

ESTTA Tracking number: **ESTTA1006534**

Filing date: **10/03/2019**

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	Carol Cole Company		
Entity	Corporation	Citizenship	California
Address	1325 Sycamore Avenue Suite A Vista, CA 92081 UNITED STATES		

Attorney information	Joshua J. Richman IPLA, LLP 4445 Eastgate Mall Suite 200 San Diego, CA 92121 UNITED STATES litigation@ipla.com 415-580-6171		
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Applicant Information

Application No	88056062	Publication date	09/03/2019
Opposition Filing Date	10/03/2019	Opposition Period Ends	10/03/2019
Applicant	YA-MAN LTD 4-4, FURUISHIBA 1-CHOME, KOTO-KU TOKYO, 135-0045 JAPAN		

Goods/Services Affected by Opposition


<p>Class 003. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cosmetics; non-medicated soaps, namely, body soaps, soaps for washing face, hand soaps, soaps for cosmetic brush, shampoos, and household detergents; dentifrices; false nails; false eyelashes; adhesives for affixing false eyelashes; breathfreshening preparations for personal hygiene; perfume and essential oils for flavoring food and beverages</p>
<p>Class 011. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Electric beauty treatment apparatuses for household use, namely, electric facial steamers, facial saunas, nail drying machines, hair steamers, hair dryers; electric beauty treatment apparatuses for industrial purposes, namely, electric facial steamers, facial saunas, nail drying machines for beauty salons, hair steamers for beauty salon use, hair drying machines for beauty salon use, and combination hair dryers and chairs for use in beauty salons; household electric apparatuses for slimming purposes, namely, non-medical electric heating apparatus for slimming, which also measures body fat; industrial electric apparatuses for slimming</p>


purposes, namely, non-medical heating apparatus for slimming, which also measures body fat; facial equipment using ultrasonic waves for household purposes, namely, electronic facial sprayers; electric facial care devices for household purposes, namely, electronic facial sprayers; electric facial care devices for industrial purposes, namely, facial sterilizers, electronic facial steamers, and facial saunas; steam facial apparatus, namely, facial saunas; household electrothermic appliances, namely, hair dryers, electric footwarmers in the nature of footmuffs, Japanese electric leg-warming apparatus for household purposes (electric kotatsu)

Grounds for Opposition


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

U.S. Registration No.	3067256	Application Date	01/04/2005
Registration Date	03/14/2006	Foreign Priority Date	NONE
Word Mark	NUFACE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2004/05/05 First Use In Commerce: 2004/05/05 FACIAL TONING MACHINES FOR COSMETIC USE, NAMELY, A FACIAL STIMULATOR WHICH UTILIZES A MICROCURRENT TO STRENGTHEN FACIAL MUSCLES THUS LIFTING THE FACE FOR IMMEDIATE RESULTS		

U.S. Registration No.	4093205	Application Date	01/20/2011
Registration Date	01/31/2012	Foreign Priority Date	NONE
Word Mark	NUFACE BY CAROL COLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2005/06/30 First Use In Commerce: 2005/06/30 Non-medicated skin care preparations		

U.S. Registration No.	4627113	Application Date	05/29/2013
Registration Date	10/28/2014	Foreign Priority Date	NONE
Word Mark	NUFACE TRINITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2011/11/00 First Use In Commerce: 2011/11/00 Skin toning machines for cosmetic use		

U.S. Registration No.	5413118	Application Date	06/20/2014
Registration Date	02/27/2018	Foreign Priority Date	NONE
Word Mark	NUBODY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2017/12/04 First Use In Commerce: 2017/12/04 Skin toning machines for cosmetic use		

U.S. Registration No.	5217287	Application Date	10/19/2016
Registration Date	06/06/2017	Foreign Priority Date	NONE
Word Mark	NUFACE		

Design Mark	NUFACE
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2008/01/24 First Use In Commerce: 2008/01/24 On-line retail store services featuring non-medicated skin care preparations, namely, gels, primers, and serums; On-line retail store services featuring skin toning machines for cosmetic use and attachments therefor

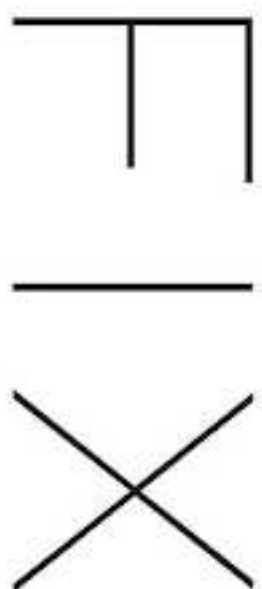
U.S. Registration No.	5717387	Application Date	02/22/2018
Registration Date	04/02/2019	Foreign Priority Date	NONE
Word Mark	NUFACE FIX		
Design Mark	NUFACE FIX		
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 2018/12/31 First Use In Commerce: 2018/12/31 Skin toning machines for cosmetic use		

U.S. Registration No.	5765413	Application Date	05/22/2018
Registration Date	05/28/2019	Foreign Priority Date	NONE
Word Mark	NUFACE FIX		

