

ESTTA Tracking number: **ESTTA655343**

Filing date: **02/11/2015**

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

Notice of Opposition

Notice is hereby given that the following parties oppose registration of the indicated application.

Opposers Information

Name	Eveready Battery Company, Inc.
Granted to Date of previous extension	02/18/2015
Address	533 Maryville University Drive St. Louis, MO 63141 UNITED STATES

Name	Playtex Products, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	6 Research Drive Shelton, CT 06484 UNITED STATES		

Attorney information	THOMAS A POLCYN THOMPSON COBURN LLP ONE US BANK PLAZA ST LOUIS, MO 63101 UNITED STATES ipdocket@thompsoncoburn.com, tpolcyn@thompsoncoburn.com, halshathir@thompsoncoburn.com, mnoelke@thompsoncoburn.com
----------------------	--

Applicant Information

Application No	86295631	Publication date	10/21/2014
Opposition Filing Date	02/11/2015	Opposition Period Ends	02/18/2015
Applicant	ZHENG ANLI No.38 BAGUALINGZHONG ROAD GUANGDONG PROVINCE, CHINA		

Goods/Services Affected by Opposition

Class 005. First Use: 2013/10/18 First Use In Commerce: 2013/10/18 All goods and services in the class are opposed, namely: Babies' napkin-pants; Belts for sanitary napkins; Incontinence diapers; Medicated bath preparations; Menstruation bandages; Panty liners; Pre-moistened medicated tissues; Sanitary napkins; Sanitary panties; Sanitary tampons
--

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	85844886	Application Date	02/08/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Feminine hygiene pads; Panty liners		

U.S. Registration No.	3415935	Application Date	02/15/2006
Registration Date	04/22/2008	Foreign Priority Date	NONE
Word Mark	SPORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00 tampons and tampon applicators		

U.S. Registration No.	3697507	Application Date	02/15/2008
Registration Date	10/20/2009	Foreign Priority Date	NONE
Word Mark	SPORT		

Design Mark	
Description of Mark	<p>The mark consists of three images of women engaged in various activities. The woman on the left is playing tennis, the woman in the middle is jogging, and the woman on the right is dancing. The mark "SPORT" is underlined and appears in a rectangle in the middle of the mark. There is a circle on the bottom left of the mark and a wavy line across the bottom of the mark.</p>
Goods/Services	<p>Class 005. First use: First Use: 2008/04/01 First Use In Commerce: 2008/04/01 TAMPONS AND TAMPON APPLICATORS</p>

U.S. Registration No.	3641327	Application Date	06/21/2006
Registration Date	06/16/2009	Foreign Priority Date	NONE
Word Mark	SPORT LEVEL PROTECTION		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 2009/04/01 First Use In Commerce: 2009/04/01 Tampons and tampon applicators</p>		

U.S. Registration No.	3683753	Application Date	11/13/2007
Registration Date	09/15/2009	Foreign Priority	NONE

		Date	
Word Mark	SPORT LEVEL PROTECTION AND COMFORT		
Design Mark	<p style="text-align: center;">SPORT LEVEL PROTECTION AND COMFORT</p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2007/04/30 First Use In Commerce: 2008/06/30 tampons, tampon applicators		

U.S. Application No.	86104952	Application Date	10/29/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PLAYTEX		
Design Mark	<p style="text-align: center;">PLAYTEX</p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 0 First Use In Commerce: 0 Diapers, namely, baby diapers, adult diapers, infant cloth diapers or incontinence diapers		

U.S. Registration No.	814594	Application Date	10/13/1965
Registration Date	09/06/1966	Foreign Priority Date	NONE
Word Mark	PLAYTEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1965/09/14 First Use In Commerce: 1965/09/14 TAMPONS, SANITARY NAPKINS, SANITARY BELTS, AND SANITARY PANTIES		

Attachments	85844886#TMSN.png(bytes) 78815481#TMSN.png(bytes) 77398511#TMSN.png(bytes) 78913047#TMSN.png(bytes) 77328419#TMSN.png(bytes) 86104952#TMSN.png(bytes) notice of opposition.pdf(108246 bytes) Exhibit A.pdf(278759 bytes) Exhibit B.pdf(108823 bytes)
-------------	---

Certificate of Service

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

Signature	/s/ Thomas A. Polcyn
Name	THOMAS A POLCYN
Date	02/11/2015

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

EVEREADY BATTERY COMPANY,)	
INC., and)	Opposition No. _____
PLAYTEX PRODUCTS, LLC,)	
)	Directed to U.S. Serial No. 86/295,631
Opposers,)	
)	
v.)	
)	
ZHENG ANLI,)	
)	
Applicant.)	


NOTICE OF OPPOSITION

Eveready Battery Company, Inc. (“Eveready”), a Delaware corporation with offices at 533 Maryville University Drive, St. Louis, Missouri 63141, and Playtex Products, LLC (“Playtex”), a Delaware limited liability company with offices at 6 Research Drive, Shelton, Connecticut 06484, believe they will be damaged by registration of the mark SPORTEX & Design in International Class 005, as shown in U.S. Serial No. 86/295,631 filed by Zheng Anli (“Applicant”), an individual with an address of No. 38 Bagualingzhong Road, Futian District, Shenzhen City, Guangdong Province, China, and therefore oppose that application.

