

ESTTA Tracking number: **ESTTA779957**

Filing date: **10/31/2016**

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	prAna Living, LLC
Granted to Date of previous extension	11/06/2016
Address	14735 NW Science Park Drive Portland, OR 97229 UNITED STATES
Attorney information	Julia K. Sutherland, Esq. Seyfarth Shaw LLP 131 South Dearborn St., Suite 2400 Chicago, IL 60603 UNITED STATES jsutherland@seyfarth.com, lgregory@seyfarth.com, tmatlanta@seyfarth.com, ttabdocket@seyfarth.com

**Applicant Information**

Application No	86435956	Publication date	05/10/2016
Opposition Filing Date	10/31/2016	Opposition Period Ends	11/06/2016
Applicant	MasterTopper Holdings, Inc. c/o Ferrante, PLLC New York, NY 10011 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 014. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Goods in precious metals or coated therewith, not included in other classes, namely, Bracelets, Rings, Earrings, Necklaces, Cufflinks, Pendants, Pins, Money Clips, Keyrings; jewellery, precious stones; horological and chronometric instruments; jewelry containing precious and semi-precious stones and/or precious, and non, precious metals; Accessories of precious metal or semi-precious metal for handbags, namely, handbag clasps, clasp fasteners and snap fasteners</p>
<p>Class 018. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Leather; imitation leather; leather and imitation leather goods, namely, handbags, shoulder bags, clutch bags, tote bags, briefcases, business card cases, credit card cases, backpacks, key cases, passport cases, cosmetic cases sold empty, valises, suitcases, luggage, cosmetic cases sold empty partly and wholly of leather, wallets, purses, duffel bags; animal skins, animal hides; trunks and travelling bags</p>
<p>Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Clothing, namely, gloves, vests, blazers, Scarves, belts, t-shirts, shirts, pants, blazers, sweatshirts, sweat pants, dresses, neckties; Scarves; Belts; Sweaters; Coats; Suits; Dressing Gowns; Socks; Bathing Suits; footwear, headgear, namely,</p>


hats and caps
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## Grounds for Opposition


Priority and likelihood of confusion
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Trademark Act Section 2(d)
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## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2677150	Application Date	11/09/2001
Registration Date	01/21/2003	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1992/05/00 First Use In Commerce: 1993/01/00 CLIMBING ACCESSORIES, NAMELY CHALK BAGS, BACKPACKS, AND TOTE BAGS Class 027. First use: First Use: 1997/06/00 First Use In Commerce: 1999/12/00 YOGA EXERCISE ACCESSORIES, NAMELY RUGS AND RUG HOLDERS Class 028. First use: First Use: 1997/06/00 First Use In Commerce: 1999/12/00 YOGA EXERCISE MATS		

U.S. Application No.	86008972	Application Date	07/12/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0		

	Footwear associated with climbing, hiking, biking and yoga		
U.S. Registration No.	1803298	Application Date	06/19/1992
Registration Date	11/09/1993	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/05/00 First Use In Commerce: 1992/05/00 adult and children's biking, hiking, and climbing clothing; namely, shorts, T-shirts, sweatshirts, hats, tank tops, and trousers		
U.S. Registration No.	2569537	Application Date	09/18/2000
Registration Date	05/14/2002	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1993/01/00 First Use In Commerce: 1993/01/00 Yoga clothing, namely, shorts, pants, tops, hats, headbands [and eye covers] for use in yoga practice Class 028. First use: First Use: 1999/03/00 First Use In Commerce: 1999/03/00 yoga mat carriers		
U.S. Registration No.	4396448	Application Date	11/20/2009
Registration Date	09/03/2013	Foreign Priority Date	NONE
Word Mark	PRANA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2012/07/31 First Use In Commerce: 2012/07/31 Footwear to wear to and from yoga classes


U.S. Registration No.	3990942	Application Date	03/22/2006
Registration Date	07/05/2011	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2009/11/00 First Use In Commerce: 2009/11/00 Business association services, namely, promoting public awareness in the field of wind power, renewable energy, and renewable energy sources; business association services, namely, promoting the use of wind power, renewable energy and renewable energy sources in the retail industry; advertising and promoting the interests of others in the fields of wind power, renewable energy, and renewable energy sources</p> <p>Class 040. First use: First Use: 2009/11/00 First Use In Commerce: 2009/11/00 Providing information in the fields of wind power, renewable energy, and renewable energy source production and generation</p>		


