ESTTA Tracking number: **ESTTA45410**

Filing date: **09/16/2005**

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	Oxygen Media Interactive, Inc.
Granted to Date of previous extension	10/26/2005
Address	75 Ninth Avenue8th Floor New York, NY 10011 UNITED STATES

Correspondence information	Oxygen Media Interactive, Inc. 75 Ninth Avenue8th Floor New York, NY 10011 UNITED STATES tbutterfield@cdas.com Phone:212-974-7474

Applicant Information

Application No	78435784	**Publication date**	06/28/2005
Opposition Filing Date	09/16/2005	**Opposition Period Ends**	10/26/2005
Applicant	Catalyst Applied Technologies Inc. 6801 Jericho Turnpike Syosset, NY 11791 UNITED STATES		

Goods/Services Affected by Opposition

Class 041.
All goods and sevices in the class are opposed, namely: Entertainment services, namely, providing a radio and television program in the field of news and information on health and fitness via a global computer network; providing information in the field of news and information on health and fitness via a global computer network; on-going television and radio programs in the field of news and information on health and fitness

Attachments	Notice of Opposition.pdf (10 pages) Exhibit 1 to Opposition.pdf (5 pages) Exhibit 2 to Opposition.pdf (10 pages)

Signature	/tmjb/
Name	Oxygen Media Interactive, Inc.
Date	09/16/2005

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

In the Matter of Application Serial No. 78/435,784
Published in the Official Gazette on June 28, 2005

OXYGEN MEDIA INTERACTIVE, INC., Opposer, v. CATALYST APPLIED TECHNOLOGIES INC., Applicant.	Opposition No. _____

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

Oxygen Media Interactive, Inc., a Delaware corporation, having its principal place of business at 75 Ninth Avenue, New York, New York 10011, hereby opposes the application of Catalyst Applied Technologies, Inc. ("Applicant") for registration of the trademark OXYGEN NATION, Serial Number 78/435,784 in International Class 41, filed on June 15, 2004 and published in the Official Gazette on June 28, 2005.

Oxygen Media Interactive, Inc. believes that it will be damaged by the registration of the mark shown in Serial No. 78/435,784 and oppose on the following grounds:

1. Oxygen Media Interactive, Inc. and its related companies, (hereinafter collectively referred to as "Oxygen") is the well-known media company dedicated to providing branded content for women and young women, through its television network, the Internet and other media. Since its formation in 2000, Oxygen has continuously distributed a full range of original

and acquired programming – comedy, drama, news, talk, and sports – via its well-known cable television network known as Oxygen Network, and through its website http://www.oxygen.com (the "Oxygen Website"). As described below, Oxygen has adopted, used widely and has registered numerous trademarks in numerous classes, which either consist of, or contain as their dominant feature, the word OXYGEN. In addition, Oxygen has adopted and used widely numerous unregistered trademarks which consist of the word OXYGEN in combination with another word, e.g. OXYGEN MEDIA, OXYGEN NETWORK, OXYGEN MOVIE and others, all used for entertainment, information or education services and other related goods and services.

The Fame of Oxygen and Its Marks

2. In September 1998, Oxygen's CEO Geraldine Laybourne, formerly the head of Nickelodeon and Disney/ABC Cable Networks, announced her intention to form Oxygen to serve the women's media market. Her concept was to develop and distribute media content of all types via websites and complementary cable television programming. As this heralded the creation of a significant new television network, the announcement garnered major publicity.

3. Oxygen enlisted Oprah Winfrey, the famous television personality; Casey-Werner-Mandabach, the well-known television production group; America Online, Inc.; and The Walt Disney Company as investors and joint-venture partners, and in February 2000, launched Oxygen Network, its 24-hour cable television network. Since then, Oxygen Network has become one of the fastest growing independent television networks.

4. Oxygen has received extensive unsolicited news and press coverage, including a February 22, 1999 cover story in *Forbes* Magazine, and virtually constant articles in other trade, industry, and consumer publications, including for example *The New York Times*, *The Wall*

Street Journal, The Atlanta Journal Constitution, The Seattle Times, The San Francisco Chronicle, Entertainment Weekly, U.S. Magazine, T.V. Guide, USA Today, Daily Variety, New York Post, The Daily News, Multichannel News, Newsday, Wired, Electronic Media, and *The Hollywood Reporter*. In the vast majority if not all of this news and press coverage, Oxygen is frequently referred to by its trademarks OXYGEN and/or OXYGEN MEDIA.

