

ESTTA Tracking number: **ESTTA1107655**

Filing date: **01/13/2021**

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

Proceeding	91267003
Party	Plaintiff Next Retail Limited
Correspondence Address	MITCHELL E. RADIN; MICHELLE C. MORRIS COLLEN IP THE HOLYOKE MANHATTAN BUILDING 80 SOUTH HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES Primary Email: docket@collenip.com Secondary Email(s): mradin@collenip.com, mmorris@collenip.com, jlindenbaum@collenip.com 9149415668
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Jeffrey A. Lindenbaum
Filer's email	jlindenbaum@collenip.com, docket@collenip.com
Signature	/Jeffrey A. Lindenbaum/
Date	01/13/2021
Attachments	AX1005 Next AB Notice of Opposition 210108.pdf(124873 bytes ) Next AB Ex 1.pdf(34441 bytes ) Next AB Ex 2.pdf(33772 bytes )

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

Applicant : Genomma Lab Internacional, S.A.B. de C.V.  
Serial No. : 88/839289  
Mark : NEXT-AB  
Filed : March 18, 2020  
For : 003  
Published : September 15, 2020

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313

**AMENDED NOTICE OF OPPOSITION**

The Opposer Next Retail Limited, a limited liability company located at Desford Road, Enderby, United Kingdom files this Amended Notice of Opposition against Genomma Lab Internacional, S.A.B. de C.V. (“Applicant”) because it believes that it would be damaged by the registration of the above-identified mark in International Class 003 and hereby opposes same, pursuant to 15 U.S.C. § 1063 and 37 C.F.R. § 2.104.

As grounds for opposition, it is alleged that:

1) Next Retail is the owner of U.S. Trademark Registration No. 2912202 for NEXT for Clothing, namely, t-shirts, fleece shirts, denim shirts, jackets, pants and hats in International Class 025. *See* Exhibit 1.

2) Next Retail is the owner of U.S. Trademark Registration No. 5340922 for NEXT for, *inter-alia*, Clothing, namely, various types of clothing for men, women and children and not professional uniforms, namely, t-shirts, pants, dresses, skirts, tops, shirts, shorts, jeans, knitwear in the nature of jumpers, sweaters, cardigans, dresses, hats, and scarves; footwear in the nature of trainers, boots, tights, joggers, hoodies, shorts, t-shirts, jackets, leggings, polo shirts, jumpers, sweat tops, track suits, hats, vests, bras, socks, leotards, swimsuits, trunks; coats, jackets, waistcoats, tights, underwear, lingerie, sleepwear, bras,

socks, suits, bridesmaid dresses, ties, bow ties, beachwear, scarves, gloves, ponchos; footwear, headwear, headbands; accessories for clothing and fashion, namely, belts in International Class 025. *See* Exhibit 2.

3) Next Retail's Registrations are *prima facie* proof of ownership of the NEXT marks pursuant to 15 U.S.C. § 1057(b), and of the exclusive right to use the registered marks in commerce.

4) Registration No. 2912202 is incontestable, pursuant to Section 15 of the Trademark Act. *See* 15 USC § 1065.

5) The registration dates of U.S. Trademark Registrations Nos. 291220 and 5340922 pre-date the filing date of Applicant's Application Serial No. 88/839289 ("Applicant's Application").

6) Next Retail has been engaged in the sale and marketing of goods, including, but not limited to, clothing, cosmetic bags, make-up bags, using the NEXT trademark and in the offering of retail services using NEXT trademarks which are closely related to goods in Applicant's Application since a time prior to the filing of Applicant's Application.

7) Next Retail has used NEXT trademarks in commerce and has valuable goodwill in these marks.

