

ESTTA Tracking number: **ESTTA557288**

Filing date: **09/03/2013**

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	Diesel S.p.A.
Granted to Date of previous extension	09/04/2013
Address	Via dell'Industria 4/6 Breganze, VI 36042 ITALY
Attorney information	John C. Holman and Robert S. Pierce Jacobson Holman PLLC 400 7th St., NW Washington, DC 20004 UNITED STATES trademark@jhip.com Phone:202-638-6666

Applicant Information

Application No	85796946	Publication date	05/07/2013
Opposition Filing Date	09/03/2013	Opposition Period Ends	09/04/2013
Applicant	Frontier Fashion, Inc. 1295 S. Johnson Dr., 1295 S. Johnson Dr., City of Industry, CA 91745 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Footwear; Headwear; Pants; Shirts; Shorts; T-shirts
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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.	2376399	Application Date	08/12/1997
Registration Date	08/15/2000	Foreign Priority Date	07/09/1997
Word Mark	D		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	<p>Class 003. First use: perfumes, toilet soaps; cosmetics, namely, deodorants for personal use; creams, lotions and oils for the face and the body; creams, oils and lotions for suntanning and after sun exposures; pre-and after shave creams and lotions; bath foam and oil, after-bath creams and lotions; hair shampoos; hair lotions, and dentifrices</p> <p>Class 009. First use: spectacles, spectacle frames, spectacle cases, and lenses</p> <p>Class 014. First use: clocks and parts therefor, watches and parts therefor, watches containing a gaming function, chronographs for use as watches, chronometers; rings, bracelets, necklaces, and jewelry pins</p> <p>Class 016. First use: [calendars, diaries, address books, personal organizers, document holders,] pencil stands, pencil cases; [magazines featuring fashion, furnishings and arts;] pens and pencils</p> <p>Class 018. First use: handbags, suitcases, knapsacks, traveling bags, purses, wallets, briefcases, key-cases, business and credit card cases; and umbrellas</p> <p>Class 024. First use: textile fabrics for use in the manufacture of clothing and furnishings, pillow cases, bedsheets, bedspreads, blankets, comforters for beds, table clothes, textile napkins, towels and placemats of fabrics</p> <p>Class 025. First use: coats, raincoats, dresses, skirts, jackets, trousers, waistcoats, shirts, T-shirts, jerseys, sweaters, cardigans, stockings, socks, underwear, night-gowns, pyjamas, bathrobes, sun suits, jeans, sport jackets, wind-resistant jackets, anoraks, sweatsuits, scarves, foulards, caps, gloves, belts; footwear, namely, boots, shoes and slippers</p>

U.S. Registration No.	3225322	Application Date	10/25/2005
Registration Date	04/03/2007	Foreign Priority Date	07/08/2005
Word Mark	D		
Design Mark			
Description of Mark	The mark consists of the letter D in special script.		
Goods/Services	<p>Class 003. First use: Perfumes; toilet soaps; cosmetics; deodorants for personal use; creams, lotions and oils for the face and the body; skin cleansing milk, creams and oils; make-up creams; beauty masks; make-up removers; eye shadows; lipsticks; mascara; rouge; crayons for the eyes and the lips; powders, creams, oils and lotions for sun tanning and after sun exposure; pre and after shave creams and lotions; talcum powders; bath salts; bath foams and oils; after-bath skin creams and lotions; hair shampoos; depilatory preparations; nail polishes; hair lotions and dentifrices</p> <p>Class 009. First use: [Pre-recorded compact discs, CD ROMs, and digital video discs featuring fashion, music and sports; computer software for interactive and multimedia games;] spectacles; sunglasses; cases and chains for spectacles and sunglasses; frames for spectacles; lenses, namely, eyeglass lenses and</p>		

