

ESTTA Tracking number: **ESTTA326026**

Filing date: **01/08/2010**

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

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	Coldwater Creek Inc.		
Entity	Corporation	Citizenship	Delaware
Address	One Coldwater Creek Drive Sandpoint, ID 86864 UNITED STATES		

Attorney information	Nancy V. Stephens FOSTER PEPPER PLLC 1111 3rd Avenue Suite 3400 Seattle, WA 98101 UNITED STATES stepn@foster.com Phone:206-447-8925		
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### Registration Subject to Cancellation

Registration No	3702828	Registration date	10/27/2009
Registrant	Oxford Industries, Inc. 222 Piedmont Ave., NE Atlanta, GA 30308 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 025. First Use: 2009/08/31 First Use In Commerce: 2009/08/31  
All goods and services in the class are cancelled, namely: Shirts

### Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	78674810	Application Date	07/20/2005
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		

Design Mark	<h1>COLDWATER CREEK</h1>		
Description of Mark	NONE		
Goods/Services	Class 032. First use: Drinking water; Flavored waters; Glacial water; Mineral water; Seltzer water; Soda water; Sparkling water; Spring water; Still water; Table water		

U.S. Registration No.	1876534	Application Date	11/18/1993
Registration Date	01/31/1995	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1989/11/00 First Use In Commerce: 1989/11/00 jewelry Class 016. First use: First Use: 1991/09/00 First Use In Commerce: 1991/09/00 posters, note cards and notepads Class 025. First use: First Use: 1992/09/00 First Use In Commerce: 1992/09/00 clothing; namely, shirts, jackets, blouses, and sweatshirts		

U.S. Registration No.	2217173	Application Date	10/03/1997
Registration Date	01/12/1999	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1984/10/31 First Use In Commerce: 1984/10/31 mail order catalog services, retail store services, and electronic media display catalog services, all featuring [ bedding, linen, ] pillows, wall coverings, [ towels, ] wall hangings, bathroom accessories and decorations, bedroom accessories and decorations, [ bedroom furniture, slippers,] bath robes, candles, lamps, vases, jewelry, purses, watches, belts, and clothing		

U.S. Registration No.	2714390	Application Date	07/27/2001
Registration Date	05/06/2003	Foreign Priority Date	NONE

Word Mark	COLDWATER CREEK		
Design Mark	<b>COLDWATER CREEK</b>		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2002/07/01 First Use In Commerce: 2002/07/01 cosmetics, toiletries and personal care preparations, namely, [ cleansers, toners, skin care masks, ] moisturizers, [ make-up removers, eye creams, ] hand lotions, body lotions, [ massage oils, shampoos, hair conditioners, ] soaps, shower gels, bath gels, body scrubs, bath additives, [ bath crystals, bubble baths, bath oils, mineral baths, deodorants, body powders, sun tanning lotions, sun blocks, ] skin balms, fragrances, [ perfumes, colognes ]		


U.S. Registration No.	2602690	Application Date	03/20/2001
Registration Date	07/30/2002	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 2001/08/00 First Use In Commerce: 2001/08/00 scented candles and unscented candles		

U.S. Registration No.	2555721	Application Date	05/02/2001
Registration Date	04/02/2002	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark	<b>COLDWATER CREEK</b>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1996/03/28 First Use In Commerce: 1996/03/28 Clothing; namely, shirts, jackets, blouses, pants, sweatshirts, sweatpants, dresses, lingerie, swimsuits, sleepwear and shoes		


U.S. Registration No.	2544861	Application Date	05/02/2001
Registration Date	03/05/2002	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		


Design Mark	<b>COLDWATER CREEK</b>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1984/10/31 First Use In Commerce: 1984/10/31 Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, [ linen, ] draperies, pillows, wall coverings, rugs, doormats and other floor coverings, [ towels, ] wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, [ bedroom furniture, ] living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, furniture, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, lingerie, swimsuits, shoes and clothing

U.S. Registration No.	1861320	Application Date	11/12/1993
Registration Date	11/01/1994	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1988/05/00 First Use In Commerce: 1988/05/00 retail store services for gift, craft, clothing and jewelry items		

U.S. Registration No.	2769235	Application Date	07/03/2002
Registration Date	09/30/2003	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2002/05/20 First Use In Commerce: 2002/05/20 Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, linen, [ draperies, ] pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, [ bedroom furniture, ] living room accessories and decorations, slippers, bath robes, tables, candles,		

	candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, [ furniture, ] wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, [ lingerie, swimsuits, ] shoes and clothing
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U.S. Registration No.	2740447	Application Date	07/03/2002
Registration Date	07/22/2003	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK		
Design Mark			
Description of Mark	The mark consists of the words "COLDWATER CREEK" with the design of a stylized wave beneath the words.		
Goods/Services	Class 025. First use: First Use: 2002/05/20 First Use In Commerce: 2002/05/20 Clothing, namely, shirts, jackets, blouses, pants, sweatshirts, sweat pants, dresses, [ lingerie, swimsuits, ] sleep wear and shoes		

U.S. Application No.	77573914	Application Date	09/19/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK ELEMENTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Mail order catalog services featuring bedding, blankets, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing.; Retail store and on-line retail store services featuring bedding, blankets, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and		

	decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing
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U.S. Registration No.	3672504	Application Date	02/06/2009
Registration Date	08/25/2009	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK OUTLET		
Design Mark	<p style="text-align: center;"><b>COLDWATER CREEK OUTLET</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2002/06/01 First Use In Commerce: 2002/06/01 Electronic catalog services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases, jewelry, purses, watches, belts, sunglasses and shoes; Mail order catalog services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases, jewelry, purses, watches, belts, sunglasses and shoes; Retail store services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases, jewelry, purses, watches, belts, sunglasses and shoes		

U.S. Registration No.	2754147	Application Date	02/01/2002
Registration Date	08/19/2003	Foreign Priority Date	NONE
Word Mark	COLDWATER CREEK SPIRIT		
Design Mark	<p style="text-align: center;"><b>COLDWATER CREEK SPIRIT</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2002/07/22 First Use In Commerce: 2002/07/22 Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, linen, draperies, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, bedroom furniture, living room accessories and decorations, slippers, bath robes, tables, candles,		

	candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plat holders, paper weights, vases, [ furniture, ] wreaths, picture frames, [ fountains, ] glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, [ lingerie, swimsuits, ] shoes and clothing
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U.S. Registration No.	3177920	Application Date	07/26/2004
Registration Date	11/28/2006	Foreign Priority Date	NONE

Word Mark	COLDWATER CREEK SPORT
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Design Mark	 <p>The design mark consists of the words "COLDWATER CREEK" in a large, bold, serif font, with the word "SPORT" centered below it in a smaller, bold, serif font.</p>
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Description of Mark	NONE
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Goods/Services	Class 035. First use: First Use: 2004/08/18 First Use In Commerce: 2004/08/18 MAIL ORDER CATALOG SERVICES, RETAIL STORE SERVICES, AND ELECTRONIC MEDIA DISPLAY CATALOG SERVICES, ALL FEATURING BEDDING, BLANKETS, LINEN, DRAPERIES, PILLOWS, WALL COVERINGS, RUGS, DOORMATS AND OTHER FLOOR COVERINGS, TOWELS, WALL HANGINGS, ARTIST'S MATERIALS AND SUPPLIES, ARTWORK, BATHROOM ACCESSORIES AND DECORATIONS, BEDROOM ACCESSORIES AND DECORATIONS, SOAP, BATH PRODUCTS, BEDROOM FURNITURE, LIVING ROOM ACCESSORIES AND DECORATIONS, SLIPPERS, BATH ROBES, TABLES, CANDLES, CANDLE HOLDERS, BIRDFEEDERS, MIRRORS, LAMPS, PLANTERS AND PLANT HOLDERS, COASTERS, NAPKIN RINGS, PLATE HOLDERS, PAPER WEIGHTS, VASES, FURNITURE, WREATHS, PICTURE FRAMES, FOUNTAINS, GLASSES, PITCHERS AND OTHER HOUSE WARES, JEWELRY, PURSES, WATCHES, BELTS, SUNGLASSES, EYEGASSES, LINGERIE, SWIMSUITS, SHOES AND CLOTHING
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U.S. Registration No.	3266290	Application Date	11/30/2005
Registration Date	07/17/2007	Foreign Priority Date	NONE

Word Mark	COLDWATER CREEK THE SPA
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Design Mark	<b>COLDWATER CREEK THE SPA</b>
Description of Mark	NONE
Goods/Services	Class 044. First use: First Use: 2006/04/05 First Use In Commerce: 2006/04/05 Health spa services for health and wellness of the body and spirit offered at a health resort; Health spa services, namely, cosmetic body care services

U.S. Registration No.	3306042	Application Date	01/20/2007
Registration Date	10/09/2007	Foreign Priority Date	NONE

Word Mark	COLDWATER CREEK THE SPA
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Design Mark	<b>COLDWATER CREEK THE SPA</b>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2006/04/05 First Use In Commerce: 2006/04/05 Retail clothing stores; Retail shops featuring PERSONAL CARE PRODUCTS, BATH CARE PRODUCTS, BEAUTY PRODUCTS, COSMETICS, TOILETRIES, FRAGRANCES, SKIN CARE, PRODUCTS AND HAIR CARE PRODUCTS, CANDLES, ESSENTIAL OILS, INCENSE, BOOKS, JEWELRY, WOMEN CLOTHING, NAMELY, ROBES, LINGERIE, DRESSES, SKIRTS, SHIRTS, PANTS, JACKETS, SOCKS AND FOOTWEAR; Retail store services featuring PERSONAL CARE PRODUCTS, BATH CARE PRODUCTS, BEAUTY PRODUCTS, COSMETICS, TOILETRIES, FRAGRANCES, SKIN CARE, PRODUCTS AND HAIR CARE PRODUCTS, CANDLES, ESSENTIAL OILS, INCENSE, BOOKS, JEWELRY, WOMEN CLOTHING, NAMELY, ROBES, LINGERIE, DRESSES, SKIRTS, SHIRTS, PANTS, JACKETS, SOCKS AND FOOTWEAR

Attachments	78674810#TMSN.jpeg ( 1 page )( bytes ) 76290949#TMSN.gif ( 1 page )( bytes ) 76250085#TMSN.gif ( 1 page )( bytes ) 76250032#TMSN.gif ( 1 page )( bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Nancy V. Stephens/
Name	Nancy V. Stephens
Date	01/08/2010

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

In re: Registration No.: 3702828  
Registrant: Oxford Industries, Inc.  
Mark: GO COLD WATER  
Last Listed Address: 222 Piedmont, Ave. NE  
Atlanta, GA 30308  
Registration date: October 27, 2009  
International Class: 25

Coldwater Creek Inc.

Petitioner,

v.

Oxford Industries, Inc.,

Respondent.

CANCELLATION NO. \_\_\_\_\_

Coldwater Creek Inc., a Delaware corporation (the "Petitioner"), whose principal place of business is One Coldwater Creek Drive Sandpoint IDAHO 83864, believes that it would be damaged by the continued registration of United States Patent and Trademark Office ("USPTO") Trademark Registration No. 3702828 for the mark GO COLD WATER and hereby seeks by and through its attorneys to cancel the registration.

As grounds for this Petition, Petitioner alleges that:

1. On information and belief, Oxford Industries, Inc. a Georgia corporation ("Respondent") is the owner of Registration No. 3702828, for the mark GO COLD WATER filed on July 1, 2008 on the basis of and intent to use and registered on October 27, 2009 claiming a first use date of August 31, 2009. The class 25 registration covers "shirts" in *International Class 25*.

2. Petitioner is the owner of the mark COLDWATER CREEK, which is the subject of United States Patent and Trademark Registration Nos. 1876534 (COLDWATER CREEK), 2555721 (COLDWATER CREEK), 2740447 (COLDWATER CREEK & Design) all in class 25 and all covering apparel including specifically, "shirts." Petitioner also owns registrations and applications for the mark COLDWATER CREEK and marks that fully contain COLDWATER CREEK covering retail clothing services, jewelry and accessories. Such marks are set out in Exhibit "A" hereto.

3. Respondent's mark and Petitioner's mark are similar in appearance.

4. Respondent's registration for GO COLD WATER encompasses the dominant element of Petitioner's trademark COLDWATER CREEK.

5. COLDWATER is the dominant element of Respondent's mark GO COLD WATER.

6. The addition of the descriptive, directive "GO" does not distinguish the mark from Petitioner's clothing class mark.

7. Respondent's proposed use of the words "COLD WATER" in its registration is not considered use of the word "COLD WATER" in normal parlance or in a descriptive sense but rather as a trademark to identify Respondent's clothing.

8. The goods covered by the Respondent's registration are identical to those covered by Petitioner's mark.

9. The Respondent proposes to use the mark GO COLD WATER on apparel. Petitioner is a manufacturer of apparel and offers fashion and sports apparel for sale at retail.

10. Both parties will advertise their apparel in the channels typically used to advertise apparel, including catalogs, magazines and online. Respondent's mark and Petitioner's mark will likely be used in the same channels of trade.

11. The Respondent's goods will likely target and reach some of Petitioner's consumer base.
12. Petitioner's rights in and to the mark COLDWATER CREEK for clothing are superior to Respondent's rights.
13. Petitioner's rights in and to the mark element "COLDWATER" for clothing are superior to Respondent's rights in and to the mark element "COLD WATER" for clothing.
14. Petitioner's mark COLDWATER CREEK was first filed with the USPTO on July 14, 1988 to cover, "mail order catalogue services for gift, craft and jewelry items" and was first used on or before October 31, 1984. The mark reached registration on March 21, 1989 (Registration No. 1531418).
15. Petitioner's mark COLDWATER CREEK was filed with the USPTO on November 18, 1993 to cover, "clothing; namely, shirts, jackets, blouses, and sweatshirts" and was first used in conjunction with the same on or before November 1, 1989. The mark reached registration January 31, 1995 (Registration No. 1876534).
16. Petitioner used the trademark COLDWATER CREEK in connection with clothing in interstate commerce as early as November 1, 1989 and use has been continuous since that time.
17. Petitioner's US Registration Nos. 1876534, 2555721, 2740447 all cover apparel and have all reached incontestable status.
18. Petitioner's earliest priority filing date for COLDWATER CREEK covering clothing is November 18, 1993 with a date of first common law use of November 1, 1989.
19. Petitioner, made use of the mark COLDWATER CREEK in interstate commerce 19 years prior to Respondent's filing date.
20. Respondent claims a date of first use of August 31, 2009, well after November 1, 1989 or November 18, 1993.

21. Based on the priority of filing and priority of use dates, Petitioner's rights in the trademark COLDWATER CREEK covering apparel and therefore COLDWATER, are superior to Respondent's.

22. Petitioner has developed considerable and valuable goodwill and reputation with respect to the trademark COLDWATER CREEK.

23. Based on its rights in the COLDWATER CREEK registration, Petitioner has expended energy and resources to develop marketing and promotional activities surrounding the COLDWATER CREEK trademark.

24. The trademark element COLDWATER is highly distinctive when used as a trademark for apparel.

25. As a result of the distinctiveness of the mark element COLDWATER and the trademark COLDWATER CREEK, the mark is entitled to a wide scope of protection.

26. The scope of protection enjoyed by Petitioner's trademark COLDWATER CREEK covering apparel is broad enough to block the subsequent use or registration of a trademark covering identical goods intended for the identical market that incorporates COLD WATER as its dominant element.

27. The registration and/or use of Respondent's mark blurs the distinctiveness of Petitioner's trademark COLDWATER CREEK for apparel and dilutes the value of the mark as a source identifier.

28. If Respondent is permitted to retain the registration herein sought to be cancelled and thereby limit the scope of protection for Petitioner's mark that was filed and used well before Respondent filed its intent-to-use application, Respondent will be in the position to cause serious

and irreparable damage and injury to Petitioner because the registration would be inconsistent with Petitioner's priority rights in and to the mark COLDWATER CREEK in class 25.

29. If Applicant is permitted to register the mark GO COLD WATER, for apparel, damage and injury to Petitioner will be caused and will result by reason of a likelihood of confusion between COLDWATER CREEK for clothing and GO COLD WATER for clothing.

30. Petitioner will be damaged by continued registration of Registration No. 3702828 as the registration gives Respondent prima facie evidence of its exclusive right to use a mark likely to cause confusion with Petitioner's proprietary mark.

31. If Respondent maintains its registration for the mark GO COLD WATER in *International Class 25* covering clothing, it will not only likely create confusion in the marketplace but it will be inconsistent with Petitioner's superior rights in and to the mark COLDWATER CREEK and unduly narrows the scope of protection to which Petitioner's trademark is entitled.

WHEREFORE, the Petitioner prays that the Petition for Cancellation be sustained in favor of the Petitioner and Registration No. 3702828 be cancelled.

Dated: January 8, 2010.

/Nancy V. Stephens/

Nancy V. Stephens, WSBA No. 31510  
J. Christopher Lynch, USPTO No. 34216  
WSBA No. 17462  
Attorneys for Petitioner ARITZIA, LP  
1111 Third Avenue, Suite 3400  
Seattle, WA 98101-3299  
206-447-4400

Exhibit "A"

Mark	Appl. No.	Reg. No	Status	Identification of goods/services	
COLDWATER CREEK	78674810		Published	Drinking water; Flavored waters; Glacial water; Mineral water; Seltzer water; Soda water; Sparkling water; Spring water; Still water; Table water	32 Int.
COLDWATER CREEK	74459701	1876534	Renewed	IC 014 Jewelry IC 016 Posters, note cards and notepads, IC 025 clothing, namely, shirts, jackets, blouses, and sweatshirts.	14 Int., 16 Int., 25 Int.
COLDWATER CREEK	75367982	2217173	Registered	Mail order catalog services, retail store services, and electronic media display catalog services, all featuring pillows, wall coverings, wall hangings, bathroom accessories and decorations, bedroom accessories and decorations, bath robes, candles, lamps, vases, jewelry, purses, watches, belts, and clothing.	35 Int.
COLDWATER CREEK	76290949	2714390	Registered	Cosmetics, toiletries and personal care preparations, namely, moisturizers, hand lotions, body lotions, soaps, shower gels, bath gels, body scrubs, bath additives, skin balms, fragrances.	3 Int.
COLDWATER CREEK	76227693	2602690	Registered	Scented candles and unscented candles	4 Int.
COLDWATER CREEK	76250085	2555721	Registered	Clothing; namely, shirts, jackets, blouses, pants, sweatshirts, sweatpants, dresses, lingerie, swimsuits, sleepwear and shoes	25 Int.
COLDWATER CREEK	76250032	2544861	Registered	Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, draperies, pillows, wall coverings, rugs, doormats and other floor coverings, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, furniture, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, lingerie, swimsuits, shoes and clothing.	35 Int.
COLDWATER CREEK	74461454	1861320	Registered	Retail store services for gift, craft, clothing and jewelry items.	42 Int.
COLDWATER CREEK &	78141070	2769235	Registered	Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, linen, pillows, wall coverings, rugs,	35 Int.

WAVE DESIGN				doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing.	
COLDWATER CREEK & WAVE DESIGN	78141132	2740447	Registered	Clothing, namely, shirts, jackets, blouses, pants, sweatshirts, sweat pants, dresses, sleep wear and shoes.	25 Int.
COLDWATER CREEK ELEMENTS	77573914		Published	Mail order catalog services featuring bedding, blankets, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing.; Retail store and on-line retail store services featuring bedding, blankets, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing	35 Int.
COLDWATER CREEK OUTLET	77665567		Published	Electronic catalog services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases, jewelry, purses, watches, belts, sunglasses and shoes; Mail order catalog services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases,	35 Int.




				jewelry, purses, watches, belts, sunglasses and shoes; Retail store services featuring women's apparel, slippers, bath robes, candles, artwork, lamps, vases, jewelry, purses, watches, belts, sunglasses and shoes.	
COLDWATER CREEK SPIRIT	76365628	2754147	Registered	Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, linen, draperies, pillows, wall coverings, rugs, doormats and other floor coverings, towels, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, bedroom furniture, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, wreaths, picture frames, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, shoes and clothing.	35 Int.
COLDWATER CREEK SPORT	78456991	3177920	Registered	Mail order catalog services, retail store services, and electronic media display catalog services, all featuring bedding, blankets, linen, draperies, pillows, wall coverings, rugs, doormats and other floor coverings, wall hangings, artist's materials and supplies, artwork, bathroom accessories and decorations, bedroom accessories and decorations, soap, bath products, bedroom furniture, living room accessories and decorations, slippers, bath robes, tables, candles, candle holders, birdfeeders, mirrors, lamps, planters and plant holders, coasters, napkin rings, plate holders, paper weights, vases, FURNITURE, wreaths, picture frames, fountains, glasses, pitchers and other house wares, jewelry, purses, watches, belts, sunglasses, eyeglasses, lingerie, swimsuits, shoes and clothing.	35 Int.
COLDWATER CREEK THE SPA	78764018	3266290	Allowed	Health spa services for health and wellness of the body and spirit offered at a health resort; Health spa services, namely, cosmetic body care services.	44 Int.
COLDWATER CREEK THE SPA (Standard Characters)	77087272	3306042	Registered	Retail clothing stores Retail shops featuring personal care products, bath care products, beauty products, cosmetics, toiletries, fragrances, skin care products and hair care products, candles, essential oils, incense, books, jewelry, women's clothing, namely robes, lingerie, dresses, skirts, shirts, pants, jackets, socks and footwear; Retail store services featuring personal care products, bath care products, beauty products, cosmetics, toiletries, fragrances, skin care products and hair care products, candles, essential oils, incense, goods, jewelry, women's clothing, namely robes, lingerie dresses, skirts, shirts, pants, jackets, socks and footwear.	35 Int.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2010, I served the foregoing Petition for Cancellation by depositing a true copy thereof in a sealed envelope, postage prepaid, via U.S. Certified Mail Return Receipt addressed to applicant as follows:

Mary Margaret Heaton  
Oxford Industries, Inc.  
222 Piedmont Ave. NE  
Atlanta, GA 30308-3391

  
\_\_\_\_\_  
Elizabeth Whitney