with visors; Cargo pants; Golf caps; Golf shirts; Golf shoes; Golf trousers; Hats;

Headgear, namely, hats, caps, baseball caps, visors, golf caps, knitted caps, trucker hats, flat-brimmed caps; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jerseys; Jogging pants; Knit shirts; Knitted caps; Knitted underwear; Ladies' underwear; Long jackets; Long underwear; Long-sleeved shirts; Men's and women's jackets, coats, trousers, vests; Night shirts; Open-necked shirts; Pants; Polo shirts; Rugby shirts; Rugby tops; Running shoes; Shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Sports jackets; Sports pants; Sports shirts; Sweat pants; Sweat shirts; T-shirts; Tank tops; Tank-tops; Tee shirts; Tennis shoes; Thermal underwear; Tops; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Trousers; Trousers for sweating; Underwear; Underwear, namely, boy shorts; Vests; Women's shoes; Women's underwear; Woven or knitted underwear; Yoga shirts” based on actual use in commerce for certain of the listed goods, including “Short-sleeved or long-sleeved t-shirts” and a bona fide intention to use the mark in commerce in connection with others of the listed goods.

3. The 2008 AOT Application stated that the first use in commerce for the LIFE IS BEAUTIFUL mark had occurred “at least as early as 12/27/2006.”

4. On July 13, 2010, the U.S. Patent and Trademark Office issued a Notice of Allowance for the 2008 AOT Application. However, the 2008 AOT Application became abandoned for the lack of a timely filed statement of use.

5. On August 12, 2012, AOT filed another application with the U.S. Patent and Trademark Office, which was assigned Serial No. 85/701,484 (the “Current AOT Application.”), to register its mark LIFE IS BEAUTIFUL in connection with “Baseball caps; Headgear, namely, hats, caps, baseball caps, visors, golf caps, knitted caps, trucker hats, flat-brimmed caps; Jerseys; Long-sleeved shirts; Pants; Shirts; Short-sleeved or long-sleeved t-shirts; Sweat shirts; T-shirts;

Trousers”; Vests based on its use of the mark LIFE IS BEAUTIFUL in commerce with these goods as early as December 27, 2006. The Current AOT Application also claimed an intent to use the LIFE IS BEAUTIFUL mark on “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseball shoes; Briefs; Canvas shoes; Coats for men and women; Golf shoes; Golf trousers; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jogging pants; Knitted caps; Knitted underwear; Rugby shirts; Ski boots; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Yoga shirts.”

6. The Current AOT Application is presently pending

7. On August 23, 2011, Applicant filed U.S. trademark Application No. 85/405,044 to register the mark LIFE IS BEAUTIFUL for use in International Class 25 in connection “T-shirts” among other goods (hereinafter, “Subject Application”).

8. The Subject Application was initially filed for “T-shirts” and “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts.” With respect to the “T-shirts,” the Subject Application, as originally filed, claimed use of the mark in commerce at least as early as 06/00/2008. With respect to the “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts” the Subject Application, as originally filed, claimed an intent-to-use the mark under 15 U.S.C. § 1051(b).

9. During prosecution of the Subject Application, the intent-to-use basis and the goods associated therewith, namely, “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts” were deleted from the Application.

10. The Subject Application published on June 5, 2012, listing only “T-shirts” as the applied for goods.

11. AOT has obtained the necessary extension of time in which to file this Notice of Opposition. Accordingly, this Notice of Opposition is being timely submitted.

12. AOT's first use in commerce of its LIFE IS BEAUTIFUL mark predates the filing date of the Subject Application and Applicant's earliest claimed use in commerce of its LIFE IS BEAUTIFUL mark. Therefore, AOT has priority of use of the LIFE IS BEAUTIFUL mark.

13. Given the similarity between the Subject Mark and AOT's LIFE IS BEAUTIFUL mark and the similarity of the goods and services set forth in the Subject Application and the current AOT Application, AOT believes that the Current AOT Application will be refused registration in view of the Subject Application.

14. Applicant's use and registration of the term LIFE IS BEAUTIFUL as a trademark on T-Shirts is likely to cause confusion or mistake, or to deceive purchasers, in that purchasers would be likely to believe Applicant's T-shirts are AOT's T-shirts, or are in some way legitimately connected with, sponsored by, or approved by AOT in violation of 15 U.S.C. § 1052(d).