Design Mark	NUFACE FIX
Description of Mark	NONE
Goods/Services	Class 003. First use: First Use: 2018/12/31 First Use In Commerce: 2018/12/31 Beauty serums

U.S. Registration No.	5765412	Application Date	05/22/2018
Registration Date	05/28/2019	Foreign Priority Date	NONE

Word Mark	NUFACE FIX
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Design Mark	<p>N Ū F A C E</p> 
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Description of Mark	The mark consists of "NUFACE FIX" vertical design.
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Goods/Services	Class 003. First use: First Use: 2018/12/31 First Use In Commerce: 2018/12/31 Beauty serums
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Attachments	76626931#TMSN.png(bytes) 85222622#TMSN.png(bytes) 85945154#TMSN.png(bytes) 86316102#TMSN.png(bytes) 87208789#TMSN.png(bytes)
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	87806949#TMSN.png(bytes) 87980493#TMSN.png(bytes) 87980492#TMSN.png(bytes) Notice of Opposition.pdf(2021209 bytes)
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Signature	/Joshua J. Richman/
Name	Joshua J. Richman
Date	10/03/2019

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

Carol Cole Company,)	
)	Opposition No. _____
Opposer,)	
)	Mark: THE NEW FACE OF BEAUTY
v.)	Serial No.: 88056062
)	Filing Date: July 27, 2018
YA-MAN LTD,)	Published: September 3, 2019
)	
Applicant.)	

NOTICE OF OPPOSITION


1. Carol Cole Company (“**Opposer**”), a California corporation with its principal place of business at 1325 Sycamore Avenue, Suite A, Vista, California 92081, believes that it would be damaged by issuance of a registration for the trademark THE NEW FACE OF BEAUTY, as applied for in Application Serial No. [88056062](#) (the “**Application**”) by YA-MAN LTD (the “**Applicant**”). Accordingly, Opposer, by and through its attorneys, opposes the Application as provided herein.

BACKGROUND

2. Opposer manufactures and sells a popular line of personal skin treatment devices, skincare gels, primers, mists, and serums under the distinctive registered trademarks NUFACE®, NUFACE BY CAROL COLE®, NUFACE TRINITY®, NUFACE FIX®, and NUBODY®, among others.

3. Opposer owns the following United States Trademark Registrations that comprise or contain the distinctive trademark NUFACE or NUBODY (“**Opposer’s Registrations**”):

Mark	Class	Reg. No.	Registration Date
NUFACE	10	3067256	March 14, 2006

NUFACE BY CAROL COLE	03	4093205	January 31, 2012
NUFACE TRINITY	10	4627113	October 28, 2014
NUBODY	10	5413118	February 27, 2018
NUFACE	35	5217287	June 6, 2017
NUFACE FIX	10	5717387	April 2, 2019
NUFACE FIX	03	5765413	May 28, 2019
	03	5765412	May 28, 2019

True and correct copies of Opposer’s Registrations are appended hereto as **Exhibit A**, along with true and correct printouts from the USPTO’s electronic database showing the current status and title of Opposer’s Registrations.

4. The products that Opposer sells under the distinctive trademarks NUFACE®, NUFACE BY CAROL COLE®, NUFACE TRINITY®, NUFACE FIX®, and NUBODY® have been marketed and sold throughout the United States on Opposer’s online retail store located at <http://www.mynuface.com>, third-party online retail stores, and brick and mortar retail stores including Nordstrom, Neiman Marcus, Barneys, Ulta, Sephora, and Bloomingdale’s. Opposer’s products are also available for purchase by consumers through certain luxury spas and physician offices, where professional versions of the NUFACE® and NUBODY® branded devices are utilized by estheticians.

5. As a result of Opposer’s longstanding use, extensive advertising, and promotion of its goods under the NUFACE®, NUFACE BY CAROL COLE®, NUFACE TRINITY®, NUFACE FIX®, and NUBODY® trademarks, and a reputation that it has built for outstanding high quality products, Opposer has built considerable goodwill in these marks.

APPLICANT AND ITS PENDING APPLICATION

6. On July 27, 2018, Applicant filed the Application to register the following trademark on the Principal Register (as subsequently amended in response to an Office Action):

Mark	Ser. No.	Class/Goods
THE NEW FACE OF BEAUTY	<u>88056062</u>	<p>Cl. 3: Cosmetics; non-medicated soaps, namely, body soaps, soaps for washing face, hand soaps, soaps for cosmetic brush, shampoos, and household detergents; dentifrices; false nails; false eyelashes; adhesives for affixing false eyelashes; breath freshening preparations for personal hygiene; perfume and essential oils for flavoring food and beverages</p> <p>Cl. 11: Electric beauty treatment apparatuses for household use, namely, electric facial steamers, facial saunas, nail drying machines, hair steamers, hair dryers; electric beauty treatment apparatuses for industrial purposes, namely, electric facial steamers, facial saunas, nail drying machines for beauty salons, hair steamers for beauty salon use, hair drying machines for beauty salon use, and combination hair dryers and chairs for use in beauty salons; household electric apparatuses for slimming purposes, namely, non-medical electric heating apparatus for slimming, which also measures body fat; industrial electric apparatuses for slimming purposes, namely, non-medical heating apparatus for slimming, which also measures body fat; facial equipment using ultrasonic waves for household purposes, namely, electronic facial sprayers; electric facial care devices for household purposes, namely, electronic facial sprayers; electric facial care devices for industrial purposes, namely, facial sterilizers, electronic facial steamers, and facial saunas; steam facial apparatus, namely, facial saunas; household electrothermic appliances, namely, hair dryers, electric footwarmers in the nature of footmuffs, Japanese electric leg-warming apparatus for household purposes (electric kotatsu)</p>

7. The Application was published in the Official Gazette on September 3, 2019, resulting in a deadline to oppose of October 3, 2019. Accordingly, this Notice of Opposition is timely filed.

