

ESTTA Tracking number: **ESTTA563980**

Filing date: **10/09/2013**

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	Athleta, Inc.
Granted to Date of previous extension	10/09/2013
Address	1450 Technology Lane Petaluma, CA 94954 UNITED STATES
Attorney information	James D. Weinberger Fross Zelnick Lehrman & Zissu, PC 866 United Nations Plaza 6th Floor New York, NY 10017 UNITED STATES jweinberger@frosszelnick.com, jinsley-pruitt@frosszelnick.com Phone:(212) 813-5900

Applicant Information

Application No	85820986	Publication date	06/11/2013
Opposition Filing Date	10/09/2013	Opposition Period Ends	10/09/2013
Applicant	Mazumdar, Arbab APT 510 1234 Wilshire Blvd Los Angeles, CA 90017 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Crop pants; Crop tops; Hooded sweatshirts; Jackets; Pants; Shorts; Sports bras; T-shirts; Tank tops
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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.	3931215	Application Date	09/16/2008
Registration Date	03/15/2011	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 2010/08/04 First Use In Commerce: 2010/08/04 Personal exercise mats

U.S. Registration No.	3931195	Application Date	09/16/2008
Registration Date	03/15/2011	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2010/01/01 First Use In Commerce: 2010/01/01 handbags; purses; backpacks; book bags; tote bags; messenger bags; all purpose sport bags; beach bags; duffel bags; general purpose bags for carrying yoga equipment		

U.S. Registration No.	2474894	Application Date	02/25/1999
Registration Date	08/07/2001	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1998/05/00 First Use In Commerce: 1998/05/00 Athletic apparel, namely, caps, shorts, pants, shirts, jackets, vests, bras, swimwear, and under wear		

U.S. Registration No.	4202561	Application Date	09/16/2008
Registration Date	09/04/2012	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2007/08/31 First Use In Commerce: 2007/08/31 bags and cases specially adapted for sports equipment		

U.S. Registration No.	4268407	Application Date	09/16/2008
Registration Date	01/01/2013	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/05/14 First Use In Commerce: 2009/05/14		

	sound and video recordings featuring physical fitness instruction, physical fitness and exercise training and workouts
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U.S. Registration No.	3931221	Application Date	10/19/2006
Registration Date	03/15/2011	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/05/01 First Use In Commerce: 1998/05/01 Retail store services in the field of athletic apparel, athletic accessories, athletic equipment, sportswear, clothing, namely, tops, t-shirts, shirts, blouses, bottoms, shorts, pants, jackets, sweaters, shorts, vests, bras, swimwear, and underwear; headwear; footwear, headwear, athletic bags, tote bags, sports bags, backpacks, duffle bags and all-purpose carrying bags		

U.S. Registration No.	4372624	Application Date	02/04/2013
Registration Date	07/23/2013	Foreign Priority Date	NONE
Word Mark	ATHLETA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 026. First use: First Use: 2007/04/01 First Use In Commerce: 2007/04/01 Hair accessories, namely, hair bands		

Attachments	Notice of Opposition.pdf(120765 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	/s/ James D. Weinberger
Name	James D. Weinberger
Date	10/09/2013

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

In the matter of Application Serial No. 85/820,986
Published in the *Official Gazette* on June 11, 2013

ATHLETA, INC.,

Opposer,

-against-

ARBAB MAZUMDAR,

Applicant.

NOTICE OF OPPOSITION

Opposer Athleta, Inc. (“Opposer”), a Delaware corporation with its principal place of business at 2100 South McDowell, Suite 150, Petaluma, California 94954, believes that it would be damaged by the issuance of a registration for the trademark Y ATHLETICA in International Class 25 as applied for in Application Serial No. 85/820,986 (the “Application”) filed on January 11, 2013, by Arbab Mazumdar (“Applicant”), and therefore opposes the same. The specific grounds for this opposition are as follows:

FACTS

A. **Opposer and Its ATHLETA Mark**

1. Opposer, one of the premier brands in the women’s sports and active apparel markets, has marketed and sold a range of athletic apparel and gear and related goods and services under the trademark ATHLETA (the “ATHLETA Mark”) since its founding in 1998.

