

ESTTA Tracking number: **ESTTA47169**

Filing date: **10/04/2005**

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	S. C. Johnson & Son, Inc.
Granted to Date of previous extension	10/05/2005
Address	1525 Howe Street Racine, WI 53403 UNITED STATES

Attorney information	Gary D. Krugman & Jody H. Drake Sughrue Mion, PLLC 2100 Pennsylvania Ave., NW Washington, DC 20037-3213 UNITED STATES kdaniels@sughrue.com Phone:202-293-7060
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Applicant Information

Application No	78396961	Publication date	06/07/2005
Opposition Filing Date	10/04/2005	Opposition Period Ends	10/05/2005
Applicant	Harper Brush Works, Inc. 400 N. Second Street Fairfield, IA 52556		

UNITED STATES

Goods/Services Affected by Opposition

Class 021.

All goods and services in the class are opposed, namely: Brooms, wet mops, dry mops, dusters, wire brushes, not being machine parts, scrubbing brushes, toilet brushes, washing brushes, dish washing brushes, nail brushes, tub brushes, pot cleaning brushes, masonry brushes, roof brushes, shoe brushes, floor brushes, squeegee brushes, driveway-applicator brushes for applying asphalt coatings, horse brushes, mop bucket, kitchen cleaning sponges, and kitchen pot and pan scourers

Attachments	800944 Notice of Opposition.pdf (3 pages)
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Signature	/Gary D. Krugman/
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Name	Gary D. Krugman & Jody H. Drake
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Date	10/04/2005
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Gary D. Krugman
T 202.663.7484
gkrugman@sughrue.com

October 4, 2005

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
P. O. Box 1451
Alexandria, VA 22313-1451


Re: Notice of Opposition
Mark Opposed: CLEANING MADE EASY
Application Serial No. 78/396,961
Applicant: Harper Brush Works, Inc.
Publication Date: June 7, 2005
Our Ref. 800944

S I R:

Enclosed herewith is a Notice of Opposition against the mark which is the subject of Application Serial No. 78/396,961. Please send notice of the institution to the undersigned in due course.

You are authorized to charge the filing fee in connection with this proceeding, which is believed to be \$300.00, to the undersigned's Deposit Account No. 800944.

Respectfully submitted,


Gary D. Krugman
Jody H. Drake
Attorneys for Opponent

GDK/kjd
Enclosure: Notice of Opposition

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

Application Serial No. 78/396,961
Mark: CLEANING MADE EASY

S. C. Johnson & Son, Inc.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition
	:	
Harper Brush Works, Inc.,	:	
	:	
Applicant.	:	

NOTICE OF OPPOSITION

S. C. Johnson & Son, Inc., a Wisconsin corporation with its principal office at 1525 Howe Street, Racine, Wisconsin 53403-2236, hereby opposes the registration of the mark CLEANING MADE EASY, which is the subject of Application No. 78/396,961.

As grounds in support of this opposition, opposer alleges the following:

1. Opposer, S. C. Johnson & Son, Inc., is a Wisconsin corporation with its principal office at address of 1525 Howe Street, Racine, Wisconsin 53403-2236.
2. Opposer, for many years, has been in the business of manufacturing and selling household cleaning products, among other things.
3. On April 6, 2004, applicant filed an application for the mark CLEANING MADE EASY for goods described as brooms, brushes, not being machine parts, scrubbing brushes, toilet brushes, washing brushes, nail brushes, tub brushes, pot cleaning brushes, shoe brushes, floor brushes, squeegee brushes, driveway-applicators, etc.

coatings, horse brushes, mop bucket, kitchen cleaning sponges,

This application was assigned Serial No. 78/396,961 and was filed with the intent to use the mark in commerce in connection with the goods identified in applicant's application.

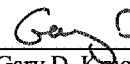
4. Opposer believes and asserts that the term CLEANING MAINTENANCE is descriptive of the goods identified in applicant's Application Serial No. 78/396,961 and that the use of those goods for purposes of Section 2(e)(1) of the Trademark Act of 1946 is descriptive of those goods.

5. Opposer, by virtue of its being in the business of manufacturing and selling household cleaning products, including many products encompassed by the goods identified in applicant's application, is in a position to use the term CLEANING MAINTENANCE in its ordinary descriptive sense in connection with its household cleaning products.

WHEREFORE, the registration of the CLEANING MAINTENANCE mark as applied to the goods identified in applicant's application will cause irreparable damage to opposer in that registration granted to applicant will infringe upon opposer's right to use the term in its ordinary descriptive sense. Opposer therefore prays that the registration be refused and registration to applicant be refused.

Respectfully submitted,

S. C. JOHNSON & SON

By: 
Gary D. Kruger
Jody H. Drake
Attorneys for Opposer
SUGHRUE MOWAT
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037
Telephone: (202) 331-1000

Date: October 1, 1978