

ESTTA Tracking number: **ESTTA627066**

Filing date: **09/15/2014**

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	Ipsen S.A.
Granted to Date of previous extension	09/14/2014
Address	65 quai Georges GorseBoulogne Billancourt, 92100 FRANCE

Attorney information	William S. Frommer & Marilyn M. Brogan Frommer Lawrence & Haug LLP 745 Fifth Avenue New York, NY 10151 UNITED STATES docket@flhlaw.com, mbrogan@flhlaw.com Phone:212 588 0800
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Applicant Information

Application No	86100571	Publication date	03/18/2014
Opposition Filing Date	09/15/2014	Opposition Period Ends	09/14/2014
Applicant	Case Western Reserve University 10900 Euclid Avenue Cleveland, OH 44106 UNITED STATES		

Goods/Services Affected by Opposition


Class 010. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: medical devices for the management and treatment of neurological injuries, diseases and disorders
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Grounds for Opposition

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

U.S. Registration No.	3245038	Application Date	03/19/2004
Registration Date	05/22/2007	Foreign Priority Date	09/24/2003
Word Mark	IPSEN		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0 [Chemicals for use in the manufacture of cosmetic and pharmaceutical preparations]</p> <p>Class 003. First use: First Use: 0 First Use In Commerce: 0 [Soaps for personal use; perfumery, essential oils for industrial and personal use; cosmetics; hair lotions; dentifrices]</p> <p>Class 005. First use: First Use: 0 First Use In Commerce: 0 full line of pharmaceutical preparations, namely, pharmaceutical preparations for use in the treatment of gastrointestinal diseases, laxatives and purgative agents, pharmaceutical preparations for use in the treatment of cardiovascular diseases, circulatory disorders, cancer, neurological diseases, urological diseases, hormonal disorders, pharmaceutical preparations comprising peptides for hormonal treatment and tumor treatment; Pharmaceutical preparations for use in the treatment of blood diseases, muscle disorders, age-related disorders, diabetes, diabetes-related disorders, respiratory disorders, ophthalmological disorders, endocrine disorders, acromegalia and carcinoid tumors, gastrointestinal bleeding disorders, cough, vertigo, nausea, vomiting and migraine, disorders and diseases of the reproductive system, glabellar lines, facial wrinkles, asymmetries and defects and conditions of the human skin, and gout; [A full line of veterinary preparations, namely, veterinary preparations for the use in the treatment of gastro-intestinal diseases, laxatives and purgative agents, pharmaceutical preparations for the treatment of cardiovascular diseases, circulatory disorders, cancer, neurological diseases, urological diseases, hormonal disorders, blood diseases, muscle disorders, age-related disorders, diabetes and diabetes-related disorders; ophthalmological disorders, and respiratory disorders, all for use in domestic or farm animals; and Food for babies; medical plasters; materials for dressings, namely, wound dressings and burn dressings; dietetic substances adapted for medical use, namely, dietary drink mix for use as a meal replacement; dietary food supplement; nutraceuticals for use as a dietary supplement; materials for filling teeth and dental wax; Preparations for destroying vermin for domestic and industrial use; fungicides and herbicides for domestic and industrial use]</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0 [Computer software for providing information and advertising in the fields of science, health, medicine and beauty]</p> <p>Class 010. First use: First Use: 0 First Use In Commerce: 0 Surgical, medical [, dental and veterinary] apparatus and instruments, namely, injection devices, pumps [, artificial limbs, eyes and teeth; orthopedic belts; orthopedic braces; orthopedic footwear; orthopedic joint implants; orthopedic soles; orthopedic support bandages; orthopedic support; orthopedic articles intended to ease blood flow; suture material]</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Paper, cardboard; printed matter and printed products, namely pamphlets, books, printed publications, brochures, newsletters, journals, and magazines, all in the fields of science, health, beauty, medicine, pharmacy and cosmetology; bookbinding material namely cardboard backing; photographs; stationery; paper instructional and teaching material in the fields of science, health, beauty, medi-</p>

