

ESTTA Tracking number: **ESTTA666418**

Filing date: **04/13/2015**

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	Kinco, LLC		
Entity	limited liability company	Citizenship	Oregon
Address	18792 NE Portal Way Portland, OR 97230 UNITED STATES		

Attorney information	Matthew R. Wilmot Schwabe, Williamson & Wyatt, P.C. 1211 SW Fifth Avenue Suite 1600 Portland, OR 97204 UNITED STATES trademarks@schwabe.com, mwilmot@schwabe.com, abodnar@schwabe.com, apentheny@schwabe.com Phone:503-222-9981		
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**Registration Subject to Cancellation**

Registration No	4214673	Registration date	09/25/2012
Registrant	D.P.I. IMPORTS INC. 90 Spence Street Bay Shore, NY 11706 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 025. First Use: 2011/08/31 First Use In Commerce: 2011/08/31 All goods and services in the class are cancelled, namely: clothing, namely, sweat suits, sweatshirts, sweat pants, pants, ponchos, sweaters, raincoats, pajamas, robes, shirts, swimsuits, T-shirts, underwear, vests; footwear
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Registration No.	1460714	Application Date	01/12/1987
Registration Date	10/13/1987	Foreign Priority Date	NONE
Word Mark	HEATKEEP		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 009. First use: First Use: 1986/12/26 First Use In Commerce: 1986/12/26 THERMALLY INSULATED PROTECTIVE GLOVES FOR INDUSTRIAL USE Class 028. First use: First Use: 1986/12/26 First Use In Commerce: 1986/12/26 SKI, SNOWMOBILE AND BICYCLE GLOVES

Attachments	Petition for Cancellation - HEATKEEP 4-13-15.pdf(561423 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	/matthew r wilmot/
Name	Matthew R. Wilmot
Date	04/13/2015

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

In the Matter of Trademark Registration No. 4,214,673  
For the Mark: HEATKEEP  
Registered on September 25, 2012

Kinco, LLC,	)	
	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. _____
	)	
D.P.I. Imports Inc.	)	
	)	
Registrant.	)	

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BOX TTAB FEE  
UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**PETITION FOR CANCELLATION**

Kinco, LLC (“Petitioner”) believes that it is being damaged and/or will be damaged as a result of the registration of the mark HEATKEEP, U.S. Registration No. 4,214,673 (the “Accused Mark”), which registration issued on or about September 25, 2012. Accordingly, Petitioner hereby petitions to cancel the Accused Mark pursuant to Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d). The grounds for cancellation are as follows:

1. Petitioner is a limited liability company duly organized and existing under the laws of the State of Oregon, with its principal place of business located at 18792 NE Portal Way, Portland, OR 97230. Petitioner is in the business of, among other things, designing, selling and distributing gloves.

2. On information and belief, registrant D.P.I. Imports Inc. (“Registrant”) is a corporation duly organized and existing under the laws of the State of New York, with its principal place of business located at 90 Spence Street, Bay Shore, New York 11706.

3. Since at least as early as 1986, Petitioner and/or its predecessor-in-interest have used the mark HEATKEEP in connection with the sale and distribution of its glove products (the “HEATKEEP Mark”). Petitioner is the owner of an incontestable federal trademark registration for the HEATKEEP Mark, U.S. Registration No. 1,460,714, for use in connection with, among other things, “ski, snowmobile and bicycle gloves” in Class 28, which registration issued on or about October 13, 1987. A true and correct copy of U.S. Registration No. 1,460,714 is attached hereto as Exhibit A and incorporated herein by reference.

