#### KRAMER LEVIN NAFTALIS & FRANKEL LLP

ERICA D. KLEIN ASSOCIATE PHONE 212-715-9205 FAX 212-715-8000 EKLEIN@KRAMERLEVIN.COM

July 7, 2005

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks PO BOX 1451, Alexandria, Virginia 22313-1451, On July 7, 2005

Erica D. Klein
Name of Applicant, Assignee or Representative

July 7, 2005
Date of Signature

Commissioner for Trademarks PO Box 1451 Alexandria, Virginia 22313-1451

Re:

Notice of Opposition to Registration of

Application Serial No. 76/605,582 for the Mark JUICY DROPS
Our File No.: 19200-10117

Dear Sir:

Enclosed please find a Notice of Opposition to the application for registration of Application Serial No. 76/605,582 for the mark JUICY DROPS, filed on August 5, 2004 by Lancôme Parfums et Beaute & Cie and published for opposition on July 5, 2005.

Also enclosed is a check in the amount of \$300 to cover the requisite filing fee. Please charge any additional fees or credit any overpayment to Deposit Account 50-0540.

Please acknowledge receipt on the enclosed postcard.

Very truly yours,

Erica D. Klein

Enclosure

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

#### BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. : 76/605,582 Mark

JUICY DROPS

**International Class** 

Applicant

Lancôme Parfums et Beaute & Cie

Filed

August 5, 2004

Published

July 5, 2005

L.C. Licensing, Inc.,

Opposer,

Opposition No.

Lancôme Parfums et Beaute & Cie,

Applicant.

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, PO BOX 1451, Alexandria, Virginia 22313-1451, on July 7, 2005.

Applicant, Assignee or Representative

July 7, 2005 Date of Signature

07/13/2005 GTHOMAS2 00000116 76605582

01 FC:6402

300.00 OP

**NOTICE OF OPPOSITION** 

L.C. Licensing, Inc., a corporation organized under the laws of the State of Delaware, located and doing business at 1441 Broadway, New York, New York 10018 (hereinafter "Opposer") believes that it would be damaged by a grant of a registration to Lancôme Parfums et Beaute & Cie, located at 29, rue du Faubourg Saint-Honore, Paris 75008, France (hereinafter "Applicant"), Applicant for Application Serial No. 76/605,582 for the mark JUICY DROPS filed in International Class 3 on August 5, 2004 and published for opposition on July 5, 2005 (hereinafter the "Application"), and hereby opposes said Application.

The grounds for opposition are:

- 1. Opposer is the owner of Federal Registration No. 2,285,232, for the mark JUICY issued October 12, 1999 for "clothing, namely, shirts, dresses, pants, skirts and jackets" in International Class 25<sup>1</sup>. This registration claims a date of first use at least as early as September 15, 1996 and a date of first use in commerce at least as early as October 30, 1996. A true copy of this registration is attached as Exhibit A.
- 2. Opposer is the owner of Federal Registration No. 2,348,674, issued May 9, 2000 for the mark JUICY COUTURE for "women's clothing, namely, jackets, dresses, skirts, shorts, pants, shirts and T-shirts" in International Class 25. This registration claims a date of first use at least as early as June 1997 and a date of first use in commerce at least as early as June 1997. A true copy of this registration is attached as Exhibit B.
- 3. Opposer is the owner of Federal Registration No. 2,387,924, for the mark JUICY JEANS issued September 19, 2000 for "girls' and women's clothing, namely, jeans, pants, shorts, skirts, T-shirts, shirts, tops, jackets, vests, bandannas" in International Class 25. This registration claims a date of first use at least as early as January 15, 1997 and a date of first use in commerce at least as early as March 1, 1997. A true copy of this registration is attached at Exhibit C.

<sup>&</sup>lt;sup>1</sup> Opposer is the owner of all registrations and applications originally filed in the United States Patent and Trademark Office by Travis Jeans, Inc. Travis Jeans' change of name to Juicy Couture, Inc. is recorded with the United States Patent and Trademark Office at Reel/Frame 2789/0254. An assignment of all marks owned by Juicy Couture, Inc. to L.C. Licensing, Inc. is recorded with the United States Patent and Trademark Office at Reel/Frame 2789/0312. A corrective assignment correcting L.C. Licensing's state of incorporation from California to Delaware is recorded at Reel/Frame 2817/0506.

