

ESTTA Tracking number: **ESTTA1324531**
Filing date: **11/27/2023**

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	Icon S.r.l.		
Entity	Corporation	Incorporated or registered in	Italy
Address	VIA G. DI VITTORIO, 11 CADRIANO DI GRANAROLO DELL'EMILIA, I-40057 ITALY		
Attorney information	DENNIS H. CAVANAUGH D H CAVANAUGH ASSOCIATES 260 MADISON AVENUE, FL 16 NEW YORK, NY 10016 UNITED STATES Primary email: dhc@dhcavanaugh.net 212-856-7210		
Docket no.			

Applicant information

Application no.	98050622	Publication date	11/07/2023
Opposition filing date	11/27/2023	Opposition period ends	12/07/2023
Applicant	NatureLab. Co., Ltd. EBISU PRIME SQUARE TOWER 11F 1-1-39, HIROO, SHIBUYA-KU, TOKYO, 150-0012 JAPAN		

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: Non-medicated bath soaps; facial scrubs; body scrubs; facial washes; perfume and fragrances; incense; non-medicated bath and shower gels; shower gels; bath melts; bath herbs; non-medicated bath salts; bath foam gels; bath gel; non-medicated bath preparations; perfumery; bath oils; bath cream; non-medicated bath soap; aromatic oils for the bath; bath crystals; bath bombs; bath milk; cosmetic preparations for body care; deodorants for body care; beauty creams for body care; cosmetic soaps; non-medicated skin care preparations; body care cosmetics

Grounds for opposition

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

U.S. registration	6039245	Application date	11/30/2018
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no.			
Register	Principal		
Registration date	04/28/2020	Foreign priority date	06/05/2018
Word mark	SENDO		
Design mark			
Description of mark	The mark consists of the word "SENDO" with the "E" and "O" rotated sideways.		
Goods/services	<p>Class 003. First use: First Use: None First Use In Commerce: None</p> <p>Hair creams; Hair dye; Tints for the hair; Hair mascara; Hair lighteners; Hair wax; Hair creams in the nature of hair moisturizers; Conditioning preparations for the hair; Hair glaze; Non-medicated hair balm; Hair emollients; oils for hair conditioning; Hair gel; Hair care lotions; Hair bleaching preparations; Cosmetics for use on hair; Hair mousse; Hair spray; Shampoo; Hair straightening preparations; Hair pomades; Hair nourishers; Hair tonic; Hair-washing powder; Non-medicated hair serums; Hair liquids in the nature of oils for conditioning hair, non-medicated hair serums, hair glazes, hair emollients; Hair masks; Hair fixers; Hair rinses, namely, shampoo-conditioners; Neutralizing hair care preparations; Hair protection gels; Hair texturizers; Hair protection lotions; Hair lotion; Hair moisturizing conditioners; Mixes of essential oils for combing hair; Hair protection creams; Hair protection mousse; Shampoos for human hair; Styling paste for hair; Cosmetic hair lotions; Non-medicated hair shampoos; Hair dyeing preparations; Hair tinting preparations; Baby hair conditioner; Hair permanent wave kits containing permanent wave preparations, neutralizing solutions, conditioners, permanent wave end wraps; Wax treatments for the hair being wax for removing body hair, hair styling fixative in the nature of hair wax; Hair fixing oil; Cosmetic hair dressing preparations; Coloring lotions for the hair; preparations for setting hair; hair permanent wave preparations; styling lotions; non-medicated hair tonic; wave-set lotions; hair-waiving preparations; hair conditioners for babies; hydrogen peroxide for use on the hair; hair frosts; hair conditioner bars; creams for fixing hair; gels for fixing hair; hair strengthening treatment lotions; styling gels; hair treatment preparations, namely, shampoo; preparations for protecting the hair from the sun; hair care creams; hair grooming preparations; non-medicated hair care preparations and treatments for cosmetic purposes; hair care masks; non-medicated hair care serums; adhesives for false eyelashes, hair and nails; hair fixers in refill packs for dispensers; hair rinses for cosmetic use; non-medicated hair desiccating treatments for cosmetic use; preparations for protecting colored hair, namely, masks, shampoos, hair conditioners, hair creams, hair gels, hair lotions, hair sprays; Japanese hair fixing oil (bintsuke-abura); oil baths for hair care; non-medicated hair styling serums; hair styling masks; Bath soaps for use as hair and body wash; cosmetic preparations for the hair and scalp; hair preservation treatments for cosmetic use in the nature of shampoos, hair conditioners, hair creams, hair gels, hair lotions, hair sprays; mousses being hair styling aids; hair care preparations, not for medical purposes; toiletries in the nature of mousses for use in styling the hair; Cleansing creams; perfumed creams; exfoliant creams; depilatory creams; aftershave creams; skin barrier creams; creams for tanning the skin; sun tan creams; sun creams; skin conditioning creams; skin washing creams; cosmetic creams; make-up removing creams; after sun creams; polishing creams; non-medicated skin cream; shaving cream; non-medicated aromatherapy skin creams; day skin creams; cosmetic self-tanning creams; anti-aging creams; leather dressings; cosmetic nourishing creams; shower creams; cosmetic skin toning creams; night creams; boot cream; cosmetics, namely, fluid skin cream; cosmetics, namely, night creams; non-medicated cleansing creams; non-medicated nutritional skin creams; body cream; anti-freckle creams; cosmetic sun-protecting preparations; face creams for cosmetic use; eye cream; anti-wrinkle cream; skin cream; creams for leather; beauty balm creams; non-medicated dermatological creams;</p>		

hand creams; sun-tanning creams and lotions; cosmetic creams and lotions; baby sun creams; non-medicated bath creams; non-medicated babies' skin cream; preservative creams for leather; cosmetics, namely, sun protecting creams; cream soaps for use in washing; creams for firming the skin; massage creams, not medicated; skin lightening creams; cosmetic hand creams; skin whitening creams; cosmetics in the form of creams; cosmetic creams for dry skin; skin recovery creams for cosmetic use; hydrating creams for cosmetic use; cold creams for cosmetic use; scented body creams; moisturizing creams, body lotions and skin gels; shoe polish and creams; tooth whitening creams; non-medicated creams for the body; creams for cellulite reduction; non-medicated creams for the eyes; pre-shave creams; Cosmetic moisturizing skin creams; blemish balm skin creams; cosmetic skin care creams; age spot reducing creams; cosmetic creams for firming skin around eyes; scented body lotions and creams; fair complexion creams; non-medicated diaper rash cream; make-up primers in the form of pastes; skin conditioning creams for cosmetic purposes; face and body creams; cosmetic body and facial creams; skin care creams, other than for medical use; under-eye enhancers; cosmetic tonics in the nature of astringents, skin toners, skin cleansers; skin toners; skin toners for cosmetic use; cosmetic facial skin toners; non-medicated skin toners; beauty tonics for application to the face in the nature of astringents, skin toners, facial cleansers; beauty tonics for application to the body in the nature of astringents, skin toners, skin cleansers; cosmetics; oils for cosmetic purposes; cleansing milk for toilet purposes; cosmetic skin moisturizers; cosmetic rouges; sun skin bronzers; cosmetics, namely, pressed face powder; cosmetics and cosmetic preparations; cosmetic soaps; natural cosmetics; mousses being cosmetic creams; organic cosmetics; color cosmetics; functional cosmetics being non-medicated anti-ageing skin care preparations; non medicated cosmetics; cosmetic suntan lotion; cosmetic tanning preparations; cosmetic sun blocking preparations; cosmetic moisturizing concentrates, namely, face oils, body oils, bath oils, body creams, face creams; cosmetics for animals; cosmetic self-tanning preparations; mineral oils for cosmetic purposes; cosmetic after-sun oils; cosmetic sun tanning oil; cosmetic self-tanning lotions; cosmetic skin moisturizing gels; cosmetic solid powder for compacts; cosmetics for children; cosmetic skin emollient preparations; beauty care cosmetics; non-medicated sun care preparations; moisturizing preparations for the skin; decorative cosmetics; cosmetic preparations for skin firming; cosmetics containing keratin; cosmetics containing panthenol; sun-tanning gels; cosmetics for personal use; cosmetics for use on the skin; cosmetic nail tips; tissues impregnated with cosmetics; eyebrow cosmetics; color cosmetics for the eyes; eye make-up; cosmetics for eyelashes; cleaner for cosmetic brushes; cosmetic nail varnish remover; color cosmetics for children; cosmetic kits comprised of lipstick, lip gloss, mascara, eye shadow, rouge, foundation; lip cosmetics; cosmetics containing hyaluronic acid; cosmetics in the form of milks; cosmetics, namely, body paint; cosmetic preparations for baths; cosmetic facial cleansers; cosmetics in the form of oils; cosmetic facial moisturizers; cosmetics in the form of gels; cosmetic facial scrubs; cosmetic skin masks; cosmetics in the form of rouge; color cosmetics for the skin; cosmetic pressed face powder refills; cosmetics in the form of powders; cosmetics in the form of lotions; cosmetic lip coatings in the nature of lip balms, lip creams, lip glosses, lip tints, lip stains, lipstick; cosmetics in the form of eye shadow; skin conditioners; cosmetic hair regrowth inhibiting preparations; cosmetic oils for the epidermis; cosmetic skin cleansers; make-up; cosmetic eye gels; cosmetic facial preparations; cosmetic body scrubs; cosmetic products for the shower, namely, bar soaps, liquid soaps, shower gels, shower scrubs; cosmetic lip stains; body oils for cosmetic use; cosmetic sun blocking oils; cosmetic nail hardeners; cosmetic skin whitening preparations; skincare cosmetics; cosmetics for use in the treatment of wrinkled skin; cosmetic skin lightening compositions; cosmetic nail polish base coat; cosmetic sun blocking lipsticks; cosmetic eye liners; cosmetic sun protecting preparations for lips; cosmetics for the treatment of dry skin; cosmetic skincare oils; facial wipes impregnated with cosmetics; non-medicated cosmetic lip protectors; slimming aids in the nature of cosmetic creams, body lotions; cos-

metic preparations for body care; glitter in spray form for use as a cosmetic; decorative cosmetics in refill packs; cosmetics for protecting the skin from sunburn; cosmetic preparations for use as aids to slimming; cosmetic preparations for the care of mouth and teeth; perfume oils for the manufacture of cosmetic preparations; cosmetic skin enhancers; pores tightening mask packs used as cosmetics; non-medicated cosmetics and toiletry preparations; body and facial gels for cosmetic purposes; cosmetic preparations for bath and shower; paper wipes impregnated with teeth whitening preparations; cosmetic teeth whitening strips impregnated with teeth whitening preparations; cosmetic products in the form of aerosols for skincare; cosmetic preparations for nail drying; cosmetic facial washes; facial masks; face powder; make-up for the face; cosmetic facial lotions; exfoliating scrubs for the face; non-medicated facial soaps; facial concealer; face oils; Non-medicated face gels; facial butters being cosmetic creams; facial cleansing milk; cleaning masks for the face; non-medicated face cream; non-medicated liquid soaps for hands and face; facial cleansing grains; non-medicated face scrubs; facial massage oils; Face packs in the nature of pore tightening mask packs used as cosmetics; toning lotion for the face, body and hands; make-up for the face and body; facial care preparations, namely, facial cleansers, facial moisturizers, facial creams, facial lotions, facial tonics; facial emulsions; Non-medicated facial serum for cosmetic use; Face and body masks; body and facial butters; Non-medicated face care preparations, namely, facial cleansers, facial moisturizers, facial creams, facial lotions, facial tonics; body and facial oils; cosmetic white face powder; lotions for face and body care; make-up preparations for the face and body; Cosmetics in the form of pastes for application to the face to counteract glare; face powder in the form of powder-coated paper; disposable wipes impregnated with cleansing compounds for use on the face; wrinkle-minimizing cosmetic preparations for topical facial use; body sprays; body emulsions; body milks; body shampoos being skin cleansers; body scrub; body moisturizers; body talcum powder; body masks; body powder; body glitters; Non-medicated body gels; Body souffle being a cosmetic cream; body lotions; Abrasive skin preparations for use on the body; body mask cream; pumice stones for use on the body; scented body spray; body cleansing foams for personal use; perfumery, namely, body deodorants; body cream soap; body oil spray; face and body glitter; cakes of soap for body washing; scented body lotions; non-medicated body sprays; Non-medicated body powder; body art stickers; deodorants for body care; baby body milks; Cosmetic moisturizing body lotion; non-medicated body soaks; Non-medicated soaps for body care; Sparkling fluids for the body, namely, body lotions, body milks; body massage oils; Non-medicated skin care preparations, namely, body mist; soap free washing emulsions for the body; Cosmetics, namely, hand and body butter; Non-medicated body care preparations, namely, body scrubs, non-fragranced shower gels, body lotions, body creams; body mask lotion; Non-medicated toiletry preparations, namely, perfumed body lotions; body mask powder; Cosmetic body cleaning and beauty care preparations; Cosmetic body cleansing products, namely, skin cleansing creams, skin cleansing lotions, cleansing milks, hand cleaning gels in refill packs for dispensers; Foams for use in the shower; Non-medicated shower soap; shower gels; shower and bath foam; Cosmetic shower preparations; shower and bath gel; cosmetic bath and shower preparations; Non-medicated shower oils for cleaning and cosmetic purposes; shower salts not for medical purposes; Non-medicated bath oils and non-medicated cosmetic shower oils; bath and shower gels, not for medical purposes; Shower gel in refill packs for dispensers; Blush pencils; Make-up preparations; Multifunctional decorative cosmetics; Non-medicated lip balms; Hair conditioning balsam; Shampoo-conditioners; Hair cleaning preparations, namely, cleansing balms; Non-medicated balms for use on hair, skin, lips; Non-medicated foot balms; Non-medicated skin balms; Skin conditioners in the form of sprays for the scalp; Skin conditioners, namely, lip conditioners; Nail cuticle conditioners; exfoliating scrubs for the hands; Non-medicated hand cleansers; Non-medicated hand soap; hand lotions; non-medicated hand gels; Hand soap powders; Cleansing hand milks; Non-medicated hand lotion; Non-medicated hand oils; Hand washes; Cosmetic nail

	primer; Cleaning agents for the hands; Hand masks for skin care; Wipes impregnated with cleaning agents; Wipes impregnated with cosmetic lotions; Essential oils; Blended essential oils; Emulsified essential oils; Aromatics in the nature of potpourris and oils; Essential vegetable oils; Aromatic essential oils; Natural essential oils; Essential oils for personal use; Essential oils for aromatherapy use; Essential oils and aromatic extracts of flowers being perfumes; Cosmetic masks; Skin cleaning masks; Skin moisturizer masks; Hydrating cosmetic masks; Perfume; Solid perfumes; Liquid perfumes; Air fragrancing preparations; Natural oils for perfumes; Oils for perfumes and scents; Room perfumes in spray form
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Attachments	SENTO Notice of Opposition.pdf(106296 bytes)
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Signature	/Dennis H. Cavanaugh/
Name	Dennis H. Cavanaugh
Date	11/27/2023

NOTICE OF OPPOSITION

Pursuant to Trademark Rule 2.102, Icon S.r.l., an Italian limited liability company having an office and place of business at Via G. Di Vittorio, 11, Cadriano di Granarolo dell'Emilia, I-40057 Bologna, Italy (“Opposer” or “Icon”), believes that it is and will be damaged by registration of the mark shown in Application Serial No. 98/050,622 in International Class 3, and therefore opposes the same. As grounds for its opposition it alleges that:

1. The Applicant, NatureLab. Co., Ltd. (“Applicant”), is upon information and belief, a Japanese corporation with a principal address at Ebisu Prime Square Tower 11F, 1-1-39, Hiroo, Shibuya-ku, Tokyo, Japan 150-0012.

2. On or about June 20, 2023, Applicant filed the above-referenced trademark application under Section 1B to register the mark SENTO for “Non-medicated bath soaps; facial scrubs; body scrubs; facial washes; perfume and fragrances; incense; non-medicated bath and shower gels; shower gels; bath melts; bath herbs; non-medicated bath salts; bath foam gels; bath gel; non-medicated bath preparations; perfumery; bath oils; bath cream; non-medicated bath soap; aromatic oils for the bath; bath crystals; bath bombs; bath milk; cosmetic preparations for body care; deodorants for body care; beauty creams for body care; cosmetic soaps; non-medicated skin care preparations; body care cosmetics” in International Class 3.

3. Icon was founded in 2000 in Bologna, Italy. It has a presence in over 70 countries worldwide. Icon markets a wide range of hair care and treatment products for men and women. Based on the biodynamic, zero-mile, organic, and fair-trade ingredients, Icon creates agricosmetic treatments and rituals combining extraordinary performance with healthful formulations which have a high concentration of botanical ingredients. Icon has a profound belief in respect for the

environment and for promoting waste reduction. Each and every formulation, packaging, material, individual article or tool is designed to have a minimal environmental impact and to be long-lasting or reusable and composted or transformed into a new resource. Its products' high concentration of botanical active ingredients and their incredible effectiveness when applied in the right amount make them perfect for a wide variety of uses. Icon packages its formulations in glass bottles and jars and aluminum tubes which are reusable and recyclable. Icon avoids using unnecessary packaging and wrapping materials. All of its tools, items and articles are made of wood, glass, aluminum, organic regenerated cotton, recycled paper and many other natural ecological materials.

4. Opposer is the owner of the following registration for the mark SENDO on the Principal Register: Registration No. 6,039,245, filed on November 28, 2018, claiming a priority date of June 5, 2018, and registered on April 28, 2020, for "Hair creams; Hair dye; Tints for the hair; Hair mascara; Hair lighteners; Hair wax; Hair creams in the nature of hair moisturizers; Conditioning preparations for the hair; Hair glaze; Non-medicated hair balm; Hair emollients; oils for hair conditioning; Hair gel; Hair care lotions; Hair bleaching preparations; Cosmetics for use on hair; Hair mousse; Hair spray; Shampoo; Hair straightening preparations; Hair pomades; Hair nourishers; Hair tonic; Hair-washing powder; Non-medicated hair serums; Hair liquids in the nature of oils for conditioning hair, non-medicated hair serums, hair glazes, hair emollients; Hair masks; Hair fixers; Hair rinses, namely, shampoo-conditioners; Neutralizing hair care preparations; Hair protection gels; Hair texturizers; Hair protection lotions; Hair lotion; Hair moisturizing conditioners; Mixes of essential oils for combing hair; Hair protection creams; Hair protection mousse; Shampoos for human hair; Styling paste for hair; Cosmetic hair lotions; Non-medicated hair shampoos; Hair dyeing preparations; Hair tinting preparations; Baby hair conditioner; Hair permanent wave kits containing permanent wave preparations, neutralizing solutions, conditioners, permanent wave end

wraps; Wax treatments for the hair being wax for removing body hair, hair styling fixative in the nature of hair wax; Hair fixing oil; Cosmetic hair dressing preparations; Coloring lotions for the hair; preparations for setting hair; hair permanent wave preparations; styling lotions; non-medicated hair tonic; wave-set lotions; hair-waiving preparations; hair conditioners for babies; hydrogen peroxide for use on the hair; hair frosts; hair conditioner bars; creams for fixing hair; gels for fixing hair; hair strengthening treatment lotions; styling gels; hair treatment preparations, namely, shampoo; preparations for protecting the hair from the sun; hair care creams; hair grooming preparations; non-medicated hair care preparations and treatments for cosmetic purposes; hair care masks; non-medicated hair care serums; adhesives for false eyelashes, hair and nails; hair fixers in refill packs for dispensers; hair rinses for cosmetic use; non-medicated hair desiccating treatments for cosmetic use; preparations for protecting colored hair, namely, masks, shampoos, hair conditioners, hair creams, hair gels, hair lotions, hair sprays; Japanese hair fixing oil (bintsuke-abura); oil baths for hair care; non-medicated hair styling serums; hair styling masks; Bath soaps for use as hair and body wash; cosmetic preparations for the hair and scalp; hair preservation treatments for cosmetic use in the nature of shampoos, hair conditioners, hair creams, hair gels, hair lotions, hair sprays; mousses being hair styling aids; hair care preparations, not for medical purposes; toiletries in the nature of mousses for use in styling the hair; Cleansing creams; perfumed creams; exfoliant creams; depilatory creams; aftershave creams; skin barrier creams; creams for tanning the skin; sun tan creams; sun creams; skin conditioning creams; skin washing creams; cosmetic creams; make-up removing creams; after sun creams; polishing creams; non-medicated skin cream; shaving cream; non-medicated aromatherapy skin creams; day skin creams; cosmetic self-tanning creams; anti-aging creams; leather dressings; cosmetic nourishing creams; shower creams; cosmetic skin toning creams; night creams; boot cream; cosmetics, namely, fluid skin cream; cosmetics, namely, night creams;

non-medicated cleansing creams; non-medicated nutritional skin creams; body cream; anti-freckle creams; cosmetic sun-protecting preparations; face creams for cosmetic use; eye cream; anti-wrinkle cream; skin cream; creams for leather; beauty balm creams; non-medicated dermatological creams; hand creams; sun-tanning creams and lotions; cosmetic creams and lotions; baby sun creams; non-medicated bath creams; non-medicated babies' skin cream; preservative creams for leather; cosmetics, namely, sun protecting creams; cream soaps for use in washing; creams for firming the skin; massage creams, not medicated; skin lightening creams; cosmetic hand creams; skin whitening creams; cosmetics in the form of creams; cosmetic creams for dry skin; skin recovery creams for cosmetic use; hydrating creams for cosmetic use; cold creams for cosmetic use; scented body creams; moisturizing creams, body lotions and skin gels; shoe polish and creams; tooth whitening creams; non-medicated creams for the body; creams for cellulite reduction; non-medicated creams for the eyes; pre-shave creams; Cosmetic moisturizing skin creams; blemish balm skin creams; cosmetic skin care creams; age spot reducing creams; cosmetic creams for firming skin around eyes; scented body lotions and creams; fair complexion creams; non-medicated diaper rash cream; make-up primers in the form of pastes; skin conditioning creams for cosmetic purposes; face and body creams; cosmetic body and facial creams; skin care creams, other than for medical use; under-eye enhancers; cosmetic tonics in the nature of astringents, skin toners, skin cleansers; skin toners; skin toners for cosmetic use; cosmetic facial skin toners; non-medicated skin toners; beauty tonics for application to the face in the nature of astringents, skin toners, facial cleansers; beauty tonics for application to the body in the nature of astringents, skin toners, skin cleansers; cosmetics; oils for cosmetic purposes; cleansing milk for toilet purposes; cosmetic skin moisturizers; cosmetic rouges; sun skin bronzers; cosmetics, namely, pressed face powder; cosmetics and cosmetic preparations; cosmetic soaps; natural cosmetics; mousses being cosmetic creams; organic cosmetics; color

cosmetics; functional cosmetics being non-medicated anti-ageing skin care preparations; non medicated cosmetics; cosmetic suntan lotion; cosmetic tanning preparations; cosmetic sun blocking preparations; cosmetic moisturizing concentrates, namely, face oils, body oils, bath oils, body creams, face creams; cosmetics for animals; cosmetic self-tanning preparations; mineral oils for cosmetic purposes; cosmetic after-sun oils; cosmetic sun tanning oil; cosmetic self-tanning lotions; cosmetic skin moisturizing gels; cosmetic solid powder for compacts; cosmetics for children; cosmetic skin emollient preparations; beauty care cosmetics; non-medicated sun care preparations; moisturizing preparations for the skin; decorative cosmetics; cosmetic preparations for skin firming; cosmetics containing keratin; cosmetics containing panthenol; sun-tanning gels; cosmetics for personal use; cosmetics for use on the skin; cosmetic nail tips; tissues impregnated with cosmetics; eyebrow cosmetics; color cosmetics for the eyes; eye make-up; cosmetics for eyelashes; cleaner for cosmetic brushes; cosmetic nail varnish remover; color cosmetics for children; cosmetic kits comprised of lipstick, lip gloss, mascara, eye shadow, rouge, foundation; lip cosmetics; cosmetics containing hyaluronic acid; cosmetics in the form of milks; cosmetics, namely, body paint; cosmetic preparations for baths; cosmetic facial cleansers; cosmetics in the form of oils; cosmetic facial moisturizers; cosmetics in the form of gels; cosmetic facial scrubs; cosmetic skin masks; cosmetics in the form of rouge; color cosmetics for the skin; cosmetic pressed face powder refills; cosmetics in the form of powders; cosmetics in the form of lotions; cosmetic lip coatings in the nature of lip balms, lip creams, lip glosses, lip tints, lips stains, lipstick; cosmetics in the form of eye shadow; skin conditioners; cosmetic hair regrowth inhibiting preparations; cosmetic oils for the epidermis; cosmetic skin cleansers; make-up; cosmetic eye gels; cosmetic facial preparations; cosmetic body scrubs; cosmetic products for the shower, namely, bar soaps, liquid soaps, shower gels, shower scrubs; cosmetic lip stains; body oils for cosmetic use; cosmetic sun blocking oils; cosmetic nail

hardeners; cosmetic skin whitening preparations; skincare cosmetics; cosmetics for use in the treatment of wrinkled skin; cosmetic skin lightening compositions; cosmetic nail polish base coat; cosmetic sun blocking lipsticks; cosmetic eye liners; cosmetic sun protecting preparations for lips; cosmetics for the treatment of dry skin; cosmetic skincare oils; facial wipes impregnated with cosmetics; non-medicated cosmetic lip protectors; slimming aids in the nature of cosmetic creams, body lotions; cosmetic preparations for body care; glitter in spray form for use as a cosmetic; decorative cosmetics in refill packs; cosmetics for protecting the skin from sunburn; cosmetic preparations for use as aids to slimming; cosmetic preparations for the care of mouth and teeth; perfume oils for the manufacture of cosmetic preparations; cosmetic skin enhancers; pores tightening mask packs used as cosmetics; non-medicated cosmetics and toiletry preparations; body and facial gels for cosmetic purposes; cosmetic preparations for bath and shower; paper wipes impregnated with cosmetic preparations; cosmetic teeth whitening strips impregnated with teeth whitening preparations; cosmetic products in the form of aerosols for skincare; cosmetic preparations for nail drying; cosmetic facial washes; facial masks; face powder; make-up for the face; cosmetic facial lotions; exfoliating scrubs for the face; non-medicated facial soaps; facial concealer; face oils; Non-medicated face gels; facial butters being cosmetic creams; facial cleansing milk; cleaning masks for the face; non-medicated face cream; non-medicated liquid soaps for hands and face; facial cleansing grains; non-medicated face scrubs; facial massage oils; Face packs in the nature of pore tightening mask packs used as cosmetics; toning lotion for the face, body and hands; make-up for the face and body; facial care preparations, namely, facial cleansers, facial moisturizers, facial creams, facial lotions, facial tonics; facial emulsions; Non-medicated facial serum for cosmetic use; Face and body masks; body and facial butters; Non-medicated face care preparations, namely, facial cleansers, facial moisturizers, facial creams, facial lotions, facial tonics; body and facial oils; cosmetic white

face powder; lotions for face and body care; make-up preparations for the face and body; Cosmetics in the form of pastes for application to the face to counteract glare; face powder in the form of powder-coated paper; disposable wipes impregnated with cleansing compounds for use on the face; wrinkle-minimizing cosmetic preparations for topical facial use; body sprays; body emulsions; body milks; body shampoos being skin cleansers; body scrub; body moisturizers; body talcum powder; body masks; body powder; body glitters; Non-medicated body gels; Body souffle being a cosmetic cream; body lotions; Abrasive skin preparations for use on the body; body mask cream; pumice stones for use on the body; scented body spray; body cleansing foams for personal use; perfumery, namely, body deodorants; body cream soap; body oil spray; face and body glitter; cakes of soap for body washing; scented body lotions; non-medicated body sprays; Non-medicated body powder; body art stickers; deodorants for body care; baby body milks; Cosmetic moisturizing body lotion; non-medicated body soaks; Non-medicated soaps for body care; Sparkling fluids for the body, namely, body lotions, body milks; body massage oils; Non-medicated skin care preparations, namely, body mist; soap free washing emulsions for the body; Cosmetics, namely, hand and body butter; Non-medicated body care preparations, namely, body scrubs, non-fragranced shower gels, body lotions, body creams; body mask lotion; Non-medicated toiletry preparations, namely, perfumed body lotions; body mask powder; Cosmetic body cleaning and beauty care preparations; Cosmetic body cleansing products, namely, skin cleansing creams, skin cleansing lotions, cleansing milks, hand cleaning gels in refill packs for dispensers; Foams for use in the shower; Non-medicated shower soap; shower gels; shower and bath foam; Cosmetic shower preparations; shower and bath gel; cosmetic bath and shower preparations; Non-medicated shower oils for cleaning and cosmetic purposes; shower salts not for medical purposes; Non-medicated bath oils and non-medicated cosmetic shower oils; bath and shower gels, not for medical purposes; Shower gel in refill packs for

dispensers; Blush pencils; Make-up preparations; Multifunctional decorative cosmetics; Non-medicated lip balms; Hair conditioning balsam; Shampoo-conditioners; Hair cleaning preparations, namely, cleansing balms; Non-medicated balms for use on hair, skin, lips; Non-medicated foot balms; Non-medicated skin balms; Skin conditioners in the form of sprays for the scalp; Skin conditioners, namely, lip conditioners; Nail cuticle conditioners; exfoliating scrubs for the hands; Non-medicated hand cleansers; Non-medicated hand soap; hand lotions; non-medicated hand gels; Hand soap powders; Cleansing hand milks; Non-medicated hand lotion; Non-medicated hand oils; Hand washes; Cosmetic nail primer; Cleaning agents for the hands; Hand masks for skin care; Wipes impregnated with cleaning agents; Wipes impregnated with cosmetic lotions; Essential oils; Blended essential oils; Emulsified essential oils; Aromatics in the nature of potpourris and oils; Essential vegetable oils; Aromatic essential oils; Natural essential oils; Essential oils for personal use; Essential oils for aromatherapy use; Essential oils and aromatic extracts of flowers being perfumes; Cosmetic masks; Skin cleaning masks; Skin moisturizer masks; Hydrating cosmetic masks; Perfume; Solid perfumes; Liquid perfumes; Air fragrancing preparations; Natural oils for perfumes; Oils for perfumes and scents; Room perfumes in spray form” in International Class 3.

5. Applicant’s filing date of June 20, 2023 is subsequent to Opposer’s filing date of November 30, 2018, and its priority date of June 5, 2018. Thus, priority is not at issue.

6. Applicant’s mark SENTO is confusingly similar in sight, sound and meaning to Opposer’s SENDO mark. Applicant’s mark is virtually identical to Opposer’s mark. Consequently, Applicant’s mark so closely resembles Opposer’s mark as to be likely to be confused with and mistaken for Opposer’s mark. As a result, there is a significant likelihood of confusion between Applicant’s mark and Opposer’s mark.

7. Applicant’s products are identical, closely related to and/or encompass one or more of

the products of Opposer, thus increasing the likelihood of confusion that may result from registration and use of Applicant's mark. Indeed, products of the type covered by both Applicant's application and Opposer's application often emanate from and are likely to be perceived by consumers as emanating from and/or being offered under the same trademark.

8. Opposer has invested substantial time, effort and money in developing and protecting its SENDO mark and the goods bearing it.

9. Registration of Applicant's mark is likely to cause the relevant purchasing public to be confused, misled or deceived, and to falsely believe that Applicant's goods are affiliated, associated, approved, sponsored, licensed or authorized by Opposer or others authorized or licensed by Opposer to use the SENDO mark. Persons familiar with Opposer's mark are likely to purchase Applicant's products believing they are marketed by, affiliated with or endorsed by Opposer, when in fact they are not.

10. Registration of Applicant's mark is likely to cause harm and damage to Opposer and its mark by causing confusion, mistake and/or deception as to the respective rights of the parties and as to the source of the products marketed and sold bearing Applicant's mark, and by constituting a cloud on Opposer's prior established rights in its SENDO mark. Such registration would give Applicant at least a *prima facie* right to use Applicant's mark, thereby causing continuing serious and irreparable harm to Opposer's rights in its mark, its business and to the goodwill of such business symbolized by Opposer's mark. Registration of Applicant's mark will also tend to reduce the distinctiveness, value and goodwill of Opposer's mark.

WHEREFORE, Opposer believes that it will be damaged by registration of the Applicant's mark in International Class 3, Application Serial No. 98/050,622, and opposes registration thereof on

the grounds set forth above. Opposer further prays that Application Serial No. 98/050,622 be rejected, and that registration of Applicant's mark therein sought for the goods specified therein in International Class 3 be denied and refused.

Dated: New York, New York
November 27, 2023

Respectfully submitted,

ICON S.R.L.

/Dennis H. Cavanaugh/

By: _____

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