

ESTTA Tracking number: **ESTTA1006676**

Filing date: **10/04/2019**

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

Proceeding	91241488
Party	Defendant Jacqueline Abner-Pongratz
Correspondence Address	WILLIAM E O'BRIEN LAW OFFICE OF WILLIAM E O'BRIEN LLC 2 CONNECTOR ROAD SUITE 200 WESTBOROUGH, MA 01581 UNITED STATES william@masstechlawyer.com 781-956-5363
Submission	Testimony For Defendant
Filer's Name	William E O'Brien Esq.
Filer's email	william@masstechlawyer.com
Signature	/william e obrien/
Date	10/04/2019
Attachments	Abner-Pongratz Affidavit.pdf(2727363 bytes)

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

In the Matter of Application Serial Nos.: 87609820, 87646907

Published in the *Official Gazette* on:

Perfectly Posh LLC,

Opposer,

v.

Opposition no.: 91241488

Jacqueline Abner-Pongratz,

Applicant.

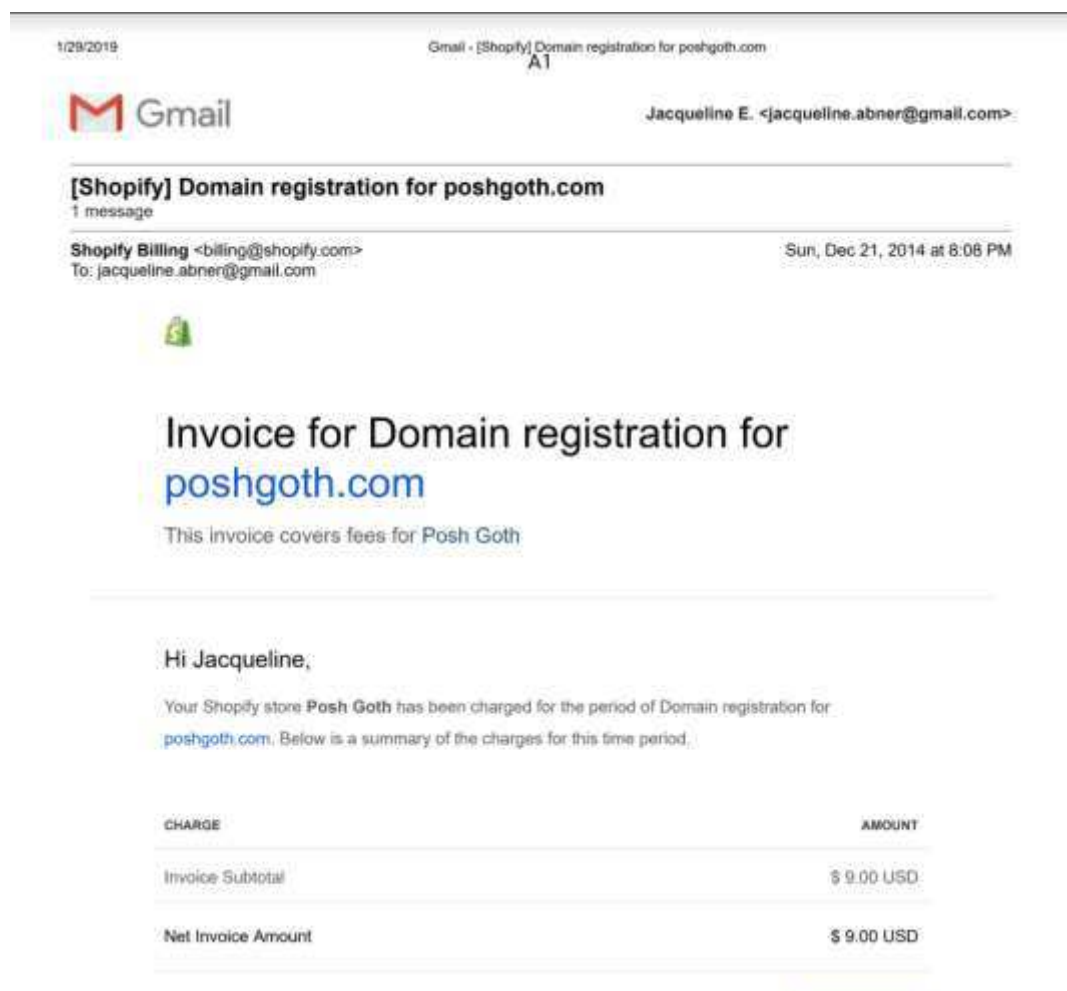
_____/

DECLARATION OF JACQUELINE ABNER-PONGRATZ

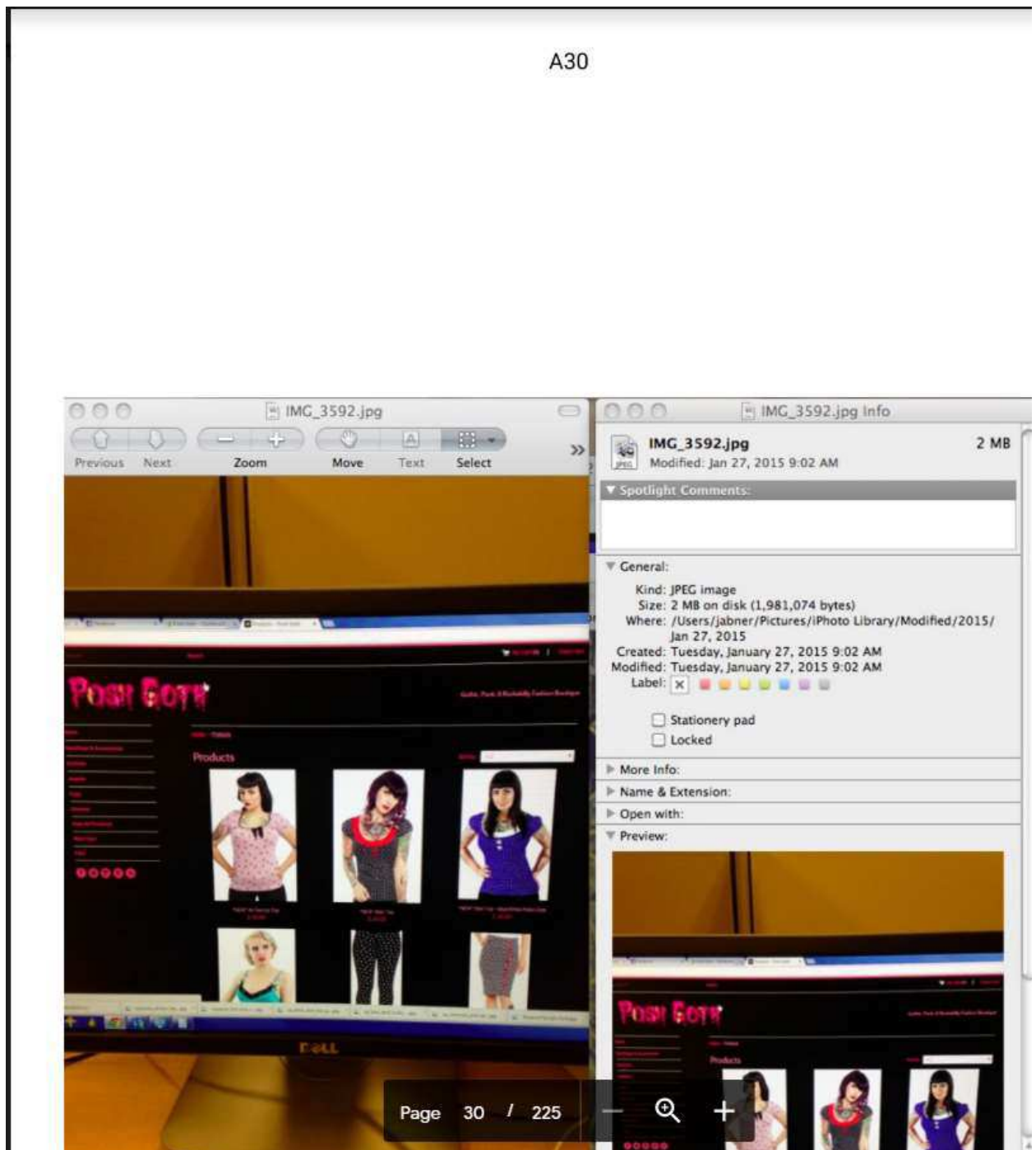
I, Jacqueline Abner-Pongratz, make the following Declaration under penalty of perjury and pursuant to 37 C.F.R. § 2.20:

1. I am a sole proprietor selling a line of beauty products sold under the trademark “POSH GOTH”. I have been selling products under the POSH GOTH trademark since January of 2015. As the sole owner of the POSH GOTH brand, I am familiar with my policies and practices regarding my business and my trademark. I am additionally familiar with the facts of this case and am competent and authorized to make this Declaration. The facts set forth below are known to me personally and/or are based upon my review of business records kept in the ordinary course of business and publicly available information.
2. I first began developing a business for selling clothing and accessories for the goth lifestyle in the fall of 2014. When I began developing my product line, I began considering names and marks for my product line.

3. In December 2014 while driving, I came up with the name POSH GOTH and decided that that name would become my brand. On or about December 21, 2014, I conducted a Google search of the term “POSH GOTH”, and also conducted a basic word mark search for the term “POSH GOTH” on the website <http://tmsearch.uspto.gov>. Upon completion of these search results, I concluded the mark was safe to use, and I purchased the domain poshgoth.com via Shopify on December 21, 2014. Please see A1 below which is a true and accurate copy of my communication with Shopify regarding the domain purchase:

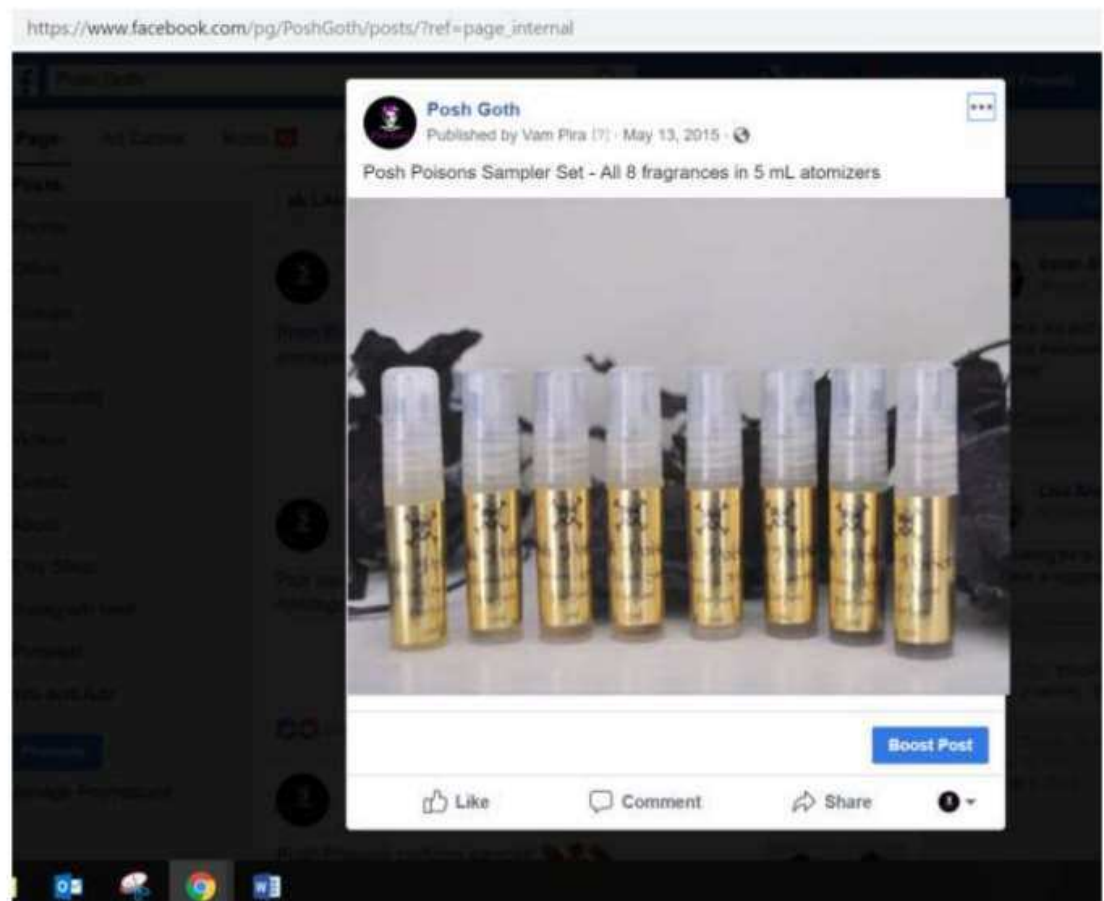


4. In January 2015, I began selling my products on my website, www.poshgoth.com. My mark POSH GOTH was visible on the site and customers were able to purchase items on the site. Please see true and accurate screenshot of the POSH GOTH website labeled as A30(see below) , taken on January 25, 2015:



5. I sold my first product across state lines in January of 2015.
6. In March of 2015, I began developing a perfume line, and the perfumes became available for sale on poshgoth.com and Etsy.com. Please see true and accurate screenshots of Facebook posts promoting the perfume between May and July of 2015, identified as A28, A33, A37, A46, and A50 and provided below:

A28




A33

https://www.facebook.com/pg/PoshGoth/posts/?ref=page_internal

Posh Goth

Published by Vam Pira (7) · May 13, 2015 · 🌐

Posh Poisons by Posh Goth "Wolf Moon" 5 mL sample



Boost Post

👍 Like 💬 Comment ➦ Share ⓘ

Post Details

Reported stats may be delayed from what appears on posts



Posh Goth

May 13, 2015 · 🌐

Do you want to smell like the dead? Posh Goth now offers all natural, handmade gothic perfume. (Truth: You will actually smell quite lovely.) Free samples included with every order, and for a limited time, free shipping! Use code FREESHIP1 at checkout. Stay wicked.
<http://www.poshgoth.com/collections/posh-poisons>



Page 37 of 225

Performance for Your Post

0 People Reached

7 Likes, Comments & Shares 📊

6 Likes	6 On Post	0 On Shares
---------	-----------	-------------

0 Comments	0 On Post	0 On Shares
------------	-----------	-------------

1 Shares	1 On Post	0 On Shares
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0 Post Clicks

0 Photo Views	0 Link Clicks	0 Other Clicks 📊
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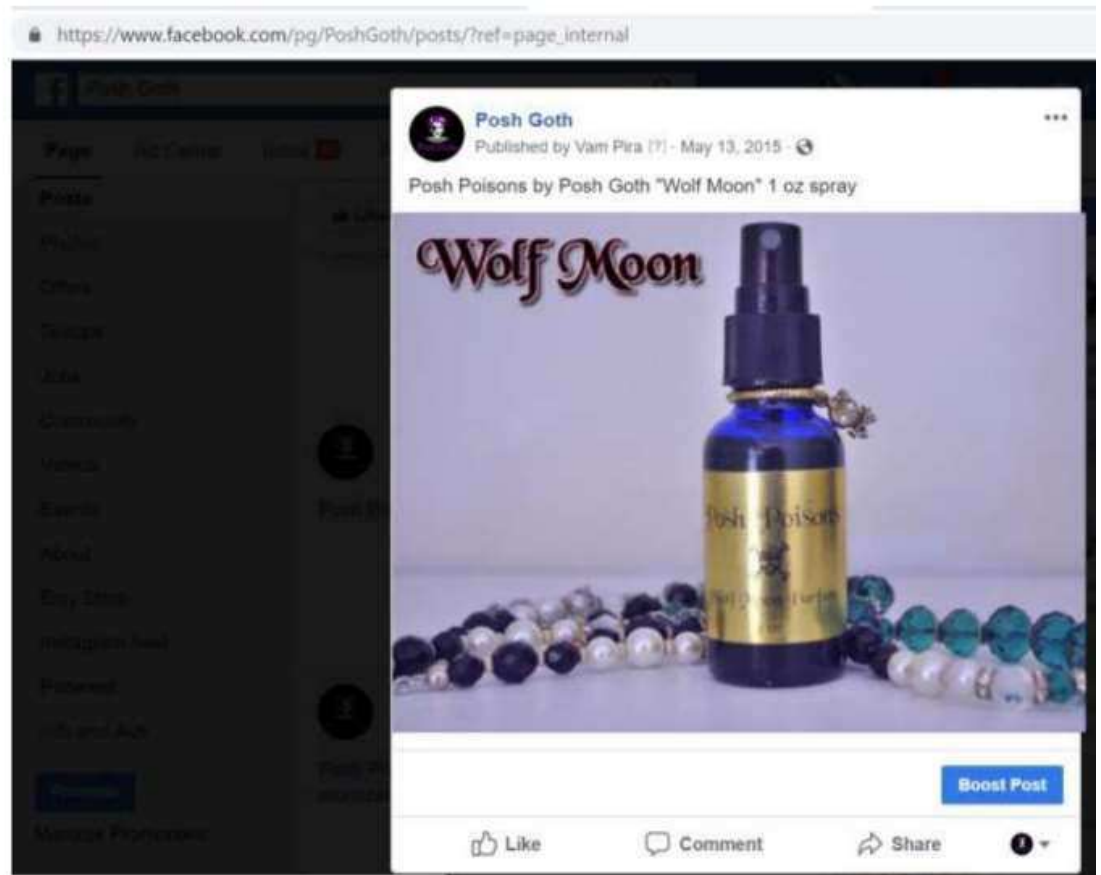
NEGATIVE FEEDBACK

0 Hide Post	0 Hide All Posts
0 Report as Spam	0 Unlike Page

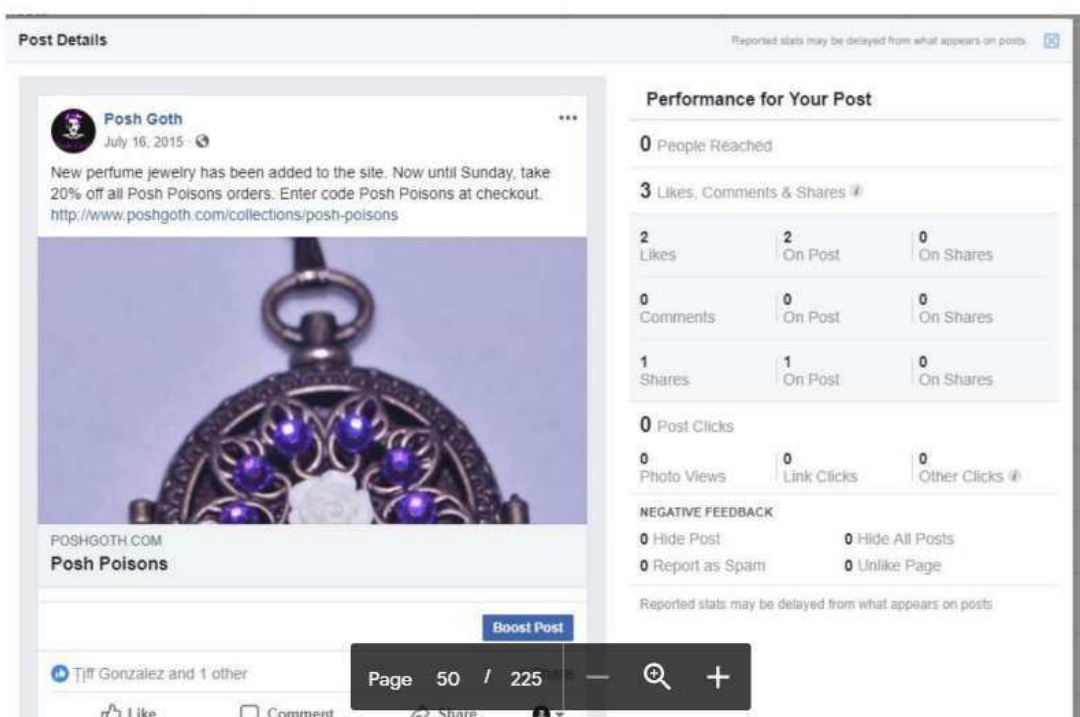
Reported stats may be delayed from what appears on posts



