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

Proceeding	91251448
Party	Defendant Sugar Lash Inc.
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Submission	Testimony For Defendant
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Attachments	FirstDecMclver_11232020_signed.pdf(813834 bytes ) Exhibit 1.pdf(3142992 bytes ) Exhibit 2.pdf(2557914 bytes ) Exhibit 3.pdf(1331109 bytes ) Exhibit 4.pdf(77273 bytes ) Exhibit 5.pdf(1453584 bytes )

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

NOVALASH, INC.  Opposer,  vs.  SUGAR LASH INC.  Applicant.	Opposition No. 91251448 App. Ser. No. 87395581
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**FIRST DECLARATION OF KIM MCIVER**

I, Kim McIver, declare under penalty of perjury as follows:

1. I am the President of Sugar Lash Inc. (hereinafter "Applicant"). I have held the aforementioned position continuously since March 7, 2019. Prior to my present position, from approximately August 2018 to March 7, 2019, I held the position of Academy Director for the Applicant. The Applicant is a corporation incorporated under the laws of the Province of Alberta and having a registered office at 600, 12220 Stony Plain Road, Edmonton, Alberta T5N 3Y4.

2. The information in this affidavit is from my personal knowledge or from information contained in the relevant records of my Applicant, to which I have access in the ordinary course of my employment. Where facts are stated to be on information or belief, I have identified the source and believe it to be true, and where possible I have taken steps to verify the accuracy of the record.

3. The Applicant was provincially incorporated in the Province of Alberta on July 23, 2013. Attached hereto and marked as **Exhibit 1** are copies provided to me by my lawyer of: (i) the Certificate of Incorporation dated July 23, 2013 and (ii) an Alberta Corporation/Non-Profit

Search conducted on July 10, 2019 showing the legal entity status of Sugar Lash Inc. as active and as having a registered office at 600, 12220 Stony Plain Road, Edmonton, Alberta T5N 3Y4.

4. In my position as President, I am responsible for all levels of operation of the Applicant's business, including identifying and launching new products and training services, developing and implementing marketing strategies, attending trade shows, generating sales, and coordinating delivery of products and execution of training services. I understand the particular workings of the lash industry in Canada and the U.S. When I use the words "lashes," "lashing," or "lash," I am referring to artificial eyelashes and the application thereof depending on context. When I refer to "us," or use similar pronouns or references, I am referring to the Applicant in this case unless context dictates otherwise. In my previous role as Academy Director, I was responsible for overseeing the training and education part of the Applicant's business.

5. The goal of the Applicant is to sell high quality lash and lash application products and training services to the public and to lash artists and boutiques. Since the Applicant was founded, we have grown from two to over thirty team members, and now host over 35,000 square feet of combined office and warehouse space, and sell and ship lashing products and training services across the globe.

6. The lash industry is a competitive one, populated primarily by e-commerce companies that can be categorized as business-to-business (B2B) as opposed to business-to-consumer (B2C) entities. A B2B lash company operates by selling tools, lashes, and training to lash artists, who in turn directly perform lash application services on clients. Lash companies compete by attempting to source and develop the most advanced lash technology, constantly finding new manufacturers around the world and testing their products, in the hopes of being the first to sell a unique, innovative product that is useful for lash artists. Companies such as the

Applicant play a vital role in the lash economy by providing an outlet for third party manufacturers of products to sell their products to end users, via a traditional or private label distribution service.

7. As the President of Sugar Lash Inc. I work in conjunction with the Applicant's product development team to source and test unique, innovative products that can help lash artists. Once potential new products have been identified, they are ordered from third party manufacturers so that they can be photographed by our creative team. Often, we work with third party manufacturers to co-develop unique breakthrough products, although we also private label some products of third-party manufacturers. Once photos are complete, the Sales & Brand Director determines a product launch date based on what works for every department in the Applicant. Thereafter, our Marketing & Communications Manager develops a marketing schedule that primarily relies on social media posts & stories on Facebook, Instagram, Twitter, and Pinterest, as well as via email campaigns, blog posts, digital advertisements, and YouTube videos.

8. In terms of training services, most of our competitors primarily offer in-person lash education. To my knowledge, the Applicant was first lash company to offer online courses, which have become popular and successful.

9. A significant aspect of the business of the Applicant is our brand SUGARLASH. Ongoing general marketing of the SUGARLASH brand (products, sale of products, and services) is done primarily through Instagram, Facebook, emails, and digital advertisements. In addition, occasionally we include print pieces along with shipped product orders, such as postcards and brochures suggesting other types of products or training the customer may like. We also have our sales team attend trade shows and visit existing and prospective partner salons and lash application academies.

10. In some cases, product or training launches or promotions of the SUGARLASH brand are run in conjunction with a relatively more editorial campaign. In such instances, professional photographers, videographers, models, and makeup artists may be booked for a photo shoot. Such individuals work closely with us, and we decide the theme, direction, and overall look of the campaign. Once the edited photos and/or videos is received, a launch date and marketing schedule is determined. Editorial campaign videos may also be given a presence on YouTube in addition to Instagram, Facebook, and Pinterest. We also use such images in email and digital advertisement campaigns.

11. The Applicant is an e-commerce B2B Company which sells artificial eyelashes, beauty products, and lash application and beauty product training services online. Product and training revenue comes from offering products and training for sale on our online website. Product sales via our website are made presently and have been made at least since 2015 using the Shopify e-commerce platform. Shopify offers online retailers a suite of services including payments, marketing, shipping and customer engagement tools to simplify the process of running an online store for small merchants. Our Instagram page has an online store integrated through which followers can purchase tagged products or training services without having to leave Instagram. Our training courses are offered as online courses and via private training for lash artists, to assist such individuals to gain skills to perform lash services. Our courses are sold on our website (presently using the Zoho e-commerce platform), which then allows us to track the progress of our students. We also generate sales by having our sales team makes phone calls and visits to prospective and existing partners and buyers, in order to sell such entities lash products and training. However, all sales are directed through one of our online sales platforms.

12. As discussed above, we use various e-commerce platforms to complete sales of products or training services. Shopify is the e-commerce platform we use to sell all products. It is connected to our website as well as our other social media stores, such as on our Instagram site. Additionally, we use Shopify to analyze and track sales, client retention, average ticket and conversion rate. Zoho is the online platform we integrate with our website to invoice students and sell our online and private courses. Additionally, Zoho is where courses are viewed and allows us to track students' progress. Stripe is the online platform that connects to Zoho to process payments for courses sold through that site. Prior to June 2020 we were using the WooCommerce platform for courses. All of our e-commerce platforms use and display the SUGARLASH mark and have since at least as early as 2015 to present.

### **Trademarks**

13. The present application for SUGARLASH (hereinafter the “Trademark” or “SUGARLASH”) is U.S. serial no. 87395581 and was filed on April 2, 2017. The Trademark is based on (1) use in commerce since at least as early as 2015 in the U.S.A, and (2) Canadian trademark registration number TMA1008836 under Section 44(e) of the Lanham Act (15 U.S.C. § 1126). The goods and services listed in the Trademark application are as follows:

- a. “Artificial eyelashes; cosmetic preparation for eye lashes; cosmetic kits comprised of artificial eyelashes, eyelash adhesives, and eyelash primers; Artificial eyelash and eyelash application accessories, namely, adhesives, adhesive removers, primers” in International Class 3 (“Sugarlash Products”);
- b. “Online and retail store services featuring artificial eyelashes, eyelash application accessories and beauty products” in International Class 35 (“Retail Services”); and

- c. Online training services in the fields of artificial eyelashes and beauty products;  
Live training services in the use of artificial eyelashes and beauty products  
("Training Services").

14. Since 2015 and continuously to the present, the Trademark has been, and is, used and displayed prominently in connection with the Sugarlash Products. For example, SUGARLASH is displayed on the exemplary product packaging in **Exhibit 2**. The Trademark is also used alongside of other of our trademarks, such as the umbrella marks SUGARLASH PRO and LASHPRO used by the Applicant. In fact, the Applicant has used or is using at least the following formats of the mark SUGARLASH:

- SUGARLASH
- SUGARLASH PRO
- @SUGARLASH
- @SUGARLASHPRO

• SUGARLASH<sup>CO.</sup>

SUGARLASH  
LASH + BROW COUTURE

• SUGARLASH<sup>PRO</sup>



As referenced hereinbelow, SUGARLASH is intended to also include each of the preceding variations.

15. In addition to SUGARLASH, the Applicant is the owner of the following U.S. trademark registrations / applications, which form a family of Sugar and Lash marks for which the Applicant is well known in the USA (my lawyer has provided me with the information in the table below). Copies of the extracts of these applications and registrations, taken from the Canadian Intellectual Property Office's website at <http://www.ic.gc.ca/app/opic-cipo/trdmrks/srch/home?lang=eng>, are shown in **Exhibit 3**.

Trademark	Status	Goods and Services
SUGARLASH PRO	Registered  Registration No.: 5886419  Registration date: October 15, 2019	Class 35: Online and retail store services featuring artificial eyelashes, eyelash application accessories, beauty products  Class 41: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products
SUGARLASH PRO ACADEMY	Pending  Application No.: 90271760  Filing Date:	Class 9: Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images



	October 22, 2020	<p>Class 38: Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks</p> <p>Class 41: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics</p>
SUGARLASH SOCIETY	Pending	Class 3: Artificial eyelashes; Cosmetic preparation for eyelashes; Cosmetic kits containing artificial eyelashes, eyelash adhesives,

	<p>Application No.: 90271774</p> <p>Filing Date: October 22, 2020</p>	<p>and eyelash primers; Cosmetic kit accessories, namely facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings, bracelets, adhesive cups, lash bridges, lash tiles, lash lift shields, lash fans, makeup bags, hydrometers, facial masks, mattress and pillow covers, and pillows</p> <p>Class 9: Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images</p> <p>Class 10: Back support braces</p> <p>Class 11: Electric flashlights; Handheld lights that clamp onto mobile devices and furniture</p> <p>Class 35: Store services featuring beauty products, namely, facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Store services featuring artificial eyelashes, cosmetic preparation for eyelashes, cosmetic kits, eyelash adhesives, eyelash primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings and bracelets</p> <p>Class 38: Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text</p>
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		<p>messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing access to an Internet discussion website; Providing information in the field of artificial eyelashes and beauty products via an interactive website; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photographs images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks</p> <p>Class 41: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Online and live training services in business administration in the field of using and applying eyelash extension and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics</p> <p>Class 42: Computer services, namely the provision of online image and video processing</p>
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		<p>software to enable the user to visualize changes in the face or facial features or facial aesthetics; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics</p> <p>Class 44: Eyelash extension services; Microblading being eyebrow tattooing services; Permanent makeup services</p>
LASHPRO ACADEMY	<p>Registered</p> <p>Registration No.: 6043210</p> <p>Registration date: April 28, 2020</p>	<p>Class 9: downloadable online educational training videos in the field of artificial eyelashes and beauty products</p> <p>Class 41: Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products</p>
LASHPRO ACCELERATOR	<p>Pending</p> <p>Application No.: 88010399</p> <p>Filing Date: June 21, 2018</p>	<p>Class 41: Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products</p>
LASHSTYLE	Pending	<p>Class 9: Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and</p>

	<p>Application No.: 88052914</p> <p>Filing Date: June 25, 2018</p>	<p>sending digital photos, videos and images; Downloadable computer software and mobile applications for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Computer and mobile application software for the collection, editing, organizing, modifying, transmission, storage and sharing of user-selected information and personal profiles, photographic images, videos, text messages, and graphics over the Internet or other computer or wireless communication networks; Computer and mobile application software in the nature of an application programming interface (API) for computer software which facilitates capturing, modifying, displaying and sending digital photos, videos and images; Computer and mobile application software to enable uploading, downloading, accessing, posting, displaying, tagging, streaming, linking, sharing or otherwise providing user-selected information in the nature of personal profiles, photographic images, videos, text messages and graphics via computer and communication networks</p> <p>Class 35: Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics; retail store services featuring computer software; on-line retail store services featuring computer software</p> <p>Class 38: Providing multiple user access to a computer network comprising user-selected information in the nature of personal profiles and photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically</p>
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		<p>transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks; Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics</p> <p>Class 42: Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs</p>
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16. The Applicant is also the owner of the following Canadian trademark registrations / applications (my lawyer has provided me with the information in the table below). Copies of these applications and registrations are shown in **Exhibit 4**.

Trademark	Status	Goods
SUGARLASH	Registered  Registered No.: TMA1008836  Registration date: November 13, 2017	Artificial eyelashes; cosmetic preparation for eyelashes; cosmetic kits; artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings and bracelets; back support braces; handheld lights, namely handheld electric flashlights and lights, namely book lights that clamp onto mobile devices
SUGARLASH PRO	Pending  Application No.: 1820339  Filing Date: January 30, 2017	Sale of artificial eyelashes; sale of eyelash application accessories; sale of beauty products; Online training services in the fields of artificial eyelashes and beauty products; Live training services in the fields of artificial eyelashes and beauty products
SUGARLASH SOCIETY	Pending  Application No.: 2056958  Filing date: October 9, 2020	Artificial eyelashes; Cosmetic preparation for eyelashes; Cosmetic kits containing artificial eyelashes, eyelash adhesives, and eyelash primers; Cosmetic kit accessories, namely facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings, bracelets, adhesive cups, lash bridges, lash tiles, lash lift shields, lash fans, makeup bags, hydrometers, facial masks, mattress and pillow covers, and pillows;  Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images

		<p>Back support braces</p> <p>Electric flashlights; Handheld lights that clamp onto mobile devices and furniture;</p> <p>Store services featuring beauty products, namely, facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Store services featuring artificial eyelashes, cosmetic preparation for eyelashes, cosmetic kits, eyelash adhesives, eyelash primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings and bracelets;</p> <p>Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing access to an Internet discussion website; Providing information in the field of artificial eyelashes and beauty products via an interactive website; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;</p> <p>Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Online and live training services in business administration in the field of using and</p>
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		<p>applying eyelash extension and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;</p> <p>Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics;</p> <p>Eyelash extension services; Microblading being eyebrow tattooing services; Permanent makeup services;</p>
SUGARLASH ACADEMY	<p>Pending</p> <p>Application No.: 2056957</p> <p>Filing date: October 9, 2020</p>	<p>Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images;</p> <p>Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages,</p>

		<p>graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;</p> <p>Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;</p>
SUGARLASH PRO ACADEMY	<p>Pending</p> <p>Application No.: 2058521</p> <p>Filing date: October 19, 2020</p>	<p>Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing,</p>

		<p>modifying, displaying and sending text messages, digital photos, videos and images;</p> <p>Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs;</p> <p>Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;</p> <p>Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;</p>
LASHPRO ACADEMY	Registered	Downloadable educational training videos in the field of eyelashes and beauty care cosmetics

	Registration No.: TMA1033775  Registration date: June 28, 2019	
HIGH LASH SOCIETY	Registered  Registration No.: TMA1033771  Registration date: June 28, 2019	Artificial eyelashes; cosmetic preparation for eyelashes
LASHPRO ACCELERATOR	Registered  Registration No.: TMA1033762  Registration date: June 28, 2019	Downloadable educational training videos in the field of artificial eyelashes and beauty care cosmetics
LASHSTYLE	Pending  Application No.: 1906899  Filing date: June 28, 2018	Computer and mobile application software for mobile phones

17. I understand that Novalash, Inc. has filed this opposition proceeding to formally challenge the registration of SUGARLASH on the alleged basis that there is a likelihood of confusion with Novalash, Inc.'s trademark registration number 3944538 for CANDIED LASHES. A copy of this trademark registration and file history for the U.S. Patent and Trademark Office records is attached as **Exhibit 5**.

### **Marketing and Revenue**

18. Applicant also markets its products and services on various social media outlets, of which I maintain exclusive content control, including the following (my lawyer has provided me with the screenshots and information referred to for each social media outlet referred to below):

- a. an Instagram account accessible at <https://instagram.com/sugarlashpro>, on which at least 1,653 posts have been made, and which is followed by at least 161,000 followers and at least 19,000 lash artists, see attached **Exhibit 6**, which includes an exemplary series of screenshots from July 25, 2014, to November 20, 2020, detailing how SUGARLASH branded product and training services are marketed by the Applicant, specifically showing a) the wall at various intervals, including November 20, 2020, and in June 2020, and b) in-depth, date-stamped, and captioned posts and photos from the Instagram page. Also, attached as **Exhibit 7** are screenshots of the Instagram Shop for the Applicant, taken November 20, 2020.
- b. a Facebook page located at <https://www.facebook.com/sugarlashpro/> which has received at least 89,497 likes and 91,766 followers, see attached **Exhibit 8**, which details screenshots of the wall of the Facebook page, with the wall detailing the posts made on the site from December 8, 2013 to November 20, 2020. Posts on the Facebook page largely reflect posts on the Instagram page.
- c. a Twitter account accessible at <https://twitter.com/sugarlashpro/>, on which at least 1,801 tweets have been made, and which has at least 891 followers, see attached **Exhibit 9**, which details screenshots from the site listing tweets made from March 26, 2015 to November 20, 2020. Posts on the Twitter page largely reflect posts on the Instagram page.
- d. a Pinterest wall located at <https://pinterest.com/sugarlashpro/> which has at least 43,000 unique views each month (present value as of November 20, 2020), see attached **Exhibit 10**, which details a screenshot of the posts made on the wall from

2017 to June 2, 2020. Posts on the Pinterest page largely reflect posts on the Instagram page.

19. The Applicant also markets its SUGARLASH brand in association with its training and product services on a youtube.com profile at <https://www.youtube.com/user/sugarlashPRO>, which has at least 4,580 subscribers (present day amount as of November 20, 2020), see attached **Exhibit 11**, provided to me by my lawyer and that details screenshots of the posts made on the YouTube profile from about 2017 to 2020.

20. Applicant also markets its SUGARLASH brand online in association with its training and product services on the website <https://www.sugarlashpro.com/>, which the Applicant has operated since at least as early as 2015. Attached as **Exhibit 12** are screenshots of the <http://sugarlashpro.ca> website as it presently appears, with all such screenshots having been provided to me by my lawyer. The <http://sugarlashpro.com> website is identical to the <http://sugarlashpro.ca> website except that prices on <http://sugarlashpro.com> are in U.S. Dollars rather than Canadian Dollars.

21. The Applicant values its brands, and particularly its brand SUGARLASH. We actively monitor the industry and internet for infringements of our brand, and have hired a private firm to provide us with such a service.

22. The SUGARLASH brand has enjoyed a substantial degree of popularity and high volume of sales of artificial eyelashes, eyelash application accessories, and beauty products, since at least as early as 2015. The SUGARLASH mark was used or displayed in the performance of the Product Services and Retail Services, with sales in the United States over the past five years generating revenue in excess of the following amounts, which were prepared for me by employees at the Applicant reviewing the records of the Applicant under my direction. Revenues are

categorized in the table below on a year-by-year basis since 2015. Sales of the Applicant's products and Retail Services in Canada and the U.S. have been about even to date, although the tables in this affidavit refer only to U.S. sales. The summary data below has been updated from the summary data produced in the response to interrogatories, but the data below is consistent with the spreadsheets produced with those responses. All sales and marketing values reported in this document are rounded to the nearest \$1,000.

Year	Sales (\$ USD)
2015	\$495,000
2016	\$1,454,000
2017	\$2,609,000
2018	\$3,282,000
2019	\$2,962,000
2020 (through November 2020)	\$1,943,000
<b>Total</b>	<b>\$12,745,000</b>

23. For each of the years above (2015-2020) products sold include adhesives, metals (tweezers, lash picks, lash mirrors, and other lash and beauty product tools), liquids (lash adhesives, primers, eye cleansers, makeup and lash removers), artificial eyelashes, brow extensions, therapy items (such as back supports), cosmetics, skin lotions, eyelash application accessories (eye pads, films, tapes, plates, bridges), lights, and space accessories.

24. When customers purchase products from the Applicant, a receipt is generated and provided to them clearly displaying the SUGARLASH mark (in the form “Sugarlash PRO”, which is a use to our customers of both SUGARLASH PRO and SUGARLASH). Attached as **Exhibit 13** are sample invoices of beauty and lash products sold in this fashion from 2015 to 2020. Prior to 2018 invoices displayed SUGARLASH without the PRO suffix, although the records in Exhibit 13 show Sugarlash Pro as they were generated by the present accounting system.

25. Most (~90%) of our marketing expenditures from 2015 to 2020 were in the form of advertisements on Instagram and Facebook. A typical advertisement would be in the form of a post on Instagram or Facebook (see Exhibits 6-8 for examples of these posts), and that post would be boosted to advertise that post to social media users of such sites. Below is a table of marketing expenditures for advertising the Retail Services and Sugarlash Products in association with the SUGARLASH brand, with the information in the table having been prepared for me by employees at the Applicant reviewing the records of the Applicant under my direction.

Year	Marketing expenditures (\$ USD)
2015	\$56,000
2016	\$92,000
2017	\$121,000
2018	\$61,000
2019	\$91,000



2020 (through November 2020)	\$312,000
<b>Total</b>	<b>\$733,000</b>

26. The SUGARLASH brand has enjoyed a substantial degree of popularity and high volume of sales of online training services in the fields of artificial eyelashes and beauty products, and live training services in the fields of artificial eyelashes and beauty products since at least as early as 2015. The SUGARLASH mark was used or displayed in the performance of the Training Services, with sales in the United States over the past five years generating revenue in excess of the following amounts, which were prepared for me by employees at the Applicant reviewing the records of the Applicant under my direction.

Year	Sales (\$ USD)
2015	\$58,000
2016	\$41,000
2017	\$609,000
2018	\$1,461,000
2019	\$655,000
2020 (through November 2020)	\$403,000
<b>Total</b>	<b>\$3,227,000</b>

27. As with the Retail Services and Sugarlash Products, most (~90%) of our marketing expenditures from 2015 to 2020 were in the form of advertisements on Instagram and Facebook. A typical advertisement would be in the form of a post on one of these sites, and that post would be boosted to advertise that post to social media users of such sites. Below is a table of marketing expenditures for advertising the Training Services in association with the SUGARLASH brand, with the information in the table having been prepared for me by employees at the Applicant reviewing the records of the Applicant under my direction.

