

ESTTA Tracking number: **ESTTA1074671**

Filing date: **08/13/2020**

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 | C.F.E.B. SISLEY | | |
| Entity | Joint stock company | Citizenship | France |
| Address | 3 AVENUE DE FRIEDLAND PARIS, 75008 FRANCE | | |

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| Attorney information | JULIE B. SEYLER ABELMAN FRAYNE & SCHWAB 666 THIRD AVENUE NEW YORK, NY 10017 UNITED STATES Primary Email: mamastrovito@lawabel.com Secondary Email(s): jbseyler@lawabel.com, docket@lawabel.com 212-949-9022 | | |
| Docket Number | 232325 | | |

Applicant Information

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|--------------------------------|--|---------------------------------|------------|
| Application No. | 79280294 | Publication date | 07/28/2020 |
| Opposition Filing Date | 08/13/2020 | Opposition Period Ends | 08/27/2020 |
| International Registration No. | 1518364 | International Registration Date | 01/10/2020 |
| Applicant | MK UNIVERSAL INC. 401HO, (4TH FLOOR, MUNHWA BLDG. DANGSAN-DONG 3-GA), 8, GUKHOE-DAERO 38- REPUBLIC OF KOREA | | |

Goods/Services Affected by Opposition

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| Class 003. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Cosmetics; functional cosmetics; tissues impregnated with cosmetics; cosmetic pads; mask pack for cosmetic purposes; perfumes and colognes; cosmetics for massage; air fragrancing preparations; lip balm; mascara; nail varnish; moisturizing creams, lotions and gels; beauty soap; body and beauty care cosmetics; non-medicated toiletry preparations; non-medicated skin cleansers; eye liners; false eyelashes; dentifrices; bath and shower gels |
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Grounds for Opposition

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

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1219617 | Application Date | 07/03/1980 |
| Registration Date | 12/14/1982 | Foreign Priority Date | NONE |
| Word Mark | SISLEY | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 003. First use: First Use: 1972/00/00 First Use In Commerce: 1975/06/05 Perfumes, Colognes, Toilet Waters, Perfumed Extracts and Perfumed Oils, Bath Oils, Bath Salts, Bath Foams, Body Powdersand Talcs, Cosmetic Face and Body Soaps, and Cosmetics-Namely, Skin Toning Creams and Lotions, Makeup Removers, Skin Facial Masks, Cosmetic Skin Creams and Foundation Creams, Moisture Creams and Lotions, Suntan Lotions, Rouge and Lipsticks | | |

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| Attachments | SISLAB Opposition 8.13.20.pdf(104025 bytes) |
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|-----------|-------------------|
| Signature | /Julie B. Seyler/ |
| Name | Julie B. Seyler |
| Date | 08/13/2020 |

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

In re Application No. 79280294
Published July 28, 2020

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|--------------------|---|----------------|
| C.F.E.B. Sisley | : | |
| Opposer, | : | |
| v. | : | Opposition No. |
| | : | |
| MK Universal Inc., | : | |
| Applicant. | : | |

NOTICE OF OPPOSITION

C.F.E.B. Sisley, a joint stock company organized and existing under the laws of France with an office at 3 avenue de Friedland, 75008 Paris, France believes that it will be damaged by registration of the mark shown in Application Serial No. 79/280294 and hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Applicant is seeking to register the mark SISLAB in Class 3 for Cosmetics; functional cosmetics; tissues impregnated with cosmetics; cosmetic pads; mask pack for cosmetic purposes; perfumes and colognes; cosmetics for massage; air fragrancing preparations; lip balm; mascara; nail varnish; moisturizing creams, lotions and gels; beauty soap; body and beauty care cosmetics; non-medicated toiletry preparations; non-medicated skin cleansers; eye liners; false eyelashes; dentifrices; bath and shower gels.
2. Opposer is the owner of the trademark SISLEY.
3. Opposer has used the SISLEY mark in commerce since at least as early as June 5, 1975.
4. Opposer is the owner of Registration No. 1,219,617 for SISLEY for perfumes, colognes, toilet waters, perfumed extracts and perfumed oils, bath oils, bath salts, bath foams, body powders and talcs, cosmetic face and body soaps, and cosmetics-namely, skin toning creams and lotions, makeup removers, skin facial masks, cosmetic skin creams and foundation

creams, moisture creams and lotions, suntan lotions, rouge and lipsticks and said registration is incontestable.

5. In conjunction with Opposer's use and registration of SISLEY on Opposer's goods claimed in its registration above, Opposer activities include, but are not limited to, researching and developing cosmetic products at its SISLEY Laboratories. See <https://www.sisley-paris.com/en-US/expertise/> .

6. Applicant's mark SISLAB is substantially similar to Opposer's trademark SISLEY.

7. Applicant's mark SISLAB contains the first four letters of Opposer's mark SISL- but then ends with the letters AB, such that it looks similar, sounds similar, and evokes a similar overall commercial impression to SISLEY.

8. Applicant's goods are identical to and/or commercially related to Opposer's goods.

9. Applicant's and Opposer's respective goods are likely to travel in the same channels of trade, be sold in the same types of retail outlets, be purchased by the same class of consumers, and be found in the same overlapping marketing environments.


10. Opposer has priority of use over any rights Applicant may claim to the SISLAB mark.

11. In view of the substantial similarity between the respective marks and the commercial relationship between the goods, registration of Applicant's mark is likely to cause confusion, mistake or deception to purchasers as to the source of Applicant's goods, and therefore it is requested that registration to Applicant be refused under Section 2(d) of the Trademark Act.

WHEREFORE, Opposer believes that it will be damaged by the registration of Application Serial No. 79/280294 and respectfully requests that registration be refused and this opposition be sustained.

Respectfully submitted,

Date: August 13, 2020


JULIE B. SEYLER
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Attorney for Opposer

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