A46



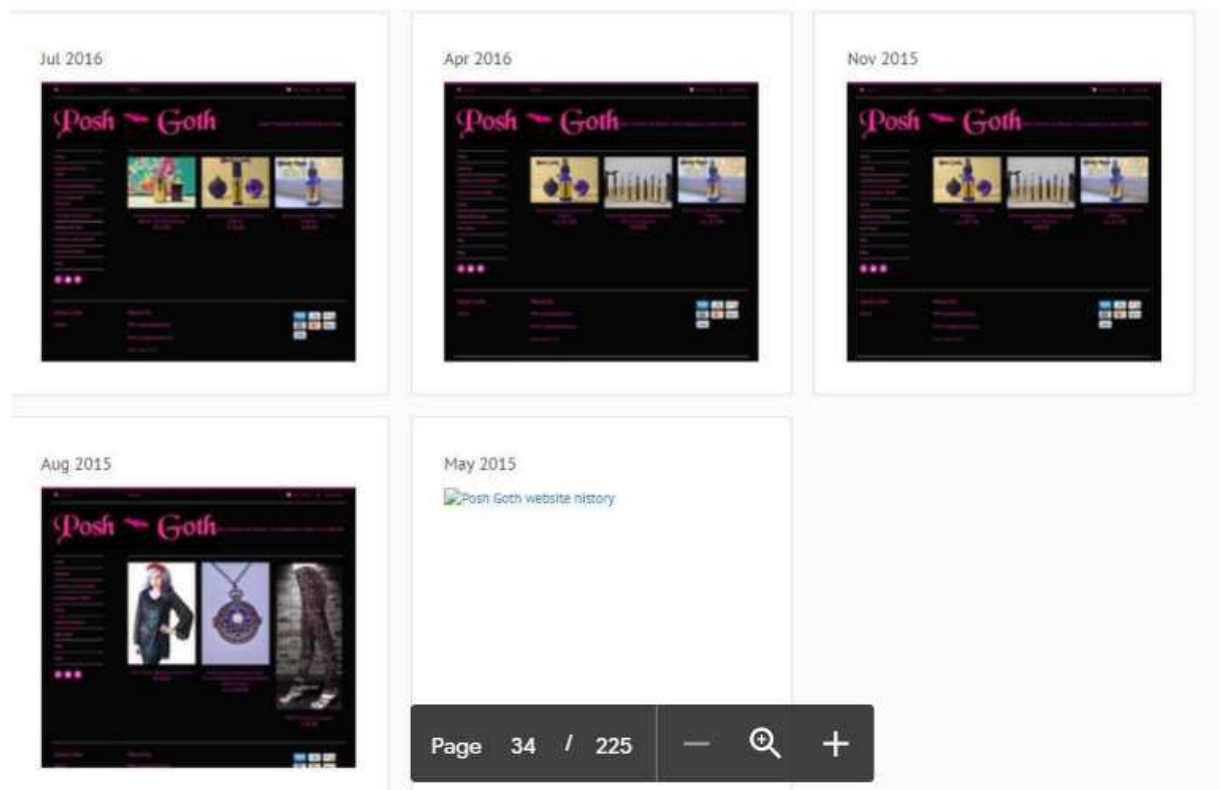
A50

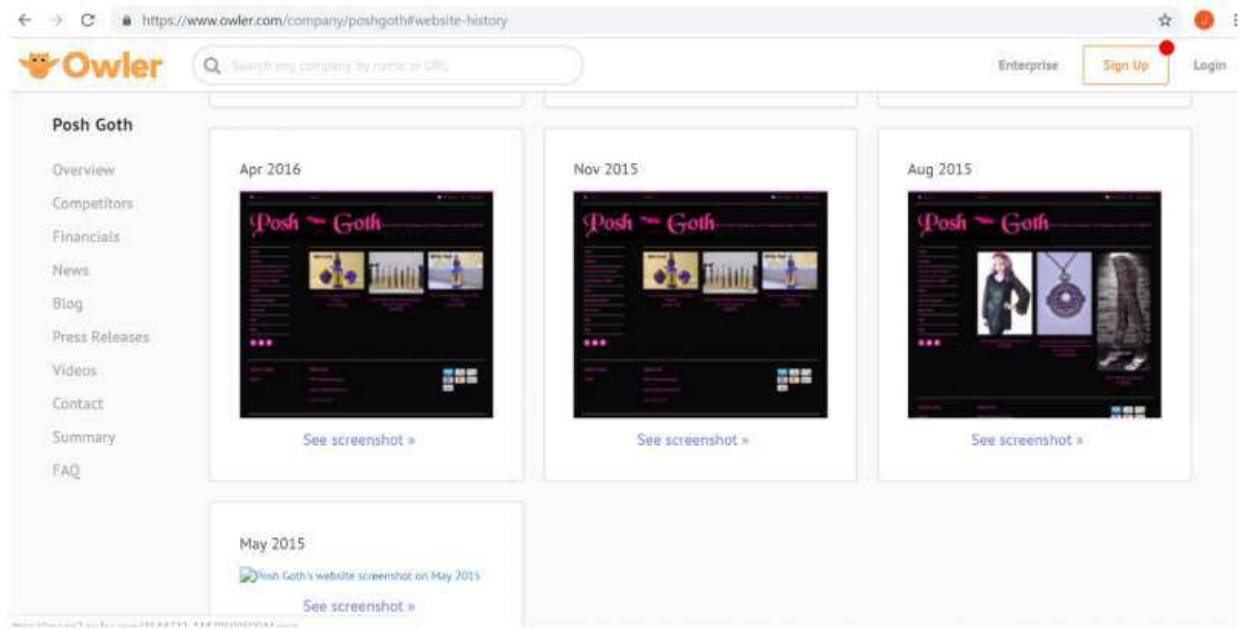


7. I have been using POSH GOTH in commerce as a trademark on my products and/or on my website since commencing use in January 2015. Please see true and accurate screenshots of the POSH GOTH website from May 2015 through December 2015, labeled as A34 through A36, and A59. These screenshots were taken from www.owler.com and www.screenshots.com, collected on or around July of 2018

which show the POSH GOTH marked displayed prominently on my storefront, with each screenshot also displaying accepted payments and shopping cart functionality:

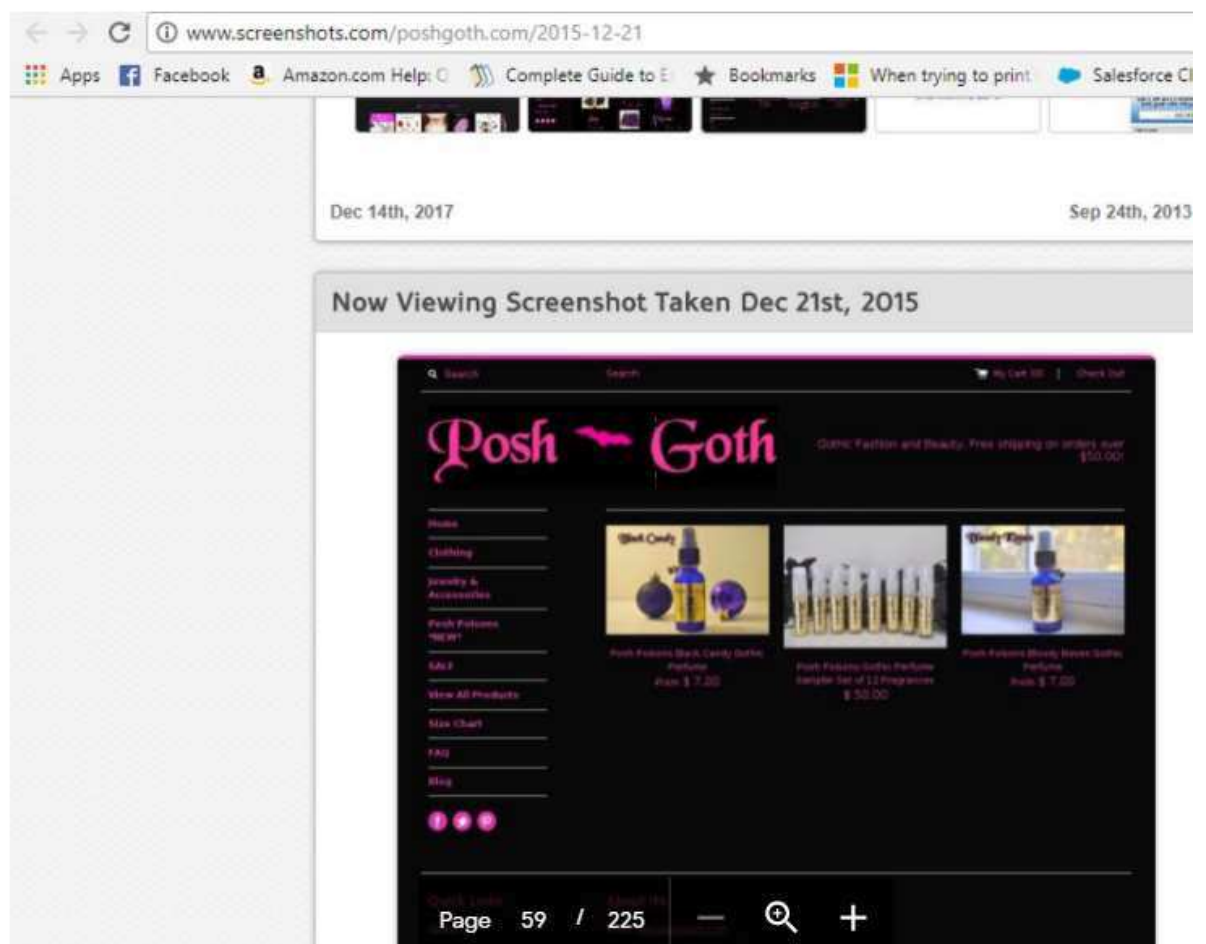
A34





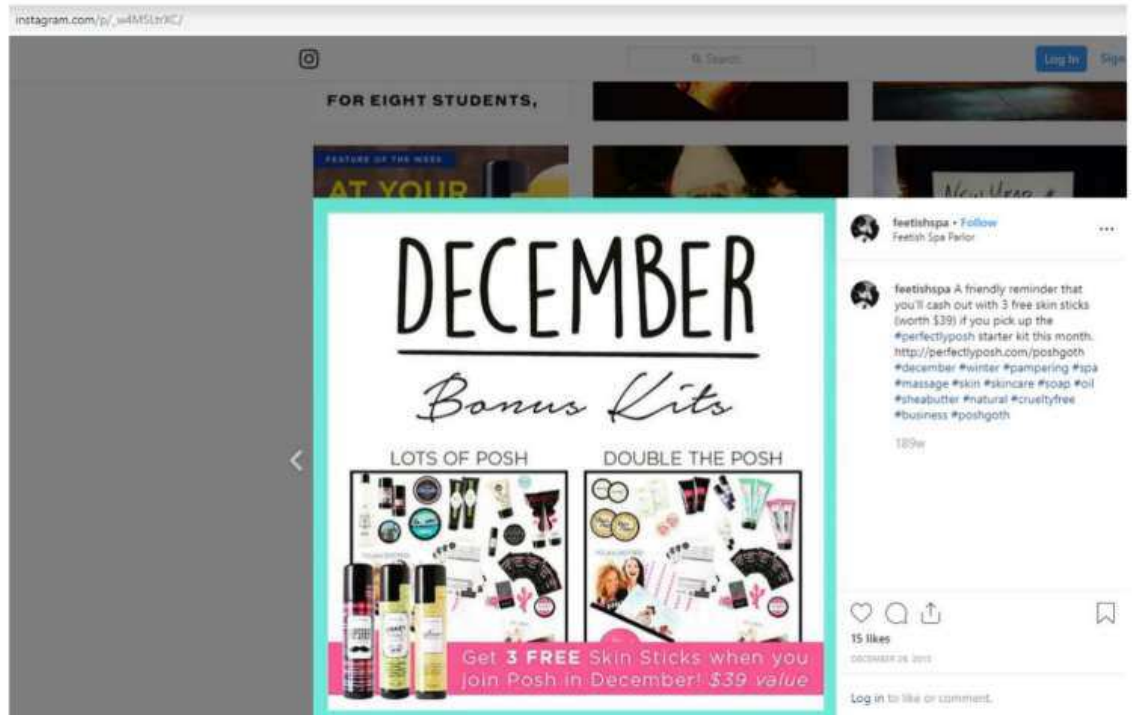


A59

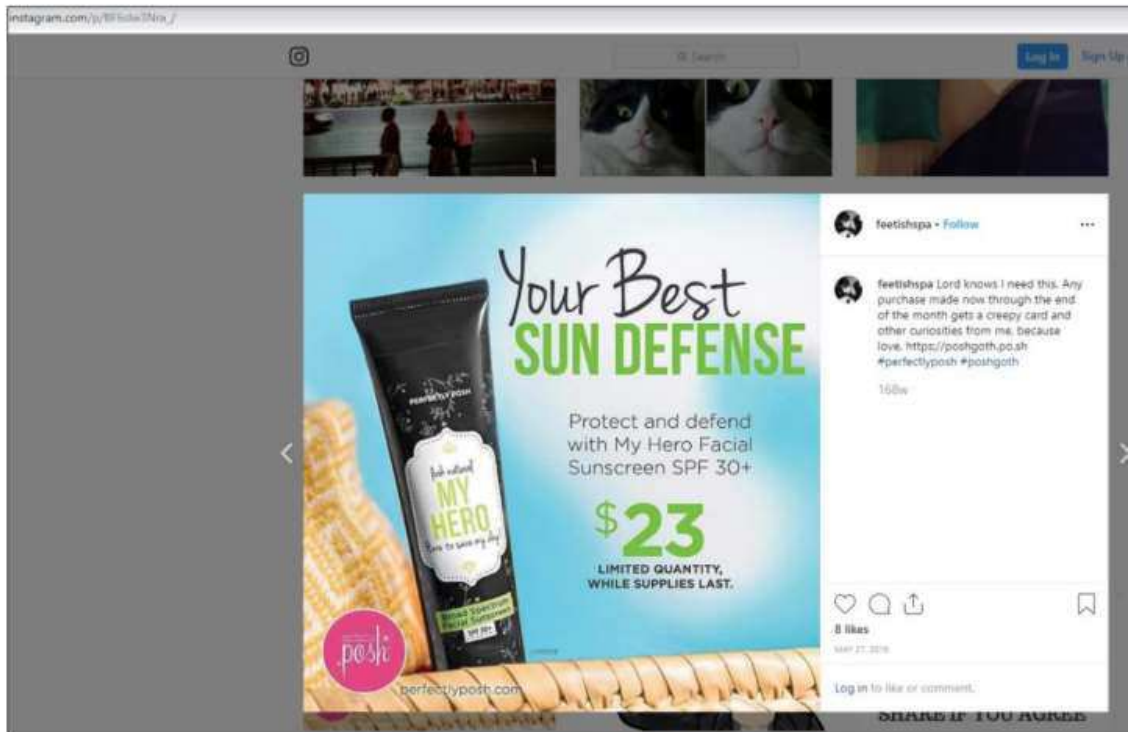


8. On September 11, 2017, four days after I purchased trademark services from LegalZoom, I was familiarizing myself with Instagram because I had become disenchanted with Facebook's algorithm and decided I needed to shift my marketing focus to advertising on Instagram. On this day, I completed a search of the hashtag #POSHGOTH and discovered Andrea Lipomi, under the guise of the Instagram handle "@feetishspa", had been using the #POSHGOTH hashtag in connection with Perfectly Posh products, and was also using the #POSHGOTH hashtag to promote Perfectly Posh as a multi-level marketing business opportunity. This was the first time I learned about Perfectly Posh.
9. On or about September 11, 2017, I conducted a review of Andrea Lipomi's entire social media history, and have continued to monitor it since. The earliest use by Andrea Lipomi of the #POSHGOTH hashtag I was able to find is from a post on December 26, 2015. She does not appear use the #POSHGOTH hashtag again until May 27, 2016. See true and accurate screenshot labeled as A901 and provided below depicting a public Instagram post by Andrea Lipomi showing what I believe to be her first use of the #POSHGOTH hashtag, occurring on December 26, 2015, and what I believe to be second use of the hashtag, labeled as A902 and provided below, occurring May 27, 2016:

A901

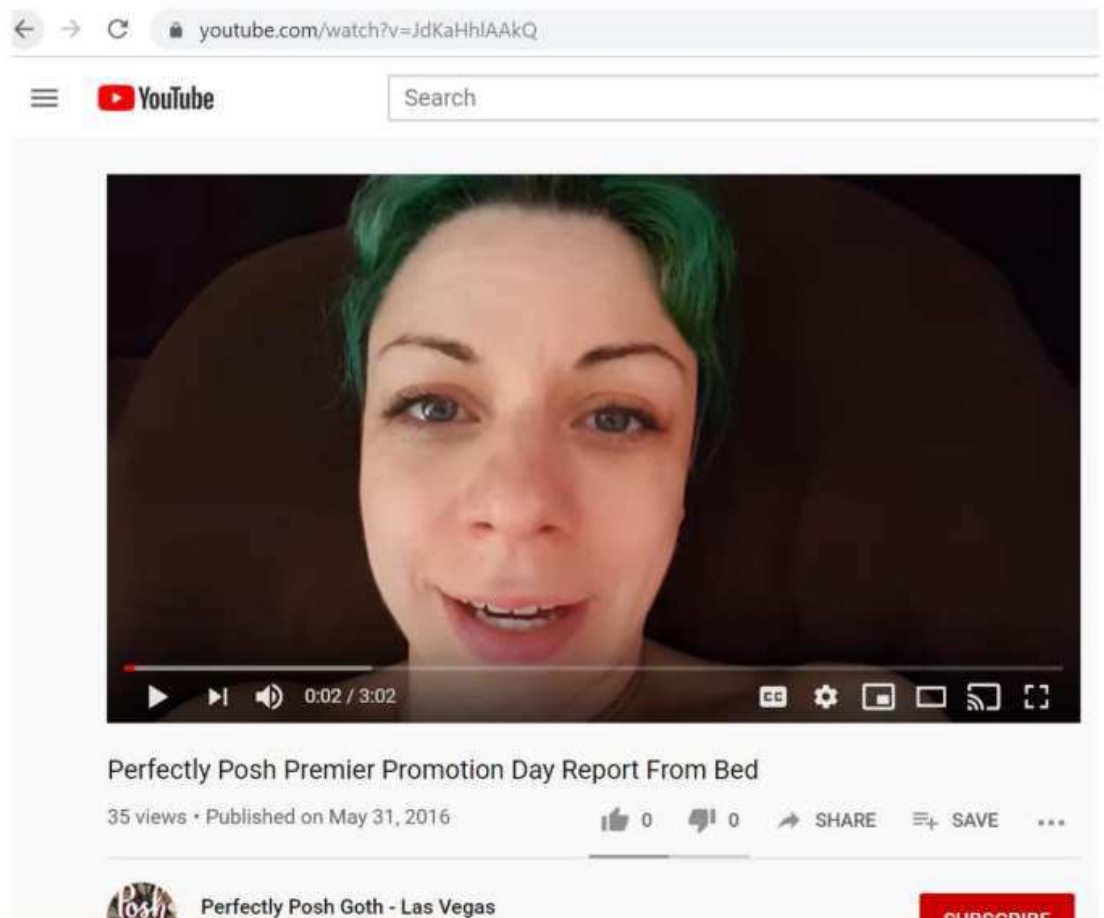


A902



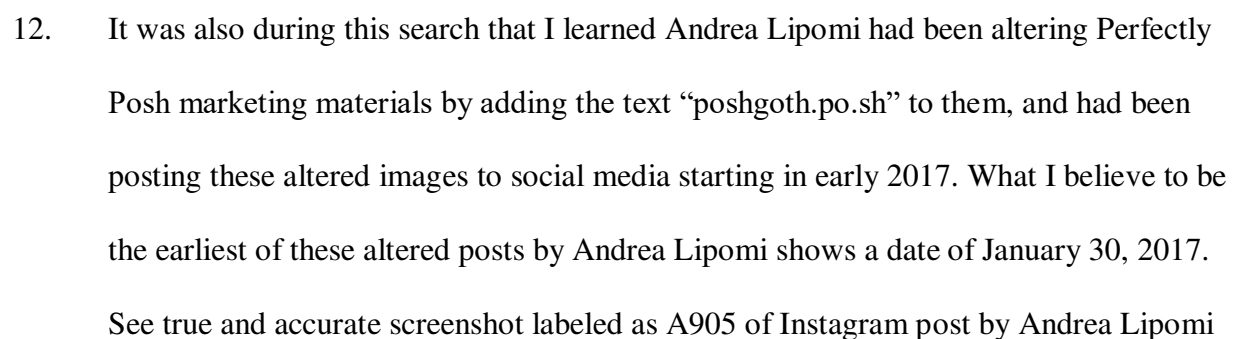
10. On or about September 11, 2017, I conducted a review of Andrea Lipomi's "Perfectly Posh Goth" YouTube Channel (<https://www.youtube.com/channel/UCmmROOx97WZa5Au3MS9HOCw>) and saw that her first video was posted on May 31, 2016. Please see true and accurate screenshot labeled as A903, showing what appears to be the first video posted to YouTube account by Opposer:

A903



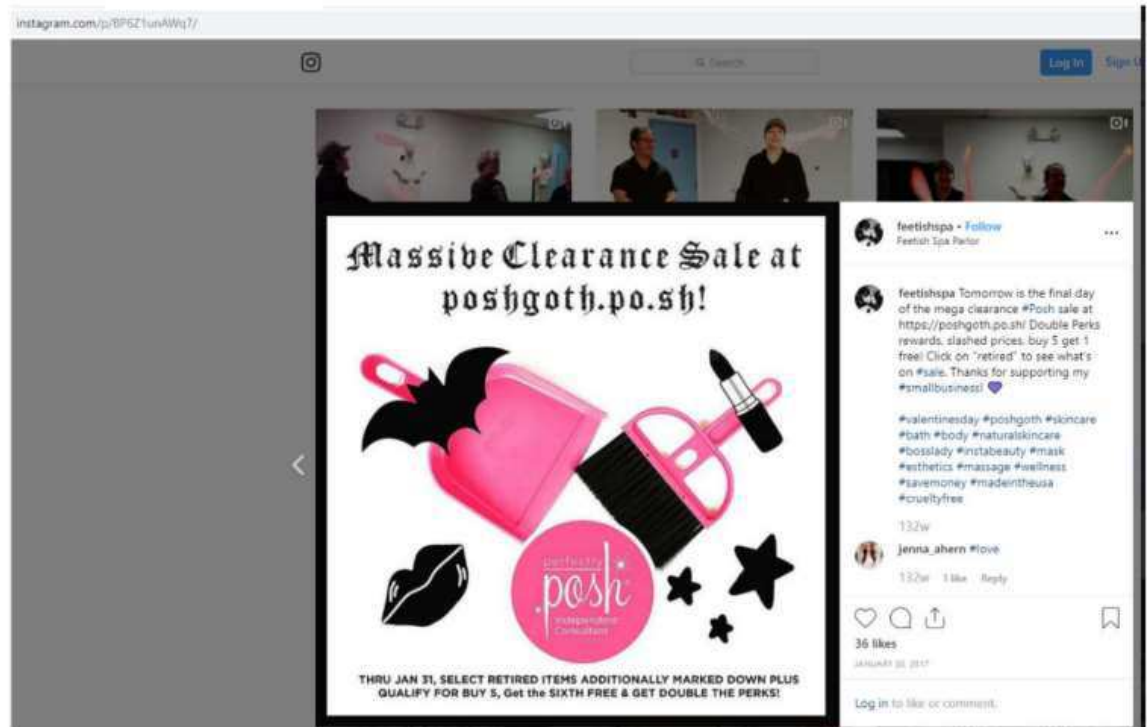
11. Also on or about September 11, 2017, after reviewing Andrea Lipomi's social media history, I determined that she did not start promoting the domain poshgoth.po.sh until March 1, 2016. Please see true and accurate screenshots labeled as A904 of what I believe to be the earliest available public post by Andrea Lipomi promoting the poshgoth.po.sh domain. This is approximately six months after Opposer's claimed

8904



on this date:

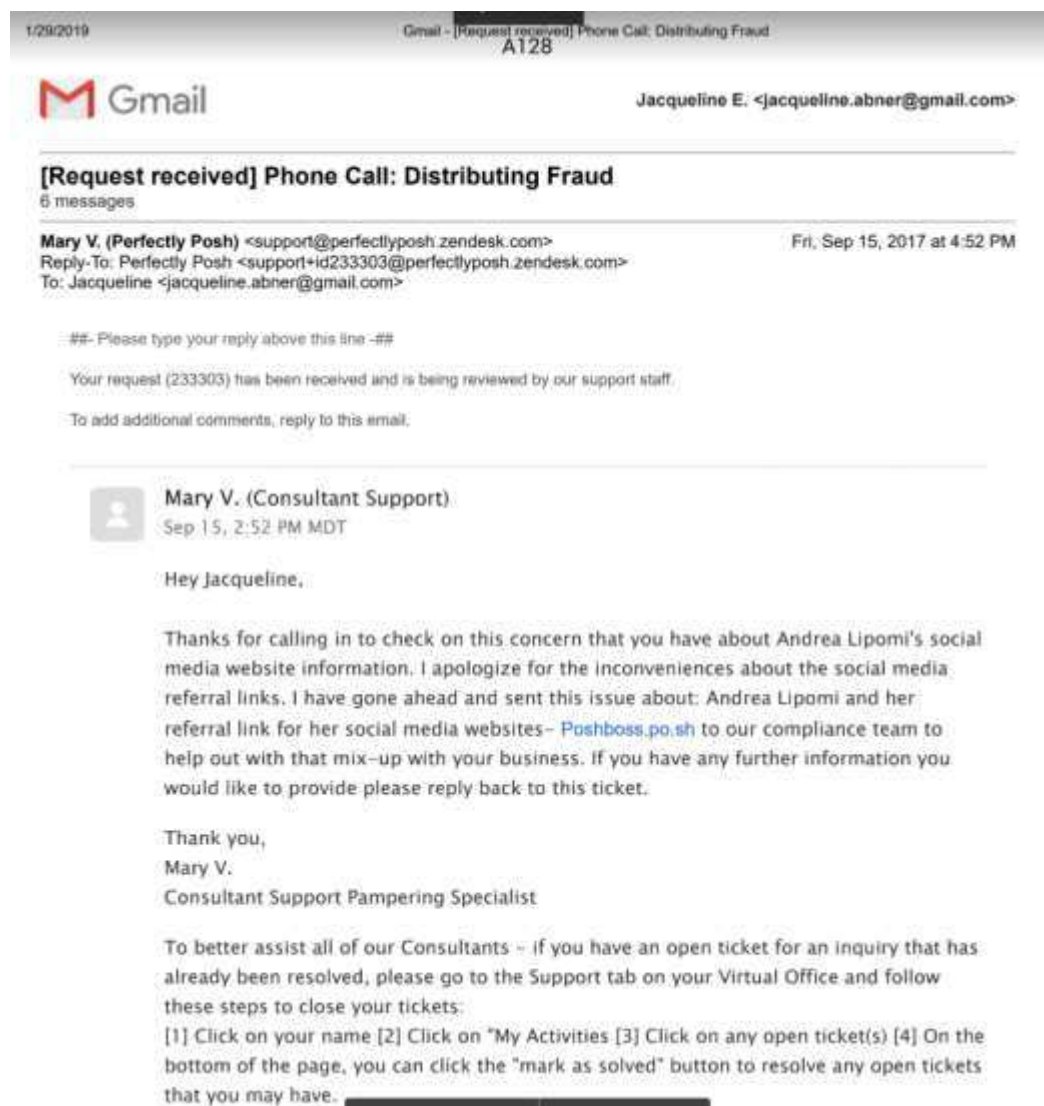
A905



13. On September 13, 2017, I contacted Ms. Lipomi via Facebook messenger and asked her to stop branding Perfectly Posh images with POSH GOTH, and to stop using the hashtag #POSHGOTH. In response, Andrea Lipomi immediately blocked me from communicating with her on Facebook.
14. On September 15, 2017, I contacted Perfectly Posh headquarters to amicably address my concerns about one of their representatives using my mark. I spoke with “Mary V.” who advised me that she created a “ticket” to log my call, and she communicated that she would triage it to the appropriate personnel. On September 21, 2017, a few days after this ticket was logged, I received an email response from “Nigel D.” I have since

discovered that Ann Dalton (Perfectly Posh's CEO) has (or had) a school-aged son by the name of Nigel.

15. In this email, "Nigel D." asked me to send screenshots of how my trademark was being infringed upon. I sent three screenshots of Andrea Lipomi's posts to "Nigel D." on September 22, 2017. None of these email communications constitute harassment, but merely attempts to defend my trademark. See true and correct communications submitted identified as A128 through A137:



1/29/2019

Gmail - [Request received] Phone Call: Distributing Fraud
A129

Hi Mary,

Thanks, my business is Posh Goth, poshgoth.com, not Posh boss. Andrea Lipomi is branding perfectly posh products with my business name, of which I own trademark rights.

Thanks,
Jackie

On Sep 15, 2017, at 4:52 PM, Mary V. (Perfectly Posh) <support@perfectlyposh.zendesk.com> wrote:

##- Please type your reply above this line -##

Your request (233303) has been received and is being reviewed by our support staff.

To add additional comments, reply to this email.



Mary V. (Consultant Support)

Sep 15, 2:52 PM MDT

Hey Jacqueline,

Thanks for calling in to check on this concern that you have about Andrea Lipomi's social media website information. I apologize for the inconveniences about the social media referral links. I have gone ahead and sent this issue about: Andrea Lipomi and her referral link for her social media websites- Poshboss.po.sh to our compliance team to help out with that mix-up with your business. If you have any further information you would like to provide please reply back to this ticket.

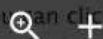
Thank you,
Mary V.

Consultant Support Pampering Specialist

To better assist all of our Consultants – if you have an open ticket for an inquiry that has already been resolved, please go to the Support tab on your Virtual Office and follow these steps to close your tickets:

[1] Click on your name [2] Click on "My Activities" [3] Click on any open ticket(s) [4] On the bottom of the page, you can click the "mark as solved" button to resolve any open tickets that you may have.

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1/29/2019

Gmail - [Request received] Phone Call: Distributing Fraud
A130

##- Please type your reply above this line -##

Your request (233303) has been updated. To add additional comments, reply to this email.



Nigel D. (Consultant Support)

Sep 21, 12:31 PM MDT

Jacqueline,

Can you please send us a screen shot or example of how your trademark is being infringed upon? We will need to see prof before we can move forward with this. You can attach a screenshot by using the paperclip at the bottom of the text bar.

Nigel

1/29/2019

Gmail -

Open with
A131

Phone Call: Distributing Fraud

Consultant Support Pampering Specialist

To better assist all of our Consultants - if you have an open ticket for an inquiry that has already been resolved, please go to the Support tab on your Virtual Office and follow these steps to close your tickets:

[1] Click on your name [2] Click on "My Activities [3] Click on any open ticket(s) [4] On the bottom of the page, you can click the "mark as solved" button to resolve any open tickets that you may have.

This email is a service from Consultant Support. Delivered by Zendesk

[RK9PGP-V45X]

Jackie P <jacqueline.abner@gmail.com>

Fri, Sep 22, 2017 at 10:42 AM

To: Perfectly Posh <support+id233303@perfectlyposh.zendesk.com>

Hi Nigel,

Please find the attached screen shots which are actively published right now on various social media platforms.

Kind regards,
Jackie

On Thu, Sep 21, 2017 at 2:31 PM, Nigel D. (Perfectly Posh) <support@perfectlyposh.zendesk.com> wrote:

##- Please type your reply above this line -##

Your request (233303) has been updated. To add additional comments, reply to this email.

16. On the same day that I sent the screenshots to “Nigel D.”, September 22, 2017, the domain poshgoth.org was registered with GoDaddy. On September 13, 2017 – the day I contacted Andrea Lipomi – I decided that I needed to purchase the top-level domains containing “Posh Goth” in order to protect my brand. On this day, I purchased the domain poshgoth.net. Approximately one week later, I went to purchase poshgoth.org and discovered that it was “parked” on Go Daddy. I went to the website <http://whois.domaintools.com/poshgoth.org> to look up registrant details, and saw that it was registered on September 22, 2017. The owner’s details were private. I purchased the “poshgoth.org” domain from the owner via an anonymous transaction brokered by GoDaddy on December 12, 2018, and on December 18, 2018 the domain was moved into my account. See true and accurate screenshot of WHOIS data details labeled as A220, which shows the date when poshgoth.org was first registered, and please refer to document A202 below.

Jacqueline Abner-Pongratz, thank you for your order.

1 message

GoDaddy <donotreply@godaddy.com>
To: jacqueline.abner@gmail.com

Sun, Dec 2, 2018 at 4:55 PM

24/7 Support: +1 (480) 505-8877
Jacqueline Abner-Pongratz — Customer Number: 203461906
[Set my Support PIN](#)



Thanks for your order, Jacqueline.

Here's your confirmation for order number 1404478740. Review your receipt and get started using your products.

[Access All Products](#)

Order Number: 1404478740

Product	Quantity	Term	Price
Domain Buy Service poshgoth.org	1 Application		\$69.99

[My Account](#)

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— 🔍 +

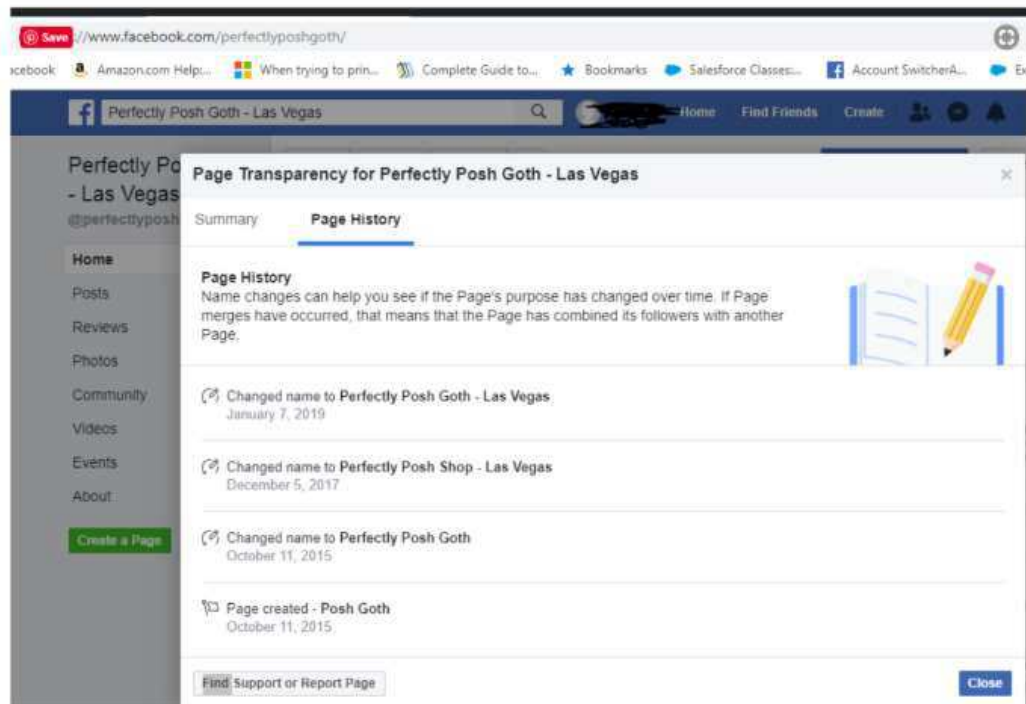
17. On September 15, 2019, I reviewed Andrea Lipomi’s “Perfectly Posh Goth” Facebook page. As of this date, her Facebook page shows a small audience of only 43 followers, as seen in this true and accurate screenshot:



18. According to publicly available information, the Facebook page for Perfectly Posh Goth (facebook.com/perfectyposhgoth) was created on October 11, 2015, and the page name has changed three times since that date. Andrea Lipomi initially named the Facebook page “POSH GOTH”, but on the same date changed the name to “PERFECTLY POSH GOTH”. Since I was occupying the @poshgoth handle on Facebook on this date, she would have been informed of this handle being occupied after she selected a page name. See true and accurate screenshot taken September 15,

2019 of Andrea Lipomi's Facebook page history I below:

A1778



19. On September 16, 2019, I conducted a Google search for the term “POSH GOTH”. The first page search results show my continued trademark usage. I have been monitoring the Google search results for my trademark POSH GOTH since inception and have continued to do so since the filing of this matter. My marks have consistently shown up on first page search results since I started using the mark in commerce. I do not recall ever seeing Opposer’s use of my mark show up in Google search results during the time leading up to the filing of this matter on May 30, 2018. Please see true and correct screenshots of Google search results for the term “POSH GOTH” taken on September 16, 2019, documents 1779 through 1781:

google.com/search?q=posh+goth&rlz=1C1CHBD_enUS844US844&oq=posh+goth&aqs=chrome..69j57j0l2j69i61j69i60j2.3353j0j7&sourceid=chrome&ie


le posh goth

All Images Shopping Videos Maps More Settings Tools

About 17,500,000 results (0.43 seconds)

Posh Goth
<https://www.poshgoth.com> ▼
 Gothic makeup and body. ... Disclaimers, Privacy Policy, and Disclosures. © 2019 Posh Goth.
 american express; diners club; discover; jcb; master; paypal ...