	<p>sunglass lenses[; optic instruments and apparatus, namely, microscopes and cameras]</p> <p>Class 014. First use: Jewelry and costume jewelry; [rings being jewelry; bracelets; necklaces; tie-bars; scarf rings; pendants; ear clips; tie clips; cufflinks of precious metal; earrings; key holders made of precious metals; brooches; pins being jewelry; clocks;] watches[; chronographs for use as watches; chronometers]</p> <p>Class 018. First use: [Trunks;] traveling bags;[umbrellas;] handbags; suitcases; clutch bags[; vanity cases sold empty; purses; billfolds; attache cases;] wallets;[briefcases; key cases; passport cases; business and credit card cases made of leather or imitation leather]</p> <p>Class 025. First use: Clothing, namely, coats, [mantles, raincoats,] dresses, suits, skirts, jackets, trousers, jeans, waistcoats, shirts, t-shirts, blouses, jerseys, sweaters, blazers, cardigans, stockings, socks, underwear, corsets, nightgowns, pajamas,[bathrobes, bathing suits, sun suits, sport jackets, wind-resistant jackets, anoraks,] sweat suits,[ties, neckties,] scarves, shawls,[foulards,] caps, hats, gloves, [sashes,] belts; footwear,[boots,] shoes [and slippers]</p>
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Attachments	I06745 opposition notice.pdf(816842 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	/Robert S. Pierce/
Name	John C. Holman and Robert S. Pierce
Date	09/03/2013

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

In re the application of:

Frontier Fashion, Inc.
Serial No. 85796946
Filed: December 6, 2012
Mark: D and Cross Design
Published: May 7, 2013

DIESEL S.P.A.,)	
)	
Opposer,)	
)	Opposition No.: _____
v.)	
)	
FRONTIER FASHION, INC.,)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Diesel S.p.A. believes that it will be damaged by registration of the mark shown in the above-identified application and hereby opposes same.

As grounds for opposition, Diesel alleges:

1. Diesel is an Italian corporation, located and doing business at Via dell'Industria, 4/6, 36042 Breganze (VI), Italy.
2. Before the filing date of the application opposed herein, Diesel has, and is now, engaged in the distribution and sale of a complete array of men's and women's fashions, clothing and accessories including, but not limited to footwear, caps, hats, trousers, shirts, and t-shirts, in commerce in the United States, under and in connection with the trademarks consisting of stylized letter D alone and in combination with other

words and/or designs. Diesel continuously has used these stylized letter D marks in commerce in connection with Diesel's products and services, advertised, offered for sale, and sold by Diesel, and to identify and designate same, and to distinguish those goods, services and business from those of others.

3. Diesel is the owner of, and will rely on herein, the following U.S. trademark registrations:

<u>Mark</u>	<u>Registration No.</u>	<u>Issue Date</u>
D	2,376,399	August 15, 2000
D	3,225,322	April 3, 2007

These registrations are valid and subsisting, and constitute *prima facie* and/or conclusive evidence of Diesel's ownership of these stylized D marks, and exclusive right to use same in commerce in connection with the goods set forth in these registrations. Enclosed as Exhibit A are printouts of the registration certificates accompanied by proof of status of the registrations as shown in TSDR.

4. Since Diesel's initial use of its stylized D Marks, it has used, and advertised, produced and offered its goods, services, and business under and in connection with these marks to the public, through various channels of trade, and in commerce, with the result that Diesel's customers and the public in general have come to know and recognize these marks of Diesel and associate same with Diesel and/or the goods and services produced, advertised, marketed, distributed, and sold directly or indirectly by Diesel and its business. Diesel thus has built up goodwill in connection with the sale of its products and services under its stylized D Marks.

5. On December 6, 2012, Frontier Fashion, Inc. filed an application to

register a stylized letter D enclosing a Greek cross. This application was accorded Serial No. 85796946 and was published for opposition in the Official Gazette of May 7, 2013, expressing an intention to use the mark in commerce on or in connection with goods identified as "footwear; headwear; pants; shirts; shorts; t-shirts" in International Class 25.

6. Diesel timely filed a Request for a 90-day Extension of Time to oppose Serial No. 85796946 on June 4, 2013. The Trademark Trial and Appeal Board granted the request for an extension through September 4, 2013.

7. On information and belief, the stylized D and Cross mark sought to be registered by Frontier Fashion is confusingly similar to Diesel's prior stylized D marks as shown in the attached registrations.

