

ESTTA Tracking number: **ESTTA1013927**

Filing date: **11/06/2019**

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

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	LuLu's Fashion Lounge, LLC
Granted to Date of previous extension	11/06/2019
Address	195 HUMBOLDT AVENUE CHICO, CA 95928 UNITED STATES

Attorney information	JENNIFER LEE TAYLOR MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105 UNITED STATES TMDocket@mofo.com, JTaylor@mofo.com, APhillips@mofo.com, HCheng@mofo.com, GGabriel@mofo.com, melissaperez@mofo.com no phone number provided
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**Applicant Information**

Application No	88347453	Publication date	07/09/2019
Opposition Filing Date	11/06/2019	Opposition Period Ends	11/06/2019
Applicant	Fuzhou Yi'en Electronic Commerce Co.,Ltd. Rm.223,2/F,No.1 Bldg.,No.163 Jinyan Rd. Jianxin Town,Cangshan Dist. Fuzhou, 355200 CHINA		

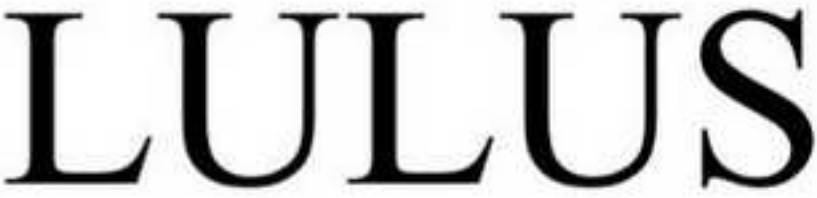
**Goods/Services Affected by Opposition**


Class 025. First Use: 2019/01/17 First Use In Commerce: 2019/01/17 All goods and services in the class are opposed, namely: Camisoles; Children's and infant's apparel, namely, jumpers, overall sleepwear,pajamas, rompers and one-piece garments; Coats; Coats made of cotton; Down jackets; Dresses; Football shoes; Girdles; Gloves; Hats; Hoodies; Hosiery; Jackets; Masquerade costumes; Neckties; Nightwear; Rainwear; Scarfs; Shirts; Shoes; Short-sleeve shirts; Skirts; Slippers; Sportsshoes; Sweaters; Sweatshirts; Swimsuits; Trousers; Yoga pants; Yoga shirts
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**Grounds for Opposition**

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

U.S. Registration No.	3743618	Application Date	02/08/2008
Registration Date	02/02/2010	Foreign Priority Date	NONE
Word Mark	LULUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/10/15 First Use In Commerce: 2007/10/15 Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories		

U.S. Registration No.	4719183	Application Date	04/08/2014
Registration Date	04/14/2015	Foreign Priority Date	NONE
Word Mark	LULUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1996/08/31 First Use In Commerce: 1996/08/31 Clothing, namely dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals		

U.S. Registration No.	4723509	Application Date	09/10/2014
Registration Date	04/21/2015	Foreign Priority Date	NONE
Word Mark	LULU'S		

Design Mark	<h1>LULU'S</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/08/31 First Use In Commerce: 2005/11/01 Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories		

U.S. Registration No.	5168140	Application Date	03/30/2016
Registration Date	03/21/2017	Foreign Priority Date	NONE


Word Mark	LULUS
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Design Mark			
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Description of Mark	The mark consists of The text "lulus" appearing in lowercase, cursive font.		
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Goods/Services	<p>Class 025. First use: First Use: 2016/06/01 First Use In Commerce: 2016/06/01 Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip-flops, and sandals</p> <p>Class 035. First use: First Use: 2016/06/01 First Use In Commerce: 2016/06/01 Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories</p>		
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U.S. Registration No.	5690666	Application Date	07/18/2018
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Registration Date	03/05/2019	Foreign Priority Date	NONE
Word Mark	LOVELULUS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 2013/11/01 First Use In Commerce: 2013/11/01  Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip-flops, and sandals</p> <p>Class 035. First use: First Use: 2013/09/17 First Use In Commerce: 2013/09/17  Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories</p>		

Attachments	77391945#TMSN.png( bytes ) 86245622#TMSN.png( bytes ) 86391389#TMSN.png( bytes ) 86957983#TMSN.png( bytes ) 88042747#TMSN.png( bytes ) 2019-11-06 Notice of Opposition to LULUMALLC Application.pdf(609747 bytes )
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Signature	// Jennifer Lee Taylor //
Name	JENNIFER LEE TAYLOR
Date	11/06/2019

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

LULU’S FASHION LOUNGE, LLC,

Opposer,

vs.

FUZHOU YI’EN ELECTRONIC COMMERCE  
CO., LTD.

Applicant.

Opposition No.:

Application Serial No.: 88/347,453

Mark: LULUMALLC

Published: July 9, 2019

**NOTICE OF OPPOSITION**

Box TTAB FEE  
Commissioner for Trademarks  
P.O. Box 1451  
Arlington, VA 22313-1451

Lulu’s Fashion Lounge, LLC (“Opposer”), a limited liability company having its principal place of business at 195 Humboldt Avenue, Chico, California 95928, believes that it will be damaged by the use and registration of the LULUMALLC mark in Application Serial No. 88/347,453, filed by FUZHOU YI’EN ELECTRONIC COMMERCE CO., LTD. (“Applicant”), for “Camisoles; Children’s and infant’s apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Coats; Coats made of cotton; Down jackets; Dresses; Football shoes; Girdles; Gloves; Hats; Hoodies; Hosiery; Jackets; Masquerade costumes; Neckties; Nightwear; Rainwear; Scarfs; Shirts; Shoes; Short-sleeve shirts; Skirts; Slippers; Sports shoes; Sweaters; Sweatshirts; Swimsuits; Trousers; Yoga pants; Yoga shirts,” in Class 25.

As grounds for the opposition, it is alleged as follows:

1. Opposer operates an e-commerce site that provides apparel, jewelry, and other accessories at the highest quality and value.

2. Since at least as early as August 31, 1996, and well prior to Applicant's filing date and the claimed first use date for the opposed application, Opposer has continuously promoted its LULU'S, LULUS, and LULUS (stylized) trademarks in commerce in the United States, in connection with clothing, fashion accessories, and related retail services. Through such continuous and widespread use and promotion of the LULU'S, LULUS, and LULUS (stylized) marks, Opposer has acquired prior common law rights in the LULU'S, LULUS, and LULU'S (stylized) marks.

3. Opposer owns U.S. Registration No. 3,743,618 for the LULUS word mark for "Computerized on-line ordering featuring general merchandise and general consumer goods; computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories," in Class 35. The application to register the LULUS mark as shown in Registration No. 3,743,618 was filed on February 8, 2008, with a claimed first use and first use-in-commerce date of October 15, 2007, well prior to Applicant's filing date and first use date for Application Serial No. 88/347,453. On February 20, 2015, Opposer filed a Section 8 and 15 Affidavit for its Registration No. 3,743,618, which was acknowledged by the United States Patent and Trademark Office on March 6, 2015. As a result, this registration is considered incontestable, and is conclusive evidence of the validity, the ownership, and of Opposer's exclusive right to use the LULUS mark in connection with the services specified in the registration. Attached hereto as Exhibit A is a true and correct copy of the registration certificate and a current print-out of the TSDR page for Registration No. 3,743,618.