5. Oxygen's success in reaching a wide audience through its media programming is reflected in numerous awards and award nominations for its original television programming, its advertising and promotions, and the Oxygen Website. Annexed hereto as Exhibit 1 is a list of such nominations and awards. Without exception, these awards and nominations refer to Oxygen's trademarks OXYGEN, OXYGEN MEDIA and/or OXYGEN NETWORK.

6. Oxygen Network has been known by that name since its inception, and is now available in more than 55 million cable households and commercial locations throughout the United States and the Caribbean. Oxygen also distributes its television programming internationally.

7. In addition to the trademarks OXYGEN, OXYGEN MEDIA and OXYGEN NETWORK, Oxygen has adopted and used several other trademarks incorporating the term OXYGEN. Such trademarks include the trademark OXYGEN MOVIE, used to identify Oxygen's popular series of motion pictures; the trademark OXYGEN CUSTOM CONCERT PROGRAMMING, used to identify Oxygen's audio and visual coverage of musical and performance events; and the trademark OXYGEN SPORTS, used since June 2000 to identify Oxygen's audio and visual coverage of competitions in the field of athletics, and to identify related promotional materials and clothing.

8. As a result, Oxygen has adopted a large number of marks which include the term

OXYGEN as the first and dominant part of each mark, the second part of which identifies a specific type of media-related or entertainment-related goods and services which Oxygen is supplying from time to time.

9. Oxygen has used these various marks (collectively the "Oxygen Family of Marks") in promotional material and in everyday sales activities so as to create common exposure and recognition of the common ownership of these various businesses. Oxygen has invested substantial resources in the use of the Oxygen Family of Marks in its various programming, advertising, publicity, promotional, and corporate activities to ensure that the public associates the Oxygen Family of Marks with Oxygen.

10. As a result, the public has come to associate the use of any of the Oxygen Family of Marks in connection with media-related or entertainment-related goods and services to denote a connection with or an endorsement by Oxygen. Furthermore, the public has come to associate the use of a mark commencing with the term OXYGEN in connection with media-related or entertainment-related goods and services to denote a connection with or an endorsement by Oxygen.

11. As a result of Oxygen's widespread and longstanding uses of the Mark OXYGEN in connection with media-related or entertainment-related goods and services, that mark has become famous.

Oxygen's Intellectual Property in its Marks

12. Oxygen is the owner of all rights, title and interest in and to trademark registrations and applications worldwide for the mark OXYGEN and for other related marks that consist in whole or in part of the name OXYGEN. Attached hereto as Exhibit 2 is a schedule of Oxygen's federal trademark registrations in the United States (the "Registered Marks").

13. In particular, Oxygen owns the following presently valid and subsisting federal trademark registrations covering entertainment services in International Class 41:

a. Registration No. 2,732,383 – **OXYGEN** in International Class 41 for entertainment services, namely motion picture film, television show, laser disc and videotape production services; entertainment services, namely, televised performances in the nature of educational literacy programs, comedy and drama performances; and providing information in the fields of entertainment regarding motion pictures, television movies and television series featuring dramas, comedies, romances, documentaries, news, comedy performances and talk shows, and literacy education by means of a global computer network, registered on the Principal Register on July 1, 2003;

b. Registration No. 2,764,759 – **OXYGEN SPORTS** in International Class 41 for educational and entertainment services, namely providing audio and visual programming in the nature of competition in the field of athletics via a global computer network, broadcast, cable and satellite television, registered on the Principal Register on September 16, 2003;

c. Registration No. 2,784,535 – **PURE OXYGEN** in International Class 41 for entertainment services, namely, cable and satellite television and global computer network programming on current events, attitudes, profiles and lifestyle issues including health, fitness, medicine, beauty, family, business, media and politics; and taped performances by theatrical and musical artists, registered on the Principal Register on November 18, 2003; and

d. Registration No. 2,858,579 – **OH! OXYGEN** in International Class 41 for production of television programs in the nature of comedy, drama, animated programming, talk shows, musical performances, news and information on topics of interest to women; educational and entertainment services, namely, television programming in the nature of comedy, drama, animated programming, talk shows, musical performances, news and information on topics of interest to women provided by means of the Internet, cable, broadcast and satellite television and audio, registered on the Principal Register on June 29, 2004.