- Qpposer is the owner of allowed Application Serial Nos. 76/376,638 and 76/977,226 for the mark JUICY COUTURE filed February 28, 2002 for a variety of fashion-related goods and services including lip gloss, lipstick, other cosmetics, perfumery, candles, eyewear, jewelry, handbags, housewares, bedding, clothing, and retail sales of the same in International Classes 3, 4, 6, 9, 14, 16, 18, 21, 24, 25 and 35. A true copy of the Notice of Allowance issued in Application Serial No. 76/376,638 (prior to the division of Application Serial No. 76/977,226 therefrom) is attached as Exhibit D.
- 5. Opposer is the owner of allowed Application Serial No. 76/376,646 for the mark JUICY JEANS filed February 28, 2002 for a variety of fashion-related goods including lip gloss, lipstick, other cosmetics, perfumery and handbags in International Classes 3 and 18. A true copy of the Notice of Allowance for this application is attached as Exhibit E.
- 6. Opposer is the owner of allowed Application Serial No. 76/497,677 for the mark JUICY GIRL filed March 17, 2003 for a variety of fashion-related goods and services including lip gloss, lipstick, other cosmetics, perfumery, candles, handbags, and clothing in International Classes 3, 4, 18 and 25. A true copy of the Notice of Allowance for this application is attached as Exhibit F.
- 7. Opposer is the owner of allowed Application Serial No. 75/718,579 for the mark JUICY GIRL filed June 1, 1999 for T-shirts in International Class 25. A true copy of the Notice of Allowance for this application is attached as Exhibit G.
- 8. Opposer is the owner of allowed Application Serial No. 76/355,508 for the mark JUICY BABY filed January 3, 2002 for a variety of clothing, footwear and headwear in International Class 25. A true copy of the Notice of Allowance for this application is attached as Exhibit H.

- Opposer is the owner of Federal Registration No. 2,882,280 for the mark CHOOSE JUICY filed January 3, 2002 for a variety of clothing, footwear and headwear in International Class 25. A true copy of this registration is attached as Exhibit I.
- 10. The above-referenced marks, namely, JUICY, JUICY COUTURE, JUICY JEANS, JUICY GIRL, JUICY BABY and CHOOSE JUICY are hereinafter referred to collectively as "Opposer's Marks".
- 11. In addition to the marks referenced herein, JUICY is the common element of several other marks that are used and/or pending registration by Opposer, and is a common name by which Opposer and its brand are known.
- 12. Opposer's Marks identify Opposer as a source of a variety of high quality and high fashion consumer goods.
- 13. Opposer's Marks and products have been the subject of extensive press and media coverage.
- 14. In part due to the media attention given to Opposer's Marks, and in part due to Opposer's extensive use of Opposer's Marks, they have acquired enormous value and good will and have become extremely well-known and famous.
- 15. The Application seeks registration of the mark JUICY DROPS for "Make-up preparations namely lipsticks, mascara, face blushers, eye shadows, eyelash lengtheners, nail enamels, liquid eyeliner, eye pencils, make-up foundation" in International Class 3.
- 16. The mark JUICY DROPS combines Opposer's famous JUICY mark with the word DROPS to form a composite mark in which JUICY is the dominant and most distinctive portion.
- 17. There is a strong likelihood that consumers viewing the mark JUICY DROPS in respect of the goods for which registration is sought are likely to believe that such goods derive

from the same source as the goods sold under Opposer's Marks, or are affiliated, connected,

associated, sponsored, approved or authorized by Opposer, whereby registration of the JUICY

DROPS mark to Applicant would seriously damage Opposer in that it would be likely to cause

confusion, deception or mistake among consumers and dilute the distinctiveness of Opposer's

Marks.

WHEREFORE, Opposer prays that this opposition be sustained and that

Application Serial No. 76/605,582 for the proposed mark JUICY DROPS be refused registration.

This Notice is being filed in duplicate and a check in the amount of \$300.00 is

enclosed herewith to cover the requisite filing fee. Please charge any additional fees and/or

credit any overpayments to Deposit Account No. 50-0540.

Please direct all communications regarding this Opposition proceeding to

Opposer's counsel at the address shown below.

