

ESTTA Tracking number: **ESTTA897803**

Filing date: **05/18/2018**

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	Christos Acquisition, LLC		
Entity	Limited Liability Company	Citizenship	New York
Address	318 West 39th Street, 6th Floor New York, NY 10018 UNITED STATES		

Attorney information	Robert L. Epstein Epstein Drangel LLP 60 East 42nd Street, Suite 2520 New York, NY 10165 UNITED STATES Email: mail@ipcounselors.com Phone: 212-292-5390
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**Applicant Information**

Application No	87976375	Publication date	05/15/2018
Opposition Filing Date	05/18/2018	Opposition Period Ends	06/14/2018
Applicant	Christos Dovas New York Corp. 445 Park avenue 9th Floor New York, NY 10022 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 025. First Use: 2001/10/01 First Use In Commerce: 2001/10/01 All goods and services in the class are opposed, namely: Belts; Blouses; Boleros; Bottoms as clothing; Bow ties; Coats; Dresses; Foulards; Gloves; Hats; Hosiery; Jackets; Pants; Scarves; Shirts; Shoes; Skirts; Socks; T-shirts; Ties as clothing; Tops as clothing; not within the bridal industry
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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)

**Mark Cited by Opposer as Basis for Opposition**

U.S. Registration No.	2486465	Application Date	02/10/1998
Registration Date	09/11/2001	Foreign Priority Date	NONE
Word Mark	CHRISTOS		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1984/08/00 First Use In Commerce: 1984/08/00 WEDDING GOWNS, BRIDAL VEILS AND HEADPIECES

Attachments	Notice of Opposition 87976375.pdf(355270 bytes )
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Signature	/Robert L. Epstein/
Name	Robert L. Epstein
Date	05/18/2018

Robert L. Epstein  
EPSTEIN DRANGEL LLP  
60 East 42nd Street, Suite 2520  
New York, NY 10165  
Tel: 212-292-5390  
Fax: 212-292-5391  
E-Mail: mail@ipcounselors.com  
*Attorney for Opposer*

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

_____	x	
	:	
CHRISTOS ACQUISITION, LLC	:	
	:	
Opposer,	:	Opposition No.
	:	
v.	:	
	:	
CHRISTOS DOVAS NEW YORK	:	
	:	
Applicant.	:	
_____	x	

**NOTICE OF OPPOSITION**

In the matter of U.S. Trademark Application Serial No. 87976375, Christos Acquisition, LLC, a Limited Liability Company organized and existing under the laws of New York and located and doing business at 318 West 39<sup>th</sup> Street, New York, NY 10018, (hereinafter, “Opposer”), believes that it is or will be damaged by the registration of the trademark CHRISTOS DOVAS (hereinafter, “Applicant’s Mark”), in International Class 25, as reflected in U.S. Trademark Application Serial No. 87976375, in the name of Christos Dovas New York, a New York corporation, whose address is 445 Park Ave., New York, NY 10022 (hereinafter,

“Applicant”), and hereby opposes the same in International Class 25.

As grounds for its opposition, Opposer, by and through its undersigned attorney alleges as follows:

1. Christos Yiannakou was an internationally famous wedding gown designer born in Cyprus.

2. From 1984 until his retirement in 2005, Christos Yiannakou designed and sold wedding apparel under the CHRISTOS trademark in the United States and throughout the world.

3. In 2005, Opposer acquired ownership of Christos Inc., the company owned by Christos Yiannakou, including the U.S. and worldwide rights to the trademark CHRISTOS.

4. Opposer is associated with the famous wedding gown designer Amsale Aberra and Opposer is currently a division of The Amsale Group, one of the world’s leading bridal apparel suppliers.

5. As a result of extensive and continuous use of the CHRISTOS trademark in U.S. and worldwide commerce for over thirty years, the CHRISTOS trademark has become a famous trademark, particularly in the wedding apparel industry, first associated with Mr. Yiannakou and his company, and more recently with Ms. Aberra and The Amsale Group, as representing the best designed and highest quality garments and accessories in the bridal industry.

6. Opposer is the owner of all rights, title, and interest in and to the trademark CHRISTOS (hereinafter, “Opposer’s Mark”) for wedding gowns, bridal veils and headpieces and related goods and accessories, as well as retail store services for the same (hereinafter, “Opposer’s Goods and Services”).

7. Opposer has expended vast amounts of time, effort, and money in developing, advertising and publicizing Opposer’s Goods and Services, and Opposer’s Mark.

