

ESTTA Tracking number: **ESTTA1109977**

Filing date: **01/25/2021**

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	Herno S.p.A.		
Entity	Societ� par Action	Citizenship	Italy
Address	VIA OPIFICI, 100 LESA (NO), I-28040 ITALY		
Attorney information	JEFFREY B. SLADKUS, ESQ. THE SLADKUS LAW GROUP 1397 CARROLL DRIVE ATLANTA, GA 30318 UNITED STATES Primary Email: jeff@sladlaw.com Secondary Email(s): jason@sladlaw.com, mandy@sladlaw.com 4042520900		
Docket Number			

**Applicant Information**

Application No.	90088803	Publication date	12/29/2020
Opposition Filing Date	01/25/2021	Opposition Period Ends	01/28/2021
Applicant	ZENG FENGLAN MING XI XIAN GAI YANG ZHEN LIN DI CUN YU CUO KENG FUJIAN, 365200 CHINA		

**Goods/Services Affected by Opposition**

Class 025. First Use: 2020/06/08 First Use In Commerce: 2020/06/08 All goods and services in the class are opposed, namely: Brassieres; Coats; Footwear; Gloves; Hosiery; Shirts; Skirts; Trousers; Underpants; Vests; Bathing suits; Caps being headwear; Jackets; Sleep masks; Sports jerseys; Bottoms as clothing for children; Tops as clothing for children
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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.	5116529	Application Date	07/10/2015
Registration Date	01/10/2017	Foreign Priority	NONE

	Date
Word Mark	HERNO
Design Mark	
Description of Mark	The mark consists of the stylized wording "HERNO" having a horizontal line under it that is formed by an extension of the vertical left side of the letter "H".
Goods/Services	<p>Class 003. First use: First Use: 0 First Use In Commerce: 0  Cosmetics; perfumes, perfumes in solid form; deodorants for personal use; soaps, liquid soaps; cakes of toilet soap; bath foams; dentifrices; shampoos; essential oils; hair lotions; preparations for permanent hair waves and for setting hair; gels, namely, hair gels, hair styling gels; hair dyes; facial creams; mascaras; eyeliners; eye shadows; make-up pencils; face powder; lipsticks; make-up foundations; body creams; nail polish; nail hardeners; sun-tanning oils and creams; detergents, namely, laundry detergent, dishwasher detergents, detergent soaps, toilet bowl detergents; bleaching products, namely, laundry bleach, bleaching preparations for household use, bleaching preparations for the hair, dental bleaching gel; fabric softeners; soaps; bleaching preparations and other substances for laundry use, namely, laundry bleach, laundry detergent, laundry starch, fabric softeners for laundry use; cleaning, polishing, degreasing, scouring and abrasive preparations, namely, cleaning, polishing and scouring preparations, polishing, scouring and abrasive preparations, general purpose cleaning, polishing, and abrasive liquids and powders, degreasers other than for use in manufacturing processes, degreasing preparations for household use</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0  Spectacles, spectacle glasses, spectacle frames, eyepieces; optical goods, particularly eyeglasses and sunglasses; fine chains for spectacles; spring glasses, namely, theater glasses, corrective glasses; cords for spectacles; protective goggles for sports; anti-glare glasses; spectacle cases; scientific apparatus and instruments, namely, scales, fluorescence detector for crime scene investigations, conductivity meters, pharmaceutical and scientific research equipment for use in mass spectrometers, glassware for scientific experiments in laboratories; nautical, surveying and electric apparatus and instruments, namely, computer hardware, breathing apparatus for underwater swimming, underwater diving and decompression computers; photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, underwater cameras, infrared cameras, photographic cameras, optical character recognition apparatus, optical disk drives; checking, inspection, emergency, life-saving and teaching apparatus, namely, fire extinguisher, life rafts, life jackets, emergency flares, emergency signal transmitters, emergency warning lights, laser scanners for industrial inspection, ultrasonic equipment used to test or inspect damage to aircraft, medical teaching mannequins; telescopes and binoculars; monocles</p> <p>Class 014. First use: First Use: 0 First Use In Commerce: 0  Precious metals and their alloys; jewelry products, namely, diamond jewelry, women's jewelry, body jewelry, jewelry rings, precious stones; clocks instruments for chronometers, namely, watch movements, Chronographs for use as timepieces; Gold; silver; platinum; objects of precious metal and their alloys, namely, Gold jewelry, Figures of precious metal, Jewelry boxes of precious metal, Precious metal knobs; diamonds; brilliants; precious stones; jewelry articles, namely, diamond jewelry, women's jewelry, body jewelry, jewelry rings; jewels; cuff links and tie clips; watches; watch straps; chronometers; jewelry articles plated with precious metals, namely, gold-plated jewelry, women's silver-plated jewelry, gold-plated jewelry rings; cases and other sets for watches and jewelry, namely, cases adapted for holding watches, jewelry cases, Jewelry cases of precious metal</p> <p>Class 018. First use: First Use: 0 First Use In Commerce: 0  Bags, namely, leather shopping bags, all-purpose carrying bags, diaper bags, clutch bags, evening bags; handbags; suitcases; backpacks; wallets; coin</p>

purses; school bags; satchels, attaché cases of leather; clutch bags; luggage trunks; furbelongs; rawhides; curried skins; animal skins; coverings of skins, namely, Furs sold in bulk, Fur pelts; animal skins and hides; furs, namely, animal skins; rawskins; fur-skins, namely, Furs sold in bulk, Fur pelts; leather and articles made of leather, namely, unworked and semi-worked leather sold in bulk, Leather bags and wallets, Leather briefcases, Leather keychains; goods made of imitation leather, namely, Imitation leather bags and wallets, Imitation leather briefcases, Imitation leather sold in bulk, Imitation leather key chains; parasols; beach umbrellas; umbrellas; walking sticks; whips; other saddlery articles, namely, Cushion padding made for saddlery, Saddle belts, Saddle blankets, Saddle horn bags

Class 025. First use: First Use: 0 First Use In Commerce: 0  
 Clothing for men, women and children in general, namely, dresses made from skins; shirts; blouses; skirts; tailcoats; suit jackets; trousers; shorts; undershirts; knitwear, namely, knit shirts, knit hats, knit sweaters; pajamas; socks; knitwear of skin, namely, knit shirts, knit hats, knit sweaters; bodices; garter belts; briefs; brassieres; slippers; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, fur jackets, fur hats; sashes for wear; gloves; dressing gowns, footwear in general, namely, slippers; footwear; footwear for sports, namely, boots for sport, Athletic shoes, cycling shoes, ballet shoes, rugby shoes, soccer shoes, hockey shoes; boots and sandals

Class 035. First use: First Use: 0 First Use In Commerce: 0  
 Advertising; business management; business administration; office functions, namely, Secretarial and clerical services, Secretarial shorthand services, Managing office functions in the nature of copying and printing for others, Providing office functions; company consultancy services relating to the establishment and operation of franchises, namely, Advice in the running of establishments as franchises, Assistance in business management and products commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; advisory services for business management relating to franchising, namely, Advice in the running of establishments as franchises, Assistance in business management and product commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; business management advisory services relating to franchising; corporate advice relating to franchising, namely, Advice in the running of establishments as franchises, Assistance in business management and product commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; consulting services in connection with franchising operation, namely, Advice in the running of establishments as franchises, Assistance in business management and products commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes

U.S. Registration No.	5206784	Application Date	12/03/2015
Registration Date	05/23/2017	Foreign Priority Date	NONE
Word Mark	HERNO LAMINAR		

Design Mark	
Description of Mark	The mark consists of the wording "HERNOLAMINAR" in stylized font with each term underlined.
Goods/Services	Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing for men, women and children in general, namely, dresses, dresses made from skins; shirts; blouses; skirts; tailleurs; jackets; trousers; shorts; undershirts; knitwear, namely, knit bottoms, knit dresses, knit tops, knit shirts, knit hats, knit sweaters; pajamas; socks; knitted underclothing; bodices; garter belts; briefs; brassieres; slips; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, fur coats, fur jackets and fur hats; sashes for wear; gloves; dressing gowns, footwear in general, and slippers; footwear; footwear for sports; boots and sandals

Attachments	AERNOH Notice of Opposition 4831-6141-2057 v.1.pdf(141511 bytes ) Ex. A - Herno Registrations.pdf(120835 bytes )
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Signature	/Jeffrey B. Sladkus/
Name	Jeffrey B. Sladkus, Esq.
Date	01/25/2021

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

HERNO S.P.A.,	)	
	)	
<i>Opposer,</i>	)	U.S. Serial No.: 90088803
	)	
v.	)	Mark: AERNOH
	)	
ZENG FENGLAN,	)	Opposition No.: _____
	)	
<i>Applicant.</i>	)	
_____	)	

**NOTICE OF OPPOSITION**

Opposer Herno S.P.A. by and through undersigned counsel and pursuant to 37 C.F.R. § 2.101(b) hereby opposes Applicant Zeng Fenglan’s U.S. Trademark Application Serial No. 90088803 to register the mark AERNOH because Opposer believes it will be damaged by registration of the Application. The grounds for the opposition are as follows:

**BACKGROUND**

1. On information and belief, Applicant Zeng Fenglan (“Applicant”) is a Chinese citizen located at Ming Xi Xian Gai Yang Zhen Lin Di Cun Yu Cuo Keng, Fujian, China 365200.
2. On information and belief, on August 3, 2020 (the “Filing Date”), Applicant filed U.S. Trademark Application Serial No. 90088803 (the “Application”) for the mark AERNOH (“Applicant’s Mark”) covering “Brassieres; Coats; Footwear; Gloves; Hosiery; Shirts; Skirts; Trousers; Underpants; Vests; Bathing suits; Caps being headwear; Jackets; Sleep masks; Sports jerseys; Bottoms as clothing for children; Tops as clothing for children” in International Class 25 (collectively, the “Opposed Goods”).
3. The Application was filed based on Applicant’s claimed use of Applicant’s Mark in commerce pursuant to Trademark Act § 1(a), 15 U.S.C. § 1051(a).

4. Applicant's claimed date of first use and first use in commerce is June 8, 2020.

**OPPOSER'S USE AND REGISTRATION OF  
ITS HERNO TRADEMARKS**

5. Opposer Herno S.p.A. is an Italian Société par Action located at Via Opifici, 100 I-28040 Lesa (NO) Italy ("Opposer").

6. Opposer was founded in 1948 in Lesa, Italy and offers high-quality men's, women's, and children's clothing and apparel (the "HERNO Goods") in the United States under various HERNO trademarks (the "HERNO Marks").

7. The HERNO Marks have been used continuously in United States commerce for a number of years.

8. Opposer has not abandoned its HERNO Marks.

9. As a result of Opposer's promotion and use of its HERNO Marks, the HERNO Marks have come to identify goods originating exclusively from, or otherwise associated with Opposer, and are distinctive of Opposer's high-quality goods.

10. Opposer owns two U.S. Trademark Registrations for its HERNO Marks (the "HERNO Registrations"):

- a. U.S. Registration No. 5116529 for the mark HERNO & Design, covering, among other things "clothing for men, women and children . . ." in International Class 25; and
- b. U.S. Registration No. 5206784 for the mark HERNO LAMINAR & Design, also covering, among other things, "clothing for men, women and children . . ." in International Class 25.

True and correct copies of the TSDR records for the HERNO Registrations are attached hereto as Exhibit A.

11. The HERNO Registrations are valid and subsisting on the Principal Register.
12. Applicant is not associated with or affiliated with Opposer.
13. Opposer has not consented to Applicant's use or registration of Applicant's Mark.

**COUNT I  
PRIORITY AND LIKELIHOOD OF CONFUSION**

14. Paragraphs 1-13 are incorporated herein by reference as if fully set forth.
15. Opposer owns the HERNO Marks and has used them consistently for years.
16. On information and belief, Opposer's use of the HERNO Marks predates Applicant's use of Applicant's Mark.
17. Opposer owns the HERNO Registrations.
18. The HERNO Registrations are valid and subsisting on the principal register.
19. Opposer's HERNO Registrations have underlying application filing dates of July 10, 2015 and December 3, 2015, respectively.
20. On information and belief, the underlying application filing dates for Opposer's HERNO Registrations are prior to any date of first use on which Applicant can rely.
21. Opposer therefore has priority of use and registration over Applicant.
22. When applied to the Opposed Goods, Applicant's Mark so resembles the mark in Opposer's HERNO Registrations in the United States that it will be likely to cause confusion, or to cause mistake, or to deceive.
23. Opposer will be damaged by registration of Applicant's Mark because consumers are likely to be confused as to the source of the goods offered by Opposer under the mark in its HERNO Registrations and the goods offered by Applicant under Applicant's Mark.
24. Accordingly, Applicant's Application should be refused pursuant to Trademark Act § 2(d), 15 U.S.C. § 1052(d), because Opposer has priority of use and registration.

WHEREFORE, Opposer hereby respectfully requests: (a) that Application Serial No. 90088803 be rejected in its entirety based on a likelihood of confusion; (b) that no registration be issued thereon to Applicant; and (c) that this opposition be sustained in favor of Opposer.

Dated: January 25, 2021.

Respectfully submitted,  
THE SLADKUS LAW GROUP

By: /Jason H. Cooper/  
Jeffrey B. Sladkus  
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404-252-0900 (phone)  
404-252-0970 (fax)

*Attorneys for Opposer*



# Exhibit A

Generated on: This page was generated by TSDR on 2021-01-22 20:32:40 EST

Mark: HERNO



US Serial Number: 79182385

Application Filing Date: Jul. 10, 2015

US Registration Number: 5116529

Registration Date: Jan. 10, 2017

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jan. 10, 2017

Publication Date: Oct. 25, 2016

## Mark Information

Mark Literal Elements: HERNO

Standard Character Claim: No

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

Description of Mark: The mark consists of the stylized wording "HERNO" having a horizontal line under it that is formed by an extension of the vertical left side of the letter "H".

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

## Related Properties Information

International Registration Number: 1287361

International Registration Date: Jul. 10, 2015

## 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; perfumes, perfumes in solid form; deodorants for personal use; soaps, liquid soaps; cakes of toilet soap; bath foams; dentifrices; shampoos; essential oils; hair lotions; preparations for permanent hair waves and for setting hair; gels, namely, hair gels, hair styling gels; hair dyes; facial creams; mascaras; eyeliners; eye shadows; make-up pencils; face powder; lipsticks; make-up foundations; body creams; nail polish; nail hardeners; sun-tanning oils and creams; detergents, namely, laundry detergent, dishwasher detergents, detergent soaps, toilet bowl detergents; bleaching products, namely, laundry bleach, bleaching preparations for household use, bleaching preparations for the hair, dental bleaching gel; fabric softeners; soaps; bleaching preparations and other substances for laundry use, namely, laundry bleach, laundry detergent, laundry starch, fabric softeners for laundry use; cleaning, polishing, degreasing, scouring and abrasive preparations, namely, cleaning, polishing and scouring preparations, polishing, scouring and abrasive preparations, general purpose cleaning, polishing, and abrasive liquids and powders, degreasers other than for use in manufacturing processes, degreasing preparations for household use

International Class(es): 003 - Primary Class

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

Class Status: ACTIVE

**Basis:** 66(a)

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**For:** Spectacles, spectacle glasses, spectacle frames, eyepieces; optical goods, particularly eyeglasses and sunglasses; fine chains for spectacles; spring glasses, namely, theater glasses, corrective glasses; cords for spectacles; protective goggles for sports; anti-glare glasses; spectacle cases; scientific apparatus and instruments, namely, scales, fluorescence detector for crime scene investigations, conductivity meters, pharmaceutical and scientific research equipment for use in mass spectrometers, glassware for scientific experiments in laboratories; nautical, surveying and electric apparatus and instruments, namely, computer hardware, breathing apparatus for underwater swimming, underwater diving and decompression computers; photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, underwater cameras, infrared cameras, photographic cameras, optical character recognition apparatus, optical disk drives; checking, inspection, emergency, life-saving and teaching apparatus, namely, fire extinguisher, life rafts, life jackets, emergency flares, emergency signal transmitters, emergency warning lights, laser scanners for industrial inspection, ultrasonic equipment used to test or inspect damage to aircraft, medical teaching mannequins; telescopes and binoculars; monacles

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 66(a)

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**For:** Precious metals and their alloys; jewelry products, namely, diamond jewelry, women's jewelry, body jewelry, jewelry rings, precious stones; clocks instruments for chronometers, namely, watch movements, Chronographs for use as timepieces; Gold; silver; platinum; objects of precious metal and their alloys, namely, Gold jewelry, Figures of precious metal, Jewelry boxes of precious metal, Precious metal knobs; diamonds; brilliants; precious stones; jewelry articles, namely, diamond jewelry, women's jewelry, body jewelry, jewelry rings; jewels; cuff links and tie clips; watches; watch straps; chronometers; jewelry articles plated with precious metals, namely, gold-plated jewelry, women's silver-plated jewelry, gold plated jewelry rings; cases and other sets for watches and jewelry, namely, cases adapted for holding watches, jewelry cases, Jewelry cases of precious metal

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

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

**Class Status:** ACTIVE

**Basis:** 66(a)

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**For:** Bags, namely, leather shopping bags, all-purpose carrying bags, diaper bags, clutch bags, evening bags; handbags; suitcases; backpacks; wallets; coin purses; school bags; satchels, attaché cases of leather; clutch bags; luggage trunks; fur pelts; rawhides; curried skins; animal skins; coverings of skins, namely, Furs sold in bulk, Fur pelts; animal skins and hides; furs, namely, animal skins; raw skins; fur-skins, namely, Furs sold in bulk, Fur pelts; leather and articles made of leather, namely, unworked and semi-worked leather sold in bulk, Leather bags and wallets, Leather briefcases, Leather keychains; goods made of imitation leather, namely, Imitation leather bags and wallets, Imitation leather briefcases, Imitation leather sold in bulk, Imitation leather key chains; parasols; beach umbrellas; umbrellas; walking sticks; whips; other saddlery articles, namely, Cushion padding made for saddlery, Saddle belts, Saddle blankets, Saddle horn bags

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

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

**Class Status:** ACTIVE

**Basis:** 66(a)

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**For:** Clothing for men, women and children in general, namely, dresses made from skins; shirts; blouses; skirts; tailleurs; suit jackets; trousers; shorts; undershirts; knitwear, namely, knit shirts, knit hats, knit sweaters; pajamas; socks; knitwear of skin, namely, knit shirts, knit hats, knit sweaters; bodices; garter belts; briefs; brassieres; slips; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, fur jackets, fur hats; sashes for wear; gloves; dressing gowns, footwear in general, namely, slippers; footwear; footwear for sports, namely, boots for sport, Athletic shoes, cycling shoes, ballet shoes, rugby shoes, soccer shoes, hockey shoes; boots and sandals

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

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

**Class Status:** ACTIVE

**Basis:** 66(a)

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**For:** Advertising; business management; business administration; office functions, namely, Secretarial and clerical services, Secretarial shorthand services, Managing office functions in the nature of copying and printing for others, Providing office functions; company consultancy services relating to the establishment and operation of franchises, namely, Advice in the running of establishments as franchises, Assistance in business management and products commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; advisory services for business management relating to franchising, namely, Advice in the running of establishments as franchises, Assistance in business management and product commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; business management advisory services relating to franchising; corporate advice relating to franchising, namely, Advice in the running of establishments as franchises, Assistance in business management and product commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes; consulting services in connection with franchising operation, namely, Advice in the running of establishments as franchises, Assistance in business management and products commercialization, within the framework of a franchise contract, Offering business management assistance in the establishment and/or operation of clothing stores, accessories stores, showrooms for clothing and accessories, restaurants, shoe stores, cloth and textile stores, car washes

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

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

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

<b>Filed Use:</b> No	<b>Currently Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44E:</b> No
<b>Filed 44E:</b> No	<b>Currently 66A:</b> Yes
<b>Filed 66A:</b> Yes	<b>Currently No Basis:</b> No
<b>Filed No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** HERNO SPA

**Owner Address:** Via Opifici, 100  
I-28040 LESA (NO)  
ITALY

**Legal Entity Type:** Société par Action

**State or Country Where Organized:** ITALY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Kathleen A. Costigan

**Attorney Primary Email Address:** [ipdocket@hgcpatent.com](mailto:ipdocket@hgcpatent.com)

**Docket Number:** 1011-TM-1490

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Kathleen A. Costigan  
HEDMAN & COSTIGAN, P.C.  
One Rockefeller Plaza, 11th Floor  
New York, NEW YORK UNITED STATES 10020

**Phone:** 212-302-8989

**Correspondent e-mail:** [ipdocket@hgcpatent.com](mailto:ipdocket@hgcpatent.com)

**Fax:** 212-302-8998

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 09, 2020	NEW REPRESENTATIVE AT IB RECEIVED	
Aug. 31, 2017	NEW REPRESENTATIVE AT IB RECEIVED	
Apr. 28, 2017	FINAL DECISION TRANSACTION PROCESSED BY IB	
Apr. 11, 2017	FINAL DISPOSITION NOTICE SENT TO IB	
Apr. 11, 2017	FINAL DISPOSITION PROCESSED	73787
Apr. 10, 2017	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jan. 10, 2017	REGISTERED-PRINCIPAL REGISTER	
Nov. 11, 2016	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Oct. 25, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 25, 2016	PUBLISHED FOR OPPOSITION	
Oct. 05, 2016	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Oct. 05, 2016	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Oct. 05, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 14, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 23, 2016	EXAMINER'S AMENDMENT ENTERED	88888

Aug. 23, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 23, 2016	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 23, 2016	EXAMINERS AMENDMENT -WRITTEN	78480
Aug. 20, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 19, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 19, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 11, 2016	REFUSAL PROCESSED BY IB	
Feb. 23, 2016	APPLICATION FILING RECEIPT MAILED	
Feb. 19, 2016	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Feb. 19, 2016	REFUSAL PROCESSED BY MPU	67445
Feb. 18, 2016	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Feb. 17, 2016	NON-FINAL ACTION WRITTEN	78480
Feb. 17, 2016	ASSIGNED TO EXAMINER	78480
Feb. 17, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 11, 2016	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

<p><b>International Registration Number:</b> 1287361</p> <p><b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED</p> <p><b>Notification of Designation Date:</b> Feb. 11, 2016</p> <p><b>International Registration Renewal Date:</b> Jul. 10, 2025</p> <p><b>First Refusal Flag:</b> Yes</p>	<p><b>International Registration Date:</b> Jul. 10, 2015</p> <p><b>Date of International Registration Status:</b> Feb. 11, 2016</p> <p><b>Date of Automatic Protection:</b> Aug. 11, 2017</p>
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## TM Staff and Location Information

### TM Staff Information - None File Location

**Current Location:** PUBLICATION AND ISSUE SECTION      **Date in Location:** Jan. 10, 2017

## Proceedings

### Summary

**Number of Proceedings:** 1

### Type of Proceeding: Opposition

<p><b>Proceeding Number:</b> <a href="#">91248900</a></p> <p><b>Status:</b> Terminated</p> <p><b>Interlocutory Attorney:</b> WENDY COHEN</p>	<p><b>Filing Date:</b> Jun 14, 2019</p> <p><b>Status Date:</b> Sep 03, 2019</p>
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### Defendant

**Name:** Chen?Peng

**Correspondent Address:** JINTIAN HUANG  
RM 402 NO 15 BLDG YANGHONGYUAN WENYUAN RD  
XIAMEN CHINA , 361004

**Correspondent e-mail:** [1763660662@qq.com](mailto:1763660662@qq.com) , [158179708@qq.com](mailto:158179708@qq.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number

**Plaintiff(s)****Name:** Herno SPA**Correspondent Address:** JEFFREY B SLADKUS  
THE SLADKUS LAW GROUP  
1397 CARROLL DR  
ATLANTA GA UNITED STATES , 30318**Correspondent e-mail:** [jeff@sladlaw.com](mailto:jeff@sladlaw.com) , [jason@sladlaw.com](mailto:jason@sladlaw.com) , [mandy@sladlaw.com](mailto:mandy@sladlaw.com)**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HERNO	Registered	<a href="#">79182385</a>	<a href="#">5116529</a>
HERNO LAMINAR	Registered	<a href="#">79186833</a>	<a href="#">5206784</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 14, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 18, 2019	Jul 28, 2019
3	INSTITUTED	Jun 18, 2019	
4	P MOT FOR DEFAULT JUDGMENT	Jul 30, 2019	
5	BD DECISION: OPP SUSTAINED	Sep 03, 2019	
6	TERMINATED	Sep 03, 2019	

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Mark: HERNO LAMINAR



US Serial Number: 79186833

Application Filing Date: Dec. 03, 2015

US Registration Number: 5206784

Registration Date: May 23, 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: May 23, 2017

Publication Date: Mar. 07, 2017

## Mark Information

Mark Literal Elements: HERNO LAMINAR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "HERNO LAMINAR" in stylized font with each term underlined.

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

Design Search Code(s): 26.17.01 - Straight line(s), band(s) or bar(s); Bands, straight; Lines, straight; Bars, straight

26.17.05 - Bands, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal; Bars, horizontal  
26.17.13 - Overlined words or letters; Underlined words or letters; Letters or words underlined and/or overlined by one or more strokes or lines

## Related Properties Information

International Registration Number: 1297688

International Registration Date: Dec. 03, 2015

## Goods and Services

### Note:

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

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

**For:** Clothing for men, women and children in general, namely, dresses, dresses made from skins; shirts; blouses; skirts; tailleurs; jackets; trousers; shorts; undershirts; knitwear, namely, knit bottoms, knit dresses, knit tops, knit shirts, knit hats, knit sweaters; pajamas; socks; knitted underclothing; bodices; garter belts; briefs; brassieres; slippers; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, fur coats, fur jackets and fur hats; sashes for wear; gloves; dressing gowns, footwear in general, and slippers; footwear; footwear for sports; boots and sandals

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 66(a)

## Basis Information (Case Level)

<b>Filed Use:</b> No	<b>Currently Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44E:</b> No
<b>Filed 44E:</b> No	<b>Currently 66A:</b> Yes
<b>Filed 66A:</b> Yes	<b>Currently No Basis:</b> No
<b>Filed No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** HERNO SPA  
**Owner Address:** Via Opifici, 100  
I-28040 LESA (NO)  
ITALY  
**Legal Entity Type:** Soci t  par Action  
**State or Country Where Organized:** ITALY

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** KATHLEEN A. COSTIGAN  
**Attorney Primary Email Address:** [ipdoCKET@hgcpatent.com](mailto:ipdoCKET@hgcpatent.com)  
**Docket Number:** 1011-TM-1503  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** KATHLEEN A. COSTIGAN  
HEDMAN & COSTIGAN, P.C.  
One Rockefeller Plaza, 11th Floor  
New York, NEW YORK UNITED STATES 10020  
**Phone:** 212-302-8989  
**Correspondent e-mail:** [ipdoCKET@hgcpatent.com](mailto:ipdoCKET@hgcpatent.com)  
**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 09, 2020	NEW REPRESENTATIVE AT IB RECEIVED	
Oct. 20, 2017	FINAL DECISION TRANSACTION PROCESSED BY IB	
Sep. 05, 2017	FINAL DISPOSITION NOTICE SENT TO IB	
Sep. 05, 2017	FINAL DISPOSITION PROCESSED	72629
Aug. 31, 2017	NEW REPRESENTATIVE AT IB RECEIVED	
Aug. 23, 2017	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
May 23, 2017	REGISTERED-PRINCIPAL REGISTER	
Mar. 07, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 07, 2017	PUBLISHED FOR OPPOSITION	
Mar. 03, 2017	NOTIFICATION PROCESSED BY IB	
Feb. 15, 2017	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Feb. 15, 2017	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Feb. 15, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 02, 2017	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Jan. 05, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 05, 2017	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 05, 2017	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 05, 2017	EXAMINERS AMENDMENT E-MAILED	6328



Jan. 05, 2017	EXAMINERS AMENDMENT -WRITTEN	83175
Dec. 16, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	77976
Dec. 16, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976
Dec. 10, 2016	ASSIGNED TO LIE	77976
Nov. 28, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 10, 2016	REFUSAL PROCESSED BY IB	
May 26, 2016	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 26, 2016	REFUSAL PROCESSED BY MPU	72629
May 26, 2016	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 25, 2016	NON-FINAL ACTION WRITTEN	83175
May 24, 2016	APPLICATION FILING RECEIPT MAILED	
May 20, 2016	ASSIGNED TO EXAMINER	83175
May 20, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 19, 2016	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

<b>International Registration Number:</b> 1297688	<b>International Registration Date:</b> Dec. 03, 2015
<b>Intl. Registration Status:</b> REQUEST FOR EXTENSION OF PROTECTION PROCESSED	<b>Date of International Registration Status:</b> May 19, 2016
<b>Notification of Designation Date:</b> May 19, 2016	<b>Date of Automatic Protection:</b> Nov. 19, 2017
<b>International Registration Renewal Date:</b> Dec. 03, 2025	
<b>First Refusal Flag:</b> Yes	

## TM Staff and Location Information

### TM Staff Information - None File Location

**Current Location:** PUBLICATION AND ISSUE SECTION **Date in Location:** May 23, 2017

## Proceedings

### Summary

**Number of Proceedings:** 1

### Type of Proceeding: Opposition

**Proceeding Number:** [91248900](#) **Filing Date:** Jun 14, 2019  
**Status:** Terminated **Status Date:** Sep 03, 2019  
**Interlocutory Attorney:** WENDY COHEN

### Defendant

**Name:** Chen?Peng  
**Correspondent Address:** JINTIAN HUANG  
RM 402 NO 15 BLDG YANGHONGYUAN WENYUAN RD  
XIAMEN CHINA , 361004  
**Correspondent e-mail:** [1763660662@qq.com](mailto:1763660662@qq.com) , [158179708@qq.com](mailto:158179708@qq.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
DEERNO	Abandoned - After Inter-Partes Decision	<a href="#">88247731</a>	

**Plaintiff(s)**

**Name:** Herno SPA

**Correspondent Address:** JEFFREY B SLADKUS  
THE SLADKUS LAW GROUP  
1397 CARROLL DR  
ATLANTA GA UNITED STATES , 30318

**Correspondent e-mail:** [jeff@sladlaw.com](mailto:jeff@sladlaw.com) , [jason@sladlaw.com](mailto:jason@sladlaw.com) , [mandy@sladlaw.com](mailto:mandy@sladlaw.com)

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