Images for posh goth



google.com/search?q=posh+goth&rlz=1C1CHBD_enUS844US844&oq=posh+goth&aqs=chrome..69j57j0l2j69i61j69i60j2.3353j0j7&sourceid=

gle posh goth

ABOUT – Posh Goth
<https://www.poshgoth.com> › pages › about-us ▼
 Wicked cosmetics and body treats handmade with love from the bones of baby dolls.

Posh goth | Etsy
<https://www.etsy.com> › market › posh_goth ▼
 Check out our **posh goth** selection for the very best in unique or custom, handmade pieces from our bath & beauty shops.

Posh Goth (@Posh_Goth) | Twitter
<https://twitter.com> › posh_goth ▼
 The latest Tweets from Posh Goth (@Posh_Goth). Official Posh Goth™. Wicked body treats handmade with love from the bones of babydolls. Acton, MA.

Posh Goth - 1,037 Photos - Beauty, Cosmetic & Personal Care -
<https://www.facebook.com> › ... › Beauty, Cosmetic & Personal Care ▼



Posh Goth - 1,037 Photos - Beauty, Cosmetic & Personal Care -

<https://www.facebook.com> > ... > **Beauty, Cosmetic & Personal Care** ▼

Posh Goth, Acton, Massachusetts, 23K likes. OFFICIAL **Posh Goth**™ Wicked cosmetics and treats handmade with love from the bones of baby dolls.

Posh Goth - 1,105 Photos - Beauty, Cosmetic & Personal Care -

<https://www.facebook.com> > ... > **Posh Goth** ▼

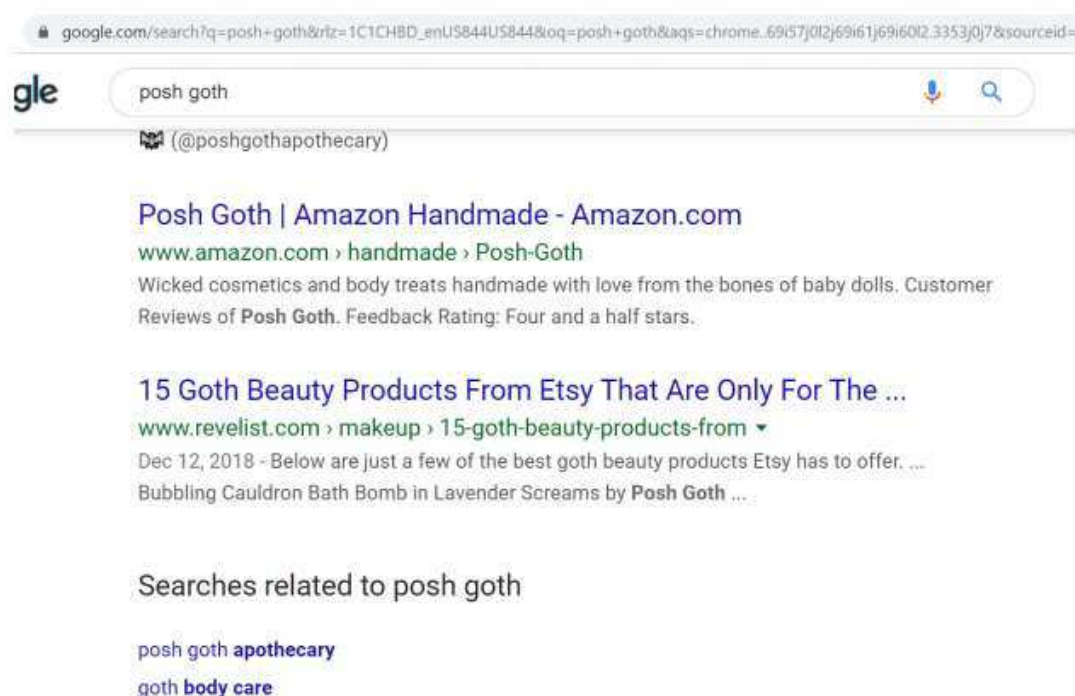
How cool are these magic mermaid pillow covers? I bought them for my daughter's reading but I may have to get my own now. 😊 Many colors and styles are ...

Posh Goth 🦋 (@poshgothapothecary) • Instagram photos and .

<https://www.instagram.com> > **poshgothapothecary**

2016 Followers, 1615 Following, 378 Posts - See Instagram photos and videos from **Posh G 🦋 (@poshgothapothecary)**

Posh Goth | Amazon Handmade - Amazon.com

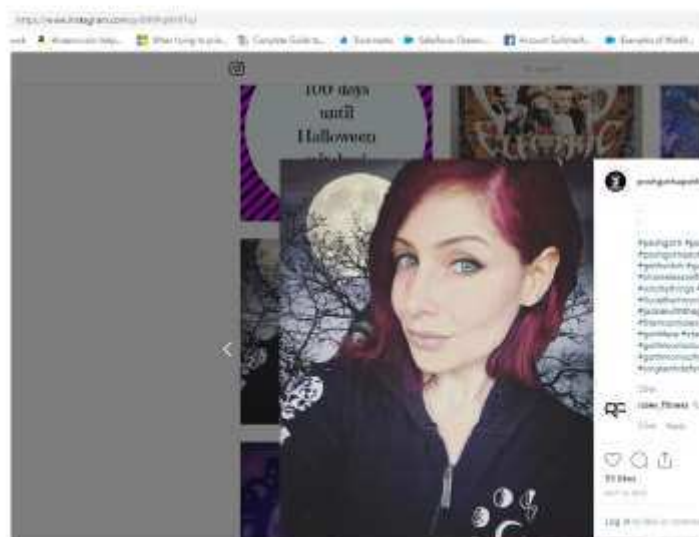


20. Since the Opposer's filing of the Extension of Time to Oppose against the POSH GOTH marks on February 15, 2018, and since the filing of the subsequent Opposition on May 30, 2018, Perfectly Posh consultant Andrea Lipomi and Perfectly Posh CEO Ann Dalton have continued to post harassing images on social media targeted towards myself in what I can only conclude are efforts to intimidate me. In these images, Andrea Lipomi and Ann Dalton mimic the poses from several of my photos that I had previously posted to both my business and personal social media accounts. Ann Dalton also appears to have adopted my short, red hairstyle around the time this matter was filed. In addition, Andrea Lipomi's associates have been commenting on

her social media posts since November 2017 and continuing into 2019 with the hashtag #POSHGOTH solely as a means to harass me. Examples of such use are shown below.

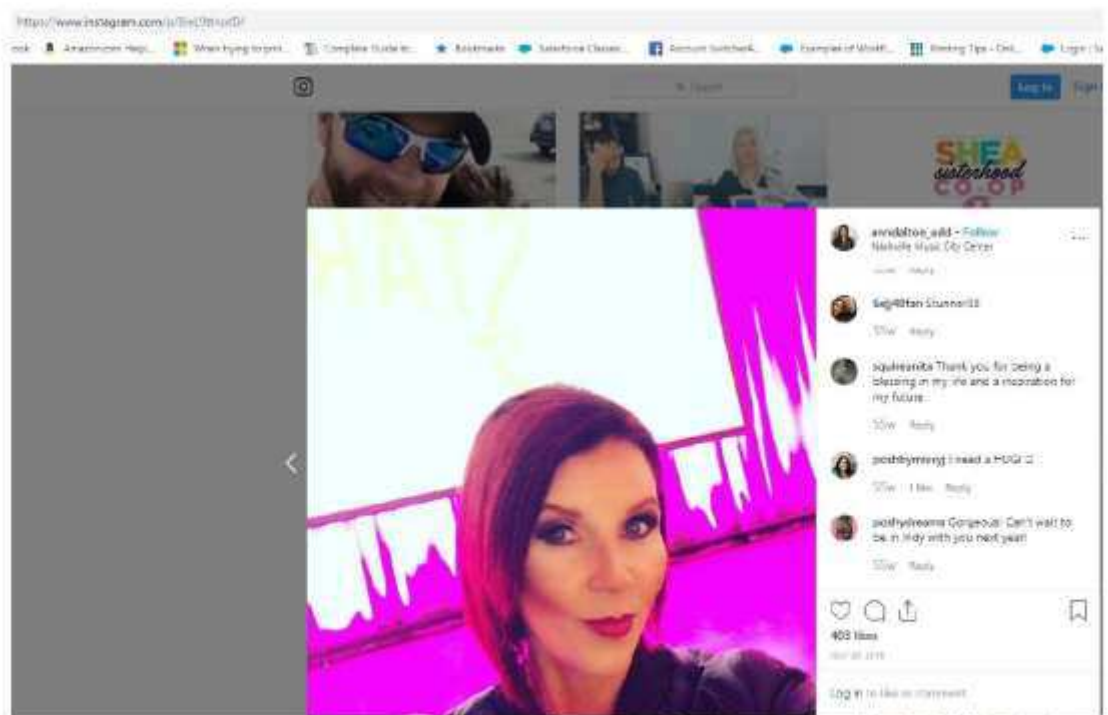
POST BY APPLICANT ON JULY 15, 2018:

A916



**POST BY OPPOSER, PERFECTLY POSH CEO ANN DALTON 5 DAYS
LATER ON JULY 20, 2018:**

A917



POST BY APPLICANT ON DECEMBER 26, 2017:

A920



POST BY OPPOSER, CEO PERFECTLY POSH ANN DALTON ON APRIL 27, 2018, SHOWING NEW HAIRSTYLE:

A921



21. On September 18, 2018, Perfectly Posh CEO Ann Dalton posted an image of a song titled “I’ll Be You” to her Instagram account. This post was several days after my initial disclosures were sent to Opposer’s counsel. I feel she is taunting me, and I believe that she is trying to confuse owners as to the ownership of the POSH GOTH products so that she can take my business. See true and accurate screenshot of this post labeled as A922:

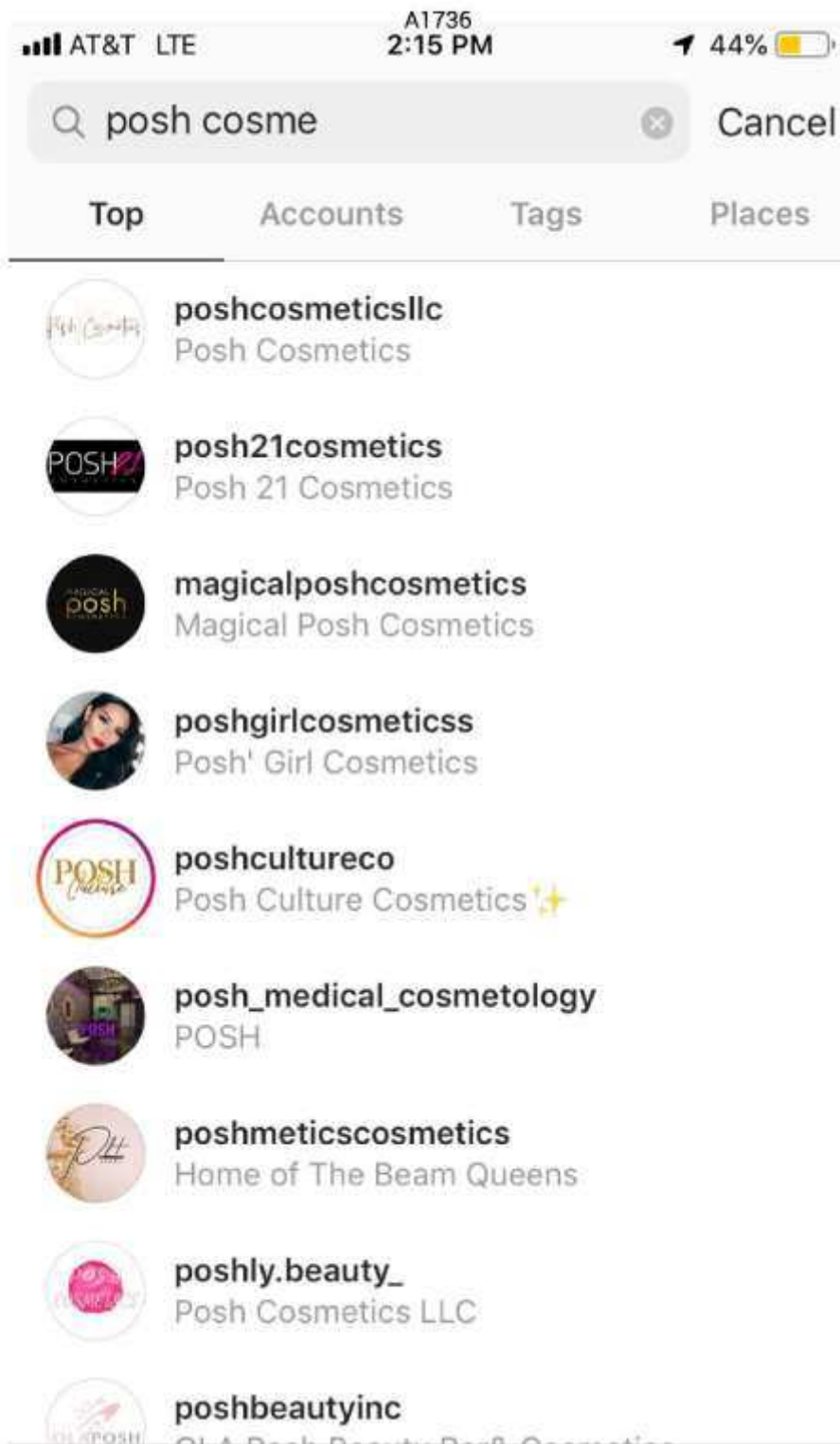
A922



22. It is my opinion that this opposition was maliciously filed against me and continues to be maliciously prosecuted because I attempted to protect and assert my rights in the POSH GOTH marks. I also believe the Opposer has developed some sort of fascination

with myself and my business and is using this opposition to bully me into assigning over the POSH GOTH marks.

23. In my view confusion between the marks is unlikely as the only similarity between the mark POSH GOTH and the PERFECTLY POSH marks is that the marks share the word “POSH.”
24. After receiving the Notice of Opposition in this matter, I completed a search of the internet and found that there are a number of marks in use by others that contain the term “POSH.”
25. On or about August 14, 2019, I completed a search of the Instagram website and located approximately 76 different uses of the term POSH used in connection with, or related to, cosmetics. Please see the documents A1736 through A1745 shown below for true and accurate screenshots of Instagram search results:




A1737

AT&T LTE

2:15 PM

44% 

 posh cosme



Cancel

Top

Accounts

Tags

Places



poshbeautyinc

OLA Posh Beauty Bar& Cosmetics



posh_pouts_cosmetics

Posh Pouts Cosmetics



leleposhcosmetics

LELE POSH COSMETICS



iamposhcosmetics

Premium Posh Cosmetics 



abigailposhcosmetics

Abigail Posh



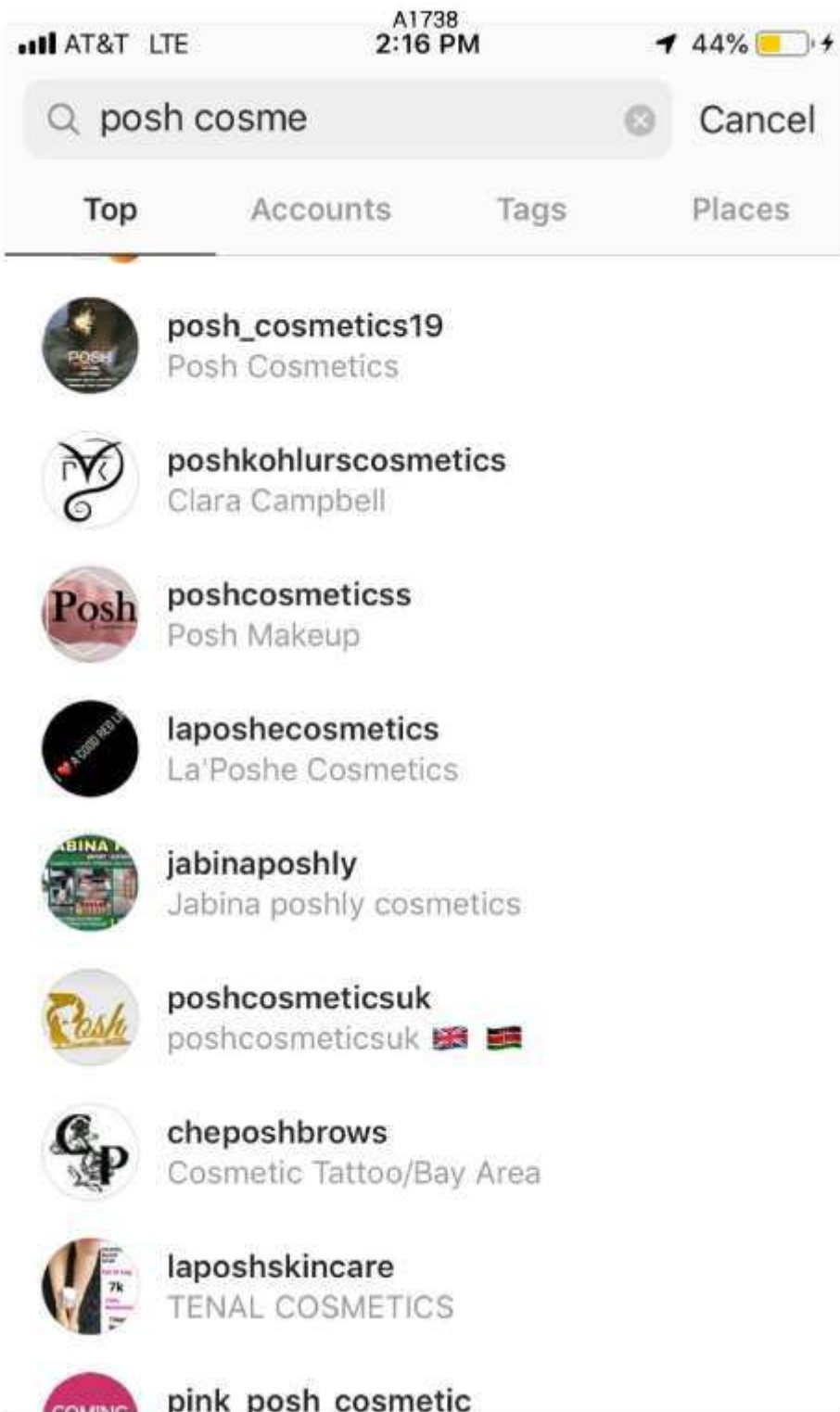
jazzyposhcosmetics

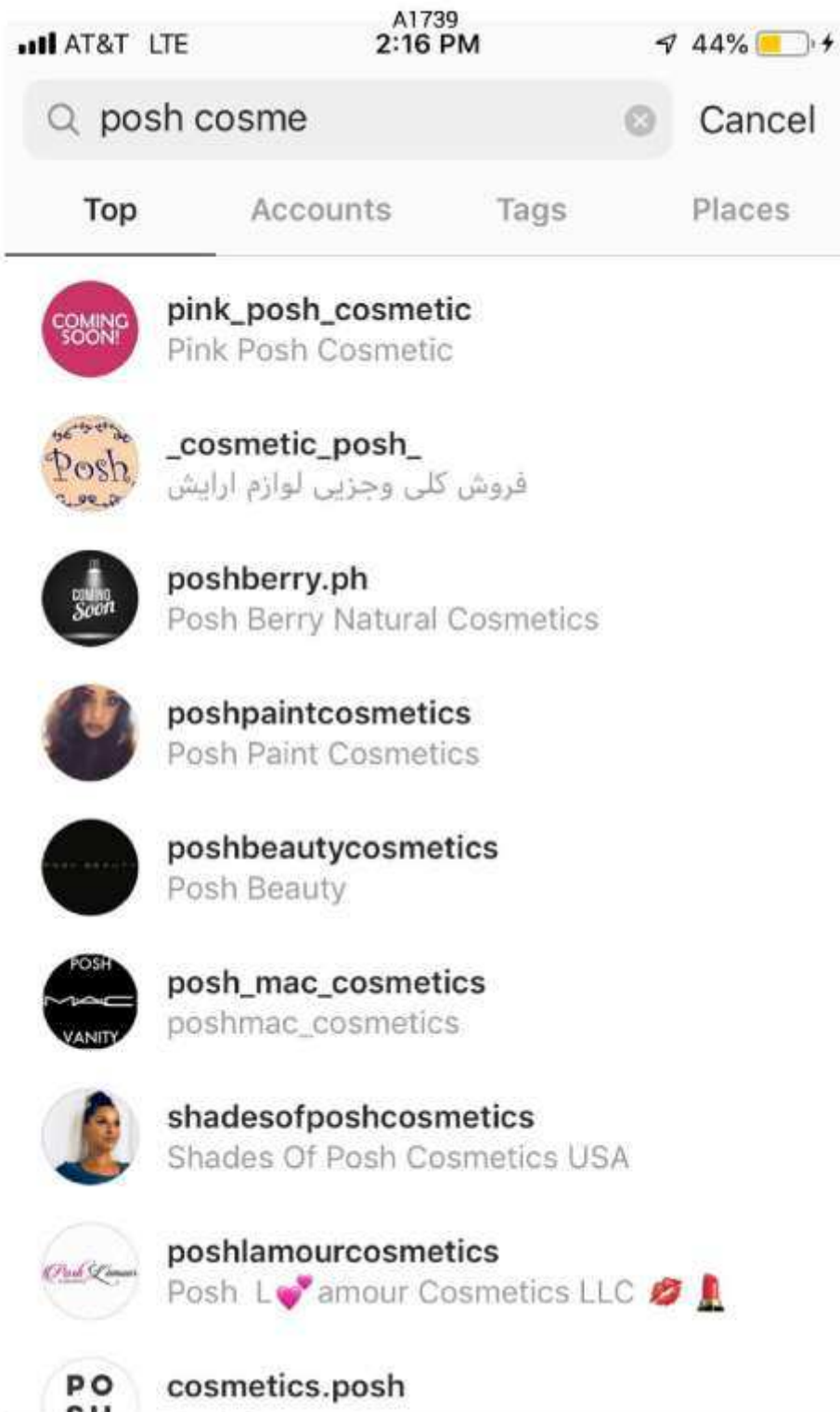
MAKEUP ARTISTRY



poshlifecosmetics

Virgin Hair PLC 





posh cosme Cancel

Top

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Places



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Posh Cosmetics



#poshcosmetic
1000+ posts



posh_cosmetics
Posh Cosmetics



poshcosmeticske
Posh_Cosmetics



poshcouturecosmetics
Posh Couture Cosmetics



posh_csg
Posh Cosmetic Surgery Group



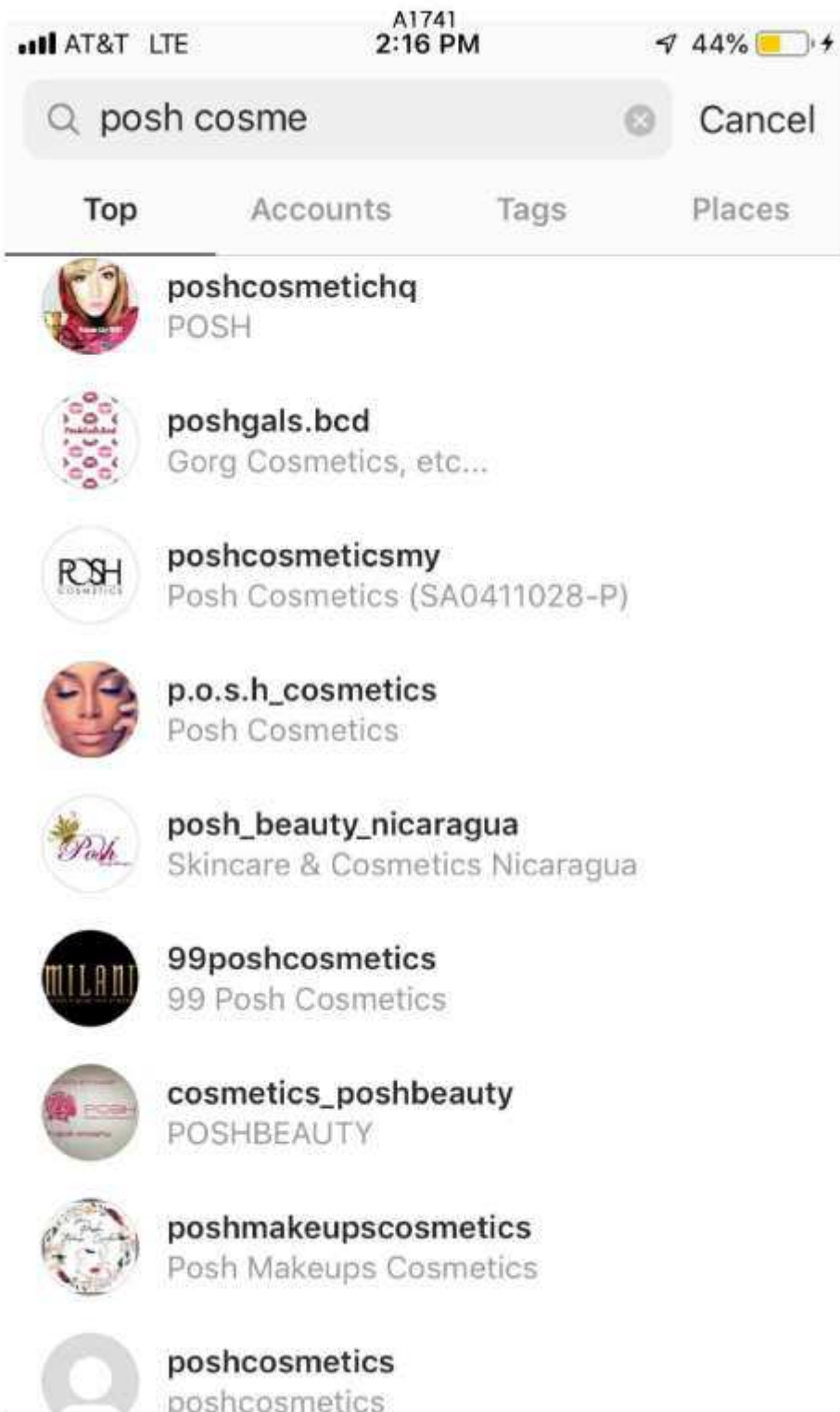
poshdollzcosmetics
Posh Dollz Cosmetics LLC



posh.cosmetics
P.O.S.H. COSMETICS



poshcosmetichq



posh cosme Cancel

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POSHBEAUTY



poshmakeupcosmetics
Posh Makeups Cosmetics



poshcosmetics
poshcosmetics



bobby_valentino2
bobby Valentino



poshcosmetic
ORIGINAL MAKEUP NYX LA GIRL



posh_slz
Posh Perfumaria e Cosméticos ®



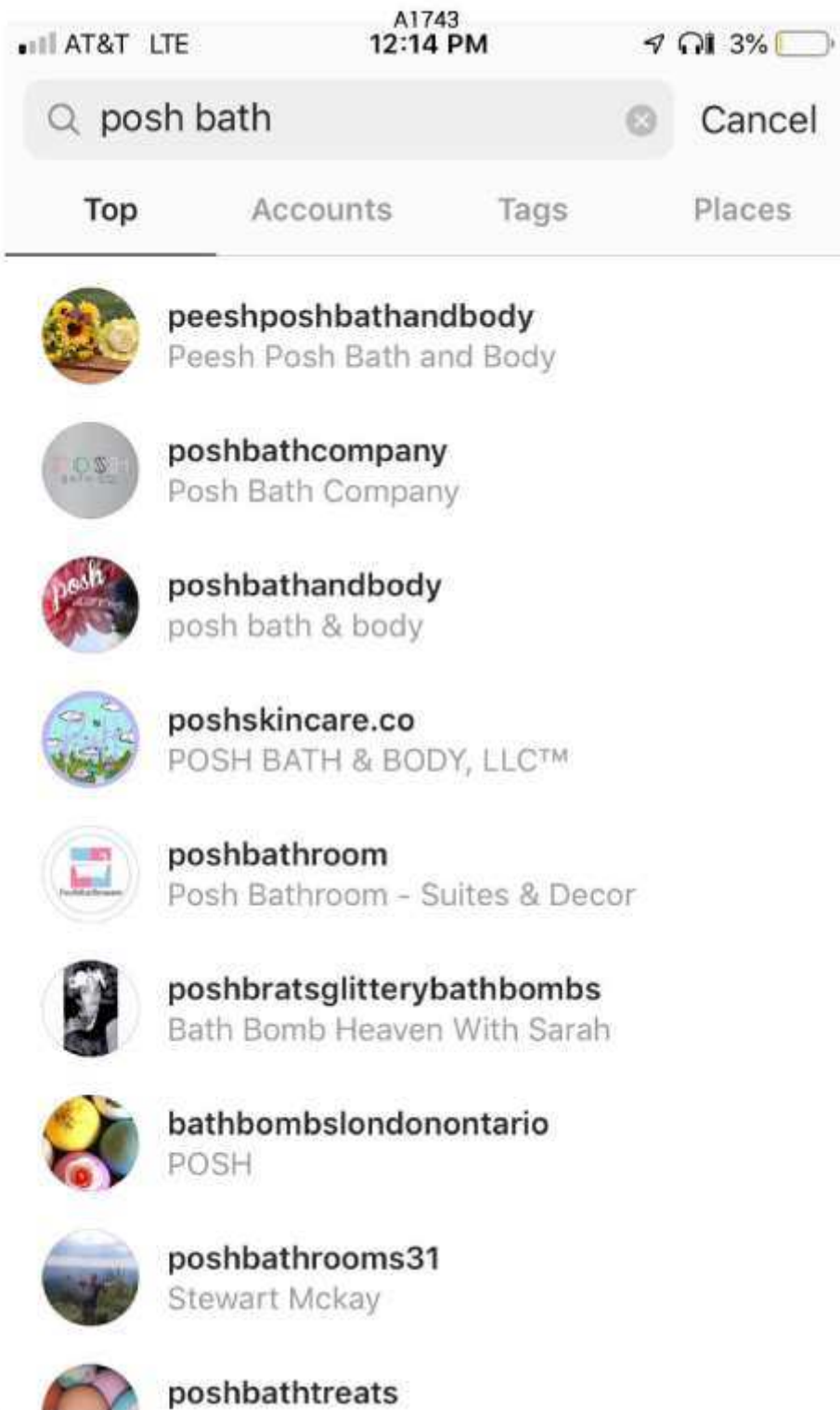
posh_hair_n_cosmetics
Posh hair & Cosmetics