8. Since long prior to any date in which Applicant can rely, Opposer has continuously used in U.S. and worldwide commerce Opposer's Mark for Opposer's Goods and Services.

9. Opposer's Mark has become famous and is a distinctive indicator of the origin of Opposer's Goods and Services, and is an extremely valuable symbol of Opposer's goodwill.

10. In addition to Opposer's common law rights, Opposer owns U.S. Trademark Registration No. 2,486,465, issued September 11, 2001, of CHRISTOS for wedding gowns, bridal veils and headpieces. U.S. Trademark Registration No. 2,486,465 has become incontestable. A print-out of Opposer's registration from the electronic database records of the United States Patent and Trademark Office (hereinafter, "USPTO") is attached hereto as **Exhibit A**.

11. Notwithstanding Opposer's prior rights in and to Opposer's Mark, Applicant filed with the USPTO Application Serial No. 87976375 on June 7 2017 to register Applicant's Mark (hereinafter "Applicant's Application") for Belts; Blouses; Boleros; Bottoms as clothing; Bow ties; Coats; Dresses; Foulards; Gloves; Hats; Hosiery; Jackets; Pants; Scarves; Shirts; Shoes; Skirts; Socks; T-shirts; Ties as clothing; Tops as clothing; not within the bridal industry (hereinafter "Applicant's Goods").

12. Upon information and belief, Applicant was aware of Opposer's Mark and Opposer's Goods and Services before it filed Applicant's Application.

13. There is no issue of priority as the filing date of Applicant's Application and any alleged dates of first use in commerce of Applicant's Mark are subsequent to Opposer's filing date, Opposer's registration date, and the actual date of use in commerce of Opposer's Mark, individually and collectively.

14. Opposer has been harmed, and continues to be harmed, by Applicant's Application.

**COUNT ONE**  
**(Likelihood of Confusion)**

15. Opposer repeats and re-alleges each and every allegation set forth in the foregoing paragraphs as though fully set forth herein.

16. Opposer's Mark CHRISTOS is identical to the first word of Applicant's Mark CHRISTOS DOVAS in sound, appearance, meaning, and/or commercial impression, and so similar to Applicant's Mark CHRISTOS DOVAS as a whole in sound, appearance, meaning, and/or commercial impression, as to be likely to cause confusion, mistake or deception as to the source of origin or sponsorship of the goods and services for which the marks are used or are intended to be used on or in connection with.

17. Applicant's Mark is likely to cause the mistaken belief that Applicant's Goods originate with, are sponsored by, and/or are otherwise affiliated with Opposer.

18. Applicant's Goods, as set forth in Applicant's Application, are the same as, similar to or commercially related to Opposer's Goods and Services, are or will be offered for sale to the same general class of purchasers and are or will be sold through the same or similar channels of trade in which Opposer's Goods and Services are or will be sold.

19. Applicant's Mark is a colorable imitation or misappropriation of Opposer's Mark and will enable Applicant to unfairly benefit from Opposer's reputation by trading on the goodwill of Opposer's business as symbolized by Opposer's Mark.

20. Applicant's Mark is likely to cause irreparable loss, injury and damage to Opposer's business and to the extensive goodwill and reputation associated with Opposer's Mark.

**COUNT TWO**  
**(Dilution)**

21. Opposer repeats and re-alleges each and every allegation set forth in the foregoing paragraphs as though fully set forth herein.

22. Before the filing date of Applicant's Application, Opposer's Mark had acquired distinctiveness and a high degree of consumer recognition and, as a result of the long and continuous use of the same by Opposer and by Opposer's predecessor, has become famous.

23. Upon information and belief, the registration or commercial use of Applicant's Mark will cause, or is likely to cause, dilution of the distinctive quality of Opposer's Mark and would thereby diminish the capacity of Opposer's Mark to identify and distinguish Opposer's Goods and Services from the goods and services of others.

**WHEREFORE**, Opposer believes it will be damaged by the registration of Applicant's Mark for Applicant's Goods, in International Class 25, as set forth in Applicant's Application, and as such respectfully requests that the present opposition be sustained and registration of Applicant's Mark be denied.