BACKGROUND

(1) Eveready owns the following federal registrations and applications for SPORT marks for *hygiene products*:

Trademark Ser. # / Reg. #	Goods
SPORT SN:85-844886	(Int'l Class: 5) Feminine hygiene pads; panty liners
SPORT SN:78-815481 RN:3,415,935	(Int'l Class: 5) Tampons and tampon applicators

Trademark Ser. # / Reg. #	Goods
SPORT and Design  SN:77-398511 RN:3,697,507	(Int'l Class: 5) Tampons and tampon applicators
SPORT LEVEL PROTECTION SN:78-913047 RN:3,641,327	(Int'l Class: 5) Tampons and tampon applicators
SPORT LEVEL PROTECTION AND COMFORT SN:77-328419 RN:3,683,753	(Int'l Class: 5) Tampons, tampon applicators

(“SPORT Marks”). TSDR reports for the above-identified registrations and application are attached to this notice of opposition as Exhibit A and incorporated by reference.

(2) Playtex is the exclusive licensee of the mark PLAYTEX, which is owned by Playtex Marketing Corporation, in the field of hygiene products. Playtex is a wholly-owned subsidiary of Eveready. The PLAYTEX mark is the subject of a number of federal registrations and pending applications, including:

Trademark Ser. # / Reg. #	Goods
PLAYTEX SN:86-104952	(Int'l Class: 5) Diapers, namely, baby diapers, adult diapers, infant cloth diapers or incontinence diapers

Trademark Ser. # / Reg. #	Goods
PLAYTEX SN:72-230053 RN:814,594	(Int'l Class: 5) Tampons, sanitary napkins, sanitary belts, and sanitary panties

(“PLAYTEX Mark”). TSDR reports for the above-identified registration and application are attached to this notice of opposition as Exhibit B and incorporated by reference.

(3) As a result of substantial and extensive sales and promotion, the SPORT Marks and PLAYTEX Mark have become well known to the trade and public and therefore acquired significant goodwill and fame.

(4) On information and belief, Applicant is the owner of U.S. Serial No. 86/295,631 for the mark SPORTEX & Design for *babies' napkin-pants; belts for sanitary napkins; incontinence diapers; medicated bath preparations; menstruation bandages; panty liners; pre-moistened medicated tissues; sanitary napkins; sanitary panties; sanitary tampons* in International Class 005.

COUNT I – LIKELIHOOD OF CONFUSION

(5) The above allegations are incorporated by reference.

(6) Applicant’s SPORTEX & Design mark so resembles the SPORT Marks and PLAYTEX Mark as to be likely, when used in connection with the applied-for goods in International Class 005, to cause confusion or to cause mistake or to deceive, thus causing damage to Eveready and Playtex.

COUNT II – DILUTION

(7) The above allegations are incorporated by reference.

(8) Prior to the filing date of U.S. Serial No. 86/295,631 or any use by Applicant of the SPORTEX & Design mark, the PLAYTEX mark became “famous” within the meaning of 15 U.S.C. §1125(c).

(9) Registration and use of the SPORTEX & Design mark will cause and/or is likely to cause dilution of the distinctive quality of the PLAYTEX mark, thus causing damage to Playtex.

ACCORDINGLY, Eveready and Playtex request that this Notice of Opposition be sustained and that registration of Applicant’s SPORTEX & Design mark be denied.

Respectfully submitted,

/s/ Thomas A. Polcyn

Thomas A. Polcyn
Hadi S. Al-Shathir
THOMPSON COBURN LLP
One US Bank Plaza
St. Louis, Missouri 63101
(314) 552-6000
(314) 552-7000 (fax)
tpolcyn@thompsoncoburn.com
hal-shathir@thompsoncoburn.com
mnoelke@thompsoncoburn.com
ipdocket@thompsoncoburn.com

Attorneys for Opposers Eveready Battery Company, Inc.
and Playtex Products, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following via email and Federal Express on February 11, 2015:

Zheng Anli
No. 38 Bagualingzhong Road
Futian District, Shenzhen City
Guangdong Province
China

Zheng Anli
Convention Plaza
3011, 30/F, Office Tower
1 Harbour Road
Hong Kong
efg.chkip@gmail.com

/s/ Thomas A. Polcyn _____

Generated on: This page was generated by TSDR on 2015-02-11 14:06:29 EST

Mark: SPORT

SPORT

US Serial Number: 85844886
Application Filing Date: Feb. 08, 2013
Filed as TEAS Plus: Yes
Currently TEAS Plus: No
Register: Principal
Mark Type: Trademark
Status: A third request for extension of time to file a Statement of Use has been granted.
Status Date: Oct. 23, 2014
Publication Date: May 07, 2013
Notice of Allowance Date: Jul. 02, 2013

