

ESTTA Tracking number: **ESTTA273372**

Filing date: **03/20/2009**

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	Sexy Hair Concepts, LLC
Granted to Date of previous extension	06/10/2009
Address	21551 Prairie Street Chatsworth, CA 91311 UNITED STATES

Attorney information	Roberta Jacobs-Meadway Eckert Seamans Cherin & Mellott, LLC Two Liberty Place 50 South 16th Street, 22nd Floor Philadelphia, PA 19102 UNITED STATES rjacobsmeadway@eckertseamans.com, smconnell@eckertseamans.com Phone:215-851-8522
----------------------	--

Applicant Information

Application No	77605030	Publication date	02/10/2009
Opposition Filing Date	03/20/2009	Opposition Period Ends	06/10/2009
International Registration No.	NONE	International Registration Date	NONE
Applicant	Antonio Puig, S.A. Travesera de Gracia, 9 Barcelona, 08021 SPAIN		

Goods/Services Affected by Opposition


Class 003. All goods and services in the class are opposed, namely: Soaps for personal use; perfumery, essential oils, cosmetics, hair lotions; dentifrices; shampoos; deodorants for personal use; foam shave, after shave lotions and after shave balms
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2403396	Application Date	02/05/1999
Registration Date	11/14/2000	Foreign Priority	NONE

		Date	
Word Mark	SEXY HAIR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1998/06/15 First Use In Commerce: 1998/12/21 Hair care products for men, women and children, namely hair shampoos, hair conditioners, hair lotions, hair cremes, hair gels, hair sprays, hair color, hair dyes, hair rinses, hair mousse		

U.S. Registration No.	3478939	Application Date	05/21/2007
Registration Date	08/05/2008	Foreign Priority Date	NONE
Word Mark	SEXY		
Design Mark			
Description of Mark	The mark consists of a star followed by the word "SEXY". The color red appears in the star and the word "SEXY".		
Goods/Services	Class 003. First use: First Use: 2002/04/30 First Use In Commerce: 2002/04/30 hair care products, namely, hair shampoos, hair colors, hair conditioners, hair mousses, hair sprays, hair gels, hair gel foams, hair creams, hair styling fixative in the nature of hair waxes, hair detangling sprays, hair balms, hair glosses, hair pomades, dry silicon serum sprays for hair and hair tonics		

U.S. Registration No.	3247540	Application Date	08/02/2006
Registration Date	05/29/2007	Foreign Priority Date	NONE
Word Mark	HEALTHY SEXY		

Design Mark	HEALTHY SEXY		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2001/05/20 First Use In Commerce: 2001/05/20 hair care products, namely hair shampoos, hair conditioners, hair pomades and hair tonics		

U.S. Registration No.	2636664	Application Date	09/21/2000
Registration Date	10/15/2002	Foreign Priority Date	NONE

Word Mark	SEXSYMBOL
-----------	-----------

Design Mark	SEXSYMBOL		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2001/01/00 First Use In Commerce: 2001/01/00 cosmetics, namely, lipstick and lip gloss, [nail polish, mascara,] eyeliner [and foundation, and hair care products for men, women, and children, namely, shampoos, conditioners, hair lotions, hair conditioning creams, hair gels, hair sprays, hair color, hair tint and hair mousse]		

Attachments	75634213#TMSN.gif (1 page)(bytes) 77186183#TMSN.jpeg (1 page)(bytes) 78942919#TMSN.jpeg (1 page)(bytes) 76132497#TMSN.gif (1 page)(bytes) notice of opposition 77605030.PDF (27 pages)(807666 bytes)
-------------	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Roberta Jacobs-Meadway/
Name	Roberta Jacobs-Meadway
Date	03/20/2009

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED ELECTRONICALLY TO THE COMMISSIONER FOR TRADEMARKS - <http://esta.uspto.gov/filing-type.jsp>

By: Mary J. Brown Taylor

DATE: March 20, 2009

BOX TTAB FEE

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

SEXY HAIR CONCEPTS LLC

OPPOSER,

v.

ANTONIO PUIG, S.A.,

APPLICANT.

