

ESTTA Tracking number: **ESTTA760987**

Filing date: **07/27/2016**

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	GANZ
Granted to Date of previous extension	07/27/2016
Address	1 Pearce Road Woodbridge, Ontario, L4L 3T2 CANADA
Attorney information	Deborah A. Wilcox BAKER & HOSTETLER LLP 127 Public SquareKey Tower, Suite 2000 Cleveland, OH 44114 UNITED STATES dwilcox@bakerlaw.com, bhipdocket@bakerlaw.com, smccue@bakerlaw.com Phone:216-621-0200

Applicant Information

Application No	86052534	Publication date	03/29/2016
Opposition Filing Date	07/27/2016	Opposition Period Ends	07/27/2016
Applicant	SJM Partners, Inc. 1930 Isaac Newton Square West, Suite 207 Reston, VA 20190 UNITED STATES		

Goods/Services Affected by Opposition

Class 041. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Educational and entertainment services, namely, a continuing program about animated characters accessible by means of radio, television, satellite, audio, video, web-based applications, mobile phone applications and computer networks

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.	2554518	Application Date	10/19/1998
Registration Date	04/02/2002	Foreign Priority Date	NONE

Word Mark	GOOGLES
Design Mark	
Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 1988/01/04 First Use In Commerce: 1988/01/04 PLUSH TOYS

Attachments	NoticeofOpp.pdf(2059143 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	/Shannon V. McCue/
Name	Shannon V. McCue
Date	07/27/2016

VIA ELECTRONIC SYSTEM FOR
TRADEMARK TRIALS AND APPEALS ("ESTTA")
DATE OF FILING: July 27, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In The Matter Of Application Serial No. 86/052,534
Published In The *Official Gazette*, March 29, 2016

_____)	
Ganz,)	
)	
Opposer,)	Opposition No. _____
)	
v.)	
)	NOTICE OF OPPOSITION
SJM Partners, Inc.)	
)	
Applicant.)	
_____)	

Ganz, a Canadian partnership, whose principal address is 1 Pearce Road, Woodbridge, Ontario, Canada L4L 3T2, believes that it will be damaged by the registration of the mark covered by Application Serial Nos. 86/052,534, GOOGLES, in International Class 41, and hereby opposes the registration of said mark. As grounds for the opposition it is alleged as follows:

1. Ganz is the owner of the U.S. trademark registration no. 2,554,518 for the mark GOOGLES used in connection with plush toys, and also has common law trademark rights in the GOOGLES brand stemming from its continuous use of GOOGLES since at least as early as 1988.

2. Applicant seeks to register GOOGLES for Educational and entertainment services, namely, a continuing program about animated characters accessible by means of radio, television, satellite, audio, video, web-based applications, mobile phone applications and computer networks, in International Class 41. The filing date of Applicant's application was August 30, 2013.

3. In addition to selling plush toys under the GOOGLES brand, Ganz is in the business of operating the online interactive playspace WEBKINZ WORLD and distributing WEBKINZ plush

animals and related products that unlock (allow access to) the online WEBKINZ site. Ganz has been operating the interactive WEBKINZ playspace since at least as early as May 2005. The plush toy characters are viewed and played with in the online interactive playspace.

4. Almost immediately, the WEBKINZ plush toy pets and website began to attract a great deal of interest from children, parents, and collectors. In the intervening years, WEBKINZ pets and the digital playspace have received awards, including the iParenting Media Award, the Canadian Children's Choice Award, Canadian Toy Testing Council's 3-Star Toy Award, and the 2007 Toy Industry Association Specialty Toy of the Year Award. It has been reported that the www.webkinz.com website attracts millions of visitors every day. In the December 31, 2007 edition of PEOPLE magazine, WEBKINZ was featured in an article on the year's biggest trends. WEBKINZ WORLD was also honored with "Best of the Web Award" by WiredSafety. WiredSafety is the largest online safety, education and help volunteer group in the world.

5. The WEBKINZ brand has expanded thus far to include a variety of goods, including knapsacks, body spritz, school supplies, lip gloss, mouse pads, bookmarks, figurines, trading cards, jewelry and clothing, demonstrating the scope and extent of the WEBKINZ properties. Ganz has many WEBKINZ trademark registrations including registrations in classes 28 and 41.

6. The GOOGLES branded plush toy is sold in connection with the WEBKINZ brand. See Exhibits A and B (Amazon Store pages). When a GOOGLES plush toy is purchased it contains a code associated with the WEBKINZ online interactive playspace such that when the code is entered the purchased GOOGLES plush toy becomes a virtual character within the playspace. The GOOGLES mark is thus used for entertainment services.

7. Through widespread publicity, including national news and morning show coverage of the WEBKINZ brand, and word of mouth advertising created by the extraordinarily large user base for the interactive WEBKINZ playspace and plush toys, Ganz has acquired much notoriety, fame and a most valuable reputation under its WEBKINZ marks.

8. Ganz has been continuously using the WEBKINZ marks since at least as early as May 2005.

9. Ganz has been continuously using the GOOGLES mark in connection with plush toys since at least as early as 1988.

10. Ganz applied for U.S. registration of the mark GOOGLES in connection with plush toys on October 19, 1998.

11. Ganz's GOOGLES application was published for opposition on January 8, 2002.

12. The U.S. Patent and Trademark office registered the GOOGLES mark owned by Ganz in October 2002. A true and accurate copy of the registration is attached as Exhibit C.