U.S. Registration No.	3742835	Application Date	09/25/2007
Registration Date	01/26/2010	Foreign Priority Date	NONE
Word Mark	PRANA		

Design Mark	<h1>PRANA</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/11/21 First Use In Commerce: 2007/11/21 Retail stores featuring apparel and accessories for hiking, biking, climbing and yoga		


U.S. Registration No.	3366571	Application Date	10/14/2003
Registration Date	01/08/2008	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/08/00 First Use In Commerce: 2002/08/00 Educational services in the fields of climbing, and yoga, including individual instruction, classes, courses, seminars, workshops, lectures, demonstrations, and teacher training, and providing educational materials in connection therewith		


U.S. Registration No.	4556535	Application Date	07/27/2012
Registration Date	06/24/2014	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark	<h1>PRANA</h1>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2013/01/01 First Use In Commerce: 2013/01/01 online journal, namely, a blog featuring content relating to yoga, climbing, hiking, biking, swimming, surfing, standuppaddleboarding and other water-based activities		


U.S. Registration No.	4455526	Application Date	10/03/2011
Registration Date	12/24/2013	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2009/03/04 First Use In Commerce: 2009/03/04 Internet-based social networking services		

U.S. Registration No.	4488777	Application Date	11/19/2010
Registration Date	02/25/2014	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	The mark consists of the word "PRANA" and a stylized drawing of a person sitting in a yoga pose.		
Goods/Services	Class 018. First use: First Use: 2010/05/16 First Use In Commerce: 2010/05/16 Indoor and outdoor climbing accessories, namely, chalk bags, backpacks, and tote bags; felt and wool pouches and sachels		


U.S. Registration	4488778	Application Date	11/19/2010
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No.			
Registration Date	02/25/2014	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	The mark consists of the word "PRANA" and a stylized drawing of a person sitting in a yoga pose.		
Goods/Services	Class 025. First use: First Use: 2010/05/16 First Use In Commerce: 2010/05/16 Adult and children's clothing for biking, hiking, climbing, and yoga, namely, shorts, T-shirts, sweatshirts, hooded sweatshirts, scarves, tank tops, sweaters, jackets, vests, trousers, shorts, pants, capris, crop tops, skirts, dresses, belts, mittens; clothing items, namely, blindfolds worn over the eyes during yoga practice, and sports bras; headwear, namely, hats, caps and headbands		
U.S. Registration No.	4488779	Application Date	11/19/2010
Registration Date	02/25/2014	Foreign Priority Date	NONE
Word Mark	PRANA		

Design Mark	
Description of Mark	The mark consists of the word "PRANA" and a stylized drawing of a person sitting in a yoga pose.
Goods/Services	Class 028. First use: First Use: 2010/05/16 First Use In Commerce: 2010/05/16 Yoga exercise mats; bags especially adapted for carrying yoga equipment; yoga blocks, yoga boards, yoga mats, yoga straps; rock climbing chalk belts

U.S. Registration No.	2639255	Application Date	11/09/2001
Registration Date	10/22/2002	Foreign Priority Date	NONE
Word Mark	PRANA		
Design Mark			
Description of Mark	NONE		



Goods/Services	Class 025. First use: First Use: 1993/01/00 First Use In Commerce: 1993/01/00 adult and children's biking, hiking, climbing, and yoga clothing, namely shorts, T-shirts, sweatshirts, hats, tank tops, sweaters, jackets, trousers, eye covers for use in yoga practice, headbands, and sports bras		
U.S. Registration No.	4601821	Application Date	10/03/2011
Registration Date	09/09/2014	Foreign Priority Date	NONE
Word Mark	PRANA LIVING		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2009/03/04 First Use In Commerce: 2009/03/04 Internet-based social networking services		

Related Proceedings	TTAB Opposition No. 91230900
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Attachments	76336500#TMSN.png( bytes ) 86008972#TMSN.png( bytes ) 76129851#TMSN.png( bytes ) 77877401#TMSN.png( bytes ) 78842958#TMSN.png( bytes ) 77287809#TMSN.png( bytes ) 85688591#TMSN.png( bytes ) 85438076#TMSN.png( bytes ) 85181526#TMSN.png( bytes ) 85181530#TMSN.png( bytes ) 85181534#TMSN.png( bytes ) 76336501#TMSN.png( bytes ) 85438097#TMSN.png( bytes ) Final Notice of Opposition -- PRAMMA 86435956.pdf(322565 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	/Julia K. Sutherland/
Name	Julia K. Sutherland, Esq.
Date	10/31/2016



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

In the Matter of Application Serial No. 86/435956  
Published in the Official Gazette of May 10, 2016

PRANA LIVING, LLC,

Opposer,

v.