2. Opposer has extensively used and promoted the ATHLETA Mark. Through this extensive promotion and use, and the success of Opposer’s offerings under the Mark, Opposer’s ATHLETA Mark has come to represent enormous goodwill of Opposer.

3. Dating to long before any date upon which Applicant can rely, Opposer's ATHLETA Mark has become uniquely identified with Opposer and has come to identify the goods and services of Opposer exclusively.

4. In addition to the common law rights accruing to Opposer in the ATHLETA Mark, Opposer owns numerous federal registrations for the ATHLETA Mark, including the following:

<u>Mark</u>	<u>Reg'n No.</u>	<u>Class and Goods</u>
ATHLETA	3931215	Class 28: Personal exercise mats
ATHLETA	3931195	Class 18: handbags; purses; backpacks; book bags; tote bags; messenger bags; all purpose sport bags; beach bags; duffel bags; general purpose bags for carrying yoga equipment
ATHLETA	2474894	Class 25: Athletic apparel, namely, caps, shorts, pants, shirts, jackets, vests, bras, swimwear, and underwear
ATHLETA	4202561	Class 28: bags and cases specially adapted for sports equipment
ATHLETA	4268407	Class 9: sound and video recordings featuring physical fitness instruction, physical fitness and exercise training and workouts
ATHLETA	3931221	Class 35: Retail store services in the field of athletic apparel, athletic accessories, athletic equipment, sportswear, clothing, namely, tops, t-shirts, shirts, blouses, bottoms, shorts, pants, jackets, sweaters, shorts, vests, bras, swimwear, and underwear; headwear; footwear, headwear, athletic bags, tote bags, sports bags, backpacks, duffel bags and all-purpose carrying bags
ATHLETA	4372624	Class 26: Hair accessories, namely, hair bands

Printouts from the United States Patent and Trademark Office's TSDR database showing the current status and title of Opposer's Registrations are attached as Exhibit A. These registrations are valid, subsisting and in full force and effect, and constitute evidence of the validity of the

marks and of Opposer's exclusive right to use them on the goods and services identified in the registrations. In addition, Registration No. 2474894 is incontestable pursuant to 15 U.S.C. § 1065, and thus constitutes conclusive evidence of Opposer's exclusive rights for the ATHLETA Mark for the recited goods.

B. Applicant's Application for Y ATHLETICA

5. Upon information and belief, Applicant is an individual with an address at 1234 Wilshire Boulevard, Apt. 510, Los Angeles, California 90017.

6. On or about January 11, 2013, Applicant filed the Application to register the mark Y ATHLETICA for "Crop pants; Crop tops; Hooded sweatshirts; Jackets; Pants; Shorts; Sports bras; T-shirts; Tank tops" in International Class 25 on an intent-to-use basis.

7. Applicant is not connected to Opposer in any way, and has not been authorized by Opposer to use the mark Y ATHLETICA.

8. Upon information and belief, Opposer's rights in its ATHLETA Mark are prior and superior to any rights Applicant may claim in the mark Y ATHLETICA.

9. At the time that Applicant filed the Application herein opposed, Applicant was on constructive notice of Opposer's prior and exclusive rights in the ATHLETA Mark by virtue of Opposer's federal registrations, pursuant to Section 22 of the Lanham Act, 15 U.S.C. § 1072.

10. Upon information and belief, at the time that Applicant filed the Application herein opposed, Applicant had actual knowledge of Opposer's prior and exclusive rights in the ATHLETA Mark as a result of Opposer's extensive use of the ATHLETA Mark.