	<p>cine, pharmacy and cosmetology; plastic materials for packaging namely bags, sachets, plastic bags for packaging, films and sheets</p> <p>Class 031. First use: First Use: 0 First Use In Commerce: 0 [Living agricultural, horticultural and forestry products, namely, plants, flowers, vegetables and fruit; topsoil and unprocessed grains for consumption]</p> <p>Class 032. First use: First Use: 0 First Use In Commerce: 0 [Mineral and aerated waters and other non-alcoholic beverages, namely, non-alcoholic beverages containing or flavored with tea; fruit beverages and fruit juices; non-alcoholic syrups for beverages, extracts and other preparations for making beverages, namely, fruit flavored drinks]</p> <p>Class 036. First use: First Use: 0 First Use In Commerce: 0 [Financial sponsorship in the fields of science, health, beauty, medicine, pharmacy and cosmetology]</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunications services, namely, transmission of information, data, images and sounds via computer terminals, including the Internet-- electronic mail services</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 Training services in the fields of science, health, medicine and beauty; education services, namely, arranging and conducting colloquiums, conferences, conventions, seminars, symposiums in the fields of science, health, medicine and beauty</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Scientific, medical and industrial research services and research and development services for new products in the fields of science, health, medicine and beauty; design services for chemical products, proprietary medicines, plants and pharmaceutical procedures in production of pharmacologically active substance and preparations, of cosmetics; scientific and medical testing and diagnoses of chemical products, pharmaceutical products, cosmetic products, chemical, biological and bacteriological analysis; design and development of computers and software, all above mentioned services provided for others</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0 Medical services; [veterinary services;] providing hygienic and beauty care services for human beings; information services, namely, providing advice and consulting in connection with the medical, pharmaceutical and cosmetic fields</p>
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Related Proceedings	opposition against 86/100571 is also being filed today
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Attachments	79002058#TMSN.png(bytes) 6071 (86100571).pdf(770260 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	/marilyn m. brogan/
Name	William S. Frommer & Marilyn M. Brogan
Date	09/15/2014

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

The Matter of Application for registration of the mark **ISENS**, Serial No. **86/100571** (the "Application") filed on October 24, 2013 by Case Western Reserve University. ("Applicant") which was published in the Official Gazette on March 18, 2014.

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Ipsen S.A.	:	:	
	Opposer,	:	
v.		:	Opposition No.:
		:	
Case Western Reserve University	:	:	
	Applicant.	:	
-----X			

NOTICE OF OPPOSITION

Ipsen S.A., corporation of France, having a business address of 65, quai Georges Gorse, Boulogne-Billancourt, France F-92100 ("Opposer"), believes it would be damaged by registration of the trademark **ISENS** (the "Subject Mark") shown in Application Serial No. **86/100571** filed by Case Western Reserve University, ("Applicant") and hereby opposes the **ISENS** application.

As grounds for opposition, it is alleged as follows:

1. Upon information and belief, Applicant is an Ohio corporation having an address at 10900 Euclid Avenue, Cleveland, Ohio 44108.
2. Opposer is the owner of a family of **IPSEN** and **IPSEN**-containing marks for various goods and services, including, but not limited to U.S. Registration Nos 3,245,038 (the “038” registration) registered May 22, 2007 with a priority date of September 24, 2003, for various pharmaceuticals and related goods and services (see Exhibit A) . This registration long predates the filing of Applicant’s intent to use application for the mark **ISENS**, which was filed October 24, 2013. Opposer’s registration is in good force and effect and has been rendered incontestable, as evidenced by the attached print-out from the USPTO database (see Exhibit B) Moreover, the term **IPSEN** is the dominant part of Opposer’s corporate name, which name Opposer has been trading under in the U.S. and internationally for many years.
3. Applicant filed application **86/100571** (the “571” application) on October 24, 2013 for the mark **ISENS** for “medical devices for the management and treatment of neurological injuries, diseases and disorders.” This application is based on intent-to-use.
4. Opposer’s use and registration of the mark **IPSEN** long pre-dates Applicant’s filing date of its **ISENS** application and/or any alleged date of first use that can be claimed by Applicant.
5. Opposer’s **IPSEN** mark is an arbitrary and fanciful term which has no known generic or descriptive meaning, no known meaning in a foreign language and no particular significance in the trade or industry, other than as Opposer’s trademark and trade name.
6. Applicant seeks to register **ISENS** as a trademark in International Class 10 for