Mark Information

Mark Literal Elements: SPORT
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: 3415935, 3641327, 3697507 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 incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Feminine hygiene pads; Panty liners
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(b)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	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: EVEREADY BATTERY COMPANY, INC.
Owner Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas A. Polcyn
Docket Number: 56772-121610
Attorney Primary Email Address: ipdocket@thompsoncoburn.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas A. Polcyn
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MISSOURI 63101
UNITED STATES

Phone: 314-552-6000

Fax: 314-667-3633

Correspondent e-mail: ipdocket@thompsoncoburn.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Oct. 24, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 23, 2014	EXTENSION 3 GRANTED	69302
Oct. 22, 2014	EXTENSION 3 FILED	69302
Oct. 22, 2014	TEAS EXTENSION RECEIVED	
Apr. 23, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 22, 2014	EXTENSION 2 GRANTED	69302
Apr. 17, 2014	EXTENSION 2 FILED	69302
Apr. 17, 2014	TEAS EXTENSION RECEIVED	
Feb. 12, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 10, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 09, 2014	EXTENSION 1 GRANTED	69302
Nov. 19, 2013	EXTENSION 1 FILED	69302
Jan. 04, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Nov. 19, 2013	TEAS EXTENSION RECEIVED	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 02, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
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. 02, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Apr. 01, 2013	ASSIGNED TO LIE	68171
Mar. 19, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 19, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 19, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 19, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 19, 2013	EXAMINERS AMENDMENT -WRITTEN	82085
Mar. 01, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 01, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 01, 2013	NON-FINAL ACTION WRITTEN	82085
Mar. 01, 2013	REMOVED FROM TEAS PLUS	82085
Feb. 23, 2013	ASSIGNED TO EXAMINER	82085
Feb. 14, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 12, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: DUBRAY, KATHERINE M

Law Office Assigned: LAW OFFICE 118

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jan. 04, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Applicant: Playtex Products, LLC

Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5207/0274](#)

Pages: 7

Date Recorded: Feb. 03, 2014

Supporting Documents: [assignment-tm-5207-0274.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, LLC](#)

Execution Date: Jan. 13, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [EVEREADY BATTERY COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141

Correspondent

Correspondent Name: DONNA FRAZIER SCHMITT

Correspondent Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MO 63141

Domestic Representative - Not Found

Attorney of Record

Attorney Name: Thomas A. Polcyn **Docket Number:** 56772-121657
Attorney Primary Email Address: ipdocket@thompsoncoburn.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Thomas A. Polcyn
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MISSOURI 63101
UNITED STATES
Phone: 314-552-6000 **Fax:** 314-667-3633
Correspondent e-mail: ipdocket@thompsoncoburn.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Feb. 12, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 18, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
May 18, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Apr. 29, 2013	TEAS SECTION 8 & 15 RECEIVED	
Apr. 01, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 22, 2008	REGISTERED-PRINCIPAL REGISTER	
Mar. 18, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	70629
Mar. 18, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 04, 2008	STATEMENT OF USE PROCESSING COMPLETE	64657
Jan. 30, 2008	USE AMENDMENT FILED	64657
Jan. 30, 2008	TEAS STATEMENT OF USE RECEIVED	
Aug. 07, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 15, 2007	PUBLISHED FOR OPPOSITION	
Apr. 25, 2007	NOTICE OF PUBLICATION	
Apr. 10, 2007	ASSIGNED TO EXAMINER	81854
Mar. 15, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Mar. 10, 2007	ASSIGNED TO LIE	70629
Feb. 12, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 01, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 31, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 31, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 01, 2006	NON-FINAL ACTION MAILED	
Jul. 31, 2006	NON-FINAL ACTION WRITTEN	81095
Jul. 28, 2006	ASSIGNED TO EXAMINER	81095
Feb. 22, 2006	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: May 18, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Playtex Products, Inc.

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3478/0232](#)

Pages: 7

Date Recorded: Feb. 08, 2007

Supporting Documents: [assignment-tm-3478-0232.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)

Execution Date: Feb. 08, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: INC. ASSOCIATION

State or Country Where Organized: MINNESOTA

Address: 100 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202

Correspondent

Correspondent Name: CLAUDINE MEREDITH-GOUJON

Correspondent Address: 1285 AVE. OF THE AMERICAS
NEW YORK, NY 10019-6064

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: CERTIFICATE OF CONVERSION

Reel/Frame: [3958/0680](#)

Pages: 12

Date Recorded: Mar. 25, 2009

Supporting Documents: [assignment-tm-3958-0680.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)

Execution Date: Oct. 01, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX PRODUCTS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6 RESEARCH DRIVE
SHELTON, CONNECTICUT 06484

Correspondent

Correspondent Name: PLAYTEX PRODUCTS, LLC

Correspondent Address: 6 RESEARCH DRIVE
SHELTON, CT 06484

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5207/0274](#)

Pages: 7

Date Recorded: Feb. 03, 2014

Supporting Documents: [assignment-tm-5207-0274.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, LLC](#)