Opposition No. _____

NOTICE OF OPPOSITION

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

In the matter of Trademark Application Serial No. 77/605,030 for the mark "SEX BOMB," filed October 31, 2008 and published for opposition in the Official Gazette on February 10, 2009.

Sexy Hair Concepts LLC, a California limited liability company having a place of business at 21551 Prairie Street, Chatsworth, California 91311 ("Opposer"), believes that it will be damaged by the registration of the mark shown in the above-identified application for the goods in International Class 3 and hereby opposes the same. The grounds for opposition are as follows:

1. Antonio Puig, S.A., a corporation organized under the law of Spain ("Applicant"), seeks to register "SEX BOMB" as a trademark for soaps used for personal use, perfumery, essential oils, cosmetics, hair lotions, dentifrices, shampoos, deodorants for personal

use, foam shave, after shave lotions and after shave balms, in International Class 3, as evidenced by the publication of said mark in the Official Gazette on February 10, 2009.

2. The application herein opposed was filed October 31, 2008 on the basis of Sections 1(b) and 44(e). Applicant claims no date earlier than October 31, 2008 for the purpose of priority.

3. Opposer is and has been engaged in the development, manufacture and sale of hair care products and cosmetics and bath and body products and has built a successful business in connection therewith.

4. Since at least as early as June 15, 1998, Opposer, itself and through its predecessor in interest, has used "SEXY" and "SEXY HAIR" as names and marks and as the dominant element of its names and marks for personal care preparations including shampoo and hair lotion.

5. The nature and extent of Opposer's use of its "SEXY" and "SEXY HAIR" names and marks can be seen at its website, www.sexyhair.com.

6. Opposer has taken steps to protect its "SEXY & Design" and "SEXY HAIR" marks and has secured U.S. Trademark Registration Nos. 2,403,396, 3,478,939 and 3,247,540 for such marks for hair care preparations as identified therein. Registration No. 2,403,396 is valid and subsisting and incontestable. A copy of the pertinent information about such registrations from the PTO database is attached as Exhibit A.

7. Since at least as early as January 2001, Opposer has used SEXSYMBOL as a mark for cosmetic products.

8. Opposer has taken steps to protect the SEXSYMBOL mark and has secured U.S. Trademark Registration No. 2,636,664 for such mark for the cosmetic products identified

therein. Registration No. 2,636,664 is valid and subsisting and incontestable. A copy of the pertinent information about such registration from the PTO database is attached as Exhibit B.

9. Opposer has since prior to September 26, 2006 continuously used “Sexy,” “Sexy Hair Concepts” and “Sexy Hair” as trade names in connection with its business.

10. Opposer has since long prior to the filing date of the application herein opposed established a family of marks for hair care products characterized by a descriptive term followed by the distinctive element SEXY, and a generic term, HAIR, which has no source indicating significance by itself for hair care products. The marks in the SEXY family of marks include: BIG SEXY HAIR, CURLY SEXY HAIR, HEALTHY SEXY HAIR, STRONG SEXY HAIR, and STRAIGHT SEXY HAIR.

11. Opposer’s registered trademarks “SEXY HAIR,” and “SEXY & Design” and Opposer’s “SEXY” marks, including HEALTHY SEXY HAIR and STRONG SEXY HAIR and Opposer’s registered trademark “SEXSYMBOL” are inherently distinctive as applied to Opposer’s products.

12. Opposer’s “Sexy” and “Sexy Hair” names are inherently distinctive of Opposer’s business.

13. Use of the “SEXY” and “SEXY HAIR” names and marks and the “SEXSYMBOL” mark by Opposer has been continuous and commercially significant.

14. By virtue of Opposer’s continuous use in commerce of its registered “SEXSYMBOL”, “SEXY & Design” and “SEXY HAIR” trademarks and its “SEXY” and “SEXY HAIR” marks, and the “Sexy” and “Sexy Hair” names in connection with its goods and business, and the nature and extent of such use, such goods and business have become favorably known to the relevant trade and public under such marks and names and identify the goods and business of Opposer.

15. As Opposer is the owner of subsisting U.S. trademark registrations for “SEXY & Design”, “SEXY HAIR” and “SEXSYMBOL” priority is not in issue.

