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December 2, 2005

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

Attn: Trademark Trial and Appeal Board

Re: Notice of Opposition and Stipulated Motion to Suspend Proceedings

Mark: OASIS MORE HUMAN LESS MACHINE & design  
Applicant: Panatta Sport S.R.L.  
Serial No.: 76/472,627

To the Commissioner for Trademarks:

Enclosed for filing, on behalf of Oasis Stores Limited, are an original and one copy of a Notice of Opposition to the above-identified application in connection with the Class 25 goods only.

Please charge the opposition fee of three hundred dollars (\$300) for the one class to Deposit Account No. 04-0475. Any underpayment can also be charged, or any refund credited, to this account.

In addition, we enclose an original and two copies of a Stipulated Motion to Suspend Proceedings, by which the opposer and the applicant jointly request that further proceedings be suspended pending an anticipated settlement of the matter.

Respectfully submitted,

  
Terence A. Dixon

TAD:mss  
Enclosures

cc: Thomas J. Vande Sande, Esq.



12-02-2005

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

In re Panatta Sport s.r.l.

Mark: OASIS MORE HUMAN LESS MACHINE and Design

Serial No.: 76-472,627

Published in the *Official Gazette* of  
June 7, 2005

OASIS STORES LIMITED

Opposer,

v.

PANATTA SPORT S.R.L.

Applicant.

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Opposition No. \_\_\_\_\_

NOTICE OF OPPOSITION

Opposer Oasis Stores Limited (“Opposer”), a corporation organized under the laws of England and Wales with offices at 32-38 Scrotten Street, London EC2A 4SS, United Kingdom, believes that it will be damaged by the registration of the mark shown in Application Serial No. 76-472,627, and therefore opposes registration. The grounds for this opposition are as follows:

1. Opposer is a leading international retailer of clothing and related products.

Opposer has used the mark OASIS on its clothing and other products and in connection with related retail services for many years.

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2. Opposer has pending applications to register the mark OASIS in the United States for “ladies clothing, namely dresses, skirts, dress clacks, blouses, suits and blazers” in Class 25 (Serial No. 74-649,800), various types of bags and accessories in Class 18 (Serial No. 76-312,144), and “retail store services in the field of women’s clothing and accessories” in Class 35 (Serial No. 75-191,950). Application Serial No. 74-649,800 was filed on March 21, 1995; application Serial No. 76-312,144 was filed on September 12, 2001, and application Serial No. 75-191,950 was filed on November 4, 1996.

3. On information and belief, Applicant is a manufacturer and distributor of exercise machines and various other sports equipment and apparatus. On December 4, 2002, Applicant filed an intent-to-use application to register OASIS MORE HUMAN LESS MACHINE and Design on the Principal Register as a mark for various goods and services in Classes 25, 28 and 41. This application was designated as Serial No. 76-472,627 (the “Application”). The Application claimed priority under Section 44(d) based on a corresponding Italian national application, which was filed on June 7, 2002. The application was subsequently amended to seek registration under Section 44(e) based on a corresponding CTM registration. The identification of the goods in Class 25 in the Application was subsequently amended to read: “sportswear, namely, track suits, pants, shorts, jackets, coats, slacks, shirts, undershirts, t-shirts, vests, socks, pantyhose, underwear, sports shoes, and headgear, namely, hats and caps.” The Application was published in the *Official Gazette* on June 7, 2005.

4. The filing dates of Opposer’s applications Serial No. 74-649,800, Serial No. 76-312,144 and Serial No. 75-191,950 all precede both the filing date of the Application and the

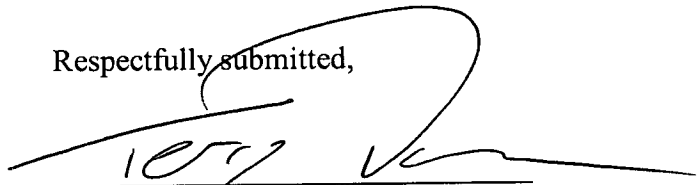
applicable priority date for the Application under Section 44(d). As such, priority is not an issue in this case.

5. Applicant's mark is similar to and indeed incorporates Opposer's OASIS mark. The goods for which Applicant is seeking registration of its mark in Class 25 are identical or closely related to goods for which Opposer has prior pending applications and closely related to the retail services for which Opposer has a prior pending application.

6. In light of the foregoing, Applicant's registration and use of OASIS MORE HUMAN LESS MACHINE and Design in connection with the Class 25 goods specified in Applicant's application is likely to cause confusion or mistake, or to deceive, or to create the false impression that Applicant's goods are provided by, related to, endorsed by, or associated with Opposer, all to the injury of Opposer's rights in its marks and its reputation and identity.

WHEREFORE, Opposer prays that this opposition be sustained with respect to the goods in Class 25 and that Application Serial No. 76-472,627 be refused registration with respect to that class.