13. The U.S. Patent and Trademark office recognized the incontestability of the GOOGLES trademark registration owned by Ganz under Section 15 of the Trademark Act in July 2007.

14. Applicant filed the GOOGLES application in class 41 on the basis of Section 1(b) of the Lanham Act, which provides for registration of marks where the applicant "has a bona fide intention . . . to use a trademark in commerce." 15 U.S.C. § 1051(b).

15. Upon information and belief, the identical visual and auditory elements of the GOOGLES mark identified in Applicant's application are likely to confuse consumers and trade on the goodwill built up in Opposer's GOOGLES registered mark.

16. Upon information and belief, the services Applicant intends to market under the GOOGLES mark will be similar in type to goods and services that Ganz markets, and as such are likely to create confusion among consumers regarding whether Applicant's services have been approved by Ganz.

17. Upon information and belief, the services Applicant intends to market under the GOOGLES mark will be marketed through the same or similar channels of trade as the services Ganz markets under the WEBKINZ marks, and are likely to create consumer confusion as to whether Applicant's services have been approved by Ganz.

18. There is no issue as to priority. The date Applicant filed the GOOGLES application is after Ganz's first use and registration of GOOGLES.

CLAIM I – LIKELIHOOD OF CONFUSION

19. Ganz repeats and re-alleges each and every allegation set forth in paragraphs 1 through 18.

20. The GOOGLES mark, if used by Applicant for the specified services, will be similar to Ganz's entertainment services including its interactive playspace. Given that Ganz owns the identical GOOGLES mark in connection with its plush toy product and character in the virtual playspace, Applicant's use of the GOOGLES mark is likely to cause confusion, mistake, or deception with respect to the origin of said services, and to confuse, mislead, and deceive members of the public into believing that Ganz has allowed, sponsored, approved, or licensed Applicant to offer such services, or in some way Applicant is connected to or affiliated with Ganz. Any such confusion would result in injury to or have a direct impact on Ganz's reputation and its ability to market its goods and services. Furthermore, any defect, objection, or fault found with Applicant's services marketed under its GOOGLES mark would negatively impact and seriously injure the reputation Ganz has established for the goods and services it sells under its GOOGLES mark or the WEBKINZ marks.

21. If Applicant is granted the registration herein opposed, Applicant would thereby obtain at least a prima facie exclusive right to use the GOOGLES mark in association with its class 41 services. Such registration would be a source of damage and injury to Ganz within the meaning of Section 13 of the Lanham Act, 15 U.S.C. § 1063.

CLAIM II – ANTICIPATED BREACH OF CONTRACT

22. Ganz repeats and re-alleges each and every allegation set forth in paragraphs 1 through 21.

23. In 2001, Ganz and SJM's predecessor Steven A. Silvers and The Googles Children's Workshop (collectively, "Silvers") entered into an Agreement (Exhibit D) resolving Ganz's opposition of Silvers' trademark application 75/547,007, for the mark GOOGLES and Design (referred to as "Silvers Mark" and shown below) for plush toy figurines, plastic toy figurines.



24. Section 1.7 of the Agreement states that Ganz believes that as long as Silvers uses the Silvers' Mark at all time with the design configuration as reflected in Application no. 75/547,007, there will be no likelihood of confusion in the market place as it pertains to Ganz's line of GOOGLES plush toys.

25. Section 2.1 of the Agreement provided Silvers with the right to use the Silvers' Mark subject to certain conditions provided in 2.1 (a) – (e).

26. Section 2.1 (a) of that Agreement required Silvers to abandon the '007 application and not seek to register at the federal or state level any mark containing, or confusingly similar to, GOOGLES for plush toys. Section 2.1 (a) also provided that Silvers will not abandon any other "Googles" marks he holds or will hold in the future that relate to goods other than plush toys.

27. Section 2.1 (b) of the Agreement prohibited Silvers use of the GOOGLES word on or in connection with any product, image or character without also using the character depicted in the design portion of the mark. (emphasis added) The section provided an exception to this prohibition if the design element would not fit and the product was not a plush toy. In the case at hand, the exception does not apply.

28. Section 2.1 (e) permitted Silvers to use the term "Googles" for purposes such as titles to books, movies, features, music, music titles and web sites relating to the alien-themed property. This section did not, however, permit registration of the term "Googles" as a trademark.

29. In contrast to sections 2.1(a) – 2.1(e), which only discuss Silvers use of the Silvers mark or the term Googles without permitting Silvers to register, Section 2.3 (b), relating to the Ganz mark, provided Ganz with the "unlimited right to use and register the mark "GOOGLES." Accordingly, it is

clear that Silvers' Mark is subject to restrictions, including those in section 2.1(b) requiring use of the design element.

30. On information and belief, Applicant's attempt to register the word GOOGLES without the design element, if permitted, would be in violation of the Agreement, and would be a source of damage and injury to Ganz within the meaning of Section 13 of the Lanham Act, 15 U.S.C. § 1063.

CLAIM III - FRAUD

31. Ganz repeats and re-alleges each and every allegation set forth in paragraphs 1 through 30.

32. On June 16, 2014, Applicant filed a response to an office action containing the statement:

Additionally, the Examining Attorney has cited U.S. Registration Number 2554518, the mark, "Googles" owned by Ganz S.H., Ganz Holdings, Inc. (the "Ganz Mark") as potentially barring Applicant's registration. ... Upon information and belief, The Ganz Company no longer uses the subject mark and otherwise has made a pledge to Applicant not to use it. That pledge amounts to a consent agreement. Accordingly, there is no conflict or likelihood of confusion between Applicant's filing and U.S. Registration Number 2554518.