Year	Marketing expenditures (\$ USD)
2015	\$3,000
2016	\$10,000
2017	\$30,000
2018	\$20,000
2019	\$23,000
2020	\$83,000
<b>Total</b>	<b>\$169,000</b>

28. Prior to 2018, when customers purchased Training Services from the Applicant, a receipt was generated and provided to them clearly displaying the SUGARLASH mark. Attached as **Exhibit 14**. The invoices of Exhibit 14 were generated by our present accounting system.

29. Through her work promoting and building the SUGARLASH brand and the Applicant in general, the Applicant's founder, Courtney Buhler, has received numerous accolades and awards, including:

- a. Women of Vision 2012
  - b. Top 100 Entrepreneurs (Women) in Edmonton 2013
  - c. Fierce Award for Women in Business making a difference
  - d. Lash Inc. — Lash Artist of the Year 2014
  - e. Lash Inc. — Lash Artist of the year in 2015
  - f. Lash Inc. — Top North American Lash Supplier and Academy in 2016
  - g. Avenue Magazine Edmonton — Top 40 Under 40 in 2018
  - h. Ernst & Young Prairies — Young Entrepreneur of the Year in 2019
30. In addition, the Applicant has received numerous accolades and awards, including:
- a. Lash Inc. — "Favourite Adhesive" in 2017
  - b. National Association of Lash Artists — Best Business Curriculum in 2018 and 2019

**No Confusion with CANDIED LASHES**

31. I have read a copy of the declaration of Sophy Merszei dated September 23, 2020, provided to me by my lawyer, and filed by the Opposer Novalash, Inc. in this Opposition (the "Merszei Declaration"). I understand that Novalash, Inc. is opposing the application to register SUGARLASH in the United States. I am familiar with Novalash, Inc. I had never heard of Novalash, Inc.'s "Candied Lashes" brand until Novalash, Inc. formally challenged the Applicant's Canadian trademark application for the mark SUGARLASH PRO, filed January 30, 2017, before the Canadian Intellectual Property Office.

32. My understanding is that CANDIED LASHES is a relatively inconsequential, minor, niche SKU of products in the lash industry. As a professional who is deeply involved with the artificial eyelash market and who also had never heard of Novalash, Inc.'s CANDIED LASHES brand until Novalash, Inc. asserted that mark against us, I completely disagree with any assertion that CANDIED LASHES is a famous trademark. To my knowledge CANDIED LASHES is not one of the main products of Novalash, Inc. I disagree with each of the grounds of opposition in the statement of opposition filed in this matter.

33. As above I am personally familiar with the lash and beauty product industry in Canada and the United States. From my experience I do not consider there to be any likelihood of confusion between SUGARLASH and CANDIED LASHES as asserted by Novalash, Inc. in this opposition proceeding. Purchasers of our Sugarlash Products, Retail Services, or Training Services will in no way mistakenly order SUGARLASH services or products thinking they are buying the services or products of Novalash, Inc. There is no likelihood of confusion between the marks.

34. Moreover, I am not aware of even a single instance where there has been actual consumer confusion as to the source of the parties' respective marks, nor any actual source confusion between the Applicant and Novalash, Inc., despite co-existence in the marketplace from at least 2015 to present.

35. The Applicant does not sell "candied lash" or any product that uses the word "candy" or "candied."

36. The term "lash" is commonly understood to be synonymous with or to otherwise mean "eyelash." Attached as **Exhibit 15** are various definitions for "lash" that are available online from well-known and reputable dictionaries.

37. The term “candied” is commonly understood to mean that something is coated or encrusted with sugar. Attached as **Exhibit 16** are various definitions for “candied” that are available online from well-known and reputable dictionaries.

38. The letter sequence LASH is a common component of trademarks in the lash and beauty product industry. In particular, consumers are used to seeing LASH-formative marks of different varieties (LASH-formative meaning a trademark that uses the word LASH with other words or letters). My lawyer has provided me with a table shown in **Exhibit 17** of other LASH-formative trademarks that have been registered with the U.S. Patent and Trademark Office. Attached as **Exhibit 18** are true copies of 78 registration certificates from the table in Exhibit 17 which have been accessed from the U.S. Patent and Trademark Office’s website.

39. In addition, LASH and other LASH-formative terms are commonly used throughout the lash and beauty product industry as a descriptive term to reference lashes and lash-related products and services. Attached as **Exhibit 19** are webpages from third parties showing exemplary third-party descriptive use of LASH and other LASH-formative terms and names throughout the lash and beauty product industry.

40. Furthermore, LASH is a descriptive term when used in connection with eyelash-related products or services. Each of the trademark registrations from the table in **Exhibit 17** are used in connection with eyelash-related products or services and include a disclaimer of “lash” (or similar term). Furthermore, each of the 78 U.S.P.T.O. registration certificates in Exhibit 18 shows that “lash” (or similar descriptive term) has been disclaimed.

41. The letter sequence CAND and the word CANDY (or variations of same) are a common component of trademarks in the lash and beauty product industry. In particular, consumers are used to seeing CAND and CANDY-formative marks of different varieties

(formative meaning a trademark that uses the sequence CAND or forms of the word CANDY with other words or letters). My lawyer also provided me with the table shown in **Exhibit 20** of other CAND and CANDY-formative trademarks that have been registered with the U.S. Patent and Trademark Office in connection with cosmetics and the beauty product industry. Attached as **Exhibit 21** are true copies of 57 registration certificates from the table in Exhibit 20 which have been accessed from the U.S. Patent and Trademark Office's website.

42. In addition, the letter sequence CAND and the word CANDY (or variations of same) are a common component of trademarks specifically in connection with lash products and services. In particular, consumers are used to seeing CAND and CANDY-formative marks of different varieties (formative meaning a trademark that uses the sequence CAND or forms of the word CANDY with other words or letters) specifically in connection with lash products and related services. Attached as **Exhibit 22** are true copies of 8 registration certificates for CAND and CANDY formative marks used in connection with lash products and services, the 8 registration certificates having been accessed from the U.S. Patent and Trademark Office's website.

43. In addition, CAND and other CANDY-formative terms are commonly used specifically in the lash product and related services market as a descriptive term to reference lashes and lash-related products and services. Attached as **Exhibit 23** are true and accurate copies of 37 different webpages from third parties showing exemplary third-party descriptive use of CAND and other CANDY-formative terms and names specifically in connection with lash products and related services.

44. Attached as **Exhibit 24** is a true and accurate copy of Novalash. Inc.'s Responses to Respondent's First Set of Interrogatories.

45. Attached as **Exhibit 25** is a true and accurate copy of Novalash. Inc.'s Responses to Respondent's First Set of Requests for Admissions.

46. Attached as **Exhibit 26** is a true and accurate copy of Novalash. Inc.'s Responses to Applicant's First Request for Production of Documents and Things, and attached as **Exhibit 27** is a true and accurate copy of the non-confidential documents produced by Novalash, Inc., Bates numbered from NOVALASH 000001 through NOVALASH 000084.

47. Attached as **Exhibit 28** is a true and accurate copy of Applicant's Response to Opposer's First Set of Interrogatories.

48. Attached as **Exhibit 29** is a true and accurate copy of Applicant's Objection and Responses to Opposer's First Set of Requests for Production.

#### **Additional Comments**

49. The SUGARLASH brand has been the subject of numerous articles in publications with U.S. and international reach, including the following articles, copies of which are attached as **Exhibit 30**:

- a. Published June 25, 2018, shefinds.com, title "I Got An Eyelash Lift -- See The Before And After Photos", <https://www.shefinds.com/eyelash-lift-review/>. Shefinds.com is known to me to have U.S.-wide and international reach, with over 2 million followers, for more information see the attached screenshot taken from <https://www.shefinds.com/advertise/>.
- b. Published July 23, 2018, allure.com, title "I Got a Lash Lift - Which Is Basically a Perm For Your Eyelashes", <https://www.allure.com/story/keratin-eyelash-lift>. Allure.com is known to me to have a U.S.-wide and international reach. Attached is a screenshot of Allure's global commercial contact taken from allure.com's

publisher CondeNast indicating that Allure has a print readership of 5.3 million monthly readers, 12.6 million unique digital users, and 3.9 million followers across social media platforms, excerpt taken from <https://www.condenast.com/brands-and-markets/allure#>.

- c. Published October 29, 2019, wmagazine.com, title “Everything You Need to Know About Lash Lifts and Extensions, Courtesy of Courtney Buhler”, <https://www.wmagazine.com/story/courtney-buhler-sugarlash-pro-ultra-extensions-lash-lift>. This article was in the print and online magazine. wmagazine is known to me to have U.S.-wide and international reach. Attached is a screenshot of a Wikipedia webpage indicating a total circulation of 453,438 from 2018, excerpt taken from [https://en.wikipedia.org/wiki/W\\_\(magazine\)](https://en.wikipedia.org/wiki/W_(magazine)).
- d. Published July 31, 2018, harpersbazaarabia.com, title “New Report Claims That Lash Lifts And Extensions Are Becoming More Popular Than Mascara”, <https://www.harpersbazaarabia.com/beauty/news/report-claims-that-lash-lifts-more-popular-than-mascara>. harpersbazaarabia.com is known to me to have a U.S.-wide and international readership. Attached is a screenshot of their publisher’s webpage indicating a total reach of 2,983,002 users per month taken from <https://www.itp.com/brands/harpers-bazaar-arabia>.
- e. Published December 4, 2016, buzzfeed.com, title “We Got Eyelash Lifts And Our Lashes Looked Insane”, [https://www.buzzfeed.com/laraparker/we-got-eyelash-lifts-and-the-result-was-kind-of-crazy-tbh?utm\\_term=.euO24X6V2#.dj9ePQ7be](https://www.buzzfeed.com/laraparker/we-got-eyelash-lifts-and-the-result-was-kind-of-crazy-tbh?utm_term=.euO24X6V2#.dj9ePQ7be). Buzzfeed.com is known to me to have a large U.S.-wide and international reach. According to an attached screenshot of their website, they are the “leading



independent digital media company delivering news and entertainment to hundreds of millions of people around the world”, excerpt taken from <https://www.buzzfeed.com/about?country=en-ca>.

- f. Published March 13, 2018, elle.com, title “Everything You Need To Know About Lash Lifts (And Why They’re Better Than Lash Extensions)”, <https://www.elle.com/beauty/makeup-skin-care/a19409536/what-is-lash-lift/>. Elle is known to me as a U.S.-wide and internationally known magazine, and one of the biggest selling fashion magazines in the world. Attached is a screenshot taken from their publisher’s webpage citing 14.1 million unique visitors viewing elle.com. The excerpt was taken from <https://www.hearst.com/-/audience-demographics>.
- g. Published July 1, 2019, byrdie.com, title “This Honestly Changed My Life: A Keratin Lash Lift”, <https://www.byrdie.com/keratin-lash-lift-review-4691610>. Byrdie.com is known to me to be a wide-reaching beauty, health and wellness website, with a U.S.-wide and international reach. Attached is a screenshot of their webpage, indicating that their reach is approximately 4 million people each month. The excerpt was taken from <https://www.byrdie.com/about-us>.
- h. Published July 8, 2019, glamour.com, title “I Got a Lash Lift, and It’s as Life Changing as Everyone Says”, <https://www.glamour.com/story/what-is-a-lash-lift-review>. Glamour magazine is known to me to be a well-known magazine in the U.S. whose publication has international reach. Attached is a screenshot of their publisher CondeNast’s webpage indicating that glamour.com has a print readership of 6.3 million unique users, and a social media following of approximately 16.5

million followers. The excerpt was taken from <https://www.condenast.com/brands-and-markets/glamour>.

- i. Published September 7, 2016, lapalmemagazine.com, “Get Your Dream Lashes this Season with Pro-Tips from Sugarlash’s Courtney Buhler,” <https://lapalmemagazine.com/2016/09/dream-lashed-this-season-with-pro-tips-from-sugarlashs-courtney-buhler/>. Attached is a screenshot from the Lapalme website, <https://lapalmemagazine.com/company/>, indicating that the magazine publishes to more than 180,000 readers internationally.
- j. Published November 22, 2016, ClichéMag.com, “Our Not-So-Secret Crush on Sugarlash,” <https://www.clichemag.com/beauty/our-not-so-secret-crush-on-sugarlash/>. Attached is a screenshot of a Wikipedia article, [https://en.wikipedia.org/wiki/Clich%C3%A9\\_Magazine](https://en.wikipedia.org/wiki/Clich%C3%A9_Magazine), indicating that ClichéMag is based in the U.S. and is published online only, with a circulation of over 600,000.
- k. Published July 6, 2016, InStyle.com, “Getting Lash Extensions? You Need to Read This First,” <https://www.instyle.com/beauty/makeup/you-need-read-getting-eyelash-extensions>. InStyle magazine is known to me as being a well-known magazine in the U.S., whose publication has international reach. Attached is a screenshot from InStyle’s website, <https://www.meredith.com/brand/instyle>, indicating that InStyle has 7.3 million readers.
- l. Published February 9, 2017, modernsalon.com, “What Beauty Professionals Need to Know About Sugarlash PRO,” <https://www.modernsalon.com/374087/what-beauty-professionals-need-to-know-about-sugarlash-pro>. Modernsalon is known to

me as a popular U.S. magazine. Attached is a screenshot from modernsalon's website, <https://www.bobitmarketingsolutions.com/our-brands/our-brands-modern-salon>, indicating that modersalon.com has 688,000 monthly visitors and 1.8 million social media followers.

50. Attached as **Exhibit 31** are copies of our e-catalogue, our Partner Salon brochure, and our Partner Academy brochure, all which provide examples of how SUGARLASH is used in association with the marketing of our Sugarlash Products, Retail Services, and Training Services. These documents are all available to customers who request more information on our services. Typically, these documents are provided to prospective customers who want to purchase our products and/or education (Retail Services and Training Services).

#### **Closing Comments**

51. On the whole, the Applicant's SUGARLASH mark ought to be registrable and the opposition against same should be refused. Moreover, the mark has also achieved extensive notoriety and acquired distinctiveness in the United States, and ought to be registrable on that basis alone. By contrast, the Opponent's CANDIED LASHES mark has minimal sales, exposure, and success across the U.S. despite being on the market for almost a decade.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: November 23, 2020

  
Kim McIver

# Exhibit 1

**CORPORATE ACCESS NUMBER: 2017620994**

**Government  
of Alberta ■**

**BUSINESS CORPORATIONS ACT**

**CERTIFICATE  
OF  
INCORPORATION**

**SUGAR LASH INC.  
WAS INCORPORATED IN ALBERTA ON 2013/07/23.**



**CORPORATE ACCESS NUMBER: 2017620994**

**Government  
of Alberta ■**

**BUSINESS CORPORATIONS ACT**

**CERTIFICATE  
OF  
INCORPORATION**

**SUGAR LASH INC.**  
WAS INCORPORATED IN ALBERTA ON 2013/07/23.



# Incorporate Alberta Corporation - Registration Statement

**Alberta Registration Date: 2013/07/23**

**Corporate Access Number: 2017620994**

**Service Request Number:** 20019784  
**Alberta Corporation Type:** Named Alberta Corporation  
**Legal Entity Name:** SUGAR LASH INC.  
**French Equivalent Name:**  
**Nuans Number:** 109683905  
**Nuans Date:** 2013/07/23  
**French Nuans Number:**  
**French Nuans Date:**

## REGISTERED ADDRESS

**Street:** 11756 - 10 AVENUE SW  
**Legal Description:**  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7

## RECORDS ADDRESS

**Street:**  
**Legal Description:**  
**City:**  
**Province:**  
**Postal Code:**

## ADDRESS FOR SERVICE BY MAIL

**Post Office Box:**  
**City:**  
**Province:**  
**Postal Code:**  
**Internet Mail ID:**

**Share Structure:** SEE ATTACHED SCHEDULE A  
**Share Transfers Restrictions:** SEE ATTACHED SCHEDULE B  
**Number of Directors:**  
**Min Number Of Directors:** 1  
**Max Number Of Directors:** 7

**Business Restricted To:** NONE  
**Business Restricted From:** NONE  
**Other Provisions:** NONE

**Professional Endorsement Provided:**

**Future Dating Required:**

**Registration Date:** 2013/07/23

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#### Director

**Last Name:** BUHLER  
**First Name:** COURTNEY  
**Middle Name:** MARIE  
**Street/Box Number:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7  
**Country:**  
**Resident Canadian:** Y

**Last Name:** BUHLER  
**First Name:** DUSTIN  
**Middle Name:**  
**Street/Box Number:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7  
**Country:**  
**Resident Canadian:** Y

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#### Attachment

Attachment Type	Microfilm Bar Code	Date Recorded
Restrictions on Share Transfers	ELECTRONIC	2013/07/23
Share Structure	ELECTRONIC	2013/07/23

**Registration Authorized By:** COURTNEY BUHLER



INCORPORATOR

**Articles of Incorporation  
For  
SUGAR LASH INC.**

**Share Structure:** SEE ATTACHED SCHEDULE A  
**Share Transfers Restrictions:** SEE ATTACHED SCHEDULE B  
**Number of Directors:**  
**Min Number of Directors:** 1  
**Max Number of Directors:** 7  
**Business Restricted To:** NONE  
**Business Restricted From:** NONE  
**Other Provisions:** NONE

**Registration Authorized By:** COURTNEY BUHLER  
INCORPORATOR

SCHEDULE "A" TO THE ARTICLES OF INCORPORATION

2. THE CLASSES, AND ANY MAXIMUM NUMBER OF SHARES THAT THE CORPORATION IS AUTHORIZED TO ISSUE:

- (a) an unlimited number of Class "A" Shares
- (b) an unlimited number of Class "B" Shares
- (c) an unlimited number of Class "C" Shares
- (d) an unlimited number of Class "D" Shares without nominal or par value.

The classes of shares described herein shall have the following rights, privileges, restrictions and conditions:

ARTICLE 1 - VOTING

1.01 The holders of Class "A" Shares as such shall be entitled at any meeting of the Shareholders of the Corporation to one (1) vote for each such share.

1.02 The holders of Class "B" Shares as such shall be entitled at any meeting of the Shareholders of the Corporation to one (1) vote for each such share.

1.03 The holders of Class "C" Shares as such shall NOT be entitled to vote at any meeting of the Shareholders of the Corporation nor to attend or be represented thereat except as otherwise specifically provided in the Business Corporations Act.

1.04 The holders of Class "D" Shares as such shall NOT be entitled to vote at any meeting of the Shareholders of the Corporation nor to attend or be represented thereat except as otherwise specifically provided in the Business Corporations Act.

ARTICLE 2 - DIVIDENDS

2.01 The holders of Class "A", Class "B", Class "C" and Class "D" shares shall be entitled to receive dividends in each fiscal year in such proportion and amount as may be declared by the Directors in their absolute discretion.

2.02 The Directors may declare a dividend of any amount in respect of any particular class of shares without declaring a similar dividend, or any dividend, in respect of any other class of shares.

ARTICLE 3 - LIQUIDATION

3.01 In the event of any liquidation, dissolution, winding-up or return of capital of the Corporation, whether voluntary or involuntary, the assets of the Corporation shall be divided ratably among the holders of the Class "A", Class "B", Class "C" and Class "D" shares.

SCHEDULE "B" TO THE ARTICLES OF INCORPORATION

3. RESTRICTIONS ON SHARE TRANSFERS (IF ANY):

1.01 No shares shall be transferred without approval of the Board of Directors.

1.02 No shareholder may sell or transfer shares to members of the public.

1.03 There shall be at all times no more than fifteen (15) shareholders of the Company.

# Government of Alberta ■ Corporation/Non-Profit Search

## Corporate Registration System

Date of Search: 2019/07/10  
Time of Search: 11:12 AM  
Search provided by: WARREN SINCLAIR LLP  
Service Request Number: 31340342  
Customer Reference Number: 97129

**Corporate Access Number:** 2017620994

**Legal Entity Name:** SUGAR LASH INC.

**Legal Entity Status:** Active

**Alberta Corporation Type:** Named Alberta Corporation

**Registration Date:** 2013/07/23 YYYY/MM/DD

**Date of Last Status Change:** 2018/09/24 YYYY/MM/DD

### Registered Office:

**Street:** 600, 12220 STONY PLAIN ROAD  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T5N 3Y4

### Directors:

**Last Name:** BUHLER  
**First Name:** DUSTIN  
**Street/Box Number:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7

**Last Name:** BUHLER  
**First Name:** COURTNEY  
**Middle Name:** MARIE  
**Street/Box Number:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7

**Voting Shareholders:**

1-10

**Last Name:** BUHLER  
**First Name:** DUSTIN  
**Street:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7  
**Percent Of Voting Shares:** 49

**Last Name:** BUHLER  
**First Name:** COURTNEY  
**Middle Name:** MARIE  
**Street:** 11756 - 10 AVENUE SW  
**City:** EDMONTON  
**Province:** ALBERTA  
**Postal Code:** T6W 0B7  
**Percent Of Voting Shares:** 51

**Details From Current Articles:**

The information in this legal entity table supersedes equivalent electronic attachments

**Share Structure:** SEE ATTACHED SCHEDULE A  
**Share Transfers Restrictions:** SEE ATTACHED SCHEDULE B  
**Min Number Of Directors:** 1  
**Max Number Of Directors:** 7  
**Business Restricted To:** NONE  
**Business Restricted From:** NONE  
**Other Provisions:** NONE

**Other Information:****Last Annual Return Filed:**

File Year	Date Filed (YYYY/MM/DD)
2018	2018/09/24

**Filing History:**

List Date (YYYY/MM/DD)	Type of Filing

2013/07/23	Incorporate Alberta Corporation
2018/08/23	Change Address
2018/09/02	Status Changed to Start for Failure to File Annual Returns
2018/09/24	Change Director / Shareholder
2018/09/24	Enter Annual Returns for Alberta and Extra-Provincial Corp.
2018/09/26	Capture Microfilm/Electronic Attachments

**Attachments:**

Attachment Type	Microfilm Bar Code	Date Recorded (YYYY/MM/DD)
<a href="#">Share Structure</a>	ELECTRONIC	2013/07/23
<a href="#">Restrictions on Share Transfers</a>	ELECTRONIC	2013/07/23
Amended Annual Return	10000107130272225	2018/09/25

The Registrar of Corporations certifies that, as of the date of this search, the above information is an accurate reproduction of data contained in the official public records of Corporate Registry.