4. Opposer owns U.S. Registration No. 4,719,183 for the LULU'S word mark for "Clothing, namely dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals," in Class 25. The application to register the LULU'S mark as shown in Registration No. 4,719,183 was filed on April 8, 2014, with a claimed first use and first use-in-commerce date of August 31, 1996, well prior to Applicant's filing date and first use date for Application Serial No. 88/347,453. Attached hereto as Exhibit B is a true and correct copy of the registration certificate and a current print-out of the TSDR page for Registration No. 4,719,183.

5. Opposer owns U.S. Registration No. 4,723,509 for the LULU'S word mark for "Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories," in Class 35. The application to register the LULU'S mark as shown in Registration No. 4,723,509 was filed on September 10, 2014, with a claimed first use date of August 31, 1996 and first use-in-commerce date of November 1, 2005, well prior to Applicant's filing date and first use date for Application Serial No. 88/347,453. Attached hereto as Exhibit C is a true and correct copy of the registration certificate and a current print-out of the TSDR page for Registration No. 4,723,509.

6. Opposer owns U.S. Registration No. 5,168,140 for the LULUS (stylized) mark for "Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals," in Class 25, and

“Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories,” in Class 35. The application to register the LULUS (stylized) mark as shown in Registration No. 5,168,140 was filed on March 30, 2016, with a claimed first use and first use-in-commerce date of June 1, 2016, well prior to Applicant’s filing date and first use date for Application Serial No. 88/347,453. Attached hereto as Exhibit D is a true and correct copy of the registration certificate and a current print-out of the TSDR page for Registration No. 5,168,140.

7. Opposer owns U.S. Registration No. 5,690,666 for the LOVELULUS mark for “Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals,” in Class 25, and “Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories,” in Class 35. The application to register the LOVELULUS mark as shown in Registration No. 5,690,666 was filed on July 18, 2018, with a claimed first use and first use-in-commerce date of November 1, 2013, for Class 25, and September 17, 2013, for Class 35, both well prior to Applicant’s filing date and first use date for Application Serial No. 88/347,453. Attached hereto as Exhibit E is a current print-out of the TSDR page for Registration No. 5,690,666.



7. Opposer owns the goodwill and reputation of the goods and services connected with and symbolized by the above-referenced LULU'S, LULUS, and LULUS (stylized) marks (together, "the LULUS Mark"). As a result of extensive marketing, promotion, and sales of Opposer's products and retail services offered under the LULUS Mark, Opposer has built up highly valuable goodwill in the LULUS Mark, and said goodwill has become closely and uniquely identified and associated with Opposer and Opposer's goods and services.

8. Applicant filed Application Serial No. 88/347,453 for the LULUMALLC mark on March 19, 2019. In its application, Applicant claimed a first use anywhere and a first use-in-commerce date of January 17, 2019. The application was published in the *Official Gazette* on July 9, 2019.

9. By the application herein opposed, Applicant seeks to register the LULUMALLC mark for "Camisoles; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Coats; Coats made of cotton; Down jackets; Dresses; Football shoes; Girdles; Gloves; Hats; Hoodies; Hosiery; Jackets; Masquerade costumes; Neckties; Nightwear; Rainwear; Scarfs; Shirts; Shoes; Short-sleeve shirts; Skirts; Slippers; Sports shoes; Sweaters; Sweatshirts; Swimsuits; Trousers; Yoga pants; Yoga shirts," in Class 25.

#### LIKELIHOOD OF CONFUSION

10. Since at least as early as August 31, 1996, substantially prior to Applicant's filing date for the opposed LULUMALLC application and, on information and belief, substantially prior to Applicant's use and use-in-commerce of the LULUMALLC mark, Opposer has continuously offered and promoted in commerce its goods and services under the LULUS Mark.

11. On information and belief, Applicant's use and use-in-commerce of the LULUMALLC mark does not predate Opposer's common law rights in the LULUS Mark or the priority dates for the registrations and application for the LULUS Mark owned by Opposer.

12. Applicant's LULUMALLC mark is highly similar to Opposer's LULUS Mark. "LULU" is the most distinctive element of each mark, and each mark begins with that element. The additional written element of "MALLC" in Applicant's mark will not serve to differentiate the marks. "MALL" is descriptive of Applicant's goods because it refers to a shopping center, which is where consumers often shop for the type of goods offered by both Opposer and Applicant. The final letter C in the mark has no significance and therefore *cannot* serve to distinguish the LULUMALLC mark from the LULU Mark. Applicant's Class 25 goods are identical, complementary, or otherwise closely related to the clothing and retail services offered by Opposer under its LULUS Mark.

13. Opposer is informed, believes, and on that basis alleges that Applicant's consumers for the goods identified in the opposed application are likely to consist of many of the same consumers of Opposer's goods and services, who are already familiar with Opposer's LULUS Mark and the goods and services offered under that mark.

14. Opposer is informed, believes, and on that basis alleges that Applicant likely offers and distributes its goods through channels of trade that overlap with those used by Opposer to offer and distribute Opposer's LULUS goods and services, and that Applicant likely targets consumers of Opposer's LULUS goods and services for its own goods.

15. In view of the fact that Applicant's LULUMALLC mark is confusingly similar to Opposer's LULUS Mark, that Applicant's and Opposer's respective goods and services are identical, complementary and/or closely related, that the consumers for Applicant's and

Opposer's respective goods and services are the same or overlapping, and that Applicant and Opposer likely offer their respective goods and services through the same channels of trade, Applicant's LULUMALLC mark is likely to cause confusion with Opposer's LULUS Mark, or to cause mistake or to deceive as to the origin, sponsorship, or approval of Applicant's goods. Opposer would thereby be injured by Applicant's use and registration of the LULUMALLC mark in Application Serial No. 88/347,453.

16. WHEREFORE, Opposer prays that Application Serial No. 88/347,453 be rejected, and that this opposition be sustained in favor of Opposer.

17. Filing Fee: The USPTO is authorized to charge \$400.00 for the Notice of Opposition to Application Serial No. 88/347,453 to Morrison & Foerster LLP's Deposit Account 03-1952 (Reference No. 64861-6003.505).

Respectfully submitted,

Dated: November 6, 2019

By: /s/ Jennifer Lee Taylor  
Jennifer Lee Taylor  
Attorney for Opposer  
Lulu's Fashion Lounge, LLC

Morrison & Foerster LLP  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: (415) 268-6538  
Facsimile: (415) 268-7522

# **EXHIBIT A**

**United States of America**  
United States Patent and Trademark Office

**LULUS**

**Reg. No. 3,743,618**

**Registered Feb. 2, 2010**

**Amended July 28, 2015**

**Int. Cl.: 35**

**SERVICE MARK**

**PRINCIPAL REGISTER**

LULU'S FASHION LOUNGE, INC. (CALIFORNIA CORPORATION)  
195 HUMBOLDT AVE.  
CHICO, CA 95928

FOR: COMPUTERIZED ON-LINE ORDERING FEATURING GENERAL MERCHANDISE AND GENERAL CONSUMER GOODS; COMPUTERIZED ON-LINE ORDERING SERVICES IN THE FIELD OF CLOTHING, SHOES, JEWELRY AND ACCESSORIES; COMPUTERIZED ON-LINE RETAIL STORE SERVICES IN THE FIELD OF CLOTHING, SHOES, JEWELRY AND ACCESSORIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-15-2007; IN COMMERCE 10-15-2007.