14. Oxygen further owns federal trademark registrations in other classes for goods for entertainment and media-related goods and services, including, but not limited to:

a. Registration No. 2,805,115 – **OXYGEN** in International Class 9 for motion picture films, exposed film and negatives containing motion pictures and television movies featuring dramas, comedies, romances, television drama or comedy series, documentaries, news, comedy

performances, talk shows, and animations; cells, namely film duplications of individual frames of motion pictures; pre-recorded laser discs and videotapes containing motion pictures, television movies and television series featuring dramas, comedies, romances, documentaries, news, comedy performances, and talk shows; and pre-recorded CD-ROMs and computer discs containing entertainment information regarding motion pictures, television movies and television series featuring dramas, comedies, romances, documentaries, news, comedy performances, and talk shows, registered on the Principal Register on January 13, 2004;

b. Registration No. 2,791,572 – **OXYGEN** in International Class 16 for printed publications, namely books and magazines on topics of interest to women; posters, mounted photographs; cells, namely, two-dimensional prints and paintings reproducing original frames of motion pictures and television film, registered on the Principal Register on December 9, 2003;

c. Registration No. 2,390,328 – **OXYGEN** in International Class 38 for television and radio broadcasting via cable, satellite, a global computer network, and other means, registered on the Principal Register on September 26, 2000;

d. Registration No. 2,684,295 – **OXYGEN SPORTS** in International Class 16 for printed publications, namely, books, pamphlets, magazines and newsletters featuring sports-related information; posters, paper banners, stationery, namely notebooks and notepads, pens, pencils, diaries, photo albums, scrap books, calendars, paper gift bags, stickers, bumper stickers, and plastic or paper bags for merchandise packaging, registered on the Principal Register on February 4, 2003; and

e. Registration No. 2,774,732 – **OXYGEN BUILD YOUR OWN BUSINESS** in International Class 35 for a contest to choose participants to receive monetary and/or product prizes, and business development and start up support; and

f. Registration No. 2,867,469 – **OH! OXYGEN** in International Class 38 for television broadcasting via cable, satellite and broadcast transmissions; and providing on-line chat rooms and electronic bulletin boards for transmission of messages among computer users concerning current events, attitudes, profiles and lifestyle issues including health, fitness, medicine, beauty, family, business media and politics, registered on the Principal Register on July 27, 2004.

Applicant's Attempt to Register a Confusingly Similar Mark

15. On or about June 15, 2004, Applicant filed an intent to use application, Serial No.

78/435,784, requesting the PTO to register the mark OXYGEN NATION (the "Intended Mark") on the Principal Register in International Class 41 (the "Application") for:

> Entertainment services, namely, providing a radio and television program in the field of news and information on health and fitness via a global computer network; providing information in the field of news and information on health and fitness via a global computer network; on-going television and radio programs in the field of news and information on health and fitness.

16. Upon information and belief, Applicant has yet to use the Intended Mark.

17. Applicant's Intended Mark is confusingly similar to Oxygen's Registered Marks and to the Oxygen Family of Marks, in particular to OXYGEN, OXYGEN MEDIA and OXYGEN SPORTS.

18. Applicant's Intended Mark is composed of Oxygen's entire OXYGEN mark combined with the term "nation".

19. Upon information and belief, Oxygen is the only owner of a registered trademark incorporating the word OXYGEN for use in connection with any entertainment-related goods or services in Class 41.

20. Applicant is seeking to register the Intended Mark in International Class 41, the very class in which Oxygen owns four (4) registered marks all prominently featuring the term OXYGEN.

21. Applicant is seeking to register the Intended Mark for use in connection with television programs and other media distributed inter alia via the Internet, exactly the goods and services which Oxygen has successfully provided under the Registered Marks and the Oxygen Family of Marks for many years.