11. Applicant's Y ATHLETICA mark is highly similar to the ATHLETA Mark in sight, sound, and commercial impression.

12. The goods identified in the Application are identical or closely related to goods and services Opposer offers under its ATHLETA Mark.

13. In view of the similarities of the parties' respective marks and goods and services, consumers encountering goods sold under Applicant's Y ATHLETICA mark in the marketplace are likely to believe, falsely, that Applicant's goods emanate from or are approved by Opposer.

14. Registration to Applicant of the Y ATHLETICA mark would be inconsistent with Opposer's prior exclusive rights in the ATHLETA Mark, and would threaten destruction of Opposer's investment and goodwill in its longstanding and valuable ATHLETA Mark.

15. Based on the similarity of the parties' respective marks, goods and services, consumers are likely to be deceived into falsely believing that the goods offered by Applicant under the Y ATHLETICA mark originate with or are approved or authorized by Opposer, or that there is some relationship between Applicant and Opposer. Any use of the Y ATHLETICA mark by Applicant in connection with the goods specified in the Application is therefore likely to cause confusion, cause mistake, or to deceive consumers in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

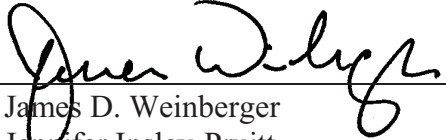
16. As a result of the foregoing, Opposer will be damaged by registration of the Y ATHLETICA mark to Applicant.

WHEREFORE, it is respectfully requested that this opposition be sustained and that the registration sought by Application Serial No. 85/820,986 be denied.

Dated: New York, New York
October 9, 2013

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By:  _____

James D. Weinberger

Jennifer Insley-Pruitt

866 United Nations Plaza

New York, New York 10017

Tel: (212) 813-5900

Email: jweinberger@frosszelnick.com

jinsley-pruitt@frosszelnick.com

Attorneys for Opposer Athleta, Inc.

EXHIBIT 1

Generated on: This page was generated by TSDR on 2013-10-09 10:02:31 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 76979107

Application Filing Date: Sep. 16, 2008

US Registration Number: 3931215

Registration Date: Mar. 15, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 15, 2011

Publication Date: Aug. 25, 2009

Notice of Allowance Date: Nov. 17, 2009

Mark Information

Mark Literal Elements: ATHLETA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2427769, 2427933, 2474894, 76692907

Child Of: 76692907

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: Personal exercise mats

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 04, 2010

Use in Commerce: Aug. 04, 2010

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

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: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Athleta, Inc.

Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis

Attorney Primary Email ip@gap.com

Attorney Email No

Address:

Authorized:

Correspondent

Correspondent Name/Address: D'Lonra Ellis
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 05, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 04, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Feb. 04, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 29, 2011	NOTICE OF DIVIDED TRADEMARK APPLICATION MAILED	
Jan. 25, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
Jan. 10, 2011	USE AMENDMENT FILED	61813
Jan. 25, 2011	DIVISIONAL PROCESSING COMPLETE	
Jan. 10, 2011	DIVISIONAL REQUEST RECEIVED	
Jan. 10, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Jan. 10, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 20, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 20, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 03, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 02, 2010	EXTENSION 2 GRANTED	61813
Nov. 17, 2010	EXTENSION 2 FILED	61813
Nov. 17, 2010	TEAS EXTENSION RECEIVED	
Feb. 17, 2010	EXTENSION 1 GRANTED	61813
Jan. 14, 2010	EXTENSION 1 FILED	61813
Feb. 17, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jan. 14, 2010	TEAS EXTENSION RECEIVED	
Nov. 17, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2009	PUBLISHED FOR OPPOSITION	
Aug. 05, 2009	NOTICE OF PUBLICATION	
Jul. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 22, 2009	ASSIGNED TO LIE	66213
Jul. 14, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 12, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 12, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 13, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 12, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 12, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 18, 2008	NON-FINAL ACTION MAILED	
Dec. 17, 2008	NON-FINAL ACTION WRITTEN	81091
Dec. 17, 2008	ASSIGNED TO EXAMINER	81091
Sep. 30, 2008	APPLICATION FILING RECEIPT MAILED	
Sep. 25, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 04, 2011

