

ESTTA Tracking number: **ESTTA874376**

Filing date: **01/31/2018**

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	Sterling Jewelers Inc.
Granted to Date of previous extension	01/31/2018
Address	375 Ghent Road Akron, OH 44333 UNITED STATES

Attorney information	Amanda Marston Holland & Hart LLP P.O. Box 8749 Attn: Trademark Docketing Denver, CO 80201 UNITED STATES Email: docket@hollandhart.com, shavlick@hollandhart.com, anmarston@hollandhart.com, ejcooper@hollandhart.com, mamooore@hollandhart.com
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Applicant Information

Application No	87435559	Publication date	10/03/2017
Opposition Filing Date	01/31/2018	Opposition Period Ends	01/31/2018
Applicant	Tat Lee 550 S Hill Street, STE 1318 Los Angeles, CA 90013 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. First Use: 2006/07/01 First Use In Commerce: 2006/07/01 All goods and services in the class are opposed, namely: Bracelets; Earrings; Necklaces; Rings; Hoop earrings; Wedding rings
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	748204	Application Date	03/29/1962
Registration Date	04/16/1963	Foreign Priority Date	NONE

Word Mark	KAY
Design Mark	KAY
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1916/00/00 First Use In Commerce: 1919/00/00 Retail Jewelry and Appliance Store Services

U.S. Registration No.	2222703	Application Date	12/16/1997
Registration Date	02/09/1999	Foreign Priority Date	NONE
Word Mark	KAY JEWELERS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1916/00/00 First Use In Commerce: 1919/00/00 retail jewelry store services		

U.S. Registration No.	3327324	Application Date	02/14/2006
Registration Date	10/30/2007	Foreign Priority Date	NONE
Word Mark	KAY JEWELERS OUTLET		
Design Mark	KAY JEWELERS OUTLET		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/05/26 First Use In Commerce: 2006/05/26 Retail jewelry stores		

U.S. Registration No.	2602439	Application Date	10/24/2000
Registration Date	07/30/2002	Foreign Priority Date	NONE
Word Mark	EVERY KISS BEGINS WITH KAY		

Design Mark	EVERY KISS BEGINS WITH KAY
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2000/11/01 First Use In Commerce: 2000/11/01 RETAIL JEWELRY STORE SERVICES

Attachments	72141078#TMSN.png(bytes) 78814596#TMSN.png(bytes) 76152846#TMSN.png(bytes) Notice of Opposition.pdf(1198088 bytes)
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Signature	/Amanda Marston/
Name	Amanda Marston
Date	01/31/2018

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

Sterling Jewelers Inc., Opposer, v. Tat Lee, Applicant.	Opposition No.: Mark: TITANIUM KAY Serial No.: 87435559
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NOTICE OF OPPOSITION

Sterling Jewelers Inc. (“Opposer”), a Delaware corporation, having an address at 375 Ghent Road, Akron, Ohio 44333, believes that it will be damaged by the registration of the mark TITANIUM KAY shown in U.S. Trademark Application Serial No. 87435559 for “Bracelets; Earrings; Necklaces; Rings; Hoop earrings; Wedding rings” in Class 14 (“the Application”) and hereby opposes it.

As grounds for its Notice of Opposition, Opposer alleges that, upon actual knowledge with respect to itself and its own actions, and upon information and belief as to other matters:

1. Opposer is the largest specialty jewelry retailer in the United States, United Kingdom, and Canada, operating over 1,200 KAY-branded stores worldwide.
2. For over a century, and well prior to the filing date of the Application and any date of first use on which Applicant may rely, Opposer has used KAY and KAY-formative marks in connection with the marketing and sale of jewelry in the United States.
3. In addition, since at least 1999, Opposer has offered jewelry, including rings and wedding bands, made of titanium under its KAY brand. These titanium products are available

for sale in Opposer's KAY branded stores and on Opposer's website, www.kay.com. See Exhibit 1.

4. Opposer owns numerous United States trademark registrations for KAY and KAY-formative marks covering jewelry services, including those set forth below:

MARK	REG. NO.	REG. DATE	GOODS/SERVICES
KAY	748,204	April 16, 1963	Retail Jewelry and Appliance Store Services
KAY JEWELERS	2,222,703	February 9, 1999	Retail jewelry store services
KAY JEWELERS OUTLET	3,327,324	October 30, 2007	Retail jewelry stores
EVERY KISS BEGINS WITH KAY	2,602,439	July 30, 2002	Retail jewelry store services

The above registrations together with Opposer's common law rights are collectively referred to as the "KAY Marks."