22. Given Oxygen's extensive and longstanding use of the Registered Marks and the Oxygen Family of Marks, and public's widespread identification of them with Oxygen,

Applicant's use of its Intended Mark would confuse the public and cause consumers to assume, erroneously, that Applicant's services were created, sold, distributed, approved, licensed, sponsored, or in some other way connected with, or authorized by, Oxygen, when in truth and in fact, they are not.

23. Upon information and belief, Applicant selected its Intended Mark specifically with the intent to trade upon the tremendous goodwill associated with Oxygen's Registered Marks and the Oxygen Family of Marks, and to use the Intended Mark to identify precisely the same services as used by Oxygen – for television programming, distributed via television and the Internet.

Registration Of Applicant's Intended Mark Would Damage Oxygen
Likelihood of Confusion - § 2(d)

24. Applicant's Intended Mark so resembles Oxygen's Registered Marks and the Oxygen Family of Marks that registration and any future use thereof is likely to cause confusion, mistake and deception as to the source or origin of Applicant's services and will injure and damage Oxygen and the goodwill and reputation symbolized by Oxygen's Registered Marks and the Oxygen Family of Marks.

25. Applicant's intended services are identical to Oxygen's services, and as a result, the public is likely to be confused, to be deceived, and/or to assume erroneously that Applicant's services are those of Oxygen, or that Applicant is in some way connected with or sponsored by or affiliated with Oxygen, all to Oxygen's irreparable damage.

False Suggestion of Connection - § 2(a)

26. Applicant's Intended Mark so closely resembles Oxygen's Registered Marks and the Oxygen Family of Marks that it falsely suggests a connection with Oxygen in violation of Section 2(a) of the Trademark Act, because Applicant's mark points uniquely and unmistakably

to Oxygen.

27. As Applicant is unrelated to Oxygen, and Oxygen has not given Applicant authorization or permission to use its Intended Mark, purchasers will assume erroneously that the services offered under Applicant's mark are connected with Oxygen.

28. Such consumer confusion would cause Oxygen irreparable damage.

Dilution - § 43(c)

29. For many years, Oxygen's Registered Marks and the Oxygen Family of Marks have been widely used and extensively advertised in the United States and are distinctive symbols of Oxygen's goodwill.

30. On information and belief, Applicant willfully intends to use its Intended Mark in commerce to trade upon Oxygen's reputation, or to dilute Oxygen's Marks.

31. Oxygen's Registered Marks and the Oxygen Family of Marks became well-known before Applicant filed the Application.

32. Applicant's Intended Mark will dilute the distinctive quality of Oxygen's Registered Marks and the Oxygen Family of Marks.

33. Applicant's use or registration of its Intended Mark would lessen the capacity of Oxygen's Registered Marks and the Oxygen Family of Marks to identify and distinguish Oxygen's services and goods.

34. The likelihood of association is enhanced by the fact that Applicant intends to use its Intended Mark on identical services sold through identical trade channels to the same classes of purchasers as Oxygen.

35. Applicant's registration and any future use of its Intended Mark will deprive Oxygen of the ability to protect its reputation, persona, and goodwill, and will tarnish the

goodwill associated with Oxygen's Marks.

WHEREFORE, Oxygen believes that it will be seriously damaged by said registration and, therefore Oxygen, by its undersigned attorneys, respectfully requests that its opposition be opposition be sustained, and that the application Serial No. 78/435,784 be denied.

A duplicate copy of this Notice of Opposition is enclosed herewith. The Trademark Trial and Appeal Board is hereby authorized to charge the fee of $300 ($300 per mark per class) required in 37 C.F.R. § 2.6(a)(17) and any additional fees that may be required as well as credit any overpayments to our Deposit Account No. 50-1639, in the name of Cowan, DeBaets, Abrahams & Sheppard, LLP.

Dated: New York, New York
September 16, 2005

Respectfully submitted,

COWAN, DeBAETS, ABRAHAMS & SHEPPARD LLP

By: _____

Toby M.J. Butterfield
Matthew A. Kaplan
41 Madison Avenue, 34th Floor
New York, New York 10010
(212) 974-7474

Attorneys for Oxygen Media Interactive, Inc.

