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Filing date: **02/03/2022**

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	Studio Peyo S.A.		
Entity	societe anonyme	Citizenship	Switzerland
Address	CHEMIN FRANK-THOMAS 36 GENEVA, CH 1208 SWITZERLAND		

Attorney information	MARTIN W. SCHIFFMILLER KIRSCHSTEIN ISRAEL SCHIFFMILLER & PIERONI, P.C. 425 FIFTH AVENUE ,5TH FLOOR, SUITE 501 NEW YORK, NY 10016-2223 UNITED STATES Primary email: mws@kirschsteinlaw.com Secondary email(s): mws@kirschsteinlaw.com 2126973750		
Docket no.			

**Applicant information**

Application no.	90776390	Publication date	02/01/2022
Opposition filing date	02/03/2022	Opposition period ends	03/03/2022
Applicant	MADURO DISTRIBUTORS INC 3021 82ND LANE NE BLAINE, MN 55449 UNITED STATES		

**Goods/services affected by opposition**

<p>Class 034. First Use: Jun 2021 First Use In Commerce: Jun 2021 All goods and services in the class are opposed, namely: Electric cigarettes; Electric cigars; Electronic cigarette liquid (e-liquid) comprised of propylene glycol; Electronic cigarette liquid (e-liquid) comprised of vegetable glycerin; Electronic cigarette refill cartridges sold empty; Electronic cigarettes; Electronic cigarettes and oral vaporizers for smokers; Electronic cigarettes for use as an alternative to traditional cigarettes; Electronic cigars; Flavorings for tobacco substitutes, other than essential oils; Flavorings for tobacco, other than essential oils; Flavorings, other than essential oils, for tobacco; Flavorings, other than essential oils, for use in electronic cigarettes; Flavoursings, other than essential oils, for tobacco; Flavourings, other than essential oils, for use in electronic cigarettes; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes; Cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes; Cartridges sold filled with propylene glycol for electronic cigarettes; Cartridges sold filled with vegetable glycerin for electronic cigarettes; Chemical flavorings for the preparation of tobacco, namely, cigarette tobacco, chewing tobacco and snuff; Chemical flavorings in liquid form used to refill electronic cigarette cartridges; Electronic cigarette liquid (e-liquid) comprised of flavorings in liquid form, other than essential oils, used to refill electronic cigarette cartridges; Liquid nicotine solu-</p>
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tions for use in electronic cigarettes; Oral vaporizers for smokers; Oral vaporizers for smoking purposes; Smokeless cigar vaporizer pipes; Smokeless cigarette vaporizer pipe; Smokers' oral vaporizer refill cartridges sold empty

## Grounds for opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
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## Marks cited by opposer as basis for opposition

U.S. registration no.	1209160	Application date	11/24/1981
Register	Principal		
Registration date	09/14/1982	Foreign priority date	NONE
Word mark	SMURFS		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: Sep 12, 1981 First Use In Commerce: Sep 12, 1981 Entertainment Services-Namely, a Children's Television Program		

U.S. registration no.	1247655	Application date	11/05/1980
Register	Principal		
Registration date	08/09/1983	Foreign priority date	NONE
Word mark	SMURF		
Design mark			
Description of mark	NONE		
Goods/services	Class 016. First use: First Use: Apr 16, 1980 First Use In Commerce: Apr 16, 1980 Character-Imprinted, Adhesive-Backed Paper and Plastic Stickers, Paper Napkins, and Paper Gift Wrappings		

U.S. registration no.	1262207	Application date	04/22/1980
Register	Principal		
Registration date	12/27/1983	Foreign priority date	NONE
Word mark	SMURF		
Design mark			
Description of mark	NONE		
Goods/services	Class 006. First use: First Use: May 1, 1979 First Use In Commerce: May 1, 1979 [ Key Rings Bearing Figurines ] Class 028. First use: First Use: May 1, 1979 First Use In Commerce: May 1, 1979		

Toy Dolls, Toy Dollhouses, Toy Stuffed Animals and Toy Figurines			
U.S. registration no.	2701891	Application date	08/10/2001
Register	Principal		
Registration date	04/01/2003	Foreign priority date	NONE
Word mark	SMURF		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 009. First use: First Use: None First Use In Commerce: None  [ RADIOS, PORTABLE TAPE RECORDERS, RADIO AND CASSETTE PLAYERS, CD AND CASSETTE RECORDERS, RECORD PLAYERS, VIDEO RECORDERS, VIDEO PLAYERS, PRE-RECORDED AUDIO, VISUAL AND AUDIO-VISUAL MAGNETIC DATA CARRIERS, ] VISUAL AND AUDIO-VISUAL DIGITALDATA CARRIERS AND DVD PROGRAMS, [ VINYLDISCS, AUDIO AND VIDEO COMPACT DISCS, CD-IS, CD-ROMS ALL FEATURING MUSIC, GAMES] CHILDREN'S ANIMATED PROGRAMS, CHILDREN'S ENTERTAINMENT, EDUCATIONAL AND PLAY-EDUCATIONAL PROGRAMS; [ PRE-RECORDED FLOPPY DISKS, COMPUTER SOFTWARE AND DATA, namely, MULTIMEDIA APPLICATIONS FEATURINGCHILDREN'S ENTERTAINMENT USED ON PERSONAL COMPUTERS, VIDEO GAME MACHINE FOR USE-WITH TELEVISIONS, PRIVATE USE AND IN CONNECTION WITH THE WORLD WIDE WEB AND LOCAL NETWORKS; COMPUTER GAME SOFTWARE, SOFTWARE, PROGRAMS AND DATA RECORDED ON VIDEO GAME MACHINES FOR USE WITH TELEVISIONAND PRIVATE USE, AND RECORDED ON VIDEO GAME CARTRIDGES AND DOWNLOADABLE SOFTWARE, SOFTWARE MODULES AND INTERACTIVE MULTIMEDIA SOFTWARE ALL USED FOR PLAYING GAMES AND CONTAINING CHILDREN'S ENTERTAINMENT AND EDUCATION PROGRAMS AND SCREEN SAVERS; VIDEO GAME MACHINES FOR USE WITH TELEVISIONS AND FOR PRIVATE USE, AND FOR USE WITH COMPUTERS THAT CAN BE USED FOR PLAYING GAMES OVER THE WORLDWIDE WEB AND LOCAL NETWORKS, VIDEO GAME CARTRIDGES THEREFORE; MATS FOR COMPUTER MICE ]</p> <p>Class 014. First use: First Use: None First Use In Commerce: None  [ COSTUME JEWELRY AND ] WATCHES FOR CHILDREN [ ; LEARNING WATCHES FOR CHILDREN ]</p> <p>Class 016. First use: First Use: None First Use In Commerce: None  [ ADHESIVE TAPE FOR OFFICE AND HOUSEHOLD PURPOSES; ADHESIVES FOR OFFICE AND HOUSEHOLD PURPOSES; ADVERTISING BOARDS OF CARDBOARD OR PAPER; PHOTOGRAPH ALBUMS, STAMP ALBUMS, STICKER ALBUMS; YEAR BOOKS; WATER COLOUR PAINTING; NAPKINS OF PAPER OR CELLULOSE; NAPKIN PANTS OF PAPER OR CELLULOSE; BABY TISSUES OF PAPER OR CELLULOSE; PAPER BAGS; BAGS OF PAPER OR PLASTIC FOR PACKAGING; BLOTTING PAPER; FOLDERS; BOOK-MARKERS; BOOKS IN THE FIELD OF CHILDREN'S BOOKS, CHILDREN'S EDUCATIONAL BOOKS, COMIC BOOKS AND CARTOONS, COLORING-</p>		

BOOKS, COLLECTOR BOOKS; BOTTLE PACKAGING OF CARDBOARD OR PAPER; BOTTLE WRAPPERS OF CARDBOARD OR PAPER; PEN CASES; PAPER OR CARDBOARD BOXES; CALENDARS; PAINTERS' CANVASSES; CARDBOARD; CARDBOARD ARTICLES, namely, CARDBOARD BINDERS, CHILDREN'S CASES IN CARDBOARD, CARDBOARD TUBES, MERCHANDISE FLOOR DISPLAYS IN CARDBOARD; BOXES FOR STAMPS; CATALOGUES FEATURING TOYS AND GAMES, FIGURINES, BOOKS, COLLECTIONS; LITHOGRAPHS; CHROMOLITHOGRAPHS; OFFICE PAPER CLIPS; TAPES FOR BOOK BINDING; MATS OF PAPER; COMIC STRIPS; TAPES OF PAPER AND CARDS FOR RECORDING COMPUTER PROGRAMS; PAPER FOR PHOTOCOPYING APPARATUS; ENVELOPES; IRON-ON TRANSFERS, PLASTIC TRANSFERS, DRY TRANSFERS; DRAWING IMPLEMENTS; DRAWING MATERIAL, namely, DRAWING TRIANGLES, DRAWING CURVES, DRAWING COMPASSES; DRAWING PAPER PADS; DRAWING] PENS[; DRAWING EQUIPMENT, namely, DRAWING BRUSHES, PAINTING SETS; DRAWING RULERS; DRAWING SQUARES; EMBROIDERY DESIGN PATTERNS; ENGRAVING PLATES; ENGRAVINGS; ERASING PRODUCTS, namely, ERASERS; CORRECTION FLUID, CORRECTION TAPE, CORRECTION PENS; ERASABLE BOARDS; FACE TOWELS OF PAPER; PAPIER-MACHE; FLAGS OF PAPER; PLASTIC FOLDERS; FOLDERS FOR PAPERS; PRINTED FORMS; FOUNTAIN PENS; GLUES FOR OFFICE AND HOUSEHOLD PURPOSES; GRAPHIC IMAGES IN THE NATURE OF PICTURES; GRAPHIC ART REPRODUCTIONS; ADHESIVE PAPER FOR OFFICE PURPOSES; ADHESIVE TAPES FOR HOUSEHOLD AND STATIONERY USE; HANDBOOKS AND MANUALS USED FOR TOYS AND GAMES; HANDKERCHIEFS OF PAPER; HATBOXES OF CARDBOARD; CONTAINERS FOR POSTAGE STAMPS; HYGIENIC PAPER; WRITING INK; INK PEN REFILL CARTRIDGES; ENVELOPES FOR PAPERS; ] PRINTED PAPER LABELS; MAGAZINES AND PERIODICALS IN THE FIELD OF CHILDREN'S AND COLLECTOR'S ENTERTAINMENT, COMIC BOOKS AND CARTOONS; [ DRAWING FOLDERS FOR LETTERS; PAPER BEER MATS; MODELING CLAY; MODELING MATERIALS FOR USE BY CHILDREN; MODELING PASTE; MODELING WAX; ] NEWSLETTERS AND NEWSPAPERS IN THE FIELD OF CHILDREN'S AND COLLECTOR'S ENTERTAINMENT, COMIC BOOKS AND CARTOONS; NOTEBOOKS; [ HOLE PUNCHES; ] PACKAGING MATERIALS, namely, TOY BOXES; [ PRINTING BLOCKS; ] NOTEPADS AND STATIONERY; [ PAINT BOXES; PAINT BRUSHES; PAINTINGS AND PICTURES FRAMED AND UNFRAMED; DRAWING PAPER, COPY PAPER, REPRODUCTION PAPER, PAPER PARTY DECORATION, PAPER TO COVER BOOKS, PAPER TRANSFERS; ] PAPER CLIPS; [ PASTEL CRAYONS; PENCIL BOXES; INK PEN CARTRIDGE HOLDERS; PEN WIPERS; PENCIL HOLDERS; PENCIL SHARPENERS; PENCILS; PEN HOLDERS; PENS; PHOTOGRAPHS; ILLUSTRATIONS; ] PAPER AND CARDBOARD PLACARDS; [ POSTERS OF PAPER OR CARDBOARD; PLACE MATS OF PAPER; PLASTIC FILM FOR PACKAGING; GIFT WRAP PAPER AND TAPE; PORTRAITS; POSTAGE STAMPS; POSTCARDS; POSTERS; ] PRINTED BAGS OF PAPER; PRINTED PUBLICATIONS, namely, MAGAZINES, [ BOOKS, ] COMIC BOOKS IN THE FIELD OF CARTOONS AND COMIC BOOKS; [ PRINTED TIMETABLES; PRINTS; ART REPRODUCTIONS; PAPER TAPE; DRAFTING RULERS; SET DRAWING SQUARES; SCHOOL EQUIPMENT, namely, CHALK BOARDS FOR SCHOOL AND HOME USE, EXERCISE BOOKS, SCHOOL DIARY, BOOKMARK, WAX PENCILS, COLORING PENCILS, SCHOOL FRIEND BOOKS; SCRAPBOOKS; SELF ADHESIVE TAPES FOR HOUSEHOLD AND STATIONERY USE; BOARDS OF PAPER OR CARDBOARD; SONG BOOKS; INKING PADS; HOLDERS FOR RUBBER STAMPS AND SEALS; HOLDERS FOR PENS AND PENCILS; OFFICE REQUISITES AND WRITING MATERIALS, NAMELY, STENCIL BOXES, STENCIL PLATES, CORRESPONDENCE STENCILS, ] CORRESPONDENCE STICKERS; [ TABLE CLOTHS OF PAPER; TABLE LINEN OF PAPER; TABLE NAPKINS OF PAPER; TEAR-OFF CALENDARS; GREETING CARDS, FILE CARDS, PLAYING CARDS, ANNOUNCEMENT

CARDS, POSTCARDS, BUSINESS CARDS, DIPLOMA CARDS, MUSICAL GREETING CARDS, HANGING DOOR CARDS, TRADING CARDS; PRINTED TICKETS; TOILETPAPER; TOWELS OF PAPER; TRACING PAPER; VISCOSE PAPER FOR WRAPPING; DISTEMPERS; PACKAGING, namely, ENVELOPES FOR LETTERS; ENVELOPES FOR BOOKS; PEN CASES; WRITING FOLDERS; WRITING PAPER AND ENVELOPES; WRITING INSTRUMENTS; WRITING REQUISITES, namely, ERASERS, CORRECTING FILM AND FLUID FOR TYPE, BLOTTING PAPER AND BLOTTERS; WRITING AND DRAWING BOOKS; WRITING BOOKLETS; WRITING PAPER; TALKING CHILDREN'S BOOKS ]

Class 020. First use: First Use: None First Use In Commerce: None

NON-METAL KEY RINGS; PLASTIC KEY RINGS; FIGURINES AND SCULPTURES IN PLASTIC, RESIN AND PLASTER; PLASTIC MONEY BOXES; PLASTIC CAKE DECORATIONS

Class 024. First use: First Use: None First Use In Commerce: None

[ HANDKERCHIEFS, BED LINEN, BATH TOWELS, WASHING MITTS, TOWELS, COTTON AND SYNTHETIC FABRIC BY THE METRE, UPHOLSTERY FABRICS; COARSELY-WOVEN, UNBLEACHED LINEN ]

Class 025. First use: First Use: None First Use In Commerce: None

[ CLOTHING FOR BABIES, namely, BOOTIES, BIBS, LEGGINGS, INFANT CLOTH DIAPERS; HEADGEAR, namely, HATS AND CAPS; CAPS, SCARVES, NECKERCHIEFS, SCARVES FOR MEN; GLOVES AND MITTENS; BELTS; ] SOCKS AND STOCKINGS; [ HEADBANDS; ] LEISURE CLOTHING, namely, UNDERWEAR, NIGHTWEAR, [ OVERCOATS, ANORAKS, ] T-SHIRTS, [ PANTS, LEOTARDS, ] SHORTS, SWEATERS, [ PULLOVERS, TROUSERS, JEANS, SHIRTS, BLOUSES; BASEBALL CAPS, SUN VISORS; SHOES, SPORTS SHOES, SLIPPERS, BOOTS; TIES, BOW TIES; SPORT CLOTHING, namely, SWIMMING SUIT, JOGGING SUIT, SWEAT PANTS, SWEAT SHORTS, TRACKSUIT; HALLOWEEN COSTUMES AND MASKS SOLD THEREWITH ]