Execution Date: Jan. 13, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [EVEREADY BATTERY COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Organized:

Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141

Correspondent

Correspondent Name: DONNA FRAZIER SCHMITT

Correspondent Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MO 63141

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2015-02-11 14:09:03 EST

Mark: SPORT



US Serial Number: 77398511

Application Filing Date: Feb. 15, 2008

US Registration Number: 3697507

Registration Date: Oct. 20, 2009

Register: Principal

Mark Type: Trademark

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

Status Date: Oct. 20, 2009

Publication Date: Aug. 04, 2009

Mark Information

Mark Literal Elements: SPORT

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of three images of women engaged in various activities. The woman on the left is playing tennis, the woman in the middle is jogging, and the woman on the right is dancing. The mark "SPORT" is underlined and appears in a rectangle in the middle of the mark. There is a circle on the bottom left of the mark and a wavy line across the bottom of the mark.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.03.02 - Women depicted as shadows or silhouettes of women; Silhouettes of women
02.03.27 - Women athletes; Athletes (women)
02.07.02 - Groups, females
02.09.05 - Running, humans; Humans, including men, women and children, depicted running
02.09.19 - Diving, humans; Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans
21.03.02 - Tennis rackets; Table tennis paddles; Rackets; Badminton rackets; Paddles, sports
26.01.02 - Circles, plain single line; Plain single line circles
26.11.13 - Rectangles (exactly two rectangles); Two rectangles
26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides
26.17.13 - Overlined words or letters; Underlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines

Related Properties Information

Claimed Ownership of US Registrations: 3415935

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 incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: TAMPONS AND TAMPON APPLICATORS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 2008

Use in Commerce: Apr. 01, 2008

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: Yes
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: EVEREADY BATTERY COMPANY, INC.
Owner Address: 533 MARYVILLE UNIVERSITY DRIVE
 ST. LOUIS, MISSOURI 63141
 UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas A. Polcyn
Attorney Primary Email Address: ipdocket@thompsoncoburn.com
Docket Number: 56772-121701
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas A. Polcyn
 Thompson Coburn LLP
 One US Bank Plaza
 St. Louis, MISSOURI 63101
 UNITED STATES
Phone: 314-552-6000
Fax: 314-667-3633
Correspondent e-mail: ipdocket@thompsoncoburn.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 12, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 20, 2009	REGISTERED-PRINCIPAL REGISTER	
Aug. 04, 2009	PUBLISHED FOR OPPOSITION	
Jul. 15, 2009	NOTICE OF PUBLICATION	
Jul. 01, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 17, 2009	USE AMENDMENT ACCEPTED	63030
Jun. 17, 2009	AMENDMENT TO USE PROCESSING COMPLETE	88889
Jun. 17, 2009	USE AMENDMENT FILED	88889
Jun. 16, 2009	TEAS AMENDMENT OF USE RECEIVED	
Jun. 17, 2009	DATA MODIFICATION COMPLETED	68171
Jun. 15, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Jun. 15, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Jun. 11, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Apr. 01, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 17, 2008	FINAL REFUSAL MAILED	
Dec. 16, 2008	FINAL REFUSAL WRITTEN	63030
Dec. 15, 2008	ASSIGNED TO EXAMINER	63030
Dec. 09, 2008	AMENDMENT FROM APPLICANT ENTERED	68171
Dec. 09, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171

Dec. 09, 2008	ASSIGNED TO LIE	68171
Nov. 24, 2008	FAX RECEIVED	
Nov. 24, 2008	FAX RECEIVED	
May 30, 2008	NON-FINAL ACTION MAILED	
May 29, 2008	NON-FINAL ACTION WRITTEN	82091
May 22, 2008	ASSIGNED TO EXAMINER	82091
Feb. 22, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 21, 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: Oct. 20, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: PLAYTEX PRODUCTS, LLC

Assignment 1 of 2

Conveyance: CERTIFICATE OF CONVERSION

Reel/Frame: [3958/0680](#)

Pages: 12

Date Recorded: Mar. 25, 2009

Supporting Documents: [assignment-tm-3958-0680.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)

Execution Date: Oct. 01, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX PRODUCTS, LLC.](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6 RESEARCH DRIVE
SHELTON, CONNECTICUT 06484

Correspondent

Correspondent Name: PLAYTEX PRODUCTS, LLC

Correspondent Address: 6 RESEARCH DRIVE
SHELTON, CT 06484

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5207/0274](#)

Pages: 7

Date Recorded: Feb. 03, 2014

Supporting Documents: [assignment-tm-5207-0274.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, LLC.](#)

Execution Date: Jan. 13, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [EVEREADY BATTERY COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141

Correspondent

Correspondent Name: DONNA FRAZIER SCHMITT

Correspondent Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MO 63141

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2015-02-11 14:10:20 EST

Mark: SPORT LEVEL PROTECTION

SPORT LEVEL PROTECTION

US Serial Number: 78913047
Application Filing Date: Jun. 21, 2006
US Registration Number: 3641327
Registration Date: Jun. 16, 2009
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Jun. 16, 2009
Publication Date: Jul. 31, 2007
Notice of Allowance Date: Oct. 23, 2007