Generated on: This page was generated by TSDR on 2013-10-09 10:03:29 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 76692908
Application Filing Date: Sep. 16, 2008
US Registration Number: 3931195
Registration Date: Mar. 15, 2011
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 15, 2011
Publication Date: Mar. 24, 2009
Notice of Allowance Date: Jun. 16, 2009

Mark Information

Mark Literal Elements: ATHLETA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2427769, 2427933, 2474894

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: handbags; purses; backpacks; book bags; tote bags; messenger bags; all purpose sport bags; beach bags; duffel bags; general purpose bags for carrying yoga equipment

International Class(es): 018 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2010

Use in Commerce: Jan. 01, 2010

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Athleta, Inc.
Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis
Attorney Primary Email Address: ip@gap.com
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: D'Lonra Ellis
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Mar. 15, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 08, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Feb. 07, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 28, 2011	STATEMENT OF USE PROCESSING COMPLETE	66154
Jan. 20, 2011	USE AMENDMENT FILED	66154
Jan. 20, 2011	TEAS STATEMENT OF USE RECEIVED	
Dec. 20, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 20, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 21, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 18, 2010	EXTENSION 3 GRANTED	66154
Dec. 16, 2010	EXTENSION 3 FILED	66154
Dec. 16, 2010	TEAS EXTENSION RECEIVED	
Jun. 17, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 16, 2010	EXTENSION 2 GRANTED	66154
Jun. 15, 2010	EXTENSION 2 FILED	66154
Jun. 15, 2010	TEAS EXTENSION RECEIVED	
Jan. 27, 2010	EXTENSION 1 GRANTED	66154
Dec. 16, 2009	EXTENSION 1 FILED	66154
Jan. 27, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 16, 2009	TEAS EXTENSION RECEIVED	
Jun. 25, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 25, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 16, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 24, 2009	PUBLISHED FOR OPPOSITION	
Mar. 04, 2009	NOTICE OF PUBLICATION	
Jan. 09, 2009	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Dec. 30, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Dec. 30, 2008	ASSIGNED TO LIE	76568
Dec. 17, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 17, 2008	ASSIGNED TO EXAMINER	81091
Sep. 30, 2008	APPLICATION FILING RECEIPT MAILED	
Sep. 25, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 08, 2011

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Mark: ATHLETA

US Serial Number: 75649575
US Registration Number: 2474894
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Jun. 09, 2011
Publication Date: May 15, 2001

Application Filing Date: Feb. 25, 1999
Registration Date: Aug. 07, 2001

Mark Information

Mark Literal Elements: ATHLETA
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Translation: The English translation of "ATHLETA" is "ATHLETE".
Acquired Distinctiveness Claim: In whole

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: Athletic apparel, namely, caps, shorts, pants, shirts, jackets, vests, bras, swimwear, and under wear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1998

Use in Commerce: May 1998

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: ATHLETA, INC.
Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** D'Lonra Ellis**Attorney Primary Email Address:** ip@gap.com**Attorney Email Authorized:** Yes**Correspondent****Correspondent Name/Address:** D'Lonra Ellis
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES**Phone:** 415-427-5575**Fax:** 415-427-2166**Correspondent e-mail:** ip@gap.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 17, 2013	NOTICE OF SUIT	
Jan. 22, 2013	NOTICE OF SUIT	
Jun. 09, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Jun. 09, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 03, 2011	TEAS SECTION 8 & 9 RECEIVED	
Nov. 06, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Nov. 06, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 20, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 20, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 10, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Nov. 07, 2007	ASSIGNED TO PARALEGAL	76293
Nov. 01, 2007	TEAS SECTION 8 & 15 RECEIVED	
Oct. 30, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 30, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 02, 2007	CASE FILE IN TICRS	
Feb. 14, 2007	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 14, 2007	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 07, 2001	REGISTERED-PRINCIPAL REGISTER	
May 15, 2001	PUBLISHED FOR OPPOSITION	
May 02, 2001	NOTICE OF PUBLICATION	
Dec. 04, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 01, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 20, 2000	NON-FINAL ACTION MAILED	
Feb. 29, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 31, 1999	NON-FINAL ACTION MAILED	
Aug. 26, 1999	ASSIGNED TO EXAMINER	70729
Aug. 23, 1999	ASSIGNED TO EXAMINER	59959