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

SER. NO. 77-391,945, FILED 2-8-2008.



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-10-25 13:18:56 EDT

Mark: LULUS

# LULUS

US Serial Number: 77391945

Application Filing Date: Feb. 08, 2008

US Registration Number: 3743618

Registration Date: Feb. 02, 2010

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Sep. 28, 2019

Publication Date: Nov. 17, 2009

## Mark Information

Mark Literal Elements: LULUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 1466856

International Application(s) /Registration(s) Based on this Property: A0084819/1466856

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 15, 2007

Use in Commerce: Oct. 15, 2007

## Basis Information (Case Level)

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

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

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## Current Owner(s) Information

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**Owner Name:** LULU'S FASHION LOUNGE, LLC  
**Owner Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA UNITED STATES 95928  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** DELAWARE

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## Attorney/Correspondence Information

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### Attorney of Record

**Attorney Name:** Jennifer Lee Taylor  
**Attorney Primary Email Address:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)  
**Docket Number:** 648616001000  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Jennifer Lee Taylor  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CALIFORNIA UNITED STATES 94105  
**Phone:** 415 268 6538  
**Fax:** 415 268 7522  
**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com) [JTaylor@mofo.com](mailto:JTaylor@mofo.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

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## Prosecution History

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Date	Description	Proceeding Number
Sep. 28, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 28, 2019	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Sep. 28, 2019	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
Sep. 27, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	59136
Aug. 20, 2019	TEAS SECTION 8 & 9 RECEIVED	
Feb. 02, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Aug. 08, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 23, 2015	AMENDMENT UNDER SECTION 7 - ISSUED	70131
May 29, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Mar. 06, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 05, 2015	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Mar. 05, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Feb. 20, 2015	TEAS SECTION 8 & 15 RECEIVED	
Feb. 20, 2015	TEAS SECTION 7 REQUEST RECEIVED	
May 15, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 15, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 02, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 17, 2009	PUBLISHED FOR OPPOSITION	
Oct. 28, 2009	NOTICE OF PUBLICATION	
Oct. 15, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Oct. 14, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 17, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	76243

Sep. 17, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	76243
Sep. 17, 2009	ASSIGNED TO LIE	76243
Sep. 15, 2009	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jul. 29, 2009	LETTER OF SUSPENSION MAILED	
Jul. 29, 2009	SUSPENSION LETTER WRITTEN	78326
Jul. 06, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 06, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 06, 2009	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 06, 2009	FINAL REFUSAL MAILED	
Jan. 06, 2009	FINAL REFUSAL WRITTEN	78326
Nov. 27, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 26, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 26, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 18, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 18, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 28, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 28, 2008	NON-FINAL ACTION E-MAILED	6325
May 28, 2008	NON-FINAL ACTION WRITTEN	78326
May 20, 2008	ASSIGNED TO EXAMINER	78326
Feb. 13, 2008	NOTICE OF PSEUDO MARK MAILED	
Feb. 12, 2008	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Sep. 28, 2019

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 6

**Registrant:** LULU'S FASHION LOUNGE, INC.

### Assignment 1 of 6

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [5340/0702](#)

**Pages:** 7

**Date Recorded:** Aug. 11, 2014

**Supporting Documents:** [assignment-tm-5340-0702.pdf](#)

#### Assignor

**Name:** [LULU'S FASHION LOUNGE, INC.](#)

**Execution Date:** Jul. 25, 2014

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** CALIFORNIA

#### Assignee

**Name:** [ABACUS FINANCE GROUP, LLC, AS AGENT](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 6 EAST 43RD STREET  
NEW YORK, NEW YORK 10017

#### Correspondent

**Correspondent Name:** STACEY MORDAS

**Correspondent Address:** 400 ATLANTIC AVENUE  
BOSTON, MA 02110-3333

#### Domestic Representative - Not Found

### Assignment 2 of 6



Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6173/0288](#)

Pages: 5

Date Recorded: Oct. 04, 2017

Supporting Documents: [assignment-tm-6173-0288.pdf](#)

**Assignor**

Name: [ABACUS FINANCE GROUP, LLC](#)

Execution Date: Aug. 07, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**

Name: [LULU'S FASHION LOUNGE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

Correspondent Name: RONALD M. DUVERNAY

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET  
ROPES & GRAY LLP  
BOSTON, MA 02199-3600

**Domestic Representative - Not Found**

**Assignment 3 of 6**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6183/0249](#)

Pages: 5

Date Recorded: Oct. 13, 2017

Supporting Documents: [assignment-tm-6183-0249.pdf](#)

**Assignor**

Name: [ABACUS FINANCE GROUP LLC, AS ADMINISTRATIVE AGENT](#)

Execution Date: Aug. 07, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

**Assignee**

Name: [LULU'S FASHION LOUNGE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

Correspondent Name: STACEY MORDAS

Correspondent Address: 400 ATLANTIC AVENUE  
BOSTON, MA 02110

**Domestic Representative - Not Found**

**Assignment 4 of 6**

Conveyance: ENTITY CONVERSION

Reel/Frame: [6399/0604](#)

Pages: 3

Date Recorded: Jun. 12, 2018

Supporting Documents: [assignment-tm-6399-0604.pdf](#)

**Assignor**

Name: [LULU'S FASHION LOUNGE, INC.](#)

Execution Date: Aug. 25, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

**Assignee****Name:** [LULU'S FASHION LOUNGE, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** CALIFORNIA**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928**Correspondent****Correspondent Name:** JENNIFER LEE TAYLOR, MORRISON & FOERSTER**Correspondent Address:** 425 MARKET STREET  
SAN FRANCISCO, CA 94105**Domestic Representative - Not Found****Assignment 5 of 6****Conveyance:** SECURITY INTEREST**Reel/Frame:** [6140/0586](#)**Pages:** 8**Date Recorded:** Aug. 29, 2017**Supporting Documents:** [assignment-tm-6140-0586.pdf](#)**Assignor****Name:** [LULU'S FASHION LOUNGE, LLC, AS GRANTOR](#)**Execution Date:** Aug. 28, 2017**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Assignee****Name:** [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, AS COLLATERAL AGENT](#)**Legal Entity Type:** NATIONAL BANKING ASSOCIATION**State or Country Where Organized:** SWITZERLAND**Address:** 11 MADISON AVENUE  
NEW YORK, NEW YORK 10010**Correspondent****Correspondent Name:** MELONY SOT**Correspondent Address:** 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005**Domestic Representative - Not Found****Assignment 6 of 6****Conveyance:** ENTITY CONVERSION**Reel/Frame:** [6404/0680](#)**Pages:** 4**Date Recorded:** Aug. 03, 2018**Supporting Documents:** [assignment-tm-6404-0680.pdf](#)**Assignor****Name:** [LULU'S FASHION LOUNGE, LLC](#)**Execution Date:** Aug. 28, 2017**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** CALIFORNIA**Assignee****Name:** [LULU'S FASHION LOUNGE, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928**Correspondent****Correspondent Name:** JENNIFER LEE TAYLOR**Correspondent Address:** 425 MARKET STREET