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Attorneys for Opposer

Date: July 7, 2005

Erica D. Klein Esq.

1177 Avenue of the Americas

New York, New York 100365

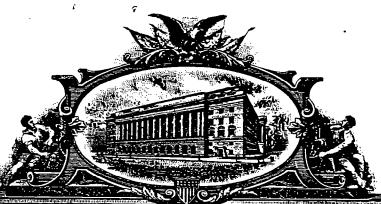
(212) 715-9205 (telephone)

(212) 715-8000 (fax)

eklein@kramerlevin.com

5

# **EXHIBIT A**



(I) - Control of Contr

### ANTIBEUNIAURID SYMVIDES OF ANTIBER CA

TO ALL TO WHOM THESE PRESENTS SHAM, COME:

UNITED STATES DEPARTMENT OF COMMERCE

**United States Patent and Trademark Office** 

March 31, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,285,232 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM October 12, 1999

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC. A DE CORP

By Authority of the COMMISSIONER OF PATENTS AND TRADEMARKS

E. BORNETT

Certifying Officer

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,285,232

United States Patent and Trademark Office

Registered Oct. 12, 1999

### TRADEMARK PRINCIPAL REGISTER

#### **JUICY**

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION)
12970 BRANFORD AVENUE, #G
ARLETA, CA 91331

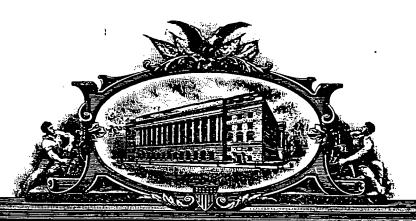
FOR: CLOTHING, NAMELY, SHIRTS, DRESSES, PANTS, SKIRTS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-15-1996; IN COMMERCE 10-30-1996.

SER. NO. 75-538,291, FILED 8-18-1998.

HAE PARK, EXAMINING ATTORNEY

# **EXHIBIT B**



114890

### THE UNIVERS OF ANDRUCA

TO ALL TO WHOM THESE: PRESENTS: SHAVIL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 31, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,348,674 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM May 09, 2000

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC. A DE CORP



By Authority of the

COMMISSIONER OF PATENTS AND TRADEMARKS

E. BÖRNETT

Certifying Officer

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,348,674

United States Patent and Trademark Office

Registered May 9, 2000

### TRADEMARK PRINCIPAL REGISTER

#### JUICY COUTURE

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION)
12970 BRANFORD STREET
ARLETA, CA 91331

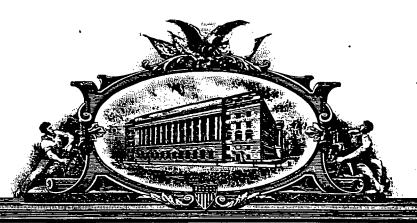
FOR: WOMEN'S CLOTHING, NAMELY, JACKETS, DRESSES, SKIRTS, SHORTS, PANTS, SHIRTS, AND T-SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-1997; IN COMMERCE 6-0-1997.
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COUTURE", APART FROM THE MARK AS SHOWN.

SER. NO. 75-743,731, FILED 7-2-1999.

MARIA-VICTORIA SUAREZ, EXAMINING ATTORNEY

# **EXHIBIT C**



114890

### THE PROPERTY OF SYNAMOS (DEANNER CA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 31, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,387,924 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM September 19, 2000

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC. A DE CORP



By Authority of the

COMMISSIONER OF PATENTS AND TRADEMARKS

E. BORNETT

**Certifying Officer** 

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,387,924

United States Patent and Trademark Office

Registered Sep. 19, 2000

### TRADEMARK PRINCIPAL REGISTER

#### JUICY JEANS

TRAVIS JEANS, INC. (CALIFORNIA CORPORATION) 12970 BRANFORD STREET ARLETA, CA 91331

FOR: GIRLS' AND WOMENS' CLOTHING, NAMELY, JEANS, PANTS, SHORTS, SKIRTS, T-SHIRTS, SHIRTS, TOPS, JACKETS, VESTS, BANDANNAS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-15-1997; IN COMMERCE 3-1-1997.

OWNER OF U.S. REG. NO. 2,285,232.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT
TO USE "JEANS", APART FROM THE MARK AS
SHOWN.

