This Opinion is not a Precedent of the TTAB

Hearing: August 12, 2020 Mailed: November 24, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board

In re Michel Mercier

Serial No. 79246019

Roy D. Gross, The Roy Gross Law Firm, LLC.

Doritt Carroll, Trademark Examining Attorney, Law Office 116, Elizabeth Jackson, Managing Attorney.

Before Mermelstein, Kuczma, and Johnson, Administrative Trademark Judges.

Opinion by Mermelstein, Administrative Trademark Judge:

Applicant seeks to register[1] the standard-character mark **ROMY** on the Principal Register for use on "[h]air brushes, hair combs, hair styling comb and brushes, rotary hair brushes, [and] electrically heated hair brushes," in International Class 21.

The Examining Attorney finally refused registration under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), on the ground that Applicant's mark is likely to cause confusion or mistake or to deceive in view of the standard-character mark **ROMY** registered[2] for use on

---

[1] Application Serial No. 79246019, requesting extension of protection from International Registration No. 1435744, filed July 8, 2018.

[2] Registration No. 5477794, issued May 29, 2018, pursuant to Trademark Act Section 66(a); 15 U.S.C. § 1141f(a).

> [n]on-medicated soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; make-up preparations; make-up removing preparations; cosmetic preparations for baths; cleansing milk for toilets purposes; cosmetic skin-tanning preparations; cosmetic skin care preparations; depilatory preparations; nail care preparations; antiperspirants; hair dyes; shampoos; hair conditioners; hair sprays; oils for toiletry purposes; [and] lotions for cosmetic use

in International Class 3.

We affirm the refusal to register.

I. Evidentiary matters

The Examining Attorney objects to evidence not submitted prior to appeal:

> At page 15 and page 17 of the applicant's brief, the applicant has included evidence that was not submitted prior to this appeal. This evidence consists of a screen capture from the registrant's web site and a series of customer reviews of the registrant's products. The applicant also has stated that the registrant's goods sell for $450. The applicant claims to have submitted proof of this as Exhibit C to its appeal brief. (Br. at 11-12). The applicant's appeal brief does not include an Exhibit C. Even if Exhibit C were present, the evidence referred to was not introduced prior to the appeal.

Ex. Att. Br., 8 TTABVUE 4. Instead of responding to the Examining Attorney's objection, Applicant attached to his reply brief Exhibits A–E, including Exhibit C. *Reply Br.*, 9 TTABVUE 2 ("Applicant respectfully submits that all evidence should be considered as part of the Appeal Brief and part of the record on Appeal.").

The record in an application should be complete prior to the filing of an appeal. Trademark Rule 2.142(d); 37 C.F.R. § 2.142(d). In view of the Examining Attorney's objection, we confine our consideration to the evidence submitted prior to appeal, including that submitted with Applicant's request for reconsideration. In particular, we have not considered the evidence reproduced at pages 15 and 17 of Applicant's brief,

and the statement that the Registrant's goods sell for $450. *App. Br.*, 6 TTABVUE 16, 18.

In addition, Applicant attempted to include copies of several third-party registrations with his request for reconsideration. 5 TTABVUE 34–58. The copies of these registrations are incomplete. Nonetheless, the Examining Attorney states in her brief that she has considered these registrations to be of record, *Ex. Att. Br.*, 8 TTABVUE 8 n.2, and Applicant provided complete copies of the registrations with his reply brief. *Reply Br.*, 9 TTABVUE 25–41. Because the Examining Attorney has treated the registrations as of record, we will do the same.

II. Likelihood of Confusion

Our determination under Trademark Act § 2(d) is based on an analysis of the probative facts in evidence that are relevant to the factors bearing on the issue of likelihood of confusion. *See In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563, 567 (CCPA 1973); *In re Majestic Distilling Co.*, 315 F.3d 1311, 65 USPQ2d 1201 (Fed. Cir. 2003). In considering the evidence, we keep in mind that "[t]he fundamental inquiry mandated by Section 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods and differences in the marks." *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 192 USPQ 24, 29 (CCPA 1976); *see In re Azteca Rest. Enters., Inc.*, 50 USPQ2d 1209, 1210 (TTAB 1999). We must consider each *du Pont* factor for which there is evidence and argument. *See, e.g., In re Guild Mortg. Co.,* 912 F.3d 1376, 129 USPQ2d 1160, 1162-63 (Fed. Cir. 2019).