33. The above statement was submitted by Applicant to overcome a Section 2(d) refusal based on Opposer's trademark registration 2,554,518 making this statement material to the registrability of the mark.

34. The statement mischaracterizes the Agreement (Exhibit D) between Ganz and Silvers.

35. The Agreement contains no pledge by Ganz not to use the GOOGLES mark. On information and belief, no such pledge was made, and if one had been, section 3.7 of the Agreement states, "This constitutes the full and complete Agreement between the parties, and there are no other Agreements or understandings collateral or ancillary to this Agreement." The

Agreement further stated that it could only be modified in writing.

36. The Agreement indicates that Ganz has the right to use and register GOOGLES.

37. Applicant knew of the Agreement between Ganz and Silvers.

38. Applicant intended to either mischaracterize the Agreement or hide its existence and its terms from the Examiner.

39. On information and belief, Applicant did not attempt to verify that Ganz was no longer using the GOOGLES mark in connection with plush toys.

40. On information and belief, an internet search for the words Ganz and Googles would have shown that the mark GOOGLES was still being used by Ganz.

41. On information and belief, Applicant failed to perform an internet search.

42. On information and belief, Applicant failed to contact Ganz or its counsel to determine if the GOOGLES mark was still being used by Ganz before making this statement in its response.

43. On information and belief, Applicant knew of the Agreement between Ganz and Silvers and failed to review the Agreement before making the above statement.

44. On information and belief, the above statement was made with willful blindness to the truth of the statement.

45. Alternatively, on information and belief, the statement was made knowing that the facts contained in the statement were not true.

46. On information and belief, Applicant intentionally mischaracterized the Agreement between Ganz and Silvers in submitting its response to the U.S. Patent and Trademark Office, or deliberately failed to disclose it.

47. Applicant's statement was submitted intentionally to deceive the Examiner into

withdrawing the section 2(d) refusal based on the false representation in the statement, and obtain a registration to which Applicant was not entitled, and Applicant was successful in procuring favorable examination, allowance and publication of the application.

WHEREFORE, Ganz prays that this Opposition be granted and Application Serial No. 86/052,534 be refused registration.

Respectfully submitted,

/Shannon V. McCue/

Deborah A. Wilcox

Shannon V. McCue

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216.696.0740 (Facsimile)

CLdocketing@bakerlaw.com

Attorneys for Ganz

CERTIFICATE OF FILING

I hereby certify that the foregoing Notice of Opposition was filed with the Trademark Trial and Appeals Board, through the Electronic System for Trademark Trials and Appeals on this 27th day of July 2016.

/Shannon V. McCue/
One of the Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Notice of Opposition** was served this 27th day of July 2016 by first-class U.S. mail, postage prepaid, upon Robert A. Wyman, Davis Wright and Tremaine LLP, 865 S. Figueroa Street, Suite 2400, Los Angeles, California 90017, the correspondence address identified for Applicant in the Trademark Applications and Registrations Retrieval system of the U.S. Patent and Trademark Office.

/Shannon V. McCue/
One of the Attorneys for Opposer

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Toys & Games › Stuffed Animals & Plush Toys › Plush Puppets



Ganz Lil'Kinz Googles Plush, 7.5"

by [Ganz](#)

[28 customer reviews](#)

| [3 answered questions](#)

Price: **\$5.73** & **FREE Shipping**

Only 13 left in stock.

Estimated Delivery Date: July 28 - Aug. 2 when you choose Expedited Shipping at checkout.

Ships from and sold by [BBToyStore](#).

- Webkinz pets are very special plush animals
- Codes allow you to join Webkinz World
- Add to your collection to build up your Webkinz virtual plush family
- Great gifts for kids of all ages

32 new from \$0.94 **16 collectible from \$0.01**

[Report incorrect product information.](#)

[Pokemon collection](#)



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Qty:

\$5.73 + Free Shipping
Only 13 left in stock. Sold by
BBToyStore

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Other Sellers on Amazon

\$5.73

+ Free Shipping

Sold by: [Mystery Ink](#)

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+ \$4.30 shipping

Sold by: [Shop With Julie](#)

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48 used & new from \$0.01

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Pokemon Charizard Ex
Box



Pokémon Hero Figure,
Ash And Pikachu



Pokemon Small Plush
Froakie



Pokemon BREAK
Evolution Box

Frequently Bought Together



Total price: **\$18.05**

[Add all three to Cart](#)

[Add all three to List](#)

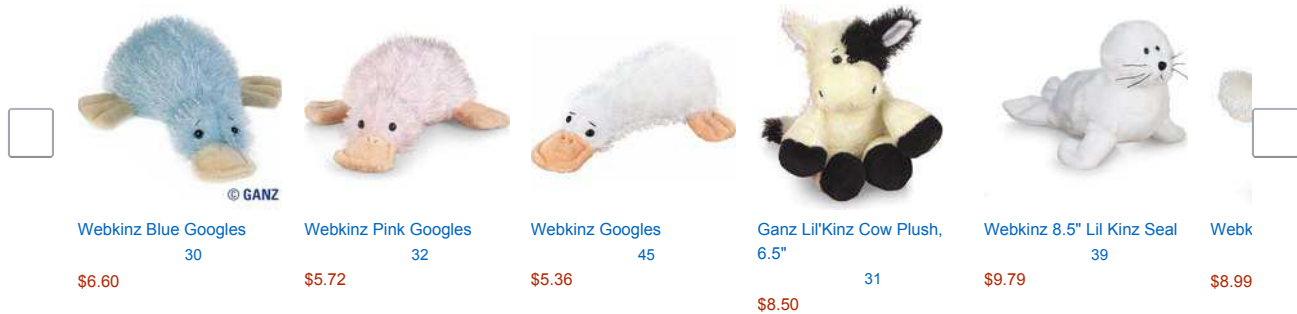
These items are shipped from and sold by different sellers. [Show details](#)

