

ESTTA Tracking number: **ESTTA822782**

Filing date: **05/24/2017**

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	The Procter & Gamble Company
Granted to Date of previous extension	05/24/2017
Address	One Procter & Gamble Plaza Cincinnati, OH 45202 UNITED STATES

Attorney information	Karen Kreider Gaunt Dinsmore & Shohl LLP 255 E 5th Street Cincinnati, OH 45202 UNITED STATES karen.gaunt@dinsmore.com, govinda.davis@dinsmore.com, robin.bissantz@dinsmore.com
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Applicant Information

Application No	87142015	Publication date	01/24/2017
Opposition Filing Date	05/24/2017	Opposition Period Ends	05/24/2017
Applicant	K. Caldwell DDS PC Unit A Venice, CA 90291 UNITED STATES		

Goods/Services Affected by Opposition


Class 003. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Toothpaste


Grounds for Opposition

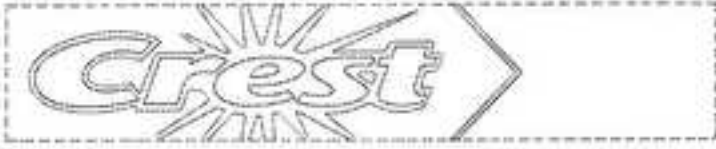
Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2809971	Application Date	09/06/2002
Registration Date	02/03/2004	Foreign Priority Date	NONE
Word Mark	CREST		

Design Mark	
Description of Mark	The mark consists of the word "Crest" with a starburst design behind the letter "E" and angle design positioned on a container. The broken lining is used to indicate the outline of a container on which the mark is located and the broken lining is not a feature of the mark.
Goods/Services	Class 003. First use: First Use: 2002/04/00 First Use In Commerce: 2002/04/00 Toothpaste

U.S. Registration No.	2729057	Application Date	09/06/2002
Registration Date	06/24/2003	Foreign Priority Date	NONE
Word Mark	CREST		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2002/04/00 First Use In Commerce: 2002/04/00 Toothpaste Class 021. First use: First Use: 2002/01/00 First Use In Commerce: 2002/01/00 [Electric and non-electric toothbrushes]		

U.S. Registration No.	2750446	Application Date	09/04/2002
Registration Date	08/12/2003	Foreign Priority Date	NONE
Word Mark	CREST		
Design Mark			
Description of Mark	The mark consists of a stylized version of the word crest and includes a starburst surrounding the letter "e" and a diagonal chevron design. The use of dotted lines show the marks's position of the package for the goods.		
Goods/Services	Class 003. First use: First Use: 2002/04/30 First Use In Commerce: 2002/04/30 Toothpaste		

Attachments	76447223#TMSN.png(bytes) 76447222#TMSN.png(bytes) 78160397#TMSN.png(bytes) Notice of Opposition BETTER THAN TOOTHPASTE.pdf(221535 bytes) Better Than Toothpaste Opp Exhibit A.pdf(472714 bytes)
Signature	/Govinda M. Davis/
Name	Govinda M. Davis
Date	05/24/2017

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

In the Matter of Application Serial No. 87142015
Published on January 24, 2017

The Procter & Gamble Company,)	
)	
Opposer,)	Opposition No. _____
v.)	
)	Mark: BETTER THAN TOOTHPASTE
)	& Design
)	
K. Caldwell DDS PC,)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer, The Procter & Gamble Company (hereinafter “P&G” or “Opposer”), is a corporation of the State of Ohio with an address of One Procter & Gamble Plaza, Cincinnati, Ohio 45202. Opposer believes that it is or will be damaged by registration of the mark **BETTER THAN TOOTHPASTE & Design** shown in Application Serial No. 87/142,015 (the “Application”) and hereby opposes same, and opposes registration of the Application for the goods set forth therein, namely: “*toothpaste*” in International Class 003.

The Application was filed on August 17, 2016, under Section 1(b) of the Trademark Act, alleging an intent to use the trademark in commerce and published in the Official Gazette on January 24, 2017. Opposer filed an Extension of Time to Oppose the Application up to and including May 24, 2017. Thus, this Notice of Opposition is timely filed.