5. Pursuant to TBMP 704.03(b)(1)(A), attached as Exhibit 2 are true and correct copies from the Office's TSDR database for each of the above registrations showing the current status of, and title to, the registrations.

6. These registrations are incontestable pursuant to 15 U.S.C. §§ 1065 and 1115(b), and therefore constitute conclusive evidence of the validity of the marks set forth in the registrations and Opposer's exclusive rights to use these marks in connection with the services set forth in the registrations and provide constructive notice of Opposer's ownership of the KAY Marks.

7. Opposer has sold billions of dollars' worth of jewelry under the KAY Marks, and has invested significantly in advertising and promoting jewelry and jewelry services under these marks, and the goods sold under the KAY Marks enjoy substantial commercial success.

8. As a result of extensive marketing and promotion, coupled with the commercial success of its goods and services, Opposer's KAY Marks have become famous and well-known.

9. Applicant's TITANIUM KAY mark incorporates the dominant portion of Opposer's famous KAY Marks in their entirety. The descriptive word "TITANIUM" is not only insufficient to distinguish Applicant's TITANIUM KAY mark from Opposer's KAY Marks but in fact exacerbates a likelihood of confusion by implying that Applicant's mark is used in connection with metal that is commonly used for making jewelry. Indeed, titanium is used by Opposer for exactly that purpose.

10. The fact that "TITANIUM" is disclaimed in the Application is an admission by Applicant that Titanium is descriptive. Thus, the only protectable component of Applicant's mark is identical to Opposer's KAY Marks.

11. As such, Applicant's TITANIUM KAY mark is confusingly similar to Opposer's KAY Marks.

12. The goods identified by the Application ("Bracelets; Earrings; Necklaces; Rings; Hoop earrings; Wedding rings") are identical to and overlap with the goods and services offered by Opposer under its KAY Marks.

COUNT I
Likelihood of Confusion
15 U.S.C. § 1052(d)

13. Opposer realleges and incorporates by reference the preceding allegations of its Notice of Opposition.

14. Opposer enjoys priority in its KAY Marks by virtue of Opposer's use and registration of the KAY Marks since well prior to the filing date of the Application and any claimed date of first use on which Applicant may rely.

15. The TITANIUM KAY mark so resembles Opposer's prior used and registered KAY Marks as to be likely, when used in connection with the goods set forth in the Application, to cause confusion, or to cause mistake, or to deceive under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

COUNT II
Likelihood of Dilution
15 U.S.C. § 1125(c)

16. Opposer realleges and incorporates by reference the preceding allegations of its Notice of Opposition.

17. Opposer's KAY Marks are famous and became famous well before the filing date of the Application or any claimed date of first use on which Applicant may rely.

18. The TITANIUM KAY trademark set forth in the Application so resembles Opposer's prior used and registered KAY Marks as to dilute, or to be likely to cause dilution of, the distinctive quality of the mark by blurring under section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

WHEREFORE, Opposer believes that it will be damaged by registration of the mark shown in Application Serial No. 87435559 and respectfully requests that the opposition be sustained, and that registration to Applicant be refused.

The filing fee in the amount of \$400 is being transmitted electronically with this submission. Any deficiency in the fee should be charged to Deposit Account No. 08-2623.

Dated: January 31, 2018

Respectfully submitted,

/s/ Amanda Marston

Scott Havlick

Emily J. Cooper

Amanda N. Marston

HOLLAND & HART LLP

P.O. Box 8749

Denver, Colorado 80201

(303) 473-2861 (phone)

shavlick@hollandhart.com;

ejcooper@hollandhart.com;

anmarston@hollandhart.com;

docket@hollandhart.com

**Attorneys for Opposer
Sterling Jewelers Inc.**

CERTIFICATE OF SERVICE

Consistent with the Trademark Trial and Appeal Board Manual of Procedure Rule 309.02(c)(1) (amended January 14, 2017), service of the above NOTICE OF OPPOSITION will be effected by the Board. To facilitate the Board, below is the physical and email addresses as available for Applicant via TSDR:

Tat Lee
550 S. Hill Street, Suite 1318
Los Angeles, California 90013
support@titaniumkay.com

10630893_4

Exhibit 1



Home / Search Results

Displaying search results for "titanium"

Titanium Jewelry

Incredibly lightweight and comfortable, yet strong, titanium wedding bands make an ideal choice for daily wear. This beautiful metal won't tarnish, so titanium jewelry will never lose its appeal and its charm. Our titanium rings come in gorgeous varieties and unique designs, perfect for both men and women. Personalize your titanium jewelry with a special message or note that will always remind you and your loved one of your devotion.