MASTERTOPPER HOLDINGS, INC.,

Applicant.

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Opposer prAna Living, LLC (“Opposer”) believes that it will be damaged by registration of the mark shown in Application Serial No. 86/435956, and hereby opposes the same. As grounds for opposition, Opposer alleges as follows:





1. Opposer is a limited liability company organized and existing under the laws of the State of Oregon, with offices at 14375 NW Science Park Drive, Portland, Oregon 97229. Opposer manufactures and sells, among other things, clothing, bags, and fashion accessories.

2. Opposer owns all right, title and interest in and to the well-known PRANA and



marks in connection with among other things, clothing, bags and retail services featuring these items (“PRANA Marks”). Some of Opposer’s U.S. trademark applications and registrations for the PRANA Marks include the following:

<b>Mark</b>	<b>Serial/ Reg. No.</b>	<b>Goods/Services</b>
PRANA	Reg. No. 2,677,150	Class 18: climbing accessories, namely chalk bags, backpacks, and tote bags  Class 27: yoga exercise accessories, namely rugs and rug holders  Class 28: yoga exercise mats
PRANA	Serial No. 86/008,972	Class 25: footwear associated with climbing, hiking, biking and yoga
PRANA	Reg. No. 1,803,298	Class 25: adult and children's biking, hiking, and climbing clothing; namely, shorts, t-shirts, sweatshirts, hats, tank tops, and trousers
PRANA	Reg. No. 2,569,537	Class 25: yoga clothing, namely, shorts, pants, tops, hats, headbands for use in yoga practice  Class 28: yoga mat carriers
PRANA	Reg. No. 4,396,448	Class 25: footwear to wear to and from yoga classes
PRANA	Reg. No. 3,990,942	Class 35: business association services, namely, promoting public awareness in the fields of wind power, renewable energy, and renewable energy sources; business association services, namely, promoting the use of wind power, renewable energy and renewable energy sources in the retail industry; advertising and promoting the interests of others in the fields of wind power, renewable energy, and renewable energy sources  Class 40: providing information in the fields of wind power, renewable energy, and renewable energy source production and generation
PRANA	Reg. No. 3,742,835	Class 35: retail stores featuring apparel and accessories for hiking, biking, climbing and yoga
PRANA	Reg. No. 3,366,571	Class 41: educational services in the fields of climbing, and yoga, including individual instruction, classes, courses, seminars, workshops, lectures, demonstrations, and teacher training, and providing educational materials in connection therewith
PRANA	Reg. No. 4,556,535	Class 41: online journal, namely, a blog featuring content relating to yoga, climbing, hiking, biking, swimming, surfing, standup paddle boarding and other water-based activities
PRANA	Reg. No. 4,455,526	Class 45: internet-based social networking services

	Reg. No. 4,488,777	Class 18: indoor and outdoor climbing accessories, namely, chalk bags, backpacks, and tote bags; felt and wool pouches and sachels
	Reg. No. 4,488,778	Class 25: adult and children's clothing for biking, hiking, climbing, and yoga, namely, shorts, t-shirts, sweatshirts, hooded sweatshirts, scarves, tank tops, sweaters, jackets, vests, trousers, shorts, pants, capris, crop tops, skirts, dresses, belts, mittens; clothing items, namely, blindfolds worn over the eyes during yoga practice, and sports bras; headwear, namely, hats, caps and headbands
	Reg. No. 4,488,779	Class 28: yoga exercise mats; bags especially adapted for carrying yoga equipment; yoga blocks, yoga boards, yoga mats, yoga straps; rock climbing chalk belts
	Reg. No. 2,639,255	Class 25: adult and children's biking, hiking, climbing, and yoga clothing, namely shorts, t-shirts, sweatshirts, hats, tank tops, sweaters, jackets, trousers, eye covers for use in yoga practice, headbands, and sports bras
PRANA LIVING	Reg. No. 4,601,821	Class 45: internet-based social networking services

(“PRANA Application and Registrations”). Printed pages from the Trademark Electronic Search System (“TESS”) showing the status of the PRANA Registrations and Application are attached hereto as Exhibit A and are incorporated by reference herein as if set forth in full.

