

ESTTA Tracking number: **ESTTA1016775**

Filing date: **11/19/2019**

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	Zapf Creation AG
Granted to Date of previous extension	11/20/2019
Address	MOENCHROEDENER STRASSE 13 96472 ROEDENTAL, 0 GERMANY

Attorney information	KATRIN LEWERTOFF FERDINAND IP, LLC 1221 POST ROAD EAST SUITE 302 WESTPORT, CT 06880 UNITED STATES klewertoff@ferdinandip.com, lauras@24iplg.com 2035574224
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Applicant Information

Application No	88336936	Publication date	07/23/2019
Opposition Filing Date	11/19/2019	Opposition Period Ends	11/20/2019
Applicant	Zapp Toys Inc Limited Rm 1002, 10/F Peninsula Square 18 Sung On St. Hung Hom Hong Kong, 999077 CHINA		

Goods/Services Affected by Opposition

Class 028. First Use: 2018/11/01 First Use In Commerce: 2019/02/17 All goods and services in the class are opposed, namely: Action-type target games; Action target-games; Balls for games; Balls for juggling; Balls for sports; Beanbags in the form of playthings; Electronic toy building blocks that light up as a night light; Playground balls; Slingshots; Spinningfidget toys; Spinning tops; Target games; Toy beanbags; Toy glow sticks


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)
Deceptiveness	Trademark Act Section 2(a)

Other	trade name use
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1231208	Application Date	01/18/1982
Registration Date	03/15/1983	Foreign Priority Date	NONE
Word Mark	ZAPF CREATION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1979/01/05 First Use In Commerce: 1979/02/18 Dolls, Puppets, Ventriloquist's Dummies and Clothing Therefor		

U.S. Registration No.	3500492	Application Date	09/30/2002
Registration Date	09/16/2008	Foreign Priority Date	04/04/2002
Word Mark	ZAPF CREATION		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 025. First use: First Use: 0 First Use In Commerce: 0 [articles for clothing, namely, t-shirts, sweatshirts, pullovers, cardigans, jeans, overalls, shirts, blouses, skirts, rompers, dresses, trousers, shorts, jackets, jumpers, coats, jogging suits, pants, raincoats; beachwear, namely, swimsuits, bikini's, bathing shorts and beach robes; footwear, namely, shoes, slippers, foot muffs, sneakers, boots; hosiery, socks, tights, leggings, leotards, stockings; gloves, hats, bandanas, headbands, scarves, belts, vests, caps, underwear, bathrobes, sleepwear]</p> <p>Class 028. First use: First Use: 0 First Use In Commerce: 0 dolls, doll accessories, namely, dummies with clip, bottles, rattles, changing bags, baby rockers, blankets, cradles, buggies, baby carriers, comfort seats, travel cots, beds, travel-beds, [musical clocks, rattle dolls,] dangle dolls, finger dollies, [pointy dollies, cycle seats, sledge, bottle warmers,] nappies, [vacuum-cleaners,] highchair, loungers, wardrobes, [sleeping bags, kitchen ranges, cut-</p>		

	lery pots, kitchenware, services, sink units, pans, ironing boards,] food for dolls, [cameras, make-up desks,games, playing cards] and toys
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U.S. Registration No.	3500493	Application Date	09/30/2002
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Registration Date	09/16/2008	Foreign Priority Date	04/04/2002
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Word Mark	ZAPF CREATION
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Description of Mark	NONE
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Goods/Services	<p>Class 025. First use: First Use: 0 First Use In Commerce: 0 [articles for clothing, namely, t-shirts, sweatshirts, pullovers, cardigans, jeans, overalls, shirts, blouses, skirts, rompers, dresses, trousers, shorts, jackets, jumpers, coats, jogging suits, pants, raincoats; beachwear, namely, swimsuits, bikini's, bathing shorts and beach robes; footwear, namely, shoes, slippers,foot muffs, sneakers, boots; hosiery, socks, tights, leggings, leotards, stockings; gloves, hats, bandanas, headbands, scarves, belts, vests, caps, underwear, bathrobes, sleepwear]</p> <p>Class 028. First use: First Use: 0 First Use In Commerce: 0 dolls, doll accessories, namely, dolls in the nature of dummies with attachmentclips, bottles, rattles, changing bags,baby rockers, blankets, cradles, buggies, baby carriers, comfort seats, carry cots, beds, travel-beds, [musical clocks,rattle dolls,] dangle dolls, finger dangle dolls, finger dolls; [pointy toy dolls in the nature of finger and string puppets, cycle seats, sledge, bottle warmers], doll diapers, [vacuum-cleaners,] highchair, loungers, wardrobes, [sleeping bags, kitchen ranges, cutlery pots, kitchenware, dining plate services, sink units, pans, ironing boards,] food for dolls, [cameras, make-up desks, beauty bags,games, playing cards and toys]</p>
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U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Word Mark	ZAPF CREATION (trade name)
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Goods/Services	dolls, toys and related services
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Attachments	73345922#TMSN.png(bytes) 76453714#TMSN.png(bytes)
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	76453715#TMSN.png(bytes) FF001USL NOO ZAPP TOYS.pdf(179300 bytes)
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Signature	/KL/
Name	Katrin Lewertoff
Date	11/19/2019