Applicant contends that the refusal to register should be reversed for four reasons: (1) that the relevant goods are different; (2) that the goods travel in different channels of trade; (3) that third-party registrations weaken the strength of the mark; and (4)

that the registrant's mark is used with another mark. *App. Br.* 6 TTABVUE 6.

A. Similarity or dissimilarity of the marks

In a likelihood of confusion analysis, we compare the marks in their entireties for similarities and dissimilarities in appearance, sound, connotation, and commercial impression. *Palm Bay Imps. Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005). Similarity in any one element may be sufficient to find the marks similar. *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018), *aff'd mem.*, 777 Fed. App'x 516 (Fed. Cir. 2019) (quoting *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)).

In this case, Applicant's mark, **ROMY**, is identical to the mark in the cited registration. The marks thus look alike, sound alike, and have the same connotation and commercial impression. Nonetheless, "Applicant points out that the Registrant's mark is predominantly used on the Registrant's skincare products[3] together with another mark, **HYLAB**." *App. Br.* 6 TTABVUE 15. Applicant contends that the registrant's use of another mark along with **ROMY** distinguishes the marks at issue or otherwise makes confusion less likely.

The fact that the registrant may, in fact, use another mark with its registered mark is irrelevant. The Federal Circuit has rejected similar arguments:

> Although Shell argues that its use of **RIGHT-A-WAY** would be in association with other Shell trademarks, the proposed registration is not so limited. Registrability is determined based on the description in the application, and restrictions on how the mark is used will not be inferred. *See J&J Snack Foods Corp. v. McDonald's Corp.,* 932 F.2d

[3] As can be seen from a perusal of the registrant's identification of goods, registrant's goods do not consist solely of skincare products. Of particular relevance, registrant's goods also include hair-care products, namely, hair dyes, shampoos, hair conditioners, and hair sprays.

> 1460, 18 USPQ2d 1889, 1892 (Fed. Cir. 1991) (registrability is based on the description in the application); *Octocom Sys. Inc. v. Hous. Computer Servs. Inc.,* 918 F.2d 937, 16 USPQ2d 1783, 1787 (Fed. Cir. 1990) (registrability is based on the "identification of goods set forth in the application regardless of what the record may reveal as to . . . the class of purchasers to which sales of the goods are directed.").

In re Shell Oil Co., 992 F.2d 1204, 26 USPQ2d 1687, 1690 n.4 (Fed. Cir. 1993) (citations revised); *Bellbrook Dairies Inc. v. Hawthorn-Mellody Farms Dairy, Inc.*, 253 F.2d 431, 117 USPQ 213, 214 (CCPA 1958) ("The fact that each of the parties applies an additional name or trade-mark to its product is not sufficient to remove the likelihood of confusion. The right to register a trade-mark must be determined on the basis of what is set forth in the application rather than the manner in which the mark may be actually used.") (citations omitted).

The mark in the cited registration is **ROMY**. It is not limited to use with **HYLAB** or any other mark. Whether the registrant in fact uses its registered **ROMY** trademark in conjunction with another mark is irrelevant. We must consider the mark as it is presented in the cited registration.

We conclude that the marks at issue are identical in all respects — a factor which "'weighs heavily' in favor of a likelihood of confusion." *In re i.am.symbolic, llc*, 866 F.3d 1315, 123 USPQ2d 1744, 1748 (Fed. Cir. 2017) (citing *In re Majestic Distilling Co., Inc.*, 315 F.3d 1311, 65 USPQ2d 1201 (Fed. Cir. 2003)).

B. The similarity or dissimilarity and nature of the goods

In comparing the goods, "[t]he issue to be determined . . . is not whether the goods . . . are likely to be confused but rather whether there is a likelihood that purchasers will be misled into the belief that they emanate from a common source." *Helene Curtis*

Indus. Inc. v. Suave Shoe Corp., 13 USPQ2d 1618, 1624 (TTAB 1989). It is not necessary that the parties' goods be similar or even competitive to support a finding of likelihood of confusion. It is sufficient if the goods are related in some manner or that the conditions surrounding their marketing are such that they would be encountered by the same persons under circumstances that could, in light of the similarity of the marks, give rise to the mistaken belief that they come from or are associated with the same source. *In re Albert Trostel & Sons Co*., 29 USPQ2d 1783, 1786 (TTAB 1993). We base our determination on the goods as identified in the application and cited registration. *See Tuxedo Monopoly, Inc. v. Gen. Mills Fun Grp., Inc*., 648 F.2d 1335, 209 USPQ 986, 988 (CCPA 1981).