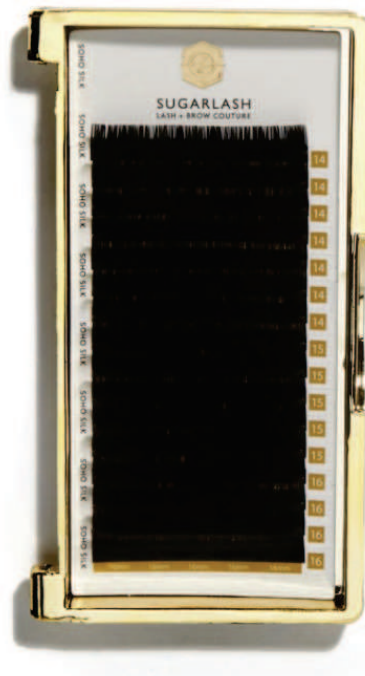
# Exhibit 2



HOME » ALL LASHES » B-CURL SILK LASHES (SINGLE LENGTH TRAYS)

## B-CURL SILK LASHES

SINGLE LENGTH TRAYS



BACK TO SHOP

## B-CURL SILK LASHES

SINGLE LENGTH TRAYS

~~\$20.00 USD~~ \$8.00 USD

★★★★★ 21 RATINGS

SELECT LENGTH

7MM 8MM 9MM 10MM 11MM 12MM 13MM 14MM

SELECT DIAMETER

0.05 0.06 0.07 0.10 0.12 0.15 0.18

QUANTITY

1 2 3 4 5 6 7 8

ADD TO BAG

## DESCRIPTION

OUR SILK LASHES ARE AN ULTRA BLACK LASH EXTENSION WITH A VELVET-SHEEN. THIS LASH TYPE IS TAPERED ONLY AT THE LAST 1/3 OF THE EXTENSION, MAKING THE LASH BODY VERY FULL AND DRAMATIC. ALL OUR LASHES ARE ALL DOUBLE HEATED FOR AMAZING CURL RETENTION AND CONSISTENCY.

THE SILK LASHES ARE AVAILABLE IN SINGLE LENGTH TRAYS AND MIXED LENGTH TRAYS.

+ OUR MOST DRAMATIC LASH TYPE  
+ VELVET SHEEN

We're here to assist you

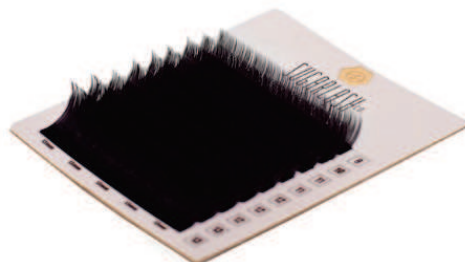
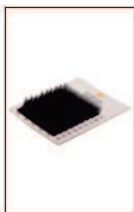


SUGARLASH REWARDS

HOME » ALL LASHES » BOTTOM SILK LASHES (5-8MM)

## BOTTOM SILK LASHES

5-8MM

[BACK TO SHOP](#)

## BOTTOM SILK LASHES

5-8MM

~~\$17.00 USD~~ \$6.80 USD

★★★★★ 19 RATINGS

SELECT COLOR

[BLACK](#) [BROWN](#)

SELECT DIAMETER

[0.07](#) [0.10](#) [0.12](#)

QUANTITY

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#)

ADD TO BAG

## DESCRIPTION

OUR SILK LASHES ARE AN ULTRA BLACK LASH EXTENSION WITH A VELVET-SHEEN. THIS LASH TYPE IS TAPERED ONLY AT THE LAST 1/3 OF THE EXTENSION, MAKING THE LASH BODY VERY FULL AND DRAMATIC. ALL OUR LASHES ARE ALL DOUBLE HEATED FOR AMAZING CURL RETENTION AND CONSISTENCY.

OUR BOTTOM MINI TRAY INCLUDES: 6MM (5 ROWS), 6MM (2 ROWS), 7MM (2 ROWS), 8MM (2 ROWS)

+ VELVET SHEEN  
+ AVAILABLE IN BLACK OR BROWN

We're here to assist you



SUGARLASH REWARDS

HOME » ALL LASHES » C-CURL FLAT LASHES (SINGLE LENGTH)

## C-CURL FLAT LASHES

SINGLE LENGTH

[BACK TO SHOP](#)

## C-CURL FLAT LASHES

SINGLE LENGTH

~~\$26.00 USD~~ \$10.00 USD

★★★★★ 66 RATINGS

SELECT LENGTH

[7MM](#) [8MM](#) [9MM](#) [10MM](#) [11MM](#) [12MM](#) [13MM](#) [14MM](#)

SELECT DIAMETER

[0.15](#) [0.18](#)

QUANTITY

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#)[ADD TO BAG](#)

## DESCRIPTION

FLAT LASHES ARE OUR MOST DRAMATIC EYELASH EXTENSION. INSTEAD OF BEING ROUND, THIS LASH TYPE IS FLATTENED TO LOOK WIDER, YET WEIGH THE SAME AS A TRADITIONAL EYELASH EXTENSION TYPE. 0.15 FLAT LASHES LOOK LIKE A 0.20, BUT ONLY WEIGH THE SAME AS A 0.15 LASH. IF YOUR CLIENT WANTS THE DRAMA, BUT CAN'T HANDLE A THICKER LASH, FLAT LASHES ARE FOR YOU!

THE FLAT LASHES ARE AVAILABLE IN SINGLE LENGTH, GREATER LENGTHS AND MIXED LENGTH SPEED TRAYS.

+ HIGH DRAMA

SUGARLASH REWARDS

HOME › LIQUIDS › MATTE PREP +

## MATTE PREP +

[BACK TO SHOP](#)

## MATTE PREP +

~~\$33.00 USD~~ \$19.80 USD

★★★★★ 3 REVIEWS

QUANTITY

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#)

ADD TO BAG

## DESCRIPTION

PERFECTLY PREPPED AND PRIMED. MATTE PREP+ PREPARES YOUR CLIENT'S NATURAL LASHES BY REMOVING EXCESS OILS AND RESIDUE ON THE EYELASHES. THIS SUGARLASH PRO SOLUTION HELPS TO EFFECTIVELY BOND EXTENSIONS TO THE NATURAL LASH, CREATING CLEAN SETS EVERY TIME.

30ML

DIRECTIONS:

AFTER CLEANSING YOUR CLIENT'S NATURAL LASHES, WET A LINT FREE FLOCKED APPLICATOR WITH MATTE PREP +. TAKE ANOTHER DRY, LINT FREE FLOCKED APPLICATOR AND RUB THE TWO TOGETHER. THIS WILL PREVENT OVER-SATURATION OF THE SOLUTION WHICH CAN CAUSE POOR RETENTION OR ALLOW EXCESS SOLUTION TO RUN INTO THE EYE. GENTLY BRUSH OVER THE NATURAL LASHES WITH THE TWO APPLICATORS. DO NOT RINSE.

+ THE PH LEVEL OF MATTE PREP+ ENSURES IT IS EYE-FRIENDLY.

+ DECREASES THE LASHES.

+ CONTAINS WITCH HAZEL WHICH HAS ANTI-INFLAMMATORY PROPERTIES, REMOVES EXCESS OIL, PREVENTS HAIR LOSS, AND

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SUGARLASH REWARDS

HOME » LIQUIDS » SIGNATURE BOND

## SIGNATURE BOND

[BACK TO SHOP](#)

## SIGNATURE BOND

~~\$48.00 USD~~ \$22.20 USD

★★★★★ 1043 RATINGS

SELECT SIZE

5ML 10ML

QUANTITY

1 2 3 4 5 6 7 8

[ADD TO BAG](#)

## DESCRIPTION

THE BOND FORMERLY KNOWN AS "ELITE" IS BACK AS OUR SIGNATURE BOND! ITS CULT STATUS WAS CEMENTED BY ITS UNPARALLELED COMPATIBILITY. SIGNATURE BOND CONTINUES TO WORK IN THE **WIDEST** RANGE OF HUMIDITIES, FROM 20-75% RH. IT DOES NOT DO WELL IN TEMPERATURES OVER 23 DEGREES C.

NOT ONLY IS SIGNATURE BOND PERFECT FOR BOTH VOLUME AND CLASSIC LASHING, BUT ITS FORGIVING NATURE WORKS IN ALL ENVIRONMENTS AND FOR EVERY TYPE OF LASH ARTIST.

NEW 5ML SIZING NOW AVAILABLE!

+ 1-2 SECONDS DRY TIME

+ 20-75% RH OPTIMAL HUMIDITY

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SUGARLASH REWARDS

HOME » TWEEZERS » V-45 VOLUME LASH TWEEZERS

## V-45 VOLUME LASH TWEEZERS

[BACK TO SHOP](#)

## V-45 VOLUME LASH TWEEZERS

~~\$37.00 USD~~ \$14.80 USD

★★★★★ 99 RATINGS

SELECT LENGTH

120MM V-45 TWEEZER

140MM V-45 TWEEZER

QUANTITY

1 2 3 4 5 6 7 8

[ADD TO BAG](#)

## DESCRIPTION

THE V-45 HAS A PRECISION CURVED END AT AN ANGLE OF 45 DEGREES. ITS CLAMP-LIKE HEAD HELPS TO GAIN CONTROL OVER FINE DIAMETER LASH EXTENSIONS (SUCH AS 0.05, 0.06, 0.07) FOR AN EASIER MULTI-LASH PICK UP. ALL SUGARLASH PRO TWEEZERS COME IN BOTH 120MM AND 140MM VARIATIONS, AND HAVE PRECISION CLOSURE TIPS FOR EXPERT ISOLATION AND PICK UP. HANDCRAFTED AND TWEAKED TO PERFECTION BEFORE SHIPPING, EACH TWEEZER IS OPTIMIZED TO HAVE A "SWEET SPOT", AND REDUCE HAND FATIGUE.

- + STAINLESS STEEL
- + NON-MAGNETIC
- + NON-STATIC
- + AUTOCLAVABLE
- + SUPER-FINE TIP

We're here to assist you

WE RECOMMEND YOU STORE YOUR TWEEZERS IN A CASE OR TWEEZER ROLL. YOU CAN FIND BOTH OF THESE PRODUCTS IN OUR STORE. [SUGARLASH REWARDS](#)

HOME » LASH LIFT 360° » GLAZE (15 ML)

## GLAZE

15 ML

[BACK TO SHOP](#)

## GLAZE

15 ML

~~\$36.00 USD~~ \$21.60 USD

★★★★★ 8 RATINGS

SELECT COLOR

[BLACK](#) [BROWN](#)

QUANTITY

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#)[ADD TO BAG](#)

## DESCRIPTION

GLAZE DOES TRIPLE DUTY WITH AN ULTRA-NOURISHING KERATIN FORMULA THAT HELPS CONDITION AND STRENGTHEN LASHES, HOLDS CURLED LASHES IN PLACE, AND ALSO LIGHTLY TINTS THEM. GLAZE IS PERFECT FOR CLIENTS WITH BRITTLER AND/OR LIGHT-COLOURED LASHES THAT NEED A LITTLE TLC AND A HINT OF DRAMA.

+ SIZE: 15ML

+ 30 CLIENTS/BOTTLE

STORE AT ROOM TEMPERATURE.

POUR SMALL AMOUNT OF GLAZE INTO CLEAN DAPPEN DISH, THEN APPLY TO LASHES USING A MICRO BRUSH AT THE TAIL END OF THE LASH LIFT SERVICE. GLAZE CAN BE LEFT ON THE CLIENT'S LASHES WHEN THEY LEAVE YOUR FAIR SUGARLASH REWARDS

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BLOWOUT SALE: OCT 21-NOV 30 - [CLICK HERE FOR TERMS & CONDITIONS](#)

SUGARLASH<sup>®</sup>

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[HOME](#) > [PLUMP \(30ML\)](#)

## PLUMP

30ML



[BACK TO SHOP](#)

## PLUMP

30ML

~~\$75.00 USD~~ \$45.00 USD

★★★★★ 19 RATINGS

QUANTITY

1 2 3 4 5 6 7 8

[ADD TO BAG](#)

### DESCRIPTION

BOOST LASH IMPACT WITH PLUMP. THIS 24-KARAT GOLD-INFUSED SOLUTION ADDS NUTRIENTS TO INCREASE LASH DENSITY UP TO 24% FROM THE INSIDE OUT. PERFECT FOR USE AFTER A LASH LIFT OR APPLIED DIRECTLY ON NATURAL LASHES, PLUMP KEEPS LASHES HEALTHY AND FULL — AND EFFORTLESSLY BOLD!

+ SIZE: 30ML

+ 30 CLIENTS/BOTTLE

STORE AT ROOM TEMPERATURE

USE A BRUSH WAND TO APPLY PLUMP DIRECTLY TO NATURAL LASHES. IF USED AS PART OF A LASH LIFT, SKIN, OR LASH LIFT, SKIN, NOURISH AND APPLY PLUMP.

RECOMMENDED PROCESSING TIMES (MAY VARY BASED ON CLIENT'S LASHES):

WAIT TWO MINUTES AFTER APPLICATION TO ALLOW PLUMP TO SOAK INTO THE LASHES.

We're here to assist you



SUGARLASH REWARDS



# Exhibit 3

# United States of America

United States Patent and Trademark Office

## SUGARLASH PRO

**Reg. No. 5,886,419**

**Registered Oct. 15, 2019**

**Int. Cl.: 35, 41**

**Service Mark**

**Principal Register**

SUGAR LASH INC. (CANADA CORPORATION)  
8452 Roper Road Nw  
Edmonton, Alberta, CANADA T6E6W4

CLASS 35: Online and retail store services featuring artificial eyelashes, eyelash application accessories, beauty products

FIRST USE 00-00-2015; IN COMMERCE 6-00-2019

CLASS 41: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products

FIRST USE 00-00-2015; IN COMMERCE 6-00-2019

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

No claim is made to the exclusive right to use the following apart from the mark as shown: "PRO"

SER. NO. 88-010,422, FILED 06-21-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

### Requirements in the First Ten Years\*

#### What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

### Requirements in Successive Ten-Year Periods\*

#### What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

### Grace Period Filings\*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

# United States of America

United States Patent and Trademark Office

## LASHPRO ACADEMY

**Reg. No. 6,043,210**

**Registered Apr. 28, 2020**

**Int. Cl.: 9, 41**

**Service Mark**

**Trademark**

**Principal Register**

SUGAR LASH INC. (CANADA CORPORATION)  
8452 Roper Road Nw  
Edmonton, Alberta, CANADA T6E6W4

CLASS 9: downloadable online educational training videos in the field of artificial eyelashes and beauty products

FIRST USE 00-00-2016; IN COMMERCE 6-00-2019

CLASS 41: Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products

FIRST USE 00-00-2016; IN COMMERCE 6-00-2019

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

No claim is made to the exclusive right to use the following apart from the mark as shown: "ACADEMY"

SER. NO. 88-012,581, FILED 06-24-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office



## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

### Requirements in the First Ten Years\*

#### What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

### Requirements in Successive Ten-Year Periods\*

#### What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

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**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**



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## LASHPRO ACCELERATOR

<b>Word Mark</b>	LASHPRO ACCELERATOR
<b>Goods and Services</b>	IC 041. US 100 101 107. G & S: Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products. FIRST USE: 20160000. FIRST USE IN COMMERCE: 20190600
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	88010399
<b>Filing Date</b>	June 21, 2018
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	December 4, 2018
<b>Registration Number</b>	6200909
<b>Registration Date</b>	November 17, 2020
<b>Owner</b>	(REGISTRANT) <b>SUGAR LASH INC.</b> CORPORATION CANADA 8452 Roper Road NW Edmonton, Alberta CANADA T6E6W4
<b>Attorney of Record</b>	David L. Oppenhuizen
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ACCELERATOR" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# LASHSTYLE

**Word Mark**

LASHSTYLE

**Goods and Services**

IC 009. US 021 023 026 036 038. G & S: Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending digital photos, videos and images; Downloadable computer software and mobile applications for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Computer and mobile application software for the collection, editing, organizing, modifying, transmission, storage and sharing of user-selected information and personal profiles, photographic images, videos, text messages, and graphics over the Internet or other computer or wireless communication networks; Computer and mobile application software in the nature of an application programming interface (API) for computer software which facilitates capturing, modifying, displaying and sending digital photos, videos and images; Computer and mobile application software to enable uploading, downloading, accessing, posting, displaying, tagging, streaming, linking, sharing or otherwise providing user-selected information in the nature of personal profiles, photographic images, videos, text messages and graphics via computer and communication networks

IC 035. US 100 101 102. G & S: Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics; retail store services featuring computer software; on-line retail store services featuring computer software

IC 038. US 100 101 104. G & S: Providing multiple user access to a computer network comprising user-selected information in the nature of personal profiles and photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks; Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics

IC 042. US 100 101. G & S: Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs

**Standard Characters Claimed****Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number** 88052914**Filing Date** July 25, 2018**Current Basis** 44D**Original Filing Basis** 44D**Owner** (APPLICANT) SUGAR LASH INC. CORPORATION CANADA 8452 Roper Road NW Edmonton, Alberta CANADA T6E6W4**Attorney of Record** David L. Oppenhuizen**Priority Date** June 28, 2018**Type of Mark** TRADEMARK. SERVICE MARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#) | [NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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## SUGARLASH PRO ACADEMY

<b>Word Mark</b>	SUGARLASH PRO ACADEMY
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images  IC 038. US 100 101 104. G & S: Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks  IC 041. US 100 101 107. G & S: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	90271760
<b>Filing Date</b>	October 22, 2020
<b>Current Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Owner</b>	(APPLICANT) <b>Sugar Lash Inc.</b> CORPORATION CANADA 8452 Roper Road NW Edmonton, Alberta CANADA T6E6W4
<b>Attorney of Record</b>	David L. Oppenhuizen
<b>Prior Registrations</b>	5886419;6043210
<b>Type of Mark</b>	TRADEMARK. SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [BOTTOM](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#) | [NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At:  OR [Jump](#) to record:  **Record 1 out of 11**[TSDR](#)[ASSIGN Status](#)[TTAB Status](#)[\( Use the "Back" button of the Internet Browser to return to TESS\)](#)

## SUGARLASH SOCIETY

**Word Mark  
Goods and  
Services**

SUGARLASH SOCIETY

IC 003. US 001 004 006 050 051 052. G &amp; S: Artificial eyelashes; Cosmetic preparation for eyelashes; Cosmetic kits containing artificial eyelashes, eyelash adhesives, and eyelash primers; Cosmetic kit accessories, namely facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings, bracelets, adhesive cups, lash bridges, lash tiles, lash lift shields, lash fans, makeup bags, hydrometers, facial masks, mattress and pillow covers, and pillows

IC 009. US 021 023 026 036 038. G &amp; S: Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images

IC 010. US 026 039 044. G &amp; S: Back support braces

IC 011. US 013 021 023 024 031 034. G &amp; S: Electric flashlights; Handheld lights that clamp onto mobile devices and furniture

IC 035. US 100 101 102. G &amp; S: Store services featuring beauty products, namely, facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Store services featuring artificial eyelashes, cosmetic preparation for eyelashes, cosmetic kits, eyelash adhesives, eyelash primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings and bracelets

IC 038. US 100 101 104. G &amp; S: Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing access to an Internet discussion website; Providing information in the field of artificial eyelashes and beauty products via an interactive website; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks

IC 041. US 100 101 107. G &amp; S: Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Online and live training services in business administration in the field of using and applying eyelash extension and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics

IC 042. US 100 101. G &amp; S: Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics

IC 044. US 100 101. G &amp; S: Eyelash extension services; Microblading being eyebrow tattooing services; Permanent makeup services

**Standard  
Characters  
Claimed****Mark Drawing  
Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

90271774

**Filing Date**

October 22, 2020

**Current Basis**

1B

**Original Filing  
Basis**

1B

**Owner**(APPLICANT) **Sugar Lash Inc.** CORPORATION CANADA 8452 Roper Road NW Edmonton, Alberta CANADA T6E6W4**Attorney of  
Record**

David L. Oppenhuizen

**Prior  
Registrations**

5886419

**Type of Mark**

TRADEMARK. SERVICE MARK

**Register**

PRINCIPAL

**Live/Dead  
Indicator**

LIVE

[TESS HOME](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [BROWSE DICT](#) | [SEARCH OG](#) | [TOP](#) | [HELP](#) | [PREV LIST](#) | [CURR LIST](#) | [NEXT LIST](#) | [FIRST DOC](#) | [PREV DOC](#) | [NEXT DOC](#) | [LAST DOC](#)

# Exhibit 4

# SUGARLASH — 1820323

**Application number**  
1820323

**Registration number**  
TMA1008836

**Type(s)**  
Word

**Category**  
Trademark

**CIPO status**  
REGISTERED

**Filed**  
2017-01-30

**Registered**  
2018-11-13

**Registration Expiry Date**  
2033-11-13

**Registrant**  
Sugar Lash Inc. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
SUGARLASH

SUGAR LASH

## Goods

(1) Artificial eyelashes; cosmetic preparation for eye lashes; cosmetic kits; Artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupressure rings and bracelets; back support braces; handheld lights, namely handheld electric flashlights and lights, namely book lights that clamp onto mobile devices

## Services

(1) Sale of artificial eyelashes; sale of eyelash application accessories; sale of beauty products; Online training services in the fields of artificial eyelashes and beauty products; Live training services in the fields of artificial eyelashes and beauty products

## Classification data

### Disclaimer

The classification data is provided for information and searching purposes only. CIPO does not warrant the accuracy of the classes assigned to the trademark. This data has no legal value of any kind.