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

IN THE MATTER OF APPLICATION

Applicant: Zapp Toys Inc Limited
Serial No.: 88336936
Mark: ZAPP! TOYS & Design in Class 28

Published in the
Official Gazette: July 23, 2019

Zapf Creation AG

Opposer,

v.

Zapp Toys Inc Limited,

Applicant.

Opposition No.

NOTICE OF OPPOSITION

Zapf Creation AG ("Opposer"), a German corporation, having its principal place of business at Moenchroedener Str. 13, 96472 Roedental, Germany, believes that it will be damaged by the registration of ZAPP! TOYS & Design as shown in Application Serial No. 88336936, filed on March 12, 2019, in International Class 28 for "Action-type target games; Action target games; Balls for games; Balls for juggling; Balls for sports; Beanbags in the form of playthings; Electronic toy building blocks that light up as a night light; Playground balls; Slingshots; Spinning fidget toys; Spinning tops; Target games; Toy beanbags; Toy glow sticks", and published in the Official Gazette on July 23, 2019, and hereby opposes the same.

The grounds for opposition are as follows:

1. Opposer owns all right, title, and interest to the trademarks and trade name containing or comprising of ZAPF ("ZAPF Marks"), which have been used for many years for a variety of goods and services including, but not limited to, toys and related services.

2. Since long prior to February 17, 2019, or any other priority date that Applicant may claim, Opposer has continuously used its ZAPF Marks in commerce.

3. Opposer has established exclusive rights in the ZAPF Marks through use in commerce in the United States.

4. In addition, Opposer owns the following valid trademark registrations for the ZAPF Marks, issued by the United States Patent and Trademark Office ("USPTO"):

(a) U.S. Registration No. 1231208 duly and legally issued on March 15, 1983 on the Principal Register of the Patent and Trademark Office for the mark ZAPF CREATION (stylized) as applied to "Dolls, Puppets, Ventriloquist's Dummies and Clothing Therefor" in Int. Class 28;

(b) U.S. Registration No. 3500492 duly and legally issued on September 16, 2008 on the Principal Register of the Patent and Trademark Office for the mark ZAPF CREATION as applied to "dolls, doll accessories, namely, dummies with clip, bottles, rattles, changing bags, baby rockers, blankets, cradles, buggies, baby carriers, comfort seats, travel cots, beds, travel-beds, dangle dolls, finger dollies, nappies, highchair, loungers, wardrobes, food for dolls, and toys" in Int. Class 28;

(c) U.S. Registration No. 3500493 duly and legally issued on September 16, 2008 on the Principal Register of the Patent and Trademark Office for the mark ZAPF CREATION (stylized) as applied to "dolls, doll accessories, namely, dolls in the nature of dummies with attachment clips, bottles, rattles, changing bags, baby rockers, blankets,

cradles, buggies, baby carriers, comfort seats, carry cots, beds, travel-beds, dangle dolls, finger dangle dolls, finger dolls; doll diapers, highchair, loungers, wardrobes, food for dolls” in Int. Class 28.

5. Opposer's registrations are in all respects valid, subsisting and in full force and effect, and TSDR printouts of the aforementioned registrations are attached.

6. Upon information and belief, Applicant knew of Opposer’s rights in the ZAPF Marks before Applicant applied to register its alleged ZAPP! TOYS & Design mark.

7. Upon information and belief, Applicant adopted its alleged mark in bad faith with an intent to cause confusion and deception, to create a false suggestion of connection or association with Opposer, and to trade on the popularity and goodwill associated with Opposer’s ZAPF Marks.