Mark Information

Mark Literal Elements: SPORT LEVEL PROTECTION
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
Disclaimer: "PROTECTION"

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 incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Tampons and tampon applicators
International Class(es): 005 - Primary Class
U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 01, 2009
Use in Commerce: Apr. 01, 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: EVEREADY BATTERY COMPANY, INC.
Owner Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas A. Polcyn
Docket Number: 56772-121666
Attorney Primary Email Address: ipdocket@thompsoncoburn.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas A. Polcyn
Thompson Coburn LLP

One US Bank Plaza
St. Louis, MISSOURI 63101
UNITED STATES

Phone: 314-552-6000

Fax: 314-667-3633

Correspondent e-mail: ipdocket@thompsoncoburn.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 12, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 16, 2009	REGISTERED-PRINCIPAL REGISTER	
May 14, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
May 14, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 24, 2009	STATEMENT OF USE PROCESSING COMPLETE	66530
Apr. 22, 2009	USE AMENDMENT FILED	66530
Apr. 24, 2009	EXTENSION 3 GRANTED	66530
Apr. 22, 2009	EXTENSION 3 FILED	66530
Apr. 22, 2009	TEAS EXTENSION RECEIVED	
Apr. 22, 2009	TEAS STATEMENT OF USE RECEIVED	
Apr. 22, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 22, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 01, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 23, 2008	REVIEW OF CORRESPONDENCE COMPLETE	66530
Oct. 22, 2008	FAX RECEIVED	
Oct. 23, 2008	EXTENSION 2 GRANTED	66530
Oct. 06, 2008	EXTENSION 2 FILED	66530
Oct. 08, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Oct. 06, 2008	TEAS EXTENSION RECEIVED	
Oct. 06, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 06, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 22, 2008	EXTENSION 1 GRANTED	98765
Apr. 22, 2008	EXTENSION 1 FILED	98765
Apr. 22, 2008	TEAS EXTENSION RECEIVED	
Oct. 23, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 31, 2007	PUBLISHED FOR OPPOSITION	
Jul. 11, 2007	NOTICE OF PUBLICATION	
Jun. 28, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Jun. 28, 2007	ASSIGNED TO LIE	73797
May 24, 2007	EXAMINERS AMENDMENT MAILED	
May 24, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 24, 2007	EXAMINER'S AMENDMENT ENTERED	88888
May 24, 2007	EXAMINERS AMENDMENT -WRITTEN	66582
Apr. 26, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 25, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 25, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 25, 2006	NON-FINAL ACTION MAILED	
Oct. 24, 2006	NON-FINAL ACTION WRITTEN	66582

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 14, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Playtex Products, Inc.

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3478/0232](#)

Pages: 7

Date Recorded: Feb. 08, 2007

Supporting Documents: [assignment-tm-3478-0232.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)

Execution Date: Feb. 08, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)

Legal Entity Type: INC. ASSOCIATION

State or Country Where Organized: MINNESOTA

Address: 100 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202

Correspondent

Correspondent Name: CLAUDINE MEREDITH-GOUJON

Correspondent Address: 1285 AVE. OF THE AMERICAS
NEW YORK, NY 10019-6064

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: CERTIFICATE OF CONVERSION

Reel/Frame: [3958/0680](#)

Pages: 12

Date Recorded: Mar. 25, 2009

Supporting Documents: [assignment-tm-3958-0680.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)

Execution Date: Oct. 01, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX PRODUCTS, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6 RESEARCH DRIVE
SHELTON, CONNECTICUT 06484

Correspondent

Correspondent Name: PLAYTEX PRODUCTS, LLC

Correspondent Address: 6 RESEARCH DRIVE
SHELTON, CT 06484

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5207/0274](#)

Pages: 7

Date Recorded: Feb. 03, 2014

Supporting Documents: [assignment-tm-5207-0274.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, LLC](#)

Execution Date: Jan. 13, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [EVEREADY BATTERY COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141

Correspondent

Correspondent Name: DONNA FRAZIER SCHMITT

Correspondent Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MO 63141

Domestic Representative - Not Found

One US Bank Plaza
St. Louis, MISSOURI 63101
UNITED STATES

Phone: 314-552-6000

Fax: 314-667-3633

Correspondent e-mail: ipdocket@thompsoncoburn.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 30, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 15, 2009	REGISTERED-PRINCIPAL REGISTER	
Aug. 11, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
Aug. 10, 2009	ASSIGNED TO LIE	78288
Aug. 10, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 27, 2009	STATEMENT OF USE PROCESSING COMPLETE	66230
Jul. 02, 2009	USE AMENDMENT FILED	66230
Jul. 27, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jul. 02, 2009	TEAS STATEMENT OF USE RECEIVED	
Jul. 02, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 02, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 01, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 13, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 21, 2008	PUBLISHED FOR OPPOSITION	
Oct. 01, 2008	NOTICE OF PUBLICATION	
Sep. 17, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Sep. 16, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 27, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	78145
Aug. 27, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Aug. 27, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 28, 2008	NON-FINAL ACTION MAILED	
Feb. 27, 2008	NON-FINAL ACTION WRITTEN	76738
Feb. 27, 2008	ASSIGNED TO EXAMINER	76738
Jan. 17, 2008	AMENDMENT FROM APPLICANT ENTERED	78145
Jan. 17, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Jan. 17, 2008	ASSIGNED TO LIE	78145
Dec. 06, 2007	PAPER RECEIVED	
Nov. 16, 2007	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. 11, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Playtex Products, Inc.