16. In the application herein opposed, there are no restrictions on trade channels, so it must be presumed that the International Class 3 goods identified in the application will travel through all trade channels appropriate for goods of that type.

17. Applicant’s mark is confusingly similar to Opposer’s registered “SEXSYMBOL”, “SEXY HAIR” and “SEXY & Design” registered trademarks, and to Opposer’s SEXY family of marks, and to Opposer’s “SEXY” marks and to Opposer’s “Sexy Hair” and “Sexy” trade names.

18. Opposer’s “SEXSYMBOL” mark and Applicant’s mark, employ the identical term—“SEX,” as the initial element. The addition of the second term, “BOMB” to applicant’s mark does not obviate the likelihood of confusion but aggravates it, since conceptually SEXSYMBOL is akin to SEX BOMB, connoting someone of “high physical attractiveness.”

19. The cosmetics sold by Opposer under its registered “SEXSYMBOL” mark and the cosmetics of Applicant listed in the application herein opposed are essentially the same or closely related.

20. Cosmetic products such as are sold by Opposer and such as are identified in the application herein opposed are customarily marketed through overlapping channels of trade to overlapping classes of purchasers.

21. Applicant’s “SEX BOMB” trademark as applied to cosmetics as identified in the application herein opposed so resembles Opposer’s registered “SEXSYMBOL” trademark, as used in connection with Opposer’s cosmetic products, that it is likely to cause confusion, mistake, and/or deception.

22. Advertising for personal care products commonly equate “SEX” and “SEXY” and the terms are conceptually closely linked.

23. Applicant’s mark employs as its initial term “SEXY” which shares the same first three letters as the dominant element of Opposer’s “SEXY” and SEXY HAIR” marks and names and the SEXY family of marks.

24. The hair care preparations sold by Opposer and the hair lotions and shampoo products of Applicant listed in the application herein opposed are essentially the same or closely related goods.

25. The hair care preparations such as are sold by Opposer and such as are identified in the application herein opposed are customarily marketed through overlapping channels of trade to the same classes of purchasers.

26. Applicant’s “SEX BOMB” trademark as applied to hair lotions and shampoo as identified in the application herein opposed so resembles Opposer’s registered “SEXY HAIR” and “SEXY and Design” trademarks, Opposer’s “SEXY” family of trademarks, and its “Sexy” and “Sexy Hair” names as used in connection with Opposer’s goods and business, that it is likely to cause confusion, mistake and/or deception.

27. If Applicant is permitted to register “SEX BOMB” as a mark for the goods set forth in the application, confusion of the relevant trade and public is likely to result, which will damage and injure Opposer.

28. On seeing Applicant’s “SEX BOMB” mark used in connection with Applicant’s cosmetics and soap and hair care preparations, purchasers and potential purchasers are likely to believe in error that such goods are offered by or in association with Opposer or that Opposer and Applicant are affiliated.

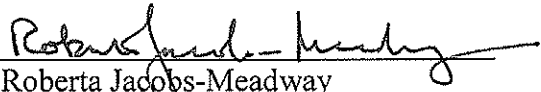
29. Any defect, objection to, or fault found with Applicant's cosmetics, soap and hair care preparations sold under the mark "SEX BOMB" would reflect on and injure the reputation that Opposer has established for its goods and business.

30. If Applicant is granted a registration for the mark herein opposed for the goods in International Class 3, it would obtain thereby at least a *prima facie* exclusive right to use the mark for such goods as are identified in the registration. Such registration would be a source of damage and injury to Opposer.

WHEREFORE, Sexy Hair Concepts LLC prays that registration of the mark of Application Serial No. 77/605,030 for the goods in International Class 3 be refused and that this opposition be sustained.