Exhibit A

- ☒ **This item:** Ganz Lil'Kinz Googles Plush, 7.5" **\$5.73**
- ☒ **Webkinz Blue Googles** **\$6.60**
- ☒ **Webkinz Pink Googles** **\$5.72** [Add-on Item](#)

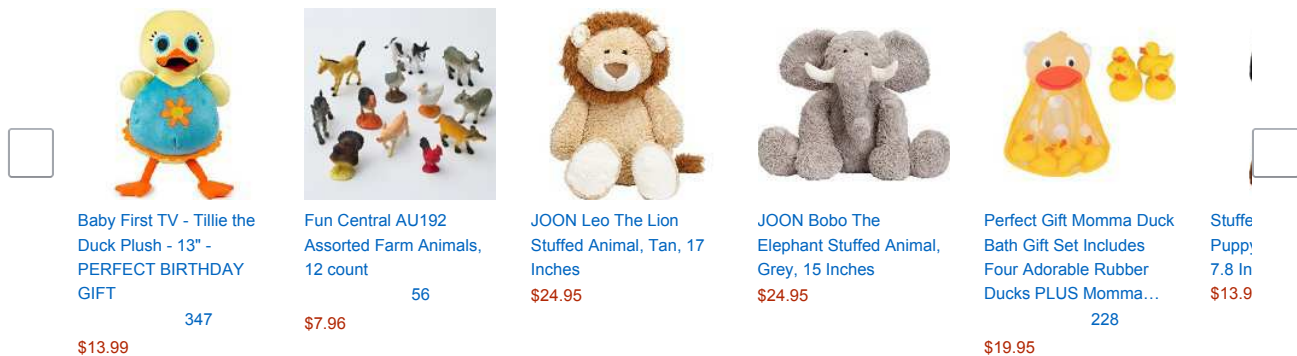
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Special Offers and Product Promotions

- Save 10% each on Qualifying items offered by BBToyStore when you purchase 4 or more. Enter code RCAX3XUQ at checkout. [Here's how](#) (restrictions apply)
- Get a **\$50.00 Amazon.com Gift Card** loaded to your Amazon.com Account within 3 days following approval for the **Discover it® card**. Terms and conditions apply. See offer for details. [Apply now](#).

Product Description

Product Description

Webkinz pets are lovable plush pets that each come with a unique SECRET CODE. With it, you enter Webkinz World where you care for your virtual pet, answer trivia, earn KINZCASH to customize your pets rooms, and play the best kids games on the internet. Each Webkinz comes with their own unique special item and special food that can be used online with your virtual pet! Webkinz received the 2006 iParenting Media Award and 2007 Toy of the Year (TOTY) award.

From the Manufacturer

Webkinz pets are very special plush animals. Each Webkinz pet comes with a secret code that allows the owner to log into the website and adopt

Product Information

Product Dimensions	6.5 x 6 x 3 inches
Item Weight	1.6 ounces
Shipping Weight	1.6 ounces (View shipping rates and policies)
Domestic Shipping	This item is also available for shipping to select countries outside the U.S.
International Shipping	This item is not eligible for international shipping. Learn More







Feedback

- Would you like to [give feedback on images?](#)
- Would you like to [tell us about a lower price?](#)

ASIN	B000VZIZ1U
Item model number	HS021
Manufacturer recommended age	5 - 15 years
Best Sellers Rank	#38,112 in Toys & Games (See Top 100 in Toys & Games) #268 in Toys & Games > Puppets & Puppet Theaters > Plush Puppets #2,574 in Toys & Games > Stuffed Animals & Toys
Customer Reviews	28 customer reviews 4.4 out of 5 stars
Discontinued by manufacturer	Yes

Sponsored Products Related To This Item [\(What's this?\)](#)

Page 1 of 4

					
Best Light Brown Teddy Bear By Colwares (12" Sitting Height) 70 \$7.95	My Little Pony Beanie Babies 3 Pack 67 \$20.35	YooHoo Friends With Sound-medium (1 animal) 2 \$10.01	Ty Beanie Babies - Bonsai the Chimpanzee [Toy] by Ty \$21.50	Ty Beanie Boos Grapes The Purple Monkey Plush 4 \$6.50	TY Beanie Babies - The Purple Monkey Plush \$9.88

[Ad feedback](#)

Customer Questions & Answers

Have a question? Search for answers

- | | |
|---------|---|
| 0 votes | <p>Question: What kind of animal is it? A duck?</p> <p>Answer: I think it's a platypus.
By Micaela Divico on February 28, 2016
See more answers (6)</p> |
| 0 votes | <p>Question: Does this stuffed animal have a silky tag? My son lost his favorite duck and this one is similar but he loved to stroke the silky tag on his old one.</p> <p>Answer: No, the tags are not silky, they are a firm cotton blend.
By Story Time Toy Shop on August 7, 2015
See more answers (4)</p> |
| 0 votes | <p>Question: Does this have those little beads as part of the stuffing?</p> <p>Answer: Yeah, there's little plastic pellets in the lower half of the plush
By M on January 2, 2016
See more answers (1)</p> |

