

ESTTA Tracking number: **ESTTA1019414**

Filing date: **12/02/2019**

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	Sunstar Americas, Inc.
Granted to Date of previous extension	12/01/2019
Address	301 E. CENTRAL ROAD SCHAUMBURG, IL 60195 UNITED STATES

Attorney information	CHRISTINE A FILARSKI MICHAEL BEST & FRIEDRICH LLP 444 WEST LAKE STREET SUITE 3200 CHICAGO, IL 60606 UNITED STATES chiipdocket@michaelbest.com, cafilarski@michaelbest.com, lwde- marte@michaelbest.com 312-222-0800
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Applicant Information

Application No	79245417	Publication date	06/04/2019
Opposition Filing Date	12/02/2019	Opposition Period Ends	12/01/2019
International Registration No.	1434302	International Registration Date	09/21/2018
Applicant	CHEN DIAN SONG ROOM 202, J4, NO.190 XIANG RONG STREET,; HUANG BIAN N CHINA		

Goods/Services Affected by Opposition

Class 003. First Use: 0 First Use In Commerce: 0 Opposed goods and services in the class: dentifrices
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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.	1333929	Application Date	08/23/1984
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Registration Date	05/07/1985	Foreign Priority Date	NONE
Word Mark	BUTLER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1981/03/00 First Use In Commerce: 1981/03/00 Dentifrices		

U.S. Registration No.	824717	Application Date	08/23/1966
Registration Date	02/28/1967	Foreign Priority Date	NONE
Word Mark	BUTLER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1958/00/00 First Use In Commerce: 1958/00/00 DISINFECTANT AND DEFOGGING COMPOSITIONS Class 005. First use: First Use: 1962/03/00 First Use In Commerce: 1962/03/00 [COMPOSITIONS FOR DISCLOSING BACTERIA ON THE TEETH] Class U029 (International Class 016, 021). First use: First Use: 1926/00/00 First Use In Commerce: 1926/00/00 TOOTHBRUSHES, [DENTURE BRUSHES, BRIDGEAND CLASP BRUSHES, AND SCRUB BRUSHES] Class U044 (International Class 005, 008, 010, 012). First use: First Use: 1950/00/00 First Use In Commerce: 1950/00/00 [INTERDENTAL STIMULATORS, STIMULATOR TIPS, AND STIMULATOR HANDLES]		

Attachments	B2V BUTLER 2 VITALITY SN 79245417 Notice of Opposition.pdf(137987 bytes) Exhibit A.pdf(123959 bytes) Exhibit B.pdf(108567 bytes)
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Signature	/Christine A. Filarski/
Name	CHRISTINE A FILARSKI
Date	12/02/2019

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

In re Application Serial No. 79/245,417

b₂v

Mark: Butler 2 Vitality

SUNSTAR AMERICAS, INC.,

Opposer,

v.

Chen Dian Song,

Applicant.

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)
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)
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)

Opposition No.

NOTICE OF OPPOSITION AGAINST APPLICANT'S "DENTIFRICES" GOODS

1. Applicant is Chen Dian Song, a Chinese individual located at Room 202, J4, No. 190 Xiang Rong Street, Huang Bian N, China.
2. Opposer is Sunstar Americas, Inc., a Delaware corporation with a principal place of business at 301 E. Central Road, Schaumburg, IL, 60195.

b₂v

3. Applicant filed Application Serial No. 79/245,417 for the mark Butler 2 Vitality based on Trademark Act Section 66(a) for goods including "dentifrices" in Class 3 on September 21, 2018.
4. Opposer has been engaged for many years in the business of selling and distributing oral hygiene and dental care products, including, but not limited to, dentifrices and toothbrushes ("Opposer's Goods") under the mark BUTLER.

5. Opposer has priority over Applicant in this matter. Long prior to the filing date of

b₂v

Applicant's application for **Butler₂ Vitality**, Opposer adopted and has continuously used in interstate commerce the BUTLER mark in connection with Opposer's Goods and developed nationwide common law trademark rights in connection therewith.

6. Opposer's BUTLER mark is distinctive for Opposer's Goods.

7. Opposer owns U.S. Registration Nos. 1,333,929 and 824,717 for Opposer's BUTLER mark. A printout of the current status and title of such registrations from the USPTO Trademark Status & Document Retrieval ("TSDR") database is attached as Exhibit A.

8. Opposer's Registration Nos. 1,333,929 and 824,717 are incontestable within the meaning of Section 15 of the Trademark Act, 15 U.S.C. §1065.

9. As a result of Opposer's widespread and extensive use of Opposer's BUTLER mark, such mark has become widely and favorably known throughout the United States and have become recognized by the trade and public as identifying Opposer's Goods and distinguishing them from the goods of others and Opposer has established exceedingly valuable goodwill in such marks.

b₂v

10. Applicant's Application Serial No. 79/245,417 for the mark **Butler₂ Vitality** was published for opposition on June 4, 2019. A printout of the current status of the application from the USPTO TSDR database is attached as Exhibit B.

11. On July 3, 2019, Opposer timely filed a 90-day Request for Extension of Time to Oppose for Good Cause, which was granted until October 2, 2019. Opposer then timely requested an additional 60-day Request for Extension of Time to Oppose upon Consent from Applicant, which

was granted until December 1, 2019 (a Sunday, effectively marking the opposition deadline December 2, 2019).

b₂v

12. Applicant's alleged mark, when **Butler 2 Vitality** applied to dentifrices, so resembles Opposer's BUTLER mark as to be likely to cause confusion, or to cause mistake, or to deceive within the meaning of Section 2(d) of the Trademark Act.

b₂v

13. If Applicant is granted registration for the **Butler 2 Vitality** mark as shown in Application Serial No. 79/245,417 for dentifrices, Applicant would thereby obtain a prima facie exclusive right to use such mark, and such registration would be the source of damage and injury to Opposer.

WHEREFORE, Opposer prays that this opposition be sustained and that registration of Applicant's application, Serial No. 79/245,417, be denied and refused insofar as it pertains to "dentifrices."

Dated: December 2, 2019

Respectfully submitted,

Sunstar Americas, Inc.

By: /s/ Christine A. Filarski

Luke W. DeMarte
Christine A. Filarski
Michael Best & Friedrich LLP
444 West Lake Street
Suite 3200
Chicago, IL 60606
Tel: (312) 222-0800

Attorneys for Sunstar Americas, Inc.

EXHIBIT A

Generated on: This page was generated by TSDR on 2019-12-02 16:32:54 EST

Mark: BUTLER

US Serial Number: 73496185

Application Filing Date: Aug. 23, 1984

US Registration Number: 1333929

Registration Date: May 07, 1985

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: May 18, 2015

Publication Date: Feb. 26, 1985

Mark Information

Mark Literal Elements: BUTLER

Standard Character Claim: No

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

Acquired Distinctiveness Claim: In whole

Related Properties Information

Claimed Ownership of US Registrations: 0824717, 1080686

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: Dentifrices

International Class(es): 003 - Primary Class

U.S Class(es): 051

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 1981

Use in Commerce: Mar. 1981

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: SUNSTAR AMERICAS, INC.

Owner Address: 301 E Central Road
Schaumburg, ILLINOIS UNITED STATES 60195

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Luke W. DeMarte

Docket Number: 200700-0195-

Attorney Primary Email Address: chiipdocket@michaelbest.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Luke W. DeMarte
MICHAEL BEST & FRIEDRICH LLP
444 W. Lake Street, Suite 3200
CHICAGO, ILLINOIS UNITED STATES 60606

Phone: 312-222-0800

Fax: 312-222-0818

Correspondent e-mail: chiipdocket@michaelbest.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 02, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 02, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 13, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 18, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 18, 2015	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68502
May 18, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
May 18, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
May 01, 2015	TEAS SECTION 8 & 9 RECEIVED	
Feb. 19, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 19, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 19, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 24, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 24, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 24, 2005	ASSIGNED TO PARALEGAL	60234
Apr. 26, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 26, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 26, 2005	TEAS SECTION 8 & 9 RECEIVED	
Sep. 13, 1990	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jul. 06, 1990	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 07, 1985	REGISTERED-PRINCIPAL REGISTER	
Feb. 26, 1985	PUBLISHED FOR OPPOSITION	
Feb. 14, 1985	NOTICE OF PUBLICATION	

Jan. 17, 1985 NOTICE OF PUBLICATION
Jan. 02, 1985 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 27, 1984 EXAMINER'S AMENDMENT MAILED
Dec. 20, 1984 ASSIGNED TO EXAMINER

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 18, 2015

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: John O. Butler Company

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2976/0722](#)

Pages: 5

Date Recorded: Nov. 10, 2004

Supporting Documents: [assignment-tm-2976-0722.pdf](#)

Assignor

Name: [JOHN O. BUTLER COMPANY](#)

Execution Date: Aug. 04, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [SUNSTAR AMERICAS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 4635 W. FOSTER AVENUE
CHICAGO, ILLINOIS 60630

Correspondent

Correspondent Name: MICHAEL BEST & FRIEDRICH LLP

Correspondent Address: JOSEPH F. SCHMIDT
ATTORNEYS AT LAW
401 NORTH MICHIGAN AVENUE, SUITE 1900
CHICAGO, IL 60611-4212

Domestic Representative - Not Found

Generated on: This page was generated by TSDR on 2019-12-02 16:33:34 EST

Mark: BUTLER

US Serial Number: 72252926

Application Filing Date: Aug. 23, 1966

US Registration Number: 824717

Registration Date: Feb. 28, 1967

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, 2017

Mark Information

Mark Literal Elements: BUTLER

Standard Character Claim: No

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

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: DISINFECTANT AND DEFOGGING COMPOSITIONS

International Class(es): 001

U.S Class(es): 006 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1958

Use in Commerce: 1958

For: [COMPOSITIONS FOR DISCLOSING BACTERIA ON THE TEETH]

International Class(es): 005

U.S Class(es): 018 - Primary Class

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: Mar. 1962

Use in Commerce: Mar. 1962

For: TOOTHBRUSHES, [DENTURE BRUSHES, BRIDGE AND CLASP BRUSHES, AND SCRUB BRUSHES]

International Class(es): 016, 021

U.S Class(es): 029 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1926

Use in Commerce: 1926

For: [INTERDENTAL STIMULATORS, STIMULATOR TIPS, AND STIMULATOR HANDLES]

International Class(es): 005, 008, 010, 012

U.S Class(es): 044 - Primary Class

Class Status: SECTION 8 - CANCELLED

Basis: 1(a)

First Use: 1950

Use in Commerce: 1950

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: SUNSTAR AMERICAS, INC.

Owner Address: 301 E Central Road
Schaumburg, ILLINOIS UNITED STATES 60195

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Luke W. DeMarte

Docket Number: 200700-0136

Attorney Primary Email Address: chiipdocket@michaelbest.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Luke W. DeMarte
MICHAEL BEST & FRIEDRICH LLP
444 W. Lake Street, Suite 3200
CHICAGO, ILLINOIS UNITED STATES 60606

Phone: 312-222-0800

Fax: 312-222-0818

Correspondent e-mail: chiipdocket@michaelbest.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 02, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 02, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 30, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 30, 2017	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	74886
Sep. 30, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74886
Sep. 30, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Aug. 28, 2017	TEAS SECTION 8 & 9 RECEIVED	
Feb. 13, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 10, 2009	CASE FILE IN TICRS	
May 05, 2007	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76293

May 05, 2007	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	76293
May 05, 2007	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	76293
May 05, 2007	ASSIGNED TO PARALEGAL	76293
Feb. 23, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 23, 2007	TEAS SECTION 8 & 9 RECEIVED	
Feb. 28, 1987	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Dec. 15, 1986	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 30, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: JOHN O. BUTLER COMPANY

Assignment 1 of 2

Conveyance: MERGER AND CHANGE OF NAME 19730307DE

Reel/Frame: [0234/0624](#)

Pages: 10

Date Recorded: Mar. 21, 1973

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BUTLER, JOHN O. COMPANY, -INTO-](#)

Execution Date: Mar. 07, 1973

Legal Entity Type: CORPORATION

State or Country Where Organized: ILLINOIS

Name: [BUTLER SUPPLIES, INC.](#)

Execution Date: Not Found

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [BUTLER SUPPLIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: No Assignee Address Found

Name: [BUTLER, JOHN O. COMPANY](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: No Assignee Address Found

Correspondent

Correspondent Name: CHARLES A. LAFF

Correspondent Address: SUITE 2460
ALTER, WEISS, ET AL.
JOHN HANCOCK CENTER
CHICAGO, IL 60611

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [2976/0722](#)

Pages: 5

Date Recorded: Nov. 10, 2004

Supporting Documents: [assignment-tm-2976-0722.pdf](#)

Assignor

Name: [JOHN O. BUTLER COMPANY](#)
Legal Entity Type: CORPORATION
Execution Date: Aug. 04, 2004
State or Country Where Organized: DELAWARE

Assignee

Name: [SUNSTAR AMERICAS, INC.](#)
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE
Address: 4635 W. FOSTER AVENUE
CHICAGO, ILLINOIS 60630

Correspondent

Correspondent Name: MICHAEL BEST & FRIEDRICH LLP
Correspondent Address: JOSEPH F. SCHMIDT
ATTORNEYS AT LAW
401 NORTH MICHIGAN AVENUE, SUITE 1900
CHICAGO, IL 60611-4212

Domestic Representative - Not Found

EXHIBIT B

Generated on: This page was generated by TSDR on 2019-12-02 16:34:11 EST

Mark: B2V BUTLER 2 VITALITY



US Serial Number: 79245417

Application Filing Date: Sep. 21, 2018

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Jul. 03, 2019

Publication Date: Jun. 04, 2019

Mark Information

Mark Literal Elements: B2V BUTLER 2 VITALITY

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 "B2V" in a stylized font with the wording "BUTLER 2 VITALITY" underneath in a stylized font.

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

Related Properties Information

International Registration Number: 1434302

International Registration Date: Sep. 21, 2018

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: Cosmetics; shampoos; laundry bleaching preparations; ethereal oils; dentifrices; cosmetics for animals; potpourris being fragrances

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: CHEN DIAN SONG

Owner Address: ROOM 202, J4,
NO.190 XIANG RONG STREET,; HUANG BIAN N
CHINA

Legal Entity Type: INDIVIDUAL

Citizenship: CHINA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: GUANGDONG PATENTED TECHNOLOGY
DEVELOPMENT CO., LTD
NO.801 LAUREL BUILDING,
NORTH JIEFANG ROAD,
GUANGDONG PROVINCE CHINA

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 03, 2019	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 04, 2019	PUBLISHED FOR OPPOSITION	
Jun. 01, 2019	NOTIFICATION PROCESSED BY IB	
May 15, 2019	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
May 15, 2019	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
May 15, 2019	NOTICE OF PUBLICATION	
Apr. 26, 2019	ASSIGNED TO LIE	66213
Apr. 15, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 02, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 02, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 02, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 08, 2019	REFUSAL PROCESSED BY IB	
Jan. 24, 2019	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Jan. 24, 2019	REFUSAL PROCESSED BY MPU	68359
Jan. 11, 2019	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Jan. 10, 2019	NON-FINAL ACTION WRITTEN	92569
Jan. 03, 2019	ASSIGNED TO EXAMINER	92569
Nov. 23, 2018	APPLICATION FILING RECEIPT MAILED	
Nov. 19, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 15, 2018	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1434302

International Registration Date: Sep. 21, 2018

Priority Claimed Flag: Yes

Date of Section 67 Priority Claim: May 31, 2018

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Date of International Registration Status: Nov. 15, 2018

Notification of: Nov. 15, 2018

Date of Automatic: May 15, 2020

Designation Date:
International Registration Sep. 21, 2028
Renewal Date:
First Refusal Flag: Yes

Protection:

TM Staff and Location Information

TM Staff Information

TM Attorney: O'BRIEN, JENNIFER LYNN

Law Office Assigned: LAW OFFICE 120

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 29, 2019

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: [79245417](#)

Filing Date: Jul 03, 2019

Status: Extension of Time to Oppose Filed

Status Date: Jul 03, 2019

Interlocutory Attorney:

Defendant

Name: Chen Dian Song

Correspondent Address: GUANGDONG PATENTED TECHNOLOGY DEVELOPMENT CO LTD
NO 801 LAUREL BUILDING NORTH JIEFANG ROAD, YUEXIU DISTRICT GUANGZHOU CITY
GUANGDONG PROVINCE NA CHINA

Associated marks

Mark	Application Status	Serial Number	Registration Number
B2V BUTLER 2 VITALITY	Request For Extension of Time to File Opposition	79245417	

Potential Opposer(s)

Name: Sunstar Americas, Inc.

Correspondent Address: CHRISTINE A FILARSKI
MICHAEL BEST & FRIEDRICH LLP
444 WEST LAKE STREET SUITE 3200
CHICAGO IL UNITED STATES , 60606

Correspondent e-mail: chii@docket@michaelbest.com , cafilarski@michaelbest.com , lwdemarte@michaelbest.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Jul 03, 2019	
2	EXT GRANTED	Jul 09, 2019	
3	FINAL 60-DAY REQUEST TO EXT TIME TO OPPOSE	Sep 30, 2019	
4	EXT GRANTED	Oct 02, 2019	