Applicant's goods are "[h]air brushes, hair combs, hair styling comb and brushes, rotary hair brushes, [and] electrically heated hair brushes." The goods in the cited registration are

> [n]on-medicated soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; make-up preparations; make-up removing preparations; cosmetic preparations for baths; cleansing milk for toilets purposes; cosmetic skin-tanning preparations; cosmetic skin care preparations; depilatory preparations; nail care preparations; antiperspirants; hair dyes; shampoos; hair conditioners; hair sprays; oils for toiletry purposes; [and] lotions for cosmetic use.

For our purposes, we focus on the registrant's hair-care products, namely, hair dyes, shampoos, hair conditioners, and hair sprays. "[I]t is sufficient for a finding of likelihood of confusion if relatedness is established for any item encompassed by the identification of goods within a particular class in the application." *In re Aquamar, Inc.*, 115 USPQ2d 1122, 1126 n.5 (TTAB 2015) (citing *Tuxedo Monopoly*, 209 USPQ at 988).

We first consider the nature of the goods at issue. According to Applicant,

> the Registrant sells cosmetics ingredients and a special mixer by which they offer a user to obtain a freshly made to measure skin care product. Registrant's website, . . . , provides that it produces "a personal skincare lab, creates your skincare dose that evolves with the rhythm of your life thanks to a large selection of encapsulated active ingredients to personalize your skincare base, every day." The Registrant sells formulas that are not sold in general stores or personal care retailers, such as Sephora, etc. Instead, Registrant's products are only available from their foreign website and are made to be home-mixed by the purchaser with a special device.

App. Br. 6 TTABVUE 11–12.

We disagree with Applicant's characterization of the registrant's goods. The relevant goods of the registrant are those goods listed in the registration, no more, and no less. Applicant may not restrict the scope of the registrant's goods by argument or resort to extrinsic evidence. *In re Bercut-Vandervoort & Co.*, 229 USPQ 763, 764 (TTAB 1986). Thus, the registrant's goods must be considered to comprise the listed toiletry and hair care products set out in the registration, sold at all price points, to all consumers usual for such goods, and in all usual channels of trade for them. *See Paula Payne Prods. Co. v. Johnson Publ'g Co.*, 473 F.2d 901, 177 USPQ 76, 77–78 (CCPA 1973) (giving "full sweep" to registrant's description of goods and channels of trade). Therefore, the registrant's goods are not limited to skincare products sold for use with a "special mixer" by which they are combined to form a personalized cosmetic. To the contrary, the registrant's goods include the ordinary cosmetic and hair-care items listed in the registration.

It is clear that Applicant's goods are not identical to those of the cited registrant. Applicant argues that "[n]o purchaser would confuse a hairbrush with [registrant's]

. . . products . . . ," *App. Br.* 6 TTABVUE 11, and we agree. But Applicant's argument misses the point. The question is not whether purchasers would confuse the applicant's goods with those of the registrant, but whether there is a likelihood of confusion as to their source. *See In re Rexel Inc.*, 223 USPQ 830, 831 (TTAB 1984). A holding of likely confusion need not be supported by a finding that the relevant goods or services are identical. *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012).

The Examining Attorney contends that Applicant's goods are related to the cited registrant's hair-care products in that both are intended for use on hair and can be used together. *Ex. Att. Br.*, 8 TTABVUE 6. *See Kellogg Co. v. Gen. Mills Inc.*, 82 USPQ2d 1766, 1770–71 (TTAB 2007) (citing *In re Rogers,* 53 USPQ2d 1741, 1744 (TTAB 1999)) (relationship may be established by intrinsic nature of goods). We agree. "[W]hile not controlling, conjoint use is a fact proper to be considered along with other facts present in particular cases." *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 223 USPQ 1289, 1290 (Fed. Cir. 1984) (quoting *Sholl Dental Lab. Co. v. McKesson & Robbins, Inc.*, 150 F.2d 718, 66 USPQ 223, 226 (CCPA 1945)) (affirming refusal of **MARTIN'S** for bread in view of **MARTIN'S** for cheese). Here, Applicant's hair brushes and combs can be used for styling hair in conjunction with the registrant's hair spray, and are thus related, complimentary goods.