SER. NO. 75-853,613, FILED 11-22-1999.

RUDY R. SINGLETON, EXAMINING ATTORNEY

### **EXHIBIT D**

#### U.S. Patent and Trademark Office (US: . U.

#### NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 703-746-3400. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Nov 4, 2003

WILLIAM J. SPATZ, KRAMER LEVIN NAFTALIS & FRANKEL LLP 919 THIRD AVENUE NEW YORK, NEW YORK, 10022 ATTORNEY
REFERENCE NUMBER
20595-1

#### \*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\*

You filed the tracemark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have SIX (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NDA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension/request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME FERIOD WILL RESULT IN THE AEANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <a href="http://www.usctc.gov/teas/index.ntml">http://www.usctc.gov/teas/index.ntml</a> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Reduest or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to reduest the printed form(s).

#### The following information should be reviewed for accuracy:

SERIAL NUMBER: 76/376638

MARK:

JUICY COUTURE

OWNER:

Travis Jeans, Inc

12720 Wentworth Street Arleta, CALIFORNIA 91331

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO Section 1(b): YES Section 44(e): NO

#### GOODS/SERVICES BY INTERNATIONAL CLASS

003-Soaps, cosmetics, perfumery, essential oils for personal use, hair lotions, dentifrices, perfume, eau de toilette, body splash, after shave, body lotions, body scrubs, bath soaps, bubble baths, bath oils, bath and shower gels, hair shampoo, hair conditioner, hair spray, hair treatment lotions, facial masks, sunscreens, skin moisturizers, body gels, lip gloss, lipstick, blush, eye shadows, mascara, eyeliner, foundation, compacts, nail polish, nail polish remover, body powder, skin, body and facial lotion containing talc, and shoe repair kits consisting of polish, cream,

ı' '

#### brushes, horns and trees

004-Candles

- 006-Metal keyrings and metal money clips
- 009-Eyeglasses and sunglasses, eyeglass and sunglass cases, eyeglass frames; sunglass frames, eyeglass and sunglass chains and cords
- O14—Candle holders made wholly or primarily of precious metals, horological and chronometric instruments, clocks, watches, jewelry, cufflinks, bracelets, pendants, jewelry pins, earrings, rings, necklaces, precious metal money clips and pill boxes
- Ol6-Craft paper, printed matter, namely, invitations and stationery, adhesives for stationery or household purposes, artists' materials, namely, brushes, pencils and pens, paint brushes, pens, pencils, address books, agendas/day planners, notebooks, stationery, writing paper, letter openers, desk pads, ink blotters, bookends, pencil holders, binders, composition books, file folgers, photo albums, envelopes, index books, calendars, stationery, namely, note jotters
- Ol8-Leather and imitation leather goods not included in other classes, namely, trunks and travelling bags, wallets, purses, pocketbooks, handbags, shoulder bags, clutch bags, tote bags, book bags, business, credit and name card cases, key cases, passport cases, cosmetic cases sold empty, toilette cases sold empty, brief and attache cases, valises, suitcases, duffel bags, necktie cases, umbrellas, saddles, walking sticks, canes, shoe bags for travel, backpacks; diaper bags; vanity cases sold empty
- O21—Household or kitchen utensils and containers (not of precious metal or coated therewith), namely, cleaning combs, cleaning brushes, beverage glassware, porcelain and earthenware not included in other classes, namely, mugs, doorknobs and sculptures, china, namely, dinner, salad, dessert, bread, and butter plates, cups and saucers, soup bowls, serving platters, open and covered dishes, sauceboats and cake and dish stands, meal trays, tureens, coffee/tea pots, sugar bowls and creamers; drinking glasses; goods made of non-precious metal, namely, ice buckets, candy dishes, decanters, bar accessories, namely, coasters, cork screws, bottle openers, wine coolers, martini pitchers, ice tongs, and gobiets; insulated bottles; shoe horns; and candle holders not of precious metals; water bottles sold empty, lunch boxes, compacts sold empty, shoetrees, shoe brushes, shoe polishing cloths, shoe polish applicator brushes, shoe/boot polishing sponges, shoe horns, exfoliating bath mitts, bath sponges, shoe repair kits consisting of brushes, horns, trees, polish and cream
- 024—Textile goods not included in other classes, namely, bed and table covers, quilts, bed blankets, bed sheets, towels, table cloths, napkins, handkerchiefs, pillow cases, shower curtains, place mats, pot holders and shams, duvets, comforters, crib bumpers, crib skirts, crib sets consisting of combinations of the foregoing, receiving blankets
- O25-Clothing, namely, footwear, headwear, neckties, scarves, belts, footwear, shirts, sweaters, coats, suits, dressing gowns, hats, socks, caps, dresses, bathing suits; skirts, jackets, jogging suits, sweatshirts, sweatpants, shorts, jeans, pants, shirts, underwear, lingerie, swimwear, vests, blouses, overalls, tee shirts, stockings, tights, aprons, robes, pajamas, knit tops, camisoles, tank tops, gloves, suspenders, boxer shorts, undershirts, trousers, blazers, leggings, leotards, panties, bras, bustiers, teddies
- 035-Online retail store services in the field of apparel, leather goods, fashion accessories, jewelry, shoes, cosmetics, luggage, home products and personal care products rendered through a global computer network; retail store and mail order

