

ESTTA Tracking number: **ESTTA1146237**

Filing date: **07/13/2021**

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	Kimberly-Clark Worldwide, Inc.
Granted to Date of previous extension	07/14/2021
Address	2300 WINCHESTER ROAD NEENAH, WI 54956 UNITED STATES
Attorney information	DONNA F. SCHMITT ARMSTRONG TEASDALE LLP 7700 FORSYTH BOULEVARD, SUITE 1800 ST. LOUIS, MO 63105 UNITED STATES Primary Email: iptm@atllp.com Secondary Email(s): dschmitt@atllp.com, aharris@atllp.com 314-621-5070
Docket Number	35180-41

Applicant Information

Application No.	90119114	Publication date	03/16/2021
Opposition Filing Date	07/13/2021	Opposition Period Ends	07/14/2021
Applicant	Eternally U LLC 9227 SW 41ST ST 4-104 MIRAMAR, FL 33025 UNITED STATES		


Goods/Services Affected by Opposition

Class 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: Sanitary napkins


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	4501850	Application Date	09/18/2013
Registration Date	03/25/2014	Foreign Priority Date	NONE
Word Mark	U		
Design Mark			
Description of Mark	The mark consists of the letter "u" contained within a black circle.		
Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Feminine hygiene pads; Panty liners		

U.S. Registration No.	4279956	Application Date	07/18/2012
Registration Date	01/22/2013	Foreign Priority Date	NONE
Word Mark	U BY KOTEX		

Design Mark	
Description of Mark	The mark consists of the letter "U" appearing above the words "by Kotex".
Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Feminine care products, namely, sanitary napkins, pantliners and tampons

U.S. Registration No.	5814107	Application Date	07/25/2017
Registration Date	07/23/2019	Foreign Priority Date	NONE

Word Mark	U BY KOTEX
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Design Mark	
Description of	The mark consists of the words "U BY KOTEX" in the color white inside a black

Mark	circle.
Goods/Services	Class 005. First use: First Use: 2019/01/01 First Use In Commerce: 2019/01/01 Panty liners; Sanitary pads; Tampons

U.S. Registration No.	6294839	Application Date	08/05/2020
Registration Date	03/16/2021	Foreign Priority Date	NONE

Word Mark	U BY KOTEX
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Description of Mark	The mark consists of the words "U BY KOTEX" in the color white with the letter "o" in pink and the letter "t" in red and combined to resemble the female biological symbol, all of which is surrounded by a black circle with a pink and red border.
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Goods/Services	Class 005. First use: First Use: 2019/01/01 First Use In Commerce: 2019/01/01 Tampons; Panty liners; Sanitary pads
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U.S. Registration No.	3832437	Application Date	05/19/2008
Registration Date	08/10/2010	Foreign Priority Date	NONE

Word Mark	U BY KOTEX
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Description of	NONE
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Mark	
Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 FEMININE SANITARY NAPKINS, FEMININE HYGIENE PADS, PANTY LINERS AND TAMPONS

U.S. Registration No.	3835809	Application Date	12/02/2008
Registration Date	08/17/2010	Foreign Priority Date	NONE

Word Mark	U BY KOTEX ALLNIGHTER
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Design Mark	<p>U BY KOTEX ALLNIGHTER</p>
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Sanitary pads
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U.S. Registration No.	3822734	Application Date	01/22/2009
Registration Date	07/20/2010	Foreign Priority Date	NONE

Word Mark	U BY KOTEX BARELY THERE
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Design Mark	<p>U BY KOTEX BARELY THERE</p>
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Panty liners
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U.S. Registration No.	3835758	Application Date	10/29/2008
Registration Date	08/17/2010	Foreign Priority Date	NONE

Word Mark	U BY KOTEX CLICK
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Design Mark	U BY KOTEX CLICK		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 TAMPONS		


U.S. Registration No.	3835808	Application Date	12/02/2008
Registration Date	08/17/2010	Foreign Priority Date	NONE
Word Mark	U BY KOTEX CURVES		
Design Mark	U BY KOTEX CURVES		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Panty liners		

U.S. Registration No.	4040815	Application Date	10/14/2010
Registration Date	10/18/2011	Foreign Priority Date	NONE
Word Mark	U BY KOTEX TWEEN		
Design Mark	U BY KOTEX TWEEN		

Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2011/02/28 First Use In Commerce: 2011/02/28 SANITARY PADS AND PANTILINERS

U.S. Registration No.	4668689	Application Date	02/21/2014
Registration Date	01/06/2015	Foreign Priority Date	NONE

Word Mark	WE GOT U
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 2014/06/05 First Use In Commerce: 2014/06/05 Feminine hygiene pads; Panty liners; Tampons

U.S. Registration No.	5756804	Application Date	10/05/2018
Registration Date	05/21/2019	Foreign Priority Date	NONE

Word Mark	WITH U BY KOTEX SHE CAN
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2018/05/01 First Use In Commerce: 2018/05/01 Charitable services in the nature of coordination of the procurement and distribution of donated period products, namely, sanitary pads and tampons, to women in need; promoting public awareness on the need for women's period products through public advocacy

U.S. Registration No.	5891435	Application Date	06/13/2019
Registration Date	10/22/2019	Foreign Priority	NONE

		Date	
Word Mark	WITH U BY KOTEX SHE CAN		
Design Mark	<p style="text-align: center;">WITH U BY KOTEX SHE CAN</p>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2019/01/01 First Use In Commerce: 2019/01/01 Panty liners; Sanitary pads; Tampons		

Attachments	86068039#TMSN.png(bytes) 85679983#TMSN.png(bytes) 87542293#TMSN.png(bytes) 90094854#TMSN.png(bytes) 77478145#TMSN.png(bytes) 77624444#TMSN.png(bytes) 77654591#TMSN.png(bytes) 77603186#TMSN.png(bytes) 77624351#TMSN.png(bytes) 85152401#TMSN.png(bytes) 86200229#TMSN.png(bytes) 88144594#TMSN.png(bytes) 88471477#TMSN.png(bytes) Notice of Opposition FINAL with Exhibits-41779691.pdf(997723 bytes)
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Signature	/Donna F. Schmitt/
Name	Donna F. Schmitt
Date	07/13/2021

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

Kimberly-Clark Worldwide, Inc.,)	
)	
Opposer,)	Opposition No. _____
v.)	Mark: ETERNALLY U
)	
Eternally U, LLC,)	Application No. 90/119,114
)	
Applicant.)	

NOTICE OF OPPOSITION

Opposer, Kimberly-Clark Worldwide, Inc. (hereinafter “K-C” or “Opposer”), a Wisconsin corporation having a place of business at 2300 Winchester Road, Neenah, Wisconsin 54956, believes that it will be damaged by registration on the Principal Register of the purported mark, ETERNALLY U, in International Class 5, as identified in U.S. Trademark Application Serial No. 90/119,114, which was published for opposition on March 16, 2021 (the “ETERNALLY U Mark”).

As grounds for this Notice of Opposition, Opposer states as follows:

1. Opposer’s filing of this Notice of Opposition is timely under 37 C.F.R. § 2.101. The ETERNALLY U Mark published for opposition in the Official Gazette on March 16, 2021. On April 7, 2021, the U.S. Patent and Trademark Office granted Opposer an extension of time to oppose the application through and until July 14, 2021. This Notice of Opposition is being filed on or before the July 14, 2021 deadline to oppose.

2. For many years, and since long before Applicant filed for the ETERNALLY U Mark, Opposer¹ has been engaged in the manufacture, advertising, promotion, and sale of a wide

¹ Kimberly-Clark was founded in 1872 in Neenah, Wisconsin.


variety of products, including but not limited to feminine protection pads, sanitary napkins, sanitary pads, tampons, and panty liners (the “Opposer’s Goods & Services”). As a result, Opposer is a well-known source of these goods and services.

3. Since long before Applicant’s actual or constructive first use of the ETERNALLY U Mark and its application for same, Opposer has continuously used, and presently uses, various trademarks including the designation “U” together with other word and/or design elements (the “U Marks”), in interstate commerce throughout the United States and beyond in connection with the advertising, promotion, distribution, and sale of Opposer’s Goods & Services.

4. Opposer has used the U Marks since at least as early as 2010.

5. The relevant consumers of the Applicant’s Goods (as defined below) are likely to recognize that the designation “U” points uniquely and unmistakably to Opposer, given the long, widespread, and extensive use of the U Marks in connection with the Opposer’s Goods & Services.

6. Opposer owns federal trademark registrations on the Principal Register for use in connection with feminine care products, including but not limited to sanitary napkins, feminine hygiene pads, tampons, and panty liners that include the “U” designation (collectively, the “U Registrations”), together with all the right, title, interest, and goodwill associated therewith, as shown below (*see also Exhibits 1–13*):

Mark	Reg. No.	Reg. Date	Goods/Services
	4501850	March 25, 2014	Int'l Class: 05: feminine hygiene pads; panty liners
	4279956	January 22, 2013	Int'l Class: 05: feminine care products, namely, sanitary napkins, pantliners and tampons

Mark	Reg. No.	Reg. Date	Goods/Services
			
	5814107	July 23, 2019	Int'l Class: 05: Panty liners; Sanitary pads; Tampons
	6294839	March 16, 2021	Int'l Class: 05: Tampons; Panty liners; Sanitary pads
U BY KOTEX	3832437	August 10, 2010	Int'l Class: 05: feminine sanitary napkins, feminine hygiene pads, panty liners and tampons
U BY KOTEX ALLNIGHTER	3835809	August 17, 2010	Int'l Class: 05: sanitary pads
U BY KOTEX BARELY THERE	3822734	July 20, 2010	Int'l Class: 05: panty liners
U BY KOTEX CLICK	3835758	August 17, 2010	Int'l Class: 05: tampons
U BY KOTEX CURVES	3835808	August 17, 2010	Int'l Class: 05: panty liners
U BY KOTEX TWEEN	4040815	October 18, 2011	Int'l Class: 05: sanitary pads and pantliners
WE GOT U	4668689	January 6, 2015	Int'l Class: 05: feminine hygiene pads; panty liners; tampons
WITH U BY KOTEX SHE CAN	5756804	May 21, 2019	Int'l Class: 36: Charitable services in the nature of coordination of the procurement and distribution of donated period products, namely, sanitary pads and tampons, to women in need; promoting public awareness on the need for women's period products through public advocacy

Mark	Reg. No.	Reg. Date	Goods/Services
WITH U BY KOTEX SHE CAN	5891435	October 22, 2019	Int'l Class: 05 Panty liners; Sanitary pads; Tampons

7. All of the U Registrations are valid, subsisting, and in full force and effect, and serve as *prima facie* evidence of Opposer's ownership of the listed marks and its exclusive right to use each of the marks.

8. In addition, many of the U Registrations are incontestable in accordance with Section 15 of the Lanham Act, 15 U.S.C. § 1065.

9. By virtue of the extensive use, advertising, promotion, distribution, and sale of Opposer's Goods & Services over many years, the U Marks have come to be widely recognized as identifying products sourced from, or otherwise associated with, Opposer, and have come to represent the substantial goodwill of Opposer.

10. Indeed, the U brand has become indelibly linked in the minds of the trading and general public with quality goods from K-C.

11. The U Marks have appeared on products, product packaging, point-of-sale displays, promotional materials, and advertisements for Opposer's Goods & Services since the inception of the brand. The U Marks have become valuable assets of Opposer, and in doing so, continuously distinguish Opposer's goods from the goods of others.

12. K-C has spent millions of dollars in the United States and around the world promoting its U-branded products, including but not limited to the U Registrations.

13. Because of the high degree of inherent and acquired distinctiveness of the U Marks, the length of time and extent to which Opposer has used the U Marks, the vast amount of advertising and publicity featuring the U Marks, the substantial territory in which the U Marks

have been and continue to be used, and the high degree of consumer recognition of the U Marks, the designation “U” is a well-known trademark widely recognized by the general consuming public as a designation of the source of Opposer’s Goods & Services, and has been deserving of a broad scope of legal protection long before any actual or constructive use that may be claimed by Applicant.

14. Upon information and belief, Applicant, Eternally U, LLC, is a Florida limited liability company, having a place of business at 9227 SW 41st Street, 4-104, Miramar, Florida, 30025.

15. As a matter of law, based on Opposer’s federal trademark registration for the U Marks, Applicant was deemed on constructive notice of Opposer’s rights in those marks.

16. The application opposed herein was filed on August 17, 2020, as an application based on a bona fide intent to use the ETERNALLY U Mark in commerce under Section 1(b).

17. As stated herein, Opposer has used the U Marks since at least as early as 2010.

18. Therefore, Applicant is unable to establish priority of use or priority of rights in the United States for the ETERNALLY U Mark relative to Opposer’s use of its U Marks.

19. Applicant seeks to register the standard character mark, ETERNALLY U, for use in connection with “Sanitary napkins” in International Class 5 (the “Applicant’s Goods”).

20. Opposer is not connected or affiliated with Applicant, Applicant’s Goods, or the ETERNALLY U Mark.

21. Applicant’s Goods and Opposer’s Goods & Services—including Opposer’s feminine care products, such as sanitary napkins, feminine protection pads, tampons, panty liners, and related goods and services—on information and belief, are identical or otherwise highly related; are offered through the same and/or related channels of trade; are offered to the

same and/or related classes of purchasers; and are advertised, marketed and promoted through the same and/or related media channels.

22. Specifically, Opposer's Goods & Services center around feminine care and hygiene products. As demonstrated by the table above, K-C manufactures, sells, and promotes products in the realm of feminine sanitary care, including sanitary pads, sanitary napkins, and panty liners—all with the U Marks.

23. Furthermore, Opposer and Applicant market to the same consumers, including, among others, females with hygiene and sanitary preparation needs.

24. Moreover, upon information and belief, Opposer and Applicant both advertise and sell their products via the internet.

25. Opposer's Goods & Services go beyond just feminine products—they also include charitable and public awareness/advocacy services within International Class 36 which center around feminine care and hygiene products and the provision of same to women in need.

26. Applicant seeks registration of the ETERNALLY U Mark for goods that are identical or highly related to Opposer's Goods & Services. Specifically, the ETERNALLY U Mark's application is for sanitary napkins—goods that are listed in many of the U Registrations and that are highly related to the goods listed in all of the U Registrations.

27. Both the ETERNALLY U Mark and the U Marks consist of or emphasize a letter "U" over other elements in the mark, rendering their overall commercial impressions similar.

28. When encountering the ETERNALLY U Mark, consumers would presume a connection between Applicant and Opposer because of, *inter alia*, the high degree of similarity between the marks, the goods and services at issue, the consumers at issue, and the channels of trade at issue.

COUNT I: CLAIM FOR RELIEF UNDER 15 U.S.C. § 1052(a)
(False Suggestion of Connection or Affiliation)

29. Opposer incorporates by reference the preceding paragraphs of this Notice of Opposition as if fully set forth herein.

30. The ETERNALLY U Mark consists of an emphasized letter “U” and is used in connection with sanitary napkins. The U Marks similarly emphasize the letter “U” and are used in connection with sanitary napkins.

31. The relevant consumers of the Applicant’s Goods are likely to recognize that the designation “U” points uniquely and unmistakably to Opposer, given the long, widespread, and extensive use of the U Marks in connection with Opposer’s Goods & Services, as set forth herein.

32. The relevant consumers, when encountering the ETERNALLY U Mark, would presume a connection between Applicant and Opposer due to the high degree of similarity between the ETERNALLY U Mark and the U Marks, and due further to their use on identical and/or closely related goods.

33. Opposer and Applicant also market to the same consumers, including, among others, females with hygiene and sanitary preparation needs.

34. As mentioned above, Opposer is not connected or affiliated with Applicant, Applicant’s Goods, or the ETERNALLY U Mark.

35. Applicant’s mark, ETERNALLY U, falsely suggests a connection or affiliation with Opposer in violation of Section 2(a) of the Lanham Act, and Applicant is therefore not entitled to registration of the ETERNALLY U Mark.

36. By reason of the foregoing, Opposer will be damaged by the registration of the ETERNALLY U Mark to Applicant.

COUNT II: CLAIM FOR RELIEF UNDER 15 U.S.C. § 1052(d)
(Likelihood of Confusion)

37. Opposer incorporates by reference the preceding paragraphs of this Notice of Opposition as if fully set forth herein.

38. Opposer's rights in the U Marks were established in connection with Opposer's Goods & Services long prior to the filing date of the ETERNALLY U Mark in connection with Applicant's Goods. The U Marks have long designated Opposer's Goods & Services.

39. Both marks contain a similar primary attribute—an emphasized letter "U."

40. Applicant seeks to register the ETERNALLY U Mark for goods that are identical—sanitary napkins—or otherwise highly related to the Opposer's Goods & Services and for which Opposer has consistently and continuously used the U Marks.

41. Consumers would easily confuse Applicant's products as being from or otherwise connected to K-C.

42. Applicant's use of the proposed trademark, ETERNALLY U, for identical and/or related goods is likely to create the erroneous impression that Applicant's Goods originate from or are otherwise associated with Opposer, that Opposer is responsible for the Applicant's Goods, or that Applicant's use of "ETERNALLY U" is endorsed by or is in some way connected with Opposer, all to Opposer's injury and harm.

43. Registration of the ETERNALLY U Mark in connection with Applicant's Goods is likely to cause confusion, cause mistake or to deceive the public into the false belief that the goods offered by Applicant under the ETERNALLY U Mark come from or are otherwise sponsored by or connected with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

44. By reason of the foregoing, Opposer will be damaged by the registration of the

ETERNALLY U Mark to Applicant.

WHEREFORE, Opposer respectfully requests that registration of the mark applied for in U.S. Trademark Application Serial No. 90/119,114 be refused, and that this Opposition be sustained in Opposer's favor.

Opposer requests such other and further relief as the Board may deem just and proper.

Date: July 13, 2021

Respectfully submitted,

ARMSTRONG TEASDALE LLP

/s/ Donna F. Schmitt

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Attorneys for Opposer,
Kimberly-Clark Worldwide, Inc.

Exhibit 1

Generated on: This page was generated by TSDR on 2021-07-12 15:54:36 EDT

Mark: U



US Serial Number: 86068039

Application Filing Date: Sep. 18, 2013

US Registration Number: 4501850

Registration Date: Mar. 25, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: May 02, 2019

Publication Date: Jan. 07, 2014

Mark Information

Mark Literal Elements: U

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 letter "u" contained within a black circle.

Color Drawing: Yes

Color(s) Claimed: The color(s) black is/are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.

Related Properties Information

Claimed Ownership of US Registrations: 3822734, 3832437, 4279956 and others

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: Feminine hygiene pads; Panty liners

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

Basis Information (Case Level)

Filed Use: Yes
Filed ITU: No
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: Yes
Currently ITU: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: KIMBERLY-CLARK WORLDWIDE, INC.
Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956
Legal Entity Type: CORPORATION
State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: KIMBERLY-CLARK WORLDWIDE, INC.
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956
Phone: 920-721-3975

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 02, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 02, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76874
May 02, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Mar. 26, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 26, 2019	TEAS SECTION 8 & 15 RECEIVED	
Mar. 25, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 25, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 07, 2014	PUBLISHED FOR OPPOSITION	
Dec. 18, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 29, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 29, 2013	ASSIGNED TO EXAMINER	81852
Sep. 26, 2013	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 25, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 109
Date in Location: May 02, 2019

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Kimberly-Clark Worldwide, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Exhibit 2

Generated on: This page was generated by TSDR on 2021-07-12 15:56:58 EDT

Mark: U BY KOTEX



US Serial Number: 85679983

Application Filing Date: Jul. 18, 2012

US Registration Number: 4279956

Registration Date: Jan. 22, 2013

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Feb. 17, 2018

Publication Date: Nov. 06, 2012

Mark Information

Mark Literal Elements: U BY KOTEX

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 letter "U" appearing above the words "by Kotex".

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

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 3832437, 4040815 and others

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: Feminine care products, namely, sanitary napkins, pantliners and tampons

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Docket Number: 64887157

Correspondent

Correspondent Name/Address: KIMBERLY-CLARK WORLDWIDE, INC.
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Phone: (920) 721-3975

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 18, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Feb. 17, 2018	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Feb. 17, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Feb. 05, 2018	TEAS SECTION 8 & 15 RECEIVED	
Feb. 05, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 22, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 22, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 06, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 06, 2012	PUBLISHED FOR OPPOSITION	
Oct. 17, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Sep. 29, 2012	ASSIGNED TO LIE	77312
Sep. 18, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 18, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 18, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 18, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 18, 2012	EXAMINERS AMENDMENT -WRITTEN	67516
Sep. 13, 2012	ASSIGNED TO EXAMINER	67516
Jul. 25, 2012	NOTICE OF PSEUDO MARK MAILED	
Jul. 24, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: Feb. 17, 2018

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Kimberly-Clark Worldwide, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

mail:

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KiteXUSA, LLC

Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900

KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 3

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Mark: U BY KOTEX



US Serial Number: 87542293

Application Filing Date: Jul. 25, 2017

US Registration Number: 5814107

Registration Date: Jul. 23, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Jul. 23, 2019

Publication Date: Apr. 10, 2018

Notice of Allowance Date: Jun. 05, 2018

Mark Information

Mark Literal Elements: U BY KOTEX

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 words "U BY KOTEX" in the color white inside a black circle.

Color Drawing: Yes

Color(s) Claimed: The color(s) black and white is/are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.

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: Panty liners; Sanitary pads; Tampons

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2019

Use in Commerce: Jan. 01, 2019

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: Kimberly-Clark Worldwide, Inc.

Owner Address: 2300 Winchester Road
Neenah, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: 65046506

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
KIMBERLY-CLARK WORLDWIDE, INC.
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 23, 2019	REGISTERED-PRINCIPAL REGISTER	
Jun. 15, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 14, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 13, 2019	STATEMENT OF USE PROCESSING COMPLETE	70565
May 31, 2019	USE AMENDMENT FILED	70565
Jun. 12, 2019	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
May 31, 2019	TEAS STATEMENT OF USE RECEIVED	
Oct. 27, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 25, 2018	EXTENSION 1 GRANTED	98765
Oct. 25, 2018	EXTENSION 1 FILED	98765
Oct. 25, 2018	TEAS EXTENSION RECEIVED	
Jun. 05, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 10, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 10, 2018	PUBLISHED FOR OPPOSITION	
Mar. 21, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 06, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 05, 2018	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 05, 2018	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 05, 2018	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 01, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 01, 2017	NON-FINAL ACTION E-MAILED	6325
Nov. 01, 2017	NON-FINAL ACTION WRITTEN	72503
Oct. 24, 2017	ASSIGNED TO EXAMINER	72503
Aug. 01, 2017	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Jul. 31, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 14, 2019

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437

U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#) **Filing Date:** Mar 05, 2021
Status: Suspended **Status Date:** May 14, 2021
Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC
Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175
Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.
Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105
Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 4

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Mark: U BY KOTEX



US Serial Number: 90094854

Application Filing Date: Aug. 05, 2020

US Registration Number: 6294839

Registration Date: Mar. 16, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Mar. 16, 2021

Publication Date: Dec. 29, 2020

Mark Information

Mark Literal Elements: U BY KOTEX

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 words "U BY KOTEX" in the color white with the letter "o" in pink and the letter "t" in red and combined to resemble the female biological symbol, all of which is surrounded by a black circle with a pink and red border.

Color Drawing: Yes

Color(s) Claimed: The color(s) black, white, pink, and red are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.

Related Properties Information

Claimed Ownership of US Registrations: 3832437, 4279956, 5814107 and others

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: Tampons; Panty liners; Sanitary pads

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2019

Use in Commerce: Jan. 01, 2019

Basis Information (Case Level)

Filed Use: Yes
Filed ITU: No
Filed 44D: No
Filed 44E: No
Filed 66A: No
Filed No Basis: No

Currently Use: Yes
Currently ITU: No
Currently 44E: No
Currently 66A: No
Currently No Basis: No

Current Owner(s) Information

Owner Name: Kimberly-Clark Worldwide, Inc.
Owner Address: 2300 Winchester Road
Neenah, WISCONSIN UNITED STATES 54956
Legal Entity Type: CORPORATION
State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski
Attorney Primary Email Address: trademarks.legal@kcc.com
Docket Number: TM 65090964
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956
Phone: 920-721-3975
Correspondent e-mail: trademarks.legal@kcc.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 16, 2021	REGISTERED-PRINCIPAL REGISTER	
Dec. 29, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 29, 2020	PUBLISHED FOR OPPOSITION	
Dec. 09, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 24, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 24, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 24, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 24, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 24, 2020	EXAMINERS AMENDMENT -WRITTEN	76487
Nov. 23, 2020	ASSIGNED TO EXAMINER	76487
Sep. 04, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Sep. 03, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 08, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: Mar. 16, 2021

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Opposition

Proceeding [91270099](#)
Number:

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: doCKET@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Exhibit 5

Generated on: This page was generated by TSDR on 2021-07-12 15:58:49 EDT

Mark: U BY KOTEX

U BY KOTEX

US Serial Number: 77478145

Application Filing Date: May 19, 2008

US Registration Number: 3832437

Registration Date: Aug. 10, 2010

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Sep. 09, 2020

Publication Date: Mar. 31, 2009

Notice of Allowance Date: Jun. 23, 2009

Mark Information

Mark Literal Elements: U BY KOTEX

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

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 0265413, 0872636 and others

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: FEMININE SANITARY NAPKINS, FEMININE HYGIENE PADS, PANTY LINERS AND TAMPONS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: AIMEE A. ZALESKI

Docket Number: TM 64482998

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
KIMBERLY-CLARK WORLDWIDE, INC.
2300 Winchester Road
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 09, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 09, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74272
Sep. 09, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74272
Aug. 31, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74272
Jul. 24, 2020	TEAS SECTION 8 & 9 RECEIVED	
Aug. 10, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 26, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 26, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 26, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Jul. 19, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 10, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 09, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 08, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Jul. 07, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 14, 2010	STATEMENT OF USE PROCESSING COMPLETE	66154
Jun. 09, 2010	USE AMENDMENT FILED	66154
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Feb. 01, 2010	EXTENSION 1 GRANTED	66154
Dec. 21, 2009	EXTENSION 1 FILED	66154
Feb. 01, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jan. 05, 2010	ASSIGNED TO EXAMINER	76584
Dec. 21, 2009	TEAS EXTENSION RECEIVED	
Jun. 23, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 31, 2009	PUBLISHED FOR OPPOSITION	
Mar. 11, 2009	NOTICE OF PUBLICATION	
Feb. 26, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Feb. 26, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	

Feb. 26, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	68171
Feb. 26, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Feb. 26, 2009	ASSIGNED TO LIE	68171
Feb. 25, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 27, 2008	NON-FINAL ACTION MAILED	
Aug. 27, 2008	NON-FINAL ACTION WRITTEN	59899
Aug. 20, 2008	ASSIGNED TO EXAMINER	59899
May 23, 2008	NOTICE OF PSEUDO MARK MAILED	
May 22, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 09, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

State or Country Where Organized: WISCONSIN

Legal Entity Type: CORPORATION

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent JAE YOUN KIM
Address: NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent DONNA F. SCHMITT
Address: ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC

Correspondent LINDA GRAHAM
Address: DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 6

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Mark: U BY KOTEX ALLNIGHTER

U BY KOTEX ALLNIGHTER

US Serial Number: 77624444

Application Filing Date: Dec. 02, 2008

US Registration Number: 3835809

Registration Date: Aug. 17, 2010

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: Aug. 26, 2020

Publication Date: Mar. 17, 2009

Notice of Allowance Date: Jun. 09, 2009

Mark Information

Mark Literal Elements: U BY KOTEX ALLNIGHTER

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

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 1785192

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: Sanitary pads

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country WISCONSIN
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: TM 64504343

Attorney Primary trademarks.legal@kcc.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Aimee A. Zaleski
Name/Address: KIMBERLY-CLARK WORLDWIDE, INC.
2300 Winchester Road
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 26, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 26, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Aug. 26, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jul. 16, 2020	TEAS SECTION 8 & 9 RECEIVED	
Aug. 17, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 15, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 15, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Oct. 15, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Aug. 10, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 17, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 12, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Jul. 08, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 02, 2010	EXAMINER'S AMENDMENT ENTERED	76568
Jul. 02, 2010	EXAMINER'S AMENDMENT MAILED	
Jul. 02, 2010	SU-EXAMINER'S AMENDMENT WRITTEN	81112
Jul. 02, 2010	STATEMENT OF USE PROCESSING COMPLETE	66230
Jun. 09, 2010	USE AMENDMENT FILED	66230
Jul. 01, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 09, 2009	EXTENSION 1 GRANTED	98765
Dec. 09, 2009	EXTENSION 1 FILED	98765
Dec. 09, 2009	TEAS EXTENSION RECEIVED	
Jun. 09, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 17, 2009	PUBLISHED FOR OPPOSITION	
Feb. 25, 2009	NOTICE OF PUBLICATION	

Feb. 10, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Feb. 10, 2009	ASSIGNED TO LIE	76568
Jan. 30, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 30, 2009	ASSIGNED TO EXAMINER	81112
Dec. 06, 2008	NOTICE OF PSEUDO MARK MAILED	
Dec. 05, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 26, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404

FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KiteXUSA, LLC

Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 7

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Mark: U BY KOTEX BARELY THERE

U BY KOTEX BARELY THERE

US Serial Number: 77654591

Application Filing Date: Jan. 22, 2009

US Registration Number: 3822734

Registration Date: Jul. 20, 2010

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: Oct. 07, 2020

Publication Date: Mar. 17, 2009

Notice of Allowance Date: Jun. 09, 2009

Mark Information

Mark Literal Elements: U BY KOTEX BARELY THERE

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

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 0265413, 1785192 and others

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: Panty liners

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: TM 64513557

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Aimee A. Zaleski
KIMBERLY-CLARK WORLDWIDE, INC.
2300 Winchester Road
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 07, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Oct. 07, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76874
Oct. 07, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76874
Oct. 06, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76874
Aug. 24, 2020	TEAS SECTION 8 & 9 RECEIVED	
Jul. 20, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 25, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 25, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Sep. 24, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Jul. 19, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 20, 2010	REGISTERED-PRINCIPAL REGISTER	
Jun. 16, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jun. 15, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Jun. 15, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 14, 2010	STATEMENT OF USE PROCESSING COMPLETE	66154
Jun. 09, 2010	USE AMENDMENT FILED	66154
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Jan. 25, 2010	EXTENSION 1 GRANTED	66154
Dec. 09, 2009	EXTENSION 1 FILED	66154
Jan. 25, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Dec. 09, 2009	TEAS EXTENSION RECEIVED	
Jun. 09, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 17, 2009	PUBLISHED FOR OPPOSITION	
Feb. 25, 2009	NOTICE OF PUBLICATION	
Feb. 10, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Feb. 10, 2009	ASSIGNED TO LIE	76568
Jan. 30, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Oct. 07, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC

Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 8

Generated on: This page was generated by TSDR on 2021-07-12 16:01:16 EDT

Mark: U BY KOTEX CLICK

U BY KOTEX CLICK

US Serial Number: 77603186

Application Filing Date: Oct. 29, 2008

US Registration Number: 3835758

Registration Date: Aug. 17, 2010

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: Aug. 26, 2020

Publication Date: Mar. 17, 2009

Notice of Allowance Date: Jun. 09, 2009

Mark Information

Mark Literal Elements: U BY KOTEX CLICK

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

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 1785192

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: TAMPONS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: AIMEE A. ZALESKI

Docket Number: TM 64501249

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
KIMBERLY-CLARK WORLDWIDE, INC.
2300 Winchester Road
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 26, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 26, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Aug. 26, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jul. 16, 2020	TEAS SECTION 8 & 9 RECEIVED	
Aug. 17, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Sep. 24, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 24, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Sep. 24, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Jul. 19, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 17, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 12, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Jul. 08, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 02, 2010	EXAMINER'S AMENDMENT MAILED	
Jul. 02, 2010	EXAMINER'S AMENDMENT ENTERED	67287
Jul. 02, 2010	SU-EXAMINER'S AMENDMENT WRITTEN	81112
Jul. 02, 2010	STATEMENT OF USE PROCESSING COMPLETE	66230
Jun. 09, 2010	USE AMENDMENT FILED	66230
Jul. 01, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 09, 2009	EXTENSION 1 GRANTED	98765
Dec. 09, 2009	EXTENSION 1 FILED	98765
Dec. 09, 2009	TEAS EXTENSION RECEIVED	
Jun. 09, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 17, 2009	PUBLISHED FOR OPPOSITION	
Feb. 25, 2009	NOTICE OF PUBLICATION	

Feb. 10, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Feb. 10, 2009	ASSIGNED TO LIE	67287
Jan. 30, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 30, 2009	ASSIGNED TO EXAMINER	81112
Nov. 04, 2008	NOTICE OF PSEUDO MARK MAILED	
Nov. 03, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 26, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404

FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KiteXUSA, LLC

Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91246324](#)

Filing Date: Feb 08, 2019

Status: Terminated

Status Date: Sep 11, 2019

Interlocutory Attorney: KATIE W MCKNIGHT

Defendant

Name: Edgewell Personal Care Brands, LLC

Correspondent Address: KRISTIN H ALTOFF
MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW, ATTN TMSU
WASHINGTON DC UNITED STATES , 20004

Correspondent e-mail: trademarks@morganlewis.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Plaintiff(s)**Name:** Kimberly-Clark Worldwide, Inc.**Correspondent** JENNIFER E HOEKEL**Address:** ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST LOUIS MO UNITED STATES , 63105**Correspondent e-mail:** iptm@armstrongteasdale.com , jhoekel@armstrongteasdale.com , dschmitt@armstrongteasdale.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
CLICK	Section 8 and 15 - Accepted and Acknowledged	85336003	4077196

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2019	Mar 20, 2019
3	PENDING, INSTITUTED	Feb 08, 2019	
4	ANSWER	Mar 19, 2019	
5	W/DRAW OF APPLICATION	Sep 04, 2019	
6	BD DECISION: OPP SUSTAINED	Sep 11, 2019	
7	TERMINATED	Sep 11, 2019	

Exhibit 9

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Mark: U BY KOTEX CURVES

U BY KOTEX CURVES

US Serial Number: 77624351

Application Filing Date: Dec. 02, 2008

US Registration Number: 3835808

Registration Date: Aug. 17, 2010

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: Aug. 26, 2020

Publication Date: Sep. 22, 2009

Notice of Allowance Date: Dec. 15, 2009

Mark Information

Mark Literal Elements: U BY KOTEX CURVES

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

Disclaimer: "CURVES"

Related Properties Information

Claimed Ownership of US Registrations: 0134900, 1785192

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: Panty liners

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2010

Use in Commerce: Mar. 28, 2010

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country WISCONSIN
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: TM 64504338

Attorney Primary trademarks.legal@kcc.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Aimee A. Zaleski
Name/Address: KIMBERLY-CLARK WORLDWIDE, INC.
2300 Winchester Road
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2020	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 26, 2020	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
Aug. 26, 2020	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Aug. 26, 2020	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Jul. 16, 2020	TEAS SECTION 8 & 9 RECEIVED	
Aug. 17, 2019	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Feb. 03, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Feb. 03, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76293
Feb. 03, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Nov. 24, 2015	TEAS SECTION 8 & 15 RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 17, 2010	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jul. 09, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	70633
Jul. 08, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 02, 2010	EXAMINERS AMENDMENT MAILED	
Jul. 02, 2010	EXAMINER'S AMENDMENT ENTERED	70633
Jul. 02, 2010	SU-EXAMINER'S AMENDMENT WRITTEN	81112
Jul. 02, 2010	STATEMENT OF USE PROCESSING COMPLETE	66230
Jun. 09, 2010	USE AMENDMENT FILED	66230
Jul. 01, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jun. 09, 2010	TEAS STATEMENT OF USE RECEIVED	
Dec. 15, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 22, 2009	PUBLISHED FOR OPPOSITION	
Sep. 02, 2009	NOTICE OF PUBLICATION	
Aug. 17, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Aug. 17, 2009	ASSIGNED TO LIE	70633

Aug. 11, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 30, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 30, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 30, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 30, 2009	NON-FINAL ACTION MAILED	
Jan. 30, 2009	NON-FINAL ACTION WRITTEN	81112
Jan. 30, 2009	ASSIGNED TO EXAMINER	81112
Dec. 06, 2008	NOTICE OF PSEUDO MARK MAILED	
Dec. 05, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 26, 2020

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent JAE YOUN KIM
Address: NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent DONNA F. SCHMITT
Address: ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC

Correspondent LINDA GRAHAM
Address: DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	
Plaintiff(s)			

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 10

Generated on: This page was generated by TSDR on 2021-07-12 16:02:21 EDT

Mark: U BY KOTEX TWEEN

U BY KOTEX TWEEN

US Serial Number: 85152401

Application Filing Date: Oct. 14, 2010

US Registration Number: 4040815

Registration Date: Oct. 18, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Oct. 28, 2017

Publication Date: Aug. 02, 2011

Mark Information

Mark Literal Elements: U BY KOTEX TWEEN

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

Disclaimer: "TWEEN"

Related Properties Information

Claimed Ownership of US Registrations: 3822734, 3832437, 3835809 and others

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: SANITARY PADS AND PANTILINERS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 28, 2011

Use in Commerce: Feb. 28, 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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country WISCONSIN
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Docket Number: 64686311

Correspondent

Correspondent Name/Address: KIMBERLY-CLARK WORLDWIDE, INC.
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 18, 2020	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 28, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Oct. 28, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68973
Oct. 28, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Oct. 05, 2017	TEAS SECTION 8 & 15 RECEIVED	
Oct. 05, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 18, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 02, 2011	PUBLISHED FOR OPPOSITION	
Jul. 13, 2011	NOTICE OF PUBLICATION	
Jun. 27, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Jun. 27, 2011	ASSIGNED TO LIE	66121
Jun. 10, 2011	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE MAILED	
Jun. 09, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 09, 2011	USE AMENDMENT ACCEPTED	82085
Jun. 04, 2011	AMENDMENT TO USE PROCESSING COMPLETE	88889
Jun. 04, 2011	USE AMENDMENT FILED	88889
Jun. 03, 2011	TEAS AMENDMENT OF USE RECEIVED	
Jun. 03, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 08, 2010	NON-FINAL ACTION MAILED	
Dec. 07, 2010	NON-FINAL ACTION WRITTEN	82085
Nov. 30, 2010	ASSIGNED TO EXAMINER	82085
Oct. 20, 2010	NOTICE OF PSEUDO MARK MAILED	
Oct. 19, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 18, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 105

Date in Location: Oct. 28, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: KIMBERLY-CLARK WORLDWIDE, INC.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent Address: JAE YOUN KIM
NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC

Correspondent Address: LINDA GRAHAM
DUNLAP BENNETT & LUDWIG PLLC
211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
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U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 11

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Mark: WE GOT U

WE GOT U

US Serial Number: 86200229

Application Filing Date: Feb. 21, 2014

US Registration Number: 4668689

Registration Date: Jan. 06, 2015

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Jan. 06, 2015

Publication Date: Jul. 15, 2014

Notice of Allowance Date: Sep. 09, 2014

Mark Information

Mark Literal Elements: WE GOT U

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

Related Properties Information

Claimed Ownership of US Registrations: 3832437, 4279956, 4501850 and others

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: Feminine hygiene pads; Panty liners; Tampons

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 05, 2014

Use in Commerce: Jun. 05, 2014

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: KIMBERLY-CLARK WORLDWIDE, INC.

Owner Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: TM 64947724

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
2300 WINCHESTER RD
NEENAH, WISCONSIN UNITED STATES 54956-9321

Phone: 920-721-3975

Fax: 920-721-4808

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 06, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 04, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 06, 2015	REGISTERED-PRINCIPAL REGISTER	
Dec. 02, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 29, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 26, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 25, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 25, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 01, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Nov. 01, 2014	NON-FINAL ACTION E-MAILED	
Nov. 01, 2014	SU - NON-FINAL ACTION - WRITTEN	88575
Sep. 27, 2014	STATEMENT OF USE PROCESSING COMPLETE	76538
Sep. 11, 2014	USE AMENDMENT FILED	76538
Sep. 25, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Sep. 11, 2014	TEAS STATEMENT OF USE RECEIVED	
Sep. 09, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 15, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 15, 2014	PUBLISHED FOR OPPOSITION	
Jun. 25, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 11, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jun. 11, 2014	ASSIGNED TO LIE	68171
May 28, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 28, 2014	EXAMINER'S AMENDMENT ENTERED	88888
May 28, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 28, 2014	EXAMINERS AMENDMENT E-MAILED	6328
May 28, 2014	EXAMINERS AMENDMENT -WRITTEN	88575
May 23, 2014	ASSIGNED TO EXAMINER	88575

Mar. 07, 2014 NOTICE OF PSEUDO MARK E-MAILED
Mar. 06, 2014 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Feb. 25, 2014 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 29, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Kimberly-Clark Worldwide, Inc.

Assignment 1 of 1

Conveyance: ENTITY CONVERSION

Reel/Frame: [5464/0116](#)

Pages: 25

Date Recorded: Feb. 16, 2015

Supporting Documents: [assignment-tm-5464-0116.pdf](#)

Assignor

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Execution Date: Dec. 29, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [KIMBERLY-CLARK WORLDWIDE, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2300 WINCHESTER ROAD
NEENAH, WISCONSIN 54956

Correspondent

Correspondent Name: KIMBERLY-CLARK WORLDWIDE, INC.

Correspondent Address: 2300 WINCHESTER ROAD
NEENAH, WI 54956

Domestic Representative - Not Found

Exhibit 12

Generated on: This page was generated by TSDR on 2021-07-12 16:03:22 EDT

Mark: WITH U BY KOTEX SHE CAN

WITH U BY KOTEX SHE CAN

US Serial Number: 88144594

Application Filing Date: Oct. 05, 2018

US Registration Number: 5756804

Registration Date: May 21, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: 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: May 21, 2019

Publication Date: Mar. 05, 2019

Mark Information

Mark Literal Elements: WITH U BY KOTEX SHE CAN

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

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: Charitable services in the nature of coordination of the procurement and distribution of donated period products, namely, sanitary pads and tampons, to women in need; promoting public awareness on the need for women's period products through public advocacy

International Class(es): 036 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: May 01, 2018

Use in Commerce: May 01, 2018

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Kimberly-Clark Worldwide, Inc.
Owner Address: 2300 Winchester Road
Neenah, WISCONSIN UNITED STATES 54956
Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski
Attorney Primary Email Address: trademarks.legal@kcc.com
Docket Number: TM 65067895
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956
Phone: 920-721-3975
Correspondent e-mail: trademarks.legal@kcc.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2019	REGISTERED-PRINCIPAL REGISTER	
Mar. 05, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2019	PUBLISHED FOR OPPOSITION	
Feb. 13, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 29, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 28, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Jan. 28, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Jan. 20, 2019	ASSIGNED TO LIE	76568
Jan. 16, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 29, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 29, 2018	NON-FINAL ACTION E-MAILED	6325
Nov. 29, 2018	NON-FINAL ACTION WRITTEN	93578
Nov. 27, 2018	ASSIGNED TO EXAMINER	93578
Oct. 16, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 09, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION
Date in Location: May 21, 2019

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)
Status: Pending
Interlocutory Attorney: MIKE WEBSTER
Filing Date: Jun 24, 2021
Status Date: Jun 24, 2021

Defendant**Name:** THESIGNATURE COMPANY Inc.**Correspondent** JAE YOUN KIM**Address:** NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030**Correspondent e-mail:** docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
KITOX	Opposition Pending	90289318	
KITOX	Opposition Pending	90289307	

Plaintiff(s)**Name:** Kimberly-Clark Worldwide, Inc.**Correspondent** DONNA F. SCHMITT**Address:** ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD, SUITE 1800
ST. LOUIS MO UNITED STATES , 63105**Correspondent e-mail:** iptm@atllp.com , dschmitt@atllp.com , aharris@atllp.com , kmowery@atllp.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
WITH U BY KOTEX SHE CAN	Registered	88144594	5756804
WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809
KOTEX SHE CAN INITIATIVE	Registered	88947701	6255451
U BY KOTEX	Registered	90094854	6294839

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 24, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 24, 2021	Aug 03, 2021
3	INSTITUTED	Jun 24, 2021	

Type of Proceeding: Opposition**Proceeding Number:** [91268014](#)**Filing Date:** Mar 05, 2021**Status:** Suspended**Status Date:** May 14, 2021**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Defendant****Name:** KiteXUSA, LLC**Correspondent** LINDA GRAHAM**Address:** DUNLAP BENNETT & LUDWIG PLLC

211 CHURCH STREET SE
LEESBURG VA UNITED STATES , 20175

Correspondent e-mail: trademarks@dbllawyers.com , lgraham@dbllawyers.com

Mark	Application Status	Serial Number	Registration Number
KITEX USA	Opposition Pending	88896402	

Plaintiff(s)

Name: Kimberly-Clark Worldwide, Inc.

Correspondent Address: DONNA F. SCHMITT
ARMSTRONG TEASDALE LLP
7700 FORSYTH BLVD., SUITE 1800
ST. LOUIS MO UNITED STATES , 63105

Correspondent e-mail: IPTM@ArmstrongTeasdale.com , DSchmitt@atllp.com

Mark	Application Status	Serial Number	Registration Number
KOTEX	REGISTERED AND RENEWED	71127169	134900
KOTEX	REGISTERED AND RENEWED	72005647	638516
KOTEX	REGISTERED AND RENEWED	74340170	1785192
KOTEX LIGHTDAYS	REGISTERED AND RENEWED	73002285	989857
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WITH U BY KOTEX SHE CAN	Registered	88471477	5891435
U BY KOTEX	Registered	87542293	5814107
KOTEX NATURAL BALANCE	Section 8 - Accepted	85273181	4122985
U BY KOTEX	Section 8 and 15 - Accepted and Acknowledged	85679983	4279956
U BY KOTEX TWEEN	Section 8 and 15 - Accepted and Acknowledged	85152401	4040815
U BY KOTEX BARELY THERE	REGISTERED AND RENEWED	77654591	3822734
U BY KOTEX CURVES	REGISTERED AND RENEWED	77624351	3835808
U BY KOTEX CLICK	REGISTERED AND RENEWED	77603186	3835758
U BY KOTEX	REGISTERED AND RENEWED	77478145	3832437
U BY KOTEX ALLNIGHTER	REGISTERED AND RENEWED	77624444	3835809

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 05, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 05, 2021	Apr 14, 2021
3	INSTITUTED	Mar 05, 2021	
4	ANSWER	Apr 14, 2021	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 14, 2021	
6	SUSPENDED	May 14, 2021	
7	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	

Exhibit 13

Generated on: This page was generated by TSDR on 2021-07-12 16:04:08 EDT

Mark: WITH U BY KOTEX SHE CAN

WITH U BY KOTEX SHE CAN

US Serial Number: 88471477

Application Filing Date: Jun. 13, 2019

US Registration Number: 5891435

Registration Date: Oct. 22, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

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: Oct. 22, 2019

Publication Date: Aug. 06, 2019

Mark Information

Mark Literal Elements: WITH U BY KOTEX SHE CAN

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

Related Properties Information

Claimed Ownership of US Registrations: 5756804

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: Panty liners; Sanitary pads; Tampons

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2019

Use in Commerce: Jan. 01, 2019

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Kimberly-Clark Worldwide, Inc.

Owner Address: 2300 Winchester Road
Neenah, WISCONSIN UNITED STATES 54956

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aimee A. Zaleski

Docket Number: TM 65067895

Attorney Primary Email Address: trademarks.legal@kcc.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: AIMEE A. ZALESKI
2300 WINCHESTER ROAD
NEENAH, WISCONSIN UNITED STATES 54956

Phone: 920-721-3975

Correspondent e-mail: trademarks.legal@kcc.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 22, 2019	REGISTERED-PRINCIPAL REGISTER	
Aug. 06, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 06, 2019	PUBLISHED FOR OPPOSITION	
Jul. 17, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 28, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 28, 2019	ASSIGNED TO EXAMINER	91172
Jun. 25, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 17, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 22, 2019

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91270099](#)

Filing Date: Jun 24, 2021

Status: Pending

Status Date: Jun 24, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: THESIGNATURE COMPANY Inc.

Correspondent JAE YOUN KIM
Address: NOVICK, KIM & LEE, PLLC
3251 OLD LEE HIGHWAY, SUITE 404
FAIRFAX VA UNITED STATES , 22030

Correspondent e-mail: docket@nkllaw.com , skim@nkllaw.com , djung@nkllaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
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Correspondent DONNA F. SCHMITT
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Type of Proceeding: Opposition

Proceeding Number: [91268014](#)

Filing Date: Mar 05, 2021

Status: Suspended

Status Date: May 14, 2021

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: KitexUSA, LLC

Correspondent LINDA GRAHAM
Address: DUNLAP BENNETT & LUDWIG PLLC
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7	P MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Jun 18, 2021	
8	SUSPENDED	Jun 18, 2021	