The Examining Attorney also made of record evidence showing that seven third parties offer both brushes and hair-care products under the same mark. *First Ofc. Action* (Nov. 26, 2018); *Final Ofc. Action* (June 27, 2019). The Federal Circuit has said that "evidence, such as whether a single company sells the goods and services of both

parties . . . is relevant to a relatedness analysis." *Hewlett-Packard v. Packard Press*, 281 F.3d 1261 62 USPQ2d 1001, 1004 (Fed. Cir. 2002). This evidence suggests that prospective purchasers are accustomed to seeing both Applicant's goods and those of the cited registrant sold together by the same retailers, and under the same trademark. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 128 USPQ2d 1047, 1051 (Fed. Cir. 2018).

Based on the evidence of record, we find that Applicant's goods are related to those of the cited registrant. While the goods are not identical, they are complimentary in nature and use and are of a type that are sold by the same retailers under the same marks. Even when goods or services are not competitive or intrinsically related, the use of identical marks can lead to the assumption that there is a common source. *In re Shell Oil Co.*, 26 USPQ2d at 1689.

This *du Pont* factor supports a finding of likely confusion.

C. Channels of trade; conditions under which and buyers to whom sales are made

In considering these factors, we start with the principle that goods are presumed to move in all channels of trade normal for such items, and that they are purchased by all of the usual consumers for such goods. *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981) (citing *Kalart Co. v. Camera-Mart, Inc.*, 258 F.2d 956, 119 USPQ 139 (CCPA 1958)).

Applicant argues that his channels of trade differ from those of the registrant. In particular, Applicant maintains that "consumers who buy products under the Cited Registrant's mark can only do so through the Registrant's website. . . ." *App. Br.*, 6

TTABVUE 11. In support of this position, Applicant relies on pages from the registrant's website, attached as Exhibit A to Applicant's reply brief. *See App. Br.*, 6 TTABVUE 12. We cannot consider Exhibit A because it was not made of record prior to appeal, but it is irrelevant in any event. The registrant's channels of trade must be determined from the registration itself and cannot be narrowed by extrinsic evidence. *New Era Cap Co., Inc. v. Pro Era, LLC*, 2020 USPQ2d 10596, *15–16 (TTAB 2020) (Board may not "resort to the use of extrinsic evidence to restrict the channels of trade").

The registration at issue contains no limitations on the channels of trade for the listed goods. Thus, regardless of what might appear on the registrant's website, we must consider the registrant's hair dyes, shampoos, hair conditioners, and hair sprays to be sold in all channels of trade normal for such goods. *See Coach Servs.*, 101 USPQ2d at 1723 (absent limitation, "goods are presumed to travel in all normal channels . . . for the relevant goods."). As discussed above, the Examining Attorney's evidence shows that hairbrushes such as those identified by Applicant and hair care products such as those identified by the registrant are sold by the same purveyors on the same websites. This evidence demonstrates that the channels of trade for such products overlap, and supports an inference that the respective goods are sold to the same purchasers.

Applicant further contends that the cited registrant's customers are sophisticated. *App. Br.*, 6 TTABVUE 12 ("Registrant's goods are specifically targeted towards a niche group of consumers that are interested in mixing their own skincare products at home."). But once again, Applicant's argument depends on extraneous limitations

on the cited registrant's goods gleaned from the registrant's website. To the contrary, we must construe the registrant's goods to include all manner of hair dyes, shampoos, hair conditioners, and hair sprays, sold to all usual customers for such goods. Such customers clearly include unsophisticated purchasers who exercise no more than ordinary care.

We conclude that the goods at issue are sold in overlapping channels of trade to ordinary consumers. These factors favor a finding of likely confusion.

D. Strength of the prior mark

Citing the sixth *du Pont* factor, "[t]he number and nature of similar marks in use on similar goods," *du Pont*, 177 USPQ at 567, Applicant argues that the registrant's mark is weak, and that "the refusal to register should be withdrawn." *App. Br.*, 6 TTABVUE 15. As evidence of such weakness, Applicant cites five third-party registrations, two of which are commonly owned. *App. Br.*, 6 TTABVUE 14–15 (the marks and goods are set out in the Appendix to this decision).