EXHIBIT 1

Awards Won by Oxygen Media

June 2005 — Oxygen won a **Promax Award** for the Promotional Animation Campaign ***Things I Learned From My Cat.***

Oxygen won **2 BDA Awards**! First, Art Direction and Design, Interstitial—***Oh! Style-Packing!*** Second, Logo for ***Ashanti Custom Concert Tune In Logo!***

April 2005 — Oxygen has been named a finalist for 2 **CAB Awards**! ***The Affiliate Sales Team*** is a finalist for Network Sales Achievement. And Oxygen's ***Oh! Get the Money: Build Your Own Business Campaign*** in the Network Sales Promotion Category.

Oxygen won 5 **ACG (Association of Graphics Communications) Awards**! We were awarded 2 Achievement Certificates for our colorful ***Oh! File Folders*** and for our ***Snapped Press Kit***. We won 2 Showcase Certificates and Exhibition showing for our ***Pink Oh! Die Cut Label*** and our ***Calling All Girls Behaving Badly Affiliate Kit***. We also won 1 Technical Excellence Award and Special Exhibition Showing for our ***2004 Upfront Media Kit.***

March 2005 — Oxygen won 3 **Faxies**! One for the ***NCTA Luncheon on Paul Allen's Yacht*** for Best Party. One for the ***Mr. Romance Doll*** for best tschotchkey and one for the ***Sticky Eyeballs*** for odds and ends.

March 2005 — Oxygen won 3 **Gracie Allen Awards**! One for ***My Sexiest Mistake*** in the Comedy Category, one for ***Obsession Confessions*** in the Commercial - Campaign Category, and one for ***Superpowers: Able to Cast Spells*** in the Commercial – Single Entry Category.

Nov 2004 — The ***It's All About Isaac*** Campaign won a **Pro Award** in the Best Use of Promotional Advertising category.

Nov 2004 — ***Oxygen Media*** won top honors from **WICT's PAR Initiative**, especially in categories: Best in Pay Equity and Best in Advancement Opportunities for women.

Aug 2004 — ***Conversations from the Edge with Carrie Fisher*** and ***Women and the Badge*** have been nominated for **WIN (Women's Image Network) Awards.**

July 2004 — ***Families Talk with Sue Johanson*** won a **Clarion Award** in the Television Show – Informational category.

June 2004	Oxygen won 2 **Gracie Allen Awards**! One for ***Women and the Badge*** in the Reality Entertainment Category, and one for the ***WNBA Campaign*** in the National Campaign category.
	Sue Johanson received an honorable mention for the **Faxies**.
	Oxygen's own ***Brigitte McCray, Scott Webb, Debby Beece and Geraldine Laybourne*** won a **Brandbuilder Award.**
	Things I Learned From My Cat and ***Secret Superpowers of a Woman*** both won **Telly Awards.**
May 2004	Oxygen's ***It's All About Isaac*** Campaign won a **Reggie Award** in the Business to Business promotion category.
April 2004	***Hey Monie*** won a **Namic Vision Award** in the comedy category.
Jan. 2004	***Talk Sex with Sue Johanson*** received a finalist certificate at the **New York Festival Awards.**
Oct. 2003	***Conversations from the Edge with Carrie Fisher*** was nominated for a **WIN (Women's Image Network) Award.**
Sept. 2003	***Oxygen's Website*** won a Standard of Excellence award at the **Web Awards**!
	Oxygen's ***Addicted to Love Campaign*** won an honorable mention at the **Pro Awards.**
August 2003	***The Isaac Mizrahi Show featuring Maggie Gyllenhaal*** was a runner up for a **Literacy in Media Award** in the Informational Programming category.
June 2003	Oxygen's ***Talk Sex Promiseland Promotion*** won a **Promax Award** in the Program Campaign Category!
May 2003	***Oxygen's Sales Team*** won the prestigious Network Achievement Award from the **CAB** for the second year in a row!
April 2003	Oxygen won 3 **Gracie Allen Awards!** One for ***Women of Rockaway***, one for ***Who Needs Hollywood*** and one for the ***Inshallah*** promo.
	Oxygen won 2 **Beacon Awards**! One for the ***Women of Rockaway Campaign***, and one for the ***Choose to Lead Campaign***.