Assignment 1 of 2

Conveyance: CERTIFICATE OF CONVERSION

Reel/Frame: [3958/0680](#)

Pages: 12

Date Recorded: Mar. 25, 2009

Supporting Documents: [assignment-tm-3958-0680.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Oct. 01, 2008
State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX PRODUCTS, LLC.](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6 RESEARCH DRIVE
SHELTON, CONNECTICUT 06484

Correspondent

Correspondent Name: PLAYTEX PRODUCTS, LLC

Correspondent Address: 6 RESEARCH DRIVE
SHELTON, CT 06484

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5328/0763](#)

Pages: 2

Date Recorded: Jul. 24, 2014

Supporting Documents: [assignment-tm-5328-0763.pdf](#)

Assignor

Name: [PLAYTEX PRODUCTS, LLC.](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Jul. 24, 2014
State or Country Where Organized: DELAWARE

Assignee

Name: [EVEREADY BATTERY COMPANY, INC.](#)
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 533 MARYVILLE UNIVERSITY DRIVE
ST. LOUIS, MISSOURI 63141

Correspondent

Correspondent Name: THOMAS A. POLCYN

Correspondent Address: ONE US BANK PLAZA
THOMPSON COBURN LLP
ST. LOUIS, MO 63101

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2015-02-11 14:13:32 EST

Mark: PLAYTEX

PLAYTEX

US Serial Number: 86104952

Application Filing Date: Oct. 29, 2013

Register: Principal

Mark Type: Trademark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Oct. 21, 2014

Publication Date: Aug. 26, 2014

Notice of Allowance Date: Oct. 21, 2014

Mark Information

Mark Literal Elements: PLAYTEX

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: 3442845, 4216744, 4350959 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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Diapers, namely, baby diapers, adult diapers, infant cloth diapers or incontinence diapers

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

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: PLAYTEX MARKETING CORPORATION

Owner Address: c/o Jeffrey A. Schwab, Esq.
666 Third Avenue
New York, NEW YORK 10017
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Abelman

Docket Number: 876866

Correspondent

Correspondent: LAWRENCE E. ABELMAN

Name/Address: ABELMAN, FRAYNE & SCHWAB
666 3RD AVE
NEW YORK, NEW YORK 10017-4011
UNITED STATES

Phone: 212-949-9022

Fax: 212-949-9190

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 21, 2014	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 26, 2014	PUBLISHED FOR OPPOSITION	
Aug. 06, 2014	NOTICE OF PUBLICATION	
Jul. 20, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Jul. 20, 2014	ASSIGNED TO LIE	66121
Jul. 02, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 01, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 30, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 30, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 30, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 14, 2014	NON-FINAL ACTION MAILED	
Feb. 14, 2014	NON-FINAL ACTION WRITTEN	78328
Feb. 13, 2014	ASSIGNED TO EXAMINER	78328
Nov. 08, 2013	NOTICE OF PSEUDO MARK MAILED	
Nov. 07, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 01, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: PERKINS, ELLEN J

Law Office Assigned: LAW OFFICE 110

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Oct. 21, 2014

Generated on: This page was generated by TSDR on 2015-02-11 14:15:01 EST

Mark: PLAYTEX

US Serial Number: 72230053
US Registration Number: 814594
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Nov. 16, 2006
Publication Date: Jun. 21, 1966

Application Filing Date: Oct. 13, 1965
Registration Date: Sep. 06, 1966

Mark Information

Mark Literal Elements: PLAYTEX
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 0711937

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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: TAMPONS, SANITARY NAPKINS, SANITARY BELTS, AND SANITARY PANTIES

International Class(es): 005

U.S Class(es): 044 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 14, 1965

Use in Commerce: Sep. 14, 1965

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: PLAYTEX MARKETING CORPORATION
Owner Address: c/o ABELMAN FRAYNE & SCHWAB
666 THIRD AVENUE
NEW YORK, NEW YORK 10017
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey A, Schwab

Attorney Primary Email Address: ferranella@lawabel.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jeffrey A, Schwab
Abelman Frayne & Schwab
666 Third Avenue
10th Floor
New York, NEW YORK 10017
UNITED STATES