We disagree with Applicant's assessment of the import of these registrations for two reasons. First, the sixth *du Pont* factor requires the consideration "of similar marks in use *on similar goods*." *Omaha Steaks Int'l, Inc. v. Greater Omaha Packing Co.*, 908 F.3d 1315, 128 USPQ2d 1686, 1693–94 (Fed. Cir. 2018). With one exception — Registration No. 4342828 (**ROMI**) for dandruff shampoo and other items in International Class 5 — the registrations do not involve goods similar to the cited registrant's goods generally or its hair-care goods in particular. One third-party registration is insufficient to conclude that the cited mark is weak. This is not a case like *Juice Generation, Inc. v. GS Enters. LLC*, 794 F.3d 1334, 115 USPQ2d 1671 (Fed. Cir.

2015), or *Jack Wolfskin Ausrustung Fur Draussen GmbH & Co. KGAA v. New Millennium Sports, S.L.U.*, 797 F.3d 1363, 116 USPQ2d 1129 (Fed. Cir. 2015), in which the Board was presented with "extensive evidence" of third-party registration and uses.

Second, the sixth *du Pont* factor addresses the number of similar marks *in use* on similar goods. "The mere citation of third party registrations is not proof of third party uses for the purpose of showing a crowded field and relative weakness. Third party registrations are not evidence of use so as to have conditioned the mind of prospective purchasers." *In re Morinaga Nyugyo K.K.*, 120 USPQ2d 1738, 1745 (TTAB 2016) (quoting J.T. McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION § 11:89 (citations and quotation marks omitted)). While third-party registrations can be probative of the inherent strength of a mark to the extent that they demonstrate that the mark is suggestive or descriptive of the relevant goods, *id.* at 1745–46, Applicant does not argue that **ROMY** is suggestive or descriptive of anything. "All that the third-party registrations demonstrate is that their owners believe the term [**ROMI** or **ROMY**] to be appropriate for a trademark. . . ." *Lilly Pulitzer, Inc. v. Lilli Ann Corp.*, 376 F.2d 324, 153 USPQ 406, 407 (CCPA 1967).

In sum, Applicant's third-party registration evidence does not demonstrate that the cited mark is either commercially weak (*i.e.*, commonly in use) or inherently weak (*i.e.*, suggestive or descriptive). We thus consider the mark in the cited registration to be a strong, arbitrary mark.

This factor supports a finding of likelihood of confusion.

III. Conclusion

We find Applicant's mark to be identical to that in the cited registration. Applicant's goods, while not identical to those of the registrant, are significantly related, and are sold in overlapping channels of trade to the overlapping classes of ordinary, unsophisticated consumers. Finally, we find the cited mark to be arbitrary and strong. Upon balancing the factors, we find that confusion is likely.

***Decision*:** The refusal to register under Trademark Act § 2(d) is affirmed.

Appendix

Reg. No.	Mark	Goods/Services
4342828	**ROMI**	Cloths napkins impregnated with a skin cleanser for removing makeup, IC 3; Dandruff shampoo; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels, IC 5; Carpet cleaning machines; Steam cleaning machines; Vacuum cleaners, IC 7; Eyelash curlers, IC 8; Cabinets; Mirrors, IC 20.
5258618	**ROMY**	Sound recordings featuring music; video recordings featuring music videos and information on music and music entertainment; computer software for production of music, sound and video recordings; spectacles, spectacle cases, sunglasses; downloadable electronic publications in the nature of magazines, fanzines, and books in the field of music and music entertainment; digital music downloadable from the Internet; downloadable music sound recordings; downloadable video recordings featuring music videos and information on music and music entertainment; application software for production of music, sound and video recordings, IC 9; Printed matter, namely, newspapers, periodical publications, magazines, books in the field of music, music entertainment and social media; printed photographs, pictures, prints; posters; greeting cards; postcards; notepads; address books; scrapbooks; folders; catalogues; tickets; calendars; photographs albums; diaries; booklets; postage stamps; covers for postage stamps; stamp albums; ordinary playing cards; stickers; car stickers; decalcomanias; cards; cardboard articles; stationery, pens, pencils, erasers, pencil sharpeners, pencil cases, rulers, boxes for pens, book markers; drawing materials, artists' materials; printed instructional, educational and teaching materials in the field of music and music instruction; gift bags; envelopes; blackboards; charts for displaying date about human height; song books; sheet music; cheque book holders, IC 16; Footwear and headwear; articles of outer clothing, namely, jackets, coats, overcoats, parkas, and sweaters;