**EPSTEIN DRANGEL, LLP**

Dated: May 18, 2018

By: / Robert L. Epstein /  
Robert L. Epstein  
60 East 42nd Street, Suite 2520  
New York, NY 10165  
Tel: 212-292-5390  
Fax: 212-292-5391  
E-Mail: mail@ipcounselors.com  
*Attorney for Opposer*

# EXHIBIT A





## [Trademarks](#) > **Trademark Electronic Search System (TESS)**

TESS was last updated on Fri May 18 03:47:02 EDT 2018

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### Record 1 out of 1

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## Typed Drawing

**Word Mark** CHRISTOS  
**Goods and Services** IC 025. US 022 039. G & S: WEDDING GOWNS, BRIDAL VEILS AND HEADPIECES. FIRST USE: 19840800. FIRST USE IN COMMERCE: 19840800  
**Mark Drawing Code** (1) TYPED DRAWING  
**Serial Number** 75431745  
**Filing Date** February 10, 1998  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** June 19, 2001  
**Registration Number** **2486465**  
**International Registration Number** 1024067  
**Registration Date** September 11, 2001  
**Owner** (REGISTRANT) CHRISTOS INC. CORPORATION NEW YORK 241 WEST 37TH STREET NEW YORK NEW YORK 10018  
  
(LAST LISTED OWNER) CHRISTOS ACQUISITION, LLC LIMITED LIABILITY COMPANY NEW YORK 318 West 39th Street, 6th Floor NEW YORK NEW YORK 10018  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100920.  
**Renewal** 1ST RENEWAL 20100920  
**Live/Dead Indicator** LIVE

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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](#)

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**Generated on:** This page was generated by TSDR on 2018-05-18 15:24:47 EDT

**Mark:** CHRISTOS

No Image exists for this case.

**US Serial Number:** 75431745

**Application Filing Date:** Feb. 10, 1998

**US Registration Number:** 2486465

**Registration Date:** Sep. 11, 2001

**Register:** Principal

**Mark Type:** Trademark

**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:** Sep. 20, 2010

**Publication Date:** Jun. 19, 2001

## Mark Information

**Mark Literal Elements:** CHRISTOS

**Standard Character Claim:** No

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

## Related Properties Information

**International Registration** [1024067](#)  
**Number:**

**International Application(s)** [A0018014/1024067](#)  
**/Registration(s) Based on**  
**this Property:**

## 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:** WEDDING GOWNS, BRIDAL VEILS AND HEADPIECES

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 1984

**Use in Commerce:** Aug. 1984

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amei**

**Filed ITU:** No

**Currently ITU:** No

**Ame**

**Filed 44D:** No

**Currently 44D:** No

**Amei**

**Filed 44E:** No

**Currently 44E:** No

**Amei**

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** CHRISTOS ACQUISITION, LLC

**Owner Address:** 318 West 39th Street, 6th Floor  
NEW YORK, NEW YORK UNITED STATES 10018

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** NEW YORK

## Attorney/Correspondence Information

### Attorney of Record - None

### Correspondent

**Correspondent** C. ONEILL BROWN

**Name/Address:** CHRISTOS ACQUISITION, LLC  
318 WEST 39TH STREET  
6TH FLOOR  
NEW YORK, NEW YORK UNITED STATES 10018

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 20, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Sep. 20, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 16, 2010	TEAS SECTION 8 & 9 RECEIVED	
Mar. 31, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Mar. 12, 2008	ASSIGNED TO PARALEGAL	73376

Mar. 06, 2008	TEAS SECTION 8 & 15 RECEIVED	
Feb. 05, 2007	CASE FILE IN TICRS	
Sep. 11, 2001	REGISTERED-PRINCIPAL REGISTER	
Jun. 19, 2001	PUBLISHED FOR OPPOSITION	
Jun. 06, 2001	NOTICE OF PUBLICATION	
Feb. 09, 2001	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 1999	LETTER OF SUSPENSION MAILED	
Oct. 15, 1999	ASSIGNED TO EXAMINER	73289
Oct. 15, 1999	ASSIGNED TO EXAMINER	72623
Oct. 15, 1999	ASSIGNED TO EXAMINER	73289
Sep. 23, 1999	ASSIGNED TO EXAMINER	73289
Sep. 18, 1998	NON-FINAL ACTION MAILED	
Sep. 18, 1998	ASSIGNED TO EXAMINER	72623
Sep. 16, 1998	ASSIGNED TO EXAMINER	72623
Sep. 11, 1998	ASSIGNED TO EXAMINER	60785

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Sep. 11, 2011

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Sep. 20, 2010

## Assignment Abstract Of Title Information

**Summary**

[Convey](#)