3. Notwithstanding Opposer’s prior rights in and to the PRANA Marks, on October 27, 2014, Applicant MasterTopper Holdings, Inc. (“Applicant”) filed an application for registration of the similar mark PRAMMA for “Goods in precious metals or coated therewith, not included in other classes, namely, Bracelets, Rings, Earrings, Necklaces, Cufflinks, Pendants, Pins, Money Clips, Key rings; jewellery, precious stones; horological and chronometric instruments; jewelry containing precious and semi-precious stones and/or precious, and non-precious metals; Accessories of precious metal or semi-precious metal for handbags, namely, handbag clasps, clasp fasteners and snap fasteners” in Class 14, “Leather; imitation leather; leather and imitation leather goods, namely, handbags, shoulder bags, clutch bags, tote bags, briefcases, business card cases, credit card cases, backpacks, key cases, passport cases, cosmetic

cases sold empty, valises, suitcases, luggage, cosmetic cases sold empty partly and wholly of leather, wallets, purses, duffel bags; animal skins, animal hides; trunks and travelling bags” in Class 18, and “Clothing, namely, gloves, vests, blazers, Scarves, belts, t-shirts, shirts, pants, blazers, sweatshirts, sweat pants, dresses, neckties; Scarves; Belts; Sweaters; Coats; Suits; Dressing Gowns; Socks; Bathing Suits; footwear, headgear, namely, hats and caps” in Class 25 (the “Opposed Application”). The Opposed Application was published for opposition on May 10, 2016.

**FIRST CLAIM FOR RELIEF**  
**(Likelihood of Confusion With Registered Mark)**

4. Opposer repeats and realleges the allegations in preceding paragraphs 1 through 3, inclusive, as if fully set forth herein.

5. The mark shown in the Opposed Application so resembles Opposer’s PRANA Marks depicted in the PRANA Application and Registrations as to be likely, when used on or in connection with the goods identified in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant’s mark is thus unregistrable under Section 2(d) of the United States Trademark Act, 15 U.S.C. § 1052(d).

6. Opposer will be damaged by registration of the mark shown in the Opposed Application because registration will give Applicant *prima facie* evidence of its ownership of, and its exclusive nationwide right to use, a mark that is confusingly similar to Opposer’s PRANA Marks depicted in the PRANA Application and Registrations.

**SECOND CLAIM FOR RELIEF**  
**(Likelihood of Confusion With Previously-Used Trademark)**

7. Opposer repeats and realleges the allegations in preceding paragraphs 1 through 6, inclusive, as if fully set forth herein.

8. The mark shown in the Opposed Application so resembles Opposer's previously used and not abandoned PRANA Marks as to be likely, when used on or in connection with the goods identified in the Opposed Application, to cause confusion, to cause mistake, or to deceive, and Applicant's mark is thus unregistrable under Section 2(d) of the United States Trademark Act, 15 U.S.C. § 1052(d).

9. Opposer will be damaged by registration of the mark shown in the Opposed Application because registration will give Applicant *prima facie* evidence of its ownership of, and its exclusive nationwide right to use, a mark that is confusingly similar to Opposer's previously used and not abandoned PRANA Marks.

WHEREFORE, Opposer prays for judgment sustaining this opposition and refusing registration to the Applicant of the mark shown in the Opposed Application.