8. Applicant's THE NEW FACE OF BEAUTY mark is confusingly similar to each of Opposer's individual NUFACE®, NUFACE BY CAROL COLE®, NUFACE TRINITY®, NUFACE FIX®, and NUBODY® marks in sight, sound, meaning, and commercial impression. Among other things, Applicant's THE NEW FACE OF BEAUTY mark contains "NEW FACE" which is highly similar visually, connotatively, and phonetically to Opposer's NUFACE mark and its other composite marks containing the NUFACE term. Additionally, "NEW FACE" is visually, connotatively, and phonetically similar to Opposer's NUBODY mark.

9. The goods claimed in the Application are highly similar to those listed in Opposer's Registrations and are, or could be, offered in the same commercial channels and to the same consumers as Opposer's goods.

10. On information and belief, Applicant offers personal skin treatment devices under THE NEW FACE OF BEAUTY. Attached hereto as **Exhibit B**, and incorporated herein by this reference, are screenshots from websites showing Applicant offering skin treatment devices under THE NEW FACE OF BEAUTY. These goods are highly similar, if not identical, to the goods that Opposer offers under its NUFACE and NUBODY marks.

11. Opposer's rights in the trademarks NUFACE®, NUFACE TRINITY®, NUFACE BY CAROL COLE®, NUFACE FIX®, and NUBODY® are senior to any rights that Applicant may allege to have in its mark because (a) Opposer's Registrations registered before Applicant's Application registered; and/or (b) on information and belief, Applicant did not use the NEW FACE OF BEAUTY mark in United States commerce prior to the filing dates of Opposer's Registrations.

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

12. Opposer repeats and re-alleges and incorporates by reference the preceding allegations of this Notice of Oppositions, as though fully set forth herein.

13. Applicant's registration and use of THE NEW FACE OF BEAUTY, in connection with the goods being opposed, is likely to cause confusion or mistake or to deceive, or to create the false impression that Applicant's goods are provided by, related to, endorsed by, or associated with Opposer, or otherwise cause injury to Opposer's rights in its NUFACE®, NUFACE BY CAROL COLE®, NUFACE TRINITY®, NUFACE FIX®, and NUBODY® marks, in violation of Lanham Act §2(d) (15 U.S.C. §1052(d)), with consequent damage to Opposer and the public.

WHEREFORE, it is respectfully requested that this opposition be sustained on each of the grounds indicated above and that Applicant's Application be denied registration.

Dated: October 3, 2019

Respectfully submitted,

/Joshua J. Richman/

Joshua J. Richman

IPLA, LLP

4445 Eastgate Mall, Suite 200

San Diego, CA 92121

Phone: (858) 272-0220


litigation@ipla.com

Attorneys for Opposer, Carol Cole Company

EXHIBIT A

BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

STATUS	DOCUMENTS	MAINTENANCE	Back to Search	Print
Generated on: This page was generated by TSDR on 2019-10-03 12:41:19 EDT				
Mark: NUFACE		NUFACE		
US Serial Number:	76626931	Application Filing Date:	Jan. 04, 2005	
US Registration Number:	3067256	Registration Date:	Mar. 14, 2006	
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:	Mar. 31, 2015			
Publication Date:	Dec. 20, 2005			
▼ Mark Information ▲ Collapse All				
Mark Literal Elements:	NUFACE			
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			
▼ Related Properties Information				
International Registration Number:	1229468			
International Application(s) /Registration(s) Based on this Property:	A0044934/1229468			
▼ 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:	FACIAL TONING MACHINES FOR COSMETIC USE, NAMELY, A FACIAL STIMULATOR WHICH UTILIZES A MICROCURRENT TO STRENGTHEN FACIAL MUSCLES THUS LIFTING THE FACE FOR IMMEDIATE RESULTS			
International Class(es):	010 - Primary Class	U.S Class(es):	026, 039, 044	
Class Status:	ACTIVE			
Basis:	1(a)			
First Use:	May 05, 2004	Use in Commerce:	May 05, 2004	
▼ Basis Information (Case Level)				
Filed Use:	Yes	Currently Use:	Yes	
Filed ITU:	No	Currently ITU:	No	
Filed 44D:	No	Currently 44E:	No	
Filed 44E:	No	Currently 66A:	No	
Filed 66A:	No	Currently No Basis:	No	

Filed No Basis: No

▼ Current Owner(s) Information

Owner Name: CAROL COLE COMPANY

Owner Address: 1325 Sycamore Avenue
Suite A
Vista, CALIFORNIA UNITED STATES 92081