“medical devices for the management and treatment of neurological injuries, diseases and disorders.” Applicant’s recited goods are therefore related in nature and purpose to Opposer’s goods and services, and would likely be directed to the same consumers and through the same trade channels as Opposer’s various pharmaceutical products and services.

7. Applicant’s alleged mark **ISENS** closely resembles Opposer’s **IPSEN** marks and trade name in both appearance and pronunciation.

8. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant’s mark sought to be registered, and will give color of exclusive statutory rights to Applicant in violation and derogation of the prior and superior rights of Opposer.

9. Applicant’s alleged trademark **ISENS**, when used in connection with the goods recited in the ‘571 application, is likely to cause confusion or mistake or deception with consequent injury to Opposer and the public. Use of **ISENS** would likely lead to the mistaken belief that Applicant’s products originate with, are affiliated with, or are somehow sponsored and approved by Opposer.

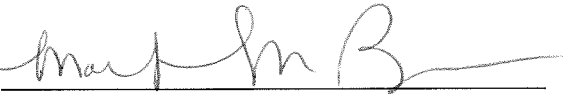
10. For the foregoing reasons, Applicant is not entitled to registration of the mark **ISENS** and registration should be refused pursuant to Section 2(d) of the Trademark Act on the grounds that Applicant’s alleged **ISENS** mark so resembles Opposer’s **IPSEN** marks and trade name as to cause confusion, mistake, and/or deception.

11. Opposer therefore believes it will be damaged by the registration of **ISENS** by Applicant as a result of the aforementioned confusion, mistake and/or deception.

WHEREFORE, Opposer respectfully requests that this Opposition be sustained and that Application Serial No. . **86/100571** filed October 24, 2013 be rejected and disallowed, and that registration of **ISENS** to Applicant be refused.

Respectfully submitted,

Dated: September 15, 2014

By: _____

William S. Frommer
Marilyn Matthes Brogan
(212) 588-0800

Int. Cls.: 1, 3, 5, 9, 10, 16, 31, 32, 36, 38, 41, 42 and 44

Prior U.S. Cls.: 1, 2, 4, 5, 6, 10, 18, 21, 22, 23, 26, 29,
36, 37, 38, 39, 44, 45, 46, 48, 50, 51, 52, 100, 101, 102,
104 and 107

Reg. No. 3,245,038

United States Patent and Trademark Office

Registered May 22, 2007

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

IPSEN

IPSEN (LUXEMBOURG SOCIÉTÉ ANONYME)
42, RUE DU DOCTEUR BLANCHE
F-75016 PARIS
FRANCE

FOR: CHEMICALS FOR USE IN THE MANUFACTURE OF COSMETIC AND PHARMACEUTICAL PREPARATIONS, IN CLASS 1 (U.S. CLS. 1, 5, 6, 10, 26 AND 46).