4. On or about January 13, 2011, Registrant filed a federal trademark application seeking to register the Accused Mark with the USPTO, which application was assigned U.S. Application Serial No. 85/217,303. Registrant’s application matured to registration, and on or about September 25, 2012, the USPTO issued U.S. Registration No. 4,214,673 for the Accused Mark, which registration identifies the goods sold under the Accused Mark as “clothing, namely, sweat suits, sweatshirts, sweat pants, pants, ponchos, sweaters, raincoats, pajamas, robes, shirts, swimsuits, T-shirts, underwear, vests; footwear” in Class 25. A true and correct copy of U.S. Registration No. 4,214,673 is attached hereto as Exhibit B and incorporated herein by reference.

5. Registrant’s registration for the Accused Mark claims a date of first use of August 31, 2011, which date is well after the date on which Petitioner first began using its HEATKEEP Mark, as well as the date on which Petitioner’s registration for its HEATKEEP Mark was issued by the USPTO. Accordingly, as between Petitioner and Registrant, Petitioner has a demonstrated priority in its HEATKEEP Mark.

6. Petitioner's HEATKEEP Mark symbolizes the extensive goodwill and consumer recognition that Petitioner has developed through the advertising, promotion, and use of its HEATKEEP Mark. As a result of Petitioner's and/or its predecessor-in-interest's long-term, continuous, and substantially exclusive use of its HEATKEEP Mark, and Petitioner's and/or its predecessor-in-interest's extensive advertising and promotion of its HEATKEEP Mark and the goods sold thereunder, a significant portion of the relevant class of consumers has come to associate Petitioner's HEATKEEP Mark with Petitioner.

7. The Accused Mark is confusingly similar to the HEATKEEP Mark due to the close similarity between the parties' marks in sight, sound and commercial impression and the relatedness of the goods sold under the marks. Accordingly, consumers of the parties' respective goods who encounter the parties' marks in the marketplace are likely to be mistaken, confused, and/or deceived as to whether Registrant's goods originate from Petitioner, or *vice versa*. At a minimum, such consumers are likely to be mistaken, confused, and/or deceived as to whether Registrant and/or its goods are otherwise connected to, affiliated with, sponsored by, endorsed by, or associated with Petitioner and/or Petitioner's goods, or *vice versa*.

8. Petitioner's HEATKEEP Mark and the Accused Mark are identical in sound, sight and commercial impression in that both marks consist solely of the term "HEATKEEP."

9. The goods sold by Registrant under the Accused Mark overlap with and/or are closely related to the goods sold by Petitioner under its HEATKEEP Mark. In particular, the goods sold by Registrant under the Accused Mark consist of "clothing, namely, sweat suits, sweatshirts, sweat pants, pants, ponchos, sweaters, raincoats, pajamas, robes, shirts, swimsuits, T-shirts, underwear, vests; footwear" in Class 25. Similarly, the goods sold by Petitioner under its HEATKEEP Mark consist of, among other things, "ski, snowmobile and bicycle gloves" in

Class 28. The goods claimed by Registrant in Class 25 are therefore identical to and/or closely related to the goods sold by Petitioner under its HEATKEEP Mark, or at a minimum, are within Petitioner's natural zone of expansion.

10. Due to the overlapping and closely related nature of Petitioner's and Registrant's respective goods, and because the Accused Mark's identification of goods contains no restrictions as to Registrant's customers and/or trade and marketing channels, on information and belief, such goods are advertised, promoted and sold in the same channels of trade, to the same classes of consumers, and in the same marketing channels as those in which Petitioner's goods are advertised, promoted and sold.

11. That the HEATKEEP Mark and the Accused Mark are likely to be confused is further evidenced by the actual confusion among consumers between Petitioner and its goods, on the one hand, and Registrant and its goods, on the other.

12. Petitioner has been, is being, and will continue to be damaged by the registration of the Accused Mark in U.S. Registration No. 4,214,673 because the Accused Mark falsely suggests an association, affiliation, or connection between Petitioner and Registrant, and prospective and actual consumers of the goods provided by Registrant are likely to mistakenly believe that such goods emanate from or, at a minimum, are in some way connected to, affiliated with, sponsored by, endorsed by, or associated with Petitioner and/or its goods, and *vice versa*. Confusion between Petitioner's and Registrant's goods has misled, is misleading, and/or is likely to mislead in the future distributors, retailers, and consumers and will and/or is likely to damage the reputation of Petitioner and its goods.