Legal Entity Type: CORPORATION

State or Country Where
Organized: CALIFORNIA

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman

Attorney Primary Email
Address: trademarks@ipla.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Joshua J. Richman
IP LEGAL ADVISORS, P.C.
4445 Eastgate Mall
Suite 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121

Phone: 8582720220

Fax: 8582720221

Correspondent e-mail: trademarks@ipla.com

Correspondent e-mail
Authorized: Yes

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Mar. 31, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Mar. 31, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74886
Mar. 31, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Mar. 16, 2015	TEAS SECTION 8 & 9 RECEIVED	
Mar. 14, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Feb. 12, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 12, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 07, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 07, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Apr. 07, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Mar. 14, 2012	TEAS SECTION 8 & 15 RECEIVED	
May 26, 2011	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 26, 2011	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 16, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 10, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 10, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Mar. 14, 2006	REGISTERED-PRINCIPAL REGISTER	
Dec. 20, 2005	PUBLISHED FOR OPPOSITION	
Nov. 30, 2005	NOTICE OF PUBLICATION	
Oct. 28, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Oct. 14, 2005	ASSIGNED TO LIE	70138
Oct. 12, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 04, 2005	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 12, 2005	WITHDRAWN FROM PUB - OG REVIEW QUERY	77908
Aug. 24, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Aug. 19, 2005	ASSIGNED TO LIE	70138
Aug. 17, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	

Aug. 16, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	69350
Aug. 12, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	69350
Aug. 12, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 05, 2005	NON-FINAL ACTION MAILED	
Aug. 05, 2005	NON-FINAL ACTION WRITTEN	78067
Aug. 05, 2005	ASSIGNED TO EXAMINER	78067
Jan. 21, 2005	NEW APPLICATION ENTERED IN TRAM	

▼ TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** GENERIC WEB UPDATE**Date in Location:** Mar. 31, 2015**▼ Assignment Abstract Of Title Information - Click to Load****▼ Proceedings - Click to Load**

Int. Cl.: 10

Prior U.S. Cls.: 26, 39 and 44

United States Patent and Trademark Office

Reg. No. 3,067,256

Registered Mar. 14, 2006

**TRADEMARK
PRINCIPAL REGISTER**

NUFACE

SKIN STAR INC (CALIFORNIA CORPORATION)
147 BASIL ST.
LEUCADIA, CA 92024

FOR: FACIAL TONING MACHINES FOR COSMETIC USE, NAMELY, A FACIAL STIMULATOR WHICH UTILIZES A MICROCURRENT TO STRENGTHEN FACIAL MUSCLES THUS LIFTING THE FACE FOR IMMEDIATE RESULTS , IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 5-5-2004; IN COMMERCE 5-5-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 76-626,931, FILED 1-4-2005.

ERNEST SHOSHO, EXAMINING ATTORNEY

BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

[STATUS](#) [DOCUMENTS](#) [MAINTENANCE](#)

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Generated on: This page was generated by TSDR on 2019-10-03 13:11:02 EDT

Mark: NUFACE BY CAROL COLE

NUFACE BY CAROL COLE

US Serial Number: 85222622

Application Filing Date: Jan. 20, 2011

US Registration Number: 4093205

Registration Date: Jan. 31, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 31, 2017

Publication Date: Nov. 15, 2011

Mark Information

Mark Literal Elements: NUFACE BY CAROL COLE

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

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies "Carol Cole", whose consent(s) to register is made of record.

Related Properties Information

International Registration [1086333](#)

Number:

International Application(s) [A0025457/1086333](#)
/Registration(s) Based on this
Property:

Claimed Ownership of US [3067256](#), [3479514](#)
Registrations:

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: Non-medicated skin care preparations

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 30, 2005

Use in Commerce: Jun. 30, 2005

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company

Owner Address: 1325 Sycamore Avenue
Suite A
Vista, CALIFORNIA UNITED STATES 92081

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman

Attorney Primary Email trademarks@ipla.com
Address:

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IPLA, LLP
4445 EASTGATE MALL
SUITE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121

Phone: 8582720220

Fax: 8582720221

Correspondent e-mail: trademarks@ipla.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 31, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 31, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Mar. 31, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293

Feb. 01, 2017	TEAS SECTION 8 & 15 RECEIVED	
Feb. 01, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 31, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 12, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 12, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 31, 2012	REGISTERED-PRINCIPAL REGISTER	
Nov. 15, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 15, 2011	PUBLISHED FOR OPPOSITION	
Oct. 26, 2011	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 11, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Oct. 07, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 05, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 05, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 30, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 26, 2011	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 26, 2011	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 19, 2011	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION ENTERED	70633
Apr. 19, 2011	ASSIGNED TO LIE	70633
Apr. 19, 2011	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Apr. 19, 2011	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Apr. 19, 2011	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	76582
Apr. 13, 2011	ASSIGNED TO EXAMINER	76582
Jan. 25, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 24, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Mar. 31, 2017

[Assignment Abstract Of Title Information - Click to Load](#)

[Proceedings - Click to Load](#)

United States of America

United States Patent and Trademark Office

NUFACE BY CAROL COLE

Reg. No. 4,093,205

CAROL COLE COMPANY (CALIFORNIA CORPORATION)
3146 TIGER RUN CT., #109
CARLSBAD, CA 92010

Registered Jan. 31, 2012

Int. Cl.: 3

FOR: NON-MEDICATED SKIN CARE PREPARATIONS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

TRADEMARK

FIRST USE 6-30-2005; IN COMMERCE 6-30-2005.

PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,067,256 AND 3,479,514.

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK IDENTIFIES "CAROL COLE", WHOSE CONSENT(S) TO REGISTER IS MADE OF RECORD.

SER. NO. 85-222,622, FILED 1-20-2011.

BRIDGETT SMITH, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

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Mark: NUFACE TRINITY

NUFACE TRINITY

US Serial Number: 85945154

Application Filing Date: May 29, 2013

US Registration Number: 4627113

Registration Date: Oct. 28, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:

The trademark application has been registered with the Office.



Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 28, 2014

Publication Date: Aug. 12, 2014

Mark Information

Mark Literal Elements: NUFACE TRINITY

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

Related Properties Information

International Registration [1184432](#)
Number:

International Application(s) [A0039093/1184432](#)
/Registration(s) Based on this
Property:

Claimed Ownership of US [3067256](#), [4093205](#)
Registrations:

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: Skin toning machines for cosmetic use

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 2011

Use in Commerce: Nov. 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company**Owner Address:** 1325 Sycamore Avenue
Suite A
Vista, CALIFORNIA UNITED STATES 92081**Legal Entity Type:** CORPORATION**State or Country Where** CALIFORNIA**Organized:**

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman**Attorney Primary Email** trademarks@ipla.com
Address:**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IP LEGAL ADVISORS, P.C.
4445 EASTGATE MALL STE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121-1979**Phone:** 8582720220**Fax:** 8582720221**Correspondent e-mail:** trademarks@ipla.com**Correspondent e-mail** Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 28, 2014	REGISTERED-PRINCIPAL REGISTER	
Aug. 12, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 12, 2014	PUBLISHED FOR OPPOSITION	
Jul. 23, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 08, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	68602
Jul. 08, 2014	ASSIGNED TO LIE	68602
Jun. 19, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	

Apr. 16, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 15, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 15, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 12, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 12, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 15, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 15, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 15, 2013	NON-FINAL ACTION WRITTEN	76731
Sep. 12, 2013	ASSIGNED TO EXAMINER	76731
Jun. 08, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Jun. 07, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 01, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 28, 2014

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[Proceedings - Click to Load](#)

United States of America

United States Patent and Trademark Office

NUFACE TRINITY

Reg. No. 4,627,113

Registered Oct. 28, 2014

Int. Cl.: 10

TRADEMARK

PRINCIPAL REGISTER

CAROL COLE COMPANY (CALIFORNIA CORPORATION)
1325 SYCAMORE AVENUE
SUITE A
VISTA, CA 92081

FOR: SKIN TONING MACHINES FOR COSMETIC USE, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 11-0-2011; IN COMMERCE 11-0-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,067,256 AND 4,093,205.

SER. NO. 85-945,154, FILED 5-29-2013.

DARRYL SPRUILL, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

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Mark: NUBODY

NUBODY

US Serial Number: 86316102

Application Filing Date: Jun. 20, 2014

US Registration Number: 5413118

Registration Date: Feb. 27, 2018

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 27, 2018

Publication Date: Jun. 23, 2015

Notice of Allowance Date: Feb. 16, 2016

Mark Information

Mark Literal Elements: NUBODY

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

Related Properties Information

International Registration [1308901](#)

Number:

International Application(s) [A0059016/1308901](#)

/Registration(s) Based on this
Property:

Claimed Ownership of US [3067256](#), [4093205](#)

Registrations:

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: Skin toning machines for cosmetic use

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 04, 2017

Use in Commerce: Dec. 04, 2017

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company**Owner Address:** Suite A
1325 Sycamore Avenue
Vista, CALIFORNIA UNITED STATES 92081**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman**Attorney Primary Email
Address:** trademarks@ipla.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IP LEGAL ADVISORS, P.C.
4445 EASTGATE MALL STE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121-1979**Phone:** 8582720220**Fax:** 8582720221**Correspondent e-mail:** trademarks@ipla.com**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 27, 2018	REGISTERED-PRINCIPAL REGISTER	
Jan. 24, 2018	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 23, 2018	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 10, 2018	STATEMENT OF USE PROCESSING COMPLETE	65362
Dec. 21, 2017	USE AMENDMENT FILED	65362
Jan. 10, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Dec. 21, 2017	TEAS STATEMENT OF USE RECEIVED	