LIKELIHOOD OF CONFUSION - § 2(d)

8. The mark that Applicant seeks to register so resembles Opposer’s ZAPF Marks that the use and registration thereof is likely to cause confusion, mistake and deception as to the source or origin of Applicant's goods and services and will injure and damage Opposer and the goodwill and reputation symbolized by Opposer’s ZAPF Marks.

9. The goods of Applicant are so related to the goods and services sold under Opposer’s ZAPF Marks that the public is likely to be confused, to be deceived and to assume erroneously that Applicant's goods are those of Opposer or that Applicant is in some way connected with, licensed or sponsored by or affiliated with the Opposer, all to Opposer’s irreparable damage.

10. Likelihood of confusion in this case is enhanced by the fame of Opposer's ZAPF Marks, and by the fact that consumers associate the ZAPF Marks with goods or services sold, approved or endorsed by the Opposer; moreover, individuals that might purchase Applicant's goods are prospective purchasers of products and services sold under Opposer's ZAPF Marks.

DECEPTION/FALSE SUGGESTION OF CONNECTION - §2(a)

11. Applicant's alleged mark so closely resembles the Opposer's ZAPF Marks that it is likely to cause deception in violation of Section 2(a) of the Trademark Act, in that said alleged mark misdescribes the nature or origin of the goods, purchasers are likely to believe that the misdescription actually describes the nature or origin of the goods, and this is likely to materially alter purchasers' decisions to acquire Applicant's goods.

12. Applicant's alleged mark so closely resembles Opposer's ZAPF Marks that it falsely suggests a connection with the Opposer in violation of Section 2(a) of the Trademark Act, because Applicant's alleged mark points uniquely to Opposer, and purchasers will assume that goods sold under Applicant's alleged mark are connected with Opposer.

13. If Applicant's alleged mark is used on goods of the type described in its application, Applicant's alleged mark will cause purchasers to refrain from purchasing Opposer's authorized goods or services based on the mistaken assumption that the Opposer is endorsing, attempting to promote, or encouraging the sale of Applicant's goods by permitting Applicant to use said mark.

14. Applicant's alleged mark is deceptive in that it falsely suggests a connection with, or approval by, the Opposer.

15. Use and registration by Applicant of its alleged mark will deprive Opposer of the ability to protect its reputation, persona and goodwill.

16. Likelihood of damage to Opposer's goodwill is enhanced by the fact that prospective customers who are not satisfied with the quality of Applicant's goods will attribute those defects to the Opposer and this will injure Opposer's reputation and goodwill.

17. By reason of the foregoing, Opposers will be damaged by the registration of Applicant's alleged mark and registration should be refused.

Respectfully submitted,

Date: November 19, 2019

By: /Katrin Lewertoff/
Katrin Lewertoff
Edmund J. Ferdinand, III
Alexander Malbin
Ferdinand IP, LLC
1221 Post Road East, Suite 302
Westport, CT 06880
(203) 557-4224

Attorneys for Opposer

Exhibit

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Mark: ZAPF CREATION



US Serial Number: 73345922

Application Filing Date: Jan. 18, 1982

US Registration Number: 1231208

Registration Date: Mar. 15, 1983

Register: Principal

Mark Type: Trademark

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. 30, 2013

Publication Date: Dec. 21, 1982

Mark Information

Mark Literal Elements: ZAPF CREATION

Standard Character Claim: No

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

Disclaimer: No claim is made to the exclusive right to use the word "Creation", apart from the mark as shown.

Foreign Information

Foreign Registration Number: 1,002,936

Foreign Registration Date: Jun. 03, 1980

Foreign Application/Registration Country: GERMANY

Foreign Expiration Date: Oct. 27, 1989

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: Dolls, Puppets, Ventriloquist's Dummies and Clothing Therefor

International Class(es): 028 - Primary Class

U.S Class(es): 022

Class Status: ACTIVE

Basis: 1(a) 44(e)

First Use: Jan. 05, 1979

Use in Commerce: Feb. 18, 1979

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No
Filed 44E: Yes
Filed 66A: No
Filed No Basis: No