Respectfully submitted,



Glenn A. Gundersen  
Terence A. Dixon  
DECHERT LLP  
Cira Centre  
2929 Arch Street  
Philadelphia, PA 19104-2808  
215.994.2420

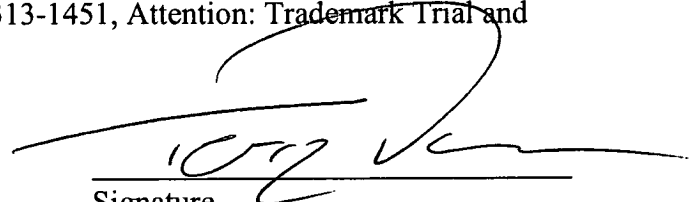
Attorney for Opposer  
Oasis Stores Limited

Dated: December 2, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this Notice of Opposition is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, Attention: Trademark Trial and Appeal Board, on December 2, 2005.

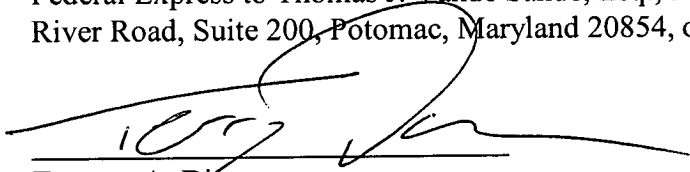
Terence A. Dixon  
Person Signing Certificate

  
Signature

December 2, 2005  
Date

ET808452961US  
Express Mail Number

I hereby certify that a courtesy copy of the foregoing Notice of Opposition has been sent by Federal Express to Thomas J. Vande Sande, Esq., Hall, Vande Sande & Pequignot, LLP, 10220 River Road, Suite 200, Potomac, Maryland 20854, on December 2, 2005.

  
Terence A. Dixon

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

In re Panatta Sport s.r.l.

Mark: OASIS MORE HUMAN LESS MACHINE

Serial No.: 76-472,627

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Opposition No. \_\_\_\_\_

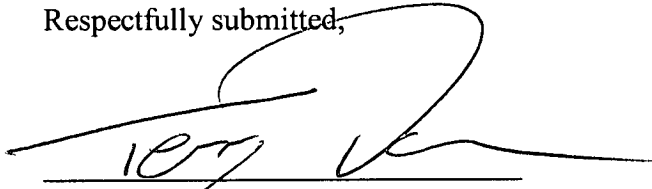
**STIPULATED MOTION TO SUSPEND PROCEEDINGS**

Opposer, Oasis Stores Limited, and Applicant, Panatta Sports s.r.l., jointly and respectfully request that the captioned opposition proceeding be suspended for six months and that all discovery and testimony periods be suspended under 37 CFR §2.117(c) on the ground that Opposer and Applicant are engaged in settlement negotiations and anticipate reaching a mutually satisfactory resolution of this matter.

Counsel for Applicant, Thomas J. Vande Sande, has consented to the filing of this motion by Opposer's counsel on behalf of both parties in a telephone conference with Opposer's counsel on December 1, 2005.

The original of this Stipulated Motion plus a copy for each party are being submitted to the Board.

Respectfully submitted,



Dated: December 2, 2005

Terence A. Dixon  
DECHERT LLP  
Cira Centre  
2929 Arch Street  
Philadelphia, PA 19104-2808  
215.994.2420

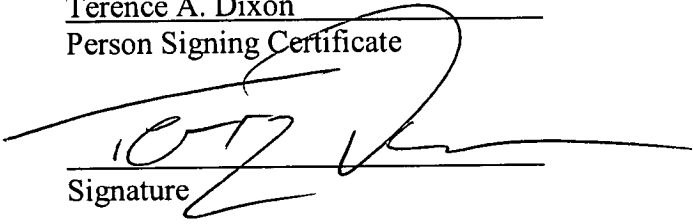
Attorney for Opposer  
Oasis Stores Limited

**CERTIFICATE OF MAILING**

I hereby certify that this Stipulated Motion to Suspend Proceedings is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, Attention: Trademark Trial and Appeal Board, on December 2, 2005.

Terence A. Dixon  
Person Signing Certificate

December 2, 2005  
Date of Signature

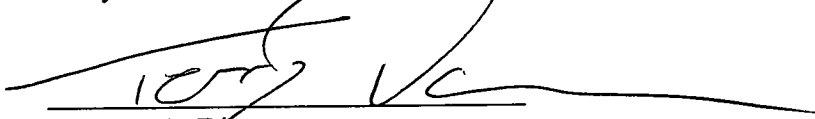


Signature

ET808452961US  
(Express Mail Number)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Stipulated Motion to Suspend Proceedings has been duly served by sending such copy by Federal Express to Thomas J. Vande Sande, Esq., Hall, Vande Sande & Requignot, LLP, 10220 River Road, Suite 200, Potomac, Maryland 20854, on December 2, 2005.



Terence A. Dixon