Aug. 09, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 07, 2017	EXTENSION 3 GRANTED	98765
Aug. 07, 2017	EXTENSION 3 FILED	98765
Aug. 07, 2017	TEAS EXTENSION RECEIVED	
Jan. 05, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 03, 2017	EXTENSION 2 GRANTED	98765
Jan. 03, 2017	EXTENSION 2 FILED	98765
Jan. 03, 2017	TEAS EXTENSION RECEIVED	
May 19, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 17, 2016	EXTENSION 1 GRANTED	98765
May 17, 2016	EXTENSION 1 FILED	98765
May 17, 2016	TEAS EXTENSION RECEIVED	
Feb. 16, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 05, 2016	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jul. 23, 2015	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 23, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 23, 2015	PUBLISHED FOR OPPOSITION	
Jun. 03, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 19, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	73296
May 18, 2015	ASSIGNED TO LIE	73296
Apr. 23, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 23, 2015	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Mar. 20, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 21, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 20, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 20, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Sep. 19, 2014	NON-FINAL ACTION WRITTEN	76745

Sep. 19, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 19, 2014	NON-FINAL ACTION E-MAILED	6325
Sep. 19, 2014	NON-FINAL ACTION WRITTEN	76745
Sep. 12, 2014	ASSIGNED TO EXAMINER	76745
Jul. 01, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Jun. 28, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 24, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 23, 2018

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United States of America

United States Patent and Trademark Office

NUBODY

Reg. No. 5,413,118

Registered Feb. 27, 2018

Int. Cl.: 10

Trademark

Principal Register

Carol Cole Company (CALIFORNIA CORPORATION)
Suite A
1325 Sycamore Avenue
Vista, CALIFORNIA 92081

CLASS 10: Skin toning machines for cosmetic use

FIRST USE 12-4-2017; IN COMMERCE 12-4-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4093205, 3067256

SER. NO. 86-316,102, FILED 06-20-2014



Andrei Iancu

Director of the United States
Patent and Trademark Office

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US Serial, Registration, or Reference # ▼

5217287

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Mark: NUFACE

NUFACE

US Serial Number: 87208789

Application Filing Date: Oct. 19, 2016

US Registration Number: 5217287

Registration Date: Jun. 06, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

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: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 06, 2017

Publication Date: Mar. 21, 2017

Mark Information

Mark Literal Elements: NUFACE

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

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: On-line retail store services featuring non-medicated skin care preparations, namely, gels, primers, and serums; On-line retail store services featuring skin toning machines for cosmetic use and attachments therefor

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 24, 2008

Use in Commerce: Jan. 24, 2008

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company

Owner Address: Suite A

1325 Sycamore Ave
Vista, CALIFORNIA UNITED STATES 92081

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman

Attorney Primary Email Address: trademarks@ipla.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IPLA, LLP
4445 EASTGATE MALL
SUITE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121

Phone: 8582720220

Fax: 8582720221

Correspondent e-mail: trademarks@ipla.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 06, 2017	REGISTERED-PRINCIPAL REGISTER	
Mar. 21, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 21, 2017	PUBLISHED FOR OPPOSITION	
Mar. 01, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 06, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 28, 2017	ASSIGNED TO EXAMINER	74819
Oct. 26, 2016	NOTICE OF PSEUDO MARK E-MAILED	
Oct. 25, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

Oct. 22, 2016

NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 06, 2017

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[Proceedings - Click to Load](#)

United States of America

United States Patent and Trademark Office

NUFACE

Reg. No. 5,217,287

Registered Jun. 06, 2017

Int. Cl.: 35

Service Mark

Principal Register

Carol Cole Company (CALIFORNIA CORPORATION)
Suite A
1325 Sycamore Ave
Vista, CA 92081

CLASS 35: On-line retail store services featuring non-medicated skin care preparations, namely, gels, primers, and serums; On-line retail store services featuring skin toning machines for cosmetic use and attachments therefor

FIRST USE 1-24-2008; IN COMMERCE 1-24-2008

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-208,789, FILED 10-19-2016
ALICIA COLLIN EDWARDS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

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SEARCH

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US Serial, Registration, or Reference # ▼

5717387

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Mark: NUFACE FIX

NUFACE FIX

US Serial Number: 87806949

Application Filing Date: Feb. 22, 2018

US Registration Number: 5717387

Registration Date: Apr. 02, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 02, 2019

Publication Date: Jul. 17, 2018

Notice of Allowance Date: Sep. 11, 2018

Mark Information

Mark Literal Elements: NUFACE FIX

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

Related Properties Information

International Registration [1427678](#)

Number:

International Application(s) /Registration(s) Based on this [A0078543/1427678](#)

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: Skin toning machines for cosmetic use

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2018

Use in Commerce: Dec. 31, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company

Owner Address: Suite A
1325 Sycamore Ave
Vista, CALIFORNIA UNITED STATES 92081

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman

Attorney Primary Email trademarks@ipla.com
Address:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IPLA, LLP
4445 EASTGATE MALL
SUITE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121

Phone: 858-272-0220

Fax: 858-275-0221

Correspondent e-mail: trademarks@ipla.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 02, 2019	REGISTERED-PRINCIPAL REGISTER	
Feb. 23, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	

Feb. 22, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 20, 2019	STATEMENT OF USE PROCESSING COMPLETE	69302
Jan. 29, 2019	USE AMENDMENT FILED	69302
Feb. 20, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
Jan. 29, 2019	TEAS STATEMENT OF USE RECEIVED	
Sep. 11, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 17, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 17, 2018	PUBLISHED FOR OPPOSITION	
Jun. 27, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 10, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 07, 2018	ASSIGNED TO EXAMINER	76076
Feb. 28, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 26, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 22, 2019