Address: MORRISON & FOERSTER LLP  
SAN FRANCISCO, CA 94105

Domestic Representative - Not Found

## Proceedings

### Summary

Number of  
Proceedings: 2

### Type of Proceeding: Opposition

Proceeding  
Number: [91246431](#)

Filing Date: Feb 14, 2019

Status: Suspended

Status Date: Aug 01, 2019

Interlocutory  
Attorney: REBECCA J STEMPIEN COYLE

### Defendant

Name: Hongkong Yinghui International Trading Co., Limited

Correspondent  
Address: FRANCIS JOHN CIARAMELLA  
RICK RUZ PLLC  
7355 SW 87TH AVENUE SUITE 200  
MIAMI FL UNITED STATES , 33173

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

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULUGAL	Opposition Pending	<a href="#">88053110</a>	

### Plaintiff(s)

Name: Lulu's Fashion Lounge, LLC

Correspondent  
Address: JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO CA UNITED STATES , 94105

Correspondent e-  
mail: [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [hcheng@mofo.com](mailto:hcheng@mofo.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULUS	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>
LULUS	Registered	<a href="#">86957983</a>	<a href="#">5168140</a>
LOVELULUS	Registered	<a href="#">88042747</a>	<a href="#">5690666</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 15, 2019	Mar 27, 2019
3	PENDING, INSTITUTED	Feb 15, 2019	
4	ANSWER	Mar 27, 2019	
5	P REQ FOR DISCOVERY CONFERENCE-ESTTA	Apr 03, 2019	
6	RESPONSE DUE	Apr 24, 2019	
7	TRIAL DATES RESET	May 09, 2019	
8	P AMENDED NOO	May 31, 2019	
9	ANSWER TO AMENDED NOO	Jun 20, 2019	
10	P MOT FOR DISCOVERY SANCTIONS	Jul 23, 2019	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 01, 2019	
12	D OPP/RESP TO MOTION	Aug 12, 2019	

## Type of Proceeding: Opposition

**Proceeding Number:** [91229027](#)

**Filing Date:** Jul 18, 2016

**Status:** Terminated

**Status Date:** Aug 22, 2016

**Interlocutory Attorney:** ANDREW P BAXLEY

### Defendant

**Name:** Lulu DK Lifestyle, LLC

**Correspondent Address:** SHELDON PALMER  
GALVIN & PALMER  
23RD FL 630 3RD AVE  
NEW YORK NY UNITED STATES , 10017

**Correspondent e-mail:** [sheldon@galvinpalmer.com](mailto:sheldon@galvinpalmer.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULU DK	Registered	<a href="#">86636396</a>	<a href="#">5047807</a>

### Plaintiff(s)

**Name:** Lulu's Fashion Lounge, Inc.

**Correspondent Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST.  
SAN FRANCISCO CA UNITED STATES , 94105

**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULU'S	Section 8 and 15 - Accepted and Acknowledged	<a href="#">77392110</a>	<a href="#">3743619</a>
LULU'S	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86245630</a>	<a href="#">4719184</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 18, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 18, 2016	Aug 27, 2016
3	PENDING, INSTITUTED	Jul 18, 2016	
4	W/DRAW OF OPPOSITION	Aug 15, 2016	
5	BD DECISION: DISMISSED W/O PREJ	Aug 22, 2016	
6	TERMINATED	Aug 22, 2016	

# **EXHIBIT B**

# United States of America

United States Patent and Trademark Office

# LULUS

**Reg. No. 4,719,183**

**Registered Apr. 14, 2015**

**Amended Jun. 20, 2017**

**Int. Cl.: 25**

**Trademark**

**Principal Register**

Lulu's Fashion Lounge, Inc. (CALIFORNIA CORPORATION)  
195 Humboldt Ave.  
Chico, CA 95928

CLASS 25: Clothing, namely dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

FIRST USE 8-31-1996; IN COMMERCE 8-31-1996

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

OWNER OF U.S. REG. NO. 3743619

SER. NO. 86-245,622, FILED 04-08-2014



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-10-25 13:27:18 EDT

Mark: LULUS

# LULUS

US Serial Number: 86245622

Application Filing Date: Apr. 08, 2014

US Registration Number: 4719183

Registration Date: Apr. 14, 2015

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Apr. 14, 2015

Publication Date: Aug. 26, 2014

## Mark Information

Mark Literal Elements: LULUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 1230611, 1466856

International Application(s) /Registration(s) Based on this Property: A0045097/1230611, A0084819/1466856

Claimed Ownership of US Registrations: 3743619

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Clothing, namely dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 1996

Use in Commerce: Aug. 31, 1996

## Basis Information (Case Level)

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

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

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## Current Owner(s) Information

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**Owner Name:** LULU'S FASHION LOUNGE, LLC  
**Owner Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA UNITED STATES 95928  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** DELAWARE

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## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Jennifer Lee Taylor  
**Attorney Primary Email Address:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)  
**Docket Number:** 64861-600300  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST FL 30  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105-2482  
**Phone:** (415) 268-6538  
**Fax:** (415) 268-7522  
**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com) [JTaylor@mofo.com](mailto:JTaylor@mofo.com)  
**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

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## Prosecution History

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Date	Description	Proceeding Number
Aug. 08, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 12, 2017	AMENDMENT UNDER SECTION 7 - ISSUED	59136
May 08, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	59136
Jan. 09, 2017	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 14, 2015	REGISTERED-PRINCIPAL REGISTER	
Mar. 10, 2015	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Sep. 25, 2014	EXTENSION OF TIME TO OPPOSE RECEIVED	
Aug. 26, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 26, 2014	PUBLISHED FOR OPPOSITION	
Aug. 06, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 23, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 16, 2014	ASSIGNED TO EXAMINER	91168
Apr. 21, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 11, 2014	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:** POST REGISTRATION

**Date in Location:** May 12, 2017

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## Assignment Abstract Of Title Information

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**Summary**

Total Assignments: 6

Registrant: Lulu's Fashion Lounge, Inc.