3 - Bleaching, cleaning preparations and non-medicated cosmetics  
8 - Hand tools  
10 - Medical and veterinary devices  
11 - Environmental control items  
35 - Advertising, marketing, promotional and business  
41 - Education and entertainment

### Claims

Used in CANADA since at least as early as 2015

## Records (known also as Footnotes)

### Owner Address Change / Changement d'adresse du propriétaire

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01  
COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See evidence on File No. 1824718

## Action History

Action	Action date	Due date	Comments
Filed	2017-01-30		
Created	2017-01-30		
Formalized	2017-01-31		
Search Recorded	2017-11-30		
Examiner'S First Report	2017-11-30	2018-05-30	
Amendment To Application	2018-01-23		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1820323
Approval Notice Sent	2018-04-16	2018-05-14	
Approved	2018-06-07		APPROVED BY PROGRAM EX200M1

Advertised	2018-06-27		Vol.65 Issue 3322
Allowed	2018-10-12		
Allowance Notice Sent	2018-10-12	2019-04-12	
Registered	2018-11-13	2033-11-13	
Amendment To Registration	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-11-04		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1820323

# SUGARLASH PRO — 1820339

**Application number**  
1820339

**Type(s)**  
Word

**Category**  
Trademark

**CIPO status**  
OPPOSED

**Filed**  
2017-01-30

**Applicant**  
Sugar Lash Inc. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
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Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**OPPONENT**  
Novalash, Inc. 6116 Skyline  
Drive, Suite 201, Houston Texas,  
77057 UNITED STATES OF  
AMERICA

**Agent**  
RIDOUT & MAYBEE LLP 11  
Holland Avenue Suite 601  
Ottawa ONTARIO K1Y4S1

**Index headings**  
SUGARLASH PRO

SUGAR LASH

**Services**  
(1) Sale of artificial eyelashes; sale of eyelash application  
accessories; sale of beauty products; Online training services in the  
fields of artificial eyelashes and beauty products; Live training  
services in the fields of artificial eyelashes and beauty products

## Classification data

**Disclaimer**  
The classification data is provided for information and searching  
purposes only. CIPO does not warrant the accuracy of the classes  
assigned to the trademark. This data has no legal value of any kind.

35 - Advertising, marketing, promotional and business  
41 - Education and entertainment

**Claims**  
Used in CANADA since at least as early as 2015

**Records (known also as Footnotes)**  
**Owner Address Change / Changement d'adresse du propriétaire**  
DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01  
COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See  
evidence on File No. 1824718

## Action History

Action	Action date	Due date	Comments
Filed	2017-01-30		
Created	2017-01-30		
Formalized	2017-01-31		
Search Recorded	2017-11-30		
Approval Notice Sent	2017-11-30	2017-12-28	
Approved	2018-01-18		APPROVED BY PROGRAM EX200M1
Amendment To Application	2018-01-23		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1820323
Advertised	2018-02-07		Vol.65 Issue 3302
Proposed Opposition	2018-04-09		Proposed Opposition Filed.
Opposed	2018-07-10		Opposition generated by creation of a S/O sent to Applicant.

Amendment To Application	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-11-05		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1820339

## Opposition History

### Case # 1 : Novalash, Inc. - Awaiting Decision

#### Statement of Opposition

Action	Action date	Due date
Extension Of Time Granted To Opponent	2018-04-10	
S/O Filed	2018-07-04	
S/O Fee Received	2018-07-04	
S/O Forwarded For Review	2018-07-09	
S/O Sent To Applicant	2018-07-10	2018-09-10

#### Counter Statement

Action	Action date	Due date
C/S Served On Opponent	2018-09-07	2019-04-07
C/S Filed By Applicant	2018-09-07	

#### Evidence - Opponent

Action	Action date	Due date
Extension Of Time Granted To Opponent	2019-01-10	
Evidence Served On Applicant	2019-04-05	2019-11-05
Evidence Filed By Opponent	2019-04-05	

#### Evidence - Applicant

Action	Action date	Due date
Extension Of Time Granted To Applicant	2019-07-26	
Evidence Served On Opponent	2019-11-05	2019-12-05
Evidence Filed By Applicant	2019-11-05	

#### Reply Evidence

Action	Action date	Due date
Statement Filed - No Reply Evidence By Opponent	2019-12-05	
Statement Served - No Reply Evidence By Opponent	2019-12-05	2019-12-19

#### Decision

Action	Action date	Due date
Case Forwarded For Decision	2020-09-29	

#### Oral Hearing

Action	Action date	Due date
No Oral Hearing Requested By Applicant	2020-09-29	
Case Forwarded For Decision	2020-09-29	
Note To File	2020-10-07	

#### Written Arguments - Opponent

Action	Action date	Due date
Written Argument Requested - Opponent	2020-01-29	2020-03-29
Written Argument/Statement Served On Applicant	2020-03-27	2020-05-27
Written Argument Filed By Opponent	2020-03-27	

#### Written Arguments - Applicant

Action	Action date	Due date
Written Argument/Statement Served On Opponent	2020-08-29	2020-09-29
Written Argument Filed By Applicant	2020-08-30	

# SUGARLASH SOCIETY — 2056958

**Application number**  
2056958

**Type(s)**  
Standard Characters

**Category**  
Trademark

**CIPO status**  
FORMALIZED

**Filed**  
2020-10-09

**Applicant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
SUGARLASH SOCIETY

SUGAR LASH

**Goods** (Nice class & Statement)

- 3 (1) Artificial eyelashes; Cosmetic preparation for eyelashes; Cosmetic kits containing artificial eyelashes, eyelash adhesives, and eyelash primers; Cosmetic kit accessories, namely facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupuncture rings, bracelets, adhesive cups, lash bridges, lash tiles, lash lift shields, lash fans, makeup bags, hydrometers, facial masks, mattress and pillow covers, and pillows;
- 9 (2) Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images
- 10 (3) Back support braces
- 11 (4) Electric flashlights; Handheld lights that clamp onto mobile devices and furniture;

**Services** (Nice class & Statement)

- 35 (1) Store services featuring beauty products, namely, facial cleansers, makeup remover, dry shampoo, beauty gels, hair gels, beauty serums, cleansing sprays and cosmetic oils; Store services featuring artificial eyelashes, cosmetic preparation for eyelashes, cosmetic kits, eyelash adhesives, eyelash primers, tweezers, lash picks, roll bags for tweezers, curlers, brushes, acupuncture rings and bracelets;
- 38 (2) Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing access to an Internet discussion website; Providing information in the field of artificial eyelashes and beauty products via an interactive website; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations,

- videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;
- 41 (3) Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Online and live training services in business administration in the field of using and applying eyelash extension and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;
- 42 (4) Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics;
- 44 (5) Eyelash extension services; Microblading being eyebrow tattooing services; Permanent makeup services;

#### Action History

Action	Action date	Due date	Comments
Filed	2020-10-09		
Created	2020-10-09		
Formalized	2020-10-09		



# SUGARLASH ACADEMY — 2056957

**Application number**  
2056957

**Type(s)**  
Standard Characters

**Category**  
Trademark

**CIPO status**  
FORMALIZED

**Filed**  
2020-10-09

**Applicant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
SUGARLASH ACADEMY

SUGAR LASH

**Goods** (Nice class & Statement)

9 (1) Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images;

**Services** (Nice class & Statement)

38 (1) Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;

41 (2) Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;

## Action History

Action	Action date	Due date	Comments
Filed	2020-10-09		
Created	2020-10-09		
Formalized	2020-10-09		

# SUGARLASH PRO ACADEMY — 2058521

**Application number**  
2058521

**Type(s)**  
Standard Characters

**Category**  
Trademark

**CIPO status**  
FORMALIZED

**Filed**  
2020-10-19

**Applicant**  
Sugar Lash Inc. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
SUGARLASH PRO ACADEMY

SUGAR LASH

**Goods** (Nice class & Statement)

9 (1) Downloadable educational training videos, manuals, and worksheets, in the field of eyelashes and beauty care cosmetics; Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending text messages, digital photos, videos and images;

**Services** (Nice class & Statement)

38 (1) Providing multiple user access to user-selected information in the nature of personal profiles, photographic images, videos, text messages, graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text messages, videos and photos over the Internet or other computer or wireless communication networks;

41 (2) Online training services in the use and application of artificial eyelashes and beauty products; Live training services in the use and application of artificial eyelashes and beauty products; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Providing non-downloadable online educational training videos in the field of artificial eyelashes and beauty products; Providing manuals and worksheets in the field of the application of artificial eyelashes and beauty products; Customer services, namely, responding to customers inquiries for others in the field of beauty aesthetics and beauty care cosmetics;

## Action History

Action	Action date	Due date	Comments
Filed	2020-10-19		
Created	2020-10-19		
Formalized	2020-10-19		

# LASHPRO ACADEMY — 1824722

**Application number**  
1824722

**Registration number**  
TMA1033775

**Type(s)**  
Word

**Category**  
Trademark

**CIPO status**  
REGISTERED

**Filed**  
2017-02-27

**Registered**  
2019-06-28

**Registration Expiry Date**  
2029-06-28

**Registrant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
LASHPRO ACADEMY

LASH PRO

**Goods** (Nice class & Statement)  
9 (1) Downloadable educational training videos in the  
field of artificial eyelashes and beauty care cosmetics

**Services** (Nice class & Statement)  
41 (1) Providing online educational training videos in the  
field of artificial eyelashes and beauty care cosmetics

**Claims**  
Used in CANADA since at least as early as 2016

**Records (known also as Footnotes)**  
**Owner Address Change / Changement d'adresse du propriétaire**  
DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01  
COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See  
evidence on File No. 1824718

## Action History

Action	Action date	Due date	Comments
Filed	2017-02-27		
Created	2017-02-28		
Formalized	2017-03-01		
Search Recorded	2017-12-13		
Examiner'S First Report	2017-12-13	2018-06-13	
Amendment To Application	2018-01-23		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1820323
Extension Of Time	2018-06-08	2018-12-13	Request Letter Date: 2018/05/29
Approval Notice Sent	2018-12-21	2019-01-18	
Approved	2019-02-07		APPROVED BY PROGRAM EX200M1
Advertised	2019-02-27		Vol.66 Issue 3357
Registration Pending	2019-06-20		

Registration Fee Notice Sent	2019-06-20	2019-12-20	
Registered	2019-06-28	2029-06-28	
Correspondence Created	2019-07-22		
Amendment To Registration	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-12-03		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1824722

# HIGH LASH SOCIETY — 1823290

**Application number**  
1823290

**Registration number**  
TMA1033771

**Type(s)**  
Word

**Category**  
Trademark

**CIP0 status**  
REGISTERED

**Filed**  
2017-02-16

**Registered**  
2019-06-28

**Registration Expiry Date**  
2029-06-28

**Registrant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
HIGH LASH SOCIETY

**Goods** (Nice class & Statement)

- 3 (1) Artificial eyelashes; cosmetic preparation for eye lashes; cosmetic kits; artificial eyelash and eyelash application accessories, namely adhesives, adhesive removers, primers
- 8 (2) Artificial eyelash and eyelash application accessories, namely tweezers, lash picks, curlers
- 9 (3) Online instructional and training materials, namely, online electronic tutorial documents and videos in the field of artificial eyelashes and beauty care cosmetics
- 10 (4) Acupressure therapy rings and acupressure therapy bracelets; back support braces
- 11 (5) Handheld lights, namely handheld electric flashlights and lights, namely book lights that clamp onto mobile devices
- 16 (6) Printed instructional and training materials, namely, three-ring binders, workbooks, manuals, brochures, magazines, newsletters, booklets, all in the field of artificial eyelashes and beauty products; packaging boxes of cardboard; containers of cardboard for packaging
- 18 (7) Artificial eyelash and eyelash application accessories, namely roll bags for tweezers
- 21 (8) Artificial eyelash and eyelash application accessories, namely brushes

**Services** (Nice class & Statement)

- 35 (1) Sale of artificial eyelashes; sale of eyelash application accessories; sale of beauty care cosmetics
- 41 (2) Providing an educational website in the field of artificial eyelash and beauty care cosmetics; providing an interactive website containing artificial eyelash and beauty care information; online training services in the fields of artificial eyelashes and beauty care cosmetics; live training services in the fields of artificial eyelashes and beauty care cosmetics

**Claims**

Proposed Use in CANADA

**Recordals (known also as Footnotes)**

**Owner Address Change / Changement d'adresse du propriétaire**  
DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01  
COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See evidence on File No. 1824718

## Action History

Action	Action date	Due date	Comments
Filed	2017-02-16		
Created	2017-02-17		
Formalized	2017-02-20		
Search Recorded	2017-12-08		
Examiner'S First Report	2017-12-08	2018-06-08	
Amendment To Application	2018-01-23		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1820323
Extension Of Time	2018-06-08	2018-12-08	Request Letter Date: 2018/05/29
Approval Notice Sent	2019-01-11	2019-02-08	
Approved	2019-02-28		APPROVED BY PROGRAM EX200M1
Advertised	2019-03-20		Vol.66 Issue 3360
Registration Pending	2019-06-20		
Registration Fee Notice Sent	2019-06-20	2019-12-20	
Registered	2019-06-28	2029-06-28	
Correspondence Created	2019-07-22		
Amendment To Registration	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-12-03		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1824722



# LASHPRO ACCELERATOR — 1824718

**Application number**  
1824718

**Registration number**  
TMA1033762

**Type(s)**  
Word

**Category**  
Trademark

**CIPO status**  
REGISTERED

**Filed**  
2017-02-27

**Registered**  
2019-06-28

**Registration Expiry Date**  
2029-06-28

**Registrant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
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Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
LASHPRO ACCELERATOR

LASH PRO

**Goods** (Nice class & Statement)  
9 (1) Downloadable educational training videos in the  
field of artificial eyelashes and beauty care cosmetics

**Services** (Nice class & Statement)  
41 (1) Providing online educational training videos in the  
field of artificial eyelashes and beauty care cosmetics

**Claims**  
Used in CANADA since at least as early as 2016

**Records (known also as Footnotes)**  
**Owner Address Change / Changement d'adresse du propriétaire**  
DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01  
COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See  
evidence on File No. 1824718

## Action History

Action	Action date	Due date	Comments
Filed	2017-02-27		
Created	2017-02-28		
Formalized	2017-03-01		
Search Recorded	2017-12-13		
Examiner'S First Report	2017-12-13	2018-06-13	
Amendment To Application	2018-01-23		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1820323
Extension Of Time	2018-06-08	2018-12-13	Request Letter Date: 2018/05/29
Approval Notice Sent	2018-12-21	2019-01-18	
Approved	2019-02-07		APPROVED BY PROGRAM EX200M1
Advertised	2019-02-27		Vol.66 Issue 3357
Registration Pending	2019-06-20		

Registration Fee Notice Sent	2019-06-20	2019-12-20	
Registered	2019-06-28	2029-06-28	
Correspondence Created	2019-07-22		
Amendment To Registration	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-12-03		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1824722

# LASHSTYLE — 1906899

**Application number**  
1906899

**Type(s)**  
Word

**Category**  
Trademark

**Section 37(3) notice**  
TMA662842

**CIPO status**  
SEARCHED

**Filed**  
2018-06-28

**Applicant**  
SUGAR LASH INC. 8452 Roper  
Road NW Edmonton ALBERTA  
T6E6W4

**Agent**  
ROBERT ANTON NISSEN (Nissen  
Patent Law) Suite 200, 10328 -  
81 Avenue Edmonton ALBERTA  
T6E1X2

**Index headings**  
LASHSTYLE

LASH STYLE

**Goods** (Nice class & Statement)

9 (1) Computer and mobile application software for mobile phones, portable media players and handheld computers, namely, software for capturing, modifying, displaying and sending digital photos, videos and images; Downloadable computer software and mobile applications for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; Computer and mobile application software for the collection, editing, organizing, modifying, transmission, storage and sharing of user-selected information and personal profiles, photographic images, videos, text messages, and graphics over the Internet or other computer or wireless communication networks; Computer and mobile application software in the nature of an application programming interface (API) for computer software which facilitates capturing, modifying, displaying and sending digital photos, videos and images; Computer and mobile application software to enable uploading, downloading, accessing, posting, displaying, tagging, streaming, linking, sharing or otherwise providing user-selected information in the nature of personal profiles, photographic images, videos, text messages and graphics via computer and communication networks;

**Services** (Nice class & Statement)

35 (1) Computer services, namely the provision of online image and video processing software to enable the user to visualize changes in the face or facial features or facial aesthetics; Providing multiple user access to a computer network comprising user-selected information in the nature of personal profiles and photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, and electronically transmitting data, information and multimedia content in the nature of text messages, graphics, animations, videos and photo graphics images via computer, electronic, and online databases, via a global computer network and to mobile and tablet devices; Telecommunication services, namely, electronic transmission of text

messages, videos and photos over the Internet or other computer or wireless communication networks; Providing use of online temporary non-downloadable software for modifying the appearance and enabling transmission of photographs and videos to mobile phones and tablets; File sharing services, namely, providing a web site and mobile application featuring technology enabling users to upload and download electronic files, namely, user-selected information in the nature of personal profiles, photographic images, videos, text messages, and graphics via computer, electronic and online databases in the fields of beauty and aesthetics; Providing multiple user access to user-selected information the nature of personal profiles, photographic images, videos, text messages, and graphics and data via searchable indexes on an Internet-based database in the fields of beauty and aesthetics; Providing a web site that gives users the ability to upload photographs; Computer services, namely, providing an interactive web site featuring technology that allows users to manage and edit online photographs; Customer services, namely, responding to customers inquiries in the field of beauty aesthetics and beauty care cosmetics; sale of computer software

#### Claims

Proposed Use in CANADA

#### Recordals (known also as Footnotes)

##### Owner Address Change / Changement d'adresse du propriétaire

DATE REGISTERED / DATE DE L'ENREGISTREMENT: 2019-11-01

COMMENTS / COMMENTAIRES: Voir Preuve au dossier/See evidence on File No. 1824718

#### Action History

Action	Action date	Due date	Comments
Filed	2018-06-28		
Created	2018-06-29		
Formalized	2018-07-04		
Amendment To Application	2019-11-01		Owner Address Change / Voir Preuve au dossier/See evidence on File No. 1824718
Agent Changed	2019-12-03		From: 13383 To: 17160 / Voir Preuve au dossier/See evidence on File No. 1824722
Search Recorded	2020-09-18		
Examiner'S First Report	2020-09-18	2021-03-18	

# Exhibit 5

# United States of America

United States Patent and Trademark Office

## CANDIED LASHES

**Reg. No. 3,944,538**

**Registered Apr. 12, 2011**

**Int. Cl.: 3**

**TRADEMARK**

**PRINCIPAL REGISTER**

NOVALASH, INC. (TEXAS CORPORATION)  
1200 SOUTHMORE BLVD  
HOUSTON, TX 77004

FOR: COSMETICS, NAMELY, ARTIFICIAL EYELASHES, EYELASH EXTENSIONS AND ARTIFICIAL EYELASH APPLIQUÉS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 11-6-2007; IN COMMERCE 11-6-2007.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LASHES", APART FROM THE MARK AS SHOWN.

SN 77-201,915, FILED 6-8-2007.

CURTIS FRENCH, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2020-11-19 17:57:47 EST

Mark: CANDIED LASHES <img>

US Serial Number: 77201915 Application Filing Date: Jun. 08, 2007US Registration Number: 3944538 Registration Date: Apr. 12, 2011

Register: PrincipalMark Type: Trademark

TM5 Common Status Descriptor: <img> LIVE/REGISTRATION/Issued and Active The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.Status Date: Jul. 15, 2016

Publication Date: May 20, 2008 Notice of Allowance Date: Aug. 12, 2008

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## Mark Information

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Mark Literal Elements: CANDIED LASHESStandard 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 MARKDisclaimer: "LASHES"

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## Goods and Services

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### 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: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

International Class(es): 003 - Primary Class U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 06, 2007 Use in Commerce: Nov. 06, 2007

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## Basis Information (Case Level)

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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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## Current Owner(s) Information

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Owner Name: NovaLash, Inc.