services featuring apparel, leather goods, fashion accessories, shoes, jewelry, luggage, cosmetics, home products and personal care products

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

# **EXHIBIT E**

#### U.S. Patent and Trademark Office (STTU)

### NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 703-746-3400. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Nov 25, 2003

WILLIAM J. SPATZ KRAMER LEVIN NAFTALIS & FRANKEL LLP 919 3RD AVE NEW YORK NY 10022-3902

**ATTORNEY** REFERENCE NUMBER 20595-1

#### \*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\*\*

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have SIX (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NDA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension request, you must continue to file a new nequest every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Increfore, we encourage use of the USPTO forms available online at http://www.usptc.gov/teas/index.html (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s)

#### The following information should be reviewed for accuracy:

SERIAL NUMBER: 76/376646 MARK:

JUICY JEANS

OWNER:

Travis Jeans, Inc

12720 Wentworth Street

Arleta, CALIFORNIA 91331

This application has the following bases, but not necessarily for all listed goods/services: Section 1(a): NO Section 1(b): YES Section 44(e): NO

#### GOODS/SERVICES BY INTERNATIONAL CLASS

003-Soaps, cosmetics, perfumery, essential oils for personal use, hair lotions, dentifrices, perfume, eau de toilette, body splash, after shave, body lotions, body scrubs, bath soaps, bubble baths, bath oils, bath and shower gels, hair shampoo, hair conditioner, hair spray, hair treatment lotions, facial masks, sunscreens, skin moisturizers, body gels, lip gloss, lipstick, blush, eye shadows, mascara, eyeliner, foundation, compacts, nail polish, nail polish remover, body powder, skin, body and facial lotion containing tale, and shoe repair kits consisting of polish, cream,