15. Therefore, Applicant's registration of the LIFE IS BEAUTIFUL mark as set forth in the Subject Application will damage AOT, and, on that basis, AOT opposes registration of the Subject Mark.

WHEREFORE, AOT requests that this Opposition be sustained and Application Serial No. 85/405,044 be refused registration.

Please charge the fee of \$300 and any additional fees related to this matter to Deposit  
Account No. 502261.

Respectfully submitted,

Ahead of Our Time, Inc.

Date: October 1, 2012

By: Lawrence E. James, Jr.  
Lawrence E. James, Jr.  
NEAL, GERBER & EISENBERG LLP  
2 N. LaSalle Street, Suite 1700  
Chicago, IL 60602  
(312)269-8000 Telephone  
(312)269-1747 Facsimile

**CERTIFICATE OF TRANSMISSION**

I hereby certify that the foregoing *Notice of Opposition* is being electronically transmitted via the Electronic System for Trademark Trials and Appeals ("ESTTA") at <http://estta.uspto.gov/> on the date noted below:

Date: October 1, 2012

By: /Lawrence E. James, Jr. /  
One of the Attorneys for Ahead of Our Time, Inc.

Lawrence E. James, Jr.  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
Chicago, Illinois 60602-3801  
(312) 269-8000

**CERTIFICATE OF SERVICE**

I, Lawrence E. James, Jr., state that I caused a copy of the foregoing *Notice of Opposition*, via first class U.S. mail, postage pre-paid, upon Applicant:

AMUSEMENT ART LLC  
1110 Seward St  
LOS ANGELES, CALIFORNIA 90038  
UNITED STATES

in accordance with Trademark Rule §§ 2.201 and 2.119 on this 1<sup>st</sup> day of October, 2012.

/Lawrence E. James, Jr./

NGEDOCs: 2017171.2

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

am

Mailed: May 1, 2013

Opposition No. 91207246

Ahead of Our Time, Inc.

v.

Amusement Art LLC

On April 27, 2013, applicant filed an abandonment of its application Serial No. 85405044.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

*By the Trademark Trial  
and Appeal Board*

# EXHIBIT K



**TTABVue. Trademark Trial and Appeal Board Inquiry System**

v1.9

**Opposition**

Number: 91214866  
 Status: Terminated  
 General Contact Number: 571-272-8500  
 Interlocutory Attorney: [MARY CATHERINE FAINT](#)  
 Paralegal Name: [JOI WILSON](#)

Filing Date: 02/11/2014  
 Status Date: 06/16/2014

**Defendant**

Name: [Patrick Guetta](#)  
 Correspondence:  
 AMUSEMENT ART LLC  
 1110 SEWARD ST  
 LOS ANGELES, CA 90038  
 UNITED STATES  
 phguetta@gmail.com , amusementart@gmail.com, debora@itsawonderful-world.com, mikael@lawworld.com  
 Phone: 323-465-2626, ext. 104

Serial #: [85495720](#)      [Application File](#)      [Assignment](#)  
 Application Status: Abandoned - After Inter-Partes Decision  
 Mark: LIFE IS BEAUTIFUL

**Plaintiff**

Name: [Ahead of Our Time, Inc.](#)  
 Correspondence: [LAWRENCE E JAMES JR](#)  
 NEAL GERBER & EISENBERG LLP  
 TWO NORTH LASALLE STREET, SUITE 1700  
 CHICAGO, IL 60602  
 UNITED STATES  
 ljames@ngelaw.com, mbenson@ngelaw.com, DocketMail@ngelaw.com  
 Phone: 312-269-8000

Serial #: [85701484](#)      [Application File](#)      [Assignment](#)      Registration #: [4615799](#)  
 Application Status: Registered  
 Mark: LIFE IS BEAUTIFUL

**Prosecution History**

#	Date	History Text	Due Date
6	06/16/2014	TERMINATED	
5	06/16/2014	<a href="#">BD DECISION: SUSTAINED</a>	
4	04/14/2014	<a href="#">NOTICE OF DEFAULT</a>	
3	02/11/2014	PENDING, INSTITUTED	
2	02/11/2014	<a href="#">NOTICE AND TRIAL DATES SENT; ANSWER DUE:</a>	03/23/2014
1	02/11/2014	<a href="#">FILED AND FEE</a>	