Owner Address: 6116 Skyline Drive, #201 Houston, TEXAS UNITED STATES 77057

Legal Entity Type: CORPORATION State or Country Where Organized: TEXAS

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## Attorney/Correspondence Information

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### Attorney of Record

Attorney Name: Matthew R. Moscicki Docket Number: 2745-02400

Attorney Primary Email Address: tmhou@conleyrose.com Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Matthew R. Moscicki Conley Rose, P.C. P.O. Box 3267 Houston, TEXAS UNITED STATES 77253-3267

Phone: 713-238-8000 Fax: 713-238-8008

Correspondent e-mail: tmhou@conleyrose.com Correspondent e-mail Authorized: Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Apr. 12, 2020	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 15, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 15, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Jul. 15, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132

May 06, 2016	TEAS SECTION 8 & 15 RECEIVED	
Apr. 12, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 27, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 27, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 04, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jan. 04, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Mar. 08, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 05, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Feb. 26, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 14, 2011	STATEMENT OF USE PROCESSING COMPLETE	66530
Feb. 09, 2011	USE AMENDMENT FILED	66530
Feb. 09, 2011	TEAS STATEMENT OF USE RECEIVED	
Sep. 02, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 01, 2010	EXTENSION 4 GRANTED	66530
Aug. 12, 2010	EXTENSION 4 FILED	66530
Aug. 25, 2010	EXTENSION RECEIVED WITH TEAS PETITION	
Aug. 25, 2010	PETITION TO REVIVE-GRANTED	88889
Aug. 25, 2010	TEAS PETITION TO REVIVE RECEIVED	
Feb. 16, 2010	EXTENSION 3 GRANTED	66530
Feb. 12, 2010	EXTENSION 3 FILED	66530
Feb. 12, 2010	TEAS EXTENSION RECEIVED	
Aug. 13, 2009	EXTENSION 2 GRANTED	66530
Aug. 12, 2009	EXTENSION 2 FILED	66530
Aug. 12, 2009	TEAS EXTENSION RECEIVED	
Mar. 24, 2009	EXTENSION 1 GRANTED	66530
Feb. 12, 2009	EXTENSION 1 FILED	66530
Mar. 24, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530
Feb. 19, 2009	EXTENSION RECEIVED WITH TEAS PETITION	
Feb. 19, 2009	PETITION TO REVIVE-GRANTED	88889
Feb. 19, 2009	TEAS PETITION TO REVIVE RECEIVED	
Aug. 12, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
May 20, 2008	PUBLISHED FOR OPPOSITION	
Apr. 30, 2008	NOTICE OF PUBLICATION	
Apr. 15, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Apr. 15, 2008	ASSIGNED TO LIE	76568
Apr. 09, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 14, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 14, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 11, 2007	ASSIGNED TO EXAMINER	76419
Sep. 17, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 17, 2007	NON-FINAL ACTION E-MAILED	6325
Sep. 17, 2007	NON-FINAL ACTION WRITTEN	76612
Sep. 15, 2007	ASSIGNED TO EXAMINER	76612
Jun. 13, 2007	NEW APPLICATION ENTERED IN TRAM	

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## TM Staff and Location Information

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### TM Staff Information - None

#### File Location

Current Location: TMO LAW OFFICE 115 Date in Location: Jul. 15, 2016

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## Proceedings

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## Summary

Number of Proceedings: 1

### Type of Proceeding: Opposition

Proceeding Number: 91251448 Filing Date: Oct 07, 2019 Status: Pending Status Date: Jul 11, 2020 Interlocutory Attorney: WENDY COHEN

#### Defendant

Name: Sugar Lash Inc. Correspondent Address: DAVID L. OPPENHUIZEN OPPENHUIZEN LAW PLC 146 MONROE CENTER ST., NW, MCKAY TOWER, STE. 730 GRAND RAPIDS MI UNITED STATES , 49503 Correspondent e-mail: docket@oppenhuizen.com , david@oppenhuizen.com

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
SUGARLASH	Opposition Pending	<a href="#">87395581</a>	

#### Plaintiff(s)

Name: Novalash, Inc. Correspondent Address: THOMAS L WARDEN CONLEY ROSE PC PO BOX 3267 HOUSTON TX UNITED STATES , 77253-3267 Correspondent e-mail: tmhou@conleyrose.com , mmoscicki@conleyrose.com , twarden@conleyrose.com

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
CANDIED LASHES	Section 8 and 15 - Accepted and Acknowledged	<a href="#">77201915</a>	<a href="#">3944538</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 07, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 07, 2019	Nov 16, 2019
3	INSTITUTED	Oct 07, 2019	
4	ANSWER	Nov 18, 2019	
5	D MOT TO COMPEL DISCOVERY	Jun 26, 2020	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Jun 30, 2020	
7	D MOTION TO WD MOT TO COMPEL	Jul 09, 2020	
8	TRIAL DATES RESET	Jul 11, 2020	
9	P TESTIMONY	Sep 23, 2020	
10	CONFIDENTIAL - PAPER RECEIVED AT TTAB	Sep 23, 2020	

# CANDIED LASHES

## Trademark/Service Mark Application, Principal Register

Serial Number: 77201915

Filing Date: 06/08/2007

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>MARK INFORMATION</b>	
*MARK	<a href="#">CANDIED LASHES</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	CANDIED LASHES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	NovaLash, Inc.
*STREET	3701 W. Alabama, Ste 370
*CITY	Houston
*STATE (Required for U.S. applicants)	Texas
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	77027
PHONE	(713) 520-5848
FAX	(713) 621-5080
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	CORPORATION
*STATE/COUNTRY OF INCORPORATION	Texas
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	003
DESCRIPTION	Cosmetics, namely eyelash appliques and eyelash extensions
FILING BASIS	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
NAME	David T. Dorr
ATTORNEY DOCKET NUMBER	1200
FIRM NAME	Law Office of David T. Dorr, PC
STREET	2020 North Loop West, Ste 230

CITY	Houston
STATE	Texas
COUNTRY	United States
ZIP/POSTAL CODE	77018
PHONE	7139574413
FAX	7139578297
EMAIL ADDRESS	dtdorr@sbcglobal.net
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>CORRESPONDENCE INFORMATION</b>	
NAME	David T. Dorr
FIRM NAME	Law Office of David T. Dorr, PC
STREET	2020 North Loop West, Ste 230
CITY	Houston
STATE	Texas
COUNTRY	United States
ZIP/POSTAL CODE	77018
PHONE	7139574413
FAX	7139578297
EMAIL ADDRESS	dtdorr@sbcglobal.net
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEE DUE	325
<b>SIGNATURE INFORMATION</b>	
SIGNATURE	/David T. Dorr/
SIGNATORY'S NAME	David T. Dorr
SIGNATORY'S POSITION	Attorney
DATE SIGNED	06/08/2007
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Jun 08 18:38:04 EDT 2007
TEAS STAMP	USPTO/BAS-XX.XX.XXX.XX-20 070608183804174121-772019 15-37084f3db6a7e5ecb338bd de6dae8bf4467-CC-2667-200 70608182150723955

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## Trademark/Service Mark Application, Principal Register

**Serial Number: 77201915**

**Filing Date: 06/08/2007**

### To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES (Standard Characters, see [mark](#))

The literal element of the mark consists of CANDIED LASHES. The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, NovaLash, Inc., a corporation of Texas, having an address of 3701 W. Alabama, Ste 370, Houston, Texas, United States, 77027, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 003: Cosmetics, namely eyelash appliques and eyelash extensions

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints David T. Dorr of Law Office of David T. Dorr, PC, 2020 North Loop West, Ste 230, Houston, Texas, United States, 77018 to submit this application on behalf of the applicant. The attorney docket/reference number is 1200.

Correspondence Information: David T. Dorr

2020 North Loop West, Ste 230

Houston, Texas 77018

7139574413(phone)

7139578297(fax)

dtdorr@sbcglobal.net (authorized)

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /David T. Dorr/ Date Signed: 06/08/2007

Signatory's Name: David T. Dorr

Signatory's Position: Attorney

RAM Sale Number: 2667

RAM Accounting Date: 06/11/2007

Serial Number: 77201915

Internet Transmission Date: Fri Jun 08 18:38:04 EDT 2007

TEAS Stamp: USPTO/BAS-XX.XX.XXX.XX-20070608183804174

121-77201915-37084f3db6a7e5ecb338bdde6da

e8bf4467-CC-2667-20070608182150723955



# CANDIED LASHES

\*\*\* User:thickey \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	77201929
02	5257	N/A	0	0	0:02	*lash*[bi,ti]
03	2274	N/A	0	0	0:01	*candy*[bi,ti]
04	3	1	2	2	0:01	2 and 3
05	110872	N/A	0	0	0:04	*1{v:2}{"scz"}h*[bi,ti]
06	10376	N/A	0	0	0:31	*{"ckqx"}{v:2}nd{v:2}*[bi,ti]
07	606	N/A	0	0	0:01	(2 or 5) and (3 or 6)
08	340	N/A	0	0	0:01	7 not dead
09	57	0	57	43	0:02	8 and "003"[cc]
10	24	17	7	4	0:02	candy[fm] or candied[fm]
11	869	N/A	0	0	0:01	3 not dead
12	58	0	58	43	0:01	11 and ("003"[ic] or a[ic] or b[ic] or "200"[ic])
13	17	13	4	2	0:01	*candied*[bi,ti]
14	13	0	13	11	0:03	(11 or 8) and ("008"[ic] or "021"[ic])
15	3215	N/A	0	0	0:39	{"ck"}and{v:2}*[bi,ti]
16	174	94	80	61	0:01	15 and ("003"[ic] or a[ic] or b[ic] or "200"[ic])

Session started 9/16/2007 5:55:32 PM

Session finished 9/16/2007 6:03:47 PM

Total search duration 1 minutes 32 seconds

Session duration 8 minutes 15 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 77201915



**To:** NovaLash, Inc. ([dtdorr@sbcglobal.net](mailto:dtdorr@sbcglobal.net))  
**Subject:** TRADEMARK APPLICATION NO. 77201915 - CANDIED LASHES - 1200  
**Sent:** 9/17/2007 3:52:23 PM  
**Sent As:** ECOM115@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 77/201915

**MARK:** CANDIED LASHES

**\*77201915\***

**CORRESPONDENT ADDRESS:**

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018-8103

**RESPOND TO THIS ACTION:**

<http://www.uspto.gov/teas/eTEASpageD.htm>

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** NovaLash, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET NO:**

1200

**CORRESPONDENT E-MAIL ADDRESS:**

[dtdorr@sbcglobal.net](mailto:dtdorr@sbcglobal.net)

**OFFICE ACTION**

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

**ISSUE/MAILING DATE: 9/17/2007**

The assigned examining attorney has reviewed the referenced application and determined the following.

No Conflicting Marks Noted

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

Classification and Identification of Goods

The identification of goods is unacceptable. Therefore, the applicant may wish to consult the on-line searchable *Manual of Acceptable Goods and Services* on the Patent and Trademark Office homepage. The web site address is as follows:  
<http://tess2.uspto.gov/netahtml/tidm.html>.

The wording "eyelash appliqués and eyelash extensions" in the identification of goods is unacceptable. The applicant must amend the identification of goods to specify the common commercial name of the goods. TMEP §1402.01.

The applicant may adopt the following identification of goods, if accurate:

International Class 003: Cosmetics, namely, artificial eyelashes in the nature of eyelash extensions and eyelash appliqués, namely, adhesives for affixing false eyelashes.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.

#### Disclaimer

Trademark Act Section 6(a), 15 U.S.C. §1056(a), permits the Office to require a disclaimer of an unregistrable component of a mark. Trademark Act Section 2(e), 15 U.S.C. §1052(e), bars the registration of a mark which is merely descriptive or deceptively misdescriptive, or primarily geographically descriptive of the goods. Therefore, the examining attorney may require the disclaimer of a portion of a mark which, when used in connection with the goods or services, is merely descriptive or deceptively misdescriptive, or primarily geographically descriptive. If an applicant does not comply with a disclaimer requirement, the examining attorney may refuse registration of the entire mark. TMEP §1213.01(b). The applicant must disclaim the descriptive wording "LASHES" apart from the mark as shown. Trademark Act Section 6, 15 U.S.C. §1056; TMEP §§1213 and 1213.03(a). LASHES are defined as "eyelashes." (See attached dictionary definition). The wording is merely descriptive because it describes attributes, features, and characteristics of the goods, namely, their intended use (i.e. for use on eye lashes).

The computerized printing format for the *Trademark Official Gazette* requires a standard form for a disclaimer. TMEP section 1213.08(a)(i). A properly worded disclaimer should read as follows:

No claim is made to the exclusive right to use LASHES apart from the mark as shown.

*See In re Owatonna Tool Co.*, 231 USPQ 493 (Comm'r Pats. 1983).

#### Response Guidelines

PLEASE NOTE: *All of the issues raised can be resolved by telephone.* The applicant may telephone the examining attorney, instead of submitting a written response, to expedite the application.

No set form is required for response to this Office action. However, Applicant's response should adhere to the following general guidelines:

- Applicant must respond to each point raised;
- Applicant should set forth the required changes and request entry by the Office; and
- Applicant must sign the response.

Applicant should include the following information on all correspondence with the Office:

- the name and law office number of the trademark examining attorney;
- the serial number of this application;
- the mailing date of this Office action; and,
- Applicant's telephone number. 37 C.F.R. §2.194(b)(1); TMEP §302.03(a).

/Toni Y. Hickey/  
United States Patent and Trademark Office  
Trademark Examining Attorney  
Law Office 115  
(571) 272-9475 (phone)  
(571) 273-947

**RESPOND TO THIS ACTION:** If there are any questions about the Office action, please contact the assigned examining attorney. A response to this Office Action should be filed using the Office's Response to Office action form available at <http://www.uspto.gov/teas/eTEASpageD.htm>.

If notification of this Office action was received via e-mail, no response using this form may be filed for 72 hours after receipt of the notification. **Do not attempt to respond by e-mail as the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.



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**lash**<sup>1</sup>  (lăsh) [Pronunciation Key](#)

n.

1.

- a. A stroke or blow with or as if with a whip.
- b. A whip.
- c. The flexible portion of a whip, such as a plait or thong.
- d. A lacerating presence or power: *the lash of conscience*.
- e. A caustic verbal attack.

2. Punishment administered with a whip.

3.

- a. A lacerating presence or power: *the lash of conscience*.

- a. A lacerating presence or power; *the lash of conscience*.
- b. A caustic verbal attack.
- 4. An eyelash.

**v. lashed, lash - ing, lash - es**

**v. *tr.***

- 1. To strike with or as if with a whip.
- 2. To strike against with force or violence; *sleet lashing the roof*.
- 3. To beat or swing rapidly; *The alligator lashed its tail in the water*.
- 4. To make a scathing oral or written attack against.
- 5. To drive or goad; sting; *words that lashed them into action*.

**v. *intr.***

- 1. To move swiftly or violently; thrash; *heard the snake lashing about in the leaves*.
- 2.
  - a. To aim a sudden blow; strike; *The mule lashed out with its hind legs*.
  - b. To beat; flail; *waves lashing at the shore*.
- 3. To make a scathing verbal or written attack. Often used with *out*; *lashed out at her critics during the interview*.

[Middle English, probably from *lashen*, *to deal a blow*, perhaps of imitative origin.]

**lash'er n.**

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**lash** <sup>2</sup>  (lăsh) [Pronunciation Key](#)

tr.v. **lashed**, **lash·ing**, **lash·es**

To secure or bind, as with a rope, cord, or chain.

[Middle English *lashen*, *lasen*, *to lace*, from Old French *lachier*, *lacier*, from Vulgar Latin *\*laceāre*, from Latin *laqueāre*, *to ensnare*, from *laqueus*, *snare*; see **lace**.]

**lash'er** *n.*

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**To:** NovaLash, Inc. ([dtdorr@sbcglobal.net](mailto:dtdorr@sbcglobal.net))  
**Subject:** TRADEMARK APPLICATION NO. 77201915 - CANDIED LASHES - 1200  
**Sent:** 9/17/2007 3:52:24 PM  
**Sent As:** ECOM115@USPTO.GOV  
**Attachments:**

**IMPORTANT NOTICE**  
**USPTO OFFICE ACTION HAS ISSUED ON 9/17/2007 FOR**  
**APPLICATION SERIAL NO. 77201915**

Please follow the instructions below to continue the prosecution of your application:

**VIEW OFFICE ACTION:** Click on this link [http://portal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=77201915&doc\\_type=OOA&mail\\_date=20070917](http://portal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77201915&doc_type=OOA&mail_date=20070917) (or copy and paste this URL into the address field of your browser), or visit <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this notification.

**RESPONSE MAY BE REQUIRED:** You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable [response time period](#). Your response deadline will be calculated from **9/17/2007**.

**Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.**

**HELP:** For *technical* assistance in accessing the Office action, please e-mail [TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office action.

**WARNING**

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.**



## Response to Office Action

The table below presents the data as entered.

SERIAL NUMBER	77201915
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	003
DESCRIPTION	Cosmetics, namely eyelash appliques and eyelash extensions
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	003
DESCRIPTION	Cosmetics, namely artificial eyelashes, eyelash extensions and artificial eyelash appliqués
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	"No claim is made to the exclusive right to use LASHES apart from the mark as shown."
SIGNATURE SECTION	
DECLARATION SIGNATURE	/David T. Dorr/
SIGNATORY'S NAME	David T. Dorr
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	03/14/2008
RESPONSE SIGNATURE	/David T. Dorr/
SIGNATORY'S NAME	David T. Dorr
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	03/14/2008
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Mar 14 18:41:06 EDT 2008
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0080314184106376634-77201 915-420a3d0d6325279a2e454 93374a87b2a32-N/A-N/A-200 80314183804516046

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **77201915** has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

##### **Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 003 for Cosmetics, namely eyelash appliques and eyelash extensions

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051 (b)).

**Proposed:** Class 003 for Cosmetics, namely artificial eyelashes, eyelash extensions and artificial eyelash appliques

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051 (b)).

#### ADDITIONAL STATEMENTS

##### **Disclaimer**

"No claim is made to the exclusive right to use LASHES apart from the mark as shown."

#### SIGNATURE(S)

##### **Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii). If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods or services listed in the application as of the application filing date. 37 C.F.R. Secs. 2.34(a)(1)(i). The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. §1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /David T. Dorr/ Date: 03/14/2008

Signatory's Name: David T. Dorr

Signatory's Position: Attorney of Record

##### **Response Signature**

Signature: /David T. Dorr/ Date: 03/14/2008

Signatory's Name: David T. Dorr

Signatory's Position: Attorney of Record

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 77201915

Internet Transmission Date: Fri Mar 14 18:41:06 EDT 2008

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2008031418410637  
6634-77201915-420a3d0d6325279a2e45493374  
a87b2a32-N/A-N/A-20080314183804516046

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**

(Table presents the data on Amendment &amp; Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	03/18/2008
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	03/15/2008
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE		10-ORIGINAL APPLICANT					
NAME		NovaLash, Inc.					
ADDRESS		3701 W. Alabama, Ste 370 Houston, TX 77027					
ENTITY		03-CORPORATION					
CITIZENSHIP		Texas					
<b>GOODS AND SERVICES</b>							
INTERNATIONAL CLASS		003					
DESCRIPTION TEXT		Cosmetics, namely artificial eyelashes, eyelash extensions and artificial eyelash appliqués					
<b>GOODS AND SERVICES CLASSIFICATION</b>							
INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<b>MISCELLANEOUS INFORMATION/STATEMENTS</b>							
CHANGE IN REGISTRATION		NO					
DISCLAIMER W/PREDETER TXT		LASHES					
<b>PROSECUTION HISTORY</b>							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED				009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE				008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED				007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER				006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED				005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED				004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN				003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER				002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
<b>CURRENT CORRESPONDENCE INFORMATION</b>							
ATTORNEY		David T. Dorr					
CORRESPONDENCE ADDRESS		DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018-8103					
DOMESTIC REPRESENTATIVE		NONE					

# CANDIED LASHES

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

### PUB INFORMATION

RUN DATE	04/10/2008
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	04/09/2008
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE		10-ORIGINAL APPLICANT					
NAME		NovaLash, Inc.					
ADDRESS		3701 W. Alabama, Ste 370 Houston, TX 77027					
ENTITY		03-CORPORATION					
CITIZENSHIP		Texas					
<b>GOODS AND SERVICES</b>							
INTERNATIONAL CLASS		003					
DESCRIPTION TEXT		Cosmetics, namely artificial eyelashes, eyelash extensions and artificial eyelash appliqués					
<b>GOODS AND SERVICES CLASSIFICATION</b>							
INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<b>MISCELLANEOUS INFORMATION/STATEMENTS</b>							
CHANGE IN REGISTRATION		NO					
DISCLAIMER W/PREDETER TXT		LASHES					
<b>PROSECUTION HISTORY</b>							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER				010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED				009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE				008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED				007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER				006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED				005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED				004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN				003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER				002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
<b>CURRENT CORRESPONDENCE INFORMATION</b>							
ATTORNEY		David T. Dorr					
CORRESPONDENCE ADDRESS		DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018-8103					
DOMESTIC REPRESENTATIVE		NONE					



# CANDIED LASHES

## Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

### OVERVIEW

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

### PUB INFORMATION

RUN DATE	04/16/2008
PUB DATE	05/20/2008
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	04/15/2008
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	003
DESCRIPTION TEXT	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"LASHES"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

# CANDIED LASHES



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

Apr 30, 2008

**NOTICE OF PUBLICATION UNDER 12(a)**

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>77/201,915         | 2. Mark:<br>CANDIED LASHES<br>Standard Character Mark |
| 3. International Class(es):<br>3     |   |
| 4. Publication Date:<br>May 20, 2008 | 5. Applicant:<br>NovaLash, Inc.                       |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

Correspondence Address:

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

TMP&I

U.S. Patent and Trademark Office (USPTO)

NOTICE OF ALLOWANCE

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Aug 12, 2008

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

ATTORNEY  
REFERENCE NUMBER

1200

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use " and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

**The following information should be reviewed for accuracy:**

SERIAL NUMBER: 77/201915  
MARK: CANDIED LASHES (STANDARD CHARACTER MARK)  
OWNER: NovaLash, Inc.  
Ste 370  
3701 W. Alabama  
Houston , TEXAS 77027

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

003 - Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliquéés -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

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ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS

## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>DATE OF NOTICE OF ABANDONMENT</b>	00/00/0000
<b>MARK SECTION</b>	
<b>MARK</b>	CANDIED LASHES
<b>PETITION</b>	
<b>PETITION STATEMENT</b>	Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.
<b>NOTICE OF ALLOWANCE</b>	Notice of Allowance was received by applicant
<b>EXTENSION OF TIME TO FILE STATEMENT OF USE</b>	
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	NovaLash, Inc.
<b>STREET</b>	Ste 370 3701 W. Alabama
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>ZIP/POSTAL CODE</b>	77027
<b>COUNTRY</b>	United States
<b>PHONE</b>	(713) 520-5848
<b>FAX</b>	(713) 621-5080
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	003
<b>CURRENT IDENTIFICATION</b>	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques
<b>KEEP EXISTING GOODS AND/OR SERVICES</b>	YES
<b>EXTENSION SECTION</b>	
<b>EXTENSION PERIOD(S)</b>	1
<b>PAYMENT SECTION</b>	
<b>PETITION FEE</b>	100
<b>NUMBER OF CLASSES</b>	1
<b>EXTENSION FEE</b>	150
<b>TOTAL FEE PAID</b>	250

SIGNATURE SECTION	
SIGNATURE	/david t dorr/
SIGNATORY'S NAME	David T. Dorr
SIGNATORY DATE	02/19/2009
SIGNATORY'S POSITION	Attorney of Record, Texas bar member
FILING INFORMATION	
SUBMIT DATE	Thu Feb 19 13:08:38 EST 2009
TEAS STAMP	USPTO/PSE-XX.XXX.X.XX-20090219 130838050705-77201915-40082eb7 b4eb8172709bccc625b1d124b3-CC- 9976-20090219130607324792

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## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES

**SERIAL NUMBER:** 77201915

### PETITION

Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.