Reg. No.	Mark	Goods/Services
		underclothing; sports clothing, namely, gym shorts, running suits, biketards, sweat pants, sweat shirts, unitards, leotards, maillots; scarves; dressing gowns; boxer shorts; socks; t-shirts, hats and caps, jackets, pyjamas, slippers; wristbands, headbands; ties; footwear and headwear for babies and toddlers; shirts, pullovers, skirts, dresses, trousers, jackets, belts, scarves, gloves, neckties, socks, swimsuits; caps; athletics shoes; dance shoes; leather shoes; high heeled shoes; sandals and beach shoes; hats; baseball caps, IC 25; Entertainment services by musical artist and producer, namely, providing production of musical sound recordings and video recordings; concert, musical and video performances; television and radio entertainment services; entertainment services by stage production and cabaret; production of video and/or sound recordings; presentation, production and performance of shows, musical shows, concerts, videos, multimedia videos and radio and television programs; recording, film, video and television studio services; audio, film, video and television recording services; publishing; music publishing; sound recording, film and video production and distribution services; arranging and conducting of seminars and conferences in the field of music and musical performance; arranging and conducting exhibitions for entertainment purposes; publication of books and magazines; providing on-line music, not downloadable; providing a website featuring non-downloadable audio recordings in the field of music and music entertainment; providing a website featuring non-downloadable video recordings in the field of music and music entertainment; sound recordings provided by on-line streams; video recordings provided by on-line streams; entertainment services provided by on-line streams; organizing and presenting displays of entertainment relating to style and fashion; organizing and presenting displays of entertainment relating to music, IC 41.
4976618	**ROMY & AKSEL**	Swim vests, namely, floatation vests, IC 9; Shoe bags for travel; beach bags, IC 18; Lunch bags not of paper, IC 21; Pants, slacks, trousers, blazers, jackets, suits, jeans, jean jackets, jean shirts, jean skirts, skirts, shorts, bermuda

Reg. No.	Mark	Goods/Services
		shorts, capri pants, knickers, pedal pushers, tank tops, halter tops, crop tops, tube tops, shirts, blouses, t-shirts, polo shirts, shirt jackets, camisoles, vests, ponchos, capes, sweaters, hoodies, cardigans, turtlenecks, jumpers, culottes, overalls, bodysuits, leotards, tights, body warmers in the nature of vests and sweat suits, leg warmers, leggings, dresses, tunics, robes, kimonos, shrugs, boleros, sundresses, rompers, parkas, bomber jackets, ski suits, ski pants, snow suits, snow pants, snow jackets, snow vests, coats, duffle coats, trench coats, raincoats, wind resistant jackets, ski caps, tuques, neckware, namely, neck ties and scarves, sweat shirts, sweat pants, sweat suits, track suits, athletic bras, athletic tops, athletic shorts, athletic capris, athletic pants, athletic hoodies, windbreakers, athletic jackets, sweat headbands, athletic socks, swimsuits, bikinis, bathing-shorts, swim trunks, beach robes, beach jackets, beach cover-ups, beach rompers, beach tunics, beach dresses, cabana tops being clothing tops, cabana shorts, board shorts, beach hats, pajamas, pajama pants, pajama shorts, loungewear, sleep shirts, night shirts, night gowns, bed jackets, bathrobes, house coats, baby bunting, one piece garments for children, infant sleepers, under tops being under shirts, under shorts, boxer shorts, briefs, underpants, panties, bikini briefs, boy shorts, scarves, shawls, neck warmers, clothing ties, namely, bow ties and neckties, gloves, mittens, belts, suspenders, socks, hats, headwear caps, beanies, berets, bonnets, rain caps, head bands, bandanas, ear muffs IC 25.
5510684	**ROMY & AKSEL**	Sunglasses, IC 9; Blanket throws; bed blankets; lap blankets; children's blankets; travelling blankets; towels, IC 24 Aprons, slipper boots, rash guards, IC 25; Online retail store services featuring clothing and clothing accessories, IC 35.
4766293	**ROMY & RAY**	Clothing, namely, tops and bottoms, capes, cardigans, coats, dresses, gloves, hats, headwear, jackets, jumpers, jumpsuits, neck and head scarfs, ponchos, pullovers, scarves, shoes, shorts, sweaters and vests; footwear, IC 25.