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Renewal Date:** Aug. 07, 2011**TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 09, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 4

Registrant: ATHLETA CORPORATION

Assignment 1 of 4

Conveyance: CORRECT RECORDATION AT REL 1890, FRAME 0180

Reel/Frame: [2076/0458](#)

Pages: 6

Date Recorded: Oct. 15, 1999

Supporting Documents: [assignment-tm-2076-0458.pdf](#)

Assignor

Name: [ATHLETA LLC](#)

Execution Date: Mar. 16, 1999

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Assignee

Name: [ATHLETA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1610 CORPORATE CIRCLE
PEMLAMN, CALIFORNIA 94954

Correspondent

Correspondent Name: HYNAK & ASSOCIATES, PC

Correspondent Address: MICHAEL J. HYNAK
812 S. COURTHOUSE ROAD
ARLINGTON, VA 22204

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE AND ASSIGNOR PREVIOUSLY RECORDED AT REEL 1890 FRAME 0180.

Reel/Frame: [2093/0665](#)

Pages: 7

Date Recorded: Jun. 28, 2000

Supporting Documents: [assignment-tm-2093-0665.pdf](#)

Assignor

Name: [ATHLETA LLC](#)

Execution Date: Mar. 16, 1999

Legal Entity Type: CALIFORNIA LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ATHLETA CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 1610 CORPORATE CIRCLE
PETULAMA, CALIFORNIA 94954

Correspondent

Correspondent Name: HYNAK & ASSOCIATES, PC

Correspondent Address: MICHAEL J. HYNAK
812 S. COURTHOUSE ROAD
ARLINGTON, VA 22204

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: [2922/0710](#)

Pages: 18

Date Recorded: Aug. 25, 2004

Supporting Documents: [assignment-tm-2922-0710.pdf](#)

Assignor

Name: [ATHLETA CORPORATION](#)

Execution Date: Jul. 12, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Assignee

Name: [RICHMOND I, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE

Address: 10563 BRUNSWICK ROAD,
STE. 7
GRASS VALLEY,, CALIFORNIA 95945

Correspondent

Correspondent Name: INNA TSIMERMAN, SEYFARTH SHAW LLP
Correspondent Address: 55 E. MONROE STREET
SUITE 4300
CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [3246/0571](#) **Pages:** 4
Date Recorded: Feb. 10, 2006
Supporting Documents: [assignment-tm-3246-0571.pdf](#)

Assignor

Name: [ATHLETA CORPORATION](#)
Legal Entity Type: A CALIFORNIA CORPORATION
Execution Date: Jan. 12, 2006
State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [ATHLETA, INC.](#)
Legal Entity Type: A DELAWARE CORPORATION
State or Country Where Organized: No Place Where Organized Found
Address: 1622 CORPORATE CIRCLE
PETALUMA, CALIFORNIA 94954

Correspondent

Correspondent Name: MARY L. SHAPIRO, ESQ.
Correspondent Address: TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2013-10-09 10:04:26 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 76692907 **Application Filing Date:** Sep. 16, 2008
US Registration Number: 4202561 **Registration Date:** Sep. 04, 2012
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Sep. 04, 2012
Publication Date: Aug. 25, 2009 **Notice of Allowance Date:** Nov. 17, 2009