As grounds for the opposition, it is alleged that:

1. Opposer is the owner of the following United States Trademark Registrations, which are valid, subsisting and in good standing:

- a. No. 2,809,971 for CREST & Design in connection with “toothpaste,” which was registered on February 3, 2004, with a first use date of April 2002;
- b. No. 2,729,057 for CREST & Design in connection with “toothpaste,” which was registered on June 24, 2003, with a first use date of April 2002; and
- c. No. 2,750,446 for CREST & Design in connection with “toothpaste,” which was registered on August 12, 2003, with a first use date of April 30, 2002

(collectively referred to as the “CREST Marks”). True and accurate copies of registration certificates and TSDR printouts for the CREST Marks are attached hereto as Exhibit A.

2. Opposer is also the owner of common law trademark rights in the following distinctive trade dress associated with the packaging of its CREST branded toothpaste:



(referred to as the “Crest Trade Dress”).

3. Opposer owns and uses its CREST Marks and Crest Trade Dress in connection with toothpaste that it promotes and sells in retail stores throughout the United States, on its website located at www.crest.com, and in various other advertising, promotional and sales activities.

4. Opposer has engaged in open, notorious and extensive widespread promotion and advertising of products bearing Opposer’s CREST Marks and Crest Trade Dress for toothpaste

since at least as early as April 2002, and Opposer is well known and recognized as the source of toothpaste bearing the CREST Marks and Crest Trade Dress.

5. Opposer has expended substantial amounts of time, money and effort in advertising and promoting products bearing Opposer's CREST Marks and Crest Trade Dress for over fifteen years, and in establishing and preserving the substantial goodwill associated therewith, and the goodwill associated with Opposer's CREST Marks and Crest Trade Dress is a valuable asset to Opposer.

6. Opposer has used Opposer's CREST Marks and Crest Trade Dress in United States commerce in connection with toothpaste on a continuous and exclusive basis since at least as early as April 2002, as cited in the U.S. Trademark Applications associated with the CREST Marks.

7. Each of the CREST Marks has been registered on the Principal Register at the United States Patent and Trademark Office for at least five years and is incontestable pursuant to Section 15 of the Trademark Act.

8. The CREST Marks and Crest Trade Dress have become distinctive of, and associated in the minds of the trade and purchasing public with Opposer as a well-known provider of the goods offered under the CREST Marks and Crest Trade Dress. By virtue of Opposer's efforts, Opposer has gained a significant and valuable reputation for the toothpaste associated with Opposer's CREST Marks and Crest Trade Dress.

9. Upon information and belief, Applicant K. Caldwell DDS PC ("Applicant") is the owner of United States Trademark Application Serial No. 87/142015 for the mark BETTER THAN TOOTHPASTE & Design (hereinafter referred to as "Applicant's Mark") for goods in International Class 003 identified in the application as "*toothpaste.*"

10. Upon information and belief, Applicant is a corporation organized under the laws of California, having an address at 576 Rialto Avenue, Unit A, Venice, California 90291.

11. Applicant filed United States Trademark Application Serial No. 87/142015 under Section 1(b) of the Trademark Act on August 17, 2016, based on an intent to use the trademark in commerce.

12. To date, Applicant has not alleged a date of use in the United States in connection with Applicant's Mark.

13. Priority is not at issue: Opposer's longstanding prior use of its CREST Marks and Crest Trade Dress as described above is well prior to Applicant's filing date.

14. Applicant is not entitled to use or register the mark that is the subject of the Application for which it seeks registration in Application Serial No. 87/142015, either on August 12, 2016, the date of filing said application or on January 24, 2017, the date of publication thereof in the Official Gazette.

15. Applicant's goods in International Class 003 are identical and overlapping with the goods offered by Opposer under Opposer's CREST Marks and Crest Trade Dress, are or may be promoted to the same or a similar class of consumers, and are available through the same or similar channels of trade.