Currently 44E: Yes
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: ZAFF CREATION AG
Owner Address: MONCHRODENER STR.13
RODENTAL GERMANY D-96472
Legal Entity Type: CORPORATION
State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Katrin Lewertoff
Attorney Primary Email Address: klewertoff@ferdinandip.com
Docket Number: FF016UST
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Katrin Lewertoff
Ferdinand IP, LLC
1221 Post Road East
Suite 302
Westport, CONNECTICUT UNITED STATES 06880
Phone: 2035574224
Correspondent e-mail: klewertoff@ferdinandip.com annam@24iplg.com betha@24iplg.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Katrin Lewertoff
Domestic Representative e-mail: klewertoff@ferdinandip.com
Phone: 2035574224
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 14, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 30, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 30, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	64591
Sep. 30, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Sep. 15, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	64591
Sep. 18, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 18, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Mar. 18, 2013	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	64591
Mar. 13, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 29, 2009	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 29, 2009	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 23, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 23, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 10, 2008	CASE FILE IN TICRS	
Oct. 17, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 17, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Nov. 03, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Nov. 03, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	

Sep. 30, 2003 RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 9
 Sep. 02, 2003 POST REGISTRATION ACTION MAILED - SEC. 8 & 9
 Mar. 06, 2003 REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED
 Mar. 05, 2003 PAPER RECEIVED
 Sep. 24, 1988 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.
 May 17, 1988 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED
 Mar. 15, 1983 REGISTERED-PRINCIPAL REGISTER
 Dec. 21, 1982 PUBLISHED FOR OPPOSITION
 Nov. 09, 1982 NOTICE OF PUBLICATION
 Oct. 25, 1982 APPROVED FOR PUB - PRINCIPAL REGISTER
 Jun. 03, 1982 NON-FINAL ACTION MAILED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 30, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 3

Registrant: Max Zapf

Assignment 1 of 3

Conveyance: CHANGE OF NAME EFFECTIVE JUNE 29, 1992 (SEE DOCUMENT FOR DETAILS.)

Reel/Frame: [1295/0001](#)

Pages: 9

Date Recorded: Feb. 17, 1995

Supporting Documents: No Supporting Documents Available

Assignor

Name: [ZAPF, MAX](#)

Execution Date: Aug. 11, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [MAX ZAPF PUPPEN-UND SPIELWARENFABRIK GMBH & KG](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: No Place Where Organized Found

Address: P.O. BOX 1240
 RODENTAL-COBURG, GERMANY 8633

Correspondent

Correspondent Name: JACOBSON, PRICE, HOLMAN & STERN

Correspondent Address: ATTN: JOHN C. HOLMAN
 400 7TH STREET, N.W.
 WASHINGTON, D.C. 20004

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [2685/0439](#)

Pages: 6

Date Recorded: Mar. 03, 2003

Supporting Documents: [assignment-tm-2685-0439.pdf](#)

Assignor

Name: [MAX ZAPF CORPORATION](#)

Execution Date: Mar. 17, 1999

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee**Name:** [ZAPF CREATION AG](#)**Legal Entity Type:** CORPORATION**State or Country Where Organized:** GERMANY**Address:** MONCHRODENER STRASSE 13
RODENTAL, GERMANY D-96472**Correspondent****Correspondent Name:** WEIL, GOTSHAL & MANGES, LLP**Correspondent Address:** LYNDA M. BRAUN
767 5TH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found****Assignment 3 of 3****Conveyance:** CHANGE OF NAME**Reel/Frame:** [5111/0200](#)**Pages:** 3**Date Recorded:** Sep. 13, 2013**Supporting Documents:** [assignment-tm-5111-0200.pdf](#)**Assignor****Name:** [MAX ZAPF PUPPEN-UND SPIELWARENFABRIK GMBH & KG](#)**Execution Date:** Mar. 24, 1999**Legal Entity Type:** LIMITED PARTNERSHIP**State or Country Where Organized:** GERMANY**Assignee****Name:** [ZAFF CREATION AG](#)**Legal Entity Type:** CORPORATION**State or Country Where Organized:** GERMANY**Address:** MONCHRODENER STR.13
RODENTAL, GERMANY D-96472**Correspondent****Correspondent Name:** GREENBLUM & BERNSTEIN, P.L.C.**Correspondent Address:** 1950 ROLAND CLARKE PLACE
ATTN.: NEIL F. GREENBLUM/JEFF HANDELSMAN
RESTON, VA 20191**Domestic Representative****Domestic Representative Name:** GREENBLUM & BERNSTEIN, P.L.C.**Domestic Representative Address:** 1950 ROLAND CLARKE PLACE
ATTN.: NEIL F. GREENBLUM/JEFF HANDELSMAN
RESTON, VA 20191