Customer Reviews

28

4.4 out of 5 stars

5 star	86%	Share your thoughts with other customers
4 star	7%	
3 star	4%	
2 star	3%	
1 star	0%	

Write a customer review

[See all 28 customer reviews](#)

Exhibit A

Top Customer Reviews

Lil Kinz Googles

By [Kim McKenzie](#) on December 2, 2007

This little critter is very cute, cuddly and soft. I found it much cuter than the regular Webkinz size Googles. The Lil Kinz Googles is also very cute in the online game though I have yet to see what it looks like with a clothes on since it has only two feet and no 'arms'. My Lil Kinz Googles was my first Webkinz purchase and I am very happy with it.



[Comment](#) 9 people found this helpful. Was this review helpful to you? [Report abuse](#)

Nothing foul about this duck -- and it only costs a few bills!

By [Karen Amrhein](#) on January 21, 2015

Verified Purchase

This is a very dear, if melancholy, little duck. I bought it because I just couldn't resist, and it was only a few dollars. The duck is soft and sweet and likes to sit on my shoulder while I read. Quack quack!

[Comment](#) Was this review helpful to you? [Report abuse](#)

Googles Lil'kinz Webkins

By [Bette S. Osborne](#) on January 6, 2009

Very good service. The product arrived quickly and in good shape. Webkins are wonderful educational toys and loveable at the same time.

[Comment](#) 5 people found this helpful. Was this review helpful to you? [Report abuse](#)

My daughter loves it

By [D. Joswiak](#) on November 27, 2007

My daughter Claire loves all the lil kinz and this is one of her favorites.

[Comment](#) 5 people found this helpful. Was this review helpful to you? [Report abuse](#)

Super adorable

By [M](#) on August 5, 2013

The Googles lil kinz are soo soft and cuddly. The lil kinz Googles has the fuzzy stringy material. I've even washed mine in the washing machine in a pillowcase, and they washed beautifully. They are simply the cutest things ever.

[Comment](#) Was this review helpful to you? [Report abuse](#)

Very cute little cuddly friend!

By [Melanie](#) on March 10, 2008

Verified Purchase

I thought this little guy looked cute online but when I received it, I saw it was much cuter! I am an adult but I do appreciate cute things and this little guy feels kinda real with personality because of the way it feels and looks. I tricked a friend of mine into thinking I had a real duckling huddled in my hands! It was a great joke.

I recommend this for the cuteness of the plush and the cuteness of its online persona. The items I received in-game are very nice. I did have a problem after adopting but apparently I had something wrong with my account. It's fixed quickly so I don't know as it was part of this Lil Kinz or not.

Also, I had recently bought my first Webkinz, a frog, and they share some of the same environment so I was pleasantly surprised to decorate the Googles room with some of my frogs stuff. Very cool website with fun stuff to do even for an adult looking to do something a little less serious at the end of a hard day. :P

[Comment](#) Was this review helpful to you? [Report abuse](#)

Lil'Kinz Google

By [J. B. Mathews](#) on August 31, 2008

I bought two googles, one for an eight yr. old the other for a 5 yr. old girls. They love them. Since the googles have no feet or legs they've had to figure out what kind of clothes and accessories would be appropriate for their animal.

[Comment](#) 2 people found this helpful. Was this review helpful to you? [Report abuse](#)

GREAT PRICES

By [Karen E. Minck](#) on April 26, 2008

Customer Images

[Coleman Pack-Away LED Lantern, 105 L/Mini](#) [Duracell Quantum Alkaline AA Batteries 28 Count](#)

[Coleman Pack-Away LED Lantern, 105 L/Mini](#) [Duracell Quantum Alkaline AA Batteries 28 Count](#)

[Coleman Pack-Away LED Lantern, 105 L/Mini](#) [Duracell Quantum Alkaline AA Batteries 28 Count](#)

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[Coleman Pack-Away LED Lantern, 105 L/Mini](#) [Duracell Quantum Alkaline AA Batteries 28 Count](#)

[Coleman Pack-Away LED Lantern, 105 L/Mini](#) [Duracell Quantum Alkaline AA Batteries 28 Count](#)

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Exhibit A

My girls LOVE Webkinz and at this price they were just too good to pass up. They arrived in great condition and ready to use. I plan on shopping through this site again.

Comment 2 people found this helpful. Was this review helpful to you? [Report abuse](#)

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30
\$6.60



Webkinz Pink Googles
32
\$5.72



Platypus Cuddlekins Plush
Toy 18" L
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Webkinz Googles
45
\$5.36



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Billed Platypus - Realistic
International Wildlife Toy
Replica
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Fiesta Sea and Shore
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106
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Webkinz Googles

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- Webkinz pets are very special plush animals
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- Recommended age range from 3 to 15 years

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Little Tikes Spiralin'
SeasPower Wheels Blaze
Ride On

Frequently Bought Together

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Customers Who Bought This Item Also Bought

Webkinz Blue Googles
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\$6.60Webkinz Pink Googles
32
\$5.72Ganz Lil'Kinz Googles
Plush, 7.5"
28
\$5.73Webkinz Seal
30
\$4.00Webkinz Black Bear
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Product Description

Product Description

Discover a virtual world with Webkinz pets.