**Assignment 1 of 6**

Conveyance: SECURITY INTEREST

Reel/Frame: [5340/0702](#)

Pages: 7

Date Recorded: Aug. 11, 2014

Supporting Documents: [assignment-tm-5340-0702.pdf](#)**Assignor**Name: [LULU'S FASHION LOUNGE, INC.](#)

Execution Date: Jul. 25, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

**Assignee**Name: [ABACUS FINANCE GROUP, LLC, AS AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6 EAST 43RD STREET  
NEW YORK, NEW YORK 10017**Correspondent**

Correspondent Name: STACEY MORDAS

Correspondent Address: 400 ATLANTIC AVENUE  
BOSTON, MA 02110-3333**Domestic Representative - Not Found****Assignment 2 of 6**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6173/0288](#)

Pages: 5

Date Recorded: Oct. 04, 2017

Supporting Documents: [assignment-tm-6173-0288.pdf](#)**Assignor**Name: [ABACUS FINANCE GROUP, LLC](#)

Execution Date: Aug. 07, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**Name: [LULU'S FASHION LOUNGE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928**Correspondent**

Correspondent Name: RONALD M. DUVERNAY

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET  
ROPES & GRAY LLP  
BOSTON, MA 02199-3600**Domestic Representative - Not Found****Assignment 3 of 6**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [6183/0249](#)

Pages: 5

Date Recorded: Oct. 13, 2017

Supporting Documents: [assignment-tm-6183-0249.pdf](#)

**Assignor**

**Name:** [ABACUS FINANCE GROUP LLC, AS ADMINISTRATIVE AGENT](#)

**Execution Date:** Aug. 07, 2017

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [LULU'S FASHION LOUNGE, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** CALIFORNIA

**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

**Correspondent Name:** STACEY MORDAS

**Correspondent Address:** 400 ATLANTIC AVENUE  
BOSTON, MA 02110

**Domestic Representative - Not Found****Assignment 4 of 6**

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [6399/0604](#)

**Pages:** 3

**Date Recorded:** Jun. 12, 2018

**Supporting Documents:** [assignment-tm-6399-0604.pdf](#)

**Assignor**

**Name:** [LULU'S FASHION LOUNGE, INC.](#)

**Execution Date:** Aug. 25, 2017

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** CALIFORNIA

**Assignee**

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** CALIFORNIA

**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

**Correspondent Name:** JENNIFER LEE TAYLOR, MORRISON & FOERSTER

**Correspondent Address:** 425 MARKET STREET  
SAN FRANCISCO, CA 94105

**Domestic Representative - Not Found****Assignment 5 of 6**

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6140/0586](#)

**Pages:** 8

**Date Recorded:** Aug. 29, 2017

**Supporting Documents:** [assignment-tm-6140-0586.pdf](#)

**Assignor**

**Name:** [LULU'S FASHION LOUNGE, LLC, AS GRANTOR](#)

**Execution Date:** Aug. 28, 2017

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, AS COLLATERAL AGENT](#)

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

**State or Country Where Organized:** SWITZERLAND

**Address:** 11 MADISON AVENUE  
NEW YORK, NEW YORK 10010

### Correspondent

**Correspondent Name:** MELONY SOT

**Correspondent Address:** 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

### Domestic Representative - Not Found

### Assignment 6 of 6

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [6404/0680](#)

**Pages:** 4

**Date Recorded:** Aug. 03, 2018

**Supporting Documents:** [assignment-tm-6404-0680.pdf](#)

### Assignor

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**Execution Date:** Aug. 28, 2017

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** CALIFORNIA

### Assignee

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

### Correspondent

**Correspondent Name:** JENNIFER LEE TAYLOR

**Correspondent Address:** 425 MARKET STREET  
MORRISON & FOERSTER LLP  
SAN FRANCISCO, CA 94105

### Domestic Representative - Not Found

## Proceedings

### Summary

**Number of Proceedings:** 3

### Type of Proceeding: Opposition

**Proceeding Number:** [91246431](#)

**Filing Date:** Feb 14, 2019

**Status:** Suspended

**Status Date:** Aug 01, 2019

**Interlocutory Attorney:** REBECCA J STEMPIEN COYLE

### Defendant

**Name:** Hongkong Yinghui International Trading Co., Limited

**Correspondent Address:** FRANCIS JOHN CIARAMELLA  
RICK RUZ PLLC  
7355 SW 87TH AVENUE SUITE 200  
MIAMI FL UNITED STATES , 33173

**Correspondent e-mail:** [francis@ruzlaw.com](mailto:francis@ruzlaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULUGAL	Opposition Pending	<a href="#">88053110</a>	

### Plaintiff(s)

**Name:** Lulu's Fashion Lounge, LLC

**Correspondent** JENNIFER LEE TAYLOR  
**Address:** MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO CA UNITED STATES , 94105

**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [hcheng@mofo.com](mailto:hcheng@mofo.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULUS	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>
LULUS	Registered	<a href="#">86957983</a>	<a href="#">5168140</a>
LOVELULUS	Registered	<a href="#">88042747</a>	<a href="#">5690666</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 15, 2019	Mar 27, 2019
3	PENDING, INSTITUTED	Feb 15, 2019	
4	ANSWER	Mar 27, 2019	
5	P REQ FOR DISCOVERY CONFERENCE-ESTTA	Apr 03, 2019	
6	RESPONSE DUE	Apr 24, 2019	
7	TRIAL DATES RESET	May 09, 2019	
8	P AMENDED NOO	May 31, 2019	
9	ANSWER TO AMENDED NOO	Jun 20, 2019	
10	P MOT FOR DISCOVERY SANCTIONS	Jul 23, 2019	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 01, 2019	
12	D OPP/RESP TO MOTION	Aug 12, 2019	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91229027](#)

**Filing Date:** Jul 18, 2016

**Status:** Terminated

**Status Date:** Aug 22, 2016

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Lulu DK Lifestyle, LLC

**Correspondent Address:** SHELDON PALMER  
GALVIN & PALMER  
23RD FL 630 3RD AVE  
NEW YORK NY UNITED STATES , 10017

**Correspondent e-mail:** [sheldon@galvinpalmer.com](mailto:sheldon@galvinpalmer.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
LULU DK	Registered	<a href="#">86636396</a>	<a href="#">5047807</a>

#### Plaintiff(s)

**Name:** Lulu's Fashion Lounge, Inc.

**Correspondent Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST.  
SAN FRANCISCO CA UNITED STATES , 94105

**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number

LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULU'S	Section 8 and 15 - Accepted and Acknowledged	<a href="#">77392110</a>	<a href="#">3743619</a>
LULU'S	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86245630</a>	<a href="#">4719184</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 18, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 18, 2016	Aug 27, 2016
3	PENDING, INSTITUTED	Jul 18, 2016	
4	W/DRAW OF OPPOSITION	Aug 15, 2016	
5	BD DECISION: DISMISSED W/O PREJ	Aug 22, 2016	
6	TERMINATED	Aug 22, 2016	

#### Type of Proceeding: Extension of Time

**Proceeding Number:** [86245622](#)

**Filing Date:** Sep 25, 2014

**Status:** Terminated

**Status Date:** Mar 10, 2015

**Interlocutory Attorney:**

#### Defendant

**Name:** Lulu's Fashion Lounge, Inc.

**Correspondent Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST FL 30  
SAN FRANCISCO CA UNITED STATES , 94105-2482

**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULU'S	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>

#### Potential Opposer(s)

**Name:** Lululemon Athletica Canada Inc.

**Correspondent Address:** Ann K. Ford  
DLA Piper LLP (US)  
500 8th Street NW  
Washington DC UNITED STATES , 20004

**Correspondent e-mail:** [Ann.Ford@dlapiper.com](mailto:Ann.Ford@dlapiper.com) , [David.Kramer@dlapiper.com](mailto:David.Kramer@dlapiper.com) , [dctrademarks@dlapiper.com](mailto:dctrademarks@dlapiper.com)

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Sep 25, 2014	
2	EXTENSION OF TIME GRANTED	Sep 25, 2014	
3	INCOMING - EXT TIME TO OPPOSE FILED	Oct 24, 2014	
4	EXTENSION OF TIME GRANTED	Oct 24, 2014	
5	INCOMING - EXT TIME TO OPPOSE FILED	Dec 24, 2014	
6	EXTENSION OF TIME GRANTED	Dec 24, 2014	
7	TERMINATED	Mar 10, 2015	