16. Applicant's Mark represents a trademark that copies distinct and protected elements of the CREST Marks and Crest Trade Dress and is confusingly similar to Opposer's CREST Marks and Crest Trade Dress in sight and commercial impression. Such distinct elements copied from the CREST Marks and Crest Trade Dress by Applicant's Mark are, including but not limited to, Opposer's white chevron shape flanked by bright red and sky blue; Opposer's white starburst on a blue background that highlights key text contained in the

trademark; and Opposer's bold lettering outlined in white, which features a shaded blue and red color motif.

17. Applicant's Mark, that copies distinct and protected elements of the CREST Marks and Crest Trade Dress, is intended to be used in connection with goods that are identical to and overlapping with the goods covered by Opposer's CREST Marks and Crest Trade Dress. When viewed on directly competing toothpaste products, Applicant's Mark and Opposer's CREST Marks and Crest Trade Dress appear so similar they may be viewed as nearly indistinguishable.

18. Applicant's Mark presents a trademark that so closely resembles CREST Marks and Crest Trade Dress as to be likely, when applied to the goods of Applicant, to cause confusion or mistake or to deceive persons by creating the erroneous impression that Applicant's goods originate with or come from Opposer, or are authorized, licensed, endorsed, sponsored by, or are connected in some way with Opposer, and therefore, the registration thereof by Applicant would be injurious to Opposer.

19. Applicant knew or should have known of Opposer's CREST Marks and Crest Trade Dress when Applicant adopted its mark.

20. Applicant's adoption, intended registration of, and proposed or actual use of BETTER THAN TOOTHPASTE & Design as presented in Applicant's Application is without the license or permission of Opposer.

21. Registration of Applicant's Mark is barred by the provisions of 15 U.S.C. § 1052(d), for the reason that it consists of or comprises a mark which so resembles Opposer's CREST Marks and Crest Trade Dress previously used by Opposer and not abandoned, as to be likely, when used in connection with the goods of Applicant, to cause confusion, mistake, or to

deceive. For the above reasons, any registration and/or use of the mark in Applicant's Mark is likely to cause confusion, cause mistake or deceive the public, and cause the public to believe that the goods offered under the mark that is the subject of United States Trademark Application No. 87/42012 emanate from or are otherwise sponsored or endorsed by Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d). This likelihood of confusion will damage Opposer within the meaning of 15 U.S.C. § 1063.

22. Applicant's intended use and/or use and attempted registration of the mark that is the subject of United States Trademark Application No. 87/142015 is likely to cause confusion or mistake with respect to a false affiliation with Opposer and Opposer's CREST Marks and Crest Trade Dress, and therefore should be denied registration pursuant to 15 U.S.C. § § 1114 and 1125, and will damage Opposer within the meaning of 15 U.S.C. § 1063.

23. Registration of Applicant's Mark by Applicant would create statutory rights in favor of Applicant, and thereby restrict, interfere with and damage Opposer in the unhampered conduct of its business and protection of its legitimate interests.

24. By reason of the foregoing, Opposer will be damaged by the registration of Applicant's Mark on the Principal Register.

25. The opposition fee in the amount of \$400.00 is filed herewith. The Commissioner is authorized to charge any underpayment to Deposit Account No. 04-1133 in case of any deficiency.

WHEREFORE, Opposer prays that said Application Serial No. 87/42015 be rejected; that registration of the Applicant's Mark Application be refused and denied; and that this Opposition be sustained in Opposer's favor.

Opposer requests such other and further relief as the Board may deem just and proper.

