

ESTTA Tracking number: **ESTTA1219211**

Filing date: **07/05/2022**

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	DOLCE & GABBANA TRADEMARKS S.R.L.		
Entity	Limited Liability Company	Citizenship	Italy
Address	VIA GOLDONI 10 MILANO (MI), 20129 ITALY		

Attorney information	MICHAEL J. LEONARD FOX ROTHSCHILD LLP 997 LENOX DRIVE, BLDG. 3 LAWRENCEVILLE, NJ 08648-2311 UNITED STATES Primary email: ipdocket@foxrothschild.com Secondary email(s): mleonard@foxrothschild.com 215.299.2085		
Docket no.	114354.00489		

**Applicant information**

Application no.	90856574	Publication date	06/07/2022
Opposition filing date	07/05/2022	Opposition period ends	07/07/2022
Applicant	Dream Glam, LLC 9701 WILSHIRE BLVD #1000 LOS ANGELES, CA 90212 UNITED STATES		

**Goods/services affected by opposition**


Class 003. First Use: None First Use In Commerce: None All goods and services in the class are opposed, namely: False eyelashes
--

**Grounds for opposition**

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

**Marks cited by opposer as basis for opposition**


U.S. registration no.	3108433	Application date	06/28/2004
Register	Principal		
Registration date	06/27/2006	Foreign priority date	NONE

Word mark	D&G
Design mark	
Description of mark	NONE
Goods/services	<p>Class 003. First use: First Use: 1999 First Use In Commerce: 1999  Perfumes, solid perfumes [, personal deodorants, soaps for personal use; liquid-soaps, toilet soaps, bath foams, ] [ toothpastes, shampoos, essential oils for personal use, hair lotions, ] [ hair gels, bath gels, ] [ styling gels, hair dyes, ] [ face creams, eye-liners, eye shadows, make up pencils, face earth, lipsticks, fond de teint, body creams ] [, nail polishes, nail hardeners, nail polish removers, tanning oils and creams ]</p> <p>Class 009. First use: First Use: 1998 First Use In Commerce: 1998  Spectacles, sunglasses, spectacle frames, spectacle lenses, spectacle cases [,contact lenses ]</p> <p>Class 014. First use: First Use: 2001 First Use In Commerce: 2001  Watches, clocks, wristwatches, [ table clocks, pocket watches, ] alarm clocks, digital clocks, waterproof clocks, watchcases, [ watch chains, ] watch crystalsand lenses, watch bands, chronographs for use as a watch, jewelry articles and costume jewelry articles</p> <p>Class 018. First use: First Use: Jun 28, 2004 First Use In Commerce: Jun 28, 2004  Tote bags, book bags and shoulder bags,handbags, suitcases, briefcases, purses, [ document cases, ] hand purses, key cases, traveling trunks, leather and imitation of hides and leather sold in bulk,[ parasols, ] umbrellas, [ walking sticks, harnesses and other saddlery articles ]</p> <p>Class 025. First use: First Use: Jun 28, 2004 First Use In Commerce: Jun 28, 2004  Clothing for men, women and children namely suits made of leather, shirts, blouses, skirts, jackets, trousers, shorts, vests, jerseys, pajamas, stockings, singlets, corsets, garters, pants, petticoats, hats, scarves, neckties, raincoats, overcoats, greatcoats, bathing suits, sport overalls, wind-resistant jackets, skipants, belts, fur coats, fur hats, dressing gowns, footwear namely slippers, shoes, sports shoes and boots</p>

U.S. registration no.	3964224	Application date	03/01/2010
Register	Principal		
Registration date	05/24/2011	Foreign priority date	NONE
Word mark	D&G		
Design mark			
Description of	The mark consists of "D&G" in stylized letters.		

mark	
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None  Perfumes and cosmetics; [ lipsticks, bath foams; essential oils for personal use, tanning oils, mascara, creamy foundation, foundation make-up in cream form, eyeliners, soaps for personal use, cold creams, vanishing creams, shaving creams, anti-wrinkle creams, nail varnish, nailpolish, tooth pastes, skin lotions, hair lotions, eye shadow, deodorants for personal use, liquid soaps, aftershave lotions, beauty masks, cotton sticks and wool for cosmetics purposes, eyebrow pencils, hair waving preparations, hair colorants spray, make up powder, ] make up removing preparations [ , shampoos, talcum powder ]</p> <p>Class 009. First use: First Use: None First Use In Commerce: None  Eyeglasses; sunglasses; eyeglass frames[ ; lenses for sunglasses and eyeglasses; contact lenses; eyeglass cases; eyeglass chains; timers ]</p> <p>Class 014. First use: First Use: None First Use In Commerce: None  [ Wristwatches, pocket watches; alarm clocks; digital clocks; watch cases; watch chains; watch glasses; watch straps; chronographs for use as timepieces; jewelry and costume jewelry ]</p> <p>Class 018. First use: First Use: None First Use In Commerce: None  Leather articles, namely, tote bags; [ handbags; ] suitcases; [ wallets; briefcases; traveling trunks; key cases of leather; leather traveling cases for clothing; umbrellas; walking sticks; ] rucksacks [ ; saddlery; furs ]</p> <p>Class 025. First use: First Use: None First Use In Commerce: None  Clothing, namely, coats, mantles, raincoats, overcoats, greatcoats, dusters, fur cloaks, fur coats and jackets, fur hats, fur muffs, fur stoles, dresses, suits, [ suits made of leather, ] skirts, jackets, knitwear, namely, knit jackets, knitted caps, knitted gloves, and polo knit tops, trousers, shorts sets, Bermuda shorts, jeans, waistcoats, shirts, t-shirts, tops, blouses, jerseys, sweaters, vests, blazers, cardigans, stockings, socks, underwear, [ dressing gowns, ] corsets, [ brassiere, ] underpants, night-gowns, shifts, pajamas, singlets, garters, petticoats, bathrobes, bathing suits, beach-wraps, sun suits, sport overalls, sport jackets, [ ski pants, ] waterproof clothing, namely, coats, blazers, jackets, trench coats, [ and rain suits, ] wind-resistant jackets, anoraks, sweatsuits, ties, neckties, scarves, shawls, mufflers, foulards, caps, hats, hoods, [ gloves, ] sashes, belts; footwear, beach footwear, athletic footwear, boots, shoes and slippers</p>

U.S. registration no.	5940748	Application date	10/02/2018
Register	Principal		
Registration date	12/24/2019	Foreign priority date	07/25/2018
Word mark	DG		

Design mark	
Description of mark	<p>The mark consists of the stylized "DG" within the center of a framed heart, having a blazing torch centered thereabove at the top of the heart, whereby the outer perimeter of the frame is crusted with half circle shapes and finger-like projections extending therefrom.</p>
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None  Cosmetics; perfumes; perfumes in solid form; antiperspirants as toiletries; non-medicated soap; non-medicated liquid soap; cakes of toilet soap; bath foam; dentifrices; shampoos; essential oils; hairlotions; permanent waving and hair curling preparations; cosmetics in the form of gels; tints for the hair; face creamsfor cosmetic purposes; mascara; eyeliner; eyeshadow; make-up pencils; sun bronzers; lipsticks; foundation; cosmetic body creams; nail polish; preparations for reinforcing the nails; nail varnish removers; cosmetic oils; suntan creams</p> <p>Class 009. First use: First Use: None First Use In Commerce: None  Eyeglasses; sunglasses; eyeglass frames; sunglass lens; contact lenses; eyeglass cases; eyeglass chains; optical inspection apparatus and optical receivers andtransmitters; cases adapted for computers; cases adapted for mobile phones; leather cases for mobile phones; mobile telephone cases made of leather or imitations of leather; leather cases for smartphones; leather cases for tablet computers; bags adapted for laptops; carrying cases for cellular phones; electronic book reader covers; cases for spectacles and sunglasses; cases for smartphones; casesfor tablet computers; cases for telephones; camcorder covers; flip covers for tablet computers; mobile telephone coversmade of cloth or textile materials; covers for tablet computers; flip covers for smart phones; tablet computers; cellular phones; cell phone straps; hands-freeheadsets for cell phones; headsets for mobile telephones; wireless headsets foruse with cellular phones; cases adaptedfor cellular phones; flip covers for mobile phones; universal serial bus cables; USB chargers; downloadable e-books in the field of fashion; smartwatches; waterproof cases for smart phones; smartglasses; smart-phones in the shape of a watch; wearable smart phones; smartbands, namely, smartwatch bands; smartphones</p> <p>Class 014. First use: First Use: None First Use In Commerce: None  Wristwatches; pocket watches; alarm clocks; digital clocks; watch cases being parts of watches; watch chains; watch glasses; watch bands; chronographs for use as watches; jewellery; paste jewellery</p>

	<p>Class 018. First use: First Use: None First Use In Commerce: None  Leatherware, namely, travelling bags; all purposes carrying bags; handbags; clutches as purses; suitcases; pocket wallets; leather purses; purses; school bags; document cases of leather; travelling trunks; key-cases of leather and skins; vanity cases, not fitted; garment carriers, namely, garment bags for travel; rucksacks; umbrellas; walking staffs; saddlery</p> <p>Class 025. First use: First Use: None First Use In Commerce: None  Clothing, namely, coats, mantles, raincoats, dresses, suits, skirts, jackets, trousers, jeans, waistcoats, shirts, T-shirts, blouses, jerseys, sweaters, pullovers, blazers, cardigans, sports jackets, wind-resistant jackets; bath robes; bathing suits; belts as clothing; neckties; scarfs; gloves as clothing; underwear; pajamas; nightgowns; stockings; tights; shawls; sashes for wear; footwear; headwear</p>
--	--

U.S. registration no.	5816265	Application date	10/02/2018
Register	Principal		
Registration date	07/30/2019	Foreign priority date	07/25/2018
Word mark	DG		
Design mark			
Description of mark	The mark consists of the stylized representation of a heart, featuring a stylized tied ribbon design near its top-center, and flowery designs lining its outer border, with the literal element "DG" in the center of the heart.		
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None  Cosmetics; perfumes; perfumes in solid form; antiperspirants in the nature of toiletries; non-medicated bar soap; non-medicated liquid soap; cakes of toilet soap; bath foam; dentifrices; shampoos; essential oils; hair lotions; permanent waving and hair curling preparations; cosmetics in the form of gels; tints for the hair, namely, hair color; face creams for cosmetic purposes; mascara; eye-liner; eyeshadow; make-up pencils; sun bronzers in the nature of skin bronzer; lipsticks; foundation; cosmetic body creams; nail polish; nail care preparations for reinforcing the nails; nail varnish removers; cosmetic oils; suntan creams</p> <p>Class 009. First use: First Use: None First Use In Commerce: None  Eyeglasses; sunglasses; eyeglass frames; lens in the nature of eyeglass lenses; contact lenses; eyeglass cases; eyeglass chains; optical inspection apparatus and optical receivers, and transmitters of electronic signals; cases adapted for computers; cases adapted for mobile phones; leather cases for mobile phones; mobile telephone cases made of leather or imitations of leather; leather cases for smartphones; leather cases for tablet computers; bags adapted for laptops; carrying cases for cellular phones; electronic book reader covers; cases for spectacles and sunglasses; cases for smartphones; cases for tablet computers; cases for telephones; camcorder covers; flip covers for tablet computers; mobile telephone covers made of cloth or textile materials; covers for tablet computers; flip covers for smart phones; tablet computers; cellular phones; cell phone straps; hands-free headsets for cell phones; headsets for mobile telephones; wireless headsets for use with cellular phones; cases adapted for cellular phones; flip covers for mobile phones; universal serial bus (USB) cables; usb battery chargers; downloadable e-books in the field of fashion; smartwatches; waterproof cases for smart phones; smartglasses; smartphones in the shape of a watch; wearable smart phones; smartbands, namely, armbands specially adapted for personal electronic devices, namely, smartphones; smartphones</p> <p>Class 014. First use: First Use: None First Use In Commerce: None  Wristwatches; pocket watches; alarm clocks; digital clocks; watch cases, namely, cases adapted for holding watches; watch chains; jewellery; paste jew-</p>		

	<p>ellery</p> <p>Class 018. First use: First Use: None First Use In Commerce: None</p> <p>Leatherware, including travelling bags;travelling bags; handbags; clutches in the nature of purses; suitcases; pocket wallets; leather purses; purses; school bags; document cases of leather; travelling trunks; key-cases of leather and skins; vanity cases, not fitted; garment carriers in the nature of garment bags fortravel; rucksacks; umbrellas; walking staffs; saddlery</p> <p>Class 025. First use: First Use: None First Use In Commerce: None</p> <p>Clothing, namely, coats, mantles, raincoats, dresses, suits, skirts, jackets, trousers, jeans, waistcoats, shirts, T-shirts, blouses, jerseys, sweaters, pullovers, blazers, cardigans, sports jackets,wind-resistant jackets; bath robes; bathing suits; belts in the nature of clothing; neckties; scarfs; gloves in the nature of clothing; underwear; pajamas; nightgowns; stockings; tights; shawls; sashes for wear; footwear; headwear</p>
--	--

Attachments	<p>76599454#TMSN.png( bytes )</p> <p>79252182#TMSN.png( bytes )</p> <p>2022-07-05 DG DREAM GLAM opp.pdf(197161 bytes )</p>
-------------	--

Signature	/mjl/
Name	Michael J. Leonard
Date	07/05/2022

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

RE: U.S. Trademark Application Serial No. 90/856574  
Published in the Official Gazette on 7 June 2022

DOLCE & GABBANA TRADEMARKS S.R.L. )  
 )  
Opposer )  
 )  
-v- )  
 )  
DREAM GLAM, LLC, )  
 )  
Applicant )  
\_\_\_\_\_ )

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

**NOTICE OF OPPOSITION**

Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22314

Commissioner:

In the matter of Application Serial No. 90/856574 filed 29 July 2021 by Dream Glam,



LLC (“Applicant”), to register the mark: **DREAM GLAM** covering goods in Class 3 described as: “false eyelashes” (“Applicant’s Goods”), which was published in the Official Gazette on 7 June 2022, Dolce & Gabbana Trademarks S.R.L. (“Opposer”) of Milano, Italy believes it will be damaged by the registration of the DG DREAM GLAM (stylized) Mark and opposes registration of same.

The grounds for the opposition are as follows:

1. Upon information and belief, Applicant is a California Limited Liability Company having an address at 9701 Wilshire Blvd #1000, Los Angeles, CA 90212.
2. On 29 July 2021, Applicant filed Application Serial No. 90/856574 for the mark DG DREAM GLAM for Applicant's Goods based on Applicant's claim of intent to use the mark in commerce.
3. Opposer, Dolce & Gabbana Trademarks S.R.L., is an Italian Limited Liability Company and the owner and user of the well-known trademark D&G.
4. Opposer is the owner of U.S. Registration No. 3108433 for the mark D&G covering goods in International Class 3 described as "Perfumes, solid perfumes." The foregoing Registration is not limited by channels of trade or classes of purchasers. Opposer's Registration is valid, subsisting and incontestable and is evidence of the validity of the registered mark set forth therein, and Opposer's exclusive right to use the registered mark in connection with the goods specified in the registration.
5. Opposer is the owner of U.S. Registration No. 3964224 for the mark D&G (stylized) covering goods in International Class 3 described as "Perfumes and cosmetics; make up removing preparations." The foregoing Registration is not limited by channels of trade or classes of purchasers. Opposer's Registration is valid, subsisting and incontestable and is evidence of the validity of the registered mark set forth therein, and Opposer's exclusive right to use the registered mark in connection with the goods specified in the registration.
6. Opposer is the owner of U.S. Registration No. 5940748 for the mark D&G and Design covering goods in International Class 3 described as "Cosmetics; perfumes; perfumes in solid form; antiperspirants as toiletries; non-medicated soap; non-medicated liquid soap; cakes of toilet soap; bath foam; dentifrices; shampoos; essential oils; hair lotions; permanent waving