Notice of Allowance was received by applicant.

### EXTENSION OF TIME TO FILE STATEMENT OF USE

The applicant, NovaLash, Inc., having an address of

Ste 370 3701 W. Alabama

Houston, Texas 77027

United States

requests revival of the application identified above, and submits extension(s) of time to file the Statement of Use under 37 C.F.R. Section 2.89.

The Notice of Allowance mailing date was 08/12/2008.

Notice of Allowance was received by applicant

For International Class 003:

Current identification: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques

The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance, or as subsequently modified.

The applicant is filing extension number(s): 1.

A fee payment in the amount of \$250 will be submitted.

### Declaration

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /david t dorr/ Date: 02/19/2009

Signatory's Name: David T. Dorr

Signatory's Position: Attorney of Record, Texas bar member

RAM SALE NUMBER: 9976  
RAM ACCOUNTING DATE: 20090219

INTERNET TRANSMISSION DATE:  
2009/02/19

SERIAL NUMBER:  
77/201915

Description	Fee Code	Transaction	Total Fees Paid
POA	7005	2009/02/19	100
ESU	7004	2009/02/19	150

Side - 1



**NOTICE OF REVIVAL**  
**MAILING DATE: Feb 19, 2009**

The trademark application identified below has been revived to pending status. The application file will be forwarded to the appropriate section of the Office for further processing.

To verify the status and location of your application, please wait approximately three weeks and check the USPTO website at <http://tarr.uspto.gov/> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77201915  
**MARK:** CANDIED LASHES  
**OWNER:** NovaLash, Inc.  
**REVIVAL DATE:** Feb 19, 2009

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

**Trademark Snap Shot ITU Unit Action**

(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	03/25/2009
PUB DATE	05/20/2008
STATUS	730-FIRST EXTENSION - GRANTED
STATUS DATE	03/24/2009
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPub 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	003
DESCRIPTION TEXT	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"LASHES"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/24/2009	EX1G	S	EXTENSION 1 GRANTED	021
02/12/2009	EXT1	S	EXTENSION 1 FILED	020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED	017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED	016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT	015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION	014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003

09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

# CANDIED LASHES

Side - 1



**NOTICE OF APPROVAL  
OF EXTENSION REQUEST  
MAILING DATE: Mar 25, 2009**

A Notice of Allowance issued for the trademark application identified below on Aug 12, 2008. The FIRST request for extension of time to file a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information, visit our website at: <http://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77201915  
**MARK:** CANDIED LASHES  
**OWNER:** NovaLash, Inc.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018



## SOU Extension Request (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>MARK SECTION</b>	
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CANDIED LASHES
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	NovaLash, Inc.
<b>STREET</b>	Ste 370 3701 W. Alabama
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>ZIP/POSTAL CODE</b>	77027
<b>COUNTRY</b>	United States
<b>PHONE</b>	(713) 520-5848
<b>FAX</b>	(713) 621-5080
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	NovaLash, Inc.
<b>STREET</b>	1200 Southmore Blvd
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>ZIP/POSTAL CODE</b>	77004
<b>COUNTRY</b>	United States
<b>PHONE</b>	(713) 520-5848
<b>FAX</b>	(713) 621-5080
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	003
<b>CURRENT IDENTIFICATION</b>	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	

<b>EXTENSION NUMBER</b>	2
<b>ONGOING EFFORT</b>	product or service research or development; market research; promotional activities
<b>ALLOWANCE MAIL DATE</b>	08/12/2008
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>SUBTOTAL AMOUNT</b>	150
<b>TOTAL AMOUNT</b>	150
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/David T Dorr/
<b>SIGNATORY'S NAME</b>	David T Dorr
<b>SIGNATORY'S POSITION</b>	Attonrey of Record, Texas bar member
<b>DATE SIGNED</b>	08/12/2009
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed Aug 12 15:17:54 EDT 2009
<b>TEAS STAMP</b>	USPTO/ESU-XX.XX.XXX.XXX-2 0090812151754085676-77201 915-440e2d6b71b8076788577 1e981c53221d9-CC-1193-200 90812151137444273

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**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES **SERIAL NUMBER:** 77201915 The applicant, NovaLash, Inc., having an address of 1200 Southmore Blvd Houston, Texas 77004 United States requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 08/12/2008. For International Class 003: Current identification: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance or as subsequently modified for this specific class.

This is the second extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods and/or services covered by the extension request: product or service research or development; market research; promotional activities A fee payment in the amount of \$150 will be submitted with the form, representing payment for 1 class.

**Declaration** The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true. Signature: /David T Dorr/ Date Signed: 08/12/2009 Signatory's Name: David T Dorr Signatory's Position: Attorney of Record, Texas bar member RAM Sale Number: 1193 RAM Accounting Date: 08/13/2009 Serial Number: 77201915 Internet Transmission Date: Wed Aug 12 15:17:54 EDT 2009 TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-20090812151754085676-77201915-440e2d6b71b80767885771e981c53221d9-CC-1193-20090812151137444273

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 77201915



Mark: CANDIED LASHES

Mail Date: 2009/08/12



Examiner Number: 76419



LIE Number: 76568



Examiner Name:  
FRENCH, CURTIS W

LIE Name:  
STIMMEL SINGH, ROBIN D

L.O. Assigned: LAW OFFICE 115

Special Instruction(s):

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20090812	\$150	1	\$150

**Trademark Snap Shot ITU Unit Action**

(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	08/14/2009
PUB DATE	05/20/2008
STATUS	731-SECOND EXTENSION - GRANTED
STATUS DATE	08/13/2009
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	NovaLash, Inc.
ADDRESS	1200 Southmore Blvd Houston, TX 77004
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	003
DESCRIPTION TEXT	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"LASHES"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/13/2009	EX2G	S	EXTENSION 2 GRANTED	024
08/12/2009	EXT2	S	EXTENSION 2 FILED	023
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED	022
03/24/2009	EX1G	S	EXTENSION 1 GRANTED	021
02/12/2009	EXT1	S	EXTENSION 1 FILED	020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED	017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED	016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT	015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION	014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005

09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

# CANDIED LASHES



Side - 1



**NOTICE OF APPROVAL  
OF EXTENSION REQUEST  
MAILING DATE: Aug 14, 2009**

A Notice of Allowance issued for the trademark application identified below on Aug 12, 2008. The SECOND request for extension of time to file a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information, visit our website at: <http://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77201915  
**MARK:** CANDIED LASHES  
**OWNER:** NovaLash, Inc.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

## SOU Extension Request (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>MARK SECTION</b>	
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CANDIED LASHES
<b>OWNER SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	003
<b>CURRENT IDENTIFICATION</b>	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	3
<b>ONGOING EFFORT</b>	product or service research or development; market research; promotional activities
<b>ALLOWANCE MAIL DATE</b>	08/12/2008
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>SUBTOTAL AMOUNT</b>	150
<b>TOTAL AMOUNT</b>	150
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/David T Dorr/
<b>SIGNATORY'S NAME</b>	David T Dorr
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Texas bar member
<b>DATE SIGNED</b>	02/12/2010
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Fri Feb 12 15:48:59 EST 2010
<b>TEAS STAMP</b>	USPTO/ESU-XX.XX.XXX.XX-20 100212154859644822-772019 15-4601d297f99f45bc570671

	e6761b2a55f-CC-2520-20100 212154552447663
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**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES **SERIAL NUMBER:** 77201915 The applicant, NovaLash, Inc., having an address of 1200 Southmore Blvd Houston, Texas 77004 United States requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 08/12/2008. For International Class 003: Current identification: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance or as subsequently modified for this specific class.

This is the third extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods and/or services covered by the extension request: product or service research or development; market research; promotional activities A fee payment in the amount of \$150 will be submitted with the form, representing payment for 1 class.

**Declaration** The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the form is being filed under 15 U.S.C. Section 1126(d) or (e), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true. Signature: /David T Dorr/ Date Signed: 02/12/2010 Signatory's Name: David T Dorr Signatory's Position: Attorney of Record, Texas bar member RAM Sale Number: 2520 RAM Accounting Date: 02/16/2010 Serial Number: 77201915 Internet Transmission Date: Fri Feb 12 15:48:59 EST 2010 TEAS Stamp: USPTO/ESU-XX.XX.XXX.XX-20100212154859644822-77201915-4601d297f99f45bc570671e6761b2a55f-CC-2520-20100212154552447663

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 77201915



Mark: CANDIED LASHES

Mail Date: 2010/02/12



Examiner Number: 76419



LIE Number: 76568



Examiner Name:  
FRENCH, CURTIS W

LIE Name:  
STIMMEL SINGH, ROBIN D

L.O. Assigned: LAW OFFICE 115

Special Instruction(s):

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20100212	\$150	1	\$150

**Trademark Snap Shot ITU Unit Action**

(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	02/17/2010
PUB DATE	05/20/2008
STATUS	732-THIRD EXTENSION - GRANTED
STATUS DATE	02/16/2010
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE		20-OWNER AT PUBLICATION					
NAME		NovaLash, Inc.					
ADDRESS		1200 Southmore Blvd Houston, TX 77004					
ENTITY		03-CORPORATION					
CITIZENSHIP		Texas					
<p align="center"><b>GOODS AND SERVICES</b></p>							
INTERNATIONAL CLASS		003					
DESCRIPTION TEXT		Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués					
<p align="center"><b>GOODS AND SERVICES CLASSIFICATION</b></p>							
INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<p align="center"><b>MISCELLANEOUS INFORMATION/STATEMENTS</b></p>							
CHANGE IN REGISTRATION		NO					
DISCLAIMER W/PREDETER TXT		"LASHES"					
<p align="center"><b>PROSECUTION HISTORY</b></p>							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
02/16/2010	EX3G	S	EXTENSION 3 GRANTED				027
02/12/2010	EXT3	S	EXTENSION 3 FILED				026
02/12/2010	EEXT	I	TEAS EXTENSION RECEIVED				025
08/13/2009	EX2G	S	EXTENSION 2 GRANTED				024
08/12/2009	EXT2	S	EXTENSION 2 FILED				023
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED				022
03/24/2009	EX1G	S	EXTENSION 1 GRANTED				021
02/12/2009	EXT1	S	EXTENSION 1 FILED				020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL				019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION				018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED				017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED				016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT				015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION				014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION				013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED				012
04/15/2008	ALIE	A	ASSIGNED TO LIE				011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER				010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED				009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE				008

03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas



# CANDIED LASHES

Side - 1



**NOTICE OF APPROVAL  
OF EXTENSION REQUEST  
MAILING DATE: Feb 17, 2010**

A Notice of Allowance issued for the trademark application identified below on Aug 12, 2008. The THIRD request for extension of time to file a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information, visit our website at: <http://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77201915  
**MARK:** CANDIED LASHES  
**OWNER:** NovaLash, Inc.

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>DATE OF NOTICE OF ABANDONMENT</b>	00/00/0000
<b>MARK SECTION</b>	
<b>MARK</b>	CANDIED LASHES
<b>PETITION</b>	
<b>PETITION STATEMENT</b>	Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.
<b>NOTICE OF ALLOWANCE</b>	Notice of Allowance was received by applicant
<b>EXTENSION OF TIME TO FILE STATEMENT OF USE</b>	
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	NovaLash, Inc.
<b>STREET</b>	1200 Southmore Blvd
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>ZIP/POSTAL CODE</b>	77004
<b>COUNTRY</b>	US
<b>PHONE</b>	(713) 520-5848
<b>FAX</b>	(713) 621-5080
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	003
<b>CURRENT IDENTIFICATION</b>	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques
<b>KEEP EXISTING GOODS AND/OR SERVICES</b>	YES
<b>EXTENSION SECTION</b>	
<b>EXTENSION PERIOD(S)</b>	4
<b>ONGOING EFFORT</b>	product or service research or development; market research; promotional activities
<b>PAYMENT SECTION</b>	
<b>PETITION FEE</b>	100
<b>NUMBER OF CLASSES</b>	1

<b>EXTENSION FEE</b>	150
<b>TOTAL FEE PAID</b>	250
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/David T Dorr/
<b>SIGNATORY'S NAME</b>	David T Dorr
<b>SIGNATORY DATE</b>	08/25/2010
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Texas Bar Member
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed Aug 25 12:33:40 EDT 2010
<b>TEAS STAMP</b>	USPTO/PSE-XX.XX.XXX.X-20100825 123340584637-77201915-460fe588 7bb50a096c5bbcff3492ab7e41d-CC -8383-20100825123030676317

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## Petition to Revive Abandoned Application - Failure to File Timely Statement of Use or Extension Request

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES

**SERIAL NUMBER:** 77201915

### PETITION

Applicant has firsthand knowledge that the failure to file an SOU or Extension Request by the specific deadline was unintentional, and requests the USPTO to revive the abandoned application.

Notice of Allowance was received by applicant.

### EXTENSION OF TIME TO FILE STATEMENT OF USE

The applicant, NovaLash, Inc., having an address of  
1200 Southmore Blvd  
Houston, Texas 77004  
US

requests revival of the application identified above, and submits extension(s) of time to file the Statement of Use under 37 C.F.R. Section 2.89. The Notice of Allowance mailing date was 08/12/2008.

Notice of Allowance was received by applicant

For International Class 003:

Current identification: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques

The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance, or as subsequently modified.

The applicant is filing extension number(s): 4.

The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods and/or services covered by the extension request: product or service research or development; market research; promotional activities.

A fee payment in the amount of \$250 will be submitted.

### Declaration

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /David T Dorr/ Date: 08/25/2010

Signatory's Name: David T Dorr

Signatory's Position: Attorney of Record, Texas Bar Member

RAM SALE NUMBER: 8383  
RAM ACCOUNTING DATE: 20100825

INTERNET TRANSMISSION DATE:  
2010/08/25

SERIAL NUMBER:  
77/201915

Description	Fee Code	Transaction	Total Fees Paid
POA	7005	2010/08/25	100
ESU	7004	2010/08/25	150

Side - 1



**NOTICE OF REVIVAL**  
**MAILING DATE: Aug 25, 2010**

The trademark application identified below has been revived to pending status. The application file will be forwarded to the appropriate section of the Office for further processing.

To verify the status and location of your application, please wait approximately three weeks and check the USPTO website at <http://tarr.uspto.gov/> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77201915  
**MARK:** CANDIED LASHES  
**OWNER:** NovaLash, Inc.  
**REVIVAL DATE:** Aug 25, 2010

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

DAVID T. DORR  
LAW OFFICE OF DAVID T. DORR, PC  
2020 NORTH LOOP W STE 230  
HOUSTON, TX 77018

**Trademark Snap Shot ITU Unit Action**

(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	09/02/2010
PUB DATE	05/20/2008
STATUS	733-FOURTH EXTENSION - GRANTED
STATUS DATE	09/01/2010
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPub 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**



PARTY TYPE		20-OWNER AT PUBLICATION					
NAME		NovaLash, Inc.					
ADDRESS		1200 Southmore Blvd Houston, TX 77004					
ENTITY		03-CORPORATION					
CITIZENSHIP		Texas					
<b>GOODS AND SERVICES</b>							
INTERNATIONAL CLASS		003					
DESCRIPTION TEXT		Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués					
<b>GOODS AND SERVICES CLASSIFICATION</b>							
INTERNATIONAL CLASS	003	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<b>MISCELLANEOUS INFORMATION/STATEMENTS</b>							
CHANGE IN REGISTRATION				NO			
DISCLAIMER W/PREDETER TXT				"LASHES"			
<b>PROSECUTION HISTORY</b>							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
09/02/2010	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED				033
09/01/2010	EX4G	S	EXTENSION 4 GRANTED				032
08/12/2010	EXT4	S	EXTENSION 4 FILED				031
08/25/2010	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION				030
08/25/2010	PETG	O	PETITION TO REVIVE-GRANTED				029
08/25/2010	PROA	I	TEAS PETITION TO REVIVE RECEIVED				028
02/16/2010	EX3G	S	EXTENSION 3 GRANTED				027
02/12/2010	EXT3	S	EXTENSION 3 FILED				026
02/12/2010	EEXT	I	TEAS EXTENSION RECEIVED				025
08/13/2009	EX2G	S	EXTENSION 2 GRANTED				024
08/12/2009	EXT2	S	EXTENSION 2 FILED				023
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED				022
03/24/2009	EX1G	S	EXTENSION 1 GRANTED				021
02/12/2009	EXT1	S	EXTENSION 1 FILED				020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL				019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION				018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED				017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED				016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT				015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION				014

04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

# CANDIED LASHES

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Thursday, September 2, 2010 00:09 AM  
**To:** dtdorr@sbcglobal.net  
**Subject:** Trademark Serial Number 77201915 : Official USPTO Notice of Approval of Extension Request

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## NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77-201,915  
**Mark:** CANDIED LASHES(STANDARD CHARACTER MARK)  
**Owner:** NovaLash, Inc.  
**Extension Request Number:** 4  
**Reference Number:** 1200  
**Notice of Allowance Date:** Aug 12, 2008

The USPTO issued a Notice of Allowance on **Aug 12, 2008** for the trademark application identified above. Applicant's **FOURTH** request for Extension of Time to File a Statement of Use has been **GRANTED**.

### PLEASE NOTE:

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77201915
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK</b>	CANDIED LASHES
<b>MISCELLANEOUS STATEMENTS SECTION</b>	
<b>MISCELLANEOUS STATEMENT</b>	Free text not entered by the applicant.
<b>MISCELLANEOUS FILE NAME(S)</b>	
<b>JPG FILE(S)</b>	<a href="\\TICRS\EXPORT11\IMAGEOUT 11\772\019\77201915\xml5\SOU0006.JPG">\\TICRS\EXPORT11\IMAGEOUT 11\772\019\77201915\xml5\SOU0006.JPG</a>
	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0007.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0007.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">MISC-981981196-174043317_.. Candied Lashes1.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0008.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0008.JPG</a>
	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0009.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0009.JPG</a>
<b>OWNER SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	003
<b>CURRENT IDENTIFICATION</b>	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	11/06/2007
<b>FIRST USE IN COMMERCE DATE</b>	11/06/2007
<b>SPECIMEN FILE NAME(S)</b>	
<b>JPG FILE(S)</b>	<a href="\\TICRS\EXPORT11\IMAGEOUT 11\772\019\77201915\xml5\SOU0002.JPG">\\TICRS\EXPORT11\IMAGEOUT 11\772\019\77201915\xml5\SOU0002.JPG</a>
	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0003.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0003.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN0-981981196-174043317_.. Candied Lashes1.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0004.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0004.JPG</a>
	<a href="\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0005.JPG">\\TICRS\EXPORT11\IMAGEOUT11\772\019\77201915\xml5\SOU0005.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Two (2) photographs (JPG) of trademark "CANDIED LASHES" on packaging containing product, and sample advertisement (PDF) which includes trademark "CANDIED LASHES" on packaging containing product.

REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/David T Dorr/
SIGNATORY'S NAME	David T Dorr
SIGNATORY'S POSITION	Attorney of Record, Texas bar member
DATE SIGNED	02/09/2011
FILING INFORMATION	
SUBMIT DATE	Wed Feb 09 17:55:16 EST 2011
TEAS STAMP	USPTO/SOU-XX.XXX.XX.XX-20 110209175516436253-772019 15-4806fc5c6be3b34d2419fa ea104ee018d9-CC-4694-2011 0209174043317290

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**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES  
**SERIAL NUMBER:** 77201915

The applicant, NovaLash, Inc., having an address of  
1200 Southmore Blvd  
Houston, Texas 77004  
United States

is submitting the following allegation of use information:

For International Class 003:

Current identification: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 11/06/2007, and first used in commerce at least as early as 11/06/2007, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Two (2) photographs (JPG) of trademark "CANDIED LASHES" on packaging containing product, and sample advertisement (PDF) which includes trademark "CANDIED LASHES" on packaging containing product..

**JPG file(s):**

[Specimen File1](#)

[Specimen File2](#)

**Original PDF file:**

[SPN0-981981196-174043317\\_.. Candied Lashes1.pdf](#)

**Converted PDF file(s) (2 pages)**

[Specimen File1](#)

[Specimen File2](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

**MISCELLANEOUS STATEMENTS**

Free text not entered by the applicant.