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Proceedings - Click to Load

United States of America

United States Patent and Trademark Office

NUFACE FIX

Reg. No. 5,717,387

Registered Apr. 02, 2019

Int. Cl.: 10

Trademark

Principal Register

Carol Cole Company (CALIFORNIA CORPORATION)
Suite A
1325 Sycamore Ave
Vista, CALIFORNIA 92081

CLASS 10: Skin toning machines for cosmetic use

FIRST USE 12-31-2018; IN COMMERCE 12-31-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-806,949, FILED 02-22-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

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US Serial, Registration, or Reference # ▼

5765413

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Mark: NUFACE FIX

NUFACE FIX

US Serial Number: 87980493

Application Filing Date: May 22, 2018

US Registration Number: 5765413

Registration Date: May 28, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 28, 2019

Publication Date: Jul. 31, 2018

Notice of Allowance Date: Sep. 25, 2018

Mark Information

Mark Literal Elements: NUFACE FIX

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

Related Properties Information

International Registration [1427678](#)

Number:

International Application(s) [A0078543/1427678](#)
/Registration(s) Based on this

Property:

Child Of: [87930779](#)

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: Beauty serums

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2018

Use in Commerce: Dec. 31, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Carol Cole Company

Owner Address: 1325 Sycamore Ave, Suite A
Vista, CALIFORNIA UNITED STATES 92081

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua J. Richman

Attorney Primary Email trademarks@ipla.com
Address:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IPLA, LLP
4445 EASTGATE MALL
SUITE 200
SAN DIEGO, CALIFORNIA UNITED STATES 92121

Phone: 858-272-0220

Correspondent e-mail: trademarks@ipla.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 28, 2019	REGISTERED-PRINCIPAL REGISTER	
Apr. 23, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	

Apr. 21, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 04, 2019	STATEMENT OF USE PROCESSING COMPLETE	71906
Jan. 29, 2019	USE AMENDMENT FILED	71906
Apr. 04, 2019	DIVISIONAL PROCESSING COMPLETE	
Jan. 25, 2019	DIVISIONAL REQUEST RECEIVED	
Apr. 04, 2019	RESPONSE TO ITU OFFICE ACTION ENTERED	71906
Feb. 19, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 13, 2019	ITU OFFICE ACTION ISSUED FOR DIVISIONAL REQUEST	71906
Feb. 06, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71906
Jan. 29, 2019	TEAS REQUEST TO DIVIDE RECEIVED	
Jan. 29, 2019	TEAS STATEMENT OF USE RECEIVED	
Sep. 25, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 31, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 31, 2018	PUBLISHED FOR OPPOSITION	
Jul. 11, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 20, 2018	ASSIGNED TO LIE	66121
Jun. 11, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 11, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 11, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 11, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 11, 2018	EXAMINERS AMENDMENT -WRITTEN	76076
Jun. 07, 2018	ASSIGNED TO EXAMINER	76076
May 30, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 25, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 21, 2019

[Assignment Abstract Of Title Information - Click to Load](#)

[Proceedings - Click to Load](#)

United States of America

United States Patent and Trademark Office

NUFACE FIX

Reg. No. 5,765,413

Registered May 28, 2019

Int. Cl.: 3

Trademark

Principal Register

Carol Cole Company (CALIFORNIA CORPORATION)
1325 Sycamore Ave, Suite A
Vista, CALIFORNIA 92081

CLASS 3: Beauty serums

FIRST USE 12-31-2018; IN COMMERCE 12-31-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-980,493, FILED 05-22-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

BULK DATA: Since May 7 at 12 a.m., the TSDR Application Programming Interface (API) has not included all information. Images of trademark registration certificates issued since July 2016 and some office actions are absent in the API. Customers who need to retrieve a copy of a registration certificate or an office action should download it directly from the TSDR documents tab.

INTERMITTENT SYSTEM ISSUES: Due to high-volume usage, you may experience intermittent issues on the Trademark Status and Document Retrieval (TSDR) system between 6 – 8 a.m. ET. Refreshing your web browser should resolve the issue. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

SEARCH MULTI-SEARCH ?

US Serial, Registration, or Reference # ▼ 5765412

STATUS DOCUMENTS MAINTENANCE

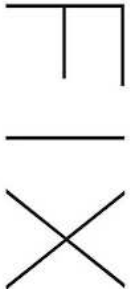
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Mark: NUFACE FIX

NUFACE



US Serial Number: 87980492

Application Filing Date: May 22, 2018

US Registration Number: 5765412

Registration Date: May 28, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:

The trademark application has been registered with the Office.



Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 28, 2019

Publication Date: Sep. 11, 2018

Notice of Allowance Date: Nov. 06, 2018

Mark Information

Mark Literal Elements: NUFACE FIX

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of "NUFACE FIX" vertical design.