Oxygen won a "Good" award at **AWNY's Good, Bad and Ugly Awards** for our "***Pageant***" commercial spot.

Oxygen's ***Women and the Badge*** won a special jury award at the 36th annual **Worldfest Film Festival** in Houston Texas.

At the **OCTA Image** awards in Columbus, Ohio; Oxygen's ***Choose to Lead*** won in the Public Relations/Single Event - Larger Systems category!

Sept. 2002 ***Oxygen's Website*** won Best Online Community Website at the **Web Awards**!

July 2002 Oxygen won 9 **BDA Awards**: silver Non-news Interstitial for ***Moms Online***, silver Online Banner Advertising for ***Choose to Lead***, silver Sports Program Generic for ***Little Girls***, bronze Sports Program Topical for ***Little Girls***, bronze Non- news Interstitial for ***At the Beep***, bronze Online Banner Advertising for ***Pond Life***, bronze Online Banner Advertising for ***E-Cards***, bronze One Time Promo for ***Holiday ID's*** and bronze Out-of-House Logo/Animating for ***Bubbles, Waves and Techno***.

Oxygen won a **CTAM/Mark Award** for ***Quote Quilt Interstitial*** in the Wild Card Category.

Oxygen won 2 **Promax Awards**! One gold In-house Program Promotional for ***Little Girls***, and gold and silver In-house Holidays for ***Holiday Tumbling ID's***.

May. 2002 Oxygen won Grand Prize at the **CAB Awards** for its ***Network Affiliate Sales Achievement.***

April 2002 Oxygen won a **Beacon Award** for its ***Young Women's Technology Fellowship***.

March 2002 Oxygen won 2 **Gracie's**. ***The Choose to Lead Promo Campaign*** wins in the Commercial/Campaign Category, and ***Thank Heaven for Little Girls, Oxygen Sports***, wins in the Promotional Announcement Category.

July 2001 Oxygen won a **Webby's People's Voice Award** for its ***Thrive Online Website.***

Oxygen won 2 **BDA Awards**. One bronze Out-of-House Interstitial for ***Hatmaker***, and one bronze Power Design CD Rom/Interactive/Programming/Special Event for ***Oxygen Sales Presentation***.

April 2001	Oxygen won a Certificate of Excellence at the **Addy Awards** for its ***Co-Branded Interactive Quiz wit Secret.***
March 2001	Oxygen won 2 **Gracie's**. One for ***As She Sees It*** and one for ***Pure Oxygen***.
Sept. 2000	Paul Fierlinger won Grand Prize, Best Commissioned Film at the **Ottawa International Film Festival** for ***"Drawn from Life" a series created for Oxygen Media's X chromosome.***
July 2000	Oxygen won 3 **CTAM/Mark Awards**. One gold New Product Launch – TV Commercials for ***I am Baby***. One gold Image/Awareness – Internet Worldwide Web for ***Another Great Reason to be a Woman (A. Directions B. First in Lifeboats C. Handbags)***

EXHIBIT 2

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OXYGEN MEDIA
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Friday, August 19, 2005

Trademark List

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN	KMP	TM	T-69	Registered	75/518512 14-Jul-1998	2,805,115 13-Jan-2004	13-Jan-2014 01-Mar-2003

Country: United States of America
Owner: Oxygen Media Interactive, Inc.
Classes: 9
Goods: Motion picture films, exposed film and negatives containing, motion pictures and television movies featuring dramas, comedies,

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN	KMP	TM	T-70	Registered	75/518788 14-Jul-1998	2,791,572 09-Dec-2003	09-Dec-2013 02-Feb-2000

Country: United States of America
Owner: Oxygen Media Interactive, Inc.
Classes: 16
Goods: Printed publications, namely books and magazines on topics of interest to women and children; posters, photographs; cels,

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN	KMP	TM	T-71	Registered	75/518531 14-Jul-1998	2,390,328 26-Sep-2000	26-Sep-2010 02-Feb-2000

Country: United States of America
Owner: Oxygen Media Interactive, Inc.
Classes: 38
Goods: Television and radio broadcasting via cable, satellite, a global computer network, and other means.
Remarks:
7/23/2002 - Notice of Recordation of Assignment Document.