# **EXHIBIT C**

**United States of America**  
United States Patent and Trademark Office

**LULU'S**

**Reg. No. 4,723,509**

LULU'S FASHION LOUNGE, INC. (CALIFORNIA CORPORATION)  
195 HUMBOLDT AVE.  
CHICO, CA 95928

**Registered Apr. 21, 2015**

**Int. Cl.: 35**

FOR: COMPUTERIZED ON-LINE ORDERING FEATURING GENERAL MERCHANDISE AND GENERAL CONSUMER GOODS; COMPUTERIZED ON-LINE ORDERING SERVICES IN THE FIELD OF CLOTHING, SHOES, JEWELRY AND ACCESSORIES; COMPUTERIZED ON-LINE RETAIL STORE SERVICES IN THE FIELD OF CLOTHING, SHOES, JEWELRY AND ACCESSORIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

**SERVICE MARK**

**PRINCIPAL REGISTER**

FIRST USE 8-31-1996; IN COMMERCE 11-1-2005.

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

OWNER OF U.S. REG. NO. 3,743,619.

SER. NO. 86-391,389, FILED 9-10-2014.

ARETHA SOMERVILLE, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**Generated on:** This page was generated by TSDR on 2019-10-25 13:29:28 EDT

**Mark:** LULU'S

LULU'S

**US Serial Number:** 86391389

**Application Filing Date:** Sep. 10, 2014

**US Registration Number:** 4723509

**Registration Date:** Apr. 21, 2015

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Apr. 21, 2015

**Publication Date:** Feb. 03, 2015

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## Mark Information

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**Mark Literal Elements:** LULU'S

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

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## Related Properties Information

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**International Registration Number:** 1230611

**International Application(s) /Registration(s) Based on this Property:** A0045097/1230611

**Claimed Ownership of US Registrations:** 3743619

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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:** Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and accessories

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 31, 1996

**Use in Commerce:** Nov. 01, 2005

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## Basis Information (Case Level)

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

**Currently Use:** Yes  
**Currently ITU:** No  
**Currently 44E:** No  
**Currently 66A:** No  
**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** LULU'S FASHION LOUNGE, LLC  
**Owner Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA UNITED STATES 95928  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Jennifer Lee Taylor  
**Attorney Primary Email Address:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)  
**Docket Number:** 64861-600300  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST FL 30  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105-2482  
**Phone:** (415) 268-6538  
**Fax:** (415) 268-7522  
**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com) [JTaylor@mofo.com](mailto:JTaylor@mofo.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 21, 2015	REGISTERED-PRINCIPAL REGISTER	
Feb. 03, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 03, 2015	PUBLISHED FOR OPPOSITION	
Jan. 14, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 24, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 20, 2014	ASSIGNED TO EXAMINER	77657
Sep. 18, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 13, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION  
**Date in Location:** Apr. 21, 2015

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 3  
**Registrant:** Lulu's Fashion Lounge, Inc.

Conveyance: ENTITY CONVERSION

Reel/Frame: [6399/0604](#)

Pages: 3

Date Recorded: Jun. 12, 2018

Supporting Documents: [assignment-tm-6399-0604.pdf](#)

**Assignor**

Name: [LULU'S FASHION LOUNGE, INC.](#)

Execution Date: Aug. 25, 2017

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

**Assignee**

Name: [LULU'S FASHION LOUNGE, LLC](#)

State or Country Where Organized: CALIFORNIA

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

Correspondent Name: JENNIFER LEE TAYLOR, MORRISON & FOERSTER

Correspondent Address: 425 MARKET STREET  
SAN FRANCISCO, CA 94105

Domestic Representative - Not Found

**Assignment 2 of 3**

Conveyance: SECURITY INTEREST

Reel/Frame: [6140/0586](#)

Pages: 8

Date Recorded: Aug. 29, 2017

Supporting Documents: [assignment-tm-6140-0586.pdf](#)

**Assignor**

Name: [LULU'S FASHION LOUNGE, LLC, AS GRANTOR](#)

Execution Date: Aug. 28, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

**Assignee**

Name: [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, AS COLLATERAL AGENT](#)

State or Country Where Organized: SWITZERLAND

Legal Entity Type: NATIONAL BANKING ASSOCIATION

Address: 11 MADISON AVENUE  
NEW YORK, NEW YORK 10010

**Correspondent**

Correspondent Name: MELONY SOT

Correspondent Address: 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

Domestic Representative - Not Found

**Assignment 3 of 3**

Conveyance: ENTITY CONVERSION

Reel/Frame: [6404/0680](#)

Pages: 4

Date Recorded: Aug. 03, 2018

Supporting Documents: [assignment-tm-6404-0680.pdf](#)

**Assignor**

Name: [LULU'S FASHION LOUNGE, LLC](#)

Execution Date: Aug. 28, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

**Assignee****Name:** [LULU'S FASHION LOUNGE, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country** DELAWARE  
**Where Organized:****Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928**Correspondent****Correspondent Name:** JENNIFER LEE TAYLOR**Correspondent Address:** 425 MARKET STREET  
MORRISON & FOERSTER LLP  
SAN FRANCISCO, CA 94105**Domestic Representative - Not Found**

## Proceedings

**Summary****Number of Proceedings:** 2**Type of Proceeding: Opposition****Proceeding Number:** [91246431](#)**Filing Date:** Feb 14, 2019**Status:** Suspended**Status Date:** Aug 01, 2019**Interlocutory Attorney:** REBECCA J STEMPIEN COYLE**Defendant****Name:** Hongkong Yinghui International Trading Co., Limited**Correspondent Address:** FRANCIS JOHN CIARAMELLA  
RICK RUZ PLLC  
7355 SW 87TH AVENUE SUITE 200  
MIAMI FL UNITED STATES , 33173**Correspondent e-mail:** [francis@ruzlaw.com](mailto:francis@ruzlaw.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LULUGAL	Opposition Pending	<a href="#">88053110</a>	

**Plaintiff(s)****Name:** Lulu's Fashion Lounge, LLC**Correspondent Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO CA UNITED STATES , 94105**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [hcheng@mofo.com](mailto:hcheng@mofo.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULUS	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>
LULUS	Registered	<a href="#">86957983</a>	<a href="#">5168140</a>
LOVELULUS	Registered	<a href="#">88042747</a>	<a href="#">5690666</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 15, 2019	Mar 27, 2019
3	PENDING, INSTITUTED	Feb 15, 2019	

4	ANSWER	Mar 27, 2019
5	P REQ FOR DISCOVERY CONFERENCE-ESTTA	Apr 03, 2019
6	RESPONSE DUE	Apr 24, 2019
7	TRIAL DATES RESET	May 09, 2019
8	P AMENDED NOO	May 31, 2019
9	ANSWER TO AMENDED NOO	Jun 20, 2019
10	P MOT FOR DISCOVERY SANCTIONS	Jul 23, 2019
11	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 01, 2019
12	D OPP/RESP TO MOTION	Aug 12, 2019