8. On information and belief, the goods set forth in the opposed application are and/or will be sold through the same and/or similar channels of trade, and/or to the same general class of purchasers, in and to which Diesel's products, services, and business are or will be marketed and/or sold.

9. On information and belief, the registration and/or use of the stylized D and Cross mark, as set forth in the opposed application, is likely to cause confusion, mistake, and/or to deceive as to origin, sponsorship, and/or association of Frontier Fashion's goods to be sold under the stylized D and Cross mark sought to be registered by Frontier Fashion *vis-a-vis* Diesel and/or its stylized D marks and/or to mislead purchasers of Frontier Fashion's goods and/or Diesel's goods and services, and/or the public in general, into believing that Frontier Fashion's goods are sold by, emanate from, are endorsed by, and/or are in some way, directly or indirectly, are associated or

affiliated with Diesel, and/or its stylized D marks, products, goods, and/or business, or vice versa, to the damage and detriment of Diesel.

10. As a result, Diesel believes it will be damaged by the use and registration of Frontier Fashion's mark, as set forth in the application therefor, Serial No. 85796946.

WHEREFORE, Diesel, Opposer, believes and alleges that it will be damaged by the registration of the stylized D and Cross mark shown in application Serial No. 85796946 and therefore Diesel prays that:

- (a) judgment in the present opposition be entered in favor of Diesel on this Notice of Opposition;
- (b) the present opposition be sustained; and
- (c) registration of application Serial No. 85796946 be rejected and refused.

Respectfully submitted,

Diesel S.p.A.

By: /Robert S. Pierce/
John C. Holman
Robert S. Pierce
Attorneys for the Opposer
JACOBSON HOLMAN PLLC
400 Seventh Street, Northwest
Washington, District of Columbia 20004
(202) 638-6666

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Notice of Opposition** was served on this 3rd day of September 2013, by first class mail, postage prepaid, addressed to Robert Chang, Frontier Fashion, Inc., 1295 South Johnson Drive, City of Industry, California 91745, Applicant's President.

/Robert S. Pierce/

Exhibit A

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Mark: D



US Serial Number: 75339922

Application Filing Date: Aug. 12, 1997

US Registration Number: 2376399

Registration Date: Aug. 15, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jul. 20, 2010

Publication Date: Nov. 24, 1998

Mark Information

Mark Literal Elements: D

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Foreign Information

Priority Claimed: Yes

Foreign Application Number: MI97C006451

Foreign Application Filing Date: Jul. 09, 1997

Foreign Registration Number: 722282

Foreign Registration Date: Sep. 15, 1997

Foreign Application/Registration Country: ITALY

Foreign Expiration Date: Jul. 09, 2007

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: perfumes, toilet soaps; cosmetics, namely, deodorants for personal use; creams, lotions and oils for the face and the body; creams, oils and lotions for suntanning and after sun exposures; pre-and after shave creams and lotions; bath foam and oil, after-bath creams and lotions; hair shampoos; hair lotions, and dentifrices

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 44(e)

For: spectacles, spectacle frames, spectacle cases, and lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 44(e)

For: clocks and parts therefor, watches and parts therefor, watches containing a gaming function, chronographs for use as watches, chronometers; rings, bracelets, necklaces, and jewelry pins

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 44(e)

For: [calendars, diaries, address books, personal organizers, document holders,] pencil stands, pencil cases; [magazines featuring fashion, furnishings and arts;] pens and pencils

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 44(e)

For: handbags, suitcases, knapsacks, traveling bags, purses, wallets, briefcases, key-cases, business and credit card cases; and umbrellas

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 44(e)

For: textile fabrics for use in the manufacture of clothing and furnishings, pillow cases, bedsheets, bedspreads, blankets, comforters for beds, table clothes, textile napkins, towels and placemats of fabrics

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 44(e)

For: coats, raincoats, dresses, skirts, jackets, trousers, waistcoats, shirts, T-shirts, jerseys, sweaters, cardigans, stockings, socks, underwear, night-gowns, pyjamas, bathrobes, sun suits, jeans, sport jackets, wind-resistant jackets, anoraks, sweatsuits, scarves, foulards, caps, gloves, belts; footwear, namely, boots, shoes and slippers