Respectfully submitted,

Dated: March 20, 2009

By: 
Roberta Jacobs-Meadway
Sean McConnell
ECKERT SEAMANS CHERIN & MELLOTT,
LLC
Two Liberty Place
50 S. 16th Street, 22nd Floor
Philadelphia, PA 19102
(215) 851-8522

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the attached Notice of Opposition was served on correspondent below for the Applicant on the dated listed below U.S. Mail:

Paul Fields, Esquire
~~Amy J. Benjamin, Esquire~~
Abigail Rubinstein, Esquire
Darby & Darby, P.C.
P.O. Box 770
New York, NY 10008-0770

Dated: 3-20-09

By: Mary T. Boesenhofer
Mary T. Boesenhofer

Exhibit A

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2009-03-20 09:11:15 ET

Serial Number: 75634213 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2403396

Mark (words only): SEXY HAIR

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2006-06-28

Filing Date: 1999-02-05

Transformed into a National Application: No

Registration Date: 2000-11-14

Register: Principal

Law Office Assigned: LAW OFFICE 104

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2006-08-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. SEXY HAIR CONCEPTS, LLC

Address:

SEXY HAIR CONCEPTS, LLC
9232 ETON AVENUE
CHATSWORTH, CA 91311
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

Hair care products for men, women and children, namely hair shampoos, hair conditioners, hair lotions, hair cremes, hair gels, hair sprays, hair color, hair dyes, hair rinses, hair mousse

Basis: 1(a)

First Use Date: 1998-06-15

First Use in Commerce Date: 1998-12-21

ADDITIONAL INFORMATION

Disclaimer: "HAIR"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-06-04 - Notice Of Suit

2008-05-14 - Assignment Of Ownership Not Updated Automatically

2008-04-23 - Assignment Of Ownership Not Updated Automatically

2008-03-06 - TEAS Change Of Correspondence Received

2008-03-06 - TEAS Change Of Correspondence Received

2006-08-03 - Case File In TICRS

2006-06-28 - Section 8 (6-year) accepted & Section 15 acknowledged

2006-06-12 - Assigned To Paralegal

2006-03-24 - Section 8 (6-year) and Section 15 Filed

2006-03-24 - TEAS Section 8 & 15 Received

2000-11-14 - Registered - Principal Register

2000-08-22 - Published for opposition

2000-07-21 - Notice of publication

2000-06-03 - Approved for Pub - Principal Register (Initial exam)

1999-12-14 - Letter of suspension mailed

1999-10-18 - Communication received from applicant

1999-08-17 - Non-final action mailed

1999-08-04 - Assigned To Examiner

1999-07-30 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Roberta Jacobs-Meadway

Correspondent

ROBERTA JACOBS-MEADWAY
Eckert Seamans Cherin & Mellott, LLC
Two Liberty Place
50 South 16th Street, 22nd Floor
Philadelphia PA 19102
Phone Number: 215-851-8522
Fax Number: 215-851-8383



United States Patent and Trademark Office

Home | Site Index | Search | Guides | Contacts | eBusiness | eBiz alerts | News | Help



Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 6Serial #: 75634213

Filing Dt: 02/05/1999

Reg #: 2403396

Reg. Dt: 11/14/2000

Registrant: Ecoly International, Inc.

Mark: SEXY HAIR

Assignment: 1Reel/Frame: 2547/0747

Received: 07/24/2002

Recorded: 07/22/2002

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: ECOLY INTERNATIONAL, INC.

Exec Dt: 07/12/2002

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: CALIFORNIA

Assignee: SEXY HAIR CONCEPTS, LLC9232 ETON AVENUE
CHATSWORTH, CALIFORNIA 91311

Correspondent: BALLARD SPAHR, ANDREWS ET AL.

JAY K. MEADWAY, ESQUIRE
1735 MARKET STREET
51ST FLOOR
PHILADELPHIA, PA 19103-7599**Assignment: 2**Reel/Frame: 2867/0793

Received: 11/24/2003

Recorded: 11/21/2003

Pages: 12

Conveyance: SECURITY INTEREST

Assignor: SEXY HAIR CONCEPTS, LLC

Exec Dt: 11/06/2003

Entity Type: LIMITED LIABILITY
CORPORATION

Citizenship: CALIFORNIA

Entity Type: NATIONAL BANKING
ASSOCIATION

Citizenship: NONE

Assignee: U.S. BANK NATIONAL ASSOCIATIONONE U.S. BANK PLAZA
12TH FLOOR
ST. LOUIS, MISSOURI 63101

Correspondent: THOMPSON COBURN LLP

R HAFERKAMP
ONE US BANK PLAZA
ST. LOUIS, MO 63101**Assignment: 3**Reel/Frame: 3281/0338