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN	KMP	TM	T-72	Registered	75/519969 16-Jul-1998	2,732,383 01-Jul-2003	01-Jul-2013 02-Feb-2000

Country: United States of America
Owner: Oxygen Media Interactive, Inc.
Classes: 41
Goods: Entertainment services, namely motion picture, television, laser disc and videotape production services; entertainment services,

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Trademark List

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN	KMP	TM	T-73	Published	75/518508 14-Jul-1998		01-Dec-2004

Country: United States of America

Owner: Oxygen Media Interactive, Inc.

Classes: 35

Goods: Wholesale distributorship for others in the fields of entertainment and education, namely motion pictures, television movies and

Remarks:

Assisgned from O2, Inc. to Oxygen Media, Inc. - recordation date - December 3, 1998; Reel 1823/Frame 0646.
10/12/99 - Office Action SUSPENDING FURTHER ACTION.
4/12/00 - Request for Change of Applicant's address filed; return post card received.
4/13/00 - Revocation and new power of attorney filed; return post card received.
12/4/2000 - As per discussion with Examiner, suspension has been lifted and mark will be published for opposition (no date as yet).
8/15/2001 - Return post card, Stipulated Motion to Extend Time received.
1/10/2002 - Recordal of name change of owner sent to Trademark Office.
7/23/2002 - Notice of Recordation of Assignment Document.
3/22/2005 - Notice of Approval of First Extension Request.

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OXYGEN MEDIA
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Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN BUILD YOUR OWN BUSINESS	KMP	TM	T-396	Registered	76/396,188 12-Apr-2002	2,774,732 21-Oct-2003	21-Oct-2013 01-May-2001

Country: United States of America

Owner: O2 Holdings, LLC

Classes: 35

Goods: A contest to choose participants to receive monetary and/or product prizes, and business development and start-up support

Remarks:

4/30/2002 - Application return post card received.
5/1/2002 - Filing Receipt.

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN SPORTS	KMP	TM	T-214	Registered	76/095785 25-Jul-2000	2,684,295 04-Feb-2003	04-Feb-2013 01-Jun-2000

Country: United States of America

Owner: O2 Holdings, LLC

Classes: 16

Goods: Printed publications, namely books, pamphlets, magazines and newsletters featuring sports-related information; posters, banners,

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Trademark List

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN SPORTS	KMP	TM	T-216	Pending	76/095783 25-Jul-2000		

Country: United States of America

Owner: O2 Holdings, LLC

Classes: 25

Goods: Clothing, namely, hats, visors, earmuffs, bandanas, scarves, gloves, mittens, pullovers, sweat shirts, sweaters, shirts,

Remarks:

8/3/2000 - Return post card received.
8/28/2000 - Filing receipt
9/26/2001 - Notice of Abandonment.
11/5/2001 - Notice of Reinstatement of Application As per K. Koster and Dan Taitz, allow application to abandon.
11/14/2001 - OA - Suspending application
6/12/2002 - Notice of Suspension continued.
8/16/2002 - Description of goods amended as per Agreement with Atomic Austria; return post card received - 9/5/2002.

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OXYGEN SPORTS	KMP	TM	T-219	Registered	76/095781 25-Jul-2000	2,764,759 16-Sep-2003	16-Sep-2013 15-Jun-2000

Country: United States of America

Owner: O2 Holdings, LLC

Classes: 41

Goods: Educational and entertainment services, namely providing programming in the nature of competitions in the field of athletics

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Trademark List

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OH! BABIES	KMP	TM	T-414	Published	76/602824 19-Jul-2004		

Country: United States of America
Owner: O2 Holdings, LLC
Classes: 38
Goods: Television broadcasting via cable, satellite and broadcast transmissions and providing on-line chat rooms and electronic

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OH! BABY	KMP	TM	T-413	Published	76/602823 19-Jul-2004		