**Total Assignments:** 2

**Registrant:** CHRISTOS INC.

### Assignment 1 of 2

**Conveyance:** ASSIGNS THE ENTIRE INTEREST

**Reel/Frame:** [3194/0467](#)

**Pages:** 4

**Date Recorded:** Nov. 15, 2005

**Supporting Documents:** [assignment-tm-3194-0467.pdf](#)

**Assignor**

**Name:** [CHRISTOS INC.](#)

**Execution Date:** Oct. 15, 2005

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** NEW YORK

**Assignee**Name: [CHRISTOS ACQUISITION, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NEW YORK

Address: 347 WEST 39TH STREET  
SUITE 11  
NEW YORK, NEW YORK 10018**Correspondent**

Correspondent Name: MARC D. LEVE

Correspondent Address: 111 WEST 40TH STREET 33RD FLOOR  
SILVERBERG STONEHILL & GOLDSMITH, P.C.  
NEW YORK, NY 10018**Domestic Representative - Not Found****Assignment 2 of 2**

Conveyance: SECURITY INTEREST

Reel/Frame: [3434/0672](#)

Pages: 10

Date Recorded: Nov. 28, 2006

Supporting Documents: [assignment-tm-3434-0672.pdf](#)**Assignor**Name: [CHRISTOS ACQUISITION, LLC](#)

Execution Date: Nov. 22, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NEW YORK

**Assignee**Name: [ROSENTHAL & ROSENTHAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Address: 1370 BROADWAY  
NEW YORK, NEW YORK 10018**Correspondent**

Correspondent Name: ROBIN E. SILVERMAN

Correspondent Address: 437 MADISON AVENUE  
NEW YORK, NY 10022**Domestic Representative - Not Found****Proceedings****Summary**

Party type

Proceedings

Number of Proceedings: 2

**Type of Proceeding: Opposition**Proceeding Number: [91238866](#)

Filing Date: Dec 15, 2017

Status: Terminated

Status Date: Apr 10, 2018

Interlocutory Attorney: YONG OH (RICHARD) KIM

**Defendant**

Name: Kostarellos Christos

Correspondent Address: MATTHEW D ASBELL  
LADAS & PARRY LLP  
1040 AVENUE OF THE AMERICAS  
NEW YORK NY UNITED STATES , 10018

Correspondent e-mail: [nyustmp@ladas.com](mailto:nyustmp@ladas.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CHRISTOS COSTARELLOS	Abandoned - After Inter-Partes Decision	<a href="#">79177017</a>	

**Plaintiff(s)**

Name: Christos Acquisition, LLC

Correspondent Address: ROBERT L EPSTEIN  
EPSTEIN DRANGEL LLP  
60 EAST 42ND STREET, SUITE 2520  
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: [mail@ipcounselors.com](mailto:mail@ipcounselors.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CHRISTOS	Renewed	<a href="#">75431745</a>	<a href="#">2486465</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 10, 2018	Feb 19, 2018
3	PENDING, INSTITUTED	Jan 10, 2018	
4	NOTICE OF DEFAULT	Mar 01, 2018	
5	BD DECISION: SUSTAINED	Apr 10, 2018	
6	TERMINATED	Apr 10, 2018	

**Type of Proceeding: Opposition**

Proceeding Number: [91117779](#)

Filing Date: Feb 17, 2000

Status: Terminated

Status Date: Dec 13, 2000

Interlocutory Attorney: PETER W CATALDO

**Defendant**

Name: CHRISTOPHER CHRONIS DESIGNS PTY. LTD.

Correspondent Address: DAVID EHRLICH

FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 UNITED NATIONS PLAZA  
NEW YORK NY UNITED STATES , 10017

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CHRISTOS	Abandoned - After Inter-Partes Decision	<a href="#">75385079</a>	

**Plaintiff(s)**

**Name:** CHRISTOS INC.

**Correspondent Address:** JAMES R. GUERETTE  
LOEB & LOEB LLP  
345 PARK AVENUE 18TH FLOOR  
NEW YORK NY UNITED STATES , 10154

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CHRISTOS	Renewed	<a href="#">75431745</a>	<a href="#">2486465</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 17, 2000	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Apr 11, 2000	May 21, 2000
3	PENDING, INSTITUTED	Apr 11, 2000	
4	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 19, 2000	
5	NOTICE OF DEFAULT	Sep 14, 2000	
6	BOARD'S DECISION: SUSTAINED	Dec 13, 2000	
7	TERMINATED	Dec 13, 2000	