Received: 04/03/2006

Recorded: 04/03/2006

Pages: 16

Conveyance: SECURITY INTEREST

Assignor: SEXY HAIR CONCEPTS, LLC

Exec Dt: 03/09/2006

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: CALIFORNIA

Entity Type: A NATIONAL BANKING
ASSOCIATION

Citizenship: UNITED STATES

Assignee: U.S. BANK NATIONAL ASSOCIATION, AS AGENTONE US BANK PLAZA
12TH FLOOR
ST. LOUIS, MISSOURI 63101

Correspondent: THOMPSON COBURN LLP

ONE US BANK PLAZA

ST. LOUIS, IL 63101

Assignment: 4**Reel/Frame:** 3302/0977**Received:** 05/04/2006**Recorded:** 05/04/2006**Pages:** 4**Conveyance:** RELEASE BY SECURED PARTY**Assignor:** U.S. BANK NATIONAL ASSOCIATION**Exec Dt:** 05/01/2006**Entity Type:** A NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Assignee:** SEXY HAIR CONCEPTS, LLC9232 ETON AVENUE
CHATSWORTH, CALIFORNIA 91311**Correspondent:** THOMPSON COBURN LLP

ONE US BANK PLAZA

ST. LOUIS, MO 63101

Assignment: 5**Reel/Frame:** 3764/0380**Received:** 04/22/2008**Recorded:** 04/22/2008**Pages:** 7**Conveyance:** NOTICE OF GRANT OF SECURITY INTEREST**Assignor:** SEXY HAIR CONCEPTS, LLC**Exec Dt:** 04/09/2008**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Entity Type:** NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Assignee:** BANK OF AMERICA, N.A., AS COLLATERAL AGENT800 FIFTH AVENUE
WA1-501-32-37
SEATTLE, WASHINGTON 98104**Correspondent:** MOORE & VAN ALLEN PLLC

430 DAVIS DRIVE

SUITE 500

MORRISVILLE, NC 27560

Assignment: 6**Reel/Frame:** 3772/0992**Received:** 05/07/2008**Recorded:** 05/07/2008**Pages:** 4**Conveyance:** TERMINATION OF SECURITY INTEREST IN TRADEMARKS**Assignor:** U.S. BANK NATIONAL ASSOCIATION, AS AGENT**Exec Dt:** 04/09/2008**Entity Type:** NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Assignee:** SEXY HAIR CONCEPTS, LLC9232 ETON AVENUE
CHATSWORTH, CALIFORNIA 63101**Correspondent:** MOORE & VAN ALLEN PLLC

430 DAVIS DRIVE

SUITE 500

MORRISVILLE, NC 27560

Search Results as of: 03/20/2009 09:14 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.
Web interface last modified: October 18, 2008 v.2.0.2[| .HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

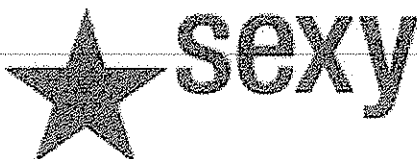
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2009-03-20 09:11:32 ET

Serial Number: 77186183 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3478939

Mark



(words only): SEXY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2008-08-05

Filing Date: 2007-05-21

Transformed into a National Application: No

Registration Date: 2008-08-05

Register: Principal

Law Office Assigned: LAW OFFICE 117

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-08-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sexy Hair Concepts, LLC

Address:

Sexy Hair Concepts, LLC
9232 Eton Avenue

Chatsworth, CA 91311

United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

hair care products, namely, hair shampoos, hair colors, hair conditioners, hair mousses, hair sprays, hair gels, hair gel foams, hair creams, hair styling fixative in the nature of hair waxes, hair detangling sprays, hair balms, hair glosses, hair pomades, dry silicon serum sprays for hair and hair tonics

Basis: 1(a)

First Use Date: 2002-04-30

First Use in Commerce Date: 2002-04-30

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) red is/are claimed as a feature of the mark.