FOR: SOAPS FOR PERSONAL USE; PERFUMERY, ESSENTIAL OILS FOR INDUSTRIAL AND PERSONAL USE; COSMETICS; HAIR LOTIONS; DENTIFRICES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: FULL LINE OF PHARMACEUTICAL PREPARATIONS, NAMELY, PHARMACEUTICAL PREPARATIONS FOR USE IN THE TREATMENT OF GASTROINTESTINAL DISEASES, LAXATIVES AND PURGATIVE AGENTS, PHARMACEUTICAL PREPARATIONS FOR USE IN THE TREATMENT OF CARDIOVASCULAR DISEASES, CIRCULATORY DISORDERS, CANCER, NEUROLOGICAL DISEASES, UROLOGICAL DISEASES, HORMONAL DISORDERS, PHARMACEUTICAL PREPARATIONS COMPRISING PEPTIDES FOR HORMONAL TREATMENT AND TUMOR TREATMENT; PHARMACEUTICAL PREPARATIONS FOR USE IN THE TREATMENT OF BLOOD DISEASES, MUSCLE DISORDERS, AGE-RELATED DISORDERS, DIABETES, DIABETES-RELATED DISORDERS, RESPIRATORY DISORDERS, OPHTHAMOLOGICAL DISORDERS, ENDOCRINE DISORDERS, ACROMEGALIA AND CARCINOID TUMORS, GASTROINTESTINAL BLEEDING DISORDERS, COUGH, VERTIGO, NAUSEA, VOMITING AND MIGRAINE, DISORDERS AND DISEASES OF THE REPRODUCTIVE SYSTEM, GLABELLAR LINES, FACIAL WRINKLES, ASYMMETRIES AND DEFECTS AND CONDITIONS OF THE

HUMAN SKIN, AND GOUT; A FULL LINE OF VETERINARY PREPARATIONS, NAMELY, VETERINARY PREPARATIONS FOR THE USE IN THE TREATMENT OF GASTRO-INTESTINAL DISEASES, LAXATIVES AND PURGATIVE AGENTS, PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF CARDIOVASCULAR DISEASES, CIRCULATORY DISORDERS, CANCER, NEUROLOGICAL DISEASES, UROLOGICAL DISEASES, HORMONAL DISORDERS, BLOOD DISEASES, MUSCLE DISORDERS, AGE-RELATED DISORDERS, DIABETES AND DIABETES-RELATED DISORDERS; OPHTHAMOLOGICAL DISORDERS, AND RESPIRATORY DISORDERS, ALL FOR USE IN DOMESTIC OR FARM ANIMALS; AND FOOD FOR BABIES; MEDICAL PLASTERS; MATERIALS FOR DRESSINGS, NAMELY WOUND DRESSINGS AND BURN DRESSINGS; DIETETIC SUBSTANCES ADAPTED FOR MEDICAL USE, NAMELY, DIETARY DRINK MIX FOR USE AS A MEAL REPLACEMENT; DIETARY FOOD SUPPLEMENT; NUTRICEUTICALS FOR USE AS A DIETARY SUPPLEMENT; MATERIALS FOR FILLING TEETH AND DENTAL WAX; PREPARATIONS FOR DESTROYING VERMIN FOR DOMESTIC AND INDUSTRIAL USE; FUNGICIDES AND HERBICIDES FOR DOMESTIC AND INDUSTRIAL USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FOR: COMPUTER SOFTWARE FOR PROVIDING INFORMATION AND ADVERTISING IN THE FIELDS OF SCIENCE, HEALTH, MEDICINE AND BEAUTY, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: SURGICAL, MEDICAL, DENTAL AND VETERINARY APPARATUS AND INSTRUMENTS, NAMELY, INJECTION DEVICES, PUMPS, ARTIFICIAL LIMBS, EYES AND TEETH; ORTHOPEDIC BELTS; ORTHOPEDIC BRACES; ORTHOPEDIC