ESTTA Tracking number: **ESTTA586638**

Filing date: **02/11/2014**

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	AHEAD OF OUR TIME, INC.
Granted to Date of previous extension	03/12/2014
Address	84 Forsyth St., #5F New York, NY 10013 UNITED STATES

Attorney information	Lawrence E. James, Jr. Neal, Gerber & Eisenberg LLP Two North LaSalle Street, Suite 1700 Chicago, IL 60602 UNITED STATES ljames@ngelaw.com, mbenson@ngelaw.com, DocketMail@ngelaw.com Phone:312-269-8000
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**Applicant Information**

Application No	85495720	Publication date	11/12/2013
Opposition Filing Date	02/11/2014	Opposition Period Ends	03/12/2014
Applicant	Patrick Guetta 1110 Seward St Los Angeles, CA 90038 USX		

**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: Beanies; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Fabric belts; Hats; Headgear, namely, caps; Jackets; Jeans; Leather belts; Leather jackets; Pants; Polo shirts; Scarves;Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Shorts; Sneakers; Socks; Socks and stockings; Sweat shorts; Sweaters; T-shirts; Turtleneck sweaters; Underwear; V-neck sweaters; Waist belts; Women's underwear
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**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Claim Preclusion and Issue Preclusion

**Mark Cited by Opposer as Basis for Opposition**

U.S. Application No.	85701484	Application Date	08/12/2012
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Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LIFE IS BEAUTIFUL		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 2006/12/27 First Use In Commerce: 2006/12/27 (Based on Use in Commerce) Baseball caps; Headgear, namely, hats, caps, baseball caps, golf caps, trucker hats, flat-brimmed caps; Jerseys; Long-sleeved shirts; Shirts; Short-sleeved or long-sleeved t-shirts; Sweat shirts; T-shirts (Based on Intent to Use) Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseballshoes; Briefs; Canvas shoes; Coats for men and women; Golf shoes; Golf trousers; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jogging pants; Knitted caps; Knitted underwear; Rugby shirts; Ski boots; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Yoga shirts</p>		

Attachments	85701484#TMSN.jpeg( bytes ) Notice_of_Opposition_Life_is_Beautiful.pdf(21058 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	/Lawrence E. James, Jr./
Name	Lawrence E. James, Jr.
Date	02/11/2014

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

In the Matter of:  
Application Serial No. 85/495,720  
Published in the *Official Gazette*  
June 5, 2012

AHEAD OF OUR TIME, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. _____
	)	
PATRICK GUETTA,	)	
	)	
Applicant.	)	Mark: LIFE IS BEAUTIFUL

**NOTICE OF OPPOSITION**

Opposer, Ahead of Our Time, Inc. (“AOT”), a corporation organized and existing under the laws of the State of New York, believes that it will be damaged by registration of the mark LIFE IS BEAUTIFUL (the “Subject Mark”) in International Class 25, as shown in Application Serial No. 85/495,720 filed by Applicant, Patrick Guetta (“Applicant”), and hereby opposes the same and requests that registration to Applicant be refused.

As grounds for its opposition, AOT alleges that:

1. Since at least as early as December 27, 2006, AOT has been marketing and selling apparel and headgear under its LIFE IS BEAUTIFUL mark in commerce in the United States.
2. On August 3, 2008, AOT filed an application with the U.S. Patent and Trademark Office, which was assigned Serial No. 77/626,064 (the “2008 AOT Application”), to register its mark LIFE IS BEAUTIFUL in connection “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseball caps; Baseball shoes; Briefs; Canvas shoes; Caps; Caps with visors; Cargo pants; Golf caps; Golf shirts; Golf shoes; Golf trousers; Hats;

Headgear, namely, hats, caps, baseball caps, visors, golf caps, knitted caps, trucker hats, flat-brimmed caps; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jerseys; Jogging pants; Knit shirts; Knitted caps; Knitted underwear; Ladies' underwear; Long jackets; Long underwear; Long-sleeved shirts; Men's and women's jackets, coats, trousers, vests; Night shirts; Open-necked shirts; Pants; Polo shirts; Rugby shirts; Rugby tops; Running shoes; Shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Sports jackets; Sports pants; Sports shirts; Sweat pants; Sweat shirts; T-shirts; Tank tops; Tank-tops; Tee shirts; Tennis shoes; Thermal underwear; Tops; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Trousers; Trousers for sweating; Underwear; Underwear, namely, boy shorts; Vests; Women's shoes; Women's underwear; Woven or knitted underwear; Yoga shirts” based on actual use in commerce for certain of the listed goods, including “Short-sleeved or long-sleeved t-shirts” and a bona fide intention to use the mark in commerce in connection with others of the listed goods.