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: Yes	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: Yes	Amended 44E: Yes
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: DIESEL S.p.A.
Owner Address: 7 Via dell'Industria
36060 MOLVENA, province of Vicenza
ITALY
Legal Entity Type: CORPORATION
State or Country Where Organized: ITALY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN CLARKE HOLMAN
Docket Number: T26243US0
Attorney Primary Email Address: trademark@jhip.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN CLARKE HOLMAN
JACOBSON HOLMAN PLLC
400 7th St., NW
WASHINGTON, DISTRICT OF COLUMBIA 20004
UNITED STATES
Phone: 202-638-6666
Fax: 202-393-5350
Correspondent e-mail: trademark@jhip.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Jacobson Holman PLLC
Phone: 202-638-6666
Fax: 202-393-5350
Domestic Representative e-mail: trademark@jhip.com
Domestic Representative e-mail Authorized: No

Prosecution History

Date	Description	Proceeding Number
Jul. 20, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Jul. 20, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 15, 2010	TEAS SECTION 8 & 9 RECEIVED	

Jul. 08, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Jun. 22, 2006	ASSIGNED TO PARALEGAL	70131
Apr. 03, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 03, 2006	TEAS SECTION 8 & 15 RECEIVED	
Feb. 24, 2006	CASE FILE IN TICRS	
Feb. 24, 2006	CASE FILE IN TICRS	
Feb. 24, 2006	CASE FILE IN TICRS	
Aug. 15, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 28, 2000	Sec. 1(B) CLAIM DELETED	61756
Jun. 27, 2000	NOTICE OF ALLOWANCE CANCELLED	
Jan. 18, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 24, 1998	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 24, 1998	PUBLISHED FOR OPPOSITION	
Oct. 23, 1998	NOTICE OF PUBLICATION	
Sep. 01, 1998	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 04, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 07, 1998	NON-FINAL ACTION MAILED	
Mar. 25, 1998	ASSIGNED TO EXAMINER	66593
Mar. 23, 1998	ASSIGNED TO EXAMINER	69775

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 15, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Jul. 20, 2010

Int. Cls.: 3, 9, 14, 16, 18, 24 and 25

**Prior U.S. Cls.: 1, 2, 3, 4, 5, 6, 21, 22, 23, 26,
27, 28, 29, 36, 37, 38, 39, 41, 42, 50, 51 and
52**

Reg. No. 2,376,399

United States Patent and Trademark Office Registered Aug. 15, 2000

**TRADEMARK
PRINCIPAL REGISTER**



DIESEL S.P.A. (ITALY CORPORATION)
7 VIA DELL'INDUSTRIA
36060 MOLVENA, PROVINCE OF VICENZA, ITALY

FOR: PERFUMES, TOILET SOAPS; COSMETICS, NAMELY, DEODORANTS FOR PERSONAL USE; CREAMS, LOTIONS AND OILS FOR THE FACE AND THE BODY; CREAMS, OILS AND LOTIONS FOR SUNTANNING AND AFTER SUN EXPOSURES; PRE- AND AFTER SHAVE CREAMS AND LOTIONS; BATH FOAM AND OIL, AFTER-BATH CREAMS AND LOTIONS; HAIR SHAMPOOS; HAIR LOTIONS, AND DENTIFRICES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: SPECTACLES, SPECTACLE FRAMES, SPECTACLE CASES, AND LENSES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: CLOCKS AND PARTS THEREFOR, WATCHES AND PARTS THEREFOR, WATCHES CONTAINING A GAMING FUNCTION, CHRONOGRAPHS FOR USE AS WATCHES, CHRONOMETERS; RINGS, BRACELETS, NECKLACES, AND JEWELRY PINS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: CALENDARS, DIARIES, ADDRESS BOOKS, PERSONAL ORGANIZERS, DOCUMENT HOLDERS, PENCIL STANDS, PENCIL CASES; MAGAZINES FEATURING FASHION, FURNISHINGS AND ARTS; PENS AND PENCILS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: HANDBAGS, SUITCASES, KNAPSACKS, TRAVELING BAGS, PURSES, WALLETS, BRIEF-CASES, KEY-CASES, BUSINESS AND CREDIT CARD CASES; AND UMBRELLAS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR: TEXTILE FABRICS FOR USE IN THE MANUFACTURE OF CLOTHING AND FURNISHINGS, PILLOW CASES, BEDSHEETS, BEDSPREADS, BLANKETS, COMFORTERS FOR BEDS, TABLE CLOTHES, TEXTILE NAPKINS, TOWELS AND PLACEMATS OF FABRICS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: COATS, RAINCOATS, DRESSES, SKIRTS, JACKETS, TROUSERS, WAISTCOATS, SHIRTS, T-SHIRTS, JERSEYS, SWEATERS, CARDIGANS, STOCKINGS, SOCKS, UNDERWEAR, NIGHT-GOWNS, PYJAMAS, BATHROBES, SUN SUITS, JEANS, SPORT JACKETS, WIND-RESISTANT JACKETS, ANORAKS, SWEATSUITS, SCARVES, FOU-LARDS, CAPS, GLOVES, BELTS; FOOTWEAR, NAMELY, BOOTS, SHOES AND SLIPPERS, IN CLASS 25 (U.S. CLS. 22 AND 39).