Exhibit A

FOOTWEAR; ORTHOPEDIC JOINT IMPLANTS; ORTHOPEDIC SOLES; ORTHOPEDIC SUPPORT BANDAGES; ORTHOPEDIC SUPPORT; ORTHOPEDIC ARTICLES INTENDED TO EASE BLOOD FLOW; SUTURE MATERIAL, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FOR: PAPER, CARDBOARD; PRINTED MATTER AND PRINTED PRODUCTS, NAMELY PAMPHLETS, BOOKS, PRINTED PUBLICATIONS, BROCHURES, NEWSLETTERS, JOURNALS, AND MAGAZINES, ALL IN THE FIELDS OF SCIENCE, HEALTH, BEAUTY, MEDICINE, PHARMACY AND COSMETOLOGY; BOOKBINDING MATERIAL NAMELY CARDBOARD BACKING; PHOTOGRAPHS; STATIONERY; PAPER INSTRUCTIONAL AND TEACHING MATERIAL IN THE FIELDS OF SCIENCE, HEALTH, BEAUTY, MEDICINE, PHARMACY AND COSMETOLOGY; PLASTIC MATERIALS FOR PACKAGING NAMELY BAGS, SACHETS, PLASTIC BAGS FOR PACKAGING, FILMS AND SHEETS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: LIVING AGRICULTURAL, HORTICULTURAL AND FORESTRY PRODUCTS, NAMELY PLANTS, FLOWERS, VEGETABLES AND FRUIT; TOPSOIL AND UNPROCESSED GRAINS FOR CONSUMPTION, IN CLASS 31 (U.S. CLS. 1 AND 46).

FOR: MINERAL AND AERATED WATERS AND OTHER NON-ALCOHOLIC BEVERAGES, NAMELY, NON-ALCOHOLIC BEVERAGES CONTAINING OR FLAVORED WITH TEA; FRUIT BEVERAGES AND FRUIT JUICES; NON-ALCOHOLIC SYRUPS FOR BEVERAGES, EXTRACTS AND OTHER PREPARATIONS FOR MAKING BEVERAGES, NAMELY, FRUIT FLAVORED DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FOR: FINANCIAL SPONSORSHIP IN THE FIELDS OF SCIENCE, HEALTH, BEAUTY, MEDICINE, PHARMACY AND COSMETOLOGY, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FOR: TELECOMMUNICATIONS SERVICES, NAMELY, TRANSMISSION OF INFORMATION, DATA, IMAGES AND SOUNDS VIA COMPUTER TERMINALS, INCLUDING THE INTERNET-ELECTRONIC MAIL SERVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: TRAINING SERVICES IN THE FIELDS OF SCIENCE, HEALTH, MEDICINE AND BEAUTY;

EDUCATION SERVICES, NAMELY, ARRANGING AND CONDUCTING COLLOQUIUMS, CONFERENCES, CONVENTIONS, SEMINARS, SYMPOSIUMS IN THE FIELDS OF SCIENCE, HEALTH, MEDICINE AND BEAUTY, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FOR: SCIENTIFIC, MEDICAL AND INDUSTRIAL RESEARCH SERVICES AND RESEARCH AND DEVELOPMENT SERVICES FOR NEW PRODUCTS IN THE FIELDS OF SCIENCE, HEALTH, MEDICINE AND BEAUTY; DESIGN SERVICES FOR CHEMICAL PRODUCTS, PROPRIETARY MEDICINES, PLANTS AND PHARMACEUTICAL PROCEDURES IN PRODUCTION OF PHARMACOLOGICALLY ACTIVE SUBSTANCE AND PREPARATIONS, OF COSMETICS; SCIENTIFIC AND MEDICAL TESTING AND DIAGNOSES OF CHEMICAL PRODUCTS, PHARMACEUTICAL PRODUCTS, COSMETIC PRODUCTS, CHEMICAL, BIOLOGICAL AND BACTERIOLOGICAL ANALYSIS; DESIGN AND DEVELOPMENT OF COMPUTERS AND SOFTWARE, ALL ABOVE MENTIONED SERVICES PROVIDED FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FOR: MEDICAL SERVICES; VETERINARY SERVICES; PROVIDING HYGIENIC AND BEAUTY CARE SERVICES FOR HUMAN BEINGS; INFORMATION SERVICES, NAMELY, PROVIDING ADVICE AND CONSULTING IN CONNECTION WITH THE MEDICAL, PHARMACEUTICAL AND COSMETIC FIELDS, IN CLASS 44 (U.S. CLS. 100 AND 101).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 9-24-2003 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 0823036 DATED 3-19-2004, EXPIRES 3-19-2014.