Dated: May 24, 2017

Respectfully submitted,

DINSMORE & SHOHL LLP

By: /Karen Kreider Gaunt/
Karen Kreider Gaunt
Govinda M. Davis
Dinsmore & Shohl LLP
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Cincinnati, Ohio 45202
Phone: (513) 977-8200
Facsimile: (513) 977-8141
E-mail: karen.gaunt@dinsmore.com
govinda.davis@dinsmore.com
Attorneys for Opposer, The Procter & Gamble Company

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Notice of Opposition has been served upon Applicant's correspondent of record by First Class Mail, postage prepaid, and by e-mail at the following addresses this 24th day of May, 2017:

Kimberly A. Caldwell
576 Rialto Ave
Unit A
Venice, California 90291
E-mail: caldwell68@gmail.com

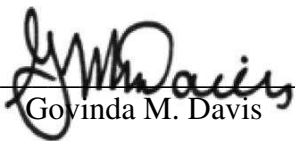

Govinda M. Davis

EXHIBIT A

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,809,971

Registered Feb. 3, 2004

TRADEMARK
PRINCIPAL REGISTER



THE PROCTER & GAMBLE COMPANY (OHIO CORPORATION)
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 4-0-2002; IN COMMERCE 4-0-2002.

OWNER OF U.S. REG. NOS. 608,106, 2,450,107 AND OTHERS.

THE LINING IN THE MARK IS FOR THE COLORS RED AND BLUE AND THE COLORS GRADU-

ALLY RUN FROM LIGHTER TO DARKER FROM THE TOPS OF THE LETTERS TO THE BOTTOMS.

THE MARK CONSISTS OF THE WORD "CREST" WITH A STARBURST DESIGN BEHIND THE LETTER "E" AND ANGLE DESIGN POSITIONED ON A CONTAINER. THE BROKEN LINING IS USED TO INDICATE THE OUTLINE OF A CONTAINER ON WHICH THE MARK IS LOCATED AND THE BROKEN LINING IS NOT A FEATURE OF THE MARK.

SER. NO. 76-447,223, FILED 9-6-2002.

DAVID C. REIHNER, EXAMINING ATTORNEY

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Mark: CREST



US Serial Number: 76447223

Application Filing Date: Sep. 06, 2002

US Registration Number: 2809971

Registration Date: Feb. 03, 2004

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 26, 2013

Publication Date: Nov. 11, 2003

Mark Information

Mark Literal Elements: CREST

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 the word "Crest" with a starburst design behind the letter "E" and angle design positioned on a container. The broken lining is used to indicate the outline of a container on which the mark is located and the broken lining is not a feature of the mark.

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

Lining and Stippling Statement: The lining in the mark is for the colors red and blue and the colors gradually run from lighter to darker from the tops of the letters to the bottoms.

Design Search Code(s): 01.01.05 - Stars - one or more stars with seven or more points
01.15.04 - Explosions; Sparks; Fireworks display
26.01.06 - Circles, semi; Semi-circles
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 0608106, 1739059, 2093663, 2402908, 2450107 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: Toothpaste

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2002

Use in Commerce: Apr. 2002

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: The Procter & Gamble Company
Owner Address: One Procter & Gamble Plaza
Cincinnati, OHIO 45202
UNITED STATES
Legal Entity Type: CORPORATION **State or Country:** OHIO
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline Allshouse-Hutchens
Attorney Primary Email Address: pgtrademarks.im@pg.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Jacqueline Allshouse-Hutchens
THE PROCTER & GAMBLE COMPANY
299 EAST SIXTH STREET
S5
CINCINNATI, OHIO 45202
UNITED STATES
Phone: 513-983-1100 **Fax:** 513-983-1992
Correspondent e-mail: pgtrademarks.im@pg.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 26, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	77315
Aug. 26, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Aug. 09, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	77315
Aug. 26, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Aug. 09, 2013	TEAS SECTION 8 & 9 RECEIVED	
Nov. 18, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69934
Nov. 17, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69934
Nov. 04, 2009	TEAS SECTION 8 & 15 RECEIVED	
Aug. 04, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 04, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Feb. 03, 2004	REGISTERED-PRINCIPAL REGISTER	
Nov. 11, 2003	PUBLISHED FOR OPPOSITION	
Oct. 22, 2003	NOTICE OF PUBLICATION	
Sep. 11, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 30, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 27, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 18, 2003	CASE FILE IN TICRS	
Jun. 27, 2003	PAPER RECEIVED	
Jul. 30, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 30, 2003	NON-FINAL ACTION MAILED	
Jan. 23, 2003	ASSIGNED TO EXAMINER	61272