Country: United States of America
Owner: O2 Holdings, LLC
Classes: 38
Goods: Television broadcasting via cable, satellite and broadcast transmissions and providing on-line chat rooms and electronic

Trademark Name	Attorney(s)	Division	Case Number	Status	Application Number	Registration Number/Date	Renewal Date/ First Use Date
OH! LOVE	KMP	TM	T-415	Published	76/602822 19-Jul-2004		

Country: United States of America
Owner: O2 Holdings, LLC
Classes: 38
Goods: Television broadcasting via cable, satellite and broadcast transmissions and providing on-line chat rooms and electronic

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Country List

Country: US United States of America

Trademark	Division	Case Number	Status	Application Number/	Registration Number/ Registration Date	Renewal Date	Attorney
OH!		T-404	Registered	76/454106	2,851,646	08-Jun-2014	KMP
	Owner: O2 Holdings, LLC			01-Oct-2002	08-Jun-2004		
				Classes: 9			
OH!		T-405	Registered	76/454105	2,818,216	24-Feb-2014	KMP
	Owner: O2 Holdings, LLC			01-Oct-2002	24-Feb-2004		
				Classes: 38			
OH!		T-406	Registered	76/454104	2,828,438	30-Mar-2014	KMP
	Owner: O2 Holdings, LLC			01-Oct-2002	30-Mar-2004		
				Classes: 41			

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Country List

Country: US United States of America

Trademark	Division	Case Number	Status	Application Number/ Registration Date	Registration Number/ Registration Date	Renewal Date	Attorney
OH! OXYGEN		T-398	Pending	76/454198			KMP
	Owner: O2 Holdings, LLC			01-Oct-2002			
				Classes: 9			
OH! OXYGEN		T-401	Registered	76/454172	2,921,178	25-Jan-2015	KMP
	Owner: O2 Holdings, LLC			30-Sep-2002	25-Jan-2005		
				Classes: 35			
OH! OXYGEN		T-402	Registered	76/454171	2,867,469	27-Jul-2014	KMP
	Owner: O2 Holdings, LLC			01-Oct-2002	27-Jul-2004		
				Classes: 38			
OH! OXYGEN		T-403	Registered	76/454173	2,858,579	29-Jun-2014	KMP
	Owner: O2 Holdings, LLC			01-Oct-2002	29-Jun-2004		
				Classes: 41			

Trademark

19-Aug-05

Case Number: T-99
Attorney(s): KMP
Trademark: PURE OXYGEN
Division: Trademarks
Division Reference No.:
Case Type:
Application Number: 75/842029
Priority Number:
Registration Number: 2,764,535
Publication Number: 1255, No. 3
Last Renewal:
ITU: ☑

Country: US
United States of America
Application Status: Registered
Filing Date: 05-Nov-1999
Priority Date:
Registration Date: 18-Nov-2003
Publication Date: 19-Feb-2002
Next Renewal: 18-Nov-2013
First Use Date: 02-Feb-2000
Allowance Date: 07-Jan-2003

Agent:
Owner: OXY Oxygen Media LLC
Agent Reference Number:

Renewal(s)	Due Date		Taken
First Renewal	18-Nov-2013	Ren/Due	

Class(es): 41

User ID: CPI
Date Created: 12-May-2000
Last Update: 25-Nov-2003

19-Aug-05

Trademark

Case Number: T-100
Attorney(s): KMP
Trademark: PURE OXYGEN
Division: Trademarks
Division Reference No.:
Case Type:
Application Number: 75/841363
Priority Number:
Registration Number: 2,615,733
Publication Number: 1255, No. 2
Last Renewal:
ITU: ☑

Country: US
United States of America
Application Status: Registered
Filing Date: 05-Nov-1999
Priority Date:
Registration Date: 03-Sep 2002
Publication Date: 12-Feb-2002
Next Renewal: 03-Sep-2012
First Use Date: 02-Feb-2000
Allowance Date: 07-May-2002

Agent:
Owner: OXY Oxygen Media LLC
Agent Reference Number:

Renewal(s)	Due Date		Taken
First Renewal	03-Sep-2012	Ren/Due	

Class(es): 38

User ID: CPI
Date Created: 12-May-2000
Last Update: 17-Sep-2002