3. The 2008 AOT Application stated that the first use in commerce for the LIFE IS BEAUTIFUL mark had occurred “at least as early as 12/27/2006.”

4. On July 13, 2010, the U.S. Patent and Trademark Office issued a Notice of Allowance for the 2008 AOT Application. However, the 2008 AOT Application became abandoned for the lack of a timely filed statement of use.

5. On August 12, 2012, AOT filed another application with the U.S. Patent and Trademark Office, which was assigned Serial No. 85/701,484 (the “Current AOT Application.”), to register its mark LIFE IS BEAUTIFUL in connection with “Baseball caps; Headgear, namely, hats, caps, baseball caps, visors, golf caps, knitted caps, trucker hats, flat-brimmed caps; Jerseys; Long-sleeved shirts; Pants; Shirts; Short-sleeved or long-sleeved t-shirts; Sweat shirts; T-shirts;

Trousers; Vests” based on its use of the mark LIFE IS BEAUTIFUL in commerce with these goods as early as December 27, 2006. The Current AOT Application also claimed an intent to use the LIFE IS BEAUTIFUL mark on “Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Baseball shoes; Briefs; Canvas shoes; Coats for men and women; Golf shoes; Golf trousers; Infant and toddler one piece clothing; Infants' trousers; Jackets; Jeans; Jogging pants; Knitted caps; Knitted underwear; Rugby shirts; Ski boots; Ski pants; Snow pants; Snowboard boots; Snowboard pants; Track pants; Triathlon clothing, namely, triathlon tights, triathlon shorts, triathlon singlets, triathlon shirts, triathlon suits; Yoga shirts.”

6. The Current AOT Application is presently pending.

#### **The Prior Judgment Against the '044 Application**

7. On August 23, 2011, Amusement Art, LLC filed U.S. trademark Application No. 85/405,044 to register the mark LIFE IS BEAUTIFUL for use in International Class 25 in connection “T-shirts” among other goods (hereinafter, “the '044 Application”).

8. The '044 Application was initially filed for “T-shirts” and “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts.” With respect to the “T-shirts,” the '044 Application, as originally filed, claimed use of the mark in commerce at least as early as 06/00/2008. With respect to the “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts” the '044 Application, as originally filed, claimed an intent-to-use the mark under 15 U.S.C. § 1051(b).

9. During prosecution of the '044 Application, the intent-to-use basis and the goods associated therewith, namely, “Belts; Belts for clothing; Jeans; Scarves; Sneakers; Sweaters; Sweatshirts” were deleted from the application. The '044 Application published on June 5, 2012, listing only “T-shirts” as the applied for goods.

10. On October 1, 2012, AOT instituted Opposition Proceeding No. 91207246 before TTAB against the '044 Application via a Notice of Opposition based on likelihood of confusion with AOT's LIFE IS BEAUTIFUL mark.

11. On November 19, 2012, Amusement Art, LLC Answered that Notice of Opposition.

12. After some initial discovery, on April 27, 2012, Amusement Art, LLC abandoned the '044 Application without AOT's consent.

13. Thereafter, on May 1, 2012, the Board entered judgment in favor of AOT in Opposition Proceeding No. 91207246, sustaining the opposition and refusing registration of the '044 Application.

#### **The Subject Application**

14. On December 14, 2011, Patrick Guetta filed Application Serial No. 85/495,720 (the "Subject Application") for "Beanies; Coats; Coats for men and women; Coats made of cotton; Coats of denim; Fabric belts; Hats; Headgear, namely, caps; Jackets; Jeans; Leather belts; Leather jackets; Pants; Polo shirts; Scarves; Shirts; Shirts for suits; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Shorts; Sneakers; Socks; Socks and stockings; Sweat shorts; Sweaters; T-shirts; Turtleneck sweaters; Underwear; V-neck sweaters; Waist belts; Women's underwear" based on an alleged intent to use the mark under 15 U.S.C. § 1051(b).