PRICE

- \$0-\$100 (25)
- \$101-\$250 (33)
- \$251-\$500 (18)
- \$501-\$1,000 (11)
- \$1,001-\$2,500 (11)
- \$5,001-\$9,999 (1)

\$ - \$

GENDER

- Men's (77)
- Women's (30)

PRODUCT TYPE

- Accessories (5)
- Bracelet (7)
- Necklaces & Pendants (7)
- Ring (37)
- Watch (21)

Products (77) Articles (16616)

77 items All Items Pick Up Today [Select My Store](#) Sort by Relevancy

SALE	CLEARANCE		SALE
Wedding Band Titanium 7mm	Wedding Band Titanium 6mm	Men's Wedding Band Titanium 8mm	Wedding Band Titanium 6mm
\$149.00 \$129.99 (13% off)	\$149.00 \$104.30 (30% off)	\$99.99	\$139.00 \$119.99 (14% off)
<input type="button" value="COMPARE"/>	<input type="button" value="COMPARE"/>	<input type="button" value="COMPARE"/>	<input type="button" value="COMPARE"/>
SALE	CLEARANCE	ENGRAVABLE	CLEARANCE

Exhibit 2

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS	DOCUMENTS	MAINTENANCE	Back to Search	Print
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Generated on: This page was generated by TSDR on 2018-01-31 11:46:32 EST

Mark: KAY

KAY

US Serial Number: 72141078

Application Filing Date: Mar. 29, 1962

US Registration Number: 748204

Registration Date: Apr. 16, 1963

Register: Principal

Mark Type: Service Mark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 02, 2012

▼ **Mark Information**

▲ Collapse All

Mark Literal Elements: KAY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

▼ **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: Retail Jewelry and Appliance Store Services

International Class(es): 042

U.S Class(es): 101 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1916

Use in Commerce: 1919

▼ **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: STERLING JEWELERS INC.

Owner Address:	375 GHENT ROAD AKRON, OHIO UNITED STATES 44333		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Scott S. Havlick		
Attorney Primary Email Address:	docket@hollandhart.com	Attorney Email Authorized:	Yes

Correspondent

Correspondent Name/Address:	Scott S. Havlick Holland & Hart LLP P.O. Box 8749 Attn: Trademark Docketing Denver, COLORADO UNITED STATES 80201		
Phone:	303-473-2710	Fax:	303-473-2720
Correspondent e-mail:	docket@hollandhart.com	Correspondent e-mail Authorized:	Yes

Domestic Representative

Domestic Representative Name:	Scott S. Havlick		
Fax:	303-473-2720	Phone:	303-473-2710
Domestic Representative e-mail:	docket@hollandhart.com	Domestic Representative e-mail Authorized:	Yes

▲ Prosecution History

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted		
Affidavit of Incontestability:	Section 15 - Accepted		
Renewal Date:	Apr. 16, 2013		
Change in Registration:	Yes		
Amendment to a Registration/Renewal Certificate:	In the statement, Column 1, line 10 through Column 2, line 6, "REGISTRATION IS RESTRICTED TO EXCLUDE THE AREA COMPRISING THE COUNTIES OF WAYNE, OAKLAND AND MACOMB IN MICHIGAN, THE COUNTIES OF BOWIE AND CASS IN TEXAS, AND THE COUNTIES OF LITTLE RIVER AND MILLER IN ARKANSAS. CONCURRENT USE PROCEEDING NO. 726 WITH SERIAL NUMBER 73/613,320" is deleted.		