Mark Information

Mark Literal Elements: ATHLETA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2427769, 2427933, 2474894, 76979107
Parent Of: 76979107

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: bags and cases specially adapted for sports equipment
International Class(es): 028 - Primary Class **U.S Class(es):** 022, 023, 038, 050
Class Status: ACTIVE
Basis: 1(a)
First Use: Aug. 31, 2007 **Use in Commerce:** Aug. 31, 2007

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Athleta, Inc.
Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis
Attorney Primary Email: ip@gap.com **Attorney Email:** No

Address:

Authorized:

Correspondent

Correspondent Name/Address: D'Lonra Ellis
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 04, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 02, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 01, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Jul. 30, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 08, 2012	STATEMENT OF USE PROCESSING COMPLETE	61813
Jun. 27, 2012	USE AMENDMENT FILED	61813
Jun. 27, 2012	TEAS STATEMENT OF USE RECEIVED	
Jun. 01, 2012	ASSIGNED TO EXAMINER	73370
May 22, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 21, 2012	EXTENSION 5 GRANTED	61813
May 16, 2012	EXTENSION 5 FILED	61813
May 16, 2012	TEAS EXTENSION RECEIVED	
Oct. 15, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 14, 2011	EXTENSION 4 GRANTED	61813
Oct. 12, 2011	EXTENSION 4 FILED	61813
Oct. 12, 2011	TEAS EXTENSION RECEIVED	
Jan. 26, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 26, 2011	CORRECTED NOA E-MAILED	
Jan. 25, 2011	EXTENSION 3 GRANTED	61813
Jan. 10, 2011	EXTENSION 3 FILED	61813
Jan. 25, 2011	DIVISIONAL PROCESSING COMPLETE	
Jan. 10, 2011	DIVISIONAL REQUEST RECEIVED	
Jan. 10, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Jan. 10, 2011	TEAS EXTENSION RECEIVED	
Dec. 20, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 20, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 03, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 02, 2010	EXTENSION 2 GRANTED	61813
Nov. 17, 2010	EXTENSION 2 FILED	61813
Nov. 17, 2010	TEAS EXTENSION RECEIVED	
Feb. 17, 2010	EXTENSION 1 GRANTED	61813
Jan. 14, 2010	EXTENSION 1 FILED	61813
Feb. 17, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jan. 14, 2010	TEAS EXTENSION RECEIVED	
Nov. 17, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2009	PUBLISHED FOR OPPOSITION	
Aug. 05, 2009	NOTICE OF PUBLICATION	

Jul. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 22, 2009	ASSIGNED TO LIE	66213
Jul. 14, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 12, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 12, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 13, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 12, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 12, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 18, 2008	NON-FINAL ACTION MAILED	
Dec. 17, 2008	NON-FINAL ACTION WRITTEN	81091
Dec. 17, 2008	ASSIGNED TO EXAMINER	81091
Sep. 30, 2008	APPLICATION FILING RECEIPT MAILED	
Sep. 25, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 01, 2012

Generated on: This page was generated by TSDR on 2013-10-09 10:04:54 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 76692910

Application Filing Date: Sep. 16, 2008

US Registration Number: 4268407

Registration Date: Jan. 01, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 01, 2013

Publication Date: Aug. 25, 2009

Notice of Allowance Date: Nov. 17, 2009

Mark Information

Mark Literal Elements: ATHLETA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2427769, 2427933, 2474894, 76979105

Parent Of: 76979105

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: sound and video recordings featuring physical fitness instruction, physical fitness and exercise training and workouts

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: May 14, 2009

Use in Commerce: May 14, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

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: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Athleta, Inc.

Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis

Attorney Primary Email Address: ip@gap.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: D'Lonra Ellis
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 01, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 30, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 29, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	66213
Nov. 29, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 03, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 02, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 02, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 30, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 30, 2012	NON-FINAL ACTION E-MAILED	
Jul. 30, 2012	SU - NON-FINAL ACTION - WRITTEN	73370
Jul. 08, 2012	STATEMENT OF USE PROCESSING COMPLETE	61813
Jun. 27, 2012	USE AMENDMENT FILED	61813
Jun. 27, 2012	TEAS STATEMENT OF USE RECEIVED	
Jun. 01, 2012	ASSIGNED TO EXAMINER	73370
May 22, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 21, 2012	EXTENSION 5 GRANTED	61813
May 16, 2012	EXTENSION 5 FILED	61813
May 16, 2012	TEAS EXTENSION RECEIVED	
Oct. 15, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 14, 2011	EXTENSION 4 GRANTED	61813
Oct. 12, 2011	EXTENSION 4 FILED	61813
Oct. 12, 2011	TEAS EXTENSION RECEIVED	
Jan. 13, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 13, 2011	CORRECTED NOA E-MAILED	
Jan. 12, 2011	EXTENSION 3 GRANTED	61813
Jan. 11, 2011	EXTENSION 3 FILED	61813
Jan. 12, 2011	DIVISIONAL PROCESSING COMPLETE	
Jan. 11, 2011	DIVISIONAL REQUEST RECEIVED	
Jan. 11, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Jan. 11, 2011	TEAS EXTENSION RECEIVED	
Dec. 20, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 20, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 03, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 02, 2010	EXTENSION 2 GRANTED	61813
Nov. 17, 2010	EXTENSION 2 FILED	61813
Nov. 17, 2010	TEAS EXTENSION RECEIVED	
Feb. 17, 2010	EXTENSION 1 GRANTED	61813
Jan. 14, 2010	EXTENSION 1 FILED	61813

Feb. 17, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jan. 14, 2010	TEAS EXTENSION RECEIVED	
Nov. 17, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2009	PUBLISHED FOR OPPOSITION	
Aug. 05, 2009	NOTICE OF PUBLICATION	
Jul. 22, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 22, 2009	ASSIGNED TO LIE	66213
Jul. 14, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 12, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 12, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 13, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 12, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 12, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 18, 2008	NON-FINAL ACTION MAILED	
Dec. 17, 2008	NON-FINAL ACTION WRITTEN	81091
Dec. 17, 2008	ASSIGNED TO EXAMINER	81091
Sep. 30, 2008	APPLICATION FILING RECEIPT MAILED	
Sep. 25, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 29, 2012

Generated on: This page was generated by TSDR on 2013-10-09 10:05:24 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 77025354
Application Filing Date: Oct. 19, 2006
US Registration Number: 3931221
Registration Date: Mar. 15, 2011
Register: Principal
Mark Type: Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Mar. 15, 2011
Publication Date: Jun. 05, 2007
Notice of Allowance Date: Aug. 28, 2007

Mark Information

Mark Literal Elements: ATHLETA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

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: Retail store services in the field of athletic apparel, athletic accessories, athletic equipment, sportswear, clothing, namely, tops, t-shirts, shirts, blouses, bottoms, shorts, pants, jackets, sweaters, shorts, vests, bras, swimwear, and underwear; headwear; footwear, headwear, athletic bags, tote bags, sports bags, backpacks, duffel bags and all-purpose carrying bags

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 1998

Use in Commerce: May 01, 1998

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Athleta, Inc.
Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis
Attorney Primary Email Address: ip@gap.com
Attorney Email Authorized: No