15. On June 18, 2012, Applicant filed a change of correspondence address to identify Amusement Art, LLC as the correspondent of record for the Subject Application.

#### **Priority and Likelihood of Confusion**

16. AOT has obtained the necessary extension of time in which to file this Notice of Opposition. Accordingly, this Notice of Opposition is being timely submitted.

17. AOT's first use in commerce of its LIFE IS BEAUTIFUL mark predates the filing date of the Subject Application and Applicant's earliest claimed use in commerce of its LIFE IS BEAUTIFUL mark. AOT has continuously used its LIFE IS BEAUTIFUL mark in commerce since before the filing date of the Subject Application. Therefore, AOT has priority of use of the LIFE IS BEAUTIFUL mark over the Subject Application.

18. Examination of the Current AOT Application has been suspended pending the disposition of the Subject Application and, should the Subject Application register, AOT believes that the Current AOT Application will be refused registration in view of the Subject Application.

19. Applicant's use and registration of the term LIFE IS BEAUTIFUL as a trademark on T-Shirts is likely to cause confusion or mistake, or to deceive purchasers, in that purchasers would be likely to believe Applicant's goods are AOT's goods, or are in some way legitimately connected with, sponsored by, or approved by AOT in violation of 15 U.S.C. § 1052(d).

20. Therefore, Applicant's registration of the LIFE IS BEAUTIFUL mark as set forth in the Subject Application will damage AOT, and, on that basis, AOT opposes registration of the Subject Mark.

#### **Claim and Issue Preclusion**

21. The Subject Application is barred from registration by claim and issue preclusion.

22. As evidenced by the fact that the Subject Application lists Amusement Art, LLC as the correspondent, Applicant is in privity with Amusement Art, LLC, the owner of the '044 Application.

23. The '044 Application was filed for the same mark as the Subject Application and for similar, and in some cases identical, goods as those listed in the Subject Application, including t-shirts, which are listed in both applications.

24. AOT opposed the '044 Application on the basis of likelihood of confusion, which is also asserted in this Notice of Opposition.

25. Amusement Art, LLC had the opportunity to litigate the likelihood of confusion issue in Opposition Proceeding No. 91207246.

26. Judgment was entered by the Board against the '044 Application, sustaining AOT's Opposition to the '044 Application.

27. Accordingly, issue preclusion and claim preclusion bar Applicant's registration of the Subject Application

WHEREFORE, AOT requests that this Opposition be sustained and Application Serial No. 85/495,720 be refused registration.

Please charge the fee of \$300 and any additional fees related to this matter to Deposit Account No. 502261.

Respectfully submitted,

Ahead of Our Time, Inc.

Date: February 11, 2014

By: Lawrence E. James, Jr.  
Lawrence E. James, Jr.  
NEAL, GERBER & EISENBERG LLP  
2 N. LaSalle Street, Suite 1700  
Chicago, IL 60602  
(312)269-8000 Telephone  
(312)269-1747 Facsimile

**CERTIFICATE OF TRANSMISSION**

I hereby certify that the foregoing *Notice of Opposition* is being electronically transmitted via the Electronic System for Trademark Trials and Appeals (“ESTTA”) at <http://estta.uspto.gov/> on the date noted below:

Date: February 11, 2014

By:           /Lawrence E. James, Jr. /            
One of the Attorneys for Ahead of Our Time, Inc.

Lawrence E. James, Jr.  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
Chicago, Illinois 60602-3801  
(312) 269-8000

**CERTIFICATE OF SERVICE**

I, Lawrence E. James, Jr., state that I caused a copy of the foregoing *Notice of Opposition*, via first class U.S. mail, postage pre-paid, upon Applicant:

AMUSEMENT ART LLC  
Attn: Patrick Guetta  
1110 Seward St  
Los Angeles, California 90038  
United States

in accordance with Trademark Rule §§ 2.201 and 2.119 on this 11th day of February, 2014.

          /Lawrence E. James, Jr. /

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

mc

Mailed: June 16, 2014

Opposition No. 91214866

Ahead of Our Time, Inc.

v.

Patrick Guetta

**By the Trademark Trial and Appeal Board:**

On April 14, 2014, the Board issued a notice of default to applicant because no answer had been filed.

No response to the notice of default has been filed.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. *See* Fed. R. Civ. P. 55(b) and Trademark Rule 2.106(a).