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 03, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 26, 2013

Int. Cls.: 3 and 21

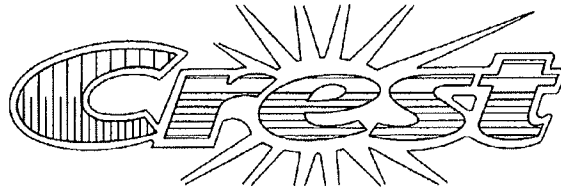
Prior U.S. Cls.: 1, 2, 4, 6, 13, 23, 29, 30, 33, 40, 50, 51
and 52

United States Patent and Trademark Office

Reg. No. 2,729,057

Registered June 24, 2003

**TRADEMARK
PRINCIPAL REGISTER**



THE PROCTER & GAMBLE COMPANY (OHIO
CORPORATION)
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202

OWNER OF U.S. REG. NOS. 608,106, 2,450,107 AND
OTHERS.

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6,
50, 51 AND 52).

FIRST USE 4-0-2002; IN COMMERCE 4-0-2002.

THE LINING IN THE MARK ON THE DRAWING
REPRESENTS THE COLORS RED AND BLUE
SHOWING A GRADUATION OF COLOR FROM
LIGHT TO DARK AS THE COLOR DESCENDS TO
THE BOTTOM OF EACH LETTER.

FOR: ELECTRIC AND NON-ELECTRIC TOOTH-
BRUSHES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33,
40 AND 50).

FIRST USE 1-0-2002; IN COMMERCE 1-0-2002.

SER. NO. 76-447,222, FILED 9-6-2002.

DAVID C. REIHNER, EXAMINING ATTORNEY

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Mark: CREST



US Serial Number: 76447222

Application Filing Date: Sep. 06, 2002

US Registration Number: 2729057

Registration Date: Jun. 24, 2003

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 08, 2012

Publication Date: Apr. 01, 2003

Mark Information

Mark Literal Elements: CREST

Standard Character Claim: No

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

Lining and Stippling Statement: The lining in the mark on the drawing represents the colors red and blue showing a graduation of color from light to dark as the color descends to the bottom of each letter.

Design Search Code(s): 01.01.05 - Stars - one or more stars with seven or more points
01.01.06 - Stars with rays or radiating lines
01.15.04 - Explosions; Fireworks display; Sparks
26.01.06 - Circles, semi; Semi-circles
26.17.25 - Other lines, bands or bars

Related Properties Information

Claimed Ownership of US Registrations: 0608106, 1739059, 2093663, 2402908, 2450107 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: Toothpaste

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2002

Use in Commerce: Apr. 2002

For: [Electric and non-electric toothbrushes]

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Jan. 2002

Use in Commerce: Jan. 2002

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: The Procter & Gamble Company
Owner Address: One Procter & Gamble Plaza
Cincinnati, OHIO 45202
UNITED STATES
Legal Entity Type: CORPORATION
State or Country: OHIO
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline Allshouse-Hutchens
Attorney Primary Email Address: pgtrademarks.im@pg.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jacqueline Allshouse-Hutchens
THE PROCTER & GAMBLE COMPANY
S6
299 EAST SIXTH STREET
CINCINNATI, OHIO 45202
UNITED STATES
Phone: 513-983-1100
Fax: 513-945-6791
Correspondent e-mail: pgtrademarks.im@pg.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Aug. 08, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 08, 2012	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	64591
Aug. 08, 2012	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	64591
Jul. 25, 2012	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
Aug. 08, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jul. 25, 2012	TEAS SECTION 8 & 9 RECEIVED	
Jan. 27, 2009	CASE FILE IN TICRS	
Aug. 24, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Aug. 21, 2008	ASSIGNED TO PARALEGAL	67723
Aug. 14, 2008	TEAS SECTION 8 & 15 RECEIVED	
Aug. 04, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 04, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 24, 2003	REGISTERED-PRINCIPAL REGISTER	
Apr. 01, 2003	PUBLISHED FOR OPPOSITION	
Mar. 12, 2003	NOTICE OF PUBLICATION	
Jan. 29, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 23, 2003	ASSIGNED TO EXAMINER	61272

