

1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
3

4 MW LABORATORIES INC., a Georgia
5 corporation

6 Opposer,

7 vs.

8 SOLAR COSMETIC LABS INC.,

9 Applicant.
10 _____/

Opposition No. _____

In the Matter of Application Serial
No. 78-102,448

Mark: SKIN FIT

Filed: January 14, 2002

Published: September 3, 2002



09-25-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #77

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13 NOTICE OF OPPOSITION
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15 Opposer, MW LABORATORIES INC., a Georgia Corporation, with its principal
16 place of business at 2002 Mills B Lane Blvd., Savannah, Georgia 31405, believes it would
17 be damaged by registration of the mark shown in Serial No. 78-102,448 and hereby
18 hereby opposes same.
19

20 As grounds for this Opposition, Opposer alleges that:

21 1. Opposer, since at least November 1998, has been using the mark SKIN
22 FIT in connection with pharmaceuticals, cosmetics, skin care products and related
23 accessories (the "Opposer's Mark").
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25 2. Said use of Opposer's Mark has been valid, continuous, open and
26 notorious public use since said date of first use and has not been abandoned.
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CERTIFICATE OF MAILING BY USPS EXPRESS MAIL

Express Mail Receipt No. **EM601596149US**

I hereby certify that on September 24, 2002, pursuant to Trademark Rule 1.10, this Notice of Opposition is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to:

Assistant Commissioner of Trademarks
Box TTAB - Fee
2900 Crystal Drive, Arlington, VA 22202-3513
Attn: Trademark Trial and Appeal Board

Dated: September 24, 2002



Val D. Hornstein

HORNSTEIN LAW OFFICES

ATTORNEYS AND COUNSELORS

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TRADEMARK TRIAL AND
APPEAL BOARD

24 September 2002

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Via Express Mail

Attn: Trademark Trial and Appeal Board



09-25-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #77

Dear Sir or Madam,

Enclosed for filing with the Trademark Trial and Appeal Board is an original and two copies of Opposer MW Laboratories Inc.'s NOTICE OF OPPOSITION re Application SN 78-102,448, fee in the amount of \$300.00, an Express Mail Certificate and an addressed, stamped reply postcard. Please file the foregoing and commence this Proceeding.

Thank you.

Very truly yours,



VAL D. HORNSTEIN