Phone: 2129499022

Fax: 2129499190

Correspondent e-mail: ferranella@lawabel.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 05, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 05, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 08, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 08, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 02, 2009	CASE FILE IN TICRS	
Nov. 16, 2006	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	61619
Nov. 16, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 02, 2006	ASSIGNED TO PARALEGAL	61619
Sep. 05, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 05, 2006	TEAS SECTION 8 & 9 RECEIVED	
Sep. 02, 2006	REVIEW OF CORRESPONDENCE COMPLETE	77315
Aug. 21, 2006	PAPER RECEIVED	
Nov. 21, 2005	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 06, 1986	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Aug. 27, 1986	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 06, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 02, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 12

Registrant: INTERNATIONAL LATEX CORPORATION

Assignment 1 of 12

Conveyance: CHANGE OF NAME 19661125

Reel/Frame: [0146/0036](#)

Pages: 1

Date Recorded: Jan. 03, 1967

Supporting Documents: No Supporting Documents Available

Assignor

Name: [INTERNATIONAL LATEX CORPORATION](#) Execution Date: Dec. 21, 1966
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [INTERNATIONAL PLAYTEX CORPORATION](#)
Legal Entity Type: UNKNOWN State or Country Where Organized: No Place Where Organized Found
Address: No Assignee Address Found

Correspondent

Correspondent Name: INTERNATIONAL PLAYTEX CORP.
Correspondent Address: PLAYTEX PARK
DOVER, DE 19901

Domestic Representative - Not Found

Assignment 2 of 12

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
Reel/Frame: [0249/0181](#) Pages: 8
Date Recorded: Mar. 07, 1974
Supporting Documents: No Supporting Documents Available

Assignor

Name: [INTERNATIONAL PLAYTEX CORPORATION](#) Execution Date: Jan. 31, 1974
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [RAPID-AMERICAN CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 711 FIFTH AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: INTERNATIONAL PLAYTEX CORP.
Correspondent Address: 888 7TH AVE.
NEW YORK, NY 10019

Domestic Representative - Not Found

Assignment 3 of 12

Conveyance: RE-RECORD OF INSTRUMENT RECORDED MAR. 7, 1974 REEL 249 FRAMES 181-189 TO CORRECT THE REG. NO. AND THE TWO SERIAL NO. ERRONEOUSLY STATED.
Reel/Frame: [0268/0103](#) Pages: 10
Date Recorded: Jun. 03, 1975
Supporting Documents: No Supporting Documents Available

Assignor

Name: [INTERNATIONAL PLAYTEX CORPORATION](#) Execution Date: Jan. 31, 1974
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [RAPID-AMERICAN CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 711 FIFTH AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: INTERNATIONAL PLAYTEX COMPANY
Correspondent Address: 888 SEVENTH AVENUE
NEW YORK, NY 10019

Domestic Representative - Not Found

Assignment 4 of 12

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOOD WILL, EFFECTIVE ON NOV. 7, 1975.
Reel/Frame: [0278/0053](#) Pages: 10
Date Recorded: Nov. 25, 1975

Supporting Documents: No Supporting Documents Available

Assignor

Name: [RAPID-AMERICAN CORPORATION](#) Execution Date: Nov. 04, 1975
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [INTERNATIONAL PLAYTEX, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 888 SEVENTH AVENUE
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: INTERNATIONAL PLAYTEX COMPANY
Correspondent Address: 888 SEVENTH AVENUE
NEW YORK, NY 10019

Domestic Representative - Not Found

Assignment 5 of 12

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOOD WILL AS OF DEC. 20, 1986
Reel/Frame: [0556/0952](#) Pages: 2
Date Recorded: Feb. 25, 1987
Supporting Documents: No Supporting Documents Available

Assignor

Name: [INTERNATIONAL PLAYTEX, INC.](#) Execution Date: Feb. 20, 1987
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX APPAREL, INC.](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 700 FAIRFIELD AVENUE
STAMFORD, CONNECTICUT 06904

Correspondent

Correspondent Name: INTERNATIONAL PLAYTEX, INC.
Correspondent Address: P.O. BOX 10064
700 FAIRFIELD AVENUE
STAMFORD, CT 06904

Domestic Representative - Not Found

Assignment 6 of 12

Conveyance: ASSIGNS THE ENTIRE INTEREST AND GOODWILL AS OF DEC. 28, 1988.
Reel/Frame: [0646/0315](#) Pages: 0
Date Recorded: Apr. 03, 1989
Supporting Documents: No Supporting Documents Available

Assignor

Name: [PLAYTEX APPAREL, INC.](#) Execution Date: Dec. 28, 1988
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX MARKETING CORPORATION](#) State or Country Where Organized: DELAWARE
Legal Entity Type: CORPORATION
Address: 708 THIRD AVENUE
NEW YORK, NEW YORK 100174141

Correspondent

Correspondent Name: ABELMAN, FRAYNE, REZAC & SCHWAB
Correspondent Address: 708 THIRD AVENUE
NEW YORK, NY 10017-4141

Domestic Representative - Not Found

Assignment 7 of 12

Conveyance: LICENSE
Reel/Frame: [0840/0746](#) Pages: 37

Date Recorded: Jan. 28, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [PLAYTEX MARKETING CORPORATION](#) Execution Date: Nov. 19, 1991
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [PLAYTEX APPAREL, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: No Assignee Address Found