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Mark: ZAPF CREATION

ZAPF CREATION

US Serial Number: 76453714

Application Filing Date: Sep. 30, 2002

US Registration Number: 3500492

Registration Date: Sep. 16, 2008

Register: Principal

Mark Type: Trademark

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. 19, 2018

Publication Date: Oct. 04, 2005

Mark Information

Mark Literal Elements: ZAPF CREATION

Standard Character Claim: No

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

Disclaimer: "CREATION"

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 30217109.6

Foreign Application Filing Date: Apr. 04, 2002

Foreign Registration Number: 30217109

Foreign Registration Date: May 27, 2002

Foreign Application/Registration Country: GERMANY

Foreign Expiration Date: Apr. 30, 2012

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: dolls, doll accessories, namely, dummies with clip, bottles, rattles, changing bags, baby rockers, blankets, cradles, buggies, baby carriers, comfort seats, travel cots, beds, travel-beds, [musical clocks, rattle dolls,] dangle dolls, finger dollies, [pointy dollies, cycle seats, sledge, bottle warmers,] nappies, [vacuum-cleaners,] highchair, loungers, wardrobes, [sleeping bags, kitchen ranges, cutlery pots, kitchenware, services, sink units, pans, ironing boards,] food for dolls, [cameras, make-up desks, games, playing cards] and toys

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 44(e)

For: [articles for clothing, namely, t-shirts, sweatshirts, pullovers, cardigans, jeans, overalls, shirts, blouses, skirts, rompers, dresses, trousers, shorts, jackets, jumpers, coats, jogging suits, pants, raincoats; beachwear, namely, swimsuits, bikini's, bathing shorts and beach robes; footwear, namely, shoes, slippers, foot muffs, sneakers, boots; hosiery, socks, tights, leggings, leotards, stockings; gloves, hats, bandanas, headbands, scarves, belts, vests, caps, underwear, bathrobes, sleepwear]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: SECTION 8 - CANCELLED

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: No

Filed 44D: Yes

Currently 44E: Yes

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Zapf Creation AG

Owner Address: Mönchrodener Strabe 13
Rödental GERMANY D-96472

Legal Entity Type: JOINT-STOCK CORPORATION

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Katrin Lewertoff

Docket Number: FF011UST

Attorney Primary Email Address: klewertoff@ferdinandip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Katrin Lewertoff
Ferdinand IP, LLC
1221 Post Road East
Suite 302
Westport, CONNECTICUT UNITED STATES 06880

Phone: 2035574224

Correspondent e-mail: klewertoff@ferdinandip.com annam@24iplg.com
betha@24iplg.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Katrin Lewertoff

Phone: 2035574224

Domestic Representative e-mail: klewertoff@ferdinandip.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 14, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 19, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 19, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Sep. 19, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
Sep. 17, 2018	TEAS SECTION 8 & 9 RECEIVED	
Sep. 16, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	

Sep. 22, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 22, 2014	REGISTERED - PARTIAL SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Sep. 20, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Sep. 15, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jul. 29, 2009	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 29, 2009	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 16, 2008	REGISTERED-PRINCIPAL REGISTER	
Aug. 08, 2008	1(B) BASIS DELETED; PROCEED TO REGISTRATION	76873
Aug. 07, 2008	NOTICE OF ALLOWANCE CANCELLED	76873
Aug. 08, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Aug. 07, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 07, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 07, 2008	TEAS DELETE 1(B) BASIS RECEIVED	
Jun. 27, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 27, 2008	EXTENSION 5 GRANTED	98765
Jun. 27, 2008	EXTENSION 5 FILED	98765
Jun. 27, 2008	TEAS EXTENSION RECEIVED	
Jan. 10, 2008	EXTENSION 4 GRANTED	76569
Dec. 27, 2007	EXTENSION 4 FILED	76569
Jan. 03, 2008	EXTENSION RECEIVED WITH TEAS PETITION	
Jan. 03, 2008	PETITION TO REVIVE-GRANTED	88889
Jan. 03, 2008	TEAS PETITION TO REVIVE RECEIVED	
Jan. 02, 2008	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Jan. 02, 2008	ABANDONMENT - NO USE STATEMENT FILED	76569
Oct. 17, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 17, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 20, 2007	EXTENSION 3 GRANTED	98765
Jun. 20, 2007	EXTENSION 3 FILED	98765
Jun. 20, 2007	TEAS EXTENSION RECEIVED	
Feb. 17, 2007	EXTENSION 2 GRANTED	61813
Dec. 14, 2006	EXTENSION 2 FILED	61813
Dec. 14, 2006	TEAS EXTENSION RECEIVED	
Jun. 12, 2006	EXTENSION 1 GRANTED	98765
Jun. 12, 2006	EXTENSION 1 FILED	98765
Jun. 12, 2006	TEAS EXTENSION RECEIVED	
Apr. 26, 2006	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 26, 2006	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 27, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 04, 2005	PUBLISHED FOR OPPOSITION	
Sep. 14, 2005	NOTICE OF PUBLICATION	
Jun. 30, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jun. 30, 2005	ASSIGNED TO LIE	70997
Jun. 24, 2005	ASSIGNED TO LIE	73797
Jun. 21, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 18, 2005	AMENDMENT FROM APPLICANT ENTERED	70997
Apr. 19, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	70997
Apr. 19, 2005	FAX RECEIVED	
Jan. 10, 2005	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	78413
Jun. 30, 2004	CASE FILE IN TICRS	
Jun. 23, 2004	LETTER OF SUSPENSION MAILED	
May 10, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 14, 2004	PETITION TO REVIVE-GRANTED	66600
Dec. 03, 2003	PETITION TO REVIVE-RECEIVED	
Dec. 03, 2003	PAPER RECEIVED	
Oct. 31, 2003	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	

Mar. 19, 2003 NON-FINAL ACTION MAILED
Mar. 14, 2003 ASSIGNED TO EXAMINER
Mar. 14, 2003 ASSIGNED TO EXAMINER

62126
62126

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 19, 2018

Generated on: This page was generated by TSDR on 2019-11-19 16:32:11 EST

Mark: ZAPF CREATION



US Serial Number: 76453715

Application Filing Date: Sep. 30, 2002

US Registration Number: 3500493

Registration Date: Sep. 16, 2008

Register: Principal

Mark Type: Trademark

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. 24, 2018

Publication Date: Jan. 17, 2006

Mark Information

Mark Literal Elements: ZAPF CREATION

Standard Character Claim: No

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

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

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 30217002.2

Foreign Application Filing Date: Apr. 04, 2002

Foreign Registration Number: 30217002

Foreign Registration Date: Jun. 05, 2002

Foreign Application/Registration Country: GERMANY

Foreign Expiration Date: Apr. 30, 2012

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: dolls, doll accessories, namely, dolls in the nature of dummies with attachment clips, bottles, rattles, changing bags, baby rockers, blankets, cradles, buggies, baby carriers, comfort seats, carry cots, beds, travel-beds, [musical clocks, rattle dolls,] dangle dolls, finger dangle dolls, finger dolls; [pointy toy dolls in the nature of finger and string puppets, cycle seats, sledge, bottle warmers], doll diapers, [vacuum-cleaners,] highchair, loungers, wardrobes, [sleeping bags, kitchen ranges, cutlery pots, kitchenware, dining plate services, sink units, pans, ironing boards,] food for dolls, [cameras, make-up desks, beauty bags, games, playing cards and toys]

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 44(e)

For: [articles for clothing, namely, t-shirts, sweatshirts, pullovers, cardigans, jeans, overalls, shirts, blouses, skirts, rompers, dresses, trousers, shorts, jackets, jumpers, coats, jogging suits, pants, raincoats; beachwear, namely, swimsuits, bikini's, bathing shorts and beach robes; footwear, namely, shoes, slippers, foot muffs, sneakers, boots; hosiery, socks, tights, leggings, leotards, stockings; gloves, hats, bandanas, headbands, scarves, belts, vests, caps, underwear, bathrobes, sleepwear]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: SECTION 8 - CANCELLED

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: No

Filed 44D: Yes

Currently 44E: Yes

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Zapf Creation AG

Owner Address: Monchrodener Strabe 13
D-96472 Rodental GERMANY

Legal Entity Type: JOINT-STOCK CORPORATION

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Katrin Lewertoff

Docket Number: FF010UST

Attorney Primary Email Address: klewertoff@ferdinandip.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Katrin Lewertoff
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1221 Post Road East
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Westport, CONNECTICUT UNITED STATES 06880

Phone: 2035574224

Correspondent e-mail: klewertoff@ferdinandip.com annam@24iplg.com
betha@24iplg.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Katrin Lewertoff

Phone: 2035574224

Domestic Representative e-mail: klewertoff@ferdinandip.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
May 14, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 24, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Sep. 24, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Sep. 24, 2018	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	68335
Sep. 24, 2018	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	68335
Sep. 24, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335

Sep. 17, 2018	TEAS SECTION 8 & 9 RECEIVED	
Sep. 16, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
May 15, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 15, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 29, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	70131
May 15, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 29, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jul. 29, 2009	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 29, 2009	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 16, 2008	REGISTERED-PRINCIPAL REGISTER	
Aug. 08, 2008	1(B) BASIS DELETED; PROCEED TO REGISTRATION	76873
Aug. 07, 2008	NOTICE OF ALLOWANCE CANCELLED	76873
Aug. 08, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
Aug. 07, 2008	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 07, 2008	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 07, 2008	TEAS DELETE 1(B) BASIS RECEIVED	
Mar. 17, 2008	EXTENSION 3 GRANTED	76874
Feb. 22, 2008	EXTENSION 3 FILED	76874
Feb. 22, 2008	TEAS EXTENSION RECEIVED	
Oct. 17, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 17, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 21, 2007	EXTENSION 2 GRANTED	98765
Aug. 21, 2007	EXTENSION 2 FILED	98765
Aug. 21, 2007	TEAS EXTENSION RECEIVED	
Feb. 20, 2007	EXTENSION 1 GRANTED	98765
Feb. 20, 2007	EXTENSION 1 FILED	98765
Feb. 20, 2007	TEAS EXTENSION RECEIVED	
Aug. 22, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 02, 2006	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Apr. 26, 2006	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 26, 2006	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Feb. 12, 2006	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 17, 2006	PUBLISHED FOR OPPOSITION	
Dec. 28, 2005	NOTICE OF PUBLICATION	
Nov. 28, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	66230
Nov. 25, 2005	ASSIGNED TO LIE	66230
Nov. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 16, 2005	AMENDMENT FROM APPLICANT ENTERED	69712
Nov. 04, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Nov. 04, 2005	PAPER RECEIVED	
Mar. 23, 2005	FAX RECEIVED	
May 04, 2005	NON-FINAL ACTION E-MAILED	6325
May 04, 2005	NON-FINAL ACTION WRITTEN	62126
Apr. 20, 2005	AMENDMENT FROM APPLICANT ENTERED	69350
Mar. 23, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	69350
Mar. 23, 2005	FAX RECEIVED	
Mar. 22, 2005	INQUIRY TO SUSPENSION E-MAILED	
Mar. 22, 2005	SUSPENSION INQUIRY WRITTEN	62126
Jan. 10, 2005	LIE CHECKED SUSP - TO ATTY FOR ACTION	78413
Jun. 30, 2004	CASE FILE IN TICRS	
Jun. 23, 2004	LETTER OF SUSPENSION MAILED	
May 10, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 05, 2004	PETITION TO REVIVE-GRANTED	71359
Dec. 03, 2003	PETITION TO REVIVE-RECEIVED	
Dec. 03, 2003	PAPER RECEIVED	

Oct. 31, 2003 ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE
Mar. 19, 2003 NON-FINAL ACTION MAILED
Mar. 14, 2003 ASSIGNED TO EXAMINER

62126

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 117

Date in Location: Sep. 24, 2018

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [76453715](#)

Filing Date: Feb 12, 2006

Status: Terminated

Status Date: Jun 02, 2006

Interlocutory Attorney:

Defendant

Name: Zapf Creation AG

Correspondent Address: Lynda M. Braun
Weil, Gotshal & Manges LLP
767 5th Avenue
New York NY UNITED STATES , 10153

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZAPF CREATION	REGISTERED AND RENEWED	76453715	3500493

Potential Opposer(s)

Name: Sentra Industries, Inc.,

Correspondent Address: L.Stoller
Sentra Industries, Inc.,
P.O. Box 35189
Chicago IL UNITED STATES , 60707-0189

Correspondent e-mail: ldms4@hotmail.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Feb 12, 2006	
2	EXTENSION OF TIME GRANTED	Feb 13, 2006	