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 24, 2013

Change in Registration: Yes

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Aug. 08, 2012

Int. Cl.: 3

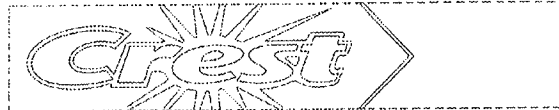
Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

Reg. No. 2,750,446

United States Patent and Trademark Office

Registered Aug. 12, 2003

TRADEMARK
PRINCIPAL REGISTER



THE PROCTER & GAMBLE COMPANY (OHIO
CORPORATION)
ONE PROCTER & GAMBLE PLAZA
CINCINNATI, OH 45202

FOR: TOOTHPASTE, IN CLASS 3 (U.S. CLS. 1, 4, 6,
50, 51 AND 52).

FIRST USE 4-30-2002; IN COMMERCE 4-30-2002.

OWNER OF U.S. REG. NOS. 608,106, 2,450,107 AND
OTHERS.

THE MARK CONSISTS OF A STYLIZED VER-
SION OF THE WORD CREST AND INCLUDES A
STARBURST SURROUNDING THE LETTER "E"
AND A DIAGONAL CHEVRON DESIGN. THE USE
OF DOTTED LINES SHOW THE MARKS'S POSI-
TION OF THE PACKAGE FOR THE GOODS.

SER. NO. 78-160,397, FILED 9-4-2002.

LYNN A. LUTHEY, EXAMINING ATTORNEY

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Mark: CREST



US Serial Number: 78160397

Application Filing Date: Sep. 04, 2002

US Registration Number: 2750446

Registration Date: Aug. 12, 2003

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 23, 2012

Publication Date: May 20, 2003

Mark Information

Mark Literal Elements: CREST

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 a stylized version of the word crest and includes a starburst surrounding the letter "e" and a diagonal chevron design. The use of dotted lines show the marks's position of the package for the goods.

Design Search Code(s): 01.01.05 - Stars - one or more stars with seven or more points
01.01.06 - Stars with rays or radiating lines
01.15.04 - Fireworks display; Sparks; Explosions
26.11.02 - Rectangles (single line); Plain single line rectangles
26.17.12 - Angles (geometric); Chevrons

Related Properties Information

Claimed Ownership of US Registrations: 0608106, 1739059, 2093663, 2402908, 2450107 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: Toothpaste

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2002

Use in Commerce: Apr. 30, 2002

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: The Procter & Gamble Company

Owner Address: One Procter & Gamble Plaza
Cincinnati, OHIO 45202
UNITED STATES

Legal Entity Type: CORPORATION

State or Country OHIO
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacqueline M. Allshouse-Hutchens

Attorney Primary pgtrademarks.im@pg.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Jacqueline M. Allshouse-Hutchens
Name/Address: THE PROCTER & GAMBLE COMPANY
S5
299 EAST SIXTH STREET
CINCINNATI, OHIO 45202
UNITED STATES

Phone: 513-983-1100

Fax: 513-945-6791

Correspondent e- pgtrademarks.im@pg.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 23, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 23, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75184
Aug. 23, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75184
Aug. 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Dec. 11, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75184
Nov. 07, 2008	TEAS SECTION 8 & 15 RECEIVED	
Aug. 04, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 04, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 01, 2008	CASE FILE IN TICRS	
Aug. 12, 2003	REGISTERED-PRINCIPAL REGISTER	
May 20, 2003	PUBLISHED FOR OPPOSITION	
Apr. 30, 2003	NOTICE OF PUBLICATION	
Mar. 31, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 10, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Feb. 10, 2003	PAPER RECEIVED	
Jan. 28, 2003	NON-FINAL ACTION E-MAILED	
Jan. 25, 2003	ASSIGNED TO EXAMINER	69566

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Aug. 12, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 23, 2012