Posh Cosmetics
5 W 32nd St, New York, New York, New York



irene23posh
Nurse Laser Cosmetologist



posh bath Cancel

Top

Accounts

Tags

Places



poshbathtreats
Posh Bath Treats



poshbathsugar
Posh Bath Sugar



be_posh_bath
Be Posh Bath



poshbath
Posh Bath and Beddings



poshbathobakae
posh



soposhbathandbody
So'posh Bath & Body



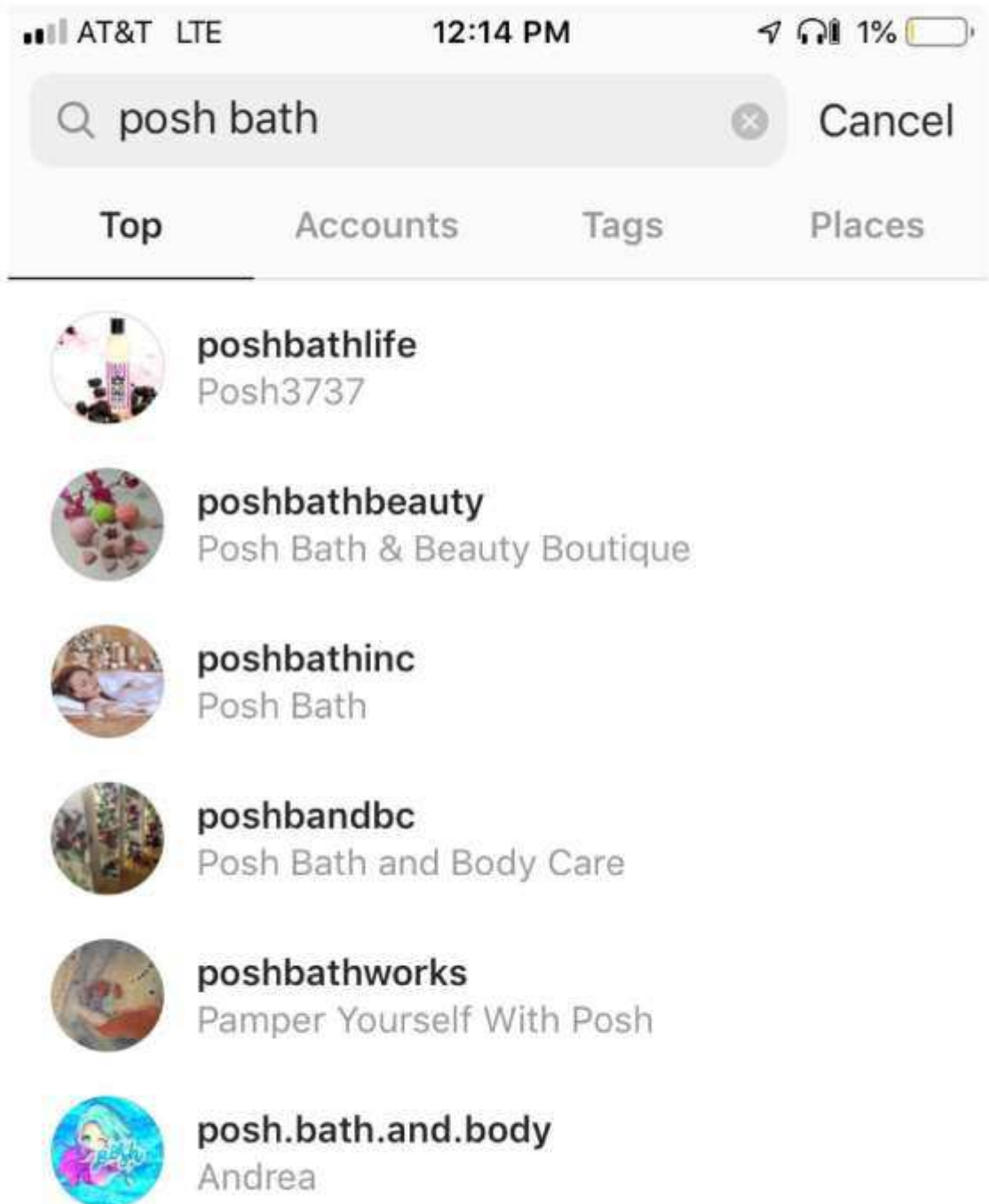
poshbys
POSH Bathbombs



poshbathlife
Posh3737

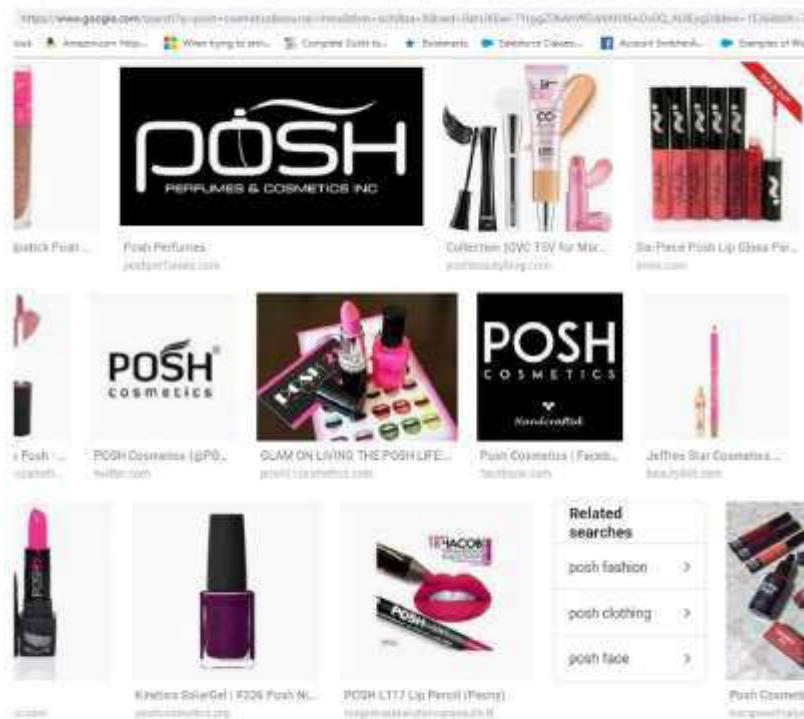


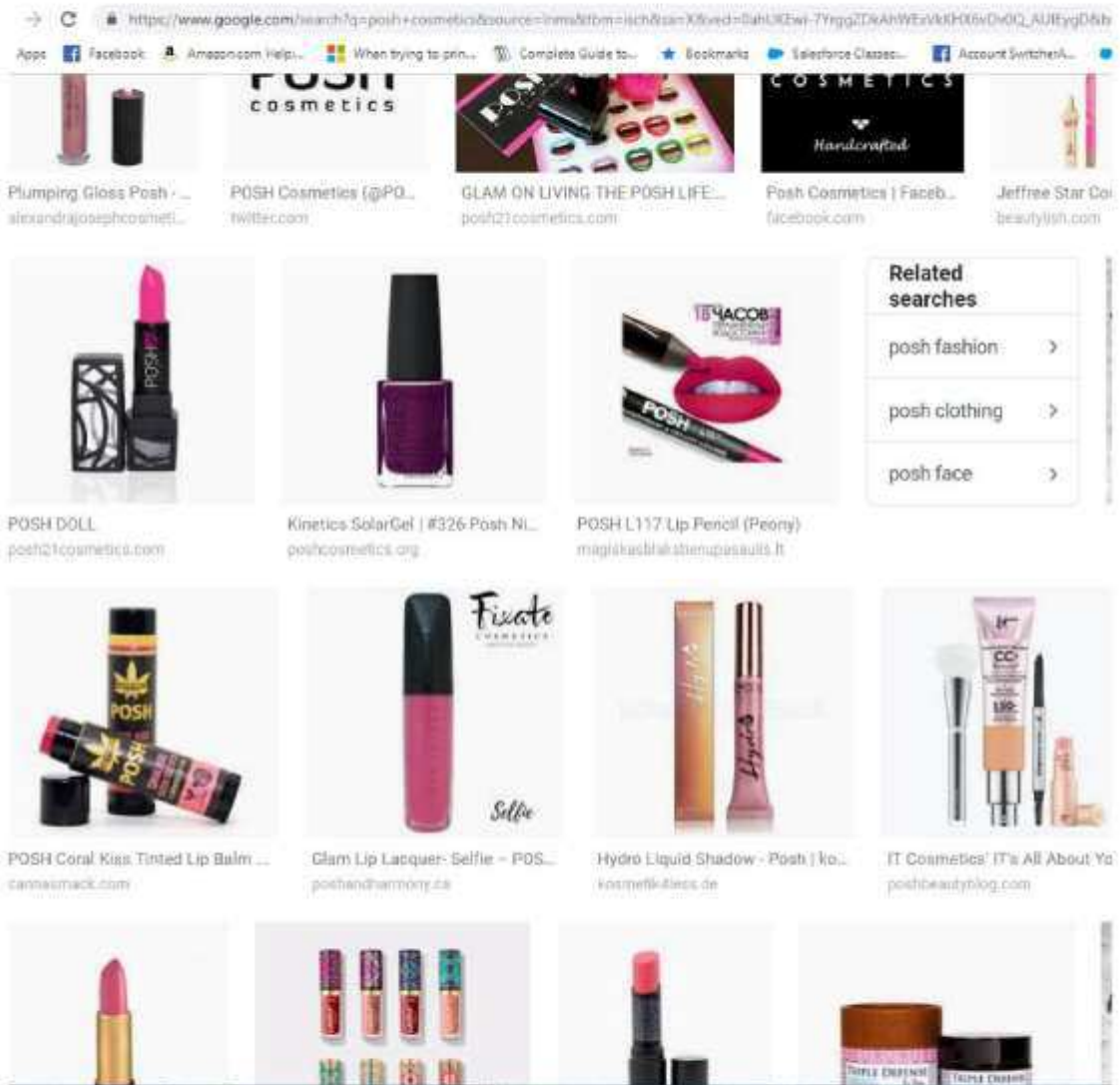
poshbathbeauty



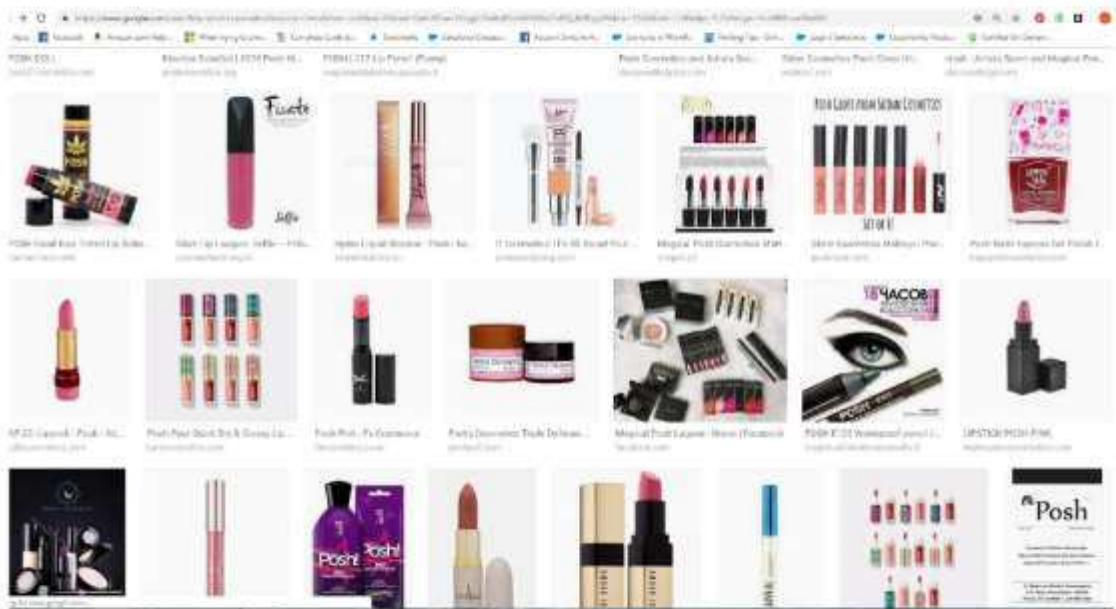
26. On or about August 14, 2019, I completed a Google search of the term POSH and located approximately 25 different users of the term in connection with cosmetic and perfume products, none of which appear to belong to the Opposer. Please see documents A1746 through A1777 shown below for true and accurate screenshots of the Google search results:

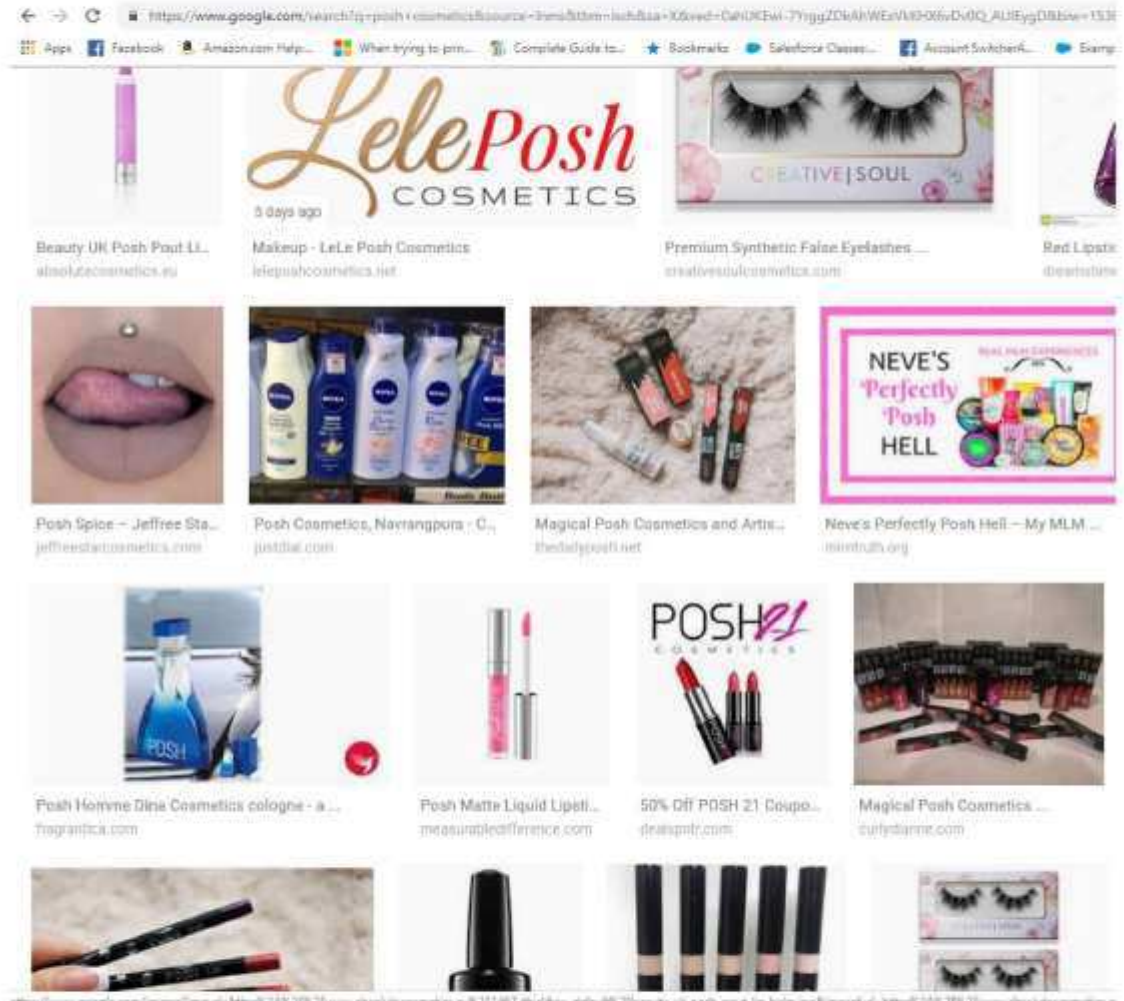
A1746



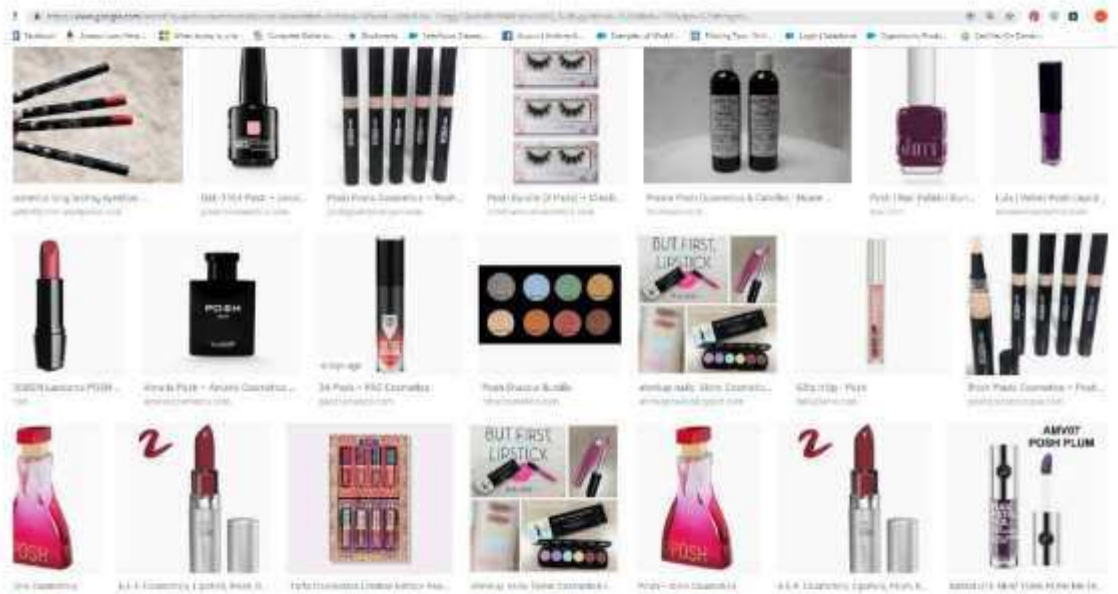


A1748

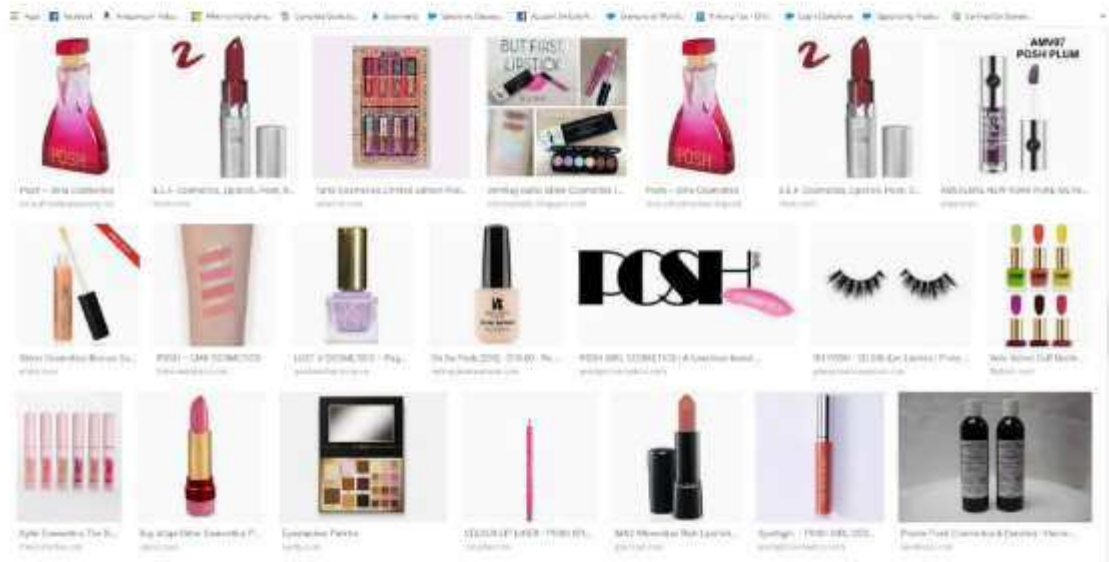




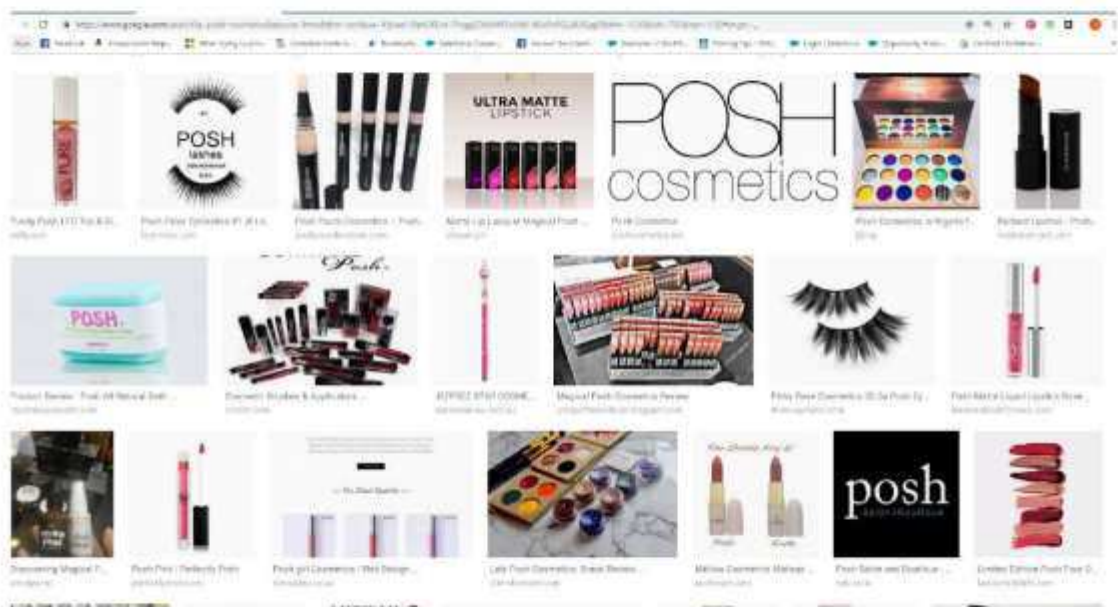
A1750



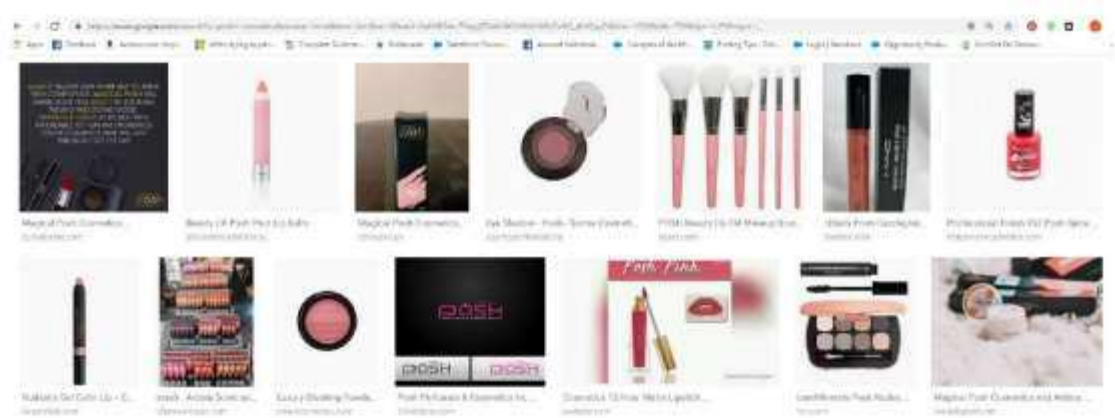
A1751



A1752



A1753



← → ↻ https://www.google.com/search?q=posh+cosmetics&source=lnms&tbm=isch&sa=X&ved=0ahUKEwi-7YrggDDwWhWExVhD-0K6vQv6Q_AUEygD&biw=1024px&bih=768px&itp=1


Apps Facebook Amazon.com Help... When trying to print... Complete Guide to... Bookmarks Salesforce Classes... Account Switcher...

Best MAGICAL POSH COSME... [lprivee.gh](#)


Eyeshadow Palette... [kurlty.com](#)

Jeffree Star Cosmetics "Posh Spi... [lunafaylunafity.com](#)


The Posh Palette – TASH... [tashcosmetics.com](#)




Jual Kesehatan Kecantikan... [blblk.com](#)




Cake The Posh Wash Shampoo, 10 f... [skinsafeproducts.com](#)




Hand Wash & Soap – Posh Cosmetics [poshcosmetics.org](#)




Buy ISA [bigbank](#)




LOREAL HIP Color Presso Lip... [bridgetteboutique.com](#)




Neve's Perfectly Posh Hel... [mimnath.org](#)




CosmoCube® Posh | CosmoCube [mycosmocube.com](#)




Makeup Brand in Philippines | Magica [magicalposh.ph](#)




Luxury 3D Silk Lashes - P... [rttycosmetics.com](#)



Posh – Dina Cosmetics [dina.affirmalearning.net](#)



Kylie Cosmetics Makeup | P... [poshmark.com](#)



Posh Flouts Boutique [poshfloutsboutique.com](#)



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AT&T LTE 12:27 PM poshcozmetix.com

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About Posh Cozmetix

Posh Cozmetix specializes in high quality products, with an extensive colour selection. We pride ourselves in using only the highest standards of pigments and ingredients.

The cosmetics industry is forever evolving and growing. We believe to be ahead and forerunners with vibrant colors, extreme pigments and fashion forward styles. Posh wants to be sure to provide products that look amazing and offer healthy ingredients to protect, preserve and promote healthy skin.

Our products are:

- Paraben Free
- Hypo-Allergenic
- Allergy Tested
- Non-Comedogenic
- Fragrance Free
- Not Tested on Animals

AT&T LTE

12:30 PM

posh cosmetics

<div>ULTRA MATTE LIPSTICK</div> <div>Reseller - 140.00 SRP - 180.00</div>	<div>MATTE LIP LACQUER</div> <div>Reseller - 230.00 SRP - 295.00</div>	<div>CC CUSHION</div> <div>Reseller - 275.00 SRP - 345.00</div>
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TEEN'S GLOWING LIP & CHEEK

Reseller - 140.00
SRP - 180.00

MAGICAL posh COSMETICS

PRICE LIST

Snap to Sell, Chat t...

