

ESTTA Tracking number: **ESTTA1119902**

Filing date: **03/11/2021**

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	The Lodge at Torrey Pines
Granted to Date of previous extension	03/24/2021
Address	998 WEST MISSION BAY DRIVE SAN DIEGO, CA 92109 UNITED STATES
Attorney information	JEFFREY L. VAN HOOSEAR KNOBBE, MARTENS, OLSON & BEAR, LLP 2040 MAIN STREET, 14TH FLOOR IRVINE, CA 92614 UNITED STATES Primary Email: <a href="mailto:efiling@knobbe.com">efiling@knobbe.com</a> 949-760-0404
Docket Number	TORREY.031TI

**Applicant Information**

Application No.	88779732	Publication date	11/24/2020
Opposition Filing Date	03/11/2021	Opposition Period Ends	03/24/2021
Applicant	La Jolla Cove Motel And Hotel Apartments, LLC SUITE 3020 750 B STREET SAN DIEGO, CA 92101 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 024. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Towels
Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Headwear; Shirts
Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hotel services

**Applicant Information**

Application No.	88779727	Publication date	11/17/2020
Opposition Filing Date	03/11/2021	Opposition Period Ends	

Applicant	La Jolla Cove Motel And Hotel Apartments, LLC SUITE 3020 750 B STREET SAN DIEGO, CA 92101 UNITED STATES
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### Goods/Services Affected by Opposition

Class 024. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Towels
Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Headwear; Shirts
Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hotel services

### Applicant Information

Application No.	88779698	Publication date	11/24/2020
Opposition Filing Date	03/11/2021	Opposition Period Ends	
Applicant	La Jolla Cove Motel And Hotel Apartments, LLC SUITE 3020 750 B STREET SAN DIEGO, CA 92101 UNITED STATES		

### Goods/Services Affected by Opposition

Class 024. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Towels
Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Headwear; Shirts
Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hotel services

### Applicant Information

Application No.	88779694	Publication date	02/09/2021
Opposition Filing Date	03/11/2021	Opposition Period Ends	03/11/2021
Applicant	La Jolla Cove Motel And Hotel Apartments, LLC 750 B STREET SUITE 3020 SAN DIEGO, CA 92101 UNITED STATES		

### Goods/Services Affected by Opposition

Class 024. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Towels
Class 025. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Headwear; Shirts
Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hotel services

## 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.	3122254	Application Date	08/06/1999
Registration Date	08/01/2006	Foreign Priority Date	NONE
Word Mark	THE LODGE AT TORREY PINES		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 024. First use: First Use: 1995/06/01 First Use In Commerce: 1995/06/01 TOWELS</p> <p>Class 035. First use: First Use: 1995/06/01 First Use In Commerce: 1995/06/01 RETAIL GIFT SHOPS AND RETAIL SHOPS FEATURING GIFTS, FLOWERS, BAKED GOODS, GOLF ATTIRE, GOLF EQUIPMENT AND ACCESSORIES, BOOKS, SOUVENIRS, HATS, SHOES, SNACK FOODS, CANDY</p> <p>Class 042. First use: First Use: 1995/06/01 First Use In Commerce: 1995/06/01 RESORT HOTEL SERVICES; RESTAURANT SERVICES; BAR SERVICES; CATERING SERVICES; PROVIDING BANQUET AND SOCIAL FUNCTION FACILITIES FOR SPECIAL OCCASIONS; PROVIDING CONVENTION FACILITIES; MAKING HOTEL RESERVATIONS FOR OTHERS; BEAUTY SALON SERVICES AND HEALTH SPA SERVICES</p>		

U.S. Registration No.	2807813	Application Date	01/04/2002
Registration Date	01/27/2004	Foreign Priority Date	NONE
Word Mark	THE LODGE TORREY PINES		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 043. First use: First Use: 2001/10/15 First Use In Commerce: 2001/10/15 resort hotel services; restaurant services; carry-out restaurant services; bar services; catering services; providing banquet services and social function facilities for special occasions; providing convention facilities; making hotel reservations for others</p> <p>Class 044. First use: First Use: 2001/10/15 First Use In Commerce: 2001/10/15 beauty salon services and health spa services, namely, cosmetic body care services and massage services</p>		

U.S. Registration No.	2942871	Application Date	07/17/2002
Registration Date	04/19/2005	Foreign Priority Date	NONE
Word Mark	THE SPA TORREY PINES		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	<p>Class 003. First use: First Use: 2002/04/04 First Use In Commerce: 2002/04/04  Hair shampoo, hair conditioner, bath gel, massage cream, salt body scrub, facial scrub, facial peel, day cream, night cream, eye cream, eye gel, non-medicated skin care facial serums, eye make up remover, facial cleanser, skin care facial toner, facial mask, body wash, body gel, body cream, body lotion, body scrub, body peel, dry oil body spray, make-up, foundation make-up, pressed face powder, lip stick, lip liner, eye liner, eye shadow, bronzer, lip gloss, facial concealer, nail polish, self-tanning sun tan lotion, gel and oil, sunscreen, non-medicated foot cream, hair care preparations, hair spray, hair gel, hair mousse, bath oil, massage oil, and cosmetics</p> <p>Class 035. First use: First Use: 2002/04/04 First Use In Commerce: 2002/04/04  RETAIL SHOP AND RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF FACE AND BODY PRODUCTS, NAMELY, FACIAL SCRUB, FACIAL PEEL, DAY CREAM, NIGHT CREAM, EYE CREAM, EYE GEL, NON-MEDICATED SKIN CARE FACIAL SERUMS, EYE MAKE UP REMOVER, FACIAL CLEANSER, FACIAL TONER, FACIAL MASKS, BODY WASH, BODY GEL, BODY CREAM, BODY LOTION, BODY SCRUB, BODY PEEL, DRY OIL BODY SPRAY, BATH GEL, SELF-TANNING SUN TAN LOTION, GEL AND OIL, SUNSCREEN, MASSAGE CREAM, NON-MEDICATED FOOT CREAM, BATH PRODUCTS, NAMELY, OIL, BRUSHES AND SALTS, SANDALS, MAKE-UP, HAIR CARE PREPARATIONS, HAIR SHAMPOO, HAIR CONDITIONER, HAIR SPRAY, HAIR GEL, HAIR MOUSSE, CANDLES, BOOKS, AND CDS</p> <p>Class 044. First use: First Use: 2002/04/04 First Use In Commerce: 2002/04/04  Beauty salon services and health spa services, namely, cosmetic body care services consisting of massages, body masks and wraps, skin care therapies, facials, waxing, body exfoliating treatments, water therapies, nail care therapies, manicures and pedicures</p>

Attachments	notice of opposition.pdf(171020 bytes ) Exhibit A.pdf(208644 bytes ) Exhibit B.pdf(210496 bytes ) Exhibit C.pdf(210966 bytes )
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Signature	/Jeff Van Hoosear/
Name	JEFFREY L. VAN HOSEAR
Date	03/11/2021

TORREY.028M

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

The Lodge at Torrey Pines,

Opposer,

v.

La Jolla Cove Motel And Hotel Apartments, LLC,

Applicant.

Application Nos. 88/779694,  
88/779732, 88/779727, 88/779698

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir or Madam:

The Lodge at Torrey Pines, a California Limited Partnership, located and doing business at 998 West Mission Bay Drive, San Diego, California 92109 (“Opposer”), believes that it will be damaged by the registration of U.S. Trademark Application Serial Nos. 88/779694, 88/779732, 88/779727, 88/779698 for the marks reproduced below (“Applicant’s Alleged Marks”) and therefore opposes the same.

A description of Applicant’s applications (“Applicant’s Applications”) are as follows:

1. Mark : THE PINES  
Serial No. : 88/779694  
Filed : Jan. 30, 2020  
Published : Feb. 09, 2021  
Goods: : Towels in Class 24; Headwear; Shirts in Class 25; Hotel services in Class 43  
Alleged Date of First Use : Intent to Use



# THE PINES

*La Jolla Cove Hotel*

- 2. Mark : THE PINES
- Serial No. : 88/779732
- Filed : Jan. 30, 2020
- Published : Nov. 24, 2020
- Goods: : Towels in Class 24; Headwear; Shirts in Class 25; Hotel services in Class 43
- Alleged Date of First Use : Intent to Use



# THE PINES

- 3. Mark : THE PINES
- Serial No. : 88/779727
- Filed : Jan. 30, 2020
- Published : Nov. 17, 2020
- Goods: : Towels in Class 24; Headwear; Shirts in Class 25; Hotel services in Class 43
- Alleged Date of First Use : Intent to Use

- 4. Mark : THE PINES LA JOLLA COVE HOTEL
- Serial No. : 88/779698
- Filed : Jan. 30, 2020
- Published : Nov. 24, 2020
- Goods: : Towels in Class 24; Headwear; Shirts in Class 25; Hotel services in Class 43
- Alleged Date of First Use : Intent to Use

As grounds for opposition, it is alleged:

1. Opposer and its predecessors in interest, since 1995, have been and are now using the marks THE LODGE AT TORREY PINES INN and THE SPA AT TORREY PINES (“TORREY PINES Marks”) in connection with various goods and services including, towels, gift items, apparel, personal care products, retail gift shops, resort hotel services, restaurant services, bar services, catering services, providing banquet and convention facilities, beauty salon services, and health spa services.

2. Opposer and its predecessors, through extensive sales, advertising, and promotion of its goods and services under its TORREY PINES Marks, has built up, at great

expense and effort, valuable goodwill symbolized by its TORREY PINES mark. Opposer and its predecessors' TORREY PINES Marks have acquired great value as an identification of Opposer's goods and services and distinguishes those goods and services from the goods and services of others.

3. Opposer is the owner of and relies upon Federal Registration No. 3122254 for the mark THE LODGE AT TORREY PINES for "Towels" in Class 24; "retail gift shops and retail shops featuring gifts, flowers, baked goods, golf attire, golf equipment and accessories, books, souvenirs, hats, shoes, snack foods, candy" in Class 35; and "resort hotel services; restaurant services; bar services; catering services; providing banquet and social function facilities for special occasions; providing convention facilities; making hotel reservations for others; beauty salon services and health spa services" in Class 42 (the "'254 Registration"), which was registered on the Principal Register on August 1, 2006. The '254 Registration is based on an application filed in the USPTO on August 6, 1999. Thus, the application date and registration date for the THE LODGE AT TORREY PINES mark shown in the '254 Registration are all prior to the filing date of Applicant's Applications. A true and correct copy of the specifics of the '254 Registration obtained from the USPTO's TESS database is attached hereto as Exhibit A and made of record.

4. Opposer is also the owner of and relies upon Federal Registration No. 2807813 for



the mark for "resort hotel services; restaurant services; carry-out restaurant services; bar services; catering services; providing banquet services and social function facilities for special occasions; providing convention facilities; making hotel reservations for others" in Class 43; and "beauty salon services and health spa services, namely, cosmetic body care


services and massage services” in Class 44 (the “’813 Registration”), which was registered on the Principal Register on January 27, 2004. The ’813 Registration is based on an application filed in the USPTO on January 4, 2002. Thus, the application date and registration date for the



mark shown in the ’813 Registration are all prior to the filing date of Applicant’s Applications. A true and correct copy of the specifics of the ’813 Registration obtained from the USPTO’s TESS database is attached hereto as Exhibit B and made of record.

5. Opposer is also the owner of and relies upon Federal Registration No. 2942871 for



the mark  for “Hair shampoo, hair conditioner, bath gel, massage cream, salt body scrub, facial scrub, facial peel, day cream, night cream, eye cream, eye gel, non-medicated skin care facial serums, eye make up remover, facial cleanser, skin care facial toner, facial mask, body wash, body gel, body cream, body lotion, body scrub, body peel, dry oil body spray, make-up, foundation make-up, pressed face powder, lip stick, lip liner, eye liner, eye shadow, bronzer, lip gloss, facial concealer, nail polish, self-tanning sun tan lotion, gel and oil, sunscreen, non-medicated foot cream, hair care preparations, hair spray, hair gel, hair mousse, bath oil, massage oil, and cosmetics” in Class 3; “retail shop and retail store services featuring a wide variety of face and body products, namely, facial scrub, facial peel, day cream, night cream, eye cream, eye gel, non-medicated skin care facial serums, eye make up remover, facial cleanser, facial toner, facial masks, body wash, body gel, body cream, body lotion, body scrub, body peel, dry oil body spray, bath gel, self-tanning sun tan lotion, gel and oil, sunscreen, massage cream, non-medicated foot cream, bath products, namely, oil, brushes and salts, sandals, make-up,



hair care preparations, hair shampoo, hair conditioner, hair spray, hair gel, hair mousse, candles, books, and CDs” in Class 35; and “Beauty salon services and health spa services, namely, cosmetic body care services consisting of massages, body masks and wraps, skin care therapies, facials, waxing, body exfoliating treatments, water therapies, nail care therapies, manicures and pedicures” in Class 44 (the “’871 Registration”), which was registered on the Principal Register on April 19, 2005. The ’871 Registration is based on an application filed in the



USPTO on July 17, 2002. Thus, the application date and registration date for the mark shown in the ’871 Registration are all prior to the filing date of Applicant’s Applications. A true and correct copy of the specifics of the ’871 Registration obtained from the USPTO’s TESS database is attached hereto as Exhibit C and made of record.

6. Opposer’s identified registrations are valid, subsisting, unrevoked and uncancelled. Pursuant to Sections 7(b) and 33(a) of the Trademark Act of 1946, as amended, 15 U.S.C. §§ 1057(b), 1115(a), they constitute prima facie evidence of the validity of the registered marks and of the registrations thereof, of Opposer’s ownership of the marks shown therein, and of Opposer’s exclusive right to use the marks in commerce in connection with the goods and services named therein, without condition or limitation.

7. Opposer’s identified registrations also constitute notice to Applicant of Opposer’s claim of ownership of the marks shown therein, as provided in Section 22 of the Trademark Act of 1946, as amended, 15 U.S.C. § 1072.

8. Since at least as early as June 1, 1995, long before the filing date of, and the alleged date of first use claimed in, Applicant’s Applications, Opposer has continuously used and promoted Opposer’s mark THE LODGE AT TORREY PINES in United States interstate commerce in connection with various goods and services related to a hotel or resort. By virtue of Opposer’s continuous and substantial use, this mark of Opposer has become a strong identifier of

Opposer and its goods and services, and distinguish Opposer's goods and services from the goods and services of others. As a result, Opposer has built up, at great expense and effort, valuable common law and goodwill in Opposer's mark.

9. Since at least as early as October 2001, long before the filing date of, and the alleged date of first use claimed in, Applicant's Applications, Opposer has continuously used and



promoted Opposer's mark THE in United States interstate commerce in connection with its goods and services. By virtue of Opposer's continuous and substantial use, this mark of Opposer has become a strong identifier of Opposer and its goods and services, and distinguish Opposer's goods and services from the goods and services of others. As a result, Opposer has built up, at great expense and effort, valuable common law rights and goodwill in Opposer's mark.

10. Since at least as early as April 2002, long before the filing date of, and the alleged date of first use claimed in, Applicant's Applications, Opposer has continuously used and promoted



Opposer's mark THE in United States interstate commerce in connection with its goods and services. By virtue of Opposer's continuous and substantial use, this mark of Opposer has become a strong identifier of Opposer and its goods and services, and distinguish Opposer's goods and services from the goods and services of others. As a result, Opposer has built up, at great expense and effort, valuable common law rights and goodwill in Opposer's mark

11. In addition to the protection afforded to Opposer by Opposer's three above-identified registrations, Opposer has extensive common law rights throughout the United States in

Opposer's Marks for Opposer's goods and services including but not limited to, the goods and services identified in the three registrations owned by Opposer. Opposer's common law rights in Opposer's TORREY PINES Marks were established before and predate the filing date of Applicant's Applications. Therefore, Opposer's common law rights in Opposer's TORREY PINES Marks are prior and superior to Applicant's Applications.

12. Applicant's goods and services, including the goods and services identified in Applicant's Applications, are highly related to the goods and services offered by Opposer, including the goods and services identified in Opposer's Registrations.

13. Because Applicant's goods and services, including the goods identified in Applicant's Applications, are highly related to the goods and services offered or intended to be offered by Opposer in connection with Opposer's TORREY PINES Marks, including the goods and services identified in the three registrations owned by Opposer, Opposer believes that it and Applicant utilize the same or overlapping trade channels for their goods and services, and market those goods and services to the same or related classes of customers.

14. When Applicant's Alleged Marks are used in connection with the goods and services identified in Applicant's Applications, Applicant's Alleged Marks are likely to cause confusion, or to cause mistake, or to deceive the trade and purchasing public into believing that Applicant's goods and services originate with Opposer or are otherwise authorized, licensed, or sponsored by Opposer, within the meaning of Sections 2(d) and 43(a) of the Lanham Act, 15 U.S.C. §§ 1052(d), 1125(a). In view of Opposer's prior statutory and common law trademark rights, Applicant is not entitled to registration of Applicant's Alleged Marks as shown in Applicant's Applications pursuant to Sections 2(d) and 43(a) of the Lanham Act, 15 U.S.C. §§ 1052(d), 1125(a).

15. Applicant has no license, consent, or permission from Opposer to use or register Applicant's Alleged Marks.

16. By reason of all the foregoing, Opposer believes it will be damaged by the

registration of U.S. Trademark Application Serial Nos. 88/779694, 88/779732, 88/779727 and 88/779698.

WHEREFORE, Opposer prays that U.S. Trademark Application Serial Nos. 88/779694, 88/779732, 88/779727 and 88/779698 be rejected, that no registrations be issued thereon to Applicant, and this consolidated opposition be sustained in favor of Opposer.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 11, 2021

By: / Jeffrey L. Van Hoosear/  
2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614  
(949) 760-0404  
Attorneys for Opposer  
The Lodge at Torrey Pines

34585641

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**Record 1 out of 1**[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)**THE LODGE AT TORREY PINES**

**Word Mark** THE LODGE AT TORREY PINES

**Goods and Services** IC 024. US 042 050. G & S: TOWELS. FIRST USE: 19950601. FIRST USE IN COMMERCE: 19950601

IC 035. US 100 101 102. G & S: RETAIL GIFT SHOPS AND RETAIL SHOPS FEATURING GIFTS, FLOWERS, BAKED GOODS, GOLF ATTIRE, GOLF EQUIPMENT AND ACCESSORIES, BOOKS, SOUVENIRS, HATS, SHOES, SNACK FOODS, CANDY. FIRST USE: 19950601. FIRST USE IN COMMERCE: 19950601

IC 042. US 100 101. G & S: RESORT HOTEL SERVICES; RESTAURANT SERVICES; BAR SERVICES; CATERING SERVICES; PROVIDING BANQUET AND SOCIAL FUNCTION FACILITIES FOR SPECIAL OCCASIONS; PROVIDING CONVENTION FACILITIES; MAKING HOTEL RESERVATIONS FOR OTHERS; BEAUTY SALON SERVICES AND HEALTH SPA SERVICES. FIRST USE: 19950601. FIRST USE IN COMMERCE: 19950601

**Mark Drawing Code** (1) TYPED DRAWING

**Serial Number** 75769549

**Filing Date** August 6, 1999

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** February 25, 2003

**Registration Number** **3122254**

**Registration Date** August 1, 2006

**Owner** (REGISTRANT) Lodge at Torrey Pines, The Anne L. Evans, Grace E. Cherashore, David Lee Cherashore, William L. Evans, Rober H. Gleason, Anne Evans Quinn, Timothy M. Quinn all are US citizens LIMITED PARTNERSHIP CALIFORNIA 998 West Mission Bay Drive San Diego CALIFORNIA 92109

**Attorney of Record** Jeffrey Van Hoosear

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LODGE" solely in International Class 42 APART FROM

THE MARK AS SHOWN

**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL-2(F)-IN PART  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20161013.  
**Renewal** 1ST RENEWAL 20161013  
**Live/Dead Indicator** LIVE  
**Distinctiveness Limitation Statement** as to "TORREY PINES"

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**Word Mark** THE LODGE TORREY PINES

**Goods and Services** IC 043. US 100 101. G & S: resort hotel services; restaurant services; carry-out restaurant services; bar services; catering services; providing banquet services and social function facilities for special occasions; providing convention facilities; making hotel reservations for others. FIRST USE: 20011015. FIRST USE IN COMMERCE: 20011015

IC 044. US 100 101. G & S: beauty salon services and health spa services, namely, cosmetic body care services and massage services. FIRST USE: 20011015. FIRST USE IN COMMERCE: 20011015

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 05.01.25 - Cypress tree; Other trees or bushes; Willow tree  
06.03.25 - Marinas  
26.11.20 - Rectangles inside one another

**Serial Number** 76355572

**Filing Date** January 4, 2002

**Current Basis** 1A

**Original Filing Basis** 1A;1B

**Published for Opposition** November 4, 2003

**Registration Number** 2807813

**Registration Date** January 27, 2004

**Owner** (REGISTRANT) Lodge at Torrey Pines, The Anne L. Evans, Grace E. Cherashore, David Lee Cherashore, William L. Evans, Robert H. Gleason, Anne Evans Quinn, Timothy M. Quinn, all United States citizens LIMITED PARTNERSHIP CALIFORNIA 998 West Mission Bay Drive San Diego CALIFORNIA 92109

**Attorney of** Jeffrey Van Hoosear

**Record**

**Prior Registrations** 2429015;2449057;2469390;2471363;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "THE LODGE TORREY PINES" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark.

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20131016.

**Renewal** 1ST RENEWAL 20131016

**Live/Dead Indicator** LIVE

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**Record 1 out of 1**[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)**Word Mark** THE SPA TORREY PINES**Goods and Services** IC 003. US 001 004 006 050 051 052. G & S: Hair shampoo, hair conditioner, bath gel, massage cream, salt body scrub, facial scrub, facial peel, day cream, night cream, eye cream, eye gel, non-medicated skin care facial serums, eye make up remover, facial cleanser, skin care facial toner, facial mask, body wash, body gel, body cream, body lotion, body scrub, body peel, dry oil body spray, make-up, foundation make-up, pressed face powder, lip stick, lip liner, eye liner, eye shadow, bronzer, lip gloss, facial concealer, nail polish, self-tanning sun tan lotion, gel and oil, sunscreen, non-medicated foot cream, hair care preparations, hair spray, hair gel, hair mousse, bath oil, massage oil, and cosmetics. FIRST USE: 20020404. FIRST USE IN COMMERCE: 20020404

IC 035. US 100 101 102. G &amp; S: RETAIL SHOP AND RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF FACE AND BODY PRODUCTS, NAMELY, FACIAL SCRUB, FACIAL PEEL, DAY CREAM, NIGHT CREAM, EYE CREAM, EYE GEL, NON-MEDICATED SKIN CARE FACIAL SERUMS, EYE MAKE UP REMOVER, FACIAL CLEANSER, FACIAL TONER, FACIAL MASKS, BODY WASH, BODY GEL, BODY CREAM, BODY LOTION, BODY SCRUB, BODY PEEL, DRY OIL BODY SPRAY, BATH GEL, SELF-TANNING SUN TAN LOTION, GEL AND OIL, SUNSCREEN, MASSAGE CREAM, NON-MEDICATED FOOT CREAM, BATH PRODUCTS, NAMELY, OIL, BRUSHES AND SALTS, SANDALS, MAKE-UP, HAIR CARE PREPARATIONS, HAIR SHAMPOO, HAIR CONDITIONER, HAIR SPRAY, HAIR GEL, HAIR MOUSSE, CANDLES, BOOKS, AND CDS. FIRST USE: 20020404. FIRST USE IN COMMERCE: 20020404

IC 044. US 100 101. G &amp; S: Beauty salon services and health spa services, namely, cosmetic body care services consisting of massages, body masks and wraps, skin care therapies, facials, waxing, body exfoliating treatments, water therapies, nail care therapies, manicures and pedicures. FIRST USE: 20020404. FIRST USE IN COMMERCE: 20020404

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design Search Code** 05.01.02 - Maple tree; Trees or bushes with a generally rounded shape, including deciduous trees

05.01.25 - Cypress tree; Other trees or bushes; Willow tree

05.03.10 - Other branches with leaves, with or without fruit

**Serial Number** 78144662**Filing Date** July 17, 2002

**Current Basis** 1A

**Original Filing Basis** 1A;1B

**Published for Opposition** December 23, 2003

**Registration Number** **2942871**

**Registration Date** April 19, 2005

**Owner** (REGISTRANT) The Lodge at Torrey Pines Anne L. Evans, Grace E. Cherashore, David Lee Cherashore, William L. Evans, Robert H. Gleason, Anne Evans Quinn, Timothy M. Quinn, all United States citizens PARTNERSHIP CALIFORNIA 998 West Mission Bay Drive San Diego CALIFORNIA 92109

**Attorney of Record** Jeffrey Van Hoosear

**Prior Registrations** 2429015;2449057;2469390;2471363;AND OTHERS

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TORREY PINES" IN CLASSES 3 AND 35 AND "THE SPA TORREY PINES" IN CLASS 44 APART FROM THE MARK AS SHOWN

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150501.

**Renewal** 1ST RENEWAL 20150501

**Live/Dead Indicator** LIVE

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