### Type of Proceeding: Opposition

**Proceeding Number:** [91229027](#)

**Filing Date:** Jul 18, 2016

**Status:** Terminated

**Status Date:** Aug 22, 2016

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Lulu DK Lifestyle, LLC

**Correspondent Address:** SHELDON PALMER  
GALVIN & PALMER  
23RD FL 630 3RD AVE  
NEW YORK NY UNITED STATES , 10017

**Correspondent e-mail:** [sheldon@galvinpalmer.com](mailto:sheldon@galvinpalmer.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULU DK	Registered	<a href="#">86636396</a>	<a href="#">5047807</a>

#### Plaintiff(s)

**Name:** Lulu's Fashion Lounge, Inc.

**Correspondent Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET ST.  
SAN FRANCISCO CA UNITED STATES , 94105

**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULU'S	Section 8 and 15 - Accepted and Acknowledged	<a href="#">77392110</a>	<a href="#">3743619</a>
LULU'S	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86245630</a>	<a href="#">4719184</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 18, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 18, 2016	Aug 27, 2016
3	PENDING, INSTITUTED	Jul 18, 2016	
4	W/DRAW OF OPPOSITION	Aug 15, 2016	
5	BD DECISION: DISMISSED W/O PREJ	Aug 22, 2016	
6	TERMINATED	Aug 22, 2016	

# **EXHIBIT D**

# United States of America

United States Patent and Trademark Office

*Lulus*

**Reg. No. 5,168,140**

Lulu's Fashion Lounge, Inc. (CALIFORNIA CORPORATION)  
195 Humboldt Avenue  
Chico, CA 95928

**Registered Mar. 21, 2017**

**Corrected Aug. 15, 2017**

CLASS 25: Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

**Int. Cl.: 25, 35**

FIRST USE 6-1-2016; IN COMMERCE 6-1-2016

**Service Mark**

CLASS 35: Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories

**Trademark**

FIRST USE 6-1-2016; IN COMMERCE 6-1-2016

**Principal Register**

The mark consists of The text "lulus" appearing in lowercase, cursive font.

SER. NO. 86-957,983, FILED 03-30-2016



*Joseph Matol*

Performing the Functions and Duties of the  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2019-10-25 13:32:00 EDT

Mark: LULUS

US Serial Number: 86957983

Application Filing Date: Mar. 30, 2016

US Registration Number: 5168140

Registration Date: Mar. 21, 2017

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 21, 2017

Publication Date: Nov. 15, 2016

Notice of Allowance Date: Jan. 10, 2017

## Mark Information

Mark Literal Elements: LULUS

Standard Character Claim: No

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

Description of Mark: The mark consists of The text "lulus" appearing in lowercase, cursive font.

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

## Related Properties Information

International Registration Number: 1330811

International Application(s) /Registration(s) Based on this Property: A0061920/1330811

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

**First Use:** Jun. 01, 2016

**Use in Commerce:** Jun. 01, 2016

**For:** Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jun. 01, 2016

**Use in Commerce:** Jun. 01, 2016

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** LULU'S FASHION LOUNGE, LLC

**Owner Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA UNITED STATES 95928

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Jennifer Lee Taylor

**Docket Number:** 648616006000

**Attorney Primary Email Address:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105

**Phone:** (415) 268-6538

**Fax:** (415) 268-7522

**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com) [JTaylor@mofo.com](mailto:JTaylor@mofo.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Aug. 08, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 08, 2017	CERTIFICATE OF CORRECTION ISSUED	70131
Jun. 26, 2017	ASSIGNED TO PARALEGAL	70131
Apr. 26, 2017	TEAS SECTION 7 REQUEST RECEIVED	
Mar. 21, 2017	REGISTERED-PRINCIPAL REGISTER	
Feb. 16, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Feb. 15, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 15, 2017	STATEMENT OF USE PROCESSING COMPLETE	70565
Jan. 30, 2017	USE AMENDMENT FILED	70565
Feb. 15, 2017	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Jan. 30, 2017	TEAS STATEMENT OF USE RECEIVED	



Jan. 10, 2017	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 15, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 15, 2016	PUBLISHED FOR OPPOSITION	
Oct. 26, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 02, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 30, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 29, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 29, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 21, 2016	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 21, 2016	NON-FINAL ACTION E-MAILED	6325
Jul. 21, 2016	NON-FINAL ACTION WRITTEN	85323
Jul. 13, 2016	ASSIGNED TO EXAMINER	85323
Apr. 04, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 02, 2016	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** TMEG LAW OFFICE 108

**Date in Location:** Jul. 08, 2017

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 3

**Registrant:** Lulu's Fashion Lounge, Inc.

### Assignment 1 of 3

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [6399/0604](#)

**Pages:** 3

**Date Recorded:** Jun. 12, 2018

**Supporting Documents:** [assignment-tm-6399-0604.pdf](#)

#### Assignor

**Name:** [LULU'S FASHION LOUNGE, INC.](#)

**Execution Date:** Aug. 25, 2017

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** CALIFORNIA

#### Assignee

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**State or Country Where Organized:** CALIFORNIA

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

#### Correspondent

**Correspondent Name:** JENNIFER LEE TAYLOR, MORRISON & FOERSTER

**Correspondent Address:** 425 MARKET STREET  
SAN FRANCISCO, CA 94105

#### Domestic Representative - Not Found

### Assignment 2 of 3

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [6140/0586](#)

**Pages:** 8

**Date Recorded:** Aug. 29, 2017

**Supporting Documents:** [assignment-tm-6140-0586.pdf](#)

#### Assignor

**Name:** [LULU'S FASHION LOUNGE, LLC, AS GRANTOR](#)

**Execution Date:** Aug. 28, 2017

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

**Assignee**

**Name:** [CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, AS COLLATERAL AGENT](#)

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

**State or Country** SWITZERLAND  
**Where Organized:**

**Address:** 11 MADISON AVENUE  
NEW YORK, NEW YORK 10010

**Correspondent**

**Correspondent Name:** MELONY SOT

**Correspondent Address:** 1025 VERMONT AVE NW, SUITE 1130  
COGENCY GLOBAL INC.  
WASHINGTON, DC 20005

**Domestic Representative - Not Found**

**Assignment 3 of 3**

**Conveyance:** ENTITY CONVERSION

**Reel/Frame:** [6404/0680](#)

**Pages:** 4

**Date Recorded:** Aug. 03, 2018

**Supporting Documents:** [assignment-tm-6404-0680.pdf](#)

**Assignor**

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**Execution Date:** Aug. 28, 2017

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** CALIFORNIA  
**Where Organized:**

**Assignee**

**Name:** [LULU'S FASHION LOUNGE, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

**Address:** 195 HUMBOLDT AVENUE  
CHICO, CALIFORNIA 95928

**Correspondent**

**Correspondent Name:** JENNIFER LEE TAYLOR

**Correspondent Address:** 425 MARKET STREET  
MORRISON & FOERSTER LLP  
SAN FRANCISCO, CA 94105

**Domestic Representative - Not Found**

**Proceedings**

**Summary**

**Number of Proceedings:** 1

**Type of Proceeding: Opposition**

**Proceeding Number:** [91246431](#)

**Filing Date:** Feb 14, 2019

**Status:** Suspended

**Status Date:** Aug 01, 2019

**Interlocutory Attorney:** REBECCA J STEMPIEN COYLE

**Defendant**

**Name:** Hongkong Yinghui International Trading Co., Limited

**Correspondent Address:** FRANCIS JOHN CIARAMELLA  
RICK RUZ PLLC  
7355 SW 87TH AVENUE SUITE 200  
MIAMI FL UNITED STATES , 33173