PRIORITY CLAIMED UNDER SEC. 44(D) ON ITALY APPLICATION NO. MI97C006451, FILED 7-9-1997, REG. NO. 722282, DATED 9-15-1997, EXPIRES 7-9-2007.

SER. NO. 75-339,922, FILED 8-12-1997.

JERI J. FICKES, EXAMINING ATTORNEY

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Mark: D



US Serial Number: 79022640
US Registration Number: 3225322
Register: Principal
Mark Type: Trademark
Status: A Section 71 declaration has been accepted.
Status Date: Aug. 28, 2013
Publication Date: Jan. 16, 2007

Application Filing Date: Oct. 25, 2005
Registration Date: Apr. 03, 2007

Mark Information

Mark Literal Elements: D
Standard Character Claim: No
Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM
Description of Mark: The mark consists of the letter D in special script.
Color(s) Claimed: Color is not claimed as a feature of the mark.

Related Properties Information

International Registration Number: 0881767
International Registration Date: Oct. 25, 2005
Claimed Ownership of US Registrations: 2376399

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Perfumes; toilet soaps; cosmetics; deodorants for personal use; creams, lotions and oils for the face and the body; skin cleansing milk, creams and oils; make-up creams; beauty masks; make-up removers; eye shadows; lipsticks; mascara; rouge; crayons for the eyes and the lips; powders, creams, oils and lotions for sun tanning and after sun exposure; pre and after shave creams and lotions; talcum powders; bath salts; bath foams and oils; after-bath skin creams and lotions; hair shampoos; depilatory preparations; nail polishes; hair lotions and dentifrices

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 66(a)

For: [Pre-recorded compact discs, CD ROMs, and digital video discs featuring fashion, music and sports; computer software for interactive and multimedia games;] spectacles; sunglasses; cases and chains for spectacles and sunglasses; frames for spectacles; lenses, namely, eyeglass lenses and sunglass lenses;] optic instruments and apparatus, namely, microscopes and cameras]

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 66(a)

For: Jewelry and costume jewelry; [rings being jewelry; bracelets; necklaces; tie-bars; scarf rings; pendants; ear clips; tie clips; cufflinks of precious metal; earrings; key holders made of precious metals; brooches; pins being jewelry; clocks;] watches;] chronographs for use as watches; chronometers]

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 66(a)

For: [Trunks;] traveling bags;] umbrellas;] handbags; suitcases; clutch bags;] vanity cases sold empty; purses; billfolds; attache cases;] wallets;] briefcases; key cases; passport cases; business and credit card cases made of leather or imitation leather]

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 66(a)