From the Manufacturer

Webkinz pets are very special plush animals. Each Webkinz pet comes with a secret code that allows the owner to log into the website and adopt a virtual version of their pet. With this code as their key, children can join Webkinz World without giving out any personal information such as e-mail, last name or phone number.

Product Information

Product Dimensions	12 x 5.5 x 7.5 inches
Item Weight	4.8 ounces
Shipping Weight	4.8 ounces (View shipping rates and policies)

Feedback

Would you like to [give feedback on images?](#)

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Domestic Shipping	This item is also available for shipping to select countries outside the U.S.
International Shipping	This item can be shipped to select countries outside of the U.S. Learn More
ASIN	B000IHOPB0
Item model number	HM021
Manufacturer recommended age	6 - 13 years
Best Sellers Rank	#68,155 in Toys & Games (See Top 100 in Toys & Games) #170 in Toys & Games > Electronics for Kids > Electronic Pets
Customer Reviews	45 customer reviews 4.7 out of 5 stars
Discontinued by manufacturer	Yes

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59
\$6.42



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2
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13
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Customer Reviews

45

4.7 out of 5 stars

5 star	84%
4 star	9%
3 star	2%
2 star	0%
1 star	5%

Share your thoughts with other customers

Write a customer review

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Top Customer Reviews

My son adores it

By [J. Braun](#) on June 13, 2007

Verified Purchase

This is the second Webkinz animal that my 7 year old son owns. He was given the first as a gift and begged for a second one. He uses and plays on the web site frequently, and I have not had any problems with inappropriate material on the site. The main purpose of this product is to get you to use their website.

The fur has gotten a little dirty, but it is white. It says that it should not be washed, but I put it in the washing machine and it survived fine. It is well made for a stuffed animal.

[1 Comment](#) 21 people found this helpful. Was this review helpful to you? [Report abuse](#)

Love Googles!

By [Lala](#) on March 18, 2007

Not sure if it's the name or what, but I just think Googles is terrific! Its beak & feet are super soft and the rest of it is that white 'hair' that is great to snuggle with! My daughter loves Googles! I think the concept of Webkinz is great too!

[Comment](#) 21 people found this helpful. Was this review helpful to you? [Report abuse](#)

The BEST

A Kid's Review on March 21, 2007

this is the cutest little guy you would EVER see. he is one of my favorite webkinz. once you get the secret code and type it into the website, he looks really cute on the website, too. for me, he's also a mini pillow!!! GET THE GOOGLES!!!!!! guarantee, you will treasure this little guy FOREVER!!

[Comment](#) 28 people found this helpful. Was this review helpful to you? [Report abuse](#)

Very Cute Google!

By [Leslie O.](#) on March 21, 2007

This is my daughter's second Webkinz and she loves them both! During the day, they sit right on top of the computer where she plays the on-line games, and at night they are tucked into bed with her! She is 8 years old, has other friends to "invite" over on-line, and is already planning her next purchase! Just a really great product for kids!

[Comment](#) 16 people found this helpful. Was this review helpful to you? [Report abuse](#)

Kid's love to feed their pet online!

By [J.B.](#) on January 16, 2007

The whole line of webkinz is a cute concept to add to the traditional stuffed animal. Each animal comes with a secret online code to enter so that the owner can "adopt" their pet and create a profile for it. Then they can play games to earn bucks to buy and furnish and online home for their pet. They play games with it, feed it and talk to it to keep it healthy and happy. My kids all love theirs and are having a blast earning rewards for their online buddies.

[Comment](#) 20 people found this helpful. Was this review helpful to you? [Report abuse](#)

NICE EXPERIENCE

+

Pepperidge Farm Goldfish Variety Pack Bold Mix **\$15.53**

Sandwich Bags Xi 30 ct (Pack Of 3) **\$8.97**

Price For Both: **\$24.50**

Add both to Cart

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Customer Images

Most Recent Customer Reviews

Webkins

When my daughter was young she loved these Webkinz they were a lot of fun to go on line and do fun things! Make an account and just have fun with. [Read more](#)

Published 1 month ago by Tammy Pagliaro

Shipped very fast and was just what I expected.

Webkinz Googles

It came completely new with a Webkinz code tag. I lovingly named her Berries and she currently residing with me, and in Webkinz world. [Read more](#)

Published 3 months ago by TamaWebkinz

Adorable

It was bigger than I thought it would be. Very cute! My only critique is that the furry fabric on top is a little odd. [Read more](#)

Published 3 months ago by Amazon Customer

Five Stars

This well-constructed but inexpensive toy appeals to the loving instincts of all children.

Published 10 months ago by Richard Saunders

Great small sensory stuffed animal for baby

This is my daughters favorite stuffed animal. We have one for the car and one for the house. She likes the bean bag sound it makes when you set it down and the soft hair. [Read more](#)

Published 11 months ago by Layafire

Three Stars

for older toddler, for baby too loose thread

Published 11 months ago by Sandra Kettler

Great!

The person I gifted this to loves his new best friend and brings it everywhere with him! Stitching is wonderful and easily washable!

Published 14 months ago by Lauren

By [Paula G. Morrow](#) on March 8, 2007

Verified Purchase

A+ IS MY SCORE TO YOU. THE PRODUCT WAS IN EXCELLENT CONDITION AND MY GRANDSON LOVED IT. THE SERVICE WAS FAST AND E-MAIL COMMUNICATION WAS CLEAR AND TO THE POINT.