**JPG file(s):**

[Miscellaneous File1](#)

[Miscellaneous File2](#)

**Original PDF file:**

[MISC-981981196-174043317\\_.. Candied Lashes1.pdf](#)

**Converted PDF file(s) (2 pages)**

[Miscellaneous File1](#)

[Miscellaneous File2](#)

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen (s) showing the mark as used in commerce.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /David T Dorr/      Date Signed: 02/09/2011  
Signatory's Name: David T Dorr  
Signatory's Position: Attorney of Record, Texas bar member

RAM Sale Number: 4694  
RAM Accounting Date: 02/10/2011

Serial Number: 77201915  
Internet Transmission Date: Wed Feb 09 17:55:16 EST 2011  
TEAS Stamp: USPTO/SOU-XX.XXX.XX.XX-20110209175516436  
253-77201915-4806fc5c6be3b34d2419faea104  
ee018d9-CC-4694-20110209174043317290







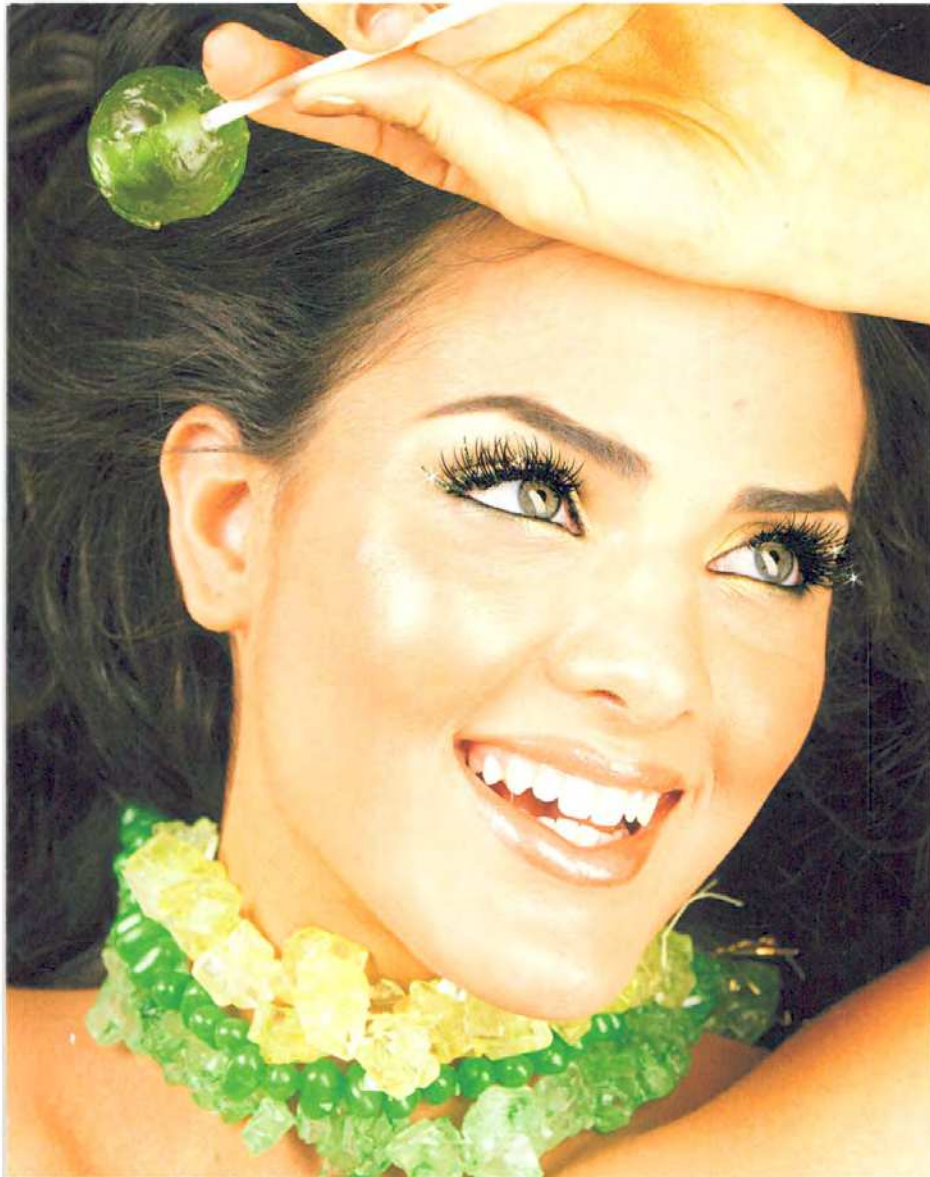


# NOVALASH CANDIED LASHES



NOVALASH • [www.novalash.com](http://www.novalash.com) • 1.866.430.1261





NOVALASH®  
CANDIED LASHES

JUST IN TIME FOR PROM





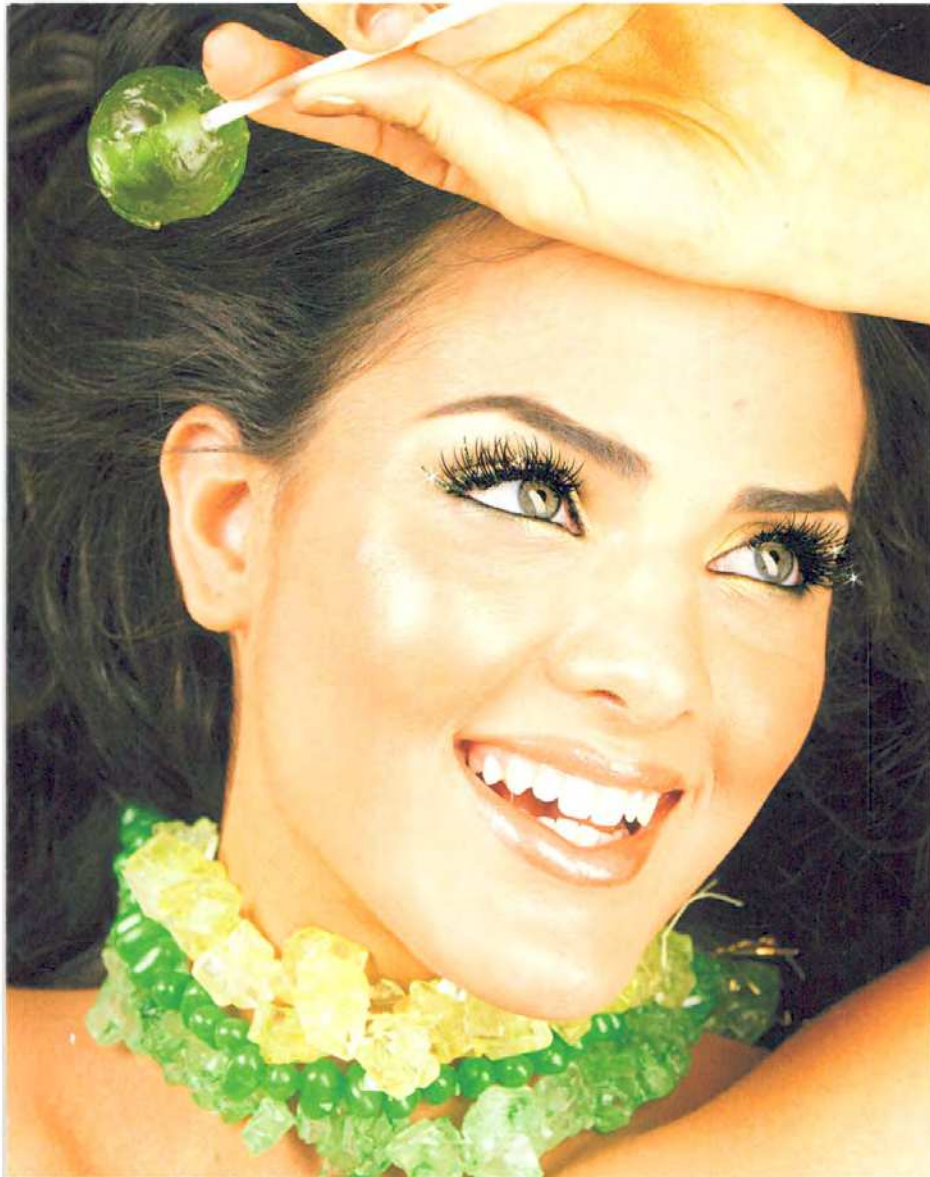


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CANDIED LASHES

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# FEE RECORD SHEET

Serial Number: 77201915



RAM Sale Number: 4694

Total Fees: \$100

RAM Accounting Date: 20110210

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20110209	\$100	1	\$100

Transaction Date: 20110209







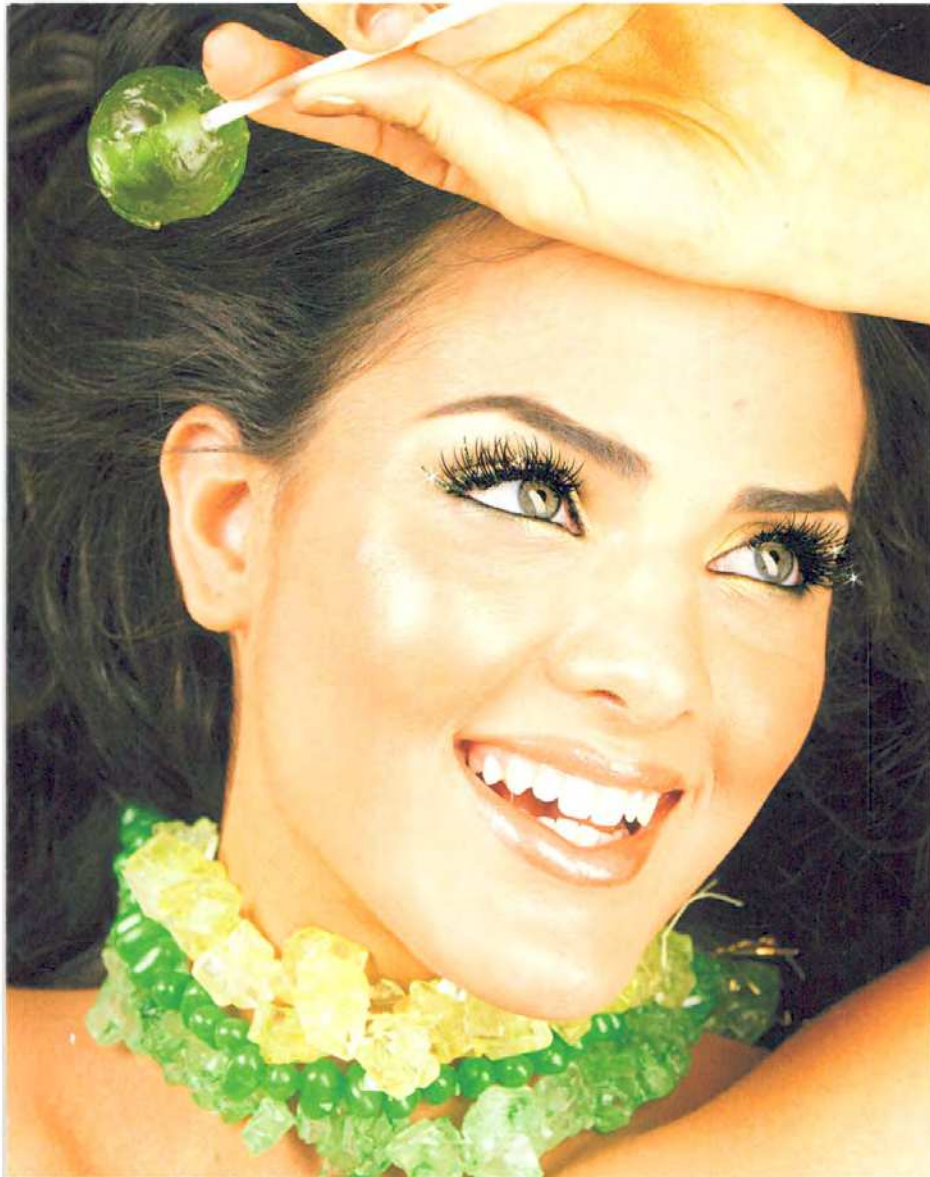


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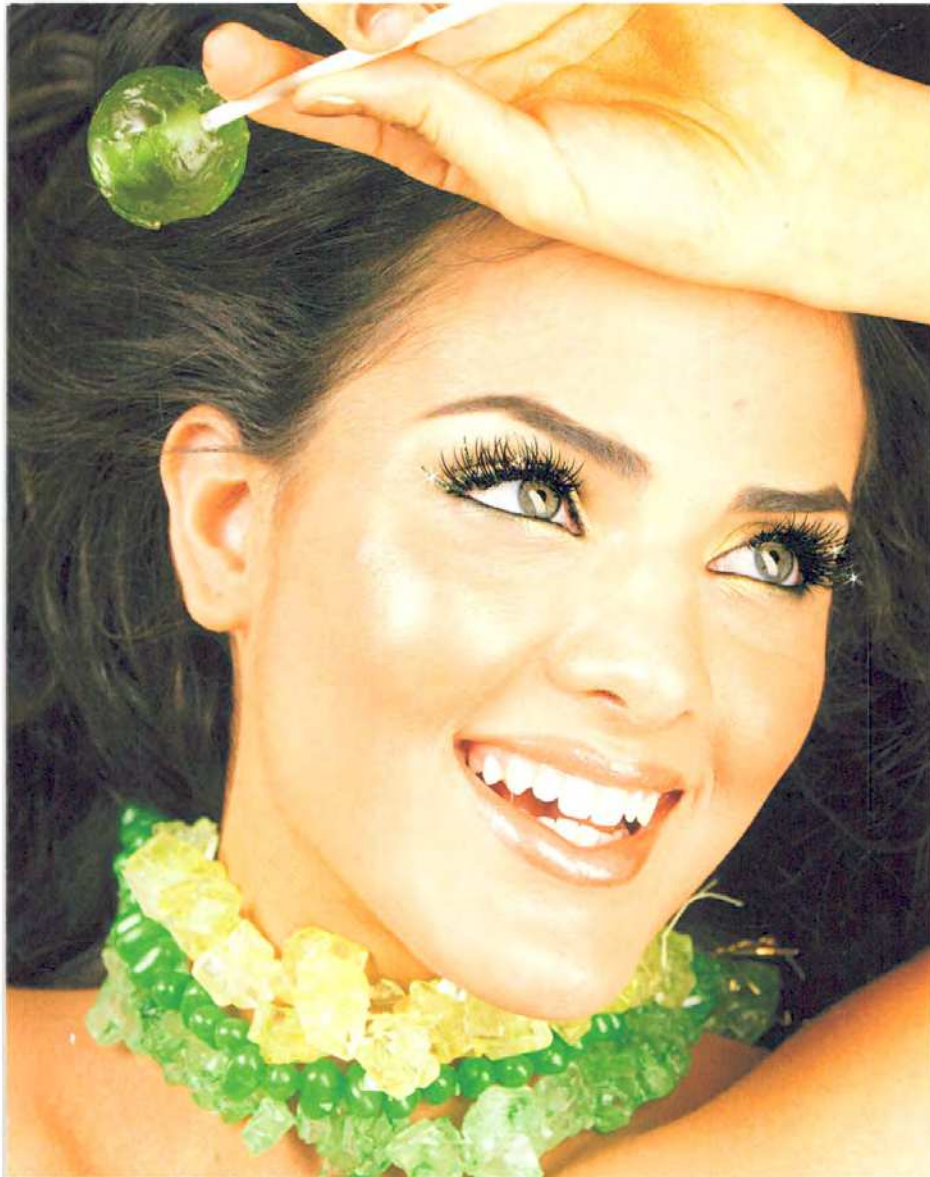


# NOVALASH CANDIED LASHES



NOVALASH • [www.novalash.com](http://www.novalash.com) • 1.866.430.1261





NOVALASH<sup>®</sup>  
CANDIED LASHES

JUST IN TIME FOR PROM

**Trademark Snap Shot ITU Unit Action**

(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

**PUB INFORMATION**

RUN DATE	02/15/2011
PUB DATE	05/20/2008
STATUS	748-STATEMENT OF USE - TO EXAMINER
STATUS DATE	02/14/2011
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	NovaLash, Inc.
ADDRESS	1200 Southmore Blvd Houston, TX 77004
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	003
DESCRIPTION TEXT	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	003	FIRST USE DATE	11/06/2007	FIRST USE IN COMMERCE DATE	11/06/2007	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"LASHES"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/14/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	036
02/09/2011	IUAF	S	USE AMENDMENT FILED	035
02/09/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED	034
09/02/2010	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
09/01/2010	EX4G	S	EXTENSION 4 GRANTED	032
08/12/2010	EXT4	S	EXTENSION 4 FILED	031
08/25/2010	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	030
08/25/2010	PETG	O	PETITION TO REVIVE-GRANTED	029
08/25/2010	PROA	I	TEAS PETITION TO REVIVE RECEIVED	028
02/16/2010	EX3G	S	EXTENSION 3 GRANTED	027
02/12/2010	EXT3	S	EXTENSION 3 FILED	026
02/12/2010	EEXT	I	TEAS EXTENSION RECEIVED	025
08/13/2009	EX2G	S	EXTENSION 2 GRANTED	024
08/12/2009	EXT2	S	EXTENSION 2 FILED	023
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED	022
03/24/2009	EX1G	S	EXTENSION 1 GRANTED	021
02/12/2009	EXT1	S	EXTENSION 1 FILED	020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED	017

02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED	016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT	015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION	014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

# CANDIED LASHES

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

### PUB INFORMATION

RUN DATE	03/01/2011
PUB DATE	05/20/2008
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION
STATUS DATE	02/26/2011
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	NovaLash, Inc.
ADDRESS	1200 Southmore Blvd Houston, TX 77004
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	003
DESCRIPTION TEXT	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	003	FIRST USE DATE	11/06/2007	FIRST USE IN COMMERCE DATE	11/06/2007	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"LASHES"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/26/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	037
02/14/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	036
02/09/2011	IUAF	S	USE AMENDMENT FILED	035
02/09/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED	034
09/02/2010	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
09/01/2010	EX4G	S	EXTENSION 4 GRANTED	032
08/12/2010	EXT4	S	EXTENSION 4 FILED	031
08/25/2010	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	030
08/25/2010	PETG	O	PETITION TO REVIVE-GRANTED	029
08/25/2010	PROA	I	TEAS PETITION TO REVIVE RECEIVED	028
02/16/2010	EX3G	S	EXTENSION 3 GRANTED	027
02/12/2010	EXT3	S	EXTENSION 3 FILED	026
02/12/2010	EEXT	I	TEAS EXTENSION RECEIVED	025
08/13/2009	EX2G	S	EXTENSION 2 GRANTED	024
08/12/2009	EXT2	S	EXTENSION 2 FILED	023
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED	022
03/24/2009	EX1G	S	EXTENSION 1 GRANTED	021
02/12/2009	EXT1	S	EXTENSION 1 FILED	020
03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	018

02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED	017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED	016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT	015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION	014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas



# CANDIED LASHES

## Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

### OVERVIEW

SERIAL NUMBER	77201915	FILING DATE	06/08/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	FRENCH, CURTIS W	L.O. ASSIGNED	115

### PUB INFORMATION

RUN DATE	03/08/2011
PUB DATE	05/20/2008
STATUS	819-SU - REGISTRATION REVIEW COMPLETE
STATUS DATE	03/05/2011
LITERAL MARK ELEMENT	CANDIED LASHES

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CANDIED LASHES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE		20-OWNER AT PUBLICATION					
NAME		NovaLash, Inc.					
ADDRESS		1200 Southmore Blvd Houston, TX 77004					
ENTITY		03-CORPORATION					
CITIZENSHIP		Texas					
<b>GOODS AND SERVICES</b>							
INTERNATIONAL CLASS		003					
DESCRIPTION TEXT		Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqués					
<b>GOODS AND SERVICES CLASSIFICATION</b>							
INTERNATIONAL CLASS	003	FIRST USE DATE	11/06/2007	FIRST USE IN COMMERCE DATE	11/06/2007	CLASS STATUS	6-ACTIVE
<b>MISCELLANEOUS INFORMATION/STATEMENTS</b>							
CHANGE IN REGISTRATION				NO			
DISCLAIMER W/PREDETER TXT				"LASHES"			
<b>PROSECUTION HISTORY</b>							
DATE	ENT CD	ENT TYPE	DESCRIPTION			ENT NUM	
03/08/2011	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED			039	
03/05/2011	REGV	O	LAW OFFICE REGISTRATION REVIEW COMPLETED			038	
02/26/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED			037	
02/14/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE			036	
02/09/2011	IUAF	S	USE AMENDMENT FILED			035	
02/09/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED			034	
09/02/2010	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED			033	
09/01/2010	EX4G	S	EXTENSION 4 GRANTED			032	
08/12/2010	EXT4	S	EXTENSION 4 FILED			031	
08/25/2010	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION			030	
08/25/2010	PETG	O	PETITION TO REVIVE-GRANTED			029	
08/25/2010	PROA	I	TEAS PETITION TO REVIVE RECEIVED			028	
02/16/2010	EX3G	S	EXTENSION 3 GRANTED			027	
02/12/2010	EXT3	S	EXTENSION 3 FILED			026	
02/12/2010	EEXT	I	TEAS EXTENSION RECEIVED			025	
08/13/2009	EX2G	S	EXTENSION 2 GRANTED			024	
08/12/2009	EXT2	S	EXTENSION 2 FILED			023	
08/12/2009	EEXT	I	TEAS EXTENSION RECEIVED			022	
03/24/2009	EX1G	S	EXTENSION 1 GRANTED			021	
02/12/2009	EXT1	S	EXTENSION 1 FILED			020	

03/24/2009	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	019
02/19/2009	TPEX	I	EXTENSION RECEIVED WITH TEAS PETITION	018
02/19/2009	PETG	O	PETITION TO REVIVE-GRANTED	017
02/19/2009	PROA	I	TEAS PETITION TO REVIVE RECEIVED	016
08/12/2008	NOAM	O	NOA MAILED - SOU REQUIRED FROM APPLICANT	015
05/20/2008	PUBO	A	PUBLISHED FOR OPPOSITION	014
04/30/2008	NPUB	O	NOTICE OF PUBLICATION	013
04/15/2008	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	012
04/15/2008	ALIE	A	ASSIGNED TO LIE	011
04/09/2008	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	010
03/15/2008	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
03/14/2008	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
03/14/2008	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
10/11/2007	DOCK	D	ASSIGNED TO EXAMINER	006
09/17/2007	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
09/17/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
09/17/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
09/15/2007	DOCK	D	ASSIGNED TO EXAMINER	002
06/13/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	David T. Dorr
CORRESPONDENCE ADDRESS	DAVID T. DORR LAW OFFICE OF DAVID T. DORR, PC 2020 NORTH LOOP W STE 230 HOUSTON, TX 77018
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	NovaLash, Inc.
ADDRESS	Ste 370 3701 W. Alabama Houston, TX 77027
ENTITY	03-CORPORATION
CITIZENSHIP	Texas

# CANDIED LASHES

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, March 8, 2011 00:19 AM  
**To:** dtdorr@sbcglobal.net  
**Subject:** Trademark Serial Number 77201915 : Official USPTO Notice of Acceptance of Statement of Use