For: Clothing, namely, coats, [mantles, raincoats,] dresses, suits, skirts, jackets, trousers, jeans, waistcoats, shirts, t-shirts, blouses, jerseys, sweaters, blazers, cardigans, stockings, socks, underwear, corsets, nightgowns, pajamas, [bathrobes, bathing suits, sun suits, sport jackets, wind-resistant jackets, anoraks,] sweat suits, [ties, neckties,] scarves, shawls, [foulards,] caps, hats, gloves, [sashes,] belts; footwear, [boots,] shoes [and slippers]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: Yes	Currently 66A: Yes	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: DIESEL S.P.A.
Owner Address: Via dell'Industria, 4/6
I-36042 BREGANZE (VI)
ITALY
Legal Entity Type: SOCIETA PER AZIONI
State or Country Where Organized: ITALY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JOHN P. MURTAUGH
Attorney Primary Email Address: tmdocket@oblon.com
Attorney Email No Authorized:

Correspondent

Correspondent Name/Address: JOHN P. MURTAUGH
PEARNE & GORDON LLP
1801 EAST 9TH STREET, SUITE 1200
CLEVELAND, OHIO 44114-3108
UNITED STATES

Phone: 703.413.3000

Fax: 703.413.2220

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 28, 2013	NOTICE OF ACCEPTANCE OF SEC. 71 - MAILED	
Aug. 28, 2013	REGISTERED-SEC.71 ACCEPTED	68335
Mar. 26, 2013	REGISTERED-SEC.71 FILED	68335
Apr. 17, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Mar. 26, 2013	TEAS SECTION 71 RECEIVED	
Mar. 22, 2012	CHANGE OF NAME/ADDRESS REC'D FROM IB	
Jun. 06, 2008	FINAL DECISION TRANSACTION PROCESSED BY IB	
Sep. 27, 2007	FINAL DISPOSITION NOTICE SENT TO IB	
Sep. 27, 2007	FINAL DISPOSITION PROCESSED	72589
Sep. 19, 2007	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Apr. 03, 2007	REGISTERED-PRINCIPAL REGISTER	
Jan. 16, 2007	PUBLISHED FOR OPPOSITION	
Dec. 27, 2006	NOTICE OF PUBLICATION	

Nov. 21, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76529
Nov. 13, 2006	ASSIGNED TO LIE	76529
Nov. 02, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 02, 2006	AMENDMENT FROM APPLICANT ENTERED	69712
Oct. 25, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Oct. 25, 2006	PAPER RECEIVED	
Jun. 08, 2006	REFUSAL PROCESSED BY IB	
May 25, 2006	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 25, 2006	REFUSAL PROCESSED BY MPU	68359
May 20, 2006	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 19, 2006	NON-FINAL ACTION WRITTEN	74676
May 12, 2006	ASSIGNED TO EXAMINER	74676
May 12, 2006	NEW APPLICATION ENTERED IN TRAM	
May 11, 2006	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 0881767	International Registration Date: Oct. 25, 2005
Priority Claimed Flag: Yes	Date of Section 67 Priority Claim: Jul. 08, 2005
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: May 11, 2006
Notification of Designation Date: May 11, 2006	Date of Automatic Protection: Nov. 11, 2007
International Registration Renewal Date: Oct. 25, 2015	
First Refusal Flag: Yes	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 71 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: Not Found

Date in Location: Aug. 28, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: DIESEL S.P.A.

Assignment 1 of 1

Conveyance: CHANGE OF ADDRESS

Reel/Frame: 4747/0040

Pages: 2

Date Recorded: Mar. 22, 2012

Supporting Documents: [assignment-tm-4747-0040.pdf](#)

Assignor

Name: DIESEL S.P.A.

Execution Date: Oct. 13, 2011

Legal Entity Type: UNKNOWN

State or Country Where Organized: ITALY

Assignee

Name: DIESEL S.P.A.

Legal Entity Type: NOT PROVIDED

State or Country Where Organized: NOT PROVIDED

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Correspondent

Correspondent Name: DIESEL S.P.A.