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

Related Properties Information

Child Of: [87930785](#)

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: Beauty serums

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 2018

Use in Commerce: Dec. 31, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

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Attorney Name: Joshua J. Richman

Attorney Primary Email trademarks@ipla.com
Address:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOSHUA J. RICHMAN
IPLA, LLP
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Jan. 25, 2019	USE AMENDMENT FILED	71906
Apr. 04, 2019	DIVISIONAL PROCESSING COMPLETE	
Jan. 25, 2019	DIVISIONAL REQUEST RECEIVED	
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Feb. 19, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 13, 2019	ITU OFFICE ACTION ISSUED FOR DIVISIONAL REQUEST	71906
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Jan. 25, 2019	TEAS STATEMENT OF USE RECEIVED	
Nov. 06, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 11, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 11, 2018	PUBLISHED FOR OPPOSITION	
Aug. 23, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 23, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 22, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 09, 2018	ASSIGNED TO LIE	70884
Jul. 26, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 24, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 23, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 23, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 23, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 11, 2018	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jun. 11, 2018	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jun. 11, 2018	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	76076
Jun. 11, 2018	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	76076
Jun. 07, 2018	ASSIGNED TO EXAMINER	76076

May 31, 2018 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM

May 25, 2018 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 21, 2019

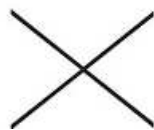
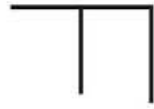
Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

United States of America

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NUFACE



Reg. No. 5,765,412

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SER. NO. 87-980,492, FILED 05-22-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

EXHIBIT B

MINERAL^{air}

THE NEW FACE OF BEAUTY

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A NEW ERA OF SKIN BEAUTY STARTS NOW

Our goal is to make everyone feel confident about themselves, and make everyday life beautiful. We believe the key to make this happen is to create beautiful skin that will make people feel confident and to be oneself. Mineral Air is the promise to flawless-looking skin.

INTRODUCING THE NEW FACE OF BEAUTY

Pairing the best of technology with the best from the Earth ushers in a real beauty breakthrough.



The most exciting reinvention of makeup formulation and application – YA-MAN's The Mineral Air – is itself the brainchild of a brilliant reinvention.

THE NEXT GENERATION OF MINERAL MAKEUP

YA-MAN originally encountered mineral cosmetics in America, loved the idea and began importing it into Japan. But it also saw that mineral makeup formulas had enormous potential for improvement for the discerning Japanese market.

The company set its sights on refining mineral foundation so that anyone could achieve a beautiful, natural look that was still gentle on the skin; something that could create a smooth,

satiny complexion every day. This challenge was nothing less than creating a mineral foundation that redefined what base makeup – and eventually blush – could be and could do.

By combining the finest in technology with the finest in nature, YA-MAN scientists were able to produce high quality, mineral-based cosmetic products that work for all women, all ages, and all skin types. Containing only the finest micronized minerals, it delivered superb coverage, yet felt as if it was part of the skin itself.

While gratified by this breakthrough, YA-MAN knew could make its foundation story even more remarkable.

INSPIRED BY PROFESSIONAL MAKEUP ARTISTS Aiming for a look that had never been achieved before by non-professionals, YA-MAN began by rethinking how foundation is applied. Virtually every celebrity make-up artist in Hollywood, Paris and Tokyo uses airbrush technology to give their A-list clients that flawless look. These artists have learned to use an airbrush well because the results are unbeatable.

Was there any way of duplicating the look of airbrush application used by a professional makeup artist while preserving the ease of application that comes from a brush or sponge?

THE REINVENTION OF MINERAL MAKEUP APPLICATION WITH MINERAL AIR When it came to developing a delivery system, YA-MAN was on solid ground. As is one of Japan's premiere developers and creators of sophisticated beauty devices (such as for skin conditioning or for hair removal) it was up to the challenge.

Through trial and error, YA-MAN's gifted R & D group succeeded and the results are unprecedented indeed . . . an ability to mist on a uniform veil consisting of the tiniest of particles, quickly and easily. Here is ultrafine foundation (or blush) so gentle on the skin it is scarcely discernable by feel. Yet, as lightweight as it is, this is full coverage at its most thorough.

First introduced in Japan in 2015 and in the U.S. in 2016, YA-MAN has further refined Mineral Air formulas and technology for its re-launch in America in 2018.

At the touch of a button, the innovative and ingenious Mineral Air delivers a completely new makeup experience. Thanks to Mineral Air, makeup's new normal now will be flawless.



SHOP YOUR SHADE



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- [Salon Pros](#)

ABOUT

- [Why Mineral Air](#)
- [Our Story](#)
- [Stores](#)

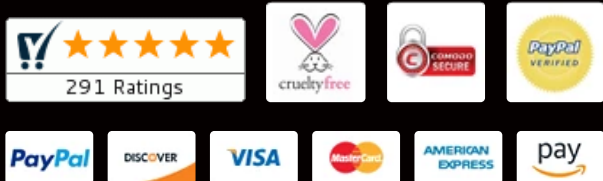
CUSTOMER SERVICE IS AVAILABLE

- [Mon-Fri 9-5pm EST](#)
- [Sat 9-3pm EST](#)
- [Call \(888\)996-3585](#)
- [By Email: customerservice@mineralair.com](#)



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