Description of Mark: The mark consists of a star followed by the word "SEXY". The color red appears in the star and the word "SEXY".

Design Search Code(s):

01.01.03 - Star - a single star with five points

Prior Registration Number(s):

2403396

2757856

3247540

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-08-05 - Registered - Principal Register

2008-05-20 - Published for opposition

2008-04-30 - Notice of publication

2008-04-23 - Assignment Of Ownership Not Updated Automatically

2008-04-11 - Law Office Publication Review Completed
2008-04-11 - Assigned To LIE
2008-04-01 - Approved for Pub - Principal Register (Initial exam)
2008-03-11 - Teas/Email Correspondence Entered
2008-03-11 - Communication received from applicant
2008-03-11 - TEAS Response to Office Action Received
2008-03-06 - TEAS Change Of Correspondence Received
2007-09-11 - Notification Of Non-Final Action E-Mailed
2007-09-11 - Non-final action e-mailed
2007-09-11 - Non-Final Action Written
2007-08-31 - Assigned To Examiner
2007-05-25 - Notice Of Design Search Code Mailed
2007-05-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Roberta Jacobs-Meadway

Correspondent

Roberta Jacobs-Meadway
Eckert Seamans Cherin & Mellott, LLC
Two Liberty Place
50 South 16th Street, 22nd Floor
Philadelphia PA 19102
Phone Number: 215-851-8522
Fax Number: 215-851-8383



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title**Total Assignments: 1****Serial #:** [77186183](#)**Filing Dt:** 05/21/2007**Reg #:** [3478939](#)**Reg. Dt:** 08/05/2008**Registrant:** Sexy Hair Concepts, LLC**Mark:** SEXY**Assignment: 1****Reel/Frame:** [3764/0380](#)**Received:** 04/22/2008**Recorded:** 04/22/2008**Pages:** 7**Conveyance:** NOTICE OF GRANT OF SECURITY INTEREST**Assignor:** [SEXY HAIR CONCEPTS, LLC](#)**Exec Dt:** 04/09/2008**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Entity Type:** NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Assignee:** [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

800 FIFTH AVENUE

WA1-501-32-37

SEATTLE, WASHINGTON 98104

Correspondent: MOORE & VAN ALLEN PLLC

430 DAVIS DRIVE

SUITE 500

MORRISVILLE, NC 27560

Search Results as of: 03/20/2009 09:15 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.

Web interface last modified: October 18, 2008 v.2.0.2

| [.HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2009-03-20 09:11:46 ET

Serial Number: 78942919 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3247540

Mark

HEALTHY SEXY

(words only): HEALTHY SEXY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-05-29

Filing Date: 2006-08-02

Transformed into a National Application: No

Registration Date: 2007-05-29

Register: Principal

Law Office Assigned: LAW OFFICE 113

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-05-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sexy Hair Concepts, LLC

Address:

Sexy Hair Concepts, LLC
9232 Eton Avenue

Chatsworth, CA 91311

United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

hair care products, namely hair shampoos, hair conditioners, hair pomades and hair tonics

Basis: 1(a)

First Use Date: 2001-05-20

First Use in Commerce Date: 2001-05-20

ADDITIONAL INFORMATION

Prior Registration Number(s):

2403396

2486702

2757856

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-04-23 - Assignment Of Ownership Not Updated Automatically

2008-03-06 - TEAS Change Of Correspondence Received

2007-05-29 - Registered - Principal Register

2007-03-13 - Published for opposition

2007-02-21 - Notice of publication

2007-01-31 - Law Office Publication Review Completed

2007-01-31 - Assigned To LIE

2006-12-28 - Approved for Pub - Principal Register (Initial exam)

2006-12-28 - Assigned To Examiner

2006-08-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jay K. Meadway

Correspondent

Roberta Jacobs-Meadway

Eckert Seamans Cherin & Mellott, LLC

Two Liberty Place

50 South 16th Street, 22nd Floor

Philadelphia PA 19102

Phone Number: 215-851-8522

Fax Number: 215-851-8383



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 1Serial #: [78942919](#)

Filing Dt: 08/02/2006

Reg #: [3247540](#)

Reg. Dt: 05/29/2007

Registrant: Sexy Hair Concepts, LLC

Mark: HEALTHY SEXY

Assignment: 1Reel/Frame: [3764/0380](#)

Received: 04/22/2008

Recorded: 04/22/2008

Pages: 7

Conveyance: NOTICE OF GRANT OF SECURITY INTEREST

Assignor: [SEXY HAIR CONCEPTS, LLC](#)

Exec Dt: 04/09/2008

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: CALIFORNIA

Entity Type: NATIONAL BANKING
ASSOCIATION

Citizenship: UNITED STATES

Assignee: [BANK OF AMERICA, N.A., AS COLLATERAL AGENT](#)

800 FIFTH AVENUE

WA1-501-32-37

SEATTLE, WASHINGTON 98104

Correspondent: MOORE & VAN ALLEN PLLC

430 DAVIS DRIVE

SUITE 500

MORRISVILLE, NC 27560

Search Results as of: 03/20/2009 09:15 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.

Web interface last modified: October 18, 2008 v.2.0.2

| [.HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

Exhibit B

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2009-03-20 09:12:24 ET

Serial Number: 76132497 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2636664

Mark (words only): SEXSYMBOL

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2008-10-22

Filing Date: 2000-09-21

Transformed into a National Application: No

Registration Date: 2002-10-15

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 830 -Post Registration

Date In Location: 2008-10-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sexy Hair Concepts, LLC

Address:

Sexy Hair Concepts, LLC
21551 Prairie Street
Chatsworth, CA 91311
United States

Legal Entity Type: Limited Liability Company

State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 003

Class Status: Active

cosmetics, namely, lipstick and lip gloss, eyeliner

Basis: 1(a)

First Use Date: 2001-01-00

First Use in Commerce Date: 2001-01-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-10-22 - Section 8 (6-year) accepted & Section 15 acknowledged

2008-10-20 - Assigned To Paralegal

2008-10-15 - TEAS Section 8 & 15 Received

2008-05-14 - Assignment Of Ownership Not Updated Automatically

2008-04-23 - Assignment Of Ownership Not Updated Automatically

2008-03-06 - TEAS Change Of Correspondence Received

2008-01-31 - Case File In TICRS

2002-10-15 - Registered - Principal Register

2002-07-26 - Allowed for Registration - Principal Register (SOU accepted)

2002-07-03 - Communication received from applicant

2002-07-03 - PAPER RECEIVED

2002-06-07 - Non-final action mailed

2002-05-06 - Previous allowance count withdrawn

2002-05-06 - Allowed for Registration - Principal Register (SOU accepted)

2002-02-14 - Statement of use processing complete

2002-02-14 - Amendment to Use filed

2001-08-14 - Noa Mailed - SOU Required From Applicant

2001-05-22 - Published for opposition

2001-05-09 - Notice of publication

2001-02-27 - Approved for Pub - Principal Register (Initial exam)

2001-02-23 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Roberta Jacobs-Meadway

Correspondent

Roberta Jacobs-Meadway
Eckert Seamans Cherin & Mellott, LLC
50 South 16th Street, 22nd Floor
Two Liberty Place
Philadelphia PA 19102
Phone Number: 215-851-8522
Fax Number: 215-851-8383



United States Patent and Trademark Office

Home | Site Index | Search | Guides | Contacts | eBusiness | eBiz alerts | News | Help



Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 6Serial #: [76132497](#)

Filing Dt: 09/21/2000

Reg #: [2636664](#)

Reg. Dt: 10/15/2002

Registrant: Ecoly International, Inc.

Mark: SEXSYMBOL

Assignment: 1Reel/Frame: [2547/0747](#)

Received: 07/24/2002

Recorded: 07/22/2002

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [ECOLY INTERNATIONAL, INC.](#)

Exec Dt: 07/12/2002

Entity Type: CORPORATION

Citizenship: CALIFORNIA

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: CALIFORNIA

Assignee: [SEXY HAIR CONCEPTS, LLC](#)

9232 ETON AVENUE

CHATSWORTH, CALIFORNIA 91311

Correspondent: BALLARD SPAHR, ANDREWS ET AL.

JAY K. MEADWAY, ESQUIRE

1735 MARKET STREET

51ST FLOOR

PHILADELPHIA, PA 19103-7599

Assignment: 2Reel/Frame: [2867/0793](#)

Received: 11/24/2003

Recorded: 11/21/2003

Pages: 12

Conveyance: SECURITY INTEREST

Assignor: [SEXY HAIR CONCEPTS, LLC](#)

Exec Dt: 11/06/2003

Entity Type: LIMITED LIABILITY CORPORATION

Citizenship: CALIFORNIA

Entity Type: NATIONAL BANKING ASSOCIATION

Citizenship: NONE

Assignee: [U.S. BANK NATIONAL ASSOCIATION](#)

ONE U.S. BANK PLAZA

12TH FLOOR

ST. LOUIS, MISSOURI 63101

Correspondent: THOMPSON COBURN LLP

R HAFERKAMP

ONE US BANK PLAZA

ST. LOUIS, MO 63101

Assignment: 3Reel/Frame: [3281/0338](#)

Received: 04/03/2006

Recorded: 04/03/2006

Pages: 16

Conveyance: SECURITY INTEREST

Assignor: [SEXY HAIR CONCEPTS, LLC](#)

Exec Dt: 03/09/2006

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: CALIFORNIA

Entity Type: A NATIONAL BANKING ASSOCIATION

Citizenship: UNITED STATES

Assignee: [U.S. BANK NATIONAL ASSOCIATION, AS AGENT](#)

ONE US BANK PLAZA

12TH FLOOR

ST. LOUIS, MISSOURI 63101

Correspondent: THOMPSON COBURN LLP

ONE US BANK PLAZA

ST. LOUIS, IL 63101

Assignment: 4**Reel/Frame:** 3302/0977**Received:** 05/04/2006**Recorded:** 05/04/2006**Pages:** 4**Conveyance:** RELEASE BY SECURED PARTY**Assignor:** U.S. BANK NATIONAL ASSOCIATION**Exec Dt:** 05/01/2006**Entity Type:** A NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Assignee:** SEXY HAIR CONCEPTS, LLC9232 ETON AVENUE
CHATSWORTH, CALIFORNIA 91311**Correspondent:** THOMPSON COBURN LLPONE US BANK PLAZA
ST. LOUIS, MO 63101**Assignment: 5****Reel/Frame:** 3764/0380**Received:** 04/22/2008**Recorded:** 04/22/2008**Pages:** 7**Conveyance:** NOTICE OF GRANT OF SECURITY INTEREST**Assignor:** SEXY HAIR CONCEPTS, LLC**Exec Dt:** 04/09/2008**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Entity Type:** NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Assignee:** BANK OF AMERICA, N.A., AS COLLATERAL AGENT800 FIFTH AVENUE
WA1-501-32-37
SEATTLE, WASHINGTON 98104**Correspondent:** MOORE & VAN ALLEN PLLC430 DAVIS DRIVE
SUITE 500
MORRISVILLE, NC 27560**Assignment: 6****Reel/Frame:** 3772/0992**Received:** 05/07/2008**Recorded:** 05/07/2008**Pages:** 4**Conveyance:** TERMINATION OF SECURITY INTEREST IN TRADEMARKS**Assignor:** US BANK NATIONAL ASSOCIATION, AS AGENT**Exec Dt:** 04/09/2008**Entity Type:** NATIONAL BANKING
ASSOCIATION**Citizenship:** UNITED STATES**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** CALIFORNIA**Assignee:** SEXY HAIR CONCEPTS, LLC9232 ETON AVENUE
CHATSWORTH, CALIFORNIA 63101**Correspondent:** MOORE & VAN ALLEN PLLC430 DAVIS DRIVE
SUITE 500
MORRISVILLE, NC 27560

Search Results as of: 03/20/2009 09:16 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.
Web interface last modified: October 18, 2008 v.2.0.2[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)