Respectfully submitted,

SEYFARTH SHAW LLP

Date: October 31, 2016

By: /s/ Julia K. Sutherland

Julia K. Sutherland  
131 South Dearborn St., Suite 2400  
Chicago, Illinois 60603  
Telephone: (312) 460-5577

Lauren M. Gregory  
1075 Peachtree St. N.E., Suite 2500  
Atlanta, Georgia 30309  
Telephone: (404) 885-1500

# **EXHIBIT A**





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# PRANA

**Word Mark** PRANA

**Translations** "PRANA" means "breath of life" in Sanskrit.

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: CLIMBING ACCESSORIES, NAMELY CHALK BAGS, BACKPACKS, AND TOTE BAGS. FIRST USE: 19920500. FIRST USE IN COMMERCE: 19930100

IC 027. US 019 020 037 042 050. G & S: YOGA EXERCISE ACCESSORIES, NAMELY RUGS AND RUG HOLDERS. FIRST USE: 19970600. FIRST USE IN COMMERCE: 19991200

IC 028. US 022 023 038 050. G & S: YOGA EXERCISE MATS. FIRST USE: 19970600. FIRST USE IN COMMERCE: 19991200

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 76336500

**Filing Date** November 9, 2001

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** October 29, 2002

**Registration Number** 2677150

**International Registration Number** 0833662

**Registration Date** January 21, 2003

**Owner** (REGISTRANT) Skylark Sport Marketing Corporation CORPORATION CALIFORNIA 2077 Las Palmas Drive Carlsbad CALIFORNIA 92009

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130207.  
**Renewal** 1ST RENEWAL 20130207  
**Live/Dead Indicator** LIVE

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# PRANA

**Word Mark** PRANA

**Translations** The English translation of the word "Prana" in the mark is "breath of life".

**Goods and Services** IC 025. US 022 039. G & S: Footwear associated with climbing, hiking, biking and yoga

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86008972

**Filing Date** July 12, 2013

**Current Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** December 17, 2013

**Owner** (APPLICANT) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 2639255;2677150;3366571;AND OTHERS

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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## Typed Drawing

**Word Mark** PRANA

**Goods and Services** IC 025. US 039. G & S: adult and children's biking, hiking, and climbing clothing; namely, shorts, T-shirts, sweatshirts, hats, tank tops, and trousers. FIRST USE: 19920500. FIRST USE IN COMMERCE: 19920500

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 74286614

**Filing Date** June 19, 1992

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** August 17, 1993

**Registration Number** 1803298

**International Registration Number** 0833662

**Registration Date** November 9, 1993

**Owner** (REGISTRANT) Skylark Sport Marketing Corporation CORPORATION CALIFORNIA 2077 Las Palmas Drive Carlsbad CALIFORNIA 92009

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131122.

**Renewal** 2ND RENEWAL 20131122

**Live/Dead Indicator** LIVE

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## PRANA

**Word Mark** PRANA

**Goods and Services** IC 025. US 022 039. G & S: Yoga clothing, namely, shorts, pants, tops, hats, headbands [and eye covers] for use in yoga practice. FIRST USE: 19930100. FIRST USE IN COMMERCE: 19930100

IC 028. US 022 023 038 050. G & S: yoga mat carriers. FIRST USE: 19990300. FIRST USE IN COMMERCE: 19990300

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 76129851

**Filing Date** September 18, 2000

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** February 19, 2002

**Registration Number** **2569537**

**International Registration Number** 0833662

**Registration Date** May 14, 2002

**Owner** (REGISTRANT) Skylark Sport Marketing Corporation CORPORATION CALIFORNIA 2077 Las Palmas Drive Carlsbad CALIFORNIA 92009

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120515.

Renewal 1ST RENEWAL 20120515

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# PRANA

<b>Word Mark</b>	PRANA
<b>Translations</b>	The English translation of the Sanskrit wording "PRANA" is "BREATH OF LIFE".
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Footwear to wear to and from yoga classes. FIRST USE: 20120731. FIRST USE IN COMMERCE: 20120731
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77877401
<b>Filing Date</b>	November 20, 2009
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	April 27, 2010
<b>Registration Number</b>	<b>4396448</b>
<b>Registration Date</b>	September 3, 2013
<b>Owner</b>	(REGISTRANT) prAna Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  (LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Joseph V. Myers III
<b>Prior Registrations</b>	2677150;3366571;3742835;AND OTHERS
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE







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# PRANA

**Word Mark** PRANA

**Translations** The English translation of the word "PRANA" is "breath of life".

**Goods and Services** IC 035. US 100 101 102. G & S: Business association services, namely, promoting public awareness in the fields of wind power, renewable energy, and renewable energy sources; business association services, namely, promoting the use of wind power, renewable energy and renewable energy sources in the retail industry; advertising and promoting the interests of others in the fields of wind power, renewable energy, and renewable energy sources. FIRST USE: 20091100. FIRST USE IN COMMERCE: 20091100