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	GENERIC WEB UPDATE	Date in Location:	May 02, 2012
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▼ Assignment Abstract Of Title Information

Summary

▼ Conveyance Filter

Total Assignments:	7	Registrant:	Kay Jewelry Stores, Inc.
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▼ Assignment 1 of 7

▲ Collapse All

Conveyance:	CHANGE OF NAME 19720728		
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Reel/Frame:	0234/0644	Pages:	4
Date Recorded:	Mar. 21, 1973		
Supporting Documents:	No Supporting Documents Available		
Assignor			
Name:	KAY JEWELRY STORES, INC.	Execution Date:	Feb. 22, 1973
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Assignee			
Name:	KAY CORPORATION	State or Country Where Organized:	No Place Where Organized Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Address:	No Assignee Address Found		
Correspondent			
Correspondent Name:	MASON, FENWICK, ET AL.		
Correspondent Address:	310 OFC BLDG. 1730 RHODE ISLAND AVE., N.W. WASHINGTON, DC 20036		
Domestic Representative - Not Found			
▼ Assignment 2 of 7			
Conveyance:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
Reel/Frame:	0294/0101	Pages:	2
Date Recorded:	Sep. 03, 1976		
Supporting Documents:	No Supporting Documents Available		
Assignor			
Name:	KAY CORPORATION	Execution Date:	Aug. 30, 1976
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE
Assignee			
Name:	KAY JEWELERS, INC.	State or Country Where Organized:	DELAWARE
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE
Address:	320 KING STREET ALEXANDRIA, VIRGINIA 22314		
Correspondent			
Correspondent Name:	MASON, FENWICK & LAWRENCE		
Correspondent Address:	310 OFC BLDG. 1730 RHODE ISLAND AVENUE, N.W. WASHINGTON, DC 20036		
Domestic Representative - Not Found			
▼ Assignment 3 of 7			
Conveyance:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
Reel/Frame:	0782/0157	Pages:	4
Date Recorded:	Apr. 19, 1991		
Supporting Documents:	No Supporting Documents Available		
Assignor			
Name:	KAY JEWELERS, INC.	Execution Date:	Nov. 15, 1989
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE

Organized:

Assignee

Name: [FAIRFAX DISTRIBUTING CO., INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 320 KING STREET
ALEXANDRIA, VIRGINIA 22314

Correspondent

Correspondent Name: MASON FENWICK & LAWRENCE

Correspondent Address: SUITE 1000
1225 STREET, N. W.
WASHINGTON, D. C. 20005

Domestic Representative - Not Found

▼ **Assignment 4 of 7**

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0783/0536](#)

Pages: 4

Date Recorded: Apr. 22, 1991

Supporting Documents: No Supporting Documents Available

Assignor

Name: [FAIRFAX DISTRIBUTING CO., INC.](#)

Execution Date: Nov. 15, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIRC, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: SUITE 102
1409 FOULK ROAD - P.O. BOX 713
WILMINGTON, DELAWARE 19803

Correspondent

Correspondent Name: MASON FENWICK & LAWRENCE

Correspondent Address: SUITE 1000
1225 EYE STREET, N. W.
WASHINGTON, D. C. 20005

Domestic Representative - Not Found

▼ **Assignment 5 of 7**

Conveyance: SECURITY INTEREST

Reel/Frame: [0723/0575](#)

Pages: 0

Date Recorded: Jul. 05, 1990

Supporting Documents: No Supporting Documents Available

Assignor

Name: [KAY JEWELERS, INC.](#)

Execution Date: Jun. 26, 1990

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Name: [J.B. ROBINSON JEWELERS, INCORPORATED](#)

Execution Date: Not Found

Legal Entity Type: UNKNOWN


State or Country Where Organized: No Place Where Organized Found

Name:	FAIRFAX DISTRIBUTING CO., INC.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MARCUS & CO., INC.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	BLACK STARR AND FROST, LTD.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	MARCUS JEWEL GALLERIES, INC.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	KIRC, INC.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Name:	ADVERTISING ASSOCIATES, INC.	Execution Date:	Not Found
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Assignee			
Name:	MANUFACTURERS HANOVER TRUST COMPANY	Execution Date:	
Legal Entity Type:	UNKNOWN	State or Country Where Organized:	No Place Where Organized Found
Address:	270 PARK AVENUE NEW YORK, NEW YORK 10017		
Correspondent			
Correspondent Name:	SULLIVAN & CROMWELL		
Correspondent Address:	1701 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20006		
Domestic Representative - Not Found			
▼ Assignment 6 of 7			
Conveyance:	RELEASE BY SECURED PARTY OF A SECURITY AGREEMENT RECORDED AT REEL 723 FRAME 575.		
Reel/Frame:	0775/0765	Pages:	6
Date Recorded:	Mar. 15, 1991		
Supporting Documents:	No Supporting Documents Available		
Assignor			
Name:	MANUFACTURERS HANOVER TRUST COMPANY	Execution Date:	Feb. 28, 1991
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized:	No Place Where Organized Found
Assignee			
Name:	KAY JEWELERS, INC.	Execution Date:	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized:	No Place Where Organized Found
Address:	No Assignee Address Found		
Name:	J. B. ROBINSON JEWELERS, INCORPORATED	Execution Date:	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized:	No Place Where Organized Found

		Organized:
Address:	No Assignee Address Found	
Name:	FAIRFAX DISTRIBUTING CO., INC.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Name:	MARCUS & CO., INC.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Name:	BLACK, STARR & FROST, LTD.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Name:	MARCUS JEWEL GALLERIES, INC.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Name:	KIRC, INC.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Name:	ADVERTISING ASSOCIATES, INC.	
Legal Entity Type:	SEE DOCUMENT FOR DETAILS	State or Country Where Organized: No Place Where Organized Found
Address:	No Assignee Address Found	
Correspondent		
Correspondent Name:	WEIL, GOTSHAL & MANGES	
Correspondent Address:	767 FIFTH AVENUE NEW YORK, NY 10153	
Domestic Representative - Not Found		
▼ Assignment 7 of 7		
Conveyance:	MERGER 19910717DE	
Reel/Frame:	0860/0871	Pages: 7
Date Recorded:	Apr. 21, 1992	
Supporting Documents:	No Supporting Documents Available	
Assignor		
Name:	KIRC, INC.	Execution Date: Jun. 27, 1991
Legal Entity Type:	CORPORATION	State or Country Where Organized: DELAWARE
Assignee		
Name:	STERLING JEWELERS INC.	
Legal Entity Type:	CORPORATION	State or Country Where Organized: DELAWARE
Address:	No Assignee Address Found	

Correspondent**Correspondent Name:** MASON, FENWICK & LAWRENCE**Correspondent Address:** SUITE 1000
1225 EYE ST., NW
WASHINGTON, DC 20005**Domestic Representative - Not Found****▼ [Proceedings - Click to Load](#)**

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS	DOCUMENTS	MAINTENANCE	Back to Search	Print
Generated on: This page was generated by TSDR on 2018-01-31 11:47:09 EST				
Mark: KAY JEWELERS No Image exists for this case.				
US Serial Number: 75406757		Application Filing Date: Dec. 16, 1997		
US Registration Number: 2222703		Registration Date: Feb. 09, 1999		
Register: Principal				
Mark Type: Service Mark				
TM5 Common Status Descriptor:		LIVE/REGISTRATION/Issued and Active		
		The trademark application has been registered with the Office.		
Status: The registration has been renewed.				
Status Date: Feb. 13, 2009				
Publication Date: Nov. 17, 1998				

▼ Mark Information [▲ Collapse All](#)

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

▼ Related Properties Information

Claimed Ownership of US Registrations:	0748204
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▼ 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:	retail jewelry store services			
International Class(es):	035 - Primary Class	U.S Class(es):	100, 101, 102	
Class Status:	ACTIVE			
Basis:	1(a)			
First Use:	1916	Use in Commerce:	1919	

▼ Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
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Filed ITU: No
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently ITU: No
Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended ITU: No
Amended 44D: No
Amended 44E: No

▼ Current Owner(s) Information

Owner Name: Sterling Jewelers Inc.
Owner Address: 375 Ghent Road
Akron, OHIO UNITED STATES 44333
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott S. Havlick
Attorney Primary Email Address: docket@hollandhart.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott S. Havlick
Holland & Hart LLP
P.O. Box 8749
Attn: Trademark Docketing
Denver, COLORADO UNITED STATES 80201
Phone: 303-473-2710
Fax: 303-473-2720
Correspondent e-mail: docket@hollandhart.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Scott S. Havlick
Phone: 303-473-2710
Fax: 303-473-2720
Domestic Representative e-mail: docket@hollandhart.com
Domestic Representative e-mail Authorized: Yes

▲ Prosecution History

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Feb. 09, 2009

▼ TM Staff and Location Information


TM Staff Information - None

File Location

Current Location: POST REGISTRATION
Date in Location: Feb. 13, 2009

▼ Assignment Abstract Of Title Information - None recorded

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS	DOCUMENTS	MAINTENANCE	Back to Search	Print
Generated on: This page was generated by TSDR on 2018-01-31 11:47:48 EST				
Mark: KAY JEWELERS OUTLET				
KAY JEWELERS OUTLET				
US Serial Number:	78814596	Application Filing Date:	Feb. 14, 2006	
US Registration Number:	3327324	Registration Date:	Oct. 30, 2007	
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes	
Register:	Principal			
Mark Type:	Service Mark			
TM5 Common Status Descriptor:		LIVE/REGISTRATION/Issued and Active		
Status:	The registration has been renewed.			
Status Date:	Oct. 26, 2017			
Publication Date:	Sep. 26, 2006	Notice of Allowance Date:	Dec. 19, 2006	
▼ Mark Information ▲ Collapse All				
Mark Literal Elements:	KAY JEWELERS OUTLET			
Standard Character Claim:	Yes. The mark consists of standard characters without claim to any particular font style, size, or color.			
Mark Drawing Type:	4 - STANDARD CHARACTER MARK			
Disclaimer:	"JEWELERS OUTLET"			
▼ Related Properties Information				
Claimed Ownership of US Registrations:	0748204 , 2222703 , 2498015 and others			
▼ Goods and Services				
Note: The following symbols indicate that the registrant/owner has amended the goods/services:				
<ul style="list-style-type: none"> • 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:	Retail jewelry stores			
International Class(es):	035 - Primary Class	U.S Class(es):	100, 101, 102	
Class Status:	ACTIVE			
Basis:	1(a)			
First Use:	May 26, 2006	Use in Commerce:	May 26, 2006	
▼ Basis Information (Case Level)				
Filed Use:	No	Currently Use:	Yes	Amended Use: No

Filed ITU: Yes
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently ITU: No
Currently 44D: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Amended ITU: No
Amended 44D: No
Amended 44E: No

▼ Current Owner(s) Information

Owner Name: Sterling Jewelers Inc.
Owner Address: 375 Ghent Road
Akron, OHIO UNITED STATES 44333
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott S. Havlick
Attorney Primary Email Address: docket@hollandhart.com
Docket Number: 81384.0180
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott S. Havlick
Holland & Hart LLP
P.O. Box 8749
Attn: Trademark Docketing
Denver, COLORADO UNITED STATES 80201
Phone: 303-473-2710
Fax: 303-473-2720
Correspondent e-mail: docket@hollandhart.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

▲ Prosecution History

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Oct. 30, 2017

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE
Date in Location: Oct. 26, 2017

▲ Assignment Abstract Of Title Information - None recorded

▼ Proceedings - Click to Load

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS	DOCUMENTS	MAINTENANCE	Back to Search	 Print
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Generated on: This page was generated by TSDR on 2018-01-31 11:48:21 EST

Mark: EVERY KISS BEGINS WITH KAY

EVERY KISS BEGINS WITH KAY

US Serial Number: 76152846

Application Filing Date: Oct. 24, 2000

US Registration Number: 2602439

Registration Date: Jul. 30, 2002

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 20, 2011

Publication Date: Sep. 25, 2001

Notice of Allowance Date: Dec. 18, 2001

▼ **Mark Information**

▲ Collapse All

Mark Literal Elements: EVERY KISS BEGINS WITH KAY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

▼ **Related Properties Information**

Claimed Ownership of US Registrations: [0748204](#), [2222703](#) 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: RETAIL JEWELRY STORE SERVICES

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 2000

Use in Commerce: Nov. 01, 2000

▼ **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: Sterling Jewelers Inc.

Owner Address: 375 Ghent Road
Akron, OHIO UNITED STATES 44333

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Scott S. Havlick

Attorney Primary Email Address: docket@hollandhart.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Scott S. Havlick
Holland & Hart LLP
P.O. Box 8749
Attn: Trademark Docketing
Denver, COLORADO UNITED STATES 80201

Phone: 303-473-2710

Fax: 303-473-2720

Correspondent e-mail: docket@hollandhart.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Scott S. Havlick

Phone: 303-473-2710

Fax: 303-473-2720

Domestic Representative e-mail: docket@hollandhart.com

Domestic Representative e-mail Authorized: Yes

▲ Prosecution History

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 30, 2012

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 20, 2011

▲ Assignment Abstract Of Title Information - None recorded

▼ Proceedings - Click to Load