8) Applicant seeks to register NEXT-AB as a trademark for "Non-medicinal bar soaps, toilet soaps; shower body soap; cakes of soap for the body; cleansing milks for cleanliness and beauty; wet cleaning wipes for hygienic and cosmetic use impregnated with a skin cleanser; wipes impregnated with a skin cleanser for female hygiene; cosmetic preparations for the care of mouth and teeth; breath freshening preparations for personal hygiene; preparations for hair cleaning and care; non-medicinal bath creams; deodorants for personal use, perfumes; antiperspirant deodorants; skin and body topical oils for cosmetic use; toilet water; talcum powder; hair care preparations; hair rinsing products; Skin conditioning creams for cosmetic purposes; toothpaste" in International Class 003.

9) Applicant's Application Serial No. 88/839289 is based upon Section 1(b), intent to use in interstate commerce.

10) On information and belief, Applicant's mark, if used in connection with some or all of the goods identified in the Application, is likely to be confused with or mistaken for or cause deception with Next Retail's NEXT trademarks as used in connection with their respective goods and services.

11) On information and belief, if Applicant's mark is registered, Applicant's mark is likely to cause confusion or to cause mistake or to deceive.

12) Upon information and belief, Applicant did not have a bona fide intent to use the applied-for mark in commerce in connection with one or more of the goods identified in the Application at the time the Application was filed and the Application is therefore *void ab initio* pursuant to 15 U.S.C. § 1051(b) and should be denied registration.

13) Upon information and belief, the applied-for mark is deceptively misdescriptive of an ingredient, quality, characteristic, function, feature and/or purpose, of one or more of the goods in International Class 003 identified in the Application, and the application should be denied registration pursuant to 15 U.S.C. § 1052(e).

14) On information and belief, Applicant's registration of NEXT-AB for the goods identified in Applicant's Application would harm Next Retail.

NEXT RETAIL prays that this Application Serial No. 88/839289 be refused, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Next Retail Limited.

DATED: January 13, 2021

Respectfully submitted for  
Opposer, Next Retail, Ltd

By: /Jeffrey A. Lindenbaum/  
Jeffrey A. Lindenbaum  
Mitchell E. Radin  
Michelle E. Morris  
COLLEN  
The Holyoke-Manhattan Building  
80 South Highland Ave.  
Ossining, New York 10562  
Tel: (914) 941-5668  
Fax: (914) 941-6091  
jlindenbaum@collenip.com

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FILED THROUGH THE ELECTRONIC SYSTEM FOR TRADEMARK TRIAL AND APPEALS IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

I CERTIFY THAT THIS AMENDED NOTICE OF OPPOSITION IS BEING SERVED ON COUNSEL OF RECORD ON JANUARY 13, 2021 VIA EMAIL AT:

KIRSTIN M. JAHN  
JAHN & ASSOCIATES, LLC  
1942 BROADWAY SUITE 314  
BOULDER, CO 80302  
UNITED STATES  
kirstin@jahnlaw.com, tmadmin@jahnlaw.com

COLLEN *IP*, THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE, OSSINING, NEW YORK 10562

By: /Jeffrey A. Lindenbaum/ Date: January 13 , 2021

EXHIBIT 1

EXHIBIT 1

Generated on: This page was generated by TSDR on 2021-01-13 15:13:51 EST

Mark: NEXT

NEXT

US Serial Number: 76523925

Application Filing Date: Jun. 19, 2003

US Registration Number: 2912202

Registration Date: Dec. 21, 2004

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: Jan. 01, 2015

Publication Date: Sep. 28, 2004

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## Mark Information

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Mark Literal Elements: NEXT

Standard Character Claim: No

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

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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:** clothing, namely, t-shirts, fleece shirts, denim shirts, jackets, pants and hats

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 1997

**Use in Commerce:** Dec. 1997

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## Basis Information (Case Level)

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**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

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## Current Owner(s) Information

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**Owner Name:** NEXT RETAIL LIMITED

**Owner Address:** DESFORD ROAD

ENDERBY, LEICESTER LE19 4AT UNITED KINGDOM

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: UNITED KINGDOM  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Ronald E. Shapiro

Docket Number: CPA12567

Attorney Primary Email Address: [rshapiro@sasiplaw.com](mailto:rshapiro@sasiplaw.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Ronald E. Shapiro  
Shapiro and Silverstein PLLC  
11350 Random Hills Road, Suite 740  
Fairfax, VIRGINIA UNITED STATES 22030

Phone: 703-273-7680

Fax: 703-273-7684

Correspondent e-mail: [rshapiro@sasiplaw.com](mailto:rshapiro@sasiplaw.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 01, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 01, 2015	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Jan. 01, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
Dec. 31, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Dec. 09, 2014	TEAS SECTION 8 & 9 RECEIVED	
Nov. 09, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 20, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 08, 2010	REVIEW OF CORRESPONDENCE COMPLETE	68335
Mar. 25, 2010	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68335
Mar. 25, 2010	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68335
Mar. 25, 2010	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68335
Apr. 08, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Apr. 07, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Mar. 25, 2010	TEAS SECTION 8 & 15 RECEIVED	
Dec. 21, 2004	REGISTERED-PRINCIPAL REGISTER	
Sep. 28, 2004	PUBLISHED FOR OPPOSITION	
Sep. 08, 2004	NOTICE OF PUBLICATION	
Jul. 29, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Jul. 29, 2004	ASSIGNED TO LIE	77075
Jul. 15, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 14, 2004	AMENDMENT FROM APPLICANT ENTERED	76537
Jun. 14, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	76537
Jun. 14, 2004	PAPER RECEIVED	
Dec. 23, 2003	NON-FINAL ACTION E-MAILED	
Dec. 22, 2003	ASSIGNED TO EXAMINER	76843

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jan. 01, 2015

## Assignment Abstract Of Title Information

### Summary



Total Assignments: 6

Registrant: Next Marketing, Inc.

### Assignment 1 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: [2866/0766](#)

Pages: 10

Date Recorded: Oct. 02, 2003

Supporting Documents: [assignment-tm-2866-0766.pdf](#)

#### Assignor

Name: [NEXT MARKETING, INC.](#)

Execution Date: Sep. 30, 2003

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

#### Assignee

Name: [LASALLE BUSINESS CREDIT, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 565 5TH AVENUE, 27TH FLOOR  
NEW YORK, NEW YORK 10017

#### Correspondent

Correspondent Name: MILES & STOCKBRIDGE P.C.

Correspondent Address: HEIDI A. HANSAN, ESQ.  
10 LIGHT STREET  
BALTIMORE, MD 21202

#### Domestic Representative - Not Found

### Assignment 2 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: [2967/0789](#)

Pages: 7

Date Recorded: May 13, 2004

Supporting Documents: [assignment-tm-2967-0789.pdf](#)

#### Assignor

Name: [NEXT MARKETING, INC.](#)

Execution Date: Apr. 15, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: STATELESS

#### Assignee

Name: [NATIONAL CITY BANK OF INDIANA](#)

Legal Entity Type: NATIONAL COMMERCIAL BANK

State or Country Where Organized: No Place Where Organized Found

Address: 101 W. WASHINGTON ST., SUITE 200-E  
INDIANAPOLIS, INDIANA 46255

#### Correspondent

Correspondent Name: KRIEG DEVAULT LLP

Correspondent Address: JULIA A. CARPENTER, ESQ.  
ONE INDIANA SQUARE, SUITE 2800  
INDIANAPOLIS, IN 46204-2079

#### Domestic Representative - Not Found

### Assignment 3 of 6

Conveyance: SECURITY INTEREST

Reel/Frame: [2972/0804](#)

Pages: 9

Date Recorded: May 04, 2004

Supporting Documents: [assignment-tm-2972-0804.pdf](#)

#### Assignor

**Name:** [LASALLE BUSINESS CREDIT, LLC](#) **Execution Date:** Apr. 15, 2004  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** No Place Where Organized Found

**Assignee**

**Name:** [NATIONAL CITY BANK OF INDIANA](#)  
**Legal Entity Type:** NATIONAL COMMERCIAL BANK **State or Country Where Organized:** No Place Where Organized Found  
**Address:** 101 W. WASHINGTON STREET  
SUITE 200-E  
INDIANAPOLIS, INDIANA 46255

**Correspondent**

**Correspondent Name:** KRIEG DEVAULT LLP  
**Correspondent Address:** JULIE A. CARPENTER, ESQ.  
ONE INDIANA SQUARE, SUITE 2800  
INDIANAPOLIS, IN 46204-2079

**Domestic Representative - Not Found**

**Assignment 4 of 6**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST  
**Reel/Frame:** [4296/0345](#) **Pages:** 7  
**Date Recorded:** Oct. 14, 2010  
**Supporting Documents:** [assignment-tm-4296-0345.pdf](#)

**Assignor**

**Name:** [NEXT MARKETING, INC.](#) **Execution Date:** Sep. 20, 2010  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [T-SHIRT INTERNATIONAL, INC.](#)  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE  
**Address:** 7730 SOUTH 6TH STREET  
OAK CREEK, WISCONSIN 53154

**Correspondent**

**Correspondent Name:** MICHELE DIETZ  
**Correspondent Address:** 1000 NORTH WATER STREET  
SUITE 1800  
MILWAUKEE, WI 53202

**Domestic Representative - Not Found**

**Assignment 5 of 6**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST  
**Reel/Frame:** [4654/0736](#) **Pages:** 2  
**Date Recorded:** Nov. 03, 2011  
**Supporting Documents:** [assignment-tm-4654-0736.pdf](#)

**Assignor**

**Name:** [T-SHIRT INTERNATIONAL, INC.](#) **Execution Date:** Aug. 09, 2011  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [FOLEY & LARDNER LLP](#)  
**Legal Entity Type:** LIMITED LIABILITY PARTNERSHIP **State or Country Where Organized:** WISCONSIN  
**Address:** 90 PARK AVENUE

NEW YORK, NEW YORK 10016

**Correspondent**

**Correspondent Name:** MITCHELL E. RADIN, ESQ.

**Correspondent Address:** COWAN, DEBAETS, ABRAHAMS & SHEPPARD LLP  
41 MADISON AVENUE, 34TH FLOOR  
NEW YORK, NY 10010

**Domestic Representative - Not Found**

**Assignment 6 of 6**

**Conveyance:** NUNC PRO TUNC ASSIGNMENT EFFECTIVE 08/09/2011

**Reel/Frame:** [4654/0746](#)

**Pages:** 3

**Date Recorded:** Nov. 03, 2011

**Supporting Documents:** [assignment-tm-4654-0746.pdf](#)

**Assignor**

**Name:** [FOLEY & LARDNER LLP](#)

**Execution Date:** Aug. 09, 2011

**Legal Entity Type:** LIMITED LIABILITY PARTNERSHIP

**State or Country Where Organized:** WISCONSIN

**Assignee**

**Name:** [NEXT RETAIL LIMITED](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** UNITED KINGDOM

**Address:** DESFORD ROAD  
ENDERBY, LEICESTER  
LE19 4AT ENGLAND, UNITED KINGDOM

**Correspondent**

**Correspondent Name:** MITCHELL E. RADIN, ESQ.

**Correspondent Address:** COWAN, DEBAETS, ABRAHAMS & SHEPPARD LLP  
41 MADISON AVENUE, 34TH FLOOR  
NEW YORK, NY 10010

**Domestic Representative**

**Domestic Representative Name:** MITCHELL E. RADIN, ESQ.

**Domestic Representative Address:** COWAN, DEBAETS, ABRAHAMS & SHEPPARD LLP  
41 MADISON AVENUE, 34TH FLOOR  
NEW YORK, NY 10010

## EXHIBIT 2

## EXHIBIT 2

Generated on: This page was generated by TSDR on 2021-01-13 15:14:56 EST

Mark: NEXT

NEXT

US Serial Number: 85463777

Application Filing Date: Nov. 03, 2011

US Registration Number: 5340922

Registration Date: Nov. 21, 2017

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: Nov. 21, 2017

Publication Date: Nov. 04, 2014

Notice of Allowance Date: Dec. 30, 2014

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## Mark Information

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Mark Literal Elements: NEXT

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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## 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:** Accessories for home and house, namely, toilet seats, decorative lanterns

**International Class(es):** 011 - Primary Class

**U.S Class(es):** 013, 021, 023, 031, 034

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 2001

**Use in Commerce:** Jan. 2015

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**For:** Accessories for clothing and fashion, namely, jewelry holders

**International Class(es):** 014 - Primary Class

**U.S Class(es):** 002, 027, 028, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 2006

**Use in Commerce:** Jun. 2016

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**For:** Accessories for home and house, namely, wall stickers, chalk boards and memorandum boards

**International Class(es):** 016 - Primary Class

**U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1990

**Use in Commerce:** Aug. 2009

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**For:** Accessories for clothing and fashion, namely, purses, handbags, wallets, clutch bags, tote bags, umbrellas

**International Class(es):** 018 - Primary Class

**U.S Class(es):** 001, 002, 003, 022, 041

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1988

**Use in Commerce:** Aug. 2009

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**For:** Accessories for home and house, namely, towel racks, shelves, mirrors, decorative wall plaques made of plastics or wood; accessories for bedding, namely, pillows, cushions, mattress toppers

**International Class(es):** 020 - Primary Class

**U.S Class(es):** 002, 013, 022, 025, 032, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1987

**Use in Commerce:** Aug. 2009

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**For:** Accessories for home and house, namely, bread bins, dish drying racks, pasta bowls, household containers for foods, saucepans, cake stands, bowls, bottles sold empty, vases, candle holders, drinking glasses, waste and refuse bins for household use, laundry bins, towel rails and rings, toilet brushes, toilet roll holders, soap dispensers, toothbrush holders, bird feeders, planters for domestic gardening, laundry hampers; accessories for the home and house, namely, ornaments of glass

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1988

**Use in Commerce:** Aug. 2009

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**For:** Accessories for home and house, namely, laundry bags

**International Class(es):** 022 - Primary Class

**U.S Class(es):** 001, 002, 007, 019, 022, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1997

**Use in Commerce:** Aug. 2014

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**For:** Accessories for home and house, namely, curtains of textile, shower curtains, oven gloves and mitts, bath towels, textile tablecloths, tea towels, synthetic placemats; accessories for bedding, namely, sheets, pillow covers, duvets, blankets, bed sets composed of duvet covers and pillowcases, children's bed sets composed of duvet covers and pillowcases, fitted sheets, bed linens, throws, fabric valances

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** 1987

**Use in Commerce:** Aug. 2009

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**For:** Clothing, namely, various types of clothing for men, women and children and not professional uniforms, namely, t-shirts, pants, dresses, skirts, tops, shirts, shorts, jeans, knitwear in the nature of jumpers, sweaters, cardigans, dresses, hats, and scarves; footwear in the nature of trainers, boots, tights, joggers, hoodies, shorts, t-shirts, jackets, leggings, polo shirts, jumpers, sweat tops, track suits, hats, vests, bras, socks, leotards, swimsuits, trunks; coats, jackets, waistcoats, tights, underwear, lingerie, sleepwear, bras, socks, suits, bridesmaid dresses, ties, bow ties, beachwear, scarves, gloves, ponchos; footwear, headwear, headbands; accessories for clothing and fashion, namely, belts

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1988

**Use in Commerce:** Aug. 2009

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**For:** Accessories for home and house, namely, bathmats, rugs, rug grippers, floor runners, door mats, wallpaper

**International Class(es):** 027 - Primary Class

**U.S Class(es):** 019, 020, 037, 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 1990

**Use in Commerce:** Aug. 2009

**For:** Accessories for holidays, namely, Christmas tree decorations

**International Class(es):** 028 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Oct. 2000

**Use in Commerce:** Aug. 2011

## 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:** Next Retail Limited

**Owner Address:** Desford Road  
Enderby LE194AT UNITED KINGDOM

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** UNITED KINGDOM

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Mitchell E. Radin, Esq.

**Docket Number:** 03224-53

**Attorney Primary Email Address:** [mradin@cdas.com](mailto:mradin@cdas.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Mitchell E. Radin, Esq.  
COLLEN IP Intellectual Property Law, P.C.  
80 South Highland Avenue  
Ossining, NEW YORK UNITED STATES 10562

**Phone:** 9149415668

**Fax:** 9149416091

**Correspondent e-mail:** [trademark@collenip.com](mailto:trademark@collenip.com) [mradin@collenip.com](mailto:mradin@collenip.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Nov. 21, 2017	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2017	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Oct. 16, 2017	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 16, 2017	STATEMENT OF USE PROCESSING COMPLETE	66154
Oct. 06, 2017	USE AMENDMENT FILED	66154
Oct. 06, 2017	TEAS STATEMENT OF USE RECEIVED	
Aug. 18, 2017	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 17, 2017	EXTENSION 5 GRANTED	66154
Jun. 29, 2017	EXTENSION 5 FILED	66154
Jun. 29, 2017	TEAS EXTENSION RECEIVED	
Dec. 20, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 16, 2016	EXTENSION 4 GRANTED	98765
Dec. 16, 2016	EXTENSION 4 FILED	98765

Dec. 16, 2016	TEAS EXTENSION RECEIVED	
Jul. 01, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 30, 2016	EXTENSION 3 GRANTED	66154
Jun. 21, 2016	EXTENSION 3 FILED	66154
Jun. 21, 2016	TEAS EXTENSION RECEIVED	
Feb. 09, 2016	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 06, 2016	EXTENSION 2 GRANTED	66154
Dec. 21, 2015	EXTENSION 2 FILED	66154
Feb. 06, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 21, 2015	TEAS EXTENSION RECEIVED	
Jul. 01, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 29, 2015	EXTENSION 1 GRANTED	98765
Jun. 29, 2015	EXTENSION 1 FILED	98765
Jun. 29, 2015	TEAS EXTENSION RECEIVED	
Dec. 30, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 04, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 04, 2014	ASSIGNED TO EXAMINER	83698
Nov. 04, 2014	PUBLISHED FOR OPPOSITION	
Oct. 15, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 01, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Sep. 28, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Sep. 25, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Sep. 25, 2014	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Mar. 29, 2014	NOTIFICATION OF SUBSEQUENT FINAL EMAILED	
Mar. 29, 2014	SUBSEQUENT FINAL EMAILED	
Mar. 29, 2014	SUBSEQUENT FINAL REFUSAL WRITTEN	83177
Mar. 06, 2014	LIE CHECKED SUSP - TO ATTY FOR ACTION	77976
Sep. 06, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Aug. 23, 2013	ASSIGNED TO LIE	77976
Feb. 22, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Feb. 22, 2013	LETTER OF SUSPENSION E-MAILED	6332
Feb. 22, 2013	SUSPENSION LETTER WRITTEN	83177
Feb. 19, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 19, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 19, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Sep. 17, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Sep. 17, 2012	FINAL REFUSAL E-MAILED	
Sep. 17, 2012	FINAL REFUSAL WRITTEN	83177
Aug. 28, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 28, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 28, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 28, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 28, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 28, 2012	NON-FINAL ACTION WRITTEN	83177
Feb. 21, 2012	ASSIGNED TO EXAMINER	83177
Feb. 16, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 07, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 07, 2011	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:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Oct. 16, 2017