IC 040. US 100 103 106. G & S: Providing information in the fields of wind power, renewable energy, and renewable energy source production and generation. FIRST USE: 20091100. FIRST USE IN COMMERCE: 20091100

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78842958

**Filing Date** March 22, 2006

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** October 17, 2006

**Registration Number** 3990942

**International Registration Number** 0902100

**Registration Date** July 5, 2011

**Owner** (REGISTRANT) PRANA LIVING, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK  
DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Joseph V. Myers III  
**Prior Registrations** 1803298;2569537;2677150;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# PRANA

**Word Mark** PRANA

**Goods and Services** IC 035. US 100 101 102. G & S: Retail stores featuring apparel and accessories for hiking, biking, climbing and yoga.  
FIRST USE: 20071121. FIRST USE IN COMMERCE: 20071121

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77287809

**Filing Date** September 25, 2007

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** March 18, 2008

**Registration Number** 3742835

**International Registration Number** 1226780

**Registration Date** January 26, 2010

**Owner** (REGISTRANT) PRANA LIVING, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive  
Portland OREGON 97229

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON ATTN: KAREN M. CUSHMAN 14375 NW SCIENCE PARK DRIVE PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR).

**Live/Dead Indicator** LIVE





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## Typed Drawing

**Word Mark** PRANA

**Translations** The foreign wording in the mark translates into English as breath of life.

**Goods and Services** IC 041. US 100 101 107. G & S: Educational services in the fields of climbing, and yoga, including individual instruction, classes, courses, seminars, workshops, lectures, demonstrations, and teacher training, and providing educational materials in connection therewith. FIRST USE: 20020800. FIRST USE IN COMMERCE: 20020800

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 78313308

**Filing Date** October 14, 2003

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** December 7, 2004

**Registration Number** 3366571

**International Registration Number** 0833662

**Registration Date** January 8, 2008

**Owner** (REGISTRANT) Skylark Sport Marketing Corporation CORPORATION CALIFORNIA 3275 Corporate View Vista CALIFORNIA 92081  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2639255;2677150;AND OTHERS

**Type of Mark** SERVICE MARK

Register PRINCIPAL  
Affidavit Text SECT 15. SECT 8 (6-YR).  
Live/Dead Indicator LIVE

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# PRANA

**Word Mark** PRANA

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 041. US 100 101 107. G & S: online journal, namely, a blog featuring content relating to yoga, climbing, hiking, biking, swimming, surfing, standup paddleboarding and other water-based activities. FIRST USE: 20130101. FIRST USE IN COMMERCE: 20130101

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85688591

**Filing Date** July 27, 2012

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** February 12, 2013

**Registration Number** 4556535

**Registration Date** June 24, 2014

**Owner** (REGISTRANT) prAna Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Type of Mark** SERVICE MARK



Register PRINCIPAL  
Live/Dead  
Indicator LIVE

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# PRANA

**Word Mark** PRANA

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 045. US 100 101. G & S: Internet-based social networking services. FIRST USE: 20090304. FIRST USE IN COMMERCE: 20090304

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85438076

**Filing Date** October 3, 2011

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** March 20, 2012

**Registration Number** 4455526

**International Registration Number** 1121058

**Registration Date** December 24, 2013

**Owner** (REGISTRANT) Prana Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** PRANA

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 018. US 001 002 003 022 041. G & S: Indoor and outdoor climbing accessories, namely, chalk bags, backpacks, and tote bags; felt and wool pouches and sachels. FIRST USE: 20100516. FIRST USE IN COMMERCE: 20100516

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures  
04.07.03 - Geometric figures or combinations of geometric figures representing a person; Geometric figures representing a person; Geometric shapes forming a person; Person formed by geometric shapes

**Serial Number** 85181526

**Filing Date** November 19, 2010

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** April 19, 2011

**Registration Number** 4488777

**Registration Date** February 25, 2014

**Owner** (REGISTRANT) prAna Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Description** Color is not claimed as a feature of the mark. The mark consists of the word "PRANA" and a stylized drawing of a person

**of Mark** sitting in a yoga pose.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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**Word Mark** PRANA