Class 028. First use: First Use: None First Use In Commerce: None

[ STAND ALONE VIDEO GAME MACHINES FOR USE ON FAIR GROUNDS; PINBALL MACHINES; BATH TOYS AND GAMES; INDOOR AND OUTDOOR GAMES, namely, GAME OF DICE, BOARD GAMES AND OUTDOOR ACTIVITIES GAMES IN THE NATURE OF ROLLER SKATES, SKATE BOARDS, RIDE ON TOYS, namely, TOY CYCLES, TOY GARDENING SETS, TOY HANDYMAN SETS AND PARTY GAMES FOR CHILDREN; CARDBOARD GAMES, namely, CARD GAMES; EDUCATIONAL GAMES IN THE NATURE OF HAND-HELD ELECTRONIC GAME UNITS; PUZZLES; JIGSAW PUZZLES; GAMES OF SKILL, WOODEN GAMES, namely, PADDLE BALL GAMES, YOYOS; DOMINOES; CONSTRUCTION TOYS; BATTERY-OPERATED AND WIND-UP TOY, ] MUSICAL AND SPEAKING DOLLS AND SOFT TOYS AND ACCESSORIES SOLD THEREWITH; [ PUPPETS; ] CAST TOY VEHICLES AND ACCESSORIES; MINIATURE TOY SETS OF CARTOON CHARACTERS; [ TARGETS AND DARTS; TENNIS RACKETS FOR CHILDREN AND TENNIS BALLS; PVC BALLS, LEATHER BALLS, METALLISED INFLATABLE HELIUM BALLOONS, LATEX BALLOONS, PUNCHBALLS; SWIMMING AIDS FOR CHILDREN, namely, POOL RINGS, ARM FLOATS FOR RECREATIONAL USE; INFLATABLE BEACH ARTICLES, namely, INFLATABLE BOAT, INFLATABLE BALLOONS, INFLATABLE SWIMMING POOL, INFLATABLE MATTRESSES FOR RECREATIONAL USE, INFLATABLE TOYS; CHILDREN'S PLAY CARNIVAL COSMETICS; PARTY FAVOR NOVELTIES IN THE NATURE OF SMALL TOYS; TOYS, ] GAMES AND ACCESSORIES FOR BABIES AND PRE-SCHOOL CHILDREN, namely, PLUSH TOYS, [ RATTLES, ] TOY ACTION FIGURES, MUSICAL TOYS [ ; TOY CANDY DISPENSERS ]

Class 030. First use: First Use: None First Use In Commerce: None

[ CHEWING GUM; SWEETS, namely, CHOCOLATE TRUFFLES, CANDY

	<p>STICKS, CANDY BEARS, FRUIT GUMS, FRUIT PASTILLES; LOLLIPOPS; BUBBLE GUM; CONFECTIONS, namely, WAFER ROLLS, ICE CREAM, ICE LOLLIES, WATER LOLLIES, FROZEN CONFECTIONS; MARSHMALLOWS; CANDY, namely, JELLY SWEETS; DRY BISCUITS; BISCUITS FILLED WITH CHOCOLATE OR WITH FRUIT; BISCUITS; CHOCOLATE; CHOCOLATE BARS; FRUIT TARTS; CAKES; SWEET BREAD ROLLS; PUDDINGS, RICE PUDDINGS, CUSTARDS, CHOCOLATE MOUSSES, CHOCOLATE AND SWEET DRESSINGS; CHOCOLATE EASTER EGGS, CHOCOLATE CON-FETTI; EDIBLE CAKE DECORATIONS ]</p> <p>Class 038. First use: First Use: None First Use In Commerce: None [ BROADCASTING OF RADIO AND TELEVISION PROGRAMS; TRANSMIS-SION OF SOUND AND IMAGES VIA SATELLITE AND VIA THE INTERNET; TELEVISION BROADCASTING ]</p> <p>Class 041. First use: First Use: None First Use In Commerce: None [ PROVIDING ONLINE COMPUTER GAMES; THEATRICAL PRODUCTIONS; MUSICAL PERFORMANCES; ARRANGING OF SPORTING EVENTS; RADIO AND] TELEVISION ENTERTAINMENT IN THE NATURE OF ONGOING CHIL-DREN'S ANIMATED PROGRAMS; [ PRODUCTION AND RENTAL OF FILMS AND CARTOONS; LIBRARY SERVICES, namely, LENDING BOOKS, COMICS AND MAGAZINES; PUBLICATION OF BOOKS, COMICS AND MAGAZINES; AMUSEMENT PARKS ]</p>
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U.S. registration no.	4097600	Application date	09/02/2010
Register	Principal		
Registration date	02/14/2012	Foreign priority date	NONE
Word mark	THE SMURFS		
Design mark	<b>THE SMURFS</b>		
Description of mark	NONE		
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None [ Bleaching preparations and laundry detergents for laundry use; cleaning, polishing, scouring and abrasive preparations; ] soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices</p> <p>Class 009. First use: First Use: None First Use In Commerce: None [ Nautical apparatus and instruments, namely, magnetic compasses; surveying instruments; photographic apparatus and instruments, namely, cameras; cinematographic cameras and exposed cinematographic film; ] optical apparatus and instruments, namely, optical frames, optical glasses and optical lenses; [ weighing apparatus and instruments, namely, weighing scales; measuring apparatus and instruments, namely, measuring cups; signaling apparatus and instruments, namely, signal bells, signal whistles and call bells; checking apparatus and instruments, namely, computers; ] life-saving apparatus and instruments, namely, swim floats for safety purposes, inflatable flotation devices, and flotation vests; and teaching apparatus and instruments, namely, children's educational software; [ apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; ] pre-recorded magnetic data carriers featuring animated cartoons, pre-recorded recording discs featuring animated cartoons; pre-recorded audio, visual, and audiovisual magnetic and digital data carriers featuring music and animation and electronic game programs [, automatic vending machines and mechanisms for coin-operated apparatus;</p>		

cash registers, calculating machines, data processing equipment and computers; fire extinguishing apparatus ]

Class 014. First use: First Use: None First Use In Commerce: None

Precious metals and their alloys and goods made of precious metals or coated therewith, namely, figurines, key rings, coins and medals; jewelry, precious stones; horological and chronometric instruments

Class 016. First use: First Use: None First Use In Commerce: None

Paper, cardboard and goods made from these materials, namely, posters, paper flags, advertising boards of cardboard or paper, paper napkins, paper decorative garland for parties, paper party bags, paper party decorations; paper party favors; party goodie bags of paper or plastic; party ornaments of paper, gift wrap made of paper, paper gift wrap bows, gift boxes, tissue paper, paper table cloths, paper placemats, toilet tissue, boxes, cartons, storage containers and packaging containers made of paper or cardboard, hatboxes of paper or cardboard; printed matter, namely, greeting cards, invitations, announcement cards, thank you notes, postcards, printed tickets, stickers and transfers, coloring books, embroidery design patterns printed on paper, illustrations, portraits, photograph albums, stamp albums, sticker albums, drawing paper, drawing pads, paper mache, watercolor boards, watercolor pictures, arts and craft paint kits, paint boxes and brushes, canvas for painting, easels, modeling clay, modeling compounds, modeling paste, print engravings, prints in the nature of photographs, lithographs and pictures, facial tissue, books in the field of children's books, comics, cartoon strips, catalogs in the field of toys and games, magazines, periodicals and newsletters in the field of children's and collectors' entertainment, comic books and cartoons; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' pastels; artists' brushes; [ typewriters and office requisites except furniture, namely, staplers; ] paper packaging envelopes, plastic packaging envelopes, blank journal books, diaries, notepads, rubber stamps, inking pads, paper labels, paper clips, paper clip holders, telephone and address books, [ file folders file boxes for storage of magazines, ] bookmarkers, writing paper, paper stationery, pens, pencils, markers, crayons, erasers, pencil sharpeners, crayon sharpeners, pencil cases, drawing rulers, binders, glue for stationery or household use, [ correction fluid for documents, ] chalk, chalkboards, chalk erasers, dry erase writing boards and writing surfaces; printed instructional and teaching material, namely, teaching tiles and flash cards; [ plastic materials for packaging, namely, plastic bubble packs and plastic bags for packaging; printing type; printing blocks]

Class 018. First use: First Use: None First Use In Commerce: None

Leather and imitation leather, goods made of these materials, namely, leather bags, school bags, handbags, messenger bags, duffle bags, tote bags, sport bags, reusable shopping bags, diaper bags, cosmetic bags sold empty, coin purses, wallets, pouches of leather, pouches of textile, luggage, luggage tags, key cases, backpacks with rolling wheels, sling bags and sling bags for carrying infants; [ animal skins; trunks and suitcases; ] umbrellas, parasols and walking sticks [ ; whips and saddlery ]

Class 021. First use: First Use: None First Use In Commerce: None

Household or kitchen utensils, namely, spatulas, graters, sieves, strainers, turners, skimmers, kitchen tongs, bottle openers, jar openers; containers for household use, waste baskets, toilet paper holders, toilet paper dispensers, shower caddies, wire baskets, napkin holders, napkin rings, soap dispensers, lotion containers sold empty for domestic use, dispensers for facial tissues, ice cube molds, cup cake molds, lunch boxes, sandwich boxes, plastic coasters, disposable dinnerware, namely, plates, bowls and serving trays, disposable serving spoons, paper and plastic cups; sport bottles sold empty; flasks, thermal insulated bags for food or beverages, thermal insulated containers for food or beverages, toothbrushes electric and non-electric, toothbrush holders, toothbrush cases, combs, sponges for household purposes; [ Cleaning brushes for house-

hold use; brush-making materials; cleaning equipment, namely, mops, brooms, scrubbing brushes, toiletbrushes, gardening gloves; steel wool; unworked or semi-worked glass except building glass; ] sculptures of glass, porcelain and earthenware; products made of glassware, porcelain and earthenware not included in other classes, namely, babybath tubs, cookie jars, glass jars, bottles sold empty, flower pots, vases, bottle gourds, plates, dishes, bowls, cups, mugs, drinking glasses, drinking glasses, namely, tumblers

Class 024. First use: First Use: None First Use In Commerce: None

Textiles and textile goods, namely, curtains, drapes, wall hangings of textile, bed linen, bed sheets, bed blankets, blanket throws, throws, bed covers, mattress covers, bedspreads, comforters, quilts, dust-ruffles, bed canopies, pillow cases, pillow shams, towels, wash cloths, washing mitts, handkerchiefs, beach blankets, fabrics for textile use; tablecloths of textiles, table linen, textile place mats, textile table napkins, textile coasters, fabric table runners, fabric table top-pers

Class 025. First use: First Use: None First Use In Commerce: None

Clothing, namely, blouses, shirts, pants, skirts, dresses, socks, stockings, sleepwear, loungewear, underwear, swimwear, beachwear, scarves, gloves, mittens, sweaters and jackets; footwear; headgear, namely, hats and caps; costumes for use in children's dress up play; Halloween costumes and masks sold in connection therewith

Class 028. First use: First Use: None First Use In Commerce: None

Games and toys, namely, dolls and accessories therefor, soft sculpture toys, toy action figures and accessories therefor; stuffed and plush toys, puppets, modeled plastic toy figurines, children's multiple activity toys, playsets for dolls, toy construction sets, musical toys, toy vehicles, rideable toy vehicles, toy model vehicles and related accessories sold as units, toy vehicles with transforming parts, stand alone video game machines, hand held units for playing video games other than those adapted for use with an external display screen or monitor, inflatable toys, kites, radio controlled toy vehicles, remote control toys, namely, cars, airplanes, boats, personal jet boats and water scooters; skateboards, skateboard decks, roller skates, toy gardening sets, toy handyman sets, swim floats for recreational use, inflatable float mattresses for recreational use, beach balls, play swimming pools, inflatable pools for recreational use, swimming aids, namely, pool rings, pool noodles and arm floats for recreational use, toy boats, swings, balloons, water toys, party favors in the nature of small toys, bath toys, bendable toys, crib toys, infant toys, educational toys for teaching math principles to children, namely, manipulative blocks for displaying patterns and groupings, electronic educational game machines for children, toy robots, arcade games, costume masks, doll costumes, balls for games, balls for sports, splash balls, bags specially adapted for sports equipment, inflatable bop bags, floating recreational lounge chairs, hockey sticks, hockey pucks, golf balls, golf clubs, targets, target games, electronic targets for games and sports, darts, dart boards, electronic dart games, tennis balls, tennis nets, tennis rackets, table tennis balls, table tennis nets and table tennis paddles, toy hoop sets, basketball hoops, basketballs, baseball bases, baseball bats, baseball batting tees, baseball gloves, baseball mitts and baseballs, paddle balls, paddles for use in paddle ball games, bowling balls, bowling ball covers, bowling pins, action skill games, board games, card games, trading card games, party games, jigsaw and manipulative puzzles, puzzles, toy candy dispensers; gymnastic apparatus; decorations for Christmas trees

Class 029. First use: First Use: None First Use In Commerce: None

[ Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and dairy products excluding ice cream, ice milk and frozen yogurt; edible oils and fats ]

Class 030. First use: First Use: None First Use In Commerce: None

[ Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flours and] pre-



	<p>parations made from cereals, namely, breakfast cereals, cereal based snack-food; bread; pastry; confectionery, namely, candy; ices; honey, [ treacle; yeast, baking-powder; salt, mustard; vinegar, ] sauces as condiments; [ spices; ] ice for refreshment</p> <p>Class 032. First use: First Use: None First Use In Commerce: None Beer; mineral and aerated waters and non-alcoholic beverages, namely, soft drinks, fruit flavored soft drinks, energy drinks and sport drinks; fruit drinks and fruit juices; frozen fruit drinks; syrups for making beverages</p> <p>Class 041. First use: First Use: None First Use In Commerce: None [ Education services in the nature of early childhood instruction; ] training, namely, providing brain training games on-line and in mobile wireless form; entertainment services in the nature of on-going television programs in the field of children's entertainment; entertainment services, namely, presentation of live show performances; Organizing community sporting and cultural events</p>
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U.S. registration no.	4085903	Application date	01/21/2011
Register	Principal		
Registration date	01/17/2012	Foreign priority date	07/21/2010
Word mark	THE SMURFS		
Design mark	<b>THE SMURFS</b>		
Description of mark	NONE		
Goods/services	<p>Class 035. First use: First Use: None First Use In Commerce: None Advertising and promotional services in connection with a range of goods and services via all communications means as well as via the Internet; compilation of advertisements and promotional material on all kinds of information sources and data media for use at points of sale and for use on all telecommunication means, including websites; promotional services, namely, sales promotion and public relations services on a range of goods and services via all communications means as well as via the Internet; dissemination of advertising material in the form of advertisements, prospectuses, promotional deals, gifts and samples; demonstration of goods; dissemination of advertising matter being leaflets, prospectuses, printed matter, samples; business marketing services for a range of goods and services via all communications means as well as via the Internet; [ market studies, market research, marketing analysis; analysis of customer reaction to advertising; business management; business administration; office functions; business assistance and consulting in connection with the set-up and management of retail sales; bringing together for the benefit of others of a range of goods enabling customers to conveniently view and purchase those goods in the fields of bleaching preparations and laundry detergents for laundry use, cleaning, polishing, scouring and abrasive preparations, ] soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, [ nautical apparatus and instruments, namely, magnetic compasses, surveying instruments, photographic apparatus and instruments, namely, cameras, cinematographic cameras and cinematographic film, ] optical apparatus and instruments, namely, optical frames, optical glasses and optical lenses, [ weighing apparatus and instruments, namely, weighing scales, measuring apparatus and instruments, namely, measuring cups, signaling apparatus and instruments, namely, signal bells, signal whistles and call bells, checking apparatus and instruments, namely, computers, life-saving apparatus and instruments, namely, swim floats for safety purposes, inflatable flotation devices, and flotation vests, and teaching apparatus and instruments, namely, children's educational software, apparatus and instruments</p>		

for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, ] pre-recorded magnetic data carriers featuring animated cartoons, pre-recorded recording discs featuring animated cartoons, pre-recorded audio, visual, and audiovisual magnetic and digital data carriers featuring music and animation and electronic game programs, [ automatic vending machines and mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire extinguishing apparatus,] figurines, key rings, coins, medals, jewelry, precious stones, horological and chronometric instruments, posters, paper flags, advertising boards of cardboard or paper, paper napkins, paper decorative garland for parties, paper party bags, paper party decorations, paper party favors, party goodie bags of paper or plastic, party ornaments of paper, gift wrap made of paper, paper gift wrap bows, gift boxes, tissue paper, paper table cloths, paper placemats, toilet tissue, boxes, cartons, storage containers and packaging containers made of paper or cardboard, hatboxes of paper or cardboard, greeting cards, invitations, announcement cards, thank you notes, postcards, printed tickets, stickers and transfers, coloring books, embroidery design patterns printed on paper, illustrations, portraits, photograph albums, stamp albums, sticker albums, drawing paper, drawing pads, paper mache, watercolor paints, watercolor boards, watercolor pictures, arts and craft paint kits, paint boxes and brushes, canvas for painting, easels, modeling clay, modeling compounds, modeling paste, print engravings, prints in the nature of photographs, lithographs and pictures, facial tissue, books in the field of children's books, comics, cartoon strips, catalogs in the field of toys and games, magazines, periodicals and newsletters in the field of children's and collectors' entertainment, comic books and cartoons, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' pastels, artists' brushes, [ typewriters and office requisites except furniture, namely, staplers,] packaging envelopes, blank journal books, diaries, notepads, rubber-stamps, inking pads, paper labels, paper clips, paper clip holders, telephone and address books, [ file folders file boxes for storage of magazines, ] bookmarks, writing paper, paper stationery, pens, pencils, markers, crayons, erasers, pencil sharpeners, crayon sharpeners, pencil cases, drawing rulers, binders, glue for stationery or household use, correction fluid for documents, chalk, chalkboards, chalk erasers, dry erase writing boards and writing surfaces, teaching tiles and flash cards, [ plastic bubble packs and plastic bags for packaging, printing type, printing blocks, ] leather bags, school bags, handbags, messenger bags, duffle bags, tote bags, sport bags, reusable shopping bags, diaper bags, cosmetic bags sold empty, coin purses, wallets, pouches of leather, pouches of textile, luggage, luggage tags, key cases, backpacks with rolling wheels, sling bags and sling bags for carrying infants, [ animal skins, trunks and suitcases, ] umbrellas, parasols and walking sticks, [ whips and saddlery, ] household and kitchen utensils, containers for household use, waste baskets, toilet paper holders, toilet paper dispensers, shower caddies, wire baskets, napkin holders, napkin rings, soap dispensers, lotion containers sold empty for domestic use, dispensers for facial tissues, ice cube molds, cup cake molds, lunch boxes, sandwich boxes, plastic coasters, disposable dinnerware, namely, plates, bowls and serving trays, disposable serving spoons, paper and plastic cups, sport bottles sold empty, flasks, thermal insulated bags for food or beverages, thermal insulated containers for food or beverages, toothbrushes electric and non-electric, toothbrush holders, toothbrush cases, combs, sponges for household purposes, [ Cleaning brushes for household use, brush-making materials, cleaning equipment, namely, mops, brooms, scrubbing brushes, toilet brushes, gardening gloves, steel wool, unworked or semi-worked glass except building glass, ] baby bath tubs, cookie jars, glass jars, bottles sold empty, flower pots, vases, bottle gourds, plates, dishes, bowls, cups, mugs, drinking glasses, tumblers, textiles and textile goods, fabrics for textile use, clothing, footwear, headgear, games and toys, gymnastic apparatus and sporting articles, decorations for Christmas trees, [ meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and dairy

	products excluding ice cream, ice milk and frozen yogurt, edible oils and fats, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flours ] and preparations made from cereals, namely, breakfast cereals, cereal based snack food, bread, pastry, confectionery, namely, candy, ices, honey, [ treacle, yeast, baking-powder, salt, mustard, vinegar, ] sauces as condiments, spices, ice for refreshment, beer, mineral and aerated waters and non-alcoholic beverages, namely, soft drinks, fruit flavored soft drinks, energy drinks and sport drinks, fruit drinks and fruit juices, frozen fruit drinks, syrups for making beverages [ ; information and consulting services in connection with all the aforementioned services ]
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U.S. registration no.	4531255	Application date	02/11/2013
Register	Principal		
Registration date	05/20/2014	Foreign priority date	NONE
Word mark	THE SMURFS		
Design mark	<b>THE SMURFS</b>		
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: None First Use In Commerce: None Antiseptic cotton; antiseptics; balms for medical use; bandages for dressings; adhesive tapes for medical purposes; cachets for pharmaceutical use; cachou for pharmaceutical use; candy sugar for medical use; chewing gum for medical use; medicated compresses; candy for pharmaceutical use; cotton for medical use; dentalamalgams; babies' diaper-pants; dietetic tea for babies and children for medical use; dietetic milk preparations for babies for medical use, dietetic meals for medical purposes for babies and children, anti-allergic food and beverages for babies and children for medical use; digestives for pharmaceutical use; disinfectants for sanitary use; eye patches for medical use; filled first-aid boxes; food for babies; lacteal flour for babies; lotions for pharmaceutical use; tissues impregnated with pharmaceutical lotions; malted milk beverages for medical use; medicinal drinks; medicines for humans, namely, food supplements for children, vitamins for children, mineral supplements for children, syrups for the treatment of cough, stomach ache, fever and pains in general, nose drops, lozenges for the treatment of throat pain; milk of almonds for pharmaceutical use; lactose for pharmaceutical use; mineral food supplements; mint for pharmaceutical use; diapers for babies; medical plasters, plasters for medical purposes and sticking plasters for medical use; pollen dietary supplements; pomades for medical use; propolis dietary supplements; protein dietary supplements; royal jelly dietary supplements; sarsaparilla for medical use; pharmaceutical preparations for skin care; solutions for contact lenses; sugar for medical use; medicated sunburn ointments; sunburn products for pharmaceutical use; suppositories; vitamin preparations; wheat germ dietary supplements; yeast dietary supplements		

U.S. registration no.	6307668	Application date	08/13/2020
Register	Principal		
Registration date	03/30/2021	Foreign priority date	NONE
Word mark	THE SMURFS		

Design mark	<h1 style="text-align: center;">THE SMURFS</h1>
Description of mark	NONE
Goods/services	Class 029. First use: First Use: None First Use In Commerce: None Milk; Jellies, jams, compotes; Milk products excluding ice cream, ice milk and frozen yogurt

Attachments	76297866#TMSN.png( bytes ) 79087102#TMSN.png( bytes ) 79095500#TMSN.png( bytes ) 79127527#TMSN.png( bytes ) 90112334#TMSN.png( bytes ) BLUE SMURF Opposition.pdf(2538603 bytes )
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Signature	/Martin W. Schiffmiller/
Name	Martin W. Schiffmiller
Date	02/03/2022

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

In the Matter of Application Serial No. 90-776,390  
filed June 16, 2021 for the mark BLUE SMURF  
Published in the Official Gazette of February 1, 2022

-----X	:	
STUDIO PEYO S.A.,	:	
Opposer,	:	
v.	:	Opposition No.
MADURO DISTRIBUTORS INC.,	:	
Applicant.	:	
-----X	:	

NOTICE OF OPPOSITION

Studio Peyo S.A., a joint stock company organized and existing under the laws of Switzerland, located and doing business at Chemin Frank-Thomas 36, Geneva CH1208, Switzerland (“Opposer”), believes that it will be damaged by registration of the mark shown in the above-mentioned Application Serial No. 90-776,390 and hereby opposes the same.

As grounds of opposition, it is alleged that:

1. The whimsical and distinctive SMURFS cartoon characters were created by Opposer’s founder, Pierre Culliford (known by his pseudonym “Peyo”) in 1958. The SMURFS have expanded over the past six decades into a worldwide franchise featuring SMURFS characters, including in cartoons, films, TV series, live ice shows, video games, theme parks and many categories of children’s products based on the SMURFS. Attached hereto as Exhibit A is a Wikipedia article pertaining to the

SMURFS, which outlines the history and scope of the SMURFS franchise and its wide-reaching international activities and recognition.

2. The SMURFS characters and the trademark SMURFS are very well-known in the United States, where the SMURFS have appeared in comics, films, cartoons and live performances. They are also the subject of many categories of products sold in the U.S. by Opposer or its licensees.

3. The trademark SMURFS is integral to Opposer's worldwide franchise and represents Opposer's famous characters and the products and services featuring those characters to the public in the United States. The mark SMURFS has achieved the status of a famous trademark, has been the subject of large amounts of press coverage and comment in the United States and has been widely featured in children's entertainment media.

4. Apart from its long-established rights in the trademark SMURFS acquired through use, advertising, promotion of this mark in the United States, Opposer has also secured the following U.S. trademark registrations for SMURFS or THE SMURFS (the "SMURFS Trademarks"):

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Dt.</u>	<u>Int. Classes</u>
SMURFS	1,209,160	09/14/1982	41
SMURF	1,247,655	08/09/1983	16
SMURF	1,262,207	12/27/1983	28
SMURF	2,701,891	04/01/2003	9, 14, 16, 20, 25, 28 & 41
THE SMURFS	4,097,600	01/14/2012	3, 9, 14, 16, 18, 21, 24, 25, 28, 30, 32 and 41
THE SMURFS	4,085,903	01/17/2012	35
THE SMURFS	4,531,255	05/20/2014	5
THE SMURFS	6,307,668	03/30/2021	29

Copies of the certificates of the above registrations, all of which are active and owned by Opposer, are attached hereto as Exhibit B.

5. Opposer's SMURFS Trademarks identify a single source of the goods and services to which that mark has been applied, that source being Opposer, either directly or through its licensees whose use of the SMURFS Trademarks inures to Opposer's benefit.

6. Published Application Serial No. 90-776,390 for the mark BLUE SMURF was filed by Applicant on June 16, 2021. Said application pertains to the following goods in Class 34:

Electric cigarettes; Electric cigars; Electronic cigarette liquid (e-liquid) comprised of propylene glycol; Electronic cigarette liquid (e-liquid) comprised of vegetable glycerin; Electronic cigarette refill cartridges sold empty; Electronic cigarettes; Electronic cigarettes and oral vaporizers for smokers; Electronic cigarettes for use as an alternative to traditional cigarettes; Electronic cigars; Flavorings for tobacco substitutes, other than essential oils; Flavorings for tobacco, other than essential oils; Flavorings, other than essential oils, for tobacco; Flavorings, other than essential oils, for use in electronic cigarettes; Flavourings, other than essential oils, for tobacco; Flavourings, other than essential oils, for use in electronic cigarettes; Cartomizers, namely, combination electronic cigarette refill cartridges sold empty and atomizers, sold as a component of electronic cigarettes; Cartridges sold filled with chemical flavorings in liquid form for electronic cigarettes; Cartridges sold filled with propylene glycol for electronic cigarettes; Cartridges sold filled with vegetable glycerin for electronic cigarettes; Chemical flavorings for the preparation of tobacco, namely, cigarette tobacco, chewing tobacco and snuff; Chemical flavorings in liquid form used to refill electronic cigarette cartridges; Electronic cigarette liquid (e-liquid) comprised of flavorings in liquid form, other than essential oils, used to refill electronic cigarette cartridges; Liquid nicotine solutions for use in electronic cigarettes; Oral vaporizers for smokers; Oral vaporizers for smoking purposes; Smokeless cigar vaporizer pipes; Smokeless cigarette vaporizer pipe; Smokers' oral vaporizer refill cartridges sold empty

7. Applicant's goods bearing the mark BLUE SMURF are likely to be offered for sale and sold to many of the same U.S. as Opposer's goods and services bearing the SMURFS Trademarks

8. Applicant's mark BLUE SMURF is confusingly similar to Opposer's famous SMURFS Trademarks. It is likely that when Applicant's said mark is applied to its goods, confusion or mistake among purchasers and potential purchasers will be caused, and such persons will be deceived into believing that Applicant's goods emanate from Opposer or are in some way licensed by or associated with Opposer and/or its products and services sold under the SMURFS Trademarks.

9. Because of the confusion, mistake or deception which is likely to result from the concurrent use and/or registration by Opposer and Applicant of their respective trademarks in connection with Opposer's goods and Applicant's goods and services, Opposer's business and reputation and its rights in the SMURFS Trademarks will be impaired by registration of Applicant's mark BLUE SMURF.

10. Indeed, because of the nature of the goods sold by Applicant under its trademark BLUE SMURF, as identified in the application opposed herein, the registration of Applicant's mark for those goods would cause particular damage to the reputation of Opposer and its famous SMURFS Trademarks and potentially cause great and permanent injury to Opposer's business and good will which are inextricably bound up with the SMURFS Trademarks. Opposer's target audience and intended customers for its goods and services are primarily children and their parents. Therefore, Opposer's goods and services are child appropriate, wholesome and family-oriented in nature so as to nurture the widest possible acceptance among the public. In the likely event that members of the public who become aware of Applicant's BLUE SMURF electronic cigarettes, cigar, vaping and related products associate those products with Opposer and its famous SMURFS Trademarks, the effects on Opposer's business could be devastating.



11. Moreover, the registration and use by Applicant of its trademark BLUE SMURF is calculated to dilute the distinctive nature of Opposer's famous SMURFS Trademarks and to tarnish the reputation of those trademarks inasmuch as the goods to which Applicant applied its BLUE SMURF are completely outside of Opposer's control as to their nature and quality.

WHEREFORE, Opposer demands judgment sustaining this opposition and adjudging that Applicant is not entitled to the registration of the trademark BLUE SMURF for which it has made Application Serial No. 90-776,390.

Respectfully submitted,

KIRSCHSTEIN, ISRAEL,  
SCHIFFMILLER & PIERONI, P.C.  
*Attorneys for Opposer*  
425 Fifth Avenue, 5<sup>th</sup> Floor, Suite 501  
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(212) 697-3750

By /Martin W. Schiffmiller/  
Martin W. Schiffmiller

Dated: New York, New York  
February 3, 2022

# EXHIBIT A

# The Smurfs

***The Smurfs*** (French: *Les Schtroumpfs*; Dutch: *De Smurfen*) is a Belgian comic franchise centered on a fictional colony of small, blue, humanoid creatures who live in mushroom-shaped houses in the forest. *The Smurfs* was first created and introduced as a series of comic characters by the Belgian comics artist Peyo (the pen name of Pierre Culliford) in 1958, wherein they were known as *Les Schtroumpfs*. There are more than 100 Smurf characters, and their names are based on adjectives that emphasise their characteristics, such as "Jokey Smurf", who likes to play practical jokes on his fellow smurfs. "Smurfette" was the first female Smurf to be introduced in the series. The Smurfs wear Phrygian caps, which came to represent freedom during the modern era.

The word "smurf" is the original Dutch translation of the French "schtroumpf", which, according to Peyo, is a word he invented during a meal with fellow cartoonist André Franquin when he could not remember the word *salt*.<sup>[1][2][3]</sup>

*The Smurfs* franchise began as a comic and expanded into advertising, films, TV series, ice capades, video games, theme parks, and dolls.

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### Origin

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Smurf economy

Characters

### Smurf comics

### Other media

Motion pictures

Television series

DVD releases

## The Smurfs



**Created by** Peyo

**Original work** "The Flute with Six Holes" (French: "La Flûte à six trous") (1958) in comic *Johan and Peewit*

### Print publications

**Comics** *The Smurfs* comics

### Films and television

**Film(s)** *The Smurfs* in film

### Animated series

- *The Smurfs* (1981–1989)
- *Hanna-Barbera's 50th: A Yabba Dabba Doo Celebration* (1989)
- *Cartoon All-Stars to the Rescue* (1990)
- *The Smurfs* (2021)

### Games

**Video game(s)** List of *The Smurfs* video games

### Audio

**Original music** *The Smurfs* music

### Miscellaneous

**Merchandise** *The Smurfs* merchandising

- Crossovers
- Merchandising
- Music recordings
- Smurfs on Ice
- Smurfs in theme parks
- Video games
  - Game titles
- UNICEF
- Coins

**Sociological discussion**

**References**

**External links**

## Origin

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At the time he came up with the idea for the Smurfs, Peyo was the creator, artist, and writer of the Franco-Belgian comics series titled *Johan et Pirlouit* (translated to English as *Johan and Peewit*), set in Europe during the Middle Ages and including elements of sword-and-sorcery. Johan serves as a brave young page to the king, and Pirlouit (pronounced Peer-loo-ee) functions as his faithful, if boastful and cheating, midget sidekick. In 1958, *Spirou* magazine started to publish the *Johan et Pirlouit* story *La Flûte à six trous* ("The Flute with Six Holes").<sup>[4]</sup> The adventure involved them recovering a magic flute, which required some sorcery by the wizard Homnibus. In this manner, they met a tiny, blue-skinned humanoid in white clothing called a "Schtroumpf", followed by his numerous peers who looked just like him, with an elderly leader who wore red clothing and had a white beard. Their first full appearance was published in *Spirou* on October 23, 1958.<sup>[5]</sup> The characters proved to be a huge success, and the first independent Smurf stories appeared in *Spirou* in 1959, together with the first merchandising. The Smurfs shared more adventures with Johan and Pirlouit, got their own series and all subsequent publications of the original story were retitled *La Flûte à six Schtroumpfs* (also the title of the movie version of the story).

With the commercial success of the Smurfs came the merchandising empire of Smurf miniatures, models, games, and toys. Entire collecting clubs have devoted themselves to collecting PVC Smurfs and Smurf merchandise.

## Name

*Schtroumpf* is pronounced like the German word "*Strumpf*" meaning "sock". However, according to Peyo, the original author of the Smurfs comic strip, the term and the accompanying language of the Smurfs came during a meal he had with his colleague and friend André Franquin at the Belgian Coast. Having momentarily forgotten the word "salt", Peyo asked him (in French) to pass the *schtroumpf*. Franquin jokingly replied, "Here's the *Schtroumpf*—when you are done *schtroumpfing*, *schtroumpf* it back..." and the two spent the rest of that weekend speaking in "*schtroumpf* language".<sup>[1][3]</sup> The name was later translated into Dutch as Smurf, which was adopted in English.<sup>[2]</sup>

Both the comics and cartoons have been translated in many languages. In most cases, the original name "Schtroumpf" is replaced by a new term. The most common are variations on the Dutch translation "Smurf", while other names are indicative of their gnome-like appearance.

In Spanish, they are called "Pitufos", a term invented by Miguel Agustí who was the head of the Spanish magazine *Strong* which first published the cartoon in Spanish. According to Agustí, he was walking around Barcelona while trying to come up a name for the cartoon. He came across a sculpture of the Ox of Patufet and was inspired by the word Patufet. From Patufet he derived the non-existent word Pitufo. The name later spread to most Spanish-language versions of the cartoon. <sup>[6]</sup>

## Smurfs universe

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### Smurfs

The storylines tend to be simple tales of bold adventure. The cast has a simple structure as well: almost all the characters look essentially alike—mostly male (a few female Smurfs have appeared: Smurfette, Sassette, and Nanny Smurf), short ("three apples high"),<sup>[7]</sup> with blue skin, white trousers with a hole for their short tails, white hat in the style of a Phrygian cap, and sometimes some additional accessory that identifies a personality (for example, "Handy Smurf" wears overalls instead of the standard trousers, a brimmed hat, and a pencil above his ear). Smurfs can walk and run, but often move by skipping on both feet. They love to eat sarsaparilla (a species of *Smilax*) leaves, whose berries the Smurfs naturally call "smurfberries". The smurfberries appear only in the cartoon; in the original comics, the Smurfs only eat the leaves from the sarsaparilla.

The Smurfs fulfill simple archetypes of everyday people: "Lazy Smurf", "Grouchy Smurf", "Brainy Smurf", and so on. All Smurfs, with the exception of Papa, Baby, Smurfette, Nanny and Grandpa, are said to be 100 years old. There were originally 99 Smurfs, but this number increased as new Smurf characters appeared, such as Sassette and Nanny. All of the original Smurfs were male; later female additions are Smurfette and Sassette. Smurfette was Gargamel's creation, while Sassette was created by the Smurflings.

### Language

A characteristic of the Smurf language is the frequent use of the undefinable word "smurf" and its derivatives in a variety of meanings. The Smurfs frequently replace both nouns and verbs in everyday speech with the word "smurf": "We're going *smurfing* on the River Smurf today." When used as a verb, the word "Smurf" typically means "to make", "to be", "to like", or "to do".

Humans have found that replacing ordinary words with the term "smurf" at random is not enough: in one adventure, Peewit explains to some other humans that the statement "I'm smurfing to the smurf" means "I'm going to the wood", but a Smurf corrects him by saying that the proper statement would be "I'm smurfing to the smurf"; whereas what Peewit said was "I'm warbling to the dawn". So "I'm smurfing to the smurf" is not the same as "I'm smurfing to the smurf".<sup>[8]</sup>

In the animated series, only some words (or a portion of the word) are replaced with the word "smurf". Context offers a reliable understanding of this speech pattern, but common vocabulary includes remarking that something is "just smurfy" or in some cases, "smurftastic".

In *Schtroumpf vert et vert Schtroumpf* (see *Smurf Versus Smurf*), published in Belgium in 1972, it was revealed that the smurf village was divided between North and South, and that the Smurfs on either side had different ideas as to how the term "smurf" should be used: for instance, the Northern Smurfs called a certain object a "bottle smurfer", while the Southern Smurfs called it a "smurf opener". This story is considered a parody on the still ongoing *taalstrijd* (language war) between French- and Dutch-speaking communities in Belgium.<sup>[9]</sup>

## Smurf village

When they first appeared in 1958, the Smurfs lived in a part of the world called "*Le Pays Maudit*" (French for "the Cursed Land"). To reach it required magic or travelling through dense forests, deep marshes, a scorching desert and a high mountain range.<sup>[10]</sup> The Smurfs themselves use storks in order to travel long distances, such as to the kingdom where Johan and Pirlouit live, and keep up-to-date with events in the outside world.<sup>[11]</sup>

In the *Johan et Pirlouit* stories, the Smurf village is made up of mushroom-like houses of different shapes and sizes in a desolate and rocky land with just a few trees. However, in the Smurf series itself, the mushroom-like houses are more similar to one another and are located in a clearing in the middle of a deep forest with grass, a river, and vegetation. Humans such as Gargamel are shown to live nearby, though it is almost impossible for an outsider to find the Smurf village except when led by a Smurf.

## Smurf economy

The Smurfs' community generally takes the form of a cooperative, sharing, and kind environment based on the principle that each Smurf has something they are good at, and thus contributes it to Smurf society as they can. In return, each Smurf appears to be given their necessities of life, from housing and clothes to food without using any money in exchange.

## Characters

Papa Smurf is the leader of the community. Other Smurfs are generally named after their personality disposition, much like Disney's *Seven Dwarfs*; for example, Brainy, Greedy, Vanity, Lazy, Clumsy, Hefty, Jokey, Dreamy, Grouchy, or their profession, for example, Poet, Actor, Handy, Harmony, Farmer, Clockwork, Painter, Tailor, Miner, Architect, Reporter, Timber, Barber and Doctor Smurf. The first female Smurf, Smurfette, was created by Gargamel to lure the other Smurfs. Papa Smurf then changed her into what we see today. The non-Smurf characters who would appear later would include their enemies the wizard Gargamel, his cat Azrael, an ugly witch, Hogatha and Gargamel's godfather Balthazar; and their friends the page Johan and his young friend Peewit and the wizard Homnibus. There are 105 Smurfs.

## Smurf comics

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Since the first appearance of the Smurfs in *Johan et Pirlouit* in 1958, 31 Smurf comics volumes have been created, 16 of them by Peyo, the others by his studio. Originally, the Smurf stories appeared in *Spirou* magazine with reprints in many different magazines, but after Peyo left the publisher Dupuis,

many comics were first published in dedicated Smurf magazines, which existed in French, Dutch, German and Turkish. A number of short stories and one page gags have been collected into comic books next to the regular series of 30 including a newly released Smurfs comics entitled *Les Schtroumpfs de L'ordre* (*The Order Law of the Smurfs*). English translations have been published in the U.S. by the graphic novel publisher Papercutz as well as a mini series published by Marvel Comics in the mid-1980s.

## Other media

### Motion pictures

In 1965, a black-and-white 87-minute animated film called *Les Aventures des Schtroumpfs* was released in theatres in Belgium. It consisted of five short cartoons made in the previous years for broadcasting on Walloon TV. German copies and copies with Dutch subtitles are known to exist. The stories were based on existing Smurf stories like *The Black Smurfs* and *The Smurfs and the Egg*, and were created by writer Maurice Rosy and artist Eddy Ryssack from the small Dupuis animation studios.<sup>[12]</sup> In total, ten animated shorts were created between 1961 and 1967, the first series in black and white and the later ones in colour.

In 1976, *La Flûte à six schtroumpfs* (an adaptation of the original "Johan et Pirlouit" story) was released. Michel Legrand provided the musical score to the film. The film would be released in the United States in 1983 (after the animated series became popular there) in an English language dubbed version titled *The Smurfs and the Magic Flute*. A few more full-length Smurf films were made, most notably *The Baby Smurf* and *Here are the Smurfs*,<sup>[13]</sup> created from episodes of the Hanna-Barbera television cartoon series.

Sony Pictures has announced plans to begin a trilogy of live-action/computer-animated Smurf films, with the first film released on July 29, 2011.<sup>[14]</sup> The project had been in various stages of development since 2003.<sup>[15]</sup> In June 2008, it was announced that Columbia Pictures and Sony Pictures Animation had acquired film rights from Lafig Belgium. Jordan Kerner produced the film, with the screenwriters including *Shrek 2* and *Shrek the Third* screenwriters J. David Stem and David N. Weiss.<sup>[16][17]</sup> The film stars Jonathan Winters as Papa Smurf, Katy Perry as Smurfette, George Lopez as Grouchy Smurf, Gary Basaraba as Hefty Smurf, John Oliver as Vanity Smurf, Alan Cumming as Gutsy Smurf, Paul Reubens as Jokey Smurf, Hank Azaria as Gargamel, Neil Patrick Harris as Patrick Winslow and Jayma Mays as Grace Winslow, a couple in New York who help the Smurfs get back to their village. It was suggested that Quentin Tarantino would play Brainy Smurf, but this "didn't work out" so Fred Armisen voices Brainy instead.<sup>[18]</sup> A CGI/traditionally animated mini-film, titled *The Smurfs: A Christmas Carol*, was released on December 2, 2011, on *The Smurfs* DVD and Blu-ray.<sup>[19]</sup> A sequel to *The Smurfs*, titled *The Smurfs 2*, was released on July 31, 2013.<sup>[20]</sup> A fully animated *Smurfs* reboot film, *Smurfs: The Lost Village*, was released on April 7, 2017, with Demi Lovato starring as Smurfette.<sup>[21]</sup>



Smurf statue in Brussels (at Galerie Horta)

## Television series

The Smurfs secured their place in North American pop culture in 1981, when the Saturday-morning cartoon series *The Smurfs*, produced by Hanna-Barbera Productions in association with SEPP International S.A.R.L., aired on NBC from September 12, 1981 to December 2, 1989 (reruns until August 25, 1990). The show continued to air on the USA network until 1993, and on Cartoon Network until 2003. *The Smurfs* is still broadcast on the Boomerang channel throughout the United States. The show became a major success for NBC, spawning spin-off television specials on an almost yearly basis. *The Smurfs* was nominated multiple times for Daytime Emmy awards, and won Outstanding Children's Entertainment Series in 1982–1983.<sup>[15]</sup> *The Smurfs* television show enjoyed continued success until 1990, when, after nearly a decade of success, NBC cancelled it due to decreasing ratings and plans to extend their *Today* morning show franchise to create a Saturday edition, although they did not do so until 1992 (two years later). The decreased ratings were the result of the network changing the format of the show, resulting in the final season featuring regular time travel with only a few Smurfs.

In the TV series, many classical masterpieces are used as background music during the episodes, among them Franz Schubert's Unfinished Symphony (Symphony No. 8 in B minor), Edvard Grieg's Peer Gynt and Modest Mussorgsky's Pictures at an Exhibition.<sup>[22]</sup> Reruns of the show are played on the Cartoon Network's sister channel Boomerang.

*The Smurfs* was named the 97th best animated series by IGN. It has been called "kiddie cocaine" for people growing up during the 1980s.<sup>[23]</sup>

On August 31, 2017 it was announced that IMPS and Dupuis Audiovisuel would be working on the new Smurfs TV series with CGI animation. The series is scheduled for 2020 and is co produced by Ketnet (Flanders), TF1 (France), KiKa (Germany),<sup>[24]</sup> OUFIVIVI (Wallonia), Peyo Productions and Dupuis Audiovisuel<sup>[25][26][27]</sup> (the TV branch of the comics publisher). It will show new stories, not adaptations of comics or other older stories.<sup>[28]</sup> Nickelodeon picked up the series for a 2021 release in the United States.<sup>[29]</sup>

## DVD releases

On February 26, 2008, Warner Home Video released Season 1 Volume 1 on DVD, containing the first 19 episodes. On October 7, 2008, Warner Bros. released Season 1 Volume 2 on DVD, containing the remaining 20 episodes from season 1. Though Warner Bros. has decided to discontinue the season sets and release single-disc volume sets instead, they are reportedly still following the correct order of episodes.

Magna Home Entertainment in Australia has released a 9-disc 50th Anniversary Collection, containing a total of 52 episodes. In September 2009, a Smurfette-themed collection containing 25 episodes was made available followed by the "Papa Smurf Collection" in December 2009 containing 26 themed episodes.<sup>[30]</sup> In July 2010, both the Smurfette and Papa Smurf Collection were included in a special 'Favourites Collection'.<sup>[31]</sup> Also releasing at the same time was the Smurfs very first feature film (produced in 1975), *The Smurfs and the Magic Flute*, available for the first time on DVD, in Australia.<sup>[32]</sup>

November 3, 2010 witnessed the release of two "Just Smurfy" collections, each featuring episodes not yet released on DVD to the Australian market.<sup>[33][34]</sup> December 3, 2010 saw the 3rd collection hit the



market.<sup>[35]</sup> A fourth Just Smurfy set was planned for release on March 2, 2011.<sup>[36]</sup>

Magna Home Entertainment in Australia have released Season 1<sup>[37]</sup> & Season 2<sup>[38]</sup> on August 24, 2011. Season 3<sup>[39]</sup> and Season 4<sup>[40]</sup> released October 5, 2011. A limited edition 'Ultimate Collection 1'<sup>[41]</sup> which features the first 5 seasons was released on August 24, 2011. A 'Ultimate Collection 2'<sup>[42]</sup> which features Season 6 – Season 9 was released on November 2, 2011.

The show is being released on DVD in the UK through a joint conjunction with Arrow Films and Fabulous Films Ltd. The complete 1st season was released in a 4 Disc box set on July 5, 2010. Season 2 was released on September 6, 2010, Seasons 3, 4 and 5 was released on July 1, 2013 and the original Smurfs feature film, *The Smurfs and The Magic Flute*, was released on DVD and Blu-ray on October 11, 2010.

## Crossovers

Papa Smurf, Hefty Smurf, and Brainy Smurf appeared in the cartoon crossover *Cartoon All-Stars to the Rescue* along with Bugs Bunny and Daffy Duck (from the Looney Tunes franchise), Huey, Dewey and Louie (from *DuckTales*), Winnie the Pooh and Tigger, Garfield, Alvin and the Chipmunks, the Muppet Babies (Kermit, Piggy and Gonzo respectively), Slimmer (from *The Real Ghostbusters*), ALF, Michelangelo (from *Teenage Mutant Ninja Turtles*). Smurfette appeared on the promotional poster, but never appeared in the actual film.

## Merchandising

From 1959 until the end of the 1960s, Dupuis produced Smurf figurines. But the best known and most widely available Smurf figurines are those made by Schleich, a German toy company. Most of the Smurf figurines given away as promotional material (e.g. by National Garages in the 1970s and McDonald's in the 1990s) are also made by Schleich.

New Smurf figures continue to appear; in fact, only in two years since 1969 (1991 and 1998) have no new Smurfs entered the market. Schleich currently produces 8 to 12 new figurines a year. Over 300 million of them have been sold so far.<sup>[45]</sup>

Other Smurf figurines have been created for advertising purposes, e.g. worldwide for McDonald's and Kinder Surprise, or nationally for e.g. Albert Heijn in the Netherlands, and Delhaize in Belgium.

Special Smurf comics were often created for advertising campaigns. This started in the 1960s for Kwatta and Kellogg's, and later for companies like BP in the UK and Australia, or Benco (a Dutch chocolate drink).<sup>[43]</sup> These comics were often only part of a larger campaign, e.g. the Benco comics were accompanied by a TV ad.<sup>[44]</sup>

A Smurf balloon/float/Falloon (which is half float half balloon) continues to be presented in holiday parades such as Macy's Thanksgiving Day Parade.<sup>[45]</sup>

Smurfs had two cereals in the 1980s made by Post Cereals: Smurf-Berry Crunch cereal and Smurfs Magic Berries. Both had animated commercials on Saturday morning. Two Smurfs pastas, made by Chef Boyardee and DelVerde were made in the 1980s, as well. Also Libby's & Heinz came out with Smurf-A-Getti canned pasta for the American and Canadian market.

The Smurfs had a commercial in the 1980s for the Mexican snack cake company Marinela Submarinos with a rare version of *Smurfette* (*Pitufina*) dressed in a red dress and her hair done in pigtails.

## Music recordings

Over the decades, many singles and albums of Smurf music have been released in different countries and languages, sometimes very successfully, with millions of copies sold. The best known is the single *The Smurf Song* and its accompanying album, created by Dutch musician Pierre Kartner who sings under the alias Father Abraham, which reached the #1 position in 16 countries. Worldwide, more than 10 million CDs with Smurf music have been sold between 2005 and 2007 alone.<sup>[15]</sup>

In 1989, I.M.P.S and R-Tek Music, International created Smurfin!: Tenth Anniversary Commemorative Album, released by Quality Special Products in Canada and the United States and Dino Music in Australia. It was also released in parts of Europe. The Album came out on LP, CD and cassette. The LP featured 20 tracks (The Canadian CD and cassette had 16, the American CD had 10). The songs were covers of popular songs like Surfin' U.S.A., Kokomo, The Lion Sleeps Tonight and I Think We're Alone Now, as well as two original songs.

## Smurfs on Ice

For several years, the Smurfs were the children's act in the Ice Capades travelling ice show. After they were retired from that function, the Smurf suits from the show were issued to Ice Capades Chalets, the show's subsidiary chain of ice rinks, lasting until the show was sold to a group of investors led by Dorothy Hamill. The Chalets were sold to Recreation World. The Smurfette suit in particular had a somewhat different hairstyle from what was portrayed in the Hanna-Barbera cartoons.

## Smurfs in theme parks

In 1984, the Smurfs began appearing in North American theme parks owned by Kings Entertainment Corporation. Each park featured a Smurf attraction and Smurf walk-around figures. Canada's Wonderland had an entire Smurf village to walk through, ending with Gargamel's Castle. "The Smurfs' Enchanted Voyage" was located in Kings Island. Kings Dominion has "Smurf Mountain". California's Great America featured a pint-sized steel coaster, "The Blue Streak". Carowinds had an artificial island that was named Smurf Island that had a Smurf village—including toadstool houses which could be entered. Hanna-Barbera Land had a Smurf district.



Representations of Smurfette and Greedy Smurf in an amusement park in Ankara.

In 1989, in the France region of Lorraine, the Sorépark group opened a complete Smurfpark, named Big Bang Schtroumpf. In 1991, the park was bought by the successful Belgian Walibi Group and renamed Walibi Schtroumpf with new attractions.

After the Walibi Group was acquired by Six Flags, the park was named Walibi Lorraine, and all the Smurfs references in the park were removed in 2003.

Comics Station, Motiongate Dubai, Movie Animation Park Studios and Dream Island feature Smurf sections.

## Video games

The Smurfs have appeared in video games made for most major game consoles (including Nintendo's NES, Super NES, and Game Boy systems, Atari, ColecoVision, Sega's Game Gear, Master System, Mega Drive and Mega CD systems, and the original Sony PlayStation) and for the PC. In 2010, the Smurfs expanded into the world of apps for Android, the iPad, iPhone, and iPod Touch with the game *Smurf Village*.

## Game titles

- *Smurf: Rescue in Gargamel's Castle* (1982)
- *Smurf Play & Learn* (1982)
- *The Smurfs Save The Day* (1983)
- *Smurf Paint 'n' Play Workshop* (1983)
- *A Smurfin' Summer Holiday* (1987)
- *Smurfette's Birthday* (developed for Atari 2600 and Intellivision, but never released)
- *The Smurfs* (Infogrames) (1994)
- *The Smurfs 2: Travel the World* (1996)
- *The Smurfs 3* (1997)
- *The Smurfs' Nightmare* (1998)
- *The Smurfs* (PlayStation) (1999)
- *The Adventures of the Smurfs* (2000)
- *Smurf Racer!* (2001)
- *The Revenge of the Smurfs* (2002)
- *The Smurfs' Village* (2010)
- *The Smurfs Dance Party* (2011)
- *The Smurfs DS* (2011)
- *The Smurfs Grabber* (2011)
- *The Smurfs & Co* (2011)
- *The Smurfs & Co: Spellbound* (2013)<sup>[46]</sup>

## UNICEF

In 2005, an advertisement featuring The Smurfs was aired in Belgium in which the Smurf village is annihilated by warplanes.<sup>[47]</sup> Designed as a UNICEF advertisement, and with the approval of the family of the Smurfs' late creator Peyo, the 25-second episode was shown on the national television after the 9 p.m. timeslot to avoid children having to see it. It was the keystone in a fund-raising campaign by UNICEF's Belgian arm to raise money for the rehabilitation of former child soldiers in

Burundi and the Democratic Republic of the Congo—both former Belgian colonies.

In honour of their 50th anniversary in 2008, the Smurfs began a year-long "Happy Smurfday Euro Tour" in connection with UNICEF. The Smurfs visited fifteen European countries on the day of their 50th "Smurfday" in the form of publicly distributed white figurines. The recipients could decorate and submit them to a competition. The results of this contest were auctioned off and raised a total amount of 124,700 euros for benefit of UNICEF.<sup>[48]</sup>

## Coins

The 50th anniversary of the Smurfs and the 80th anniversary of the birth of its creator Peyo, were celebrated by issuing a high-value collectors' coin: the Belgian 5 euro 50th anniversary of The Smurfs commemorative coin, minted in 2008.

## Sociological discussion

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In 1998, writer Marc Schmidt wrote a parody article citing the Smurfs as an example of the impact of socialism in continental European culture.<sup>[49][50]</sup> In 2011, Schmidt's essay was scrutinised in a response essay by Kate Krake, who examined the nature of cultural theory built on textual observation and warned against creating false allegories out of texts like The Smurfs.<sup>[51]</sup>

French sociologist Antoine Buéno described them in a 2011 book as a totalitarian and racist utopia.<sup>[52]</sup> Studio Peyo head Thierry Culliford, the son of Peyo, dismissed Buéno's accusations as "grotesque and frivolous".<sup>[53]</sup>

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■ *The Smurfs 2*

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## External links

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- **Official website** (<https://www.smurf.com/>) ✎
  - **Smurf Publishing** (<https://web.archive.org/web/20100806151335/http://publishing.schtroumpf.com/catalog/?p=33>)
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Retrieved from "[https://en.wikipedia.org/w/index.php?title=The\\_Smurfs&oldid=1022410132](https://en.wikipedia.org/w/index.php?title=The_Smurfs&oldid=1022410132)"

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# EXHIBIT B

**Int. Cl.: 41**

**Prior U.S. Cl.: 107**

**United States Patent and Trademark Office**

**Reg. No. 1,209,160**

Registered Sep. 14, 1982

**SERVICE MARK**  
**Principal Register**

**SMURFS**

Sepp S.A. (Belgium corporation)  
479 Avenue Louise  
Brussels, Belgium 1050

For: ENTERTAINMENT SERVICES—NAME-  
LY, A CHILDREN'S TELEVISION PROGRAM,  
in CLASS 41 (U.S. Cl. 107).

First use Sep. 12, 1981; in commerce Sep. 12, 1981.

Ser. No. 338,771, filed Nov. 24, 1981.

R. KOLAKOSKI, Primary Examiner

CRAIG D. TAYLOR, Examiner

**Int. Cl.: 16**

**Prior U.S. Cls.: 37 and 38**

**Reg. No. 1,247,655**

**Registered Aug. 9, 1983**

**United States Patent and Trademark Office**

**TRADEMARK**  
Principal Register

**SMURF**

Pierre Culiford (Belgium citizen)  
37 Avenue de Boetendael  
Bruxelles, Belgium 1180

For: CHARACTER-IMPRINTED, ADHESIVE-  
BACKED PAPER AND PLASTIC STICKERS,  
PAPER NAPKINS, AND PAPER GIFT WRAP-  
PINGS, in CLASS 16 (U.S. Cls. 37 and 38).

First use Apr. 16, 1980; in commerce Apr. 16,  
1980.

Ser. No. 284,638, filed Nov. 5, 1980.

MARY C. MACK, Examining Attorney

**Int. Cls.: 6 and 28**

**Prior U.S. Cls.: 13, 22 and 50**

**United States Patent and Trademark Office**

**Reg. No. 1,262,207**

**Registered Dec. 27, 1983**

**TRADEMARK**  
Principal Register

**SMURF**

Pierre Culliford (Belgium citizen), a.k.a. Peyo  
Avenue de Boetendael, 37  
Uccle, Belgium

First use May 1, 1979; in commerce May 1, 1979.

Owner of U.S. Reg. Nos. 1,205,477 and 1,205,478.

For: **KEY RINGS BEARING FIGURINES**, in  
CLASS 6 (U.S. Cl. 13).

First use May 1, 1979; in commerce May 1, 1979.

Ser. No. 259,179, filed Apr. 22, 1980.

For: **TOY DOLLS, TOY DOLLHOUSES, TOY  
STUFFED ANIMALS AND TOY FIGURINES**, in  
CLASS 28 (U.S. Cls. 22 and 50).

W. A. CONN, Examining Attorney

Int. Cls.: 9, 14, 16, 20, 24, 25, 28, 30, 38 and 41

Prior U.S. Cls.: 2, 5, 13, 21, 22, 23, 25, 26, 27, 28, 29,  
32, 36, 37, 38, 39, 42, 46, 50, 100, 101, 104 and 107

Reg. No. 2,701,891

Registered Apr. 1, 2003

United States Patent and Trademark Office

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**SMURF**

STUDIO PEYO S.A. (SWITZERLAND CORPORATION)

ROUTE DE FLORISSANT 10

CH-1211 GENEVE 12, SWITZERLAND

FOR: RADIOS, PORTABLE TAPE RECORDERS, RADIO AND CASSETTE PLAYERS, CD AND CASSETTE RECORDERS, RECORD PLAYERS, VIDEO RECORDERS, VIDEO PLAYERS, PRE-RECORDED AUDIO, VISUAL AND AUDIO-VISUAL MAGNETIC DATA CARRIERS, VISUAL AND AUDIO-VISUAL DIGITAL DATA CARRIERS AND DVD PROGRAMS, VINYL DISCS, AUDIO AND VIDEO COMPACT DISCS, CD-IS, CD-ROMS ALL FEATURING MUSIC, GAMES, CHILDREN'S ANIMATED PROGRAMS, CHILDREN'S ENTERTAINMENT, EDUCATIONAL AND PLAY-EDUCATIONAL PROGRAMS, PRE-RECORDED FLOPPY DISKS, COMPUTER SOFTWARE AND DATA, NAMELY MULTIMEDIA APPLICATIONS FEATURING CHILDREN'S ENTERTAINMENT USED ON PERSONAL COMPUTERS, VIDEO GAME MACHINE FOR USE WITH TELEVISIONS, PRIVATE USE AND IN CONNECTION WITH THE WORLD WIDE WEB AND LOCAL NETWORKS; COMPUTER GAME SOFTWARE, SOFTWARE, PROGRAMS AND DATA RECORDED ON VIDEO GAME MACHINES FOR USE WITH TELEVISION AND PRIVATE USE, AND RECORDED ON VIDEO GAME CARTRIDGES AND DOWNLOADABLE SOFTWARE, SOFTWARE MODULES AND INTERACTIVE MULTIMEDIA SOFTWARE ALL USED FOR PLAYING GAMES AND CONTAINING CHILDREN'S ENTERTAINMENT AND EDUCATION PROGRAMS AND SCREEN SAVERS; VIDEO GAME MACHINES FOR USE WITH TELEVISIONS AND FOR PRIVATE USE, AND FOR USE WITH COMPUTERS THAT CAN BE USED FOR PLAYING GAMES OVER THE WORLD-WIDE WEB AND LOCAL NETWORKS, VIDEO GAME CARTRIDGES THEREFORE; MATS FOR

COMPUTER MICE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: COSTUME JEWELRY AND WATCHES FOR CHILDREN; LEARNING WATCHES FOR CHILDREN, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 56).

FOR: ADHESIVE TAPE FOR OFFICE AND HOUSEHOLD PURPOSES; ADHESIVES FOR OFFICE AND HOUSEHOLD PURPOSES; ADVERTISING BOARDS OF CARDBOARD OR PAPER; PHOTOGRAPH ALBUMS, STAMP ALBUMS, STICKER ALBUMS; YEAR BOOKS; WATER COLOUR PAINTING; NAPKINS OF PAPER OR CELLULOSE; NAPKIN PANTS OF PAPER OR CELLULOSE; BABY TISSUES OF PAPER OR CELLULOSE; PAPER BAGS; BAGS OF PAPER OR PLASTIC FOR PACKAGING; BLOTTING PAPER; FOLDERS; BOOKMARKERS; BOOKS IN THE FIELD OF CHILDREN'S BOOKS, CHILDREN'S EDUCATIONAL BOOKS, COMIC BOOKS AND CARTOONS, COLORING BOOKS, COLLECTOR BOOKS; BOTTLE PACKAGING OF CARDBOARD OR PAPER; BOTTLE WRAPPERS OF CARDBOARD OR PAPER; PEN CASES; PAPER OR CARDBOARD BOXES; CALENDARS; PAINTERS' CANVASSES; CARDBOARD; CARDBOARD ARTICLES, NAMELY CARDBOARD BINDERS, CHILDREN'S CASES IN CARDBOARD, CARDBOARD TUBES, MERCHANDISE FLOOR DISPLAYS IN CARDBOARD; BOXES FOR STAMPS; CATALOGUES FEATURING TOYS AND GAMES, FIGURINES, BOOKS, COLLECTIONS; LITHOGRAPHS; CHROMOLITHOGRAPHS; OFFICE PAPER CLIPS; TAPES FOR BOOK BINDING; MATS OF PAPER; COMIC STRIPS; TAPES OF PAPER AND CARDS FOR RECORDING COMPUTER PROGRAMS; PAPER FOR PHOTOCOPYING APPARATUS; ENVELOPES; IRON-ON TRANSFERS, PLASTIC TRANSFERS, DRY TRANSFERS; DRAWING IMPLEMENTS; DRAWING MATERIAL, NAMELY DRAWING TRIANGLES, DRAWING CURVES.

DRAWING COMPASSES; DRAWING PAPER PADS; DRAWING PENS; DRAWING EQUIPMENT, NAMELY DRAWING BRUSHES, PAINTING SETS; DRAWING RULERS; DRAWING SQUARES; EMBROIDERY DESIGN PATTERNS; ENGRAVING PLATES; ENGRAVINGS; ERASING PRODUCTS, NAMELY BRASERS; CORRECTION FLUID, CORRECTION TAPE, CORRECTION PENS; ERASABLE BOARDS; FACE TOWELS OF PAPER; PAPIER-MACHE; FLAGS OF PAPER; PLASTIC FOLDERS; FOLDERS FOR PAPERS; PRINTED FORMS; FOUNTAIN PENS; GLUES FOR OFFICE AND HOUSEHOLD PURPOSES; GRAPHIC IMAGES IN THE NATURE OF PICTURES; GRAPHIC ART REPRODUCTIONS; ADHESIVE PAPER FOR OFFICE PURPOSES; ADHESIVE TAPES FOR HOUSEHOLD AND STATIONERY USE; HANDBOOKS AND MANUALS USED FOR TOYS AND GAMES; HANKERCHIEFS OF PAPER; HATBOXES OF CARDBOARD, CONTAINERS FOR POSTAGE STAMPS; HYGIENIC PAPER; WRITING INK; INK PEN REFILL CARTRIDGES; ENVELOPES FOR PAPERS; PRINTED PAPER LABELS; MAGAZINES AND PERIODICALS IN THE FIELD OF CHILDREN'S AND COLLECTOR'S ENTERTAINMENT, COMIC BOOKS AND CARTOONS; DRAWING FOLDERS FOR LETTERS; PAPER BEER MATS; MODELING CLAY; MODELING MATERIALS FOR USE BY CHILDREN; MODELING PASTE; MODELING WAX; NEWSLETTERS AND NEWSPAPERS IN THE FIELD OF CHILDREN'S AND COLLECTOR'S ENTERTAINMENT, COMIC BOOKS AND CARTOONS; NOTEBOOKS; HOLE PUNCHES; PACKAGING MATERIALS, NAMELY TOY BOXES; PRINTING BLOCKS; NOTEPADS AND STATIONERY; PAINT BOXES; PAINT BRUSHES; PAINTINGS AND PICTURES FRAMED AND UNFRAMED; DRAWING PAPER, COPY PAPER, REPRODUCTION PAPER, PAPER PARTY DECORATION, PAPER TO COVER BOOKS, PAPER TRANSFERS; PAPER CLIPS; PASTEL CRAYONS; PENCIL BOXES; INK PEN CARTRIDGE HOLDERS; PEN WIPERS; PENCIL HOLDERS; PENCIL SHARPENERS; PENCILS; PEN HOLDERS; PENS; PHOTOGRAPHS; ILLUSTRATIONS; PAPER AND CARDBOARD PLACARDS; POSTERS OF PAPER OR CARDBOARD; PLACE MATS OF PAPER; PLASTIC FILM FOR PACKAGING; GIFT WRAP PAPER AND TAPE; PORTRAITS; POSTAGE STAMPS; POSTCARDS; POSTERS; PRINTED BAGS OF PAPER; PRINTED PUBLICATIONS, NAMELY MAGAZINES, BOOKS, COMIC BOOKS IN THE FIELD OF CARTOONS AND COMIC BOOKS; PRINTED TIMETABLES; PRINTS; ART REPRODUCTIONS; PAPER TAPE; DRAFTING RULERS; SET DRAWING SQUARES; SCHOOL EQUIPMENT, NAMELY CHALK BOARDS FOR SCHOOL AND HOME USE, EXERCISE BOOKS, SCHOOL DIARY, BOOKMARK, WAX PENCILS, COLORING PENCILS, SCHOOL FRIEND BOOKS; SCRAPBOOKS; SELF ADHESIVE TAPES FOR HOUSEHOLD AND STATIONERY USE; BOARDS OF PAPER OR CARDBOARD; SONG BOOKS; INKING PADS; HOLDERS FOR RUBBER STAMPS AND SEALS; HOLDERS FOR PENS AND PENCILS; OFFICE REQUISITES AND WRITING MATERIALS, NAMELY, STENCIL BOXES, STENCIL PLATES, CORRESPONDENCE STENCILS, CORRESPON-

DENCE STICKERS; TABLE CLOTHS OF PAPER; TABLE LINEN OF PAPER; TABLE NAPKINS OF PAPER; TEAR-OFF CALENDARS; GREETING CARDS, FILE CARDS, PLAYING CARDS, ANNOUNCEMENT CARDS, POSTCARDS, BUSINESS CARDS, DIPLOMA CARDS, MUSICAL GREETING CARDS, HANGING DOOR CARDS, TRADING CARDS; PRINTED TICKETS; TOILET PAPER; TOWELS OF PAPER; TRACING PAPER; VISCOSE PAPER FOR WRAPPING; DISTEMPERS; PACKAGING, NAMELY ENVELOPES FOR LETTERS; ENVELOPES FOR BOOKS; PEN CASES; WRITING FOLDERS; WRITING PAPER AND ENVELOPES; WRITING INSTRUMENTS; WRITING REQUISITES, NAMELY ERASERS, CORRECTING FILM AND FLUID FOR TYPE, BLOTTING PAPER AND BLOTTERS; WRITING AND DRAWING BOOKS; WRITING BOOKLETS; WRITING PAPER; TALKING CHILDREN'S BOOKS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: NON-METAL KEY RINGS; PLASTIC KEY RINGS; FIGURINES AND SCULPTURES IN PLASTIC, RESIN AND PLASTER; PLASTIC MONEY BOXES; PLASTIC CAKE DECORATIONS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FOR: HANKERCHIEFS, BED LINEN, BATH TOWELS, WASHING MITS, TOWELS, COTTON AND SYNTHETIC FABRIC BY THE METRE, UPHOLSTERY FABRICS; COARSELY-WOVEN, UNBLEACHED LINEN, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: CLOTHING FOR BABIES, NAMELY BOOTIES, BIBS, LEGGINGS, INFANT CLOTH DIAPERS; HEADGEAR, NAMELY HATS AND CAPS; CAPS; SCARVES, NECKERCHIEFS, SCARVES FOR MEN; GLOVES AND MITTENS; BELTS; SOCKS AND STOCKINGS; HEADBANDS; LEISURE CLOTHING, NAMELY UNDERWEAR, NIGHTWEAR, OVERCOATS, ANORAKS, T-SHIRTS, PANTS, LEOTARDS, SHORTS, SWEATERS, PULLOVERS, TROUSERS, JEANS, SHIRTS, BLOUSES; BASEBALL CAPS, SUN VISORS; SHOES, SPORTS SHOES, SLIPPERS, BOOTS; TIES, BOW TIES; SPORT CLOTHING, NAMELY SWIMMING SUIT, JOGGING SUIT, SWEAT PANTS, SWEAT SHORTS, TRACKSUIT; HALLOWEEN COSTUMES AND MASKS SOLD THEREWITH, IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: STAND ALONE VIDEO GAME MACHINES FOR USE ON FAIR GROUNDS; PINBALL MACHINES; BATH TOYS AND GAMES; INDOOR AND OUTDOOR GAMES, NAMELY GAME OF DICE, BOARD GAMES AND OUTDOOR ACTIVITIES GAMES IN THE NATURE OF ROLLER SKATES, SKATE BOARDS, RIDE ON TOYS, NAMELY TOY CYCLES, TOY GARDENING SETS, TOY HANDYMAN SETS AND PARTY GAMES FOR CHILDREN; CARDBOARD GAMES, NAMELY CARD GAMES; EDUCATIONAL GAMES IN THE NATURE OF HANDHELD ELECTRONIC GAME UNITS; PUZZLES; JIGSAW PUZZLES; GAMES OF SKILL, WOODEN GAMES, NAMELY PADDLE BALL GAMES, YOYOS; DOMINOES; CONSTRUCTION TOYS; BATTERY-OPERATED AND WIND-UP

TOY, MUSICAL AND SPEAKING DOLLS AND SOFT TOYS AND ACCESSORIES SOLD THEREWITH; PUPPETS; CAST TOY VEHICLES AND ACCESSORIES; MINIATURE TOY SETS OF CARTOON CHARACTERS; TARGETS AND DARTS; TENNIS RACKETS FOR CHILDREN AND TENNIS BALLS; PVC BALLS, LEATHER BALLS, METALLISED INFLATABLE HELIUM BALLOONS, LATEX BALLOONS, PUNCHBALLS; SWIMMING AIDS FOR CHILDREN, NAMELY POOL RINGS, ARM FLOATS FOR RECREATIONAL USE; INFLATABLE BEACH ARTICLES, NAMELY INFLATABLE BOAT, INFLATABLE BALLOONS, INFLATABLE SWIMMING POOL, INFLATABLE MATTRESSES FOR RECREATIONAL USE, INFLATABLE TOYS; CHILDREN'S PLAY CARNIVAL COSMETICS; PARTY FAVOR NOVELTIES IN THE NATURE OF SMALL TOYS; TOYS, GAMES AND ACCESSORIES FOR BABIES AND PRE-SCHOOL CHILDREN, NAMELY PLUSH TOYS, RATTLES, TOY ACTION FIGURES, MUSICAL TOYS; TOY CANDY DISPENSERS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: CHEWING GUM, SWEETS, NAMELY CHOCOLATE TRUFFLES, CANDY STICKS, CANDY BEARS, FRUIT GUMS, FRUIT PASTILLES; LOLLIPOPS; BUBBLE GUM; CONFECTIONS, NAMELY WAFER ROLLS, ICE CREAM, ICE LOLLIES, WATER LOLLIES, FROZEN CONFECTIONS; MARSHMALLOWS; CANDY, NAMELY JELLY SWEETS; DRY BISCUITS; BISCUITS FILLED WITH CHOCOLATE OR WITH FRUIT; BISCUITS; CHOCOLATE; CHOCOLATE BARS; FRUIT TARTS; CAKES; SWEET BREAD ROLLS; PUDDINGS, RICE PUDDINGS, CUSTARDS, CHOCOLATE MOUSSES, CHO-

COLATE AND SWEET DRESSINGS; CHOCOLATE EASTER EGGS, CHOCOLATE CONFETTI; EDIBLE CAKE DECORATIONS, IN CLASS 30 (U.S. CL. 46).

FOR: BROADCASTING OF RADIO AND TELEVISION PROGRAMS; TRANSMISSION OF SOUND AND IMAGES VIA SATELLITE AND VIA THE INTERNET; TELEVISION BROADCASTING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: PROVIDING ONLINE COMPUTER GAMES; THEATRICAL PRODUCTIONS; MUSICAL PERFORMANCES; ARRANGING OF SPORTING EVENTS; RADIO AND TELEVISION ENTERTAINMENT IN THE NATURE OF ONGOING CHILDREN'S ANIMATED PROGRAMS; PRODUCTION AND RENTAL OF FILMS AND CARTOONS; LIBRARY SERVICES; NAMELY LENDING BOOKS, COMICS AND MAGAZINES; PUBLICATION OF BOOKS, COMICS AND MAGAZINES; AMUSEMENT PARKS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

OWNER OF ERPN CMNTY TM OFC REG. NO. 1414911, DATED 1-30-2001, EXPIRES 12-9-2009.

OWNER OF ERPN CMNTY TM OFC REG. NO. 686576, DATED 9-22-2000, EXPIRES 9-22-2010.

OWNER OF U.S. REG. NOS. 1,209,160, 1,369,190 AND OTHERS.

SER. NO. 76-297,866, FILED 8-10-2001.

STACY WAHLBERG, EXAMINING ATTORNEY

United States of America  
United States Patent and Trademark Office

# THE SMURFS

Reg. No. 4,097,600

Registered Feb. 14, 2012

Int. Cls.: 3, 9, 14, 16, 18,  
21, 24, 25, 28, 29, 30, 32  
and 41

STUDIO PEYO S.A. (SWITZERLAND JOINT STOCK COMPANY)  
CHEMIN FRANK-THOMAS 36  
GENÈVE, SWITZERLAND CH1208

FOR: BLEACHING PREPARATIONS AND LAUNDRY DETERGENTS FOR LAUNDRY USE;  
CLEANING, POLISHING, SCOURING AND ABRASIVE PREPARATIONS; SOAPS; PER-  
FUMERY, ESSENTIAL OILS, COSMETICS, HAIR LOTIONS; DENTIFRICES, IN CLASS 3  
(U.S. CLS. 1, 4, 6, 50, 51 AND 52).

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: NAUTICAL APPARATUS AND INSTRUMENTS, NAMELY, MAGNETIC COMPASSES,  
SURVEYING INSTRUMENTS; PHOTOGRAPHIC APPARATUS AND INSTRUMENTS,  
NAMELY, CAMERAS, CINEMATOGRAPHIC CAMERAS AND EXPOSED CINEMATOGRAPHIC  
FILM; OPTICAL APPARATUS AND INSTRUMENTS, NAMELY, OPTICAL FRAMES,  
OPTICAL GLASSES AND OPTICAL LENSES; WEIGHING APPARATUS AND INSTRU-  
MENTS, NAMELY, WEIGHING SCALES, MEASURING APPARATUS AND INSTRUMENTS,  
NAMELY, MEASURING CUPS; SIGNALING APPARATUS AND INSTRUMENTS, NAMELY,  
SIGNAL BELLS, SIGNAL WHISTLES AND CALL BELLS; CHECKING APPARATUS AND  
INSTRUMENTS, NAMELY, COMPUTERS; LIFE-SAVING APPARATUS AND INSTRUMENTS,  
NAMELY, SWIM FLOATS FOR SAFETY PURPOSES, INFLATABLE FLOTATION DEVICES,  
AND FLOTATION VESTS; AND TEACHING APPARATUS AND INSTRUMENTS, NAMELY,  
CHILDREN'S EDUCATIONAL SOFTWARE; APPARATUS AND INSTRUMENTS FOR  
CONDUCTING, SWITCHING, TRANSFORMING, ACCUMULATING, REGULATING OR  
CONTROLLING ELECTRICITY; APPARATUS FOR RECORDING, TRANSMISSION OR  
REPRODUCTION OF SOUND OR IMAGES; PRE-RECORDED MAGNETIC DATA CARRIERS  
FEATURING ANIMATED CARTOONS; PRE-RECORDED AUDIO, VISUAL, AND AUDIOVISUAL MAG-  
NETIC AND DIGITAL DATA CARRIERS FEATURING MUSIC AND ANIMATION AND  
ELECTRONIC GAME PROGRAMS, AUTOMATIC VENDING MACHINES AND MECHAN-  
ISMS FOR COIN-OPERATED APPARATUS; CASH REGISTERS, CALCULATING MACHINES,  
DATA PROCESSING EQUIPMENT AND COMPUTERS, FIRE EXTINGUISHING APPARATUS,  
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



*David J. Kappas*

Attorney at Law, United States Patent and Trademark Office

FOR: PRECIOUS METALS AND THEIR ALLOYS AND GOODS MADE OF PRECIOUS  
METALS OR COATED THEREWITH, NAMELY, FIGURINES, KEY RINGS, COINS AND  
MEDALS; JEWELRY; PRECIOUS STONES; HOROLOGICAL AND CHRONOMETRIC IN-  
STRUMENTS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).



**Reg. No. 4,097,600**

FOR PAPER, CARDBOARD AND GOODS MADE FROM THESE MATERIALS, NAMELY, POSTERS, PAPER FLAGS, ADVERTISING BOARDS OF CARDBOARD OR PAPER, PAPER NAPKINS, PAPER DECORATIVE GARLAND FOR PARTIES, PAPER PARTY BAGS, PAPER PARTY DECORATIONS, PAPER PARTY FAVORS; PARTY GOODIE BAGS OF PAPER OR PLASTIC; PARTY ORNAMENTS OF PAPER, GIFT WRAP MADE OF PAPER, PAPER GIFT WRAP BOWS, GIFT BOXES, TISSUE PAPER, PAPER TABLE CLOTHS, PAPER PLACEMATS, TOILET TISSUE, BOXES, CARTONS, STORAGE CONTAINERS AND PACKAGING CONTAINERS MADE OF PAPER OR CARDBOARD, HATBOXES OF PAPER OR CARDBOARD; PRINTED MATTER, NAMELY, GREETING CARDS, INVITATIONS, ANNOUNCEMENT CARDS, THANK YOU NOTES, POSTCARDS, PRINTED TICKETS, STICKERS AND TRANSFERS, COLORING BOOKS, EMBROIDERY DESIGN PATTERNS PRINTED ON PAPER, ILLUSTRATIONS, PORTRAITS, PHOTOGRAPH ALBUMS, STAMP ALBUMS, STICKER ALBUMS, DRAWING PAPER, DRAWING PADS, PAPER MACHE, WATERCOLOR BOARDS, WATERCOLOR PICTURES, ARTS AND CRAFT PAINT KITS, PAINT BOXES AND BRUSHES, CANVAS FOR PAINTING, EASELS, MODELING CLAY, MODELING COMPOUNDS, MODELING PASTE, PRINT ENGRAVINGS, PRINTS IN THE NATURE OF PHOTOGRAPHS, LITHOGRAPHS AND PICTURES, FACIAL TISSUE, BOOKS IN THE FIELD OF CHILDREN'S BOOKS, COMICS, CARTOON STRIPS, CATALOGS IN THE FIELD OF TOYS AND GAMES, MAGAZINES, PERIODICALS AND NEWSLETTERS IN THE FIELD OF CHILDREN'S AND COLLECTORS' ENTERTAINMENT, COMIC BOOKS AND CARTOONS, BOOKBINDING MATERIAL, PHOTOGRAPHS, STATIONERY, ADHESIVES FOR STATIONERY OR HOUSEHOLD PURPOSES; ARTISTS' PASTELS; ARTISTS' BRUSHES, TYPEWRITERS AND OFFICE REQUISITES EXCEPT FURNITURE, NAMELY, STAPLERS; PAPER PACKAGING ENVELOPES, PLASTIC PACKAGING ENVELOPES, BLANK JOURNAL BOOKS, DIARIES, NOTEPADS, RUBBER STAMPS, INKING PADS, PAPER LABELS, PAPER CLIPS, PAPER CLIP HOLDERS, TELEPHONE AND ADDRESS BOOKS, FILE FOLDERS FILE BOXES FOR STORAGE OF MAGAZINES, BOOKMARKERS, WRITING PAPER, PAPER STATIONERY, PENS, PENCILS, MARKERS, CRAYONS, ERASERS, PENCIL SHARPENERS, CRAYON SHARPENERS, PENCIL CASES, DRAWING RULERS, BINDERS, GLUE FOR STATIONERY OR HOUSEHOLD USE, CORRECTION FLUID FOR DOCUMENTS, CHALK, CHALKBOARDS, CHALK ERASERS, DRY ERASE WRITING BOARDS AND WRITING SURFACES; PRINTED INSTRUCTIONAL AND TEACHING MATERIAL, NAMELY, TEACHING TILES AND FLASH CARDS; PLASTIC MATERIALS FOR PACKAGING, NAMELY, PLASTIC BUBBLE PACKS AND PLASTIC BAGS FOR PACKAGING; PRINTING TYPE; PRINTING BLOCKS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR LEATHER AND IMITATION LEATHER, GOODS MADE OF THESE MATERIALS, NAMELY, LEATHER BAGS, SCHOOL BAGS, HANDBAGS, MESSENGER BAGS, DUFFLE BAGS, TOILE BAGS, SPORT BAGS, REUSABLE SHOPPING BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, COIN PURSES, WALLETS, POUCHES OF LEATHER, POUCHES OF TEXTILE, LUGGAGE, LUGGAGE TAGS, KEY CASES, BACKPACKS WITH ROLLING WHEELS, SLING BAGS AND SLING BAGS FOR CARRYING INFANTS; ANIMAL SKINS; TRUNKS AND SUITCASES; UMBRELLAS, PARASOLS AND WALKING STICKS; WHIPS AND SADDLERY, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR HOUSEHOLD OR KITCHEN UTENSILS, NAMELY, SPOONS, GRATERS, SLIVERS, STRAINERS, TURNERS, SKIMMERS, KITCHEN TONGS, BOTTLE OPENERS, JAR OPENERS; CONTAINERS FOR HOUSEHOLD USE, WASTE BASKETS, TOILET PAPER HOLDERS, TOILET PAPER DISPENSERS, SHOWER CADDIES, WIRE BASKETS, NAPKIN HOLDERS, NAPKIN RINGS, SOAP DISPENSERS, LOTION CONTAINERS SOLD EMPTY FOR DOMESTIC USE, DISPENSERS FOR FACIAL TISSUES, ICE CUBE MOLDS, CUPCAKE MOLDS, LUNCH BOXES, SANDWICH BOXES, PLASTIC COASTERS, DISPOSABLE DINNERWARE, NAMELY, PLATES, BOWLS AND SERVING TRAYS, DISPOSABLE SERVING SPOONS, PAPER AND PLASTIC CUPS; SPORT BOTTLES SOLD EMPTY; FLASKS, THERMAL INSULATED BAGS FOR FOOD OR BEVERAGES, THERMAL INSULATED CONTAINERS FOR FOOD OR BEVERAGES, TOOTHBRUSHES ELECTRIC AND NON-ELECTRIC, TOOTHBRUSH HOLDERS, TOOTHBRUSH CASES, COMBS, SPONGES FOR HOUSEHOLD PURPOSES; CLEANING BRUSHES FOR HOUSEHOLD USE; BRUSH-MAKING MATERIALS; CLEANING

**Reg. No. 4,097,600** EQUIPMENT, NAMELY, MOPS, BROOMS, SCRUBBING BRUSHES, TOILET BRUSHES, GARDENING GLOVES, STEEL WOOL, UNWORKED OR SEMI-WORKED GLASS EXCEPT BUILDING GLASS; SCULPTURES OF GLASS, PORCELAIN AND EARTHENWARE; PRODUCTS MADE OF GLASSWARE, PORCELAIN, AND EARTHENWARE, NOT INCLUDED IN OTHER CLASSES, NAMELY, BABY BATH TUBS, COOKIE JARS, GLASS JARS, BOTTLES SOLD EMPTY, FLOWER POTS, VASES, BOTTLE GOURDS, PLATES, DISHES, BOWLS, CUPS, MUGS, DRINKING GLASSES, DRINKING GLASSES, NAMELY, TUMBLERS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FOR: TEXTILES AND TEXTILE GOODS, NAMELY, CURTAINS, DRAPES, WALL HANGINGS OF TEXTILE, BED LINEN, BED SHEETS, BED BLANKETS, BLANKET TROWS, TROWS, BED COVERS, MATTRESS COVERS, BEDSPREADS, COMFORTERS, QUILTS, DUST RUFFLES, BED CANOPIES, PILLOW CASES, PILLOW SHAMS, TOWELS, WASH CLOTHS, WASHING MITTS, HANDKERCHIEFS, BEACH BLANKETS, FABRICS FOR TEXTILE USE; TABLECLOTHS OF TEXTILES, TABLE LINEN, TEXTILE PLACE MATS, TEXTILE TABLE NAPKINS, TEXTILE COASTERS, FABRIC TABLE RUNNERS, FABRIC TABLE TOPPERS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: CLOTHING, NAMELY, BLOUSES, SHIRTS, PANTS, SKIRTS, DRESSES, SOCKS, STOCKINGS, SLEEPWEAR, LOUNGEWEAR, UNDERWEAR, SWIMWEAR, BEACHWEAR, SCARVES, GLOVES, MITTENS, SWEATERS AND JACKETS, FOOTWEAR; HEADGEAR, NAMELY, HATS AND CAPS; COSTUMES FOR USE IN CHILDREN'S DRESS UP PLAY; HALLOWEEN COSTUMES AND MASKS SOLD IN CONNECTION THEREWITH, IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: GAMES AND TOYS, NAMELY, DOLLS AND ACCESSORIES THEREFOR, SOFT SCULPTURE TOYS, TOY ACTION FIGURES AND ACCESSORIES THEREFOR, STUFFED AND PLUSH TOYS, PUPPETS, MODELED PLASTIC TOY FIGURINES, CHILDREN'S MULTIPLE ACTIVITY TOYS, PLAYSETS FOR DOLLS, TOY CONSTRUCTION SETS, MUSICAL TOYS, TOY VEHICLES, RIDEABLE TOY VEHICLES, TOY MODEL VEHICLES AND RELATED ACCESSORIES SOLD AS UNITS, TOY VEHICLES WITH TRANSFORMING PARTS, STAND ALONE VIDEO GAME MACHINES, HAND HELD UNITS FOR PLAYING VIDEO GAMES OTHER THAN THOSE ADAPTED FOR USE WITH AN EXTERNAL DISPLAY SCREEN OR MONITOR, INFLATABLE TOYS, KITES, RADIO CONTROLLED TOY VEHICLES, REMOTE CONTROL TOYS, NAMELY, CARS, AIRPLANES, BOATS, PERSONAL JET BOATS AND WATER SCOOTERS; SKATEBOARDS, SKATEBOARD DECKS, ROLLER SKATES, TOY GARDENING SETS, TOY HANDYMAN SETS, SWIM FLOATS FOR RECREATIONAL USE, INFLATABLE FLOAT MATTRESSES FOR RECREATIONAL USE, BEACH BALLS, PLAY SWIMMING POOLS, INFLATABLE POOLS FOR RECREATIONAL USE, SWIMMING AIDS, NAMELY, POOL RINGS, POOL NOODLES AND ARM FLOATS FOR RECREATIONAL USE, TOY BOATS, SWINGS, BALLOONS, WATER TOYS, PARTY FAVORS IN THE NATURE OF SMALL TOYS, BATH TOYS, BINDABLE TOYS, CRIB TOYS, INFANT TOYS, EDUCATIONAL TOYS FOR TEACHING MATH PRINCIPLES TO CHILDREN, NAMELY, MANIPULATIVE BLOCKS FOR DISPLAYING PATTERNS AND GROUPINGS, ELECTRONIC EDUCATIONAL GAME MACHINES FOR CHILDREN, TOY ROBOTS, ARCADE GAMES, COSTUME MASKS, DOLL COSTUMES, BALLS FOR GAMES, BALLS FOR SPORTS, SPLASH BALLS, BAGS SPECIALLY ADAPTED FOR SPORTS EQUIPMENT, INFLATABLE BOB BAGS, FLOATING RECREATIONAL LOUNGE CHAIRS, HOCKEY STICKS, HOCKEY PUCKS, GOLF BALLS, GOLF CLUBS, TARGETS, TARGET GAMES, ELECTRONIC TARGETS FOR GAMES AND SPORTS, DARTS, DART BOARDS, ELECTRONIC DART GAMES, TENNIS BALLS, TENNIS NETS, TENNIS RACKETS, TABLE TENNIS BALLS, TABLE TENNIS NETS AND TABLE TENNIS PADDLES, TOY HOOP SETS, BASKETBALL HOOPS, BASKETBALLS, BASEBALL BASES, BASEBALL HATS, BASEBALL BATTING TEES, BASEBALL GLOVES, BASEBALL MITTS AND BASEBALLS, PADDLE BALLS, PADDLES FOR USE IN PADDLE BALL GAMES, BOWLING BALLS, BOWLING BALL COVERS, BOWLING PINS, ACTION SKILL GAMES, BOARD GAMES, CARD GAMES, TRADING CARD GAMES, PARTY GAMES, JIGSAW AND MANIPULATIVE PUZZLES, PUZZLES, TOY CANDY DISPENSERS, GYM-

**Reg. No. 4,097,600** NASTIC APPARATUS; DECORATIONS FOR CHRISTMAS TREES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: MEAT, FISH, POULTRY AND GAME; MEAT EXTRACTS; PRESERVED, FROZEN, DRIED AND COOKED FRUITS AND VEGETABLES; JELLIES, JAMS, COMPOTES; EGGS, MILK AND DAIRY PRODUCTS EXCLUDING ICE CREAM, ICE MILK AND FROZEN YOGURT; EDIBLE OILS AND FATS, IN CLASS 29 (U.S. CL. 46).

FOR: COFFEE, TEA, COCOA, SUGAR, RICE, TAPIOCA, SAGO, ARTIFICIAL COFFEE, FLOURS AND PREPARATIONS MADE FROM CEREALS, NAMELY, BREAKFAST CEREALS, CEREAL BASED SNACK FOOD; BREAD; PASTRY; CONFECTIONERY, NAMELY, CANDY; ICES; HONEY, TREACLE; YEAST, BAKING-POWDER; SALT, MUSTARD; VINEGAR, SAUCES AS CONDIMENTS; SPICE; ICE FOR REFRESHMENT, IN CLASS 30 (U.S. CL. 46).

FOR: BEER; MINERAL AND AERATED WATERS AND NON-ALCOHOLIC BEVERAGES, NAMELY, SOFT DRINKS, FRUIT FLAVORED SOFT DRINKS, ENERGY DRINKS AND SPORT DRINKS; FRUIT DRINKS AND FRUIT JUICES; FROZEN FRUIT DRINKS; SYRUPS FOR MAKING BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FOR: EDUCATION SERVICES IN THE NATURE OF EARLY CHILDHOOD INSTRUCTION; TRAINING, NAMELY, PROVIDING BRAIN TRAINING GAMES ON-LINE AND IN MOBILE WIRELESS FORM; ENTERTAINMENT SERVICES IN THE NATURE OF ON-GOING TELEVISION PROGRAMS IN THE FIELD OF CHILDREN'S ENTERTAINMENT; ENTERTAINMENT SERVICES, NAMELY, PRESENTATION OF LIVE SHOW PERFORMANCES; ORGANIZING COMMUNITY SPORTING AND CULTURAL EVENTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF INTERNATIONAL REGISTRATION 1031512 DATED 11-25-2009, EXPIRES 11-25-2019.

OWNER OF U.S. REG. NOS. 1,209,160, 2,701,891 AND OTHERS.

SER. NO. 79-087,102, FILED 9-2-2010.

TASNEEM HUSSAIN, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

# THE SMURFS

Reg. No. 4,085,903

Registered Jan. 17, 2012

Int. Cl.: 35

**SERVICE MARK**

**PRINCIPAL REGISTER**

STUDIO PEYO S.A. (SWITZERLAND SOCIÉTÉ ANONYME (JOINT STOCK COMPANY))  
CHLMIN FRANK-LIOMAS 36  
CH-1208 GENÈVE  
SWITZERLAND

FOR: ADVERTISING AND PROMOTIONAL SERVICES IN CONNECTION WITH A RANGE OF GOODS AND SERVICES VIA ALL COMMUNICATIONS MEANS AS WELL AS VIA THE INTERNET; COMPILATION OF ADVERTISEMENTS AND PROMOTIONAL MATERIAL ON ALL KINDS OF INFORMATION SOURCES AND DATA MEDIA FOR USE AT POINTS OF SALE AND FOR USE ON ALL TELECOMMUNICATION MEANS, INCLUDING WEBSITES; PROMOTIONAL SERVICES, NAMELY, SALES PROMOTION AND PUBLIC RELATIONS SERVICES ON A RANGE OF GOODS AND SERVICES VIA ALL COMMUNICATIONS MEANS AS WELL AS VIA THE INTERNET; DISSEMINATION OF ADVERTISING MATERIAL IN THE FORM OF ADVERTISEMENTS, PROSPECTUSES, PROMOTIONAL DEALS, GIFTS AND SAMPLES, DEMONSTRATION OF GOODS, DISSEMINATION OF ADVERTISING MATERIAL BEING LEAFLETS, PROSPECTUSES, PRINTED MATTER, SAMPLES, BUSINESS MARKETING SERVICES FOR A RANGE OF GOODS AND SERVICES VIA ALL COMMUNICATIONS MEANS AS WELL AS VIA THE INTERNET; MARKET STUDIES, MARKET RESEARCH, MARKETING ANALYSIS; ANALYSIS OF CUSTOMER REACTION TO ADVERTISING; BUSINESS MANAGEMENT; BUSINESS ADMINISTRATION; OFFICE FUNCTIONS; BUSINESS ASSISTANCE AND CONSULTING IN CONNECTION WITH THE SETUP AND MANAGEMENT OF RETAIL SALES; BRINGING TOGETHER FOR THE BENEFIT OF OTHERS OF A RANGE OF GOODS ENABLING CUSTOMERS TO CONVENIENTLY VIEW AND PURCHASE THOSE GOODS IN THE FIELDS OF BLEACHING PREPARATIONS AND LAUNDRY DETERGENTS FOR LAUNDRY USE, CLEANING, POLISHING, SCOURING AND ABRASIVE PREPARATIONS, SOAPS, PERFUMERY, ESSENTIAL OILS, COSMETICS, HAIR LOTIONS, DENTIFRICES, NAUTICAL APPARATUS AND INSTRUMENTS, NAMELY, MAGNETIC COMPASSES, SURVEYING INSTRUMENTS, PHOTOGRAPHIC APPARATUS AND INSTRUMENTS, NAMELY, CAMERAS, CINEMATOGRAPHIC CAMERAS AND CINEMATOGRAPHIC FILM, OPTICAL APPARATUS AND INSTRUMENTS, NAMELY, OPTICAL FRAMES, OPTICAL GLASSES AND OPTICAL LENSES, WEIGHING APPARATUS AND INSTRUMENTS, NAMELY, WEIGHING SCALES, MEASURING APPARATUS AND INSTRUMENTS, NAMELY, MEASURING CUPS, SIGNALING APPARATUS AND INSTRUMENTS, NAMELY, SIGNAL BILLS, SIGNAL WHISTLES AND CALL BELLS, CHECKING APPARATUS AND INSTRUMENTS, NAMELY, COMPUTERS, LIFE-SAVING APPARATUS AND INSTRUMENTS, NAMELY, SWIM FLOATS FOR SAFETY PURPOSES, INFLATABLE FLOTATION DEVICES, AND FLOTATION VESTS, AND TEACHING APPARATUS AND



*David J. Kappas*

Director of the United States Patent and Trademark Office

Reg. No. 4,085,903 INSTRUMENTS, NAMELY, CHILDREN'S EDUCATIONAL SOFTWARE, APPARATUS AND INSTRUMENTS FOR CONDUCTING, SWITCHING, TRANSFORMING, ACCUMULATING, REGULATING OR CONTROLLING ELECTRICITY, APPARATUS FOR RECORDING, TRANSMISSION OR REPRODUCTION OF SOUND OR IMAGES, PRE-RECORDED MAGNETIC DATA CARRIERS FEATURING ANIMATED CARTOONS, PRE-RECORDED RECORDING DISCS FEATURING ANIMATED CARTOONS, PRE-RECORDED AUDIO, VISUAL, AND AUDIOVISUAL MAGNETIC AND DIGITAL DATA CARRIERS FEATURING MUSIC AND ANIMATION AND ELECTRONIC GAME PROGRAMS, AUTOMATIC VENDING MACHINES AND MECHANISMS FOR COIN-OPERATED APPARATUS, CASH REGISTERS, CALCULATING MACHINES, DATA PROCESSING EQUIPMENT AND COMPUTERS, FIRE EXTINGUISHING APPARATUS, FIGURINES, KEY RINGS, COINS, MEDALS, JEWELRY, PRECIOUS STONES, HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS, POSTERS, PAPER FLAGS, ADVERTISING BOARDS OF CARDBOARD OR PAPER, PAPER NAPKINS, PAPER DECORATIVE GARLAND FOR PARTIES, PAPER PARTY BAGS, PAPER PARTY DECORATIONS, PAPER PARTY FAVORS, PARTY GOODIE BAGS OF PAPER OR PLASTIC, PARTY ORNAMENTS OF PAPER, GIFT WRAP MADE OF PAPER, PAPER GIFT WRAP BOWS, GIFT BOXES, TISSUE PAPER, PAPER TABLE CLOTHS, PAPER PLACEMATS, TOILET TISSUE, BOXES, CARIONS, STORAGE CONTAINERS AND PACKAGING CONTAINERS MADE OF PAPER OR CARDBOARD, HATBOXES OF PAPER OR CARDBOARD, GREETING CARDS, INVITATIONS, ANNOUNCEMENT CARDS, THANK YOU NOTES, POSTCARDS, PRINTED TICKETS, STICKERS AND TRANSFERS, COLORING BOOKS, EMBROIDERY DESIGN PATTERNS PRINTED ON PAPER, ILLUSTRATIONS, PORTRAITS, PHOTOGRAPH ALBUMS, STAMP ALBUMS, STICKER ALBUMS, DRAWING PAPER, DRAWING PADS, PAPER MACHE, WATERCOLOR PAINTS, WATERCOLOR BOARDS, WATERCOLOR PICTURES, ARTS AND CRAFT PAINT KITS, PAINT BOXES AND BRUSHES, CANVAS FOR PAINTING, EAST L.S. MODELING CLAY, MODELING COMPOUNDS, MODELING PASTE, PRINT ENGRAVINGS, PRINTS IN THE NATURE OF PHOTOGRAPHS, LITHOGRAPHS AND PICTURES, FACIAL TISSUE, BOOKS IN THE FIELD OF CHILDREN'S BOOKS, COMICS, CARTOON STRIPS, CATALOGS IN THE FIELD OF TOYS AND GAMES, MAGAZINES, PERIODICALS AND NEWSLETTERS IN THE FIELD OF CHILDREN'S AND COLLECTORS' ENTERTAINMENT, COMIC BOOKS AND CARTOONS, BOOK BINDING MATERIAL, PHOTOGRAPHS, STATIONERY, ADHESIVES FOR STATIONERY OR HOUSEHOLD PURPOSES, ARTISTS' PASTELS, ARTISTS' BRUSHES, TYPEWRITERS AND OFFICE REQUISITES EXCEPT FURNITURE, NAMELY, STAPLERS, PACKAGING ENVELOPES, BLANK JOURNAL BOOKS, DIARIES, NOTE PADS, RUBBER STAMPS, INKING PADS, PAPER LABELS, PAPER CLIPS, PAPER CLIP HOLDERS, TELEPHONE AND ADDRESS BOOKS, FILE FOLDERS, FILE BOXES FOR STORAGE OF MAGAZINES, BOOK MARKERS, WRITING PAPER, PAPER STATIONERY, PENS, PENCILS, MARKERS, CRAYONS, ERASERS, PENCIL SHARPENERS, CRAYON SHARPENERS, PENCIL CASES, DRAWING RULERS, BINDERS, GLUE FOR STATIONERY OR HOUSEHOLD USE, CORRECTION FLUID FOR DOCUMENTS, CHALK, CHALKBOARDS, CHALK ERASERS, DRY ERASE WRITING BOARDS AND WRITING SURFACES, TEACHING TILES AND FLASH CARDS, PLASTIC BUBBLE PACKS AND PLASTIC BAGS FOR PACKAGING, PRINTING TYPE, PRINTING BLOCKS, LEATHER BAGS, SCHOOL BAGS, HANDBAGS, MESSENGER BAGS, DUFFLE BAGS, TOILET BAGS, SPORT BAGS, REUSABLE SHOPPING BAGS, DIAPER BAGS, COSMETIC BAGS SOLD EMPTY, COIN PURSES, WALLETS, POUCHES OF LEATHER, POUCHES OF TEXTILE, LUGGAGE, LUGGAGE TAGS, KEY CASES, BACKPACKS WITH ROLLING WHEELS, SLING BAGS AND SLING BAGS FOR CARRYING INFANTS, ANIMAL SKINS, TRUNKS AND SUITCASES, UMBRELLAS, PARASOLS AND WALKING STICKS, WHIPS AND SADDLERY, HOUSEHOLD AND KITCHEN UTENSILS, CONTAINERS FOR HOUSEHOLD USE, WASTE BASKETS, TOILET PAPER HOLDERS, TOILET PAPER DISPENSERS, SHOWER CADDIES, WIRE BASKETS, NAPKIN HOLDERS, NAPKIN RINGS, SOAP DISPENSERS, LOTION CONTAINERS SOLD EMPTY FOR DOMESTIC USE, DISPENSERS FOR FACIAL TISSUES, ICE CUBE MOLDS, CUP CAKE MOLDS, LUNCH BOXES, SANDWICH BOXES, PLASTIC COASTERS, DISPOSABLE DINNERWARE, NAMELY, PLATES, BOWLS AND SERVING TRAYS, DISPOSABLE SERVING SPOONS, PAPER AND PLASTIC CUPS, SPORT BOTTLES SOLD EMPTY, FLASKS, THERMAL INSULATED BAGS FOR FOOD OR BEVERAGES, THERMAL INSULATED CONTAINERS FOR FOOD OR BEVERAGES, TOOTHBRUSHES ELECTRIC AND NON-

**Reg. No. 4,085,903** ELECTRIC, TOOTHBRUSH HOLDERS, TOOTHBRUSH CASES, COMBS, SPONGES FOR HOUSEHOLD PURPOSES, CLEANING BRUSHES FOR HOUSEHOLD USE, BRUSH-MAKING MATERIALS, CLEANING EQUIPMENT, NAMELY, MOPS, BROOMS, SCRUBBING BRUSHES, TOILET BRUSHES, GARDENING GLOVES, STEEL WOOL, UNWORKED OR SEMI-WORKED GLASS EXCEPT BUILDING GLASS, BABY BATH TUBS, COOKIE JARS, GLASS JARS, BOTTLES SOLELY EMPTY, FLOWER POTS, VASES, BOTTLE GOURDS, PLATES, DISHES, BOWLS, CUPS, MUGS, DRINKING GLASSES, TUMBLERS, TEXTILES AND TEXTILE GOODS, FABRICS FOR TEXTILE USE, CLOTHING, FOOTWEAR, HEADGEAR, GAMES AND TOYS, GYMNASIAC APPARATUS AND SPORTING ARTICLES, DECORATIONS FOR CHRISTMAS TREES, MEAT, FISH, POULTRY AND GAME, MEAT EXTRACTS, PRESERVED, FROZEN, DRIED AND COOKED FRUITS AND VEGETABLES, JELLIES, JAMS, COMPOTES, EGGS, MILK AND DAIRY PRODUCTS EXCLUDING ICE CREAM, ICE MILK AND FROZEN YOGURT, EDIBLE OILS AND FATS, COFFEE, TEA, COCOA, SUGAR, RICE, TAPIOCA, SAGO, ARTIFICIAL COFFEE, FLOURS AND PREPARATIONS MADE FROM CEREALS, NAMELY, BREAKFAST CEREALS, CEREAL BASED SNACK FOOD, BREAD, PASTRY, CONFECTIONERY, NAMELY, CANDY, ICES, HONEY, TREACLE, YEAST, BAKING POWDER, SALT, MUSTARD, VINEGAR, SAUCES AS CONDIMENTS, SPICES, ICE FOR REFRESHMENT, BEER, MINERAL AND AERATED WATERS AND NON-ALCOHOLIC BEVERAGES, NAMELY, SOFT DRINKS, FRUIT FLAVORED SOFT DRINKS, ENERGY DRINKS AND SPORT DRINKS, FRUIT DRINKS AND FRUIT JUICES, FROZEN FRUIT DRINKS, SYRUPS FOR MAKING BEVERAGES, INFORMATION AND CONSULTING SERVICES IN CONNECTION WITH ALL THE AFOREMENTIONED SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102)

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 7-21-2010 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1072303 DATED 1-21-2011. EXPIRES 1-21-2021.

OWNER OF U.S. REG. NOS. 1,209,160, 2,701,891 AND OTHERS.

SER. NO. 79-095,500, FILED 1-21-2011.

KRISTINA MORRIS, EXAMINING ATTORNEY

United States of America  
United States Patent and Trademark Office

# THE SMURFS

Reg. No. 4,531,255  
Registered May 20, 2014  
Int. Cl.: 5

STUDIO PEYO S.A. (SWITZERLAND SOCIÉTÉ ANONYME)  
CHEMIN FRANK-THOMAS 36  
CH-1208 GENÈVE  
SWITZERLAND

TRADEMARK  
PRINCIPAL REGISTER

FOR: ANTISEPTIC COTTON, ANTISEPTICS; BALMS FOR MEDICAL USE, BANDAGES FOR DRESSINGS; ADHESIVE TAPES FOR MEDICAL PURPOSES; CACHETS FOR PHARMACEUTICAL USE; CACHOU FOR PHARMACEUTICAL USE; CANDY SUGAR FOR MEDICAL USE; CHEWING GUM FOR MEDICAL USE; MEDICATED COMPRESSES; CANDY FOR PHARMACEUTICAL USE; COTTON FOR MEDICAL USE; DENTAL AMALGAMS; BABIES' DIAPER-PANTS; DIETETIC TEA FOR BABIES AND CHILDREN FOR MEDICAL USE; DIETETIC MILK PREPARATIONS FOR BABIES FOR MEDICAL USE; DIETETIC MEALS FOR MEDICAL PURPOSES FOR BABIES AND CHILDREN; ANTI-ALLERGIC FOOD AND BEVERAGES FOR BABIES AND CHILDREN FOR MEDICAL USE; DIGESTIVES FOR PHARMACEUTICAL USE; DISINFECTANTS FOR SANITARY USE; EYE PATCHES FOR MEDICAL USE; FILLED FIRST-AID BOXES; FOOD FOR BABIES; LACTEAL FLOUR FOR BABIES; LOTIONS FOR PHARMACEUTICAL USE; TISSUES IMPREGNATED WITH PHARMACEUTICAL LOTIONS; MALTED MILK BEVERAGES FOR MEDICAL USE; MEDICINAL DRINKS; MEDICINES FOR HUMANS, NAMELY, FOOD SUPPLEMENTS FOR CHILDREN, VITAMINS FOR CHILDREN, MINERAL SUPPLEMENTS FOR CHILDREN, SYRUPS FOR THE TREATMENT OF COUGH, STOMACH ACHES, FEVER AND PAINS IN GENERAL, NOSE DROPS, LOZENGES FOR THE TREATMENT OF THROAT PAIN, MILK OF ALMONDS FOR PHARMACEUTICAL USE; LACTULOSE FOR PHARMACEUTICAL USE; MINERAL FOOD SUPPLEMENTS, MINT FOR PHARMACEUTICAL USE; DIAPERS FOR BABIES; MEDICAL PLASTERS, PLASTERS FOR MEDICAL PURPOSES AND STICKING PLASTERS FOR MEDICAL USE; POLLEN DIETARY SUPPLEMENTS; POMADES FOR MEDICAL USE; PROPOLIS DIETARY SUPPLEMENTS; PROTEIN DIETARY SUPPLEMENTS; ROYAL JELLY DIETARY SUPPLEMENTS; SARSAPARILLA FOR MEDICAL USE; PHARMACEUTICAL PREPARATIONS FOR SKIN CARE; SOLUTIONS FOR CONTACT LENSES; SUGAR FOR MEDICAL USE; MEDICATED SUNBURN OINTMENTS; SUNBURN PRODUCTS FOR PHARMACEUTICAL USE; SUPPOSITORIES; VITAMIN PREPARATIONS; WHEAT GERM DIETARY SUPPLEMENTS; YEAST DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52)



*Michelle K. Lee*  
Deputy Director of the United States  
Patent and Trademark Office

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

**Reg. No. 4,531,255** OWNER OF INTERNATIONAL REGISTRATION 1153570 DATED 2-11-2013, EXPIRES 2-11-2023

OWNER OF U.S. REG. NOS. 1,264,914, 4,097,600 AND OTHERS.

SER. NO. 79-127,527, FILED 2-11-2013.

TINA L. SNAPP, EXAMINING ATTORNEY



# United States of America

United States Patent and Trademark Office

## THE SMURFS

**Reg. No. 6,307,668**

**Registered Mar. 30, 2021**

**Int. Cl.: 29**

**Trademark**

**Principal Register**

Studio Peyo S.A. (SWITZERLAND société anonyme (sa) )  
Chemin Frank-thomas 36  
Geneva, SWITZERLAND CH-1208

CLASS 29: Milk; Jellies, jams, compotes; Milk products excluding ice cream, ice milk and frozen yogurt

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OWNER OF EUROPEAN UNION , REG. NO. 8352379, DATED 12-24-2009, EXPIRES 06-10-2029

OWNER OF U.S. REG. NO. 4085903, 4097600, 4531255

SER. NO. 90-112,334, FILED 08-13-2020



*Diana H. Holt*

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Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office