[Comment](#) 13 people found this helpful. Was this review helpful to you? [Report abuse](#)

Daughter loves it

By [Kevin Floyd](#) on May 28, 2007

The ratings are actually my daughter's. I will add that she hasn't put this down since it arrived in the mail. The Platypus was larger than I expected and the quality was very good.

[Comment](#) 7 people found this helpful. Was this review helpful to you? [Report abuse](#)

webkinz googles = ADORABLE!

A Kid's Review on June 2, 2007

The webkinz googles is SO cute! Ever since I saw it I have always wanted it. When I got it, and showed it to some of my friends, they said, "You are so lucky the googles is so cute!" And I agreed. Online it is still cute! It waddles like a duck and is so cute. All the people I know call it a duck, but it is actually a platypus -- frankly the cutest platypus I've ever seen. Any person could like it: boy or girl, a 5 year old or a 13 year old. Great for all people, I would give this googles as a gift any time. And would always rate it 5 stars! This is a the absolute cutest platypus ever!!!!!!!!!!!!!!

[1 Comment](#) 11 people found this helpful. Was this review helpful to you? [Report abuse](#)

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It is very amazing! My daughter loves it so much that she ...

It is very amazing! My daughter loves it so much that she is planning on buying a Webkinz carrier with her own money and take it to Miami, Florida! It is really big and fluffy. [Read more](#)

Published 16 months ago by Qingbei Zhang

Five Stars

My grand daughter loved the Webkinz Googles.

Published 20 months ago by KATHIE EADS

already house broken too!

We LOVE this little fella!

Published 21 months ago by John K.

Search Customer Reviews

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Amazon Giveaway allows you to run promotional giveaways in order to create buzz, reward your audience, and attract new followers and customers. [Learn more about Amazon Giveaway](#)

This item: Webkinz Googles

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Customers Who Viewed This Item Also Viewed



Ganz Lil'KinZ Googles Plush, 7.5"

28

\$5.73



Webkinz Blue Googles

30

\$6.60



Webkinz Pink Googles

32

\$5.72



Webkinz Lamb

283

\$7.36



GANZ
Webkinz Candy Googles

13

\$39.99



Webkinz Himalayan
259

\$6.19



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Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,554,518

Registered Apr. 2, 2002

**TRADEMARK
PRINCIPAL REGISTER**

GOOGLES

GANZ (PARTNERSHIP)
1 PEARCE ROAD
WOODBIDGE, ONTARIO L4L 3T2, CANADA

FIRST USE 1-4-1988; IN COMMERCE 1-4-1988.

SER. NO. 75-572,905, FILED 10-19-1998.

FOR: PLUSH TOYS, IN CLASS 28 (U.S. CLS. 22, 23,
38 AND 50).

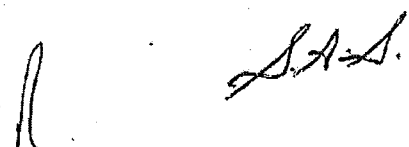
ROBERT COGGINS, EXAMINING ATTORNEY

AGREEMENT

This Agreement is made and entered by and between Steven A. Silvers, an individual with an address of 3741 N.E. 163rd Street, Suite 325, North Miami Beach, Florida 33160, and The Googles Children's Workshop, a company organized under the laws of Florida, with its principal office of 3741 N.E. 163rd Street, Suite 325, North Miami Beach, Florida 33160 (collectively "Silvers") on the one hand, and Ganz, a partnership organized and existing under the laws of the Canada, with its principal office at One Pearce Road, Woodbridge, Ontario L4L 3T2, Canada, on the other hand.

ARTICLE 1. RECITALS

- 1.1 Ganz is the owner of the pending United States trademark application for GOOGLES Serial No. 75/572,905 in International Class 28 for PLUSH TOYS; and
- 1.2 For the purposes of this Agreement, the designation "Ganz's Mark" shall mean the GOOGLES Mark; and
- 1.3 Silvers is the owner of the pending United States trademark application for the mark GOOGLES and Design Serial No. 75/547,007 in International Class 28 for PLUSH TOY FIGURINES, PLASTIC TOY FIGURES; and
- 1.4 For the purposes of this Agreement, the designation "Silvers' Mark" shall mean the GOOGLES and Design Mark as represented in Serial No. 75/547,007; and
- 1.5 The parties have used their respective marks in commerce and are not aware of any actual consumer confusion based on the parties' contemporaneous use of these marks; and
- 1.6 The parties to this Agreement are desirous of settling by this Agreement, which they believe will avoid public confusion and will avoid further legal action between them, the opposition filed by Ganz to Silvers' Application No. 75/547,007.



1.7 Ganz believes that as long as Silvers uses the **Silvers' Mark** at all times with the design configuration as reflected in Application No. 75/547,007, there will be no likelihood of confusion in the market place as it pertains to Ganz's line of GOOGLES plush toys.