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 025. US 022 039. G & S: Adult and children's clothing for biking, hiking, climbing, and yoga, namely, shorts, T-shirts, sweatshirts, hooded sweatshirts, scarves, tank tops, sweaters, jackets, vests, trousers, shorts, pants, capris, crop tops, skirts, dresses, belts, mittens; clothing items, namely, blindfolds worn over the eyes during yoga practice, and sports bras; headwear, namely, hats, caps and headbands. FIRST USE: 20100516. FIRST USE IN COMMERCE: 20100516

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures  
04.07.03 - Geometric figures or combinations of geometric figures representing a person; Geometric figures representing a person; Geometric shapes forming a person; Person formed by geometric shapes

**Serial Number** 85181530

**Filing Date** November 19, 2010

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** May 3, 2011

**Registration Number** 4488778

**International Registration Number** 1297080

**Registration Date** February 25, 2014

**Owner** (REGISTRANT) prAna Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment**

**Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the word "PRANA" and a stylized drawing of a person sitting in a yoga pose.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** PRANA

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 028. US 022 023 038 050. G & S: Yoga exercise mats; bags especially adapted for carrying yoga equipment; yoga blocks, yoga boards, yoga mats, yoga straps; rock climbing chalk belts. FIRST USE: 20100516. FIRST USE IN COMMERCE: 20100516

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures  
04.07.03 - Geometric figures or combinations of geometric figures representing a person; Geometric figures representing a person; Geometric shapes forming a person; Person formed by geometric shapes

**Serial Number** 85181534

**Filing Date** November 19, 2010

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** April 19, 2011

**Registration Number** 4488779

**Registration Date** February 25, 2014

**Owner** (REGISTRANT) prAna Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III



**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Registrations**

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the word "PRANA" and a stylized drawing of a person sitting in a yoga pose.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**Word Mark** PRANA

**Translations** The translation of "PRANA" means "BREATH OF LIFE" in Sanskrit.

**Goods and Services** IC 025. US 022 039. G & S: adult and children's biking, hiking, climbing, and yoga clothing, namely shorts, T-shirts, sweatshirts, hats, tank tops, sweaters, jackets, trousers, eye covers for use in yoga practice, headbands, and sports bras. FIRST USE: 19930100. FIRST USE IN COMMERCE: 19930100

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 26.05.28 - Miscellaneous designs with overall triangular shape; Triangular shape (miscellaneous overall shape)

**Serial Number** 76336501

**Filing Date** November 9, 2001

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** July 30, 2002

**Registration Number** 2639255

**Registration Date** October 22, 2002

**Owner** (REGISTRANT) Skylark Sport Marketing Corporation CORPORATION CALIFORNIA 2077 Las Palmas Drive Carlsbad CALIFORNIA 92009

(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III  
**Prior Registrations** 1803298;2003284  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20121108.  
**Renewal** 1ST RENEWAL 20121108  
**Live/Dead Indicator** LIVE

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# PRANA LIVING

**Word Mark** PRANA LIVING

**Translations** The English translation of "PRANA" in the mark is "breath of life".

**Goods and Services** IC 045. US 100 101. G & S: Internet-based social networking services. FIRST USE: 20090304. FIRST USE IN COMMERCE: 20090304

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 85438097

**Filing Date** October 3, 2011

**Current Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** March 20, 2012

**Registration Number** 4601821

**International Registration Number** 1145088

**Registration Date** September 9, 2014

**Owner** (REGISTRANT) Prana Living, LLC LIMITED LIABILITY COMPANY DELAWARE 14735 NW Science Park Drive Portland OREGON 97229  
  
(LAST LISTED OWNER) PRANA LIVING, LLC LIMITED LIABILITY COMPANY OREGON 14375 NW SCIENCE PARK DRIVE ATTN: KAREN M. CUSHMAN PORTLAND OREGON 97229

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** Joseph V. Myers III

**Prior Registrations** 1803298;2569537;2677150;AND OTHERS

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 2016, I served this Notice of Opposition on the Applicant by mailing a copy thereof by First Class Mail, postage prepaid, addressed to Applicant's counsel's address of record as follows:

Frank Ferrante, Jr., Esq.  
Ferrante, PLLC  
5 West 19th Street, 10th Floor  
New York, New York 10011

*/s/ Lauren M. Gregory*  
\_\_\_\_\_  
Lauren M. Gregory