OWNER OF U.S. REG. NOS. 2,577,042 AND 2,593,409.

SER. NO. 79-002,058, FILED 3-19-2004.

BONNIE LUKEN, EXAMINING ATTORNEY

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, June 12, 2013 11:00 PM
To: docket@flhlaw.com
Subject: Trademark RN 3245038: Official Notice of Acceptance and Acknowledgement under Sections 71 and 15 of the Trademark Act

U.S. Registration Number: 3245038 **U.S. Serial Number:** 79002058
U.S. Registration Date: May 22, 2007 **International Reg. No.:** 0823036
Mark: IPSEN(STANDARD CHARACTER MARK)
U.S. Registration Holder/Owner: IPSEN

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NOTICE OF ACCEPTANCE UNDER SECTION 71

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 71 of the Trademark Act, 15 U.S.C. §1141k. **The Section 71 declaration is accepted.**

NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

The U.S. registration will remain in force for the term of the international registration upon which it is based for the following class(es).

Class(es):
005, 010, 016, 038, 041, 042, 044

MCMILLAN, MICHAEL D
TRADEMARK SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

ADDITIONAL REQUIREMENTS FOR MAINTAINING A U.S. TRADEMARK REGISTRATION EXTENDING PROTECTION OF AN INTERNATIONAL REGISTRATION

WARNING: In addition to filing renewals of your international registration with the International Bureau of the World Intellectual Property Organization (WIPO) as required under the Madrid Protocol, your registered extension of protection will be canceled if you do not file the documents below during the specified time periods.

I) SECTION 71 DECLARATION OF USE

Requirements in the First Ten Years

What and When to File: You must file a declaration of use (or excusable nonuse) between the 9th and 10th years after the date of issuance of the U.S. registration extending protection. 15 U.S.C. §1141k(a)(2).

Exhibit B

Requirements in Successive Ten-Year Periods

What and When to File: You must file a declaration of use (or excusable nonuse) between every 9th and 10th-year period, calculated from the date of issuance of the U.S. registration extending protection. 15 U.S.C. §1141k(a)(2).

Grace Period Filings

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee. 15 U.S.C. §1141k(a)(3).

Failure to file the Section 71 declaration will result in the cancellation of the U.S. registration and invalidation of the protection of the international registration in the United States.

II) RENEWAL OF INTERNATIONAL REGISTRATION

The international registration remains in force for 10 years, with the possibility of renewal. Madrid Protocol, Article 6(1). **Failure to renew the international registration with the International Bureau of WIPO will result in the expiration of the U.S. registration even if the Section 71 declaration of use has been accepted.**

Any international registration may be renewed for a period of ten years from the expiry of the preceding period, by the mere payment of the required fee to the International Bureau. Madrid Protocol, Article 7(1). The deadlines for renewing the international registration are calculated from the international registration date. If the international registration is not renewed, the corresponding U.S. registration will cease to be valid as of the date of the expiration of the international registration. 15 U.S.C. §1141j(b). Renewal applications must be filed with the International Bureau in accordance with Article 7 of the Madrid Protocol, 37 C.F.R. §7.41(a). The USPTO will not process or forward any requests to renew an international registration or extension of protection to the United States if mistakenly submitted to the USPTO. 37 C.F.R. §7.41(b).

***** THE USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE HOLDER/OWNER SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.*****

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=79002058>.
NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of September 2014, the foregoing **Notice of Opposition** was served by E- mail to: ritakline@tarolli.com and by placing same in the United States mail, first class postage prepaid, addressed to:

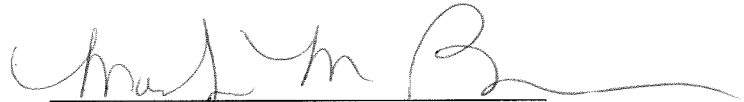
Rita E. Kline

Tarolli, Sundheim, Covell & Tummino LLP

1300 E. 9th Street, Ste 1700

Cleveland, Ohio 44114-1504

United States



Marilyn Matthes Brogan