brushes, horns and trees

004-Candles

- 006-Metal keyrings and metal money clips
- 009-Eyeglasses and sunglasses, eyeglass and sunglass cases, eyeglass frames; sunglass frames, eyeglass and sunglass chains and cords
- Ol4-Candle holders made wholly or primarily of precious metals, horological and chronometric instruments, clocks, watches, jewelry, cufflinks, bracelets, pendants, jewelry pins, earrings, rings, necklaces, precious metal money clips and pill boxes
- Ol6—Craft paper, printed matter, namely, invitations and stationery, adhesives for stationery or household purposes, artists' materials, namely, brushes, pencils and pens, paint brushes, pens, pencils, address books, agendas/day planners, notebooks, stationery, writing paper, letter openers, desk pads, ink blotters, bookends, pencil holders, binders, composition books, file folders, photo albums, envelopes, index books, calendars, stationery, namely, note jotters
- 018—Leather and imitation leather goods not included in other classes, namely, trunks and travelling bags, wallets, purses, pocketbooks, handbags, shoulder bags, clutch bags, tote bags, book bags, business, credit and name card cases, key cases, passport cases, cosmetic cases sold empty, toilette cases sold empty, brief and attache cases, valises, suitcases, duffel bags, necktie cases, umbrellas, saddles, walking sticks, canes, shoe bags for travel, backpacks; diaper bags; vanity cases sold empty
- O21—Household or kitchen utensils and containers (not of precious metal or coated therewith), namely, cleaning combs, cleaning brushes, beverage glassware, porcelain and earthenware not included in other classes, namely, mugs, doorknobs and sculptures, china, namely, dinner, salad, dessert, bread, and butter plates, cups and saucers, soup bowls, serving platters, open and covered dishes, sauceboats and cake and dish stands, meal trays, tureens, coffee/tea pots, sugar bowls and creamers; drinking glasses; goods made of non—precious metal, namely, ice buckets, candy dishes, decanters, bar accessories, namely, coasters, cork screws, bottle openers, wine coolers, martini pitchers, ice tongs, and goblets; insulated bottles; shoe horns; and candle holders not of precious metals; water bottles sold empty, lunch boxes, compacts sold empty, shoetrees, shoe brushes, shoe polishing cloths, shoe polish applicator brushes, shoe/boot polishing sponges, shoe horns, exfoliating bath mitts, bath sponges, shoe repair kits consisting of brushes, horns, trees, polish and cream
- 024—Textile goods not included in other classes, namely, bed and table covers, quilts, bed blankets, bed sheets, towels, table cloths, napkins, handkerchiefs, pillow cases, shower curtains, place mats, pot holders and shams, duvets, comforters, crib bumpers, crib skirts, crib sets consisting of combinations of the foregoing, receiving blankets
- 025-Clothing, namely, footwear, headwear, neckties, scarves, belts, footwear, shirts, sweaters, coats, suits, dressing gowns, hats, socks, caps, dresses, bathing suits; skirts, jackets, jogging suits, sweatshirts, sweatpants, shorts, jeans, pants, shirts, underwear, lingerie, swimwear, vests, blouses, overalls, tee shirts, stockings, tights, aprons, robes, pajamas, knit tops, camisoles, tank tops, gloves, suspenders, boxer shorts, undershirts, trousers, blazers, leggings, leotards, panties, bras, bustiers, teddies
- 035-Online retail store services in the field of apparel, leather goods, fashion accessories, jewelry, shoes, cosmetics, luggage, home products and personal care products rendered through a global computer network; retail store and mail order

services featuring apparel, leather goods, fashion accessories, shoes, jewelry, luggage, cosmetics, home products and personal care products

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

11

# **EXHIBIT F**

#### U... Patent and Trademark Office (US). J)

#### NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 703-746-3400. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Aug 3, 2004

William J. Spatz, Kramer Levin Naftalis & Frankel, LLP 919 Third Avenue NEW YORK, NEW YORK 10022

#### \*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\*

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have SIX (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NDA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <a href="http://www.uspto.gov/teas/index.html">http://www.uspto.gov/teas/index.html</a> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark flectronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

#### The following information should be reviewed for accuracy:

SERIAL NUMBER: 76/497677
MARK: JUICY GIRL

OWNER:

L.C. LICENSING, INC.

1441 BROADWAY

NEW YORK, NEW YORK 10018

This application has the following bases, but not necessarily for all listed goods/services Section 1(a): NO Section 1(b): YES Section 44(e): NO

#### GOODS/SERVICES BY INTERNATIONAL CLASS

003-Cosmetics, namely skin soaps, cosmetics, perfumery, essential oils for personal use, hair lotions, dentifrices, perfume, equide toilette, body splash, after-shave gel and lotions, body lotions, body scrubs, bath soaps, bubble baths, bath oils, bath and shower gels, hair shampoo, hair conditioner, hair spray, non-medicated hair treatment lotion, facial masks, sun screens, skin moisturizers, body gels, lip gloss, lipstick, blush, eye shadows, mascara, eyeliner, foundation makeup, compacts, nail polish, nail polish remover, body powder, and talc lotion

004-Candles

- O18—Handbags and accessories, namely, wallets, purses, pocketbooks, shoulder bags, clutch bags, tote bags, book bags, business, credit and name card cases, key cases, passport cases, cosmetic cases sold empty, toilette cases sold empty, brief and attache cases, valises, suitcases, duffel bags, necktie cases, umbrellas, shoe bags for travel, backpacks, diaper bags, and vanity cases sold empty
- 025-Women's and girls' clothing, namely, bottoms, tops, dresses, sleepwear, undergarments, and footwear; and athletic apparel, namely, athletic shoes, footwear and uniforms