Correspondent

Correspondent: D'Lonra Ellis

Name/Address: The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 15, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 11, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 10, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Feb. 10, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 19, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jan. 19, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jan. 19, 2011	ASSIGNED TO LIE	68171
Jan. 18, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 20, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 20, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 24, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Sep. 24, 2010	NON-FINAL ACTION E-MAILED	
Sep. 24, 2010	SU - NON-FINAL ACTION - WRITTEN	77300
Sep. 03, 2010	STATEMENT OF USE PROCESSING COMPLETE	76874
Aug. 18, 2010	USE AMENDMENT FILED	76874
Aug. 18, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 19, 2010	EXTENSION 5 GRANTED	76874
Jan. 12, 2010	EXTENSION 5 FILED	76874
Jan. 12, 2010	TEAS EXTENSION RECEIVED	
Aug. 21, 2009	EXTENSION 4 GRANTED	76874
Aug. 18, 2009	EXTENSION 4 FILED	76874
Aug. 18, 2009	TEAS EXTENSION RECEIVED	
Aug. 12, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 12, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 11, 2009	EXTENSION 3 GRANTED	76874
Feb. 24, 2009	EXTENSION 3 FILED	76874
Mar. 11, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Feb. 24, 2009	TEAS EXTENSION RECEIVED	
Oct. 20, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 20, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 28, 2008	EXTENSION 2 GRANTED	98765
Aug. 28, 2008	EXTENSION 2 FILED	98765
Aug. 28, 2008	TEAS EXTENSION RECEIVED	
Feb. 28, 2008	EXTENSION 1 GRANTED	98765
Feb. 28, 2008	EXTENSION 1 FILED	98765
Feb. 28, 2008	TEAS EXTENSION RECEIVED	
Aug. 28, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 05, 2007	PUBLISHED FOR OPPOSITION	
May 16, 2007	NOTICE OF PUBLICATION	
Apr. 03, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413

Apr. 03, 2007	ASSIGNED TO LIE	78413
Mar. 11, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 2007	ASSIGNED TO EXAMINER	77300
Oct. 25, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 10, 2011

Generated on: This page was generated by TSDR on 2013-10-09 10:06:03 EDT

Mark: ATHLETA

ATHLETA

US Serial Number: 85840311
Application Filing Date: Feb. 04, 2013
US Registration Number: 4372624
Registration Date: Jul. 23, 2013
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jul. 23, 2013
Publication Date: May 07, 2013

Mark Information

Mark Literal Elements: ATHLETA
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2427769, 2427933 and others

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: Hair accessories, namely, hair bands
International Class(es): 026 - Primary Class
U.S Class(es): 037, 039, 040, 042, 050
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 2007
Use in Commerce: Apr. 01, 2007

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Athleta, Inc.
Owner Address: 1450 Technology Lane, Suite 150
Petaluma, CALIFORNIA 94954
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis
Attorney Primary Email: ip@gap.com
Docket Number: 500.529.1412
Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent Name/Address: D'LONRA ELLIS
THE GAP, INC.
2 FOLSOM ST
SAN FRANCISCO, CALIFORNIA 94105-1205
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2013	REGISTERED-PRINCIPAL REGISTER	
May 07, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 07, 2013	PUBLISHED FOR OPPOSITION	
Apr. 17, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 01, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Mar. 30, 2013	ASSIGNED TO LIE	68552
Mar. 16, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 06, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 06, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 06, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 06, 2013	EXAMINERS AMENDMENT -WRITTEN	78428
Mar. 06, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 06, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 06, 2013	NON-FINAL ACTION WRITTEN	78428
Feb. 26, 2013	ASSIGNED TO EXAMINER	78428
Feb. 08, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 07, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

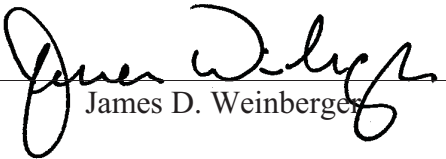
Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 23, 2013

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of October 2013, I caused a true and correct copy of the foregoing NOTICE OF OPPOSITION to be sent by First Class Mail, postage pre-paid, in an envelope addressed to the attorney of record:

LIEL HOLLANDER
HOLLANDER LAW, P.C.
STE 420
10 BOND ST
GREAT NECK, NEW YORK 11021


James D. Weinberger