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

Associated marks			
Mark	Application Status	Serial Number	Registration Number
LULUGAL	Opposition Pending	<a href="#">88053110</a>	
<b>Plaintiff(s)</b>			

**Name:** Lulu's Fashion Lounge, LLC

**Correspondent** JENNIFER LEE TAYLOR

**Address:** MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO CA UNITED STATES , 94105

**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [tmdocket@mofo.com](mailto:tmdocket@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [hcheng@mofo.com](mailto:hcheng@mofo.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULUS	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>
LULUS	Registered	<a href="#">86957983</a>	<a href="#">5168140</a>
LOVELULUS	Registered	<a href="#">88042747</a>	<a href="#">5690666</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 15, 2019	Mar 27, 2019
3	PENDING, INSTITUTED	Feb 15, 2019	
4	ANSWER	Mar 27, 2019	
5	P REQ FOR DISCOVERY CONFERENCE-ESTTA	Apr 03, 2019	
6	RESPONSE DUE	Apr 24, 2019	
7	TRIAL DATES RESET	May 09, 2019	
8	P AMENDED NOO	May 31, 2019	
9	ANSWER TO AMENDED NOO	Jun 20, 2019	
10	P MOT FOR DISCOVERY SANCTIONS	Jul 23, 2019	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 01, 2019	
12	D OPP/RESP TO MOTION	Aug 12, 2019	

# **EXHIBIT E**

# United States of America

United States Patent and Trademark Office

## LOVELULUS

**Reg. No. 5,690,666**

Lulu's Fashion Lounge, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
195 Humboldt Avenue  
Chico, CALIFORNIA 95928

**Registered Mar. 05, 2019**

**Int. Cl.: 25, 35**

CLASS 25: Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

**Service Mark**

FIRST USE 11-1-2013; IN COMMERCE 11-1-2013

**Trademark**

**Principal Register**

CLASS 35: Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories

FIRST USE 9-17-2013; IN COMMERCE 9-17-2013

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

OWNER OF U.S. REG. NO. 5168140, 4723509, 4719183

SER. NO. 88-042,747, FILED 07-18-2018



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

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Mark: LOVELULUS

# LOVELULUS

US Serial Number: 88042747

Application Filing Date: Jul. 18, 2018

US Registration Number: 5690666

Registration Date: Mar. 05, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 05, 2019

Publication Date: Dec. 18, 2018

## Mark Information

Mark Literal Elements: LOVELULUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

International Registration Number: 1452974

International Application(s) /Registration(s) Based on this Property: A0082532/1452974

Claimed Ownership of US Registrations: 4719183, 4723509, 5168140 and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Clothing, namely, dresses, tops, sweaters, vests, jackets, skirts, pants, jeans, shorts, leggings, tights, socks, overalls, swimwear, rompers, jumpsuits, lingerie, and bodysuits; headwear, namely, hats; footwear, namely, shoes, boots, flip flops, and sandals

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 2013

Use in Commerce: Nov. 01, 2013

**For:** Computerized on-line ordering featuring general merchandise and general consumer goods; Computerized on-line ordering services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories; Computerized on-line retail store services in the field of clothing, shoes, jewelry and hair, clothing, handbag, and eyewear accessories

**International Class(es):** 035 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 17, 2013

**Use in Commerce:** Sep. 17, 2013

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Lulu's Fashion Lounge, LLC

**Owner Address:** 195 Humboldt Avenue  
Chico, CALIFORNIA UNITED STATES 95928

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Jennifer Lee Taylor

**Docket Number:** 648616007000

**Attorney Primary Email Address:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JENNIFER LEE TAYLOR  
MORRISON & FOERSTER LLP  
425 MARKET STREET  
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105

**Phone:** 415-268-6538

**Fax:** 415-268-7522

**Correspondent e-mail:** [TMDocket@mofo.com](mailto:TMDocket@mofo.com) [JTaylor@mofo.com](mailto:JTaylor@mofo.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2019	REGISTERED-PRINCIPAL REGISTER	
Dec. 18, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 18, 2018	PUBLISHED FOR OPPOSITION	
Nov. 28, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 08, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 06, 2018	ASSIGNED TO EXAMINER	93656
Jul. 23, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 21, 2018	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

# Proceedings

**Summary**

Number of Proceedings: 1

**Type of Proceeding: Opposition**

**Proceeding Number:** [91246431](#)      **Filing Date:** Feb 14, 2019  
**Status:** Suspended      **Status Date:** Aug 01, 2019  
**Interlocutory Attorney:** REBECCA J STEMPIEN COYLE

**Defendant**

**Name:** Hongkong Yinghui International Trading Co., Limited  
**Correspondent Address:** FRANCIS JOHN CIARAMELLA  
 RICK RUZ PLLC  
 7355 SW 87TH AVENUE SUITE 200  
 MIAMI FL UNITED STATES , 33173  
**Correspondent e-mail:** [francis@ruzlaw.com](mailto:francis@ruzlaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LULUGAL	Opposition Pending	<a href="#">88053110</a>	

**Plaintiff(s)**

**Name:** Lulu's Fashion Lounge, LLC  
**Correspondent Address:** JENNIFER LEE TAYLOR  
 MORRISON & FOERSTER LLP  
 425 MARKET STREET  
 SAN FRANCISCO CA UNITED STATES , 94105  
**Correspondent e-mail:** [jtaylor@mofo.com](mailto:jtaylor@mofo.com) , [aphillips@mofo.com](mailto:aphillips@mofo.com) , [tmockett@mofo.com](mailto:tmockett@mofo.com) , [ggabriel@mofo.com](mailto:ggabriel@mofo.com) , [hcheng@mofo.com](mailto:hcheng@mofo.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
LULUS	REGISTERED AND RENEWED	<a href="#">77391945</a>	<a href="#">3743618</a>
LULUS	Registered	<a href="#">86245622</a>	<a href="#">4719183</a>
LULU'S	Registered	<a href="#">86391389</a>	<a href="#">4723509</a>
LULUS	Registered	<a href="#">86957983</a>	<a href="#">5168140</a>
LOVELULUS	Registered	<a href="#">88042747</a>	<a href="#">5690666</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 15, 2019	Mar 27, 2019
3	PENDING, INSTITUTED	Feb 15, 2019	
4	ANSWER	Mar 27, 2019	
5	P REQ FOR DISCOVERY CONFERENCE-ESTTA	Apr 03, 2019	
6	RESPONSE DUE	Apr 24, 2019	
7	TRIAL DATES RESET	May 09, 2019	
8	P AMENDED NOO	May 31, 2019	
9	ANSWER TO AMENDED NOO	Jun 20, 2019	
10	P MOT FOR DISCOVERY SANCTIONS	Jul 23, 2019	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Aug 01, 2019	
12	D OPP/RESP TO MOTION	Aug 12, 2019	