Magical Posh Cosmetics on Carousell

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Related images



A1758



Posh Perfumes
poshperfumes.com



Posh 21 Cosmetics



POSH DOLL

\$13.00* · Out of stock

A1759



CannaSmack



POSH Coral Kiss Tinted Lip Balm

4 ★★★★★ (3) · \$5.99* · In stock ·

Brand: CannaSmack

Compliment your coquettish grin with a pop of moisturizing coral-pink pigment and an irresistible, peach watermelon flavor. Apply lightly for a more ...

A1762





A1761

AT&T LTE 12:32 PM 10% posh cosmetics



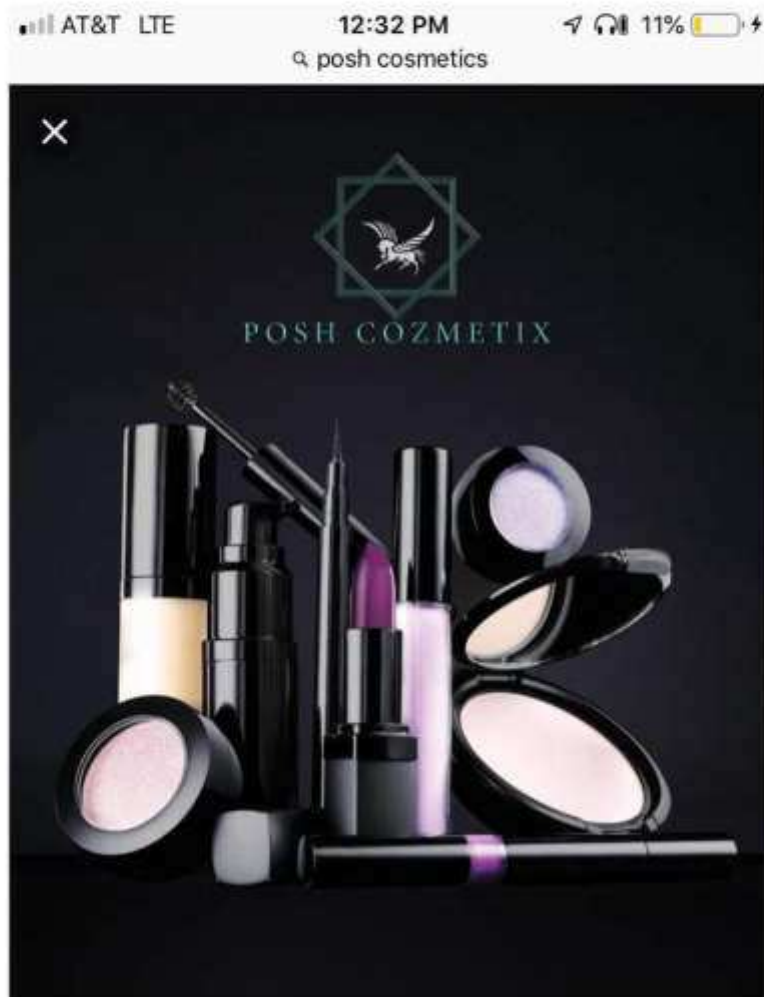
Amaris Posh – Amaris Cosmetics Official Website

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Related images



A1762



A1763



Posh Femme Dina Cosmetics
perfume - a fragrance for women

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A1764

POSH GLOSS FROM SKINN COSMETICS



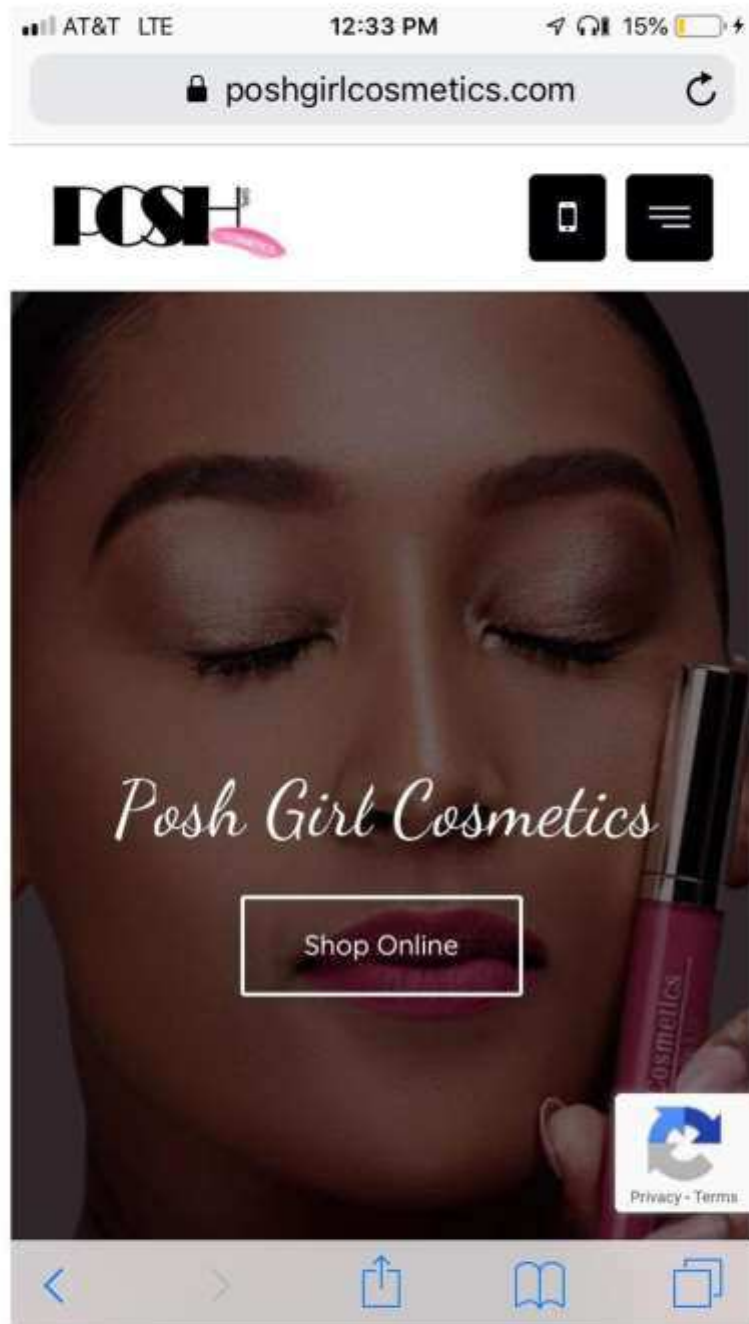
SET OF 6!

 poshmark.com



Skinn Cosmetics Posh Gloss Party
Pack Set of 6

A1765



10

A1766



A1767



A1770



POSH™ MAGNETIC FACE BRUSH SET

BY RISING ARTISTRY | FEBRUARY 8, 2012 | NO
COMMENTS | COSMETIC BRUSHES & APPLICATORS,
NEW PRODUCTS, PRODUCTS

The Posh™ Magnetic Face Brush Set is as fun to use as it is convenient. Each interchangeable head is secured in place by a powerful magnet, simply 'click'

15



[Read more »](#)



POSH™ BRUSHES

BY DIVERSIFIED DISTRIBUTION | MARCH 26, 2012 |
 NO COMMENTS | COSMETIC BRUSHES &
 APPLICATORS, PRODUCTS

Posh™ brushes are designed by experts and hand-made by skilled technicians. Featuring high-gloss black ferrules and polished wooden handles – offered in all major brush styles and configurations.



ULTIMATE POSH™ BRUSHES

BY DIVERSIFIED DISTRIBUTION | FEBRUARY 10, 2012
 | NO COMMENTS | COSMETIC BRUSHES &
 APPLICATORS, PRODUCTS

Our highest quality brushes. Designed by professionals and handcrafted using only the finest natural and synthetic fibers. Featuring polished nickel-plated brass and hand-fitted lacquered



POSH™ MAGNETIC FACE BRUSH SET

BY RISING ARTISTRY | FEBRUARY 8, 2012 | NO
COMMENTS | COSMETIC BRUSHES & APPLICATORS,
NEW PRODUCTS, PRODUCTS

The Posh™ Magnetic Face Brush Set is as fun to use as it is convenient. Each interchangeable head is secured in place by a powerful magnet, simply 'click'

A1771



Posh! 15ml Tanning accelerator

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Related images



A1772



Posh Perfumes & Cosmetics |
Wholesale Central Supplier Profile

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A1774



A1775



B/uk Posh Polish - Gold Digger Gl- be2128/8

BHD din3.990* · **In stock** · Brand: Beauty uk
Shop Beauty UK at Nasser - an independent fashion-
savvy brand that offers an exciting and accessible
range of cosmetics designed to fire the creative ...

* Check website for latest pricing and availability. Images may
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A1776



Skinn Cosmetics Six-Piece Posh Lip Gloss Party Pack!!! NEW!!!

\$20.00* · Out of stock

Skinn Cosmetics Six-Piece Posh Lip Gloss Party Pack comes with the following colours:, 1 Posh Lip Gloss in Affair - coral pink, 1 Posh Lip Gloss in ...

* Check website for latest pricing and availability. Images may be subject to copyright. [Learn More](#)

A1777



27. On or about August 14, 2019, I conducted a search of the Patent and Trademark Office records and found over 260 live trademark applications or registrations not owned by Perfectly Posh that use the term POSH, including a registration for PERFECTLY POSH EVENTS (serial number 5169839) owned, according to the registration certificate, by a third party. Opposer did nothing to prevent that mark from registering.

The following chart lists the marks that I was able to identify:

Serial Number	Reg. Number	Word Mark	Live/Dead	International Classes	Description of Goods
88052065		POSH	LIVE	1	Filtration media materials and composite materials
88064589		LELE POSH COSMETICS	LIVE	3	Cosmetics and body preparations for skincare
87390124		POSH & POP	LIVE	3	Bath gels; Bubble bath; Cosmetic pads; Cosmetics; Gel eye masks; Pumice stones for personal use; Reeds and scented oils sold as a unit for use in room scent diffusers; Facial scrubs; Foot scrubs; Hand scrubs; Non-medicated skin care

					preparation, namely, body mist; Skin lotions; Skin soap
85914138	4487503	POSH 21	LIVE	3	Cosmetics, Nail Paint
85698736	4305323	POSH BY RUE21	LIVE	3	Colognes, Perfumes, Cosmetics
86914766	5299065	POSH COLLECTIO N	LIVE	3	Cosmetics; Makeup; Private Label Cosmetics;
88095256	5715365	POSH HAIR DISTRICT	LIVE	3	Hair Lotions Hair conditioner; Hair products, namely, thickening control creams;
86135053	5064588	POSH PETS	LIVE	3	Shampoos Hair sheen spray; pet shampoo; shampoos and conditioners ; shampoos for pets
87636537	5480074	POSH PLUSH COSMETICS	LIVE	3	Lipstick; Make-up
87747364		POSH, BECAUSE YOU'RE WORTH IT.	LIVE	3	Body lotions; shampoo; soap
88512749		POSH-IT P	LIVE	3	Body and beauty care cosmetics
87399373		POSH & POP	LIVE	4	Candles
88287723		POSH CANDLE CO.	LIVE	4	Candles
87398810		POSH & POP	LIVE	5	Hand sanitizers
78654949	3565899	POSH	LIVE	8	Mani/Pedi Tools

87399962		POSH & POP	LIVE	8	Manicure sets; emery boards
87882119		LOCALPOSH.COM	LIVE	9	E-commerce software
87392074		POSH & POP	LIVE	9	Battery chargers, carrying cases
88430397		POSH + POP	LIVE	9	Cases for eyewear
86082080	4565628	POSH MOBILE	LIVE	9	Battery charge devices, cell phone accessories
87575986	5436959	POSH RULERS	LIVE	9	Measuring rulers
88065016		POSHPORT	LIVE	9	Software
86184451	4597049	BEPOSH	LIVE	14	Jewelry
88479187		HANPOSH	LIVE	14	Arm watches and accessories
88505322		MY PRETTY POSH PRINCESS	LIVE	14	Beads for jewelry making
87392749		POSH & POP	LIVE	14	Jewelry
85560174	4323058	POSH AND PURR	LIVE	14	Jewelry
85019173	4035829	POSH MOMMY	LIVE	14	Pendants
87242773	5240476	POSH PEARLS	LIVE	14	Jewelry
85803028	4375834	POSH PREP	LIVE	14	Jewelry
88314118		POSH TECH	LIVE	14	Watch bands
87336140	5299940	POSHFEEL	LIVE	14	Jewelry
86184471	4698334	TINY POSH	LIVE	14	Jewelry
77558255	3602081	POCKET POSH	LIVE	16	Puzzle books and journals
86167255	4584305	POSH	LIVE	16	Painting supplies
87393943		POSH & POP	LIVE	16	Address books, agendas, journals
85803656	4383619	POSH SAUVAGE	LIVE	16	General feature magazines

78229541	2819933	POSH VELVET TREASURES	LIVE	16	Art supplies
87762908		POSHFACES	LIVE	16	Cosmetic cases and caddies
88382893		POSHWAG	LIVE	16	Pet poop disposal bags
87264320		PROPERLY POSH PETS	LIVE	16	Online retail store for pets
87827485		POSHFELT	LIVE	17	Decorative wall paneling
86585071	5237513	KANTRELL'S POSH	LIVE	18	Handbags
87921218		P	LIVE	18	Handbags
87394282		POSH & POP	LIVE	18	Carrying cases, cosmetic bags
88184598		POSH PAC	LIVE	18	Diaper bags
85631650	4393556	POSH SPORT	LIVE	18	Bags for sports
88314268		POSHGEAR	LIVE	18	Bags
88142685	5756743	KATE POSH	LIVE	20	Retail store featuring picture frames and homegoods
78653785	4384254	POSH	LIVE	20	Bath pillows
86641824	4904290	POSH	LIVE	20	Cosmetic Organizers
86706702		POSH	LIVE	20	Office furniture
87397317		POSH & POP	LIVE	20	Magazine racks, compact mirrors, closet organization
88301066		POSH CREATIONS	LIVE	20	Bean bag chairs
88188478		POSH POLLEN	LIVE	20	Furniture
87078249	5133013	POSH+ LAVISH	LIVE	20	Bedding
77905408	4407285	POSHTOTS	LIVE	20	Furniture
87402524		POSH & POP	LIVE	21	Makeup applicators

86098760	4654110	POSH CARE	LIVE	21	Cleaning cloths
86413936	4833440	POSH GLASS	LIVE	21	Bevarage glassware
87924764		POSH PARTY SUPPLIES	LIVE	21	Online retail store services featuring party supplies
87250235	5236273	POSH SETTING	LIVE	21	Disposable table plates
86304991	4761748	PASSION POSH PAD	LIVE	24	Bed products
86244905	4761526	PERSONAL POSH PAD	LIVE	24	Bed products
87348455	5285894	POSH EARTH	LIVE	24	Home goods
86018959	4594252	POSH HOME	LIVE	24	Bedding
88095184		POSH TEXTILES	LIVE	24	Fabric Window Coverings
76712916	4452778	AKA POSH	LIVE	25	Clothing
86238405	4630003	AMERICAN POSH	LIVE	25	Clothing
88461652		BLOOMPOSH	LIVE	25	Children's clothing
85598960	4355203	CHIC & POSH	LIVE	25	Clothing
87207982	5213268	COLD POSH	LIVE	25	Cold wear clothing
88127537	5744938	GOSH SO POSH	LIVE	25	Clothing
86965779	5073302	HOLY POSH	LIVE	25	Clothing
87603467	5458076	JAE POSH	LIVE	25	Clothing
77780054	3935094	LOVPOSH	LIVE	25	Clothing
77877435	3949796	MISS POSH	LIVE	25	Clothing
87627235	5468146	NOKA POSH	LIVE	25	Clothing
86186263	5153434	PENNYPOSH	LIVE	25	Maternity clothing
88301143		PHGS POSH HOOLIGANS PHGS	LIVE	25	Clothing
85251154	4028690	POCHEW	LIVE	25	Clothing
87396197		POSH & POP	LIVE	25	Bath robes
88141997	5718112	POSH & POP	LIVE	25	Sleep masks
88086948		POSH & POP	LIVE	25	Flip flops/sandals
86412730	4861981	POSH 365	LIVE	25	Clothing
87798011		POSH AND KOKO	LIVE	25	Clothing

88511388		POSH BODY	LIVE	25	Clothing
86632227	5014063	POSH FASHIONIS TA	LIVE	25	Sandals, slippers, socks
88140308		POSH GALS	LIVE	25	Clothing
86662766	4885970	POSH MISHMOSH	LIVE	25	Clothing
86189028	4871274	POSH PEANUT	LIVE	25	Children's clothing
86046896	4616186	POSH PICKLE	LIVE	25	Clothing
88304553		POSH PRINCESS BOUTIQUE	LIVE	25	Clothing
86563166	4974453	POSH REBEL	LIVE	25	Clothing
88360463		POSH&TANG	LIVE	25	Clothing
86320378	4679003	POSH.INK	LIVE	25	Clothing
88222689		POSHHIPSTER	LIVE	25	Clothing
85436227	4262322	POSH'MINA	LIVE	25	Clothing
77859522	3892011	LIFE'S TOO SHORT FOR A BAD HAIR DAY! POSH PONY TAILS MAGNETIC PONYTAIL WRAPS	LIVE	26	Hair ornaments, namely, ponytail wraps, ponytail ties and ponytail clasps
87301529	5284530	P P PRETTY POSH	LIVE	26	Hair elastics; extensions
88086985	5723929	POSH & POP	LIVE	26	Hair accessories
87514792	5400462	POSH PONYTAILS	LIVE	26	Hair ornaments
87935942	5654739	POSHNPRETTY	LIVE	26	Jewelry
86642290	4880711	ROYAL POSH	LIVE	26	Hair accessories
77888112	3824424	POSH PILE	LIVE	27	Carpeting and flooring for vehicles
77888137	3824425	PP POSH PILE	LIVE	27	Carpeting and flooring for vehicles
85867634	4414639	POSH	LIVE	28	Tossing balls
88126630		POSH & POP	LIVE	28	Toys/games
86857384	5030601	POSH AND SPARKLE	LIVE	28	Blowouts
85867680	4418168	POSH BALL	LIVE	28	Tossing balls
87845125		POSH NOSH	LIVE	29	Nut based snack foods