Name: [PLAYTEX FAMILY PRODUCTS CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 700 FAIRFIELD AVE.
STAMFORD, CONNECTICUT 06904

Correspondent

Correspondent Name: CAHILL GORDON & REINDEL
Correspondent Address: 1990 K ST., NW
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 8 of 12

Conveyance: RECORD BY PELITION BY COMMISSIONER'S DECISION DATED 11/13/92 (SEE RECORD FOR DETAILS)
Reel/Frame: [0914/0001](#) Pages: 83
Date Recorded: Feb. 18, 1992
Supporting Documents: No Supporting Documents Available

Assignor

Name: [PLAYTEX FAMILY CORPORATION](#) Execution Date: Dec. 20, 1991
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Name: [PLAYTEX BEAUTY CARE, INC.](#) Execution Date: Dec. 20, 1991
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Assignee

Name: [BANKERS TRUST COMPANY](#)
Legal Entity Type: SEE DOCUMENT FOR DETAILS. State or Country Where Organized: No Place Where Organized Found
Address: No Assignee Address Found

Correspondent

Correspondent Name: CAHILL GORDIN & REINDEL
Correspondent Address: MICHEAL J. QUINN
1990 K STREET, N.W.
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 9 of 12

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
Reel/Frame: [1107/0414](#) Pages: 7
Date Recorded: Feb. 22, 1994
Supporting Documents: No Supporting Documents Available

Assignor

Name: [BANKER TRUST COMPANY \(AS COLLATERAL AGENT\)](#) Execution Date: Feb. 02, 1994
Legal Entity Type: BANKING CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [CHEMICAL BANK \(AS AGENT\)](#)
Legal Entity Type: NEW YORK BANKING CORPORATION State or Country Where Organized: No Place Where Organized Found
Address: 270 PARK AVENUE
NEW YORK, NEW YORK 10017

Correspondent**Correspondent Name:** JAMES TRAMONTANA, ESQ.**Correspondent Address:** AMSTER, ROTHSTEIN & EBENSTEIN
22ND FLOOR
90 PARK AVENUE
NEW YORK, NY 10016**Domestic Representative - Not Found****Assignment 10 of 12****Conveyance:** SECURITY INTEREST**Reel/Frame:** [1109/0248](#)**Pages:** 32**Date Recorded:** Feb. 22, 1994**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [PLAYTEX FAMILY PRODUCTS CORP.](#)**Execution Date:** Feb. 02, 1994**Legal Entity Type:** CORPORATION**State or Country Where Organized:** DELAWARE**Assignee****Name:** [CHEMICAL BANK \(AS AGENT\)](#)**Legal Entity Type:** NY BANKING CORPORATION**State or Country Where Organized:** No Place Where Organized Found**Address:** 270 PARK AVENUE
NEW YORK, NEW YORK 10017**Correspondent****Correspondent Name:** JAMES TRAMONTANA, ESQ.**Correspondent Address:** AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVENUE, 22ND FLOOR
NEW YORK, NEW YORK 10016**Domestic Representative - Not Found****Assignment 11 of 12****Conveyance:** CORRECTION OF RECORDATION TO REFLECT NATURE OF CONVEYANCE AS "SECURITY AGREEMENT"**Reel/Frame:** [1401/0935](#)**Pages:** 9**Date Recorded:** Oct. 03, 1995**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [BANKERS TRUST COMPANY \(AS COLLATERAL AGENT\)](#)**Execution Date:** Feb. 02, 1994**Legal Entity Type:** BANKING CORPORATION**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [CHEMICAL BANK \(AS AGENT\)](#)**Legal Entity Type:** BANKING CORPORATION**State or Country Where Organized:** NEW YORK**Address:** 270 PARK AVENUE
NEW YORK, NEW YORK 10017**Correspondent****Correspondent Name:** JAMES TRAMONTANA, ESQ.**Correspondent Address:** AMSTER, ROTHSTEIN & EBENSTEIN
90 PARK AVENUE, 22ND FLOOR
NEW YORK, NEW YORK 10016**Domestic Representative - Not Found****Assignment 12 of 12****Conveyance:** RELEASE OF SECURITY AGREEMENT**Reel/Frame:** [1377/0314](#)**Pages:** 9**Date Recorded:** Jun. 21, 1995**Supporting Documents:** No Supporting Documents Available**Assignor****Name:** [CHEMICAL BANK \(AS AGENT\)](#)**Execution Date:** Jun. 05, 1995**Legal Entity Type:** BANKING CORPORATION**State or Country Where Organized:** NEW YORK**Assignee****Name:** [PLAYTEX PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** DELAWARE

Address: 300 NYALA FARMS ROAD
WESTPORT, CONNECTICUT 06880

Correspondent

Correspondent Name: AMSTER, ROTHSTEIN & EBENSTEIN

Correspondent Address: ATTN: JAMES TRAMONTANA, ESQ.
22ND FLOOR
90 PARK AVENUE
NEW YORK, NY 10016

Domestic Representative - Not Found