---

## NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**Serial Number:** 77-201,915  
**Mark:** CANDIED LASHES(STANDARD CHARACTER MARK)  
**Owner:** NovaLash, Inc.  
**Reference Number:** 1200

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

<b>SERIAL NUMBER</b>	77201915
<b>REGISTRATION NUMBER</b>	3944538
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>ATTORNEY DOCKET NUMBER</b>	2745-02400
<b>MARK SECTION</b>	
<b>MARK</b>	CANDIED LASHES
<b>ATTORNEY SECTION</b>	
<b>ORIGINAL ADDRESS</b>	DAVID T. DORR 2020 NORTH LOOP W STE 230 HOUSTON Texas (TX) 77018 US 7139574413 7139578297 dtdorr@sbcglobal.net
<b>NEW ATTORNEY ADDRESS</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney.
<b>NAME</b>	Matthew R. Moscicki
<b>FIRM NAME</b>	Conley Rose, P.C.
<b>STREET</b>	P.O. Box 3267
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	77253-3267
<b>PHONE</b>	713-238-8000
<b>FAX</b>	713-238-8008
<b>EMAIL</b>	tmhou@conleyrose.com
<b>ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>ATTORNEY DOCKET NUMBER</b>	2745-02400
<b>NEW OTHER APPOINTED ATTORNEYS</b>	Elizabeth W. King, David A. Rose, Gregory L. Maag, Jon Harris, Charles J. Rogers, Mark E. Scott, Tom L. Warden, Thad J. Faleski, Tim D. Chheda, Alan D. Christenson, Matt Gibson, Stewart Mesher, and Laura A. Brock

NEW CORRESPONDENCE ADDRESS	
NAME	Matthew R. Moscicki
FIRM NAME	Conley Rose, P.C.
DOCKET/REFERENCE NUMBER	2745-02400
STREET	P.O. Box 3267
CITY	Houston
STATE	Texas
COUNTRY	United States
POSTAL/ZIP CODE	77253-3267
PHONE	713-238-8000
FAX	713-238-8008
EMAIL	tmhou@conleyrose.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
OTHER APPOINTED ATTORNEY	Elizabeth W. King, David A. Rose, Gregory L. Maag, Jon Harris, Charles J. Rogers, Mark E. Scott, Tom L. Warden, Thad J. Faleski, Tim D. Chheda, Alan D. Christenson, Matt Gibson, Stewart Mesher, and Laura A. Brock
SIGNATURE SECTION	
SIGNATURE	/Sophy Merszei/
SIGNATORY NAME	Sophy Merszei
SIGNATORY DATE	01/10/2012
SIGNATORY POSITION	President
SIGNATORY PHONE NUMBER	713-238-8000
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Jan 10 15:17:48 EST 2012
TEAS STAMP	USPTO/RAA-XX.XXX.XX.XXX-2 0120110151748345427-77201 915-490b6c3eae050b9cbeeae ad7059e67bd782-N/A-N/A-20 120104101255598242

---



## **Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative**

To the Commissioner for Trademarks:

**MARK:** CANDIED LASHES

**SERIAL NUMBER:** 77201915

**REGISTRATION NUMBER:** 3944538

**ATTORNEY DOCKET NUMBER** 2745-02400

**The original attorney**

DAVID T. DORR

2020 NORTH LOOP W STE 230

HOUSTON Texas 77018

US

7139574413

7139578297

dtdorr@sbcglobal.net

**Original Correspondence Address :**

DAVID T. DORR

2020 NORTH LOOP W STE 230

HOUSTON Texas 77018

US

7139574413

7139578297

dtdorr@sbcglobal.net

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney. In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

**Newly Appointed Attorney:**

Matthew R. Moscicki

Conley Rose, P.C.

P.O. Box 3267

Houston, Texas 77253-3267

United States

713-238-8000

713-238-8008

tmhou@conleyrose.com

2745-02400

**Other Appointed Attorneys:**

Elizabeth W. King, David A. Rose, Gregory L. Maag, Jon Harris, Charles J. Rogers, Mark E. Scott, Tom L. Warden, Thad J. Faleski, Tim D. Chheda, Alan D. Christenson, Matt Gibson, Stewart Mesher, and Laura A. Brock

**The following is to be used as the correspondence address:**

Matthew R. Moscicki

Conley Rose, P.C.

P.O. Box 3267

Houston, Texas 77253-3267

United States

713-238-8000

713-238-8008

tmhou@conleyrose.com The attorney docket/reference number is 2745-02400.

Signature: /Sophy Merszei/ Date: 01/10/2012

Signatory's Name: Sophy Merszei

Signatory's Position: President

Signatory's Phone Number: 713-238-8000

Serial Number: 77201915

Internet Transmission Date: Tue Jan 10 15:17:48 EST 2012

TEAS Stamp: USPTO/RAA-XX.XXX.XX.XXX-2012011015174834

5427-77201915-490b6c3eae050b9cbeeaead705

9e67bd782-N/A-N/A-20120104101255598242

## Change Of Owner's Address

The table below presents the data as entered.

SERIAL NUMBER	77201915
REGISTRATION NUMBER	3944538
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION	
MARK	CANDIED LASHES
OWNER SECTION (current)	
NAME	NovaLash, Inc.
STREET	1200 Southmore Blvd
CITY	Houston
STATE	Texas
ZIP/POSTAL CODE	77004
COUNTRY	US
PHONE	(713) 520-5848
FAX	(713) 621-5080
EMAIL	XXXX
NEW OWNER ADDRESS	
STREET	6116 Skyline Drive, #201
CITY	Houston
STATE	Texas
ZIP/POSTAL CODE	77057
COUNTRY	United States
EMAIL	XXXX
SIGNATURE SECTION	
SIGNATURE	/Matt Moscicki/
SIGNATORY NAME	Matthew R. Moscicki
SIGNATORY DATE	02/27/2013
SIGNATORY POSITION	Attorney of record, Texas bar member
SIGNATORY PHONE NUMBER	XXX-XXX-XXXX
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Feb 28 09:35:39 EST 2013
TEAS STAMP	USPTO/COA-XX.XXX.XXX.XXX- 20130228093539796652-8539 0081-5009f7a551ca251f4dcd c74f479c55b65548a303f91cf 9960cff0167fbed75d9e-N/A-



---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, April 12, 2016 01:04 AM  
**To:** tmhou@conleyrose.com  
**Subject:** Official USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filing Under Section 8: U.S. Trademark RN 3944538: CANDIED LASHES: Docket/Reference No. 2745-02400

---

**U.S. Serial Number:** 77201915  
**U.S. Registration Number:** 3944538  
**U.S. Registration Date:** Apr 12, 2011  
**Mark:** CANDIED LASHES  
**Owner:** NovaLash, Inc.

Apr 12, 2016

**U.S. PATENT AND TRADEMARK OFFICE ("USPTO") COURTESY REMINDER  
OF REQUIRED TRADEMARK REGISTRATION MAINTENANCE FILING UNDER SECTION 8**

**WARNING: Your trademark registration will be CANCELLED if you do not file the required document below during the specified statutory time period.**

The above-identified registration registered on Apr 12, 2011. Therefore, the owner of the registration must file a Declaration of Use and/or Excusable Nonuse under §8 of the Trademark Act anytime between now and Apr 12, 2017. For an additional fee, the owner may file the declaration within the six-month grace period that ends on Oct 12, 2017. See 15 U.S.C. §1058. The current fee for filing a declaration under §8 is \$100 per class, and the additional fee for filing during the six-month grace period is \$100 per class. 37 C.F.R. §2.6.

If the registration meets the requirements of §15 of the Trademark Act, the owner may additionally file an optional Declaration of Incontestability under §15. See 15 U.S.C. §1065. The current fee for filing a declaration under §15 is \$200 per class. 37 C.F.R. §2.6.

To expedite processing, the owner is encouraged to file through the USPTO's official website using the Trademark Electronic Application System ("TEAS"). Official forms for filing Declarations of Use and/or Excusable Nonuse under §8 and Combined Declarations of Use and Incontestability under §§8 and 15 are available through TEAS at [http://www.uspto.gov/trademarks/teas/reg\\_maintain.jsp](http://www.uspto.gov/trademarks/teas/reg_maintain.jsp).

For information regarding how to record ownership documents such as assignments, name changes and mergers, please see TMEP §503. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System ("ETAS") at <http://etas.uspto.gov>.

For further information regarding the maintenance of a trademark registration, including future maintenance filings, please consult the USPTO website at <http://www.uspto.gov/trademarks/process/maintain/prfaq.jsp>.

This reminder notice is being sent only as a courtesy to those trademark owners who have authorized e-mail communication and maintain a current e-mail address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a trademark registration. If a registration is cancelled and/or expired due to the failure to timely file required maintenance documents, it cannot be reinstated or revived.

To check the status of this registration, go to [http://tsdr.uspto.gov/#caseNumber=77201915&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=77201915&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199.

**Beware of Unofficial Trademark Solicitations:** Please be aware that private companies not associated with the USPTO often use trademark registration information from the USPTO's database to mail or e-mail trademark-related solicitations. This is the only official reminder that you will receive from the USPTO about your upcoming required maintenance filing. For additional information about these private solicitations, please visit the USPTO website at [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

In order to be eligible for future e-mail reminders of maintenance filings, please remember to authorize e-mail communication when filing your maintenance documents through TEAS and ensure that you maintain a current e-mail address with the USPTO.

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## Candied Lashes® by NOVALASH Box-Set



# Candied Lashes® by NOVALASH Box-Set

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- NovaLash Certified Stylist
- NovaLash Advanced Trained Stylist
- NovaLash American Volume Stylist
- NovaLash Trainer

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SKU: 860

Categories: [Candied Lashes®](#), [Lashes](#)

Description Additional Information



## Sugar Kissed Eye Candy!

Candied Lashes by Sophia Navarro add an allure to your eye flutter that will keep them coming back for more! NovaLash's exclusive Candied Lashes add glimmer or a mysterious shimmer to your already fabulous lashes. The delicious, hand-dipped, freeze-dried and crystallized lashes can be worn day or night for a delicate sparkle that lasts up to 2 weeks. The box-set includes 6 delectable colors: Cinnamon Toast (brown), Blue Raspberry (blue), Mint Chocolate Chip (green), Pink Lemonade (pink), Butterscotch (gold), and Sugar Plum (purple). 100-106 lashes per pot.

## Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

Input Field	Entered
<b>REGISTRATION NUMBER</b>	3944538
<b>REGISTRATION DATE</b>	04/12/2011
<b>SERIAL NUMBER</b>	77201915
<b>MARK SECTION</b>	
<b>MARK</b>	CANDIED LASHES
<b>ATTORNEY SECTION (no change)</b>	
<b>NAME</b>	Matthew R. Moscicki
<b>FIRM NAME</b>	Conley Rose, P.C.
<b>STREET</b>	P.O. Box 3267
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>POSTAL CODE</b>	77253-3267
<b>COUNTRY</b>	United States
<b>PHONE</b>	713-238-8000
<b>FAX</b>	713-238-8008
<b>EMAIL</b>	tmhou@conleyrose.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	Yes
<b>DOCKET/REFERENCE NUMBER</b>	2745-02400
<b>ATTORNEY SECTION (proposed)</b>	
<b>NAME</b>	Matthew R. Moscicki
<b>FIRM NAME</b>	Conley Rose, P.C.
<b>STREET</b>	P.O. Box 3267
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>POSTAL CODE</b>	77253-3267
<b>COUNTRY</b>	United States
<b>PHONE</b>	713-238-8000
<b>FAX</b>	713-238-8008



EMAIL	tmhou@conleyrose.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	2745-02400
OTHER APPOINTED ATTORNEY	David A. Rose, Gregory L. Maag, Jonathan M. Harris, Charles J. Rogers, Mark E. Scott, Tom L. Warden, Thad J. Faleski, Matt Gibson, Stewart Mesher, James Hooper, Michael J. Guthrie, Kristian Sullivan, Barry Newberger, and Darlene Ghavimi
<b>CORRESPONDENCE SECTION (no change)</b>	
NAME	Matthew R. Moscicki
FIRM NAME	Conley Rose, P.C.
STREET	P.O. Box 3267
CITY	Houston
STATE	Texas
POSTAL CODE	77253-3267
COUNTRY	United States
PHONE	713-238-8000
FAX	713-238-8008
EMAIL	tmhou@conleyrose.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	2745-02400
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	003
GOODS OR SERVICES	Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliques
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">SPN0-38114195146-20160503144221428075_.. Candied Lashes - Declaration of Use example04192016.pdf</a>
CONVERTED PDF FILE(S) (2 pages)	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\772\019\77201915\xml3\8150002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\772\019\77201915\xml3\8150003.JPG</a>
SPECIMEN DESCRIPTION	mark on packaging for goods
<b>OWNER SECTION (current)</b>	
NAME	NovaLash, Inc.
STREET	6116 Skyline Drive, #201
CITY	Houston
STATE	Texas
ZIP/POSTAL CODE	77057
COUNTRY	United States

PHONE	(713) 520-5848
FAX	(713) 621-5080
EMAIL	XXXX
<b>OWNER SECTION (proposed)</b>	
NAME	NovaLash, Inc.
STREET	6116 Skyline Drive, #201
CITY	Houston
STATE	Texas
ZIP/POSTAL CODE	77057
COUNTRY	United States
PHONE	
FAX	
<b>LEGAL ENTITY SECTION (current)</b>	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Texas
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	300
TOTAL FEE PAID	300
<b>SIGNATURE SECTION</b>	
SIGNATURE	/Beth Fetzer/
SIGNATORY'S NAME	Beth Fetzer
SIGNATORY'S POSITION	Chief Operating Officer
DATE SIGNED	05/06/2016
SIGNATORY'S PHONE NUMBER	XXX-XXX-XXXX
PAYMENT METHOD	DA
<b>FILING INFORMATION</b>	
SUBMIT DATE	Fri May 06 15:04:55 EDT 2016
TEAS STAMP	USPTO/S08N15-XX.XXX.XXX.X XX-20160506150455655213-3 944538-550b8bc784566a7b0a fff92eabc43f22ef921cb9f74 bae76990772c8e90963de-DA- 11558-2016050314422142807 5

## Combined Declaration of Use and Incontestability under Sections 8 & 15

### To the Commissioner for Trademarks:

**REGISTRATION NUMBER:** 3944538

**REGISTRATION DATE:** 04/12/2011

**MARK:** CANDIED LASHES (see, )

The owner, NovaLash, Inc., a corporation of Texas, having an address of  
6116 Skyline Drive, #201  
Houston, Texas 77057  
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 003, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Cosmetics, namely, artificial eyelashes, eyelash extensions and artificial eyelash appliqué; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) mark on packaging for goods.

#### Original PDF file:

[SPN0-38114195146-20160503144221428075\\_. Candied Lashes - Declaration of Use example04192016.pdf](#)

#### Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The registrant's current Attorney Information: Matthew R. Moscicki of Conley Rose, P.C.

P.O. Box 3267  
Houston, Texas 77253-3267  
United States

The docket/reference number is 2745-02400.

The registrant's proposed Attorney Information: Matthew R. Moscicki of Conley Rose, P.C.

P.O. Box 3267  
Houston, Texas 77253-3267  
United States

The docket/reference number is 2745-02400.

The Other Appointed Attorney(s): David A. Rose, Gregory L. Maag, Jonathan M. Harris, Charles J. Rogers, Mark E. Scott, Tom L. Warden, Thad J. Faleski, Matt Gibson, Stewart Mesher, James Hooper, Michael J. Guthrie, Kristian Sullivan, Barry Newberger, and Darlene Ghavimi.

The phone number is 713-238-8000.

The fax number is 713-238-8008.

The email address is tmhou@conleyrose.com.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

## Declaration

*The mark is in use in commerce on or in connection with the goods/services, or to indicate membership in the collective membership organization, identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under 15 U.S.C. § 1062(c), and is still in use in commerce on or in connection with all goods/services, or to indicate membership in the collective membership organization, listed in the existing registration. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods/services, or to indicate membership in the collective membership organization, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the United States Patent and Trademark Office or in a court.*

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 this submission, 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.

Signature: /Beth Fetzer/    Date: 05/06/2016  
Signatory's Name: Beth Fetzer  
Signatory's Position: Chief Operating Officer  
Signatory's Phone Number: XXX-XXX-XXXX

**Mailing Address (current):**

Conley Rose, P.C.  
P.O. Box 3267  
Houston, Texas 77253-3267

**Mailing Address (proposed):**

Conley Rose, P.C.  
P.O. Box 3267  
Houston, Texas 77253-3267

Serial Number: 77201915  
Internet Transmission Date: Fri May 06 15:04:55 EDT 2016  
TEAS Stamp: USPTO/S08N15-XX.XXX.XXX.XXX-201605061504  
55655213-3944538-550b8bc784566a7b0aff92  
eabc43f22ef921cb9f74bae76990772c8e90963d  
e-DA-11558-20160503144221428075

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## Candied Lashes® by NOVALASH Box-Set



## Candied Lashes® by NOVALASH Box-Set

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- NovaLash American Volume Stylist
- NovaLash Trainer

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SKU: 860

Categories: [Candied Lashes®](#), [Lashes](#)

Description Additional Information



### Sugar Kissed Eye Candy!

Candied Lashes by Sophia Navarro add an allure to your eye flutter that will keep them coming back for more! NovaLash's exclusive Candied Lashes add glimmer or a mysterious shimmer to your already fabulous lashes. The delicious, hand-dipped, freeze-dried and crystallized lashes can be worn day or night for a delicate sparkle that lasts up to 2 weeks. The box-set includes 6 delectable colors: Cinnamon Toast (brown), Blue Raspberry (blue), Mint Chocolate Chip (green), Pink Lemonade (pink), Butterscotch (gold), and Sugar Plum (purple). 100-106 lashes per pot.

**ROUTING SHEET TO POST REGISTRATION (PRU)****Registration Number:** 3944538**Serial Number:** 77201915**RAM Sale Number:** 3944538**RAM Accounting Date:** 20160509**Total Fees:** \$300

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
\$8 affidavit	7205	20160506	\$100	1	1	\$100
\$15 affidavit	7208	20160506	\$200	1	1	\$200

Physical Location: - UNKNOWN

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20160506

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, July 15, 2016 11:00 PM  
**To:** tmhou@conleyrose.com  
**Subject:** Official USPTO Notice of Acceptance/Acknowledgement Sections 8 and 15: U.S. Trademark RN 3944538: CANDIED LASHES: Docket/Reference No. 2745-02400

---

**Serial Number:** 77201915  
**Registration Number:** 3944538  
**Registration Date:** Apr 12, 2011  
**Mark:** CANDIED LASHES  
**Owner:** NovaLash, Inc.

Jul 15, 2016

### **NOTICE OF ACCEPTANCE UNDER SECTION 8**

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### **NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15**

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

**The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.**

**Class(es):**  
003

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

---

### **REQUIREMENTS FOR MAINTAINING REGISTRATION**

**WARNING: Your registration will be canceled if you do not file the documents below during the specified time periods.**

#### **Requirements in the First Ten Years**

**What and When to File:** You must file a declaration of use (or excusable nonuse) **and** an application for renewal between the 9th and 10th years after the registration date. See 15 U.S.C. §§1058, 1059.

#### **Requirements in Successive Ten-Year Periods**

**What and When to File:** You must file a declaration of use (or excusable nonuse) **and** an application for renewal between every 9th and 10th-year period, calculated from the registration date. See 15 U.S.C. §§1058, 1059.

#### **Grace Period Filings**

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77201915>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Sunday, April 12, 2020 01:04 AM  
**To:** tmhou@conleyrose.com  
**Subject:** Official USPTO Courtesy Reminder: Trademark Registration Maintenance Documents Must Be Filed Before Deadline for U.S. Trademark Registration No. 3944538 CANDIED LASHES

## USPTO COURTESY REMINDER

### TRADEMARK REGISTRATION MAINTENANCE DOCUMENT(S) UNDER SECTIONS 8 AND 9 MUST BE FILED BEFORE DEADLINE OR REGISTRATION WILL BE CANCELLED/EXPIRED

**U.S. Application Serial No.** 77201915  
**U.S. Registration No.** 3944538  
**U.S. Registration Date:** April 12, 2011  
**Mark:** CANDIED LASHES  
**Owner:** NovaLash, Inc.  
**Docket/Reference No.** 2745-02400

**Issue Date:** April 12, 2020

**Required submission.** The owner of the trademark registration must file a [Declaration of Use and/or Excusable Nonuse and an Application for Renewal under Sections 8 and 9 of the Trademark Act](#) (Sections 8 and 9 Declaration) between now and April 12, 2021. For an additional fee, the owner can file within the 6-month grace period that ends on October 12, 2021.

**If ownership of the registration or the owner's name has changed,** the owner can use the [Electronic Trademark Assignment System \(ETAS\)](#) to record the change. More information on changes of ownership/owner name is available on the [USPTO website](#).

[Click here for more information about maintaining a trademark registration.](#)

**Proof of Use Audit.** The USPTO is conducting an audit program to promote the accuracy and integrity of the trademark register. If a registration is selected for audit, the owner will be required to submit proof of use for additional goods/services for which use is claimed in a Section 8 Declaration. Detailed information about the program is available on the [Proof of Use Audit Program webpage](#).

**Determination of time of receipt by USPTO.** Correspondence transmitted through the Trademark Electronic Application System (TEAS) is considered filed on the date the USPTO receives the transmission in Eastern Time.

**If the owner fails to file a timely Sections 8 and 9 Declaration the registration will be CANCELLED/EXPIRED** and cannot be reinstated.

**This reminder notice is being sent only as a courtesy** to trademark owners who maintain a current email address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a registration.

[Foreign-domiciled owners must have a U.S.-licensed attorney](#) represent them at the USPTO in any post-registration filing.

[Beware of misleading notices sent by private companies about registrations.](#) Private companies **not** associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices - most of which require fees. All **official USPTO correspondence** will only be **emailed from the domain "@uspto.gov."**

**Direct questions** about this notice to the Trademark Assistance Center at 1-800-786-9199 (select option 1) or [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov).