

ESTTA Tracking number: **ESTTA512406**

Filing date: **12/20/2012**

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 parties oppose registration of the indicated application.

**Opposers Information**

Name	Guess? IP Holder L.P.		
Entity	Partnership	Citizenship	Delaware
Composed Of:	Guess? Licensing, Inc., a Delaware corporation		
Address	1444 South Alameda Street Los Angeles, CA 90021 UNITED STATES		

Name	Guess?, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	1444 South Alameda Street Los Angeles, CA 90021 UNITED STATES		

Attorney information	Michael J. MacDermott Christie, Parker & Hale, LLP P.O. Box 29001 Glendale, CA 91209-9001 UNITED STATES pto@cph.com		
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**Applicant Information**

Application No	85669097	Publication date	11/20/2012
Opposition Filing Date	12/20/2012	Opposition Period Ends	12/20/2012
Applicant	Matthias, Paul Damaschkestrasse 4 Berlin, 10711 GERMANY		

**Goods/Services Affected by Opposition**

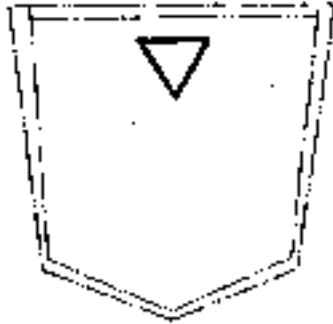
Class 025. All goods and services in the class are opposed, namely: Clothing, namely, shirts, pants, shorts, jackets, sweatshirts, sweaters, T-shirts, hats, swimwear, undergarments; footwear; and headwear
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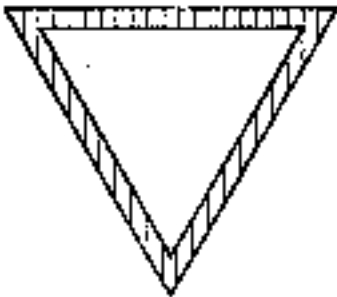
**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Marks Cited by Opposer as Basis for Opposition**


U.S. Registration No.	2306943	Application Date	01/15/1998
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Registration Date	01/11/2000	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	The mark consists of a triangle positioned on the rear pocket of the goods		
Goods/Services	Class 025. First use: First Use: 1981/00/00 First Use In Commerce: 1981/00/00 clothing, namely, bottoms, jeans, trousers, sweatpants, pants, jumpsuits, overalls, shortalls, shorts and skirts		

U.S. Registration No.	2322937	Application Date	02/13/1998
Registration Date	02/29/2000	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 EYEWEAR, NAMELY, EYEGLASSES, SUNGLASSES, EYEGGLASS CASES, EYEGGLASS POUCHES, EYEGGLASS FRAMES AND EYEGGLASS CHAINS</p> <p>Class 014. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 WATCHES, CLOCKS, JEWELRY, CUFF-LINKS AND TIE CLIPS</p> <p>Class 018. First use: First Use: 1988/00/00 First Use In Commerce: 1988/00/00 BACKPACKS, HANDBAGS, SMALL LEATHER GOODS, NAMELY, WALLETS, TRI-FOLD WALLETS, HIP FOLD WALLETS, CREDIT CARD CASES, CREDIT CARD/MONEY FOLDING WALLETS, KEY CASES, TRAVEL BAG FOR TOILETRIES, LUGGAGE, PURSES, COIN PURSES, COSMETIC CASES, TOTES, CARRY-ON TOTES, BRIEFCASES, TOTE BAGS, BOOK BAGS, TRAVEL BAGS, DUFFEL BAGS, AND CLOTH SHIPPING BAGS</p> <p>Class 025. First use: First Use: 1981/00/00 First Use In Commerce: 1981/00/00 APPAREL, NAMELY, BANDANNAS, BASEBALL CAPS, BELTS, BLOUSES,</p>		

	BODYSUITS, BOOTIES, BOXER SHORTS, BRAS, BUSTIERS, CAMISOLES, CAPS, CARDIGANS, CLOTH BIBS, CLOTH CAPS, CREW SHIRTS, CROP TOPS, DRESSES, FOOTWEAR, HALTERS, HOODED COVER UPS, HOODED SHIRTS, HOODED JUMPERS, JACKETS, JEANS, JUMPER DRESSES, JUMPERS, JUMPSUITS, LEGGINGS, LEOTARDS, MEN'S BRIEFS, MINISKIRTS, ONE-PIECE UNDERWEAR SUITS, OVERALL PLAYSUITS, OVERALLS, PANTIES, PANTS, PANTSUITS, POLO SHIRTS, PULL-OVERS, ROBES, ROMPERS, SHIRTS, SHORTALLS, SHORT SETS, SHORTS, SKIRTS, SKORTS, SLEEPERS, SOCKS, SPORT SHIRTS, STRETCH PANTS, STRETCH TOPS, SUSPENDERS, SWEATERS, SWEATPANTS, SWEATSHIRTS, SWEATSUITS, SWIMWEAR, SWIMWEAR COVER-UPS, TANK TOPS, TAP PANTS, TEDDIES, TIGHTS, T-SHIRTS, TURTLENECKS, UNDERSHIRTS, UNDERWEAR AND VESTS
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U.S. Registration No.	2632268	Application Date	08/12/1999
Registration Date	10/08/2002	Foreign Priority Date	NONE
Word Mark	G		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2000/09/00 First Use In Commerce: 2000/09/00 APPAREL, NAMELY, T-SHIRTS, SHIRTS, PANTS, JEANS, SHORTS, OVERALLS, SWEATERS AND JACKETS		

U.S. Registration No.	3046488	Application Date	08/30/1999
Registration Date	01/17/2006	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 025. First use: First Use: 2003/07/00 First Use In Commerce: 2003/07/00 MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANT'S APPAREL, NAMELY, UNDERWEAR, FOOTWEAR, SWIMWEAR, CAPS, HEADWEAR, ROBES, PAJAMAS, HOSIERY, GLOVES, BELTS, NECKTIES, UNDERSHIRTS, SOCKS, SHIRTS, T-SHIRTS, SWEATPANTS, SWEATSHIRTS, KNIT TOPS, SKIRTS, PANTS, TROUSERS, SHORTS, SWEATERS, JEANS, VESTS, COATS, JACKETS, OVERALLS, BLAZERS, DRESSES, SCARVES, BLOUSES, CARDIGANS, GOWNS, GOLF SHIRTS, JOGGING SUITS, TURTLENECKS, SUITS AND POLO SHIRTS; WOMEN'S PANTIES, BRAS, TANK TOPS, CROP TOPS, BUSTIERS, CAMISOLES, TAP PANTS, TEDDIES; MEN'S BRIEFS AND BOXER SHORTS

U.S. Registration No.	3532256	Application Date	01/16/2008
Registration Date	11/11/2008	Foreign Priority Date	NONE

Word Mark	G
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Design Mark	
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Description of Mark	The mark consists of three triangles forming an inverted triangle with a "G" in the top triangle.
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Goods/Services	Class 025. First use: First Use: 2008/03/00 First Use In Commerce: 2008/08/00 Men's and women's apparel, namely, underwear, footwear, swimwear, caps, headwear, robes, pajamas, gloves, belts, neckties, undershirts, socks, shirts, t-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, trousers, shorts, sweaters, jeans, vests, coats, jackets, blazers, dresses, scarves, blouses, cardigans, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap pants
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Attachments	75418506#TMSN.gif ( 1 page )( bytes ) 75434561#TMSN.gif ( 1 page )( bytes ) 75774414#TMSN.gif ( 1 page )( bytes ) 75788249#TMSN.gif ( 1 page )( bytes ) 77373697#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition.pdf ( 21 pages )(313518 bytes )
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### 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	/Micheal J. MacDermott/
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Name	Michael J. MacDermott
Date	12/20/2012

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

In the matter of trademark application **Serial No. 85/669,097**  
For the mark Inverted Triangle Design  
Published in the Trademark *Official Gazette* on November 20, 2012

Guess?, Inc. and Guess? IP Holder L.P.  Opposers,  v.  Paul Matthias  Applicant.
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Opposition No.

NOTICE OF OPPOSITION

Guess? IP Holder L.P., a Delaware limited liability partnership, and Guess?, Inc., a Delaware corporation, whose address is 1444 South Alameda Street, Los Angeles, California 90021 (collectively referred to as "Opposers"), believe they will be damaged by the registration of the Inverted Triangle Design mark shown in United States Trademark Application Serial No. 85/669,097 (hereinafter "Applicant's Mark") and hereby oppose the same.

As grounds for opposition, it is alleged that:

1. Since in or about the year 1981, Opposers have been continuously engaged in the manufacture and sale of apparel.
2. Since long prior to applicant's priority date herein, Opposers have continuously and extensively used in commerce various marks incorporating an Inverted Triangle Design in connection with apparel.

3. Opposer Guess? IP Holder L.P. is the owner of Registration No. 2306943, issued January 11, 2000 on the Principal Register for an Inverted Triangle mark for clothing, namely, bottoms, jeans, trousers, sweat pants, pants, jumpsuits, overalls, shortalls, shorts and skirts. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 1, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

4. Opposer Guess? IP Holder L.P. is the owner of Registration No. 2322937, issued February 29, 2000 on the Principal Register for an Inverted Triangle Design mark for apparel, namely, bandannas, baseball caps, belts, blouses, bodysuits, booties, boxer shorts, bras, bustiers, camisoles, caps, cardigans, cloth bibs, cloth caps, crew shirts, crop tops, dresses, footwear, halters, hooded cover ups, hooded shirts, hooded jumpers, jackets, jeans, jumper dresses, jumpers, jumpsuits, leggings, leotards, men's briefs, miniskirts, one-piece underwear suits, overall playsuits, overalls, panties, pants, pantsuits, polo shirts, pull-overs, robes, rompers, shirts, shortalls, short sets, shorts, skirts, skorts, sleepers, socks, sport shirts, stretch pants, stretch tops, suspenders, sweaters, sweatpants, sweatshirts, sweatsuits, swimwear, swimwear cover-ups, tank tops, tap pants, teddies, tights, t-shirts, turtlenecks, undershirts, underwear and vests in Class 25. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 2, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

5. Opposer Guess? IP Holder L.P. is the owner of Registration No. 2632268, issued October 8, 2002 on the Principal Register for the mark Inverted Triangle and G Design for apparel, namely, t-shirts, shirts, pants, jeans, shorts, overalls, sweaters and jackets. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 3, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

6. Opposer Guess? IP Holder L.P. is the owner of Registration No. 3046488, issued January 17, 2006 on the Principal Register for the mark Inverted Triangle Design for men's, women's, boys', girls', children's and infant's apparel, namely, underwear, footwear, swimwear, caps, headwear, robes, pajamas, hosiery, gloves, belts, neckties, undershirts, socks, shirts, t-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, trousers, shorts, sweaters, jeans, vests, coats, jackets, overalls, blazers, dresses, scarves, blouses, cardigans, gowns, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap pants, teddies; men's briefs and boxer shorts. Said registration is valid and subsisting and has become incontestable under the provisions of Section 15 of the Trademark Act. Attached hereto as Exhibit 4, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

7. Opposer Guess?, Inc. is the owner of Registration No. 3532256, issued November 11, 2008 on the Principal Register for the mark Inverted Triangle and G Design for men's and women's apparel, namely, underwear, footwear, swimwear, caps, headwear, robes, pajamas,



gloves, belts, neckties, undershirts, socks, shirts, t-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, trousers, shorts, sweaters, jeans, vests, coats, jackets, blazers, dresses, scarves, blouses, cardigans, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap pants. Said registration is valid and subsisting. Attached hereto as Exhibit 5, and made of record herein, is a current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of the registration.

8. Opposers, through the widespread use and advertising of their Inverted Triangle Design marks over a long period of time and by virtue of the quality of the goods sold under the marks, has built up a valuable goodwill and reputation in connection with said marks, which would be jeopardized by Applicant's use and registration of the Inverted Triangle Design mark of Serial No. 85/669,097.

9. Applicant's goods for which he seeks to register the Inverted Triangle Design mark, namely, clothing, namely, shirts, pants, shorts, jackets, sweatshirts, sweaters, T-shirts, hats, swimwear, undergarments; footwear; and headwear, are identical in nature to Opposer's apparel previously sold under its Inverted Triangle Design marks.

10. Applicant's Inverted Triangle Design mark so resembles Opposers' Inverted Triangle Design marks, previously used in commerce and/or registered with the United States Patent and Trademark Office by Opposers and not abandoned, as to be likely, when applied to the goods of Applicant, to cause confusion or to cause mistake or to deceive.

11. Opposers are informed and believe that Applicant did not make use his mark Inverted Triangle Design mark in connection with any of the goods in Application Serial No. 85/669,097 prior to his July 5, 2012 filing date.

WHEREFORE, Opposers pray that this Opposition be sustained and that registration of Application Serial No. 85/669,097 be refused.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date: December 20, 2012

By



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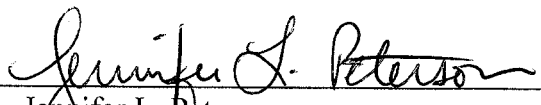
Michael J. MacDermott  
Attorneys for Opposers  
P.O. Box 29001  
Glendale, California 91209-9001  
626/795-9900

MM/jlp

**CERTIFICATE OF SERVICE**

I certify that on December 20, 2012, the foregoing **NOTICE OF OPPOSITION** is being served by mailing a copy thereof by first-class mail addressed to:

Kurosh Nasseri  
3207 M. St. NW Fl. 3  
Washington, D.C. 20007-3616

By   
Jennifer L. Peterson  
Christie, Parker & Hale, LLP  
P.O. Box 29001  
Glendale, California 91209-9001  
626/795-9900

# **EXHIBIT 1**



## Trademarks > Trademark Electronic Search System (TESS)

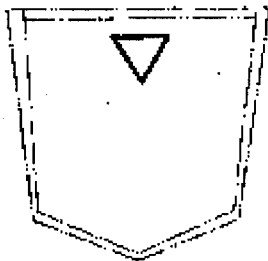
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**Goods and Services** IC 025. US 022 039. G & S: clothing, namely, bottoms, jeans, trousers, sweatpants, pants, jumpsuits, overalls, shortalls, shorts and skirts. FIRST USE: 19810000. FIRST USE IN COMMERCE: 19810000

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 09.03.16 - Collars (clothing); Cuffs (clothing); Embroidery on clothing pockets; Pockets; Pockets, clothing with embroidery or stitching; Sleeves (clothing); Stitching on clothing pockets; Waistband (clothing)

**Serial Number** 75418506

**Filing Date** January 15, 1998

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for** Opposition October 19, 1999

**Registration Number** 2306943

**Registration Date** January 11, 2000

**Owner** (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 S. Alameda Street Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444

SOUTH ALMEDA STREET LOS ANGELES CALIFORNIA 90021

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** MICHAEL J MACDERMOTT  
**Prior Registrations** 1271896;1695617;AND OTHERS  
**Description of Mark** The mark consists of a triangle positioned on the rear pocket of the goods  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL-2(F)  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100112.  
**Renewal** 1ST RENEWAL 20100112  
**Live/Dead Indicator** LIVE

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# **EXHIBIT 2**



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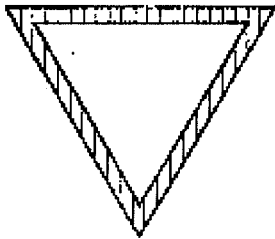
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**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: EYEWEAR, NAMELY, EYEGLASSES, SUNGLASSES, EYEGLASS CASES, EYEGLASS POUCHES, EYEGLASS FRAMES AND EYEGLASS CHAINS. FIRST USE: 19840000. FIRST USE IN COMMERCE: 19840000

IC 014. US 002 027 028 050. G & S: WATCHES, CLOCKS, JEWELRY, CUFF-LINKS AND TIE CLIPS. FIRST USE: 19840000. FIRST USE IN COMMERCE: 19840000

IC 018. US 001 002 003 022 041. G & S: BACKPACKS, HANDBAGS, SMALL LEATHER GOODS, NAMELY, WALLETS, TRI-FOLD WALLETS, HIP FOLD WALLETS, CREDIT CARD CASES, CREDIT CARD/MONEY FOLDING WALLETS, KEY CASES, TRAVEL BAG FOR TOILETRIES, LUGGAGE, PURSES, COIN PURSES, COSMETIC CASES, TOTES, CARRY-ON TOTES, BRIEFCASES, TOTE BAGS, BOOK BAGS, TRAVEL BAGS, DUFFEL BAGS, AND CLOTH SHIPPING BAGS. FIRST USE: 19880000. FIRST USE IN COMMERCE: 19880000

IC 025. US 022 039. G & S: APPAREL, NAMELY, BANDANNAS, BASEBALL CAPS, BELTS, BLOUSES, BODYSUITS, BOOTIES, BOXER SHORTS, BRAS, BUSTIERS, CAMISOLES, CAPS, CARDIGANS, CLOTH BIBS, CLOTH CAPS, CREW SHIRTS, CROP TOPS, DRESSES, FOOTWEAR, HALTERS, HOODED COVER UPS, HOODED SHIRTS, HOODED JUMPERS, JACKETS, JEANS, JUMPER DRESSES, JUMPERS, JUMPSUITS, LEGGINGS, LEOTARDS, MEN'S BRIEFS, MINISKIRTS, ONE-PIECE UNDERWEAR SUITS, OVERALL PLAYSUITS, OVERALLS, PANTIES, PANTS, PANTSUITS, POLO SHIRTS, PULL-OVERS, ROBES, ROMPERS, SHIRTS, SHORTALLS, SHORT SETS, SHORTS, SKIRTS, SKORTS, SLEEPERS, SOCKS, SPORT SHIRTS, STRETCH PANTS, STRETCH TOPS, SUSPENDERS, SWEATERS, SWEATPANTS, SWEATSHIRTS, SWEATSUITS, SWIMWEAR, SWIMWEAR COVER-UPS, TANK TOPS, TAP PANTS, TEDDIES, TIGHTS, T-SHIRTS, TURTLENECKS, UNDERSHIRTS, UNDERWEAR AND VESTS. FIRST USE: 19810000. FIRST USE IN COMMERCE: 19810000

**Mark Drawing**

(2) DESIGN ONLY



**Code**

**Design** 26.05.20 - Triangles inside one another

**Search Code** 26.05.21 - Triangles that are completely or partially shaded

**Serial Number** 75434561

**Filing Date** February 13, 1998

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** December 7, 1999

**Registration Number** 2322937

**Registration Date** February 29, 2000

**Owner** (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 S. Alameda Street Los Angeles CALIFORNIA 90021

(LAST LISTED OWNER) GUESS?IP HOLDER L.P. GUESS?LICENSING, INC. LIMITED PARTNERSHIP DELAWARE 1444 S. ALAMEDA ST LOS ANGELES CALIFORNIA 90021

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** MICHAEL J. MACDERMOTT

**Prior Registrations** 1271896;1695617;1787695;AND OTHERS

**Description of Mark** The drawing is lined for the color red.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL-2(F)

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100303.

**Renewal** 1ST RENEWAL 20100303

**Live/Dead Indicator** LIVE

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# **EXHIBIT 3**



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**Word Mark** G  
**Goods and Services** IC 025. US 022 039. G & S: APPAREL, NAMELY, T-SHIRTS, SHIRTS, PANTS, JEANS, SHORTS, OVERALLS, SWEATERS AND JACKETS. FIRST USE: 20000900. FIRST USE IN COMMERCE: 20000900  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 26.05.21 - Triangles that are completely or partially shaded  
**Serial Number** 75774414  
**Filing Date** August 12, 1999  
**Current Basis** 1A  
**Original Filing Basis** 1B  
**Published for Opposition** July 17, 2001  
**Registration Number** 2632268  
**Registration Date** October 8, 2002  
**Owner** (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE 1444 South Alameda Street Los Angeles

CALIFORNIA 90021

(LAST LISTED OWNER) GUESS? IP HOLDER L.P. LIMITED PARTNERSHIP DELAWARE 1444  
SOUTH ALAMEDA STREET LOS ANGELES CALIFORNIA 90021

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Michael J. MacDermott  
**Description of Mark** Color is not claimed as a feature of the mark.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121020.  
**Renewal** 1ST RENEWAL 20121020  
**Live/Dead Indicator** LIVE

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# **EXHIBIT 4**



## Trademarks > Trademark Electronic Search System (TESS)

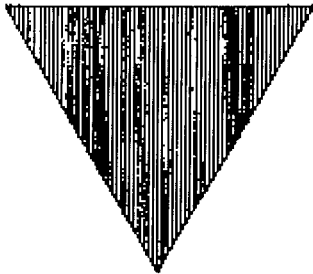
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### Record 1 out of 1

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**Goods and Services** IC 025. US 022 039. G & S: MEN'S, WOMEN'S, BOYS', GIRLS', CHILDREN'S AND INFANT'S APPAREL, NAMELY, UNDERWEAR, FOOTWEAR, SWIMWEAR, CAPS, HEADWEAR, ROBES, PAJAMAS, HOSIERY, GLOVES, BELTS, NECKTIES, UNDERSHIRTS, SOCKS, SHIRTS, T-SHIRTS, SWEATPANTS, SWEATSHIRTS, KNIT TOPS, SKIRTS, PANTS, TROUSERS, SHORTS, SWEATERS, JEANS, VESTS, COATS, JACKETS, OVERALLS, BLAZERS, DRESSES, SCARVES, BLOUSES, CARDIGANS, GOWNS, GOLF SHIRTS, JOGGING SUITS, TURTLENECKS, SUITS AND POLO SHIRTS; WOMEN'S PANTIES, BRAS, TANK TOPS, CROP TOPS, BUSTIERS, CAMISOLES, TAP PANTS, TEDDIES; MEN'S BRIEFS AND BOXER SHORTS. FIRST USE: 20030700. FIRST USE IN COMMERCE: 20030700

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 26.05.21 - Triangles that are completely or partially shaded

**Serial Number** 75788249

**Filing Date** August 30, 1999

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** December 5, 2000

**Registration 3046488  
Number****Registration  
Date** January 17, 2006**Owner** (REGISTRANT) Guess? IP Holder L.P. GUESS? LICENSING, INC, Delaware corporation LIMITED  
PARTNERSHIP DELAWARE 1444 South Alameda Street Los Angeles CALIFORNIA 90021**Assignment  
Recorded** ASSIGNMENT RECORDED**Attorney of  
Record** Michael J MacDermott**Description  
of Mark** Color is not claimed as a feature of the mark. The drawing is lined for the color red and color is a feature  
of the mark.**Type of  
Mark** TRADEMARK**Register** PRINCIPAL**Affidavit  
Text** SECT 15. SECT 8 (6-YR).**Live/Dead  
Indicator** LIVE[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[SEARCH OG](#)[TOP](#)[HELP](#)[| HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

# **EXHIBIT 5**





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### Record 1 out of 1

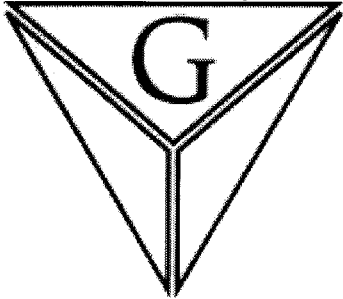
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return to TESS)



**Word Mark**

G

**Goods and Services**

IC 025. US 022 039. G & S: Men's and women's apparel, namely, underwear, footwear, swimwear, caps, headwear, robes, pajamas, gloves, belts, neckties, undershirts, socks, shirts, t-shirts, sweatpants, sweatshirts, knit tops, skirts, pants, trousers, shorts, sweaters, jeans, vests, coats, jackets, blazers, dresses, scarves, blouses, cardigans, golf shirts, jogging suits, turtlenecks, suits and polo shirts; women's panties, bras, tank tops, crop tops, bustiers, camisoles, tap pants. FIRST USE: 20080300. FIRST USE IN COMMERCE: 20080800

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code**

26.05.02 - Plain single line triangles; Triangles, plain single line  
26.05.14 - Three triangles; Triangles, exactly three triangles

**Trademark**

**Search Facility**

LETS-1 G A single letter, multiples of a single letter or in combination with a design

**Classification**

SHAPES-TRIANGLES Triangular shaped designs and marks including incomplete triangles

**Code**

**Serial Number**

77373697

**Filing Date**

January 16, 2008

**Current Basis**

1A

**Original Filing Basis**

1B

**Published for Opposition**

May 27, 2008

**Registration Number**

3532256

**Registration**

November 11, 2008

**Date**  
**Owner** (REGISTRANT) Guess?, Inc. CORPORATION DELAWARE Legal Department 1444 South Alameda Street Los Angeles CALIFORNIA 90021  
**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of three triangles forming an inverted triangle with a "G" in the top triangle.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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