88140156		POSH BBQ	LIVE	30	BBQ Sauce
87629466		POSH BROTHERS	LIVE	30	Coffee
85042816	4000856	POSH CHOCOLAT	LIVE	30	Candy
88251918		POSH POP	LIVE	30	Baked goods
85951485	4465972	POSHCORN	LIVE	30	Popped popcorn, flavored popped popcorn
86199209	4613245	POSHCORN	LIVE	30	Popped popcorn, flavored popped popcorn
87648188		POSHPIN	LIVE	30	Biscuits, candy, snacks
86624704	4884987	POSH DOG BARKERY	LIVE	31	Pet Treats
86624708	4884988	POSH DOG BARKERY	LIVE	31	Pet Treats
88031417		POSH	LIVE	32	Bottled drinking water
88270802		POSH	LIVE	32	Bottled water
88031428		POSH PERFECT	LIVE	32	Bottled drinking water
88270809		POSH PERFECT	LIVE	32	Bottled water
77805926	3990629	POSH	LIVE	33	Wine
88304641		POSH	LIVE	34	Vape stuff
88335336		HALFPOSH	LIVE	35	Clothing
86222923	4670174	KATE KP POSH FINE GIFTS FOR ALL CELEBRATIONS	LIVE	35	Retail store featuring picture frames and homegoods
86423966	4767806	LIL' POSH A RESALE KID'S BOUTIQUE	LIVE	35	Retail store for preowned baby items
88136040		L'POSH	LIVE	35	Homegoods
86863413	5021915	P	LIVE	35	Retail clothing boutiques

86091230	4896066	PISHPOSHPAINTS	LIVE	35	Retail store for fine art prints
88245489		POSH	LIVE	35	Retail pet store
87321844	5397814	POSH + POP	LIVE	35	On-line retail store services featuring stationery products, apparel accessories, jewelry, handbags
85890554	4629361	POSH 365	LIVE	35	On-line retail store services featuring consumer goods of others, mainly furniture, home decor, lighting, kitchenware /dining-ware
88389455		POSH BABIE	LIVE	35	Clothing
88432087		POSH BARRE	LIVE	35	Advertising
86456525	4768619	POSH BOUTIQUE	LIVE	35	Retail store women's clothing
87444931	5493577	POSH CLOSET	LIVE	35	Online retail store for luxury goods
86189968	4616737	POSH COLLECTION	LIVE	35	Online retail for clothing
87977715	5521306	POSH COLORING STUDIO	LIVE	35	Online art supplies and education services
87872902		POSH FLEA MARKET	LIVE	35	Marketing the goods and services of others
85901727	4439799	POSH FLORAL DESIGNS	LIVE	35	Retail florist shops

86172088	4608881	POSH HAVEN	LIVE	35	On-line retail store services featuring a wide variety of consumer goods of others
87566216	5506498	POSH LIFE	LIVE	35	Marketing and consulting services, PR
88296186		POSH MODELS	LIVE	35	Modeling agency
86617829		POSH PAMPERED PUPS	LIVE	35	Informative website for pet owners
86532132		POSH PAMPERED PUPS LUXURY QUALITY & STYLE FOR THE PROMINENT DOGGIE	LIVE	35	Online retail pet accessories, informative website for pet owners
85370403	4162391	POSH PLUM	LIVE	35	Online and retail store services featuring home and office furnishings
85647314	4365876	POSH PLUM	LIVE	35	Retail furniture stores
77859475	4092714	POSH PONYTAILS	LIVE	35	Retail and wholesale store services and on-line retail and wholesale store services featuring ponytail wraps and clasps

87010596	5226181	POSH SHOP	LIVE	35	On-line retail store services featuring clothing, tops, bottoms, headwear, swimwear, shoes, fashion accessories, belts, and handbags
86194381	4627792	POSH VAPORS	LIVE	35	On-line retail store services featuring electronic cigarettes and related accessories; Retail store services featuring electronic cigarettes and related accessories
88201940		POSHLUX CLOSET	LIVE	35	On-line retail store services featuring clothing, hair extensions, jewelry, shoes, under garments
88271212		POSHSOURCE	LIVE	35	Online business services
85882131	4720695	POSHVOICE	LIVE	35	Retail store services featuring clothing, shoes, jewelry,

88436182		POSHXPRESS	LIVE	35	accessories, decorative items and fashion Retail store featuring goods for women
86193028	4613139	SPENCER'S JOLLY POSH FOODS	LIVE	35	Retail and on-line retail grocery stores
86193031	4613140	SPENCER'S JOLLY POSH FOODS	LIVE	35	Retail and on-line retail grocery stores
86290319	4674765	SWANK A POSH	LIVE	35	Online retail store for clothing
85697723	4312778	THE POSH KITTEN	LIVE	35	Online retail store for fashion and beauty products
85277626	4055818	THE POSH PUPPY BOUTIQUE	LIVE	35	On-line retail store services featuring pet products
85352495	4874604	YOUNG N POSH	LIVE	35	Online retail store for children
78847292	3203881	POSH	LIVE	36	Charitable fund raising
87450490	5350607	POSH SALON SUITES	LIVE	36	Rentals for licensed salon professional s
85458953	4505792	POSHPLASTICSUR GEONS.TV	LIVE	38	Broadcasting of video programmin g over the internet featuring news and entertainme nt in the

					field of health, beauty, fitness and plastic surgery
86203446	4620388	POSH VOYAGE	LIVE	39	Arranging travel tours for clients
88180667		POSH BY IMANI	LIVE	40	Custom printing
87386446	5310922	I AM POSH	LIVE	41	Life coaching services
87064403	5169839	PERFECTLY POSH EVENTS	LIVE	41	Special event planning
88207086		PINE2POSH	LIVE	41	Art instruction services
87875365		POSH	LIVE	41	Fitness boot camps
86766694	5038160	POSH CLUB HOP	LIVE	41	Partuy planning services, nightclub arrangement s
86544728	4849859	POSH ENTERTAIN MENT	LIVE	41	Disc jockey services
86117174	4563398	POSH FRIDAYS	LIVE	41	Dating services
76716806	4714337	POSH GURL	LIVE	41	Event planning services
86649961	4900968	POSH PEONY	LIVE	41	Wedding planning services
86537592	4957096	POSH STILETTO	LIVE	41	On-line journals, namely, blogs featuring beauty, fashion and lifestyle
85938657	4713088	POSHONPENNIES	LIVE	41	Entertainme nt website

86376640	4734568	PRETTY POSH PARTIES	LIVE	41	for fashion and beauty Event planning services
86427848	4862050	THE POSH PESCARIAN	LIVE	41	Entertainment media production services
85346064	4365225	YOUNG AND POSH	LIVE	41	Beauty blog
77936620	4091541	POSH BEAUTY	LIVE	42	Online beauty forums and advice, beauty networking
87114627	5160085	POSH EXCLUSIVE INTERIORS	LIVE	42	Interior design services
85863295	4414375	POSH PARTY	LIVE	42	Online community for retail shopping
88472680		POSH2SLIM	LIVE	42	Consulting services
74289743	1796571	THE POSH BAGEL	LIVE	42	retail bagel bakery shops
86589148	4921762	JULLES POSH FOOD CO FRUIT VEGETABLES GRAIN PROTEIN DAIRY	LIVE	43	Restaurant, food preparation services
85606955	4495377	P.O.S.H. PETITE RENTALS	LIVE	43	Banquet services
87107351	5440997	POSH	LIVE	43	Hotel and hostel services
87107408	5440998	POSH	LIVE	43	Hotel and hostel services
86129412	4662111	POSH & LUXE EVENT FURNITURE + DÉCOR RENTAL	LIVE	43	Furniture rental services

87107420	5440999	POSH HOSTEL	LIVE	43	Hotel and hostel services
86003184	4512898	POSH PET HOTEL	LIVE	43	Pet boarding services
88433955		LEVEL POSH SALO N	LIVE	44	Hair salon services
86036497	4532565	POSH	LIVE	44	Medical Spa; Esthetics
87304652	5399571	POSH	LIVE	44	Dental services
85851926	4406823	POSH & CLEVER CONCEPT BOUTIQUE	LIVE	44	Cosmetology Services
86620792	4880387	POSH BLOWDRY BAR	LIVE	44	Beauty salons
87304632	5399569	POSH DENTAL	LIVE	44	Dentist services
85557211	4217801	POSH NAIL	LIVE	44	Nail care salons
87606388	5447976	POSH NAIL & SPA	LIVE	44	Nail and health spas
87867360		POSH PUGS	LIVE	44	Kennel services, pet boarding
88570500		POSH SPA & LOUNGE	LIVE	44	Nail and hair salons
85597125	4253530	POSH SPA FUR DOGS	LIVE	44	Dog grooming services
77759600	3707225	POSH SPOT	LIVE	44	Cosmetic Body Care, Beauty and Spa Services
87383715	5345191	POSH YOURSELF	LIVE	44	Beauty consultation services
87858924		POSHMANIPEDI	LIVE	44	Eyelash extension services; manicures; nail salon
77759648	3739515	PS POSH SPOT	LIVE	44	Cosmetic Body Care, Beauty and Spa Services
85560572	4318590	SIMPLY POSH AES THETIC	LIVE	44	Health/Spa Services

86791860	4972990	THE POSH BODY AW	LIVE	44	Consulting services in the fields of health and nutrition
88315852		THE POSH PEEPER S	LIVE	44	Permanent makeup services; Eyelash extension services
88005060		THE POSH PRIVY	LIVE	44	Rental of portable restrooms
86615357	5013960	V-POSH	LIVE	44	Health care services
86907078	5085434	DR. POSH	LIVE	45	Christian etiquette services
86794414	5117071	POSH AND THUNDER	LIVE	45	Personal wardrobe styling services
87489618	5511203	POSH/KLEEK/	LIVE	45	On-line social networking services
79111352	4961896	MAISON DU POSH	LIVE	14; 18; 25	Jewelry
77396668	3590080	POSH GRAFFITI	LIVE	14; 20; 35; 38; 42	Ornamental decorative metals
85396452	4315557	MODERN POSH	LIVE	16; 18	Ball point pens, luggage tags
86012823	4642100	POSH PAWS	LIVE	16; 18; 20; 21; 28	Pet supplies and accessories
87264330		PROPERLY POSH PETS	LIVE	16; 18; 35	Online retail store for pets
87302033		BEEPOSH	LIVE	18; 20; 25; 28	Tote bags, home furnishings, clothing, toys
85947790	4509595	POSH PLAY	LIVE	18; 24; 25; 28	Diaper bags and various

77085012	3571077	POSH MOM	LIVE	18; 35	baby accessories Online retail store for diaper bags Furniture coverings and bath linenes for spa treatments Picture frames Cosmetic Applicators Clothing Baby blankets, clothing for women Bed linens and clothing Bed sheets, plush toys Retail store, baseball caps Online retail, clothing Online retail store for clothing Hair Extensions nail care preparations ; cosmetics Online retail store with various goods Retail store feature bath and body, cosmetic products
85510236	4451845	POSH SPA LINENS	LIVE	20; 24	
86198514	4674245	KATE KP POSH	LIVE	20; 35	
78653777	3419998	POSH	LIVE	21; 24	
77125526	3468838	EMMA & POSH	LIVE	22; 39	
85097149	4250525	BORN POSH	LIVE	24; 25	
85510291	4451846	SPOSH POSH SPA LINENS	LIVE	24; 25	
87263121	5454468	POSH BABY	LIVE	24; 28	
88329922		PAWSH	LIVE	25, 35	
86479173	5196004	POSH KIDDOS	LIVE	25; 35	
86373506	4761929	POSHSQUARE	LIVE	25; 35	
87461669		P&H POSH & HARMONY	LIVE	26; 35	
87052873	5402394	PURE, POSH & PLAYFUL	LIVE	3; 35; 44	
86570961	4850244	FOR POSH SAKE	LIVE	35; 40	
86266310	5029491	PISH POSH PATCH OULI'S	LIVE	35; 40	

85789487	4379220	ONLY POSH	LIVE	35; 41	Computerize d on-line retail store services in the field of fashion apparel, clothing, jewelry, art and accessory, gossip blog
85789460	4457731	ONLY POSH	LIVE	35; 41	Computerize d on-line retail store services in the field of fashion apparel, clothing, jewelry, art and accessory, gossip blog
86354798	4711615	POSH PR	LIVE	35; 41	PR services and event planning
85690384	4459857	POSHNOSH NYC	LIVE	35; 41	Online retail store and blog for fashion
87448849		POSHGATE	LIVE	36; 38; 41	Music composition services, licensing services
86416137	4739072	POSHPACKER	LIVE	39; 43	Online commentary blog about travel
87398430	5472925	POSH AND PRIM	LIVE	42; 44	Event planning services
78446010	3177890	POSH PELTS	LIVE	42; 50	Bedding
86773224	4964084	ECOPOSH	LIVE	5; 25	Cloth diapers
86773229	4964085	EP ECOPOSH	LIVE	5; 25	Cloth diapers

79165433	5197676	BE POSH	LIVE	5; 34	Smoking cessation preparations
79161539	5343111	BE POSH	LIVE	5; 34	Tobacco free cigarettes
86738491	5084791	POSHVEGGIES	LIVE	8; 14; 41; 43	Handtools for jewelry making, jewelry accessories
85522739	4832102	POSH	LIVE	9; 16	Downloadin g ebooks, calendars and planners
85241235	4498424	POCKET POSH	LIVE	9; 41; 42	Downloadin g ebooks
85863260	4414373	POSHMARK	LIVE	9; 42	Downloadab le services and online shipping community
87918896		FIZI BY PERFECTLY POSH	LIVE	3; 25	OPPOSER
87919210		IT'S POSH TO MEET YOU	LIVE	3; 35	OPPOSER
87918892		P	LIVE	3; 16; 25	OPPOSER
85978911	4348174	PERFECTLY POSH	LIVE	3, 5, 10, 35	OPPOSER
85980499	4452650	PERFECTLY POSH	LIVE	3, 5, 35	OPPOSER
88002534		PERFECTLY POSH	LIVE	3; 16; 18;25	OPPOSER
87689357		PERFECTLY POSH	LIVE	3; 35	OPPOSER
87918888		PERFECTLY POSH	LIVE	3; 16; 18; 25	OPPOSER
87646907		POSH GOTH	LIVE	3	APPLICANT
87609820		POSH GOTH	LIVE	3	APPLICANT
87918902		POSH BODY	LIVE	3	OPPOSER

28. I am not aware of there being any acts of confusion between my POSH GOTH mark and any of the PERFECTLY POSH marks.
29. In my view, the marks POSH GOTH and PERFECTLY POSH are entirely dissimilar in their entireties as to appearance, sound, connotation, and commercial impression. My

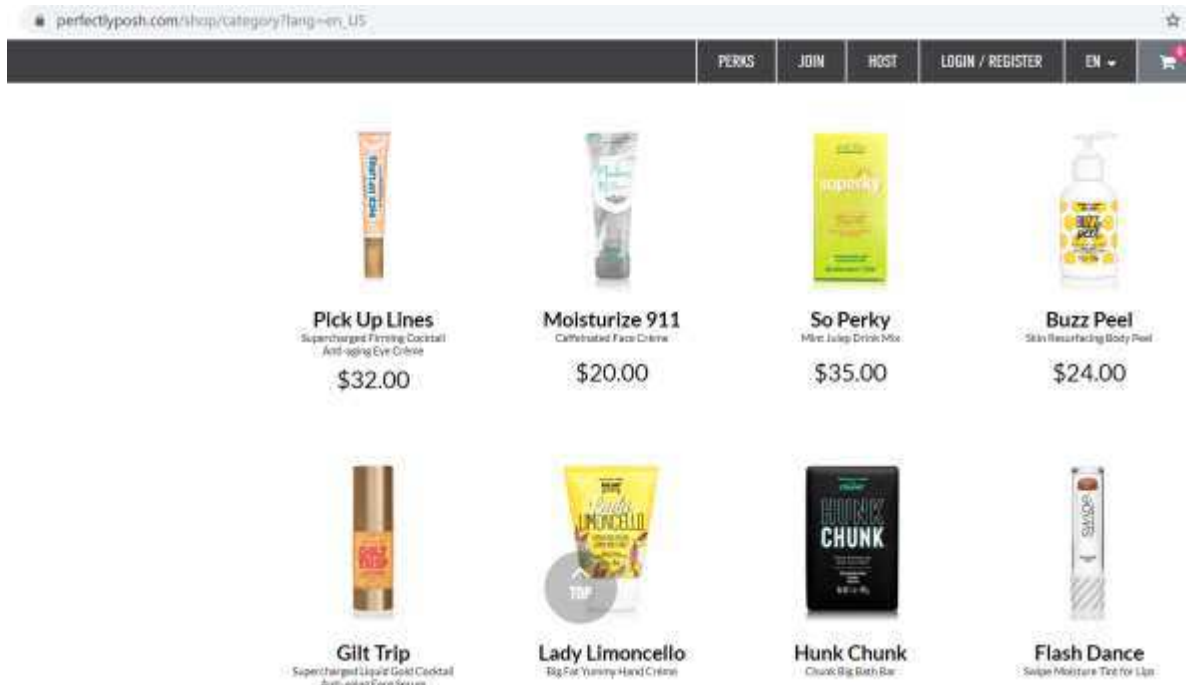
mark uses the term POSH as an adjective to qualify and describe the nature of my goth products. Opposer uses the term POSH as a noun that is being modified by the adverb PERFECTLY. Further, my mark suggests an elegant goth lifestyle while Opposer's marks do not refer to or reflect any particular lifestyle.

30. The goods designated by my mark POSH GOTH are also distinct from Opposer's goods. Whereas Opposer sells products designed to pamper mainstream individuals, my products are products designed to promote and serve the goth lifestyle. Consumers looking to pamper themselves are not going to purchase goods from POSH GOTH as POSH GOTH consumers make their purchasing decisions based on novelty, not pampering.
31. The goods designated by my POSH GOTH marks are also distinct from those of Opposers. My goods designated with my mark are handmade. A fair amount of my business is conducted through Etsy.com, an e-commerce website that is focused exclusively on handmade items. Consumers of my products are proactive consumers that specifically seek out artisan, hand-crafted goods. To my knowledge, Opposer's products are not handmade. Their products appear to be generic mass market cosmetic products.
32. Purchasers of my products are also careful purchasers who are looking for products that fit their goth lifestyle. Opposer's mainstream pampering products do not attract the same purchasers as persons practicing a goth lifestyle expressly reject mainstream beauty products.
33. The target consumers for my brand are Millennial and Generation Z females. It is my opinion that Perfectly Posh does not have a well-defined niche or target audience, since

they appear to offer generic products for both men and women irrespective of demographic.

34. Confusion between my goods and the goods sold by Perfectly Posh is unlikely as my products are distinctive and focus on the goth community. Perfectly Posh does not sell or market products to the goth community.

35. It is my view that Perfectly Posh products are not distinct from other beauty products on the market. The products that are currently being sold by Opposer do not have any identifiable elements about them that would allow consumers to easily identify the source of these goods as “Perfectly Posh”, and these products do not service or appeal to a specialized portion of the population. See screenshot of accurate representation of Perfectly Posh products as of September 17, 2019:



36. At all times, I believed that I am the rightful owner of the mark POSH GOTH and I never committed fraud on the Patent and Trademark Office or anyone else. Assertions

that I committed fraud on the Patent and Trademark Office are entirely without basis as I acted in good faith at all times.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Date: October 4, 2019

/s/ Jacqueline Abner-Pongratz
Jacqueline Abner-Pongratz