Correspondent Address: VIA DELL'INDUSTRIA, 4/6
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ITALY

Domestic Representative - Not Found

Int. Cls.: 3, 9, 14, 18 and 25

Prior U.S. Cls.: 1, 2, 3, 4, 6, 21, 22, 23, 26, 27, 28, 36,
38, 39, 41, 50, 51 and 52

Reg. No. 3,225,322

United States Patent and Trademark Office

Registered Apr. 3, 2007

TRADEMARK
PRINCIPAL REGISTER



DIESEL S.P.A. (ITALY SOCIETA PER AZIONI)
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ITALY

FOR: PERFUMES; TOILET SOAPS; COSMETICS; DEODORANTS FOR PERSONAL USE; CREAMS, LOTIONS AND OILS FOR THE FACE AND THE BODY; SKIN CLEANSING MILK, CREAMS AND OILS; MAKE-UP CREAMS; BEAUTY MASKS; MAKE-UP REMOVERS; EYE SHADOWS; LIP-STICKS; MASCARA; ROUGE; CRAYONS FOR THE EYES AND THE LIPS; POWDERS, CREAMS, OILS AND LOTIONS FOR SUN TANNING AND AFTER SUN EXPOSURE; PRE AND AFTER SHAVE CREAMS AND LOTIONS; TALCUM POWDERS; BATH SALTS; BATH FOAMS AND OILS; AFTER-BATH SKIN CREAMS AND LOTIONS; HAIR SHAMPOOS; DEPILATORY PREPARATIONS; NAIL POLISHES; HAIR LOTIONS AND DENTIFRICES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: PRE-RECORDED COMPACT DISCS, CD ROMS, AND DIGITAL VIDEO DISCS FEATURING FASHION, MUSIC AND SPORTS; COMPUTER SOFTWARE FOR INTERACTIVE AND MULTIMEDIA GAMES; SPECTACLES; SUNGLASSES; CASES AND CHAINS FOR SPECTACLES AND SUNGLASSES; FRAMES FOR SPECTACLES; LENSES, NAME- LY, EYEGLOSS LENSES AND SUNGLASS LENSES; OPTIC INSTRUMENTS AND APPARATUS, NAME- LY, MICROSCOPES AND CAMERAS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: JEWELRY AND COSTUME JEWELRY; RINGS BEING JEWELRY; BRACELETS; NECKLA- CES; TIE-BARS; SCARF RINGS; PENDANTS; EAR CLIPS; TIE CLIPS; CUFFLINKS OF PRECIOUS METAL; EARRINGS; KEY HOLDERS MADE OF PRECIOUS METALS; BROOCHES; PINS BEING JEWELRY; CLOCKS; WATCHES; CHRONOGRAPHS

FOR USE AS WATCHES; CHRONOMETERS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: TRUNKS; TRAVELING BAGS; UMBREL- LAS; HANDBAGS; SUITCASES; CLUTCH BAGS; VANITY CASES SOLD EMPTY; PURSES; BILL- FOLDS; ATTACHE CASES; WALLETS; BRIEFCA- SES; KEY CASES; PASSPORT CASES; BUSINESS AND CREDIT CARD CASES MADE OF LEATHER OR IMITATION LEATHER, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR: CLOTHING, NAMELY, COATS, MANTLES, RAINCOATS, DRESSES, SUITS, SKIRTS, JACKETS, TROUSERS, JEANS, WAISTCOATS, SHIRTS, T- SHIRTS, BLOUSES, JERSEYS, SWEATERS, BLA- ZERS, CARDIGANS, STOCKINGS, SOCKS, UNDER- WEAR, CORSETS, NIGHTGOWNS, PAJAMAS, BATHROBES, BATHING SUITS, SUN SUITS, SPORT JACKETS, WIND-RESISTANT JACKETS, ANOR- AKS, SWEAT SUITS, TIES, NECKTIES, SCARVES, SHAWLS, FOULARDS, CAPS, HATS, GLOVES, SA- SHES, BELTS; FOOTWEAR, BOOTS, SHOES AND SLIPPERS, IN CLASS 25 (U.S. CLS. 22 AND 39).

PRIORITY DATE OF 7-8-2005 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION
0881767 DATED 10-25-2005, EXPIRES 10-25-2015.

OWNER OF U.S. REG. NO. 2,376,399.

THE MARK CONSISTS OF THE LETTER D IN SPECIAL SCRIPT.

SER. NO. 79-022,640, FILED 10-25-2005.

MARTHA FROMM, EXAMINING ATTORNEY