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

# **EXHIBIT G**

#### U.S. Patent and Trademark Office (PTO)

#### NOTICE OF ALLOWANCE

(NOTE: If any data on this notice is incorrect, please submit a written request for correction of the NOA to: Assistant Commissioner for Trademarks, Box ITU, 2900 Crystal Drive, Arlington, VA 22202-3513. Please include the serial number of your application on ALL correspondence with the PTO. 15 U.S.C. 1063(b)(2))

ISSUE DATE OF NOA: Mar 7, 2000

BRYAN M. FRIEDMAN
FRIEDMAN PETERSON & STROFFE
19800 MACARTHUR BOULEVARD
SUITE 1100
IRVINE, CALIFORNIA 92612-2425

#### \*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\*

To avoid ABANDONMENT of this application, either a "Statement of Use" (a.k.a. "Allegation of Use") or a "Request for Extension of Time to File a Statement of Use" (a.k.a. "Extension Request") and the appropriate fee(s) must be received in the PTO within six months of the issue date of this Notice Of Allowance (NOA) for those goods and/or services based on intent to use. Failure to do so will result in the ABANDONMENT of this application.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements, including fees. These requirements are explained in the PID booklet "Basic Facts About Trademarks", which can be obtained upon request at (703)308-9000. In addition, there are printed forms contained in this booklet (for "Statements of Use" and "Extension Requests") for your use.

#### The following information should be reviewed for accuracy:

SERIAL NUMBER: 75/718579

MARK:

3

JUICY GIRL

OWNER:

TRAVIS JEANS, INC.

12970 Branford Street

Arleta, CALIFORNIA 91331

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO Section 1(b): YES Section 44(e): NO

#### GOODS/SERVICES BY INTERNATIONAL CLASS

025—Clothing, namely shirts, dresses, pants, skirts, jackets, hats and caps
ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

# **EXHIBIT H**

#### U.S. Patent and Trademark Office (USPTO)

#### NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 703-746-3400. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Nov 11, 2003

WILLIAM J. SPATZ KRAMER LEVIN NAFTALIS & FRANKEL LLP 919 3RD AVE NEW YORK NY 10022-3902

#### \*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\*

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have SIX (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of Use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <a href="http://www.uspto.gov/teas/index.html">http://www.uspto.gov/teas/index.html</a> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

#### The following information should be reviewed for accuracy:

SERIAL NUMBER: 76/355508

MARK:

JUICY BABY

OWNER:

Travis Jeans, Inc.

12720 Wentworth Street Arleta, CALIFORNIA 91321

This application has the following bases, but not necessarily for all listed goods/service

Section 1(a): NO Section 1(b): YES Section 44(e): NO

#### GOODS/SERVICES BY INTERNATIONAL CLASS

025-Clothing, namely, shirts, blouses, T-shirts, pants, shorts, overalls, shortalls, creepers, sweatshirts, jackets, coats, skirts, dresses, jumpsuits, jumpers, tops, sweaters, vests, headwear, hats, caps, mittens, parkas, raincoats, underwear, night gowns, pajamas, robes, cloth baby bibs, baby bunting, infant wear, swim wear, beach wear, beach cover ups; accessories, namely, gloves, mittens, scarves, belts; leotards, socks, booties and footwear

# **EXHIBIT I**

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,882,280

United States Patent and Trademark Office

Registered Sep. 7, 2004

### TRADEMARK PRINCIPAL REGISTER

#### **CHOOSE JUICY**

L.C. LICENSING, INC. (DELAWARE CORPORA-TION) 1441 BROADWAY NEW YORK, NY 10018

FOR: CLOTHING, NAMELY, SUITS, SHIRTS, T-SHIRTS, PANTS, SHORTS, SWEATSHIRTS, JACK-ETS, SKIRTS, DRESSES, TOPS, SWEATERS, HEAD-WEAR, RAINCOATS, UNDERWEAR, PAJAMAS, ROBES, INFANT WEAR, SWIM WEAR, BEACH WEAR; ACCESSORIES, NAMELY, GLOVES, MITTENS, SCARVES, BELTS; SOCKS AND FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 6-0-2002; IN COMMERCE 6-0-2002.

OWNER OF U.S. REG. NOS. 2,285,232, 2,348,674, AND 2,387,924.

SN 76-355,074, FILED 1-3-2002.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY