

ESTTA Tracking number: **ESTTA1325709**
Filing date: **12/05/2023**

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	Kitsch LLC		
Entity	LLC	Incorporated or registered in	Delaware
Address	5301 ROSEWOOD AVENUE LOS ANGELES, CA 90004 UNITED STATES		
Attorney information	ERICA C. KLAZMER BROOKS KUSHMAN P.C. 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238 UNITED STATES Primary email: eklazmer@brookskushman.com Secondary email(s): trademarks@brookskushman.com, rcantor@brookskushman.com, lnye@brookskushman.com, mcantor@brookskushman.com 248.226.2792		
Docket no.	KITS0295OC		

Applicant information

Application no.	97635981	Publication date	10/31/2023
Opposition filing date	12/05/2023	Opposition period ends	11/30/2023
Applicant	Long ying Packaging Materials (Dongguan) Co., Ltd. RM. 212,UNIT 4,BLDG. 1,BAOLI DUHUI BLDG. SANYUAN ROAD NO.4,NANCHENG STREET DONGGUAN, GUANGDONG, 523071 CHINA		

Goods/services affected by opposition

Class 018. First Use: Sep 10, 2022 First Use In Commerce: Sep 10, 2022
All goods and services in the class are opposed, namely: Backpacks, book bags, sports bags, bum bags, wallets and handbags; Business card holders in the nature of wallets; Business card holders in the nature of wallets, card cases; Cosmetic cases sold empty; Credit card wallets; Dog collars and leads; Garments for pets; Leather credit card holder; Leather credit card wallets; Leather leashes; Pet products, namely, pet restraining devices consisting of leashes, collars, harnesses, restraining straps, and leashes with locking devices; Pochettes; Purses incorporating RFID-blocking technology; Purses made of suede, imitation leather; Wallets with card compartments

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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No use of mark in commerce before application, amendment to allege use, or statement of use was due	Trademark Act Section 1(a) and (c)
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Marks cited by opposer as basis for opposition

U.S. registration no.	7096339	Application date	11/23/2021
Register	Principal		
Registration date	07/04/2023	Foreign priority date	NONE
Word mark	/KITÄSCH/		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 003. First use: First Use: Mar 2020 First Use In Commerce: Mar 2020 Non-medicated cosmetics and toiletry preparations, namely, shampoo bars, hair conditioner bars, body scrub bars, body wash bars</p> <p>Class 008. First use: First Use: Jun 19, 2019 First Use In Commerce: Jun 19, 2019 Eyebrow razors; dermaplane razors</p> <p>Class 010. First use: First Use: Jun 2018 First Use In Commerce: Jun 2018 Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers</p> <p>Class 014. First use: First Use: May 17, 2018 First Use In Commerce: May 17, 2018 Jewelry, namely, necklaces, earrings, bracelets</p> <p>Class 018. First use: First Use: Mar 12, 2019 First Use In Commerce: Mar 12, 2019 Travel bags; fanny packs</p> <p>Class 021. First use: First Use: May 17, 2018 First Use In Commerce: May 17, 2018 Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner</p> <p>Class 024. First use: First Use: May 17, 2018 First Use In Commerce: May 17, 2018 Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry</p> <p>Class 025. First use: First Use: May 17, 2018 First Use In Commerce: May 17, 2018 Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks</p> <p>Class 026. First use: First Use: May 17, 2018 First Use In Commerce: May 17, 2018 Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of</p>		

	non-electric hair rollers; ceramic hair rollers		
U.S. registration no.	7083453	Application date	11/23/2021
Register	Principal		
Registration date	06/20/2023	Foreign priority date	NONE
Word mark	KITSCH		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 003. First use: First Use: Mar 2020 First Use In Commerce: Mar 2020 Non-medicated cosmetics and toiletry preparations, namely, shampoo bars, hair conditioner bars, body scrub bars, body wash bars</p> <p>Class 008. First use: First Use: Jun 19, 2019 First Use In Commerce: Jun 19, 2019 Eyebrow razors; dermaplane razors</p> <p>Class 010. First use: First Use: Jun 2018 First Use In Commerce: Jun 2018 Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers</p> <p>Class 014. First use: First Use: Jan 2012 First Use In Commerce: Jan 2012 Jewelry, namely, necklaces, earrings, bracelets</p> <p>Class 021. First use: First Use: Apr 2018 First Use In Commerce: Apr 2018 Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner</p> <p>Class 024. First use: First Use: Sep 1, 2016 First Use In Commerce: Sep 1, 2016 Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry</p> <p>Class 025. First use: First Use: Aug 2015 First Use In Commerce: Aug 2015 Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks</p> <p>Class 026. First use: First Use: Jan 1, 2011 First Use In Commerce: Feb 1, 2011 Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of non-electric hair rollers; ceramic hair rollers</p>		

Attachments	KITCH DEPOT and Design opposition.pdf(169815 bytes)
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Signature	/Erica C. Klazmer/
Name	Erica C. Klazmer
Date	11/30/2023

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

In re Trademark Application

Serial No.: 97/635,981

Filed: October 18, 2022

Trademark: KITCH

DEPOT (and Design) Published

in the Official Gazette on

October 31, 2023

Kitsch LLC,)	
)	
Opposer,)	Serial No. 97/635,981
)	
v.)	
)	
Long ying Packaging Materials (Dongguan) Co., Ltd.,)	Opposition No. _____
)	
Applicant.)	

NOTICE OF OPPOSITION

VIA ELECTRONIC FILING
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir/Madam:

Opposer Kitsch LLC a Delaware limited liability company with a place of business at 5301 Rosewood Avenue, Los Angeles, California 90004 (“Opposer”), believes that it is and will continue to be damaged by registration of the mark KITCH DEPOT (and Design) in Class 18 in the name of Long ying Packaging Materials (Dongguan) Co., Ltd., a China limited company with an address

of Rm. 212, Unit 4, Bldg. 1, Baoli Duhui Bldg. Sanyuan Road No.4, Nancheng Street, Dongguan, Guangdong CHINA 523071 (“Applicant”) shown in U.S. Trademark Application Serial No. 97/635,981, and hereby opposes the same. As grounds of opposition, Opposer alleges that:

1. Kitsch was started in 2010 and is a leading accessories manufacturer with products including, hair ties, headbands, barrettes, twisters, hair scrunchies, combs, hair clips, claw clips, rhinestone hair pins, hair curlers, jewelry, including necklaces and earrings, towels, bedding, hair care products, head scarves, sleep caps, bonnets, sleep masks, gloves, socks, and other fashion accessories. Kitsch products can be found in over 2,000 locations worldwide. In addition, since at least as early as 2012, Kitsch has operated an e-commerce website where users throughout the United States (and, indeed, throughout the world) can purchase Kitsch’s hair ties, headbands, and jewelry, including necklaces and earrings, bedding, hair care products, gloves, socks, and other fashion accessories. All of the foregoing shall be referred to as “Opposer’s Goods and Services.”

2. Applicant is seeking to register KITCH DEPOT (and Design) as a trademark for backpacks, book bags, sports bags, bum bags, wallets and handbags; Business card holders in the nature of wallets; Business card holders in the nature of wallets, card cases; Cosmetic cases sold empty; Credit card wallets; Dog collars and leads; Garments for pets; Leather credit card holder; Leather credit card wallets; Leather leashes; Pet products, namely, pet restraining devices consisting of leashes, collars, harnesses, restraining straps, and leashes with locking devices; Pochettes; Purses incorporating RFID-blocking technology; Purses made of suede, imitation leather; Wallets with card compartments in Class 18. This is evidenced by publication of the mark in the *Official Gazette* on October 31, 2023. Applicant

filed this application on October 18, 2022, claiming a first use date of September 10, 2022. The application was assigned serial number 97/635,981. This application shall be referred to as “Applicant’s Application,” and the goods identified therein shall be referred to as “Applicant’s goods.”

A. Priority and Likelihood of Confusion

3. Opposer incorporates and realleges, as if fully set forth in this paragraph, the allegations of the foregoing paragraphs.

4. Opposer is the owner of and uses the trademark KITSCH and /KIT·SCH/ (“Opposer’s Marks”) in connection with Opposer’s Goods and Services.

5. As a result of this use, Opposer has obtained U.S. Trademark Registration No. 7,096,339 for /KIT·SCH/ for the following goods:

Non-medicated cosmetics and toiletry preparations, namely, shampoo bars, hair conditioner bars, body scrub bars, body wash bars in Class 3;

Eyebrow razors; dermaplane razors in Class 8;

Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers in Class 10;

Jewelry, namely, necklaces, earrings, bracelets in Class 14;

Travel bags; fanny packs in Class 18;

Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner in Class 21;

Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry in Class 24;

Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks in Class 25; and

Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of non-electric hair rollers; ceramic hair rollers in Class 26.

This registration was filed on November 23, 2021, and issued on July 4, 2023. It is valid and subsisting, and uncanceled and unrevoked. This registration shall be referred to as “Opposer’s /KIT·SCH/ Registration.” A copy of a printout from the Trademark Status and Document Retrieval System showing the current status and title of Opposer’s /KIT·SCH/ Registration is attached hereto as Exhibit A pursuant to 37 C.F.R. §2.122(d)(1) and incorporated herein by reference.

6. Opposer has also obtained U.S. Trademark Registration No. 7,083,453 for KITSCH for the following goods:

Non-medicated cosmetics and toiletry preparations, namely, shampoo bars, hair conditioner bars, body scrub bars, body wash bars in Class 3;

Eyebrow razors; dermaplane razors in Class 8;

Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers in Class 10;

Jewelry, namely, necklaces, earrings, bracelets in Class 14;

Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner in Class 21;

Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry in Class 24;

Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks in Class 25; and

Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of non-electric hair rollers; ceramic hair rollers in Class 26.

This registration was filed on November 23, 2021 and issued on June 20, 2023. It is valid and subsisting, and uncanceled and unrevoked. This registration shall be referred to as “Opposer’s KITSCH Registration” and both of these registrations are referred to as “Opposer’s Kitsch Registrations.” A copy of a printout from the Trademark Status and Document Retrieval System showing the current status and title of Opposer’s KITSCH Registration is attached hereto as Exhibit A pursuant to 37 C.F.R. §2.122(d)(1) and incorporated herein by reference.

7. Opposer has expended considerable time, effort, and expense in advertising and promoting Opposer’s Marks in connection with Opposer’s Goods and Services throughout the United States, with the result that the purchasing public has come to know and recognize Opposer’s Goods and Services by Opposer’s Marks. Opposer has exceedingly valuable goodwill established in Opposer’s Marks.

8. There is no issue as to priority. Opposer used its Marks in connection with Opposer’s Goods and Services long prior to both Applicant’s October 18, 2022 filing date and Applicant’s alleged September 10, 2022 first use date. In addition, Opposer’s Registrations were filed prior to both Applicant’s October 18, 2022 filing date and Applicant’s alleged September 10, 2022 first use date.

9. Applicant's KITCH DEPOT (and Design) mark is nearly identical to Opposer's Marks as it contains the KITCH term, which is identical in sound and virtually identical in appearance.

10. Applicant's KITCH DEPOT (and Design) mark is a close approximation of Opposer's Mark as it contains the KITCH term, which is identical in sound and virtually identical in appearance.

11. The only additional term within the Applicant's Mark, DEPOT, is disclaimed. Therefore, the Applicant's Mark does not contain any additional distinctive terms, further leading to confusion.

12. Applicant's Goods are closely related to the goods and services advertised, promoted, offered, and/or sold by Opposer in connection with Opposer's Marks.

13. Because the purchasing public has come to recognize and associate Opposer's Goods and Services by Opposer's Marks, Applicant's proposed KITCH DEPOT (and Design) mark as used with Applicant's Goods is likely to be confused with or suggest a connection to Opposer.

14. Opposer is not connected with the goods Applicant sells or intends to sell under its KITCH DEPOT (and Design) mark.

15. The fame and reputation of Opposer is such that, if Applicant's KITCH DEPOT (and Design) mark is used with Applicant's Goods, a connection with Opposer will be presumed.

16. Applicant's KITCH DEPOT (and Design) mark in Application No. 97/635,981 so resembles Opposer's Marks and Applicant's Goods are so closely related to Opposer's Goods and Services that Applicant's Mark when used in

connection with Applicant's Goods is likely to cause confusion, or to cause mistake, or to deceive in violation of Section 2(d) of the Lanham Act, 15 USC §1052(d).

17. If Applicant were granted the registration herein opposed, it would obtain at least a *prima facie* exclusive right to use of the KITCH DEPOT (and Design) mark in connection with the Applicant's Goods. Such registration would be a source of injury and damage to Opposer's prior and established rights in Opposer's Marks.

B. No Bona Fide Use Except for Wallets and Credit Card Holders

18. Opposer incorporates and realleges, as if fully set forth in this paragraph, the allegations of the foregoing paragraphs.

19. As noted above, the Applicant filed an in-use application on October 18, 2022 under 15 U.S.C. §1051(a), stating the mark was in use with all of the goods listed in the application.

20. Based upon an internet search, Opposer was only able to locate use of the KITCH DEPOT (and Design) mark for wallets and credit card holders.

21. Upon information and belief, the Applicant has never used the KITCH DEPOT (and Design) mark in commerce in the United States for the goods listed in the application with the exception of wallets and credit card holders. Therefore, the Applicant did not use the KITCH DEPOT (and Design) mark in commerce for the remaining goods listed in the application as of the filing date of the application and on September 20, 2022, the Applicant's alleged date of first use and first use in commerce.

22. With the exception of wallets and credit card holders, the Applicant's mark should therefore not proceed to registration with the remaining

goods as the Applicant has not made bona fide use of these items under the KITCH DEPOT (and Design) mark in the United States under Lanham Act, section 1(a), 15 U.S.C. section 1051 (a).

23. Opposer prays that the KITCH DEPOT (and Design) application, Serial No. 97/635,981, will not be allowed to proceed to registration as it will damage Opposer's prior and established rights in Opposer's Marks.

WHEREFORE, Opposer respectfully requests that registration of the KITCH DEPOT (and Design) mark, Application Serial No. 97/635,981, be refused and that this opposition be sustained.

The fee required under 37 C.F.R. § 2.6(a)(17) is being paid electronically concurrently with the filing of this Notice of Opposition. If the filing fee is found to be insufficient for any reason, please charge such deficiency to the deposit account.

Respectfully submitted,

By: /Erica C. Klazmer/
Mark A. Cantor
Rebecca J. Cantor
Erica C. Klazmer

Attorneys/Agents for Opposer

Date: November 30, 2023

BROOKS KUSHMAN P.C.

1000 Town Center,
22nd Floor Southfield,
MI 48075
Phone: 248-358-4400
Fax: 248-358-3351
Email: mcantor@brookskushman.com
rcantor@brookskushman.com
eklazmer@brookskushman.com
trademarks@brookskushman.com

Exhibit A

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Mark: /KIT·SCH/

/kit·sch/

US Serial Number: 97138834

Application Filing Date: Nov. 23, 2021

US Registration Number: 7096339

Registration Date: Jul. 04, 2023

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 04, 2023

Publication Date: Apr. 18, 2023

Mark Information

Mark Literal Elements: /KIT·SCH/

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 5610653, 5777098

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Non-medicated cosmetics and toiletry preparations, namely, shampoo bars, hair conditioner bars, body scrub bars, body wash bars

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

For: Eyebrow razors; dermaplane razors

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 19, 2019

Use in Commerce: Jun. 19, 2019

For: Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2018

Use in Commerce: Jun. 2018

For: Jewelry, namely, necklaces, earrings, bracelets

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2018

Use in Commerce: May 17, 2018

For: Travel bags; fanny packs

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 12, 2019

Use in Commerce: Mar. 12, 2019

For: Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2018

Use in Commerce: May 17, 2018

For: Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2018

Use in Commerce: May 17, 2018

For: Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2018

Use in Commerce: May 17, 2018

For: Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of non-electric hair rollers; ceramic hair rollers

International Class(es): 026 - Primary Class

U.S Class(es): 037, 039, 040, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2018

Use in Commerce: May 17, 2018

Basis Information (Case Level)

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

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

Current Owner(s) Information

Owner Name: Kitsch LLC
Owner Address: 137 N Larchmont Blvd, #641
Los Angeles, CALIFORNIA UNITED STATES 90004
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark A. Cantor
Attorney Primary Email Address: trademarks@brookskushman.com
Docket Number: KITS0223TUS
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Mark A. Cantor
BROOKS KUSHMAN P.C.
1000 TOWN CENTER, 22ND FLOOR
SOUTHFIELD, MICHIGAN UNITED STATES 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351
Correspondent e-mail: trademarks@brookskushman.com lnye@brookskushman.com eklazmer@brookskushman.com rcaantor@brookskushman.com fkassem@brookskushman.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 04, 2023	NOTICE OF REGISTRATION CONFIRMATION EMAILED	
Jul. 04, 2023	REGISTERED-PRINCIPAL REGISTER	
Jun. 21, 2023	ASSIGNED TO EXAMINER	94048
Apr. 18, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 18, 2023	PUBLISHED FOR OPPOSITION	
Mar. 29, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 11, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 11, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	88888
Mar. 11, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
Jan. 26, 2023	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Sep. 02, 2022	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	
Sep. 02, 2022	LETTER OF SUSPENSION E-MAILED	
Sep. 02, 2022	SUSPENSION LETTER WRITTEN	94055
Jul. 18, 2022	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 17, 2022	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 17, 2022	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 31, 2022	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jan. 31, 2022	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jan. 31, 2022	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	94055
Jan. 31, 2022	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	94055
Jan. 25, 2022	ASSIGNED TO EXAMINER	94055

Nov. 29, 2021 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED

Nov. 26, 2021 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 04, 2023

Generated on: This page was generated by TSDR on 2023-11-29 17:03:17 EST

Mark: KITSCH

KITSCH

US Serial Number: 97138833

Application Filing Date: Nov. 23, 2021

US Registration Number: 7083453

Registration Date: Jun. 20, 2023

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



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Status Date: Jun. 20, 2023

Publication Date: Apr. 04, 2023

Mark Information

Mark Literal Elements: KITSCH

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 5610653, 5777098

Goods and Services

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International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

For: Eyebrow razors; dermaplane razors

International Class(es): 008 - Primary Class

U.S Class(es): 023, 028, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 19, 2019

Use in Commerce: Jun. 19, 2019

For: Face covers being sanitary masks for protection against viral infection; scraping apparatus for gua sha therapy; facial rollers; facial ice rollers; dermal facial rollers; spa massagers in the nature of facial rollers; microneedle dermal facial rollers

International Class(es): 010 - Primary Class

U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 2018

Use in Commerce: Jun. 2018

For: Jewelry, namely, necklaces, earrings, bracelets

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 2012

Use in Commerce: Jan. 2012

For: Brushes and combs, namely, hair brushes, hair combs, scalp exfoliating brushes, round hair brushes, paddle hair brushes, hair brushes for wet or dry hair; household utensils and containers, namely, shower caddies, containers for storing shampoo, containers for storing hair conditioner

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 2018

Use in Commerce: Apr. 2018

For: Household linens, namely, towels, beach towels, microfiber towels, beach blankets, pillow shams; cleansing face towel kits comprised of face towels, cotton rounds for cosmetic purposes, exfoliating facial cleansing sponges, and mesh bags for washing laundry

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2016

Use in Commerce: Sep. 01, 2016

For: Clothing, footwear, and headwear, namely, shower caps, head scarves, baseball caps, hats, sleep caps, bonnets, gloves, sleep masks, socks

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 2015

Use in Commerce: Aug. 2015

For: Hair accessories, namely, elasticized hair bands, hair ties, barrettes, twisters, hair scrunchies, hair ornaments in the form of combs, hair clips, claw clips, hair bun shapers, rhinestone hair pins; non-electric heatless curling set comprised of non-electric hair rollers; ceramic hair rollers

International Class(es): 026 - Primary Class

U.S Class(es): 037, 039, 040, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 01, 2011

Use in Commerce: Feb. 01, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Kitsch LLC

Owner Address: 137 N Larchmont Blvd, #641
Los Angeles, CALIFORNIA UNITED STATES 90004

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Mark A. Cantor

Docket Number: KITS0222TUS

Attorney Primary Email Address: trademarks@brookskushman.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Mark A. Cantor
BROOKS KUSHMAN P.C.
1000 TOWN CENTER, 22ND FLOOR
SOUTHFIELD, MICHIGAN UNITED STATES 48075-1238

Phone: 248-358-4400

Fax: 248-358-3351

Correspondent e-mail: trademarks@brookskushman.com lnye@brookskushman.com eklazmer@brookskushman.com rcaantor@brookskushman.com fkassem@brookskushman.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 20, 2023	NOTICE OF REGISTRATION CONFIRMATION EMAILED	
Jun. 20, 2023	REGISTERED-PRINCIPAL REGISTER	
Apr. 04, 2023	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 04, 2023	PUBLISHED FOR OPPOSITION	
Mar. 15, 2023	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 25, 2023	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 28, 2023	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 26, 2023	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 26, 2023	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 27, 2022	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 26, 2022	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 26, 2022	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 02, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Sep. 02, 2022	NON-FINAL ACTION E-MAILED	
Sep. 02, 2022	NON-FINAL ACTION WRITTEN	94055
Jul. 18, 2022	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 17, 2022	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 17, 2022	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 31, 2022	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jan. 31, 2022	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	6326
Jan. 31, 2022	COMBINED EXAMINER'S AMENDMENT/PRIORITY ACTION AUTOMATIC ENTRY	94055
Jan. 31, 2022	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	94055
Jan. 25, 2022	ASSIGNED TO EXAMINER	94055
Nov. 29, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Nov. 26, 2021	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 20, 2023

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91283620](#)

Filing Date: Feb 23, 2023

Status: Terminated

Status Date: May 25, 2023

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Cengdu Zhuori Information Technology Co., Ltd.

Correspondent Address: WILLIAM SCOTT GOLDMAN
GOLDMAN LAW GROUP
1300 PENNSYLVANIA AVE., N.W.; STE. 700
WASHINGTON DC UNITED STATES , 20004

Correspondent e-mail: trademarks@branding-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ROZKITCH		97349442	

Plaintiff(s)

Name: Kitsch LLC

Correspondent Address: REBECCA CANTOR
BROOKS KUSHMAN PC
1000 TOWN CENTER, 22ND FLOOR
SOUTHFIELD MI UNITED STATES , 48075

Correspondent e-mail: rcantor@brookskushman.com , mcantor@brookskushman.com , ejbrooks@brookskushman.com , trademarks@brookskushman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
KITSCH		87844942	5610653
KITSCH		97138833	

Prosecution History

Entry Number	History Text	Date	Due Date
6	TERMINATED	May 25, 2023	
5	BD DECISION: OPP SUSTAINED	May 25, 2023	
4	NOTICE OF DEFAULT	Apr 15, 2023	
3	INSTITUTED	Feb 23, 2023	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 23, 2023	Apr 04, 2023
1	FILED AND FEE	Feb 23, 2023	