ARTICLE 2. RIGHTS AND OBLIGATIONS

2.1 Silvers shall have the right to use the **Silvers' Mark** in connection with the extraterrestrial character depicted in Exhibit A to this Agreement, and subject to the following:

- (a) Silvers shall expressly abandon Serial No. 75/547,007 and not seek to register at the either the federal or the state level any mark containing, or confusingly similar to, "GOOGLES" for PLUSH TOYS, but Silvers will not abandon any other "Googles" marks he holds or will hold in the future that relate to goods other than plush toys.
- (b) Silvers shall not use the GOOGLES word on or in connection with any product, image or character without also using the character depicted in Exhibit A to this Agreement. If there is not room for the design portion of the **Silvers' Mark** along with the term "Googles," Silvers may use the word only, so long as use is not made in connection with a plush toy.
- (c) Silvers shall never manufacture, distribute, market and/or sell any characters that resemble Ganz's current line of plush toys, or such plush toys that Ganz may add to the GOOGLES line in the future.
- (d) Silvers and/or any assigns, persons, corporation(s), entities, heirs or legal representatives that Silvers designates to use the **Silvers' Mark** may use the **Silvers' Mark** on any such items that shall be marketed and distributed by Silvers, or by any other such designated entity of his or his

assigns, heirs, or legal representatives, as long as the **Silvers' Mark** is used with the design logo and not just the word mark "Googles," except as set forth herein.

- (e) Except as otherwise specified in this Agreement, Silvers is not prevented from creating other aliens or alien-themed merchandise utilizing the **Silvers' Mark**. Silvers may continue to use the terms "The Googles Family," "The Googles from Goo," "Googles.com" and any other terms currently being used or created for the alien-themed property and merchandise. Silvers may use the term "Googles" for purposes such as titles to books, movies, features, music, music titles and web sites relating to the alien-themed property.

2.2 Silvers shall not object to, seek cancellation of, or in any way interfere with Ganz's use or registration of the mark "GOOGLES," provided such use or registration is otherwise in accordance with this Agreement.

2.3 Ganz shall have the right to use the **Ganz Mark** subject to the following:

- (a) Ganz shall not use the **Ganz Mark** in connection with extraterrestrial characters and shall never manufacture, distribute, market and/or sell any characters that resemble Silvers' current line of plush toy aliens that are similar to Silvers' character known as "Googles" and which can be seen at Silvers' web site at www.googles.com, or such alien-themed plush toys that Silvers may add to the alien line in the future.
- (b) Ganz shall have the unlimited right to use and register the mark "GOOGLES" on any and all goods and services, provided that such use or

registration is otherwise in accordance with this Agreement. Ganz shall have the right to use and register the mark "GOOGLES" as a word mark and in conjunction with a design, so long as the design is not confusingly similar to the design logo used in Silvers' Mark.

ARTICLE 3. GENERAL PROVISIONS

3.1 The parties agree that their respective goods and services as defined in this Agreement are distinctly different, are not directly competitive goods and services and that their coexistence in the marketplace has not created any actual confusion to date and, if used in accordance with this Agreement, are not likely to create a likelihood of confusion. Nevertheless, should instances of actual confusion arise, the parties will cooperate to take such steps as are reasonably necessary to prevent further consumer confusion.

3.2 Ganz does hereby for itself and its affiliates, successors, assigns, officers, directors, employees, agents, heirs and executors, and their heirs and executors, release and forever discharge Silvers, its affiliates, predecessors, successors and assigns, and its officers, directors, employees and agents, and their heirs, executors and assigns, from any and all claims, demands and causes of action of any nature whatsoever that Ganz has as the date hereof against Silvers, his affiliates, predecessors, and successors, except for any obligation arising hereunder, *SAS* including claims regarding the use of "GOOGLES" as a domain name *AND THE LEGAL ACTION TO BE PURSUED BY SILVERS, ET AL. AGAINST THE SEARCH ENGINE KNOWN AS WWW.GOOGLES.COM*

3.3 Silvers does hereby for itself and its affiliates, successors and assigns, officers, directors, employees, agents, heirs and executors, and their heirs and executors, release and forever discharge Ganz, its affiliates, predecessors, successors and assigns, and its officers, directors, employees and agents, and their heirs, executors and assigns, from any and all claims, demands and causes of action of any nature whatsoever that Silvers has as the date hereof against

Ganz, its affiliates, predecessors, and successors, and its officers, directors, employees and agents, and their heirs and executors, except for any obligation arising hereunder.

3.4 This Agreement will be binding upon the parties hereto, and will inure to the benefit of, and will be binding upon the successors, assigns, persons, corporation(s), entities, heirs or legal representatives of the parties to this Agreement.

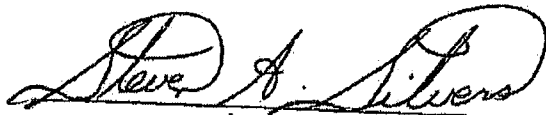
3.5 The geographical scope of this Agreement shall be Canada and the United States.

3.6 Such co-existence agreement shall last for so long as the other party makes use of and/or has registrations for GOOGLES marks.

3.7 This constitutes the full and complete Agreement between the parties hereto, and there are no other Agreements or understandings collateral or ancillary to this Agreement. This Agreement can be modified only by writing executed by each of the parties hereto.

This Agreement has been executed by the parties on the dates hereinafter indicated in duplicate, each of which shall be considered an original, and shall be effective as of the last date.

STEVEN A. SILVERS



Date: 1/4/01

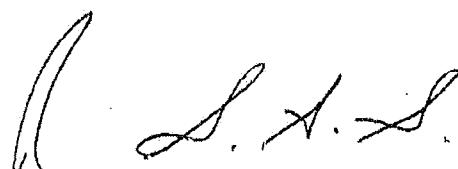
THE GOOGLES CHILDREN'S WORKSHOP

By: 

Name: Steven A. Silvers

Title: President

Date: 1/4/01



GANZ

By:

DS [Signature]

Name:

OWEN S. ROBERTS

Title:

EUP

Date:

March 6, 2001