13. The registration of the Accused Mark in U.S. Registration No. 4,214,673 further creates statutory rights in Registrant in violation and derogation of the established prior rights of

Petitioner, resulting in harm, detriment, and damage to Petitioner.

14. For the foregoing reasons, the registration of the Accused Mark in U.S. Registration No. 4,214,673 has caused, is causing and will likely continue to cause consumer confusion as to source, as well as serious damage to Petitioner, who has a demonstrated priority in its HEATKEEP Mark.

WHEREFORE, Petitioner prays that this Petition for Cancellation be sustained and that U.S. Registration No. 4,214,673 be cancelled pursuant to Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

DATED: April 13, 2015.

Respectfully submitted,

/s/ Matthew R. Wilmot  
Matthew R. Wilmot, Esq.  
Alexandra J. Bodnar, Esq.  
Schwabe, Williamson & Wyatt, P.C.  
1211 S.W. Fifth Avenue  
Portland, OR 97204  
Telephone (503) 222-9981  
Fax (503) 796-2900

Of Attorneys for Petitioner  
Kinco, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of April, 2015, I served the foregoing PETITION FOR CANCELLATION on the following party at the following address:

D.P.I. Imports Inc.  
90 Spence Street  
Bay Shore, New York 11706

by mailing to it a true and correct copy thereof via first class mail, certified by me as such, placed in a sealed envelope addressed to it at the address set forth above, and deposited in the U.S. Post Office at Portland, Oregon on said day with postage prepaid.

DATED: April 13, 2015

Respectfully submitted,

/s/ Matthew R. Wilmot  
Matthew R. Wilmot, Esq.  
Alexandra J. Bodnar, Esq.  
Schwabe, Williamson & Wyatt, P.C.  
1211 S.W. Fifth Avenue  
Portland, OR 97204  
Telephone (503) 222-9981  
Fax (503) 796-2900

Of Attorneys for Petitioner  
Kinco, LLC





# EXHIBIT A

Organized:

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** RANDALL L. DUNCAN  
**Attorney Primary Email Address:** [RD@dunn-carney.com](mailto:RD@dunn-carney.com)  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** TRAVIS KINDLER  
KINCO, LLC  
4286 NE 185TH DRIVE  
PORTLAND, OREGON 97230  
UNITED STATES  
**Phone:** 503-224-6440  
**Fax:** 503-224-7324  
**Correspondent e-mail:** [RD@dunn-carney.com](mailto:RD@dunn-carney.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 09, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59807
Jul. 09, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 03, 2007	ASSIGNED TO PARALEGAL	59807
Jun. 04, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 04, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 15, 2007	CASE FILE IN TICRS	
Feb. 28, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 28, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 27, 2004	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Sep. 30, 1993	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 23, 1993	RESPONSE RECEIVED TO POST REG. ACTION	
Jul. 23, 1993	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Oct. 13, 1987	REGISTERED-PRINCIPAL REGISTER	
Jul. 21, 1987	PUBLISHED FOR OPPOSITION	
Jun. 19, 1987	NOTICE OF PUBLICATION	
May 22, 1987	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 07, 1987	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 27, 1987	NON-FINAL ACTION MAILED	
Mar. 13, 1987	ASSIGNED TO EXAMINER	62523

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Oct. 13, 2007

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** POST REGISTRATION

**Date in Location:** Jul. 09, 2007

## Assignment Abstract Of Title Information

### Summary

# EXHIBIT A

Total Assignments: 1

Registrant: KINCO INTERNATIONAL, INC.

## Assignment 1 of 1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3043/0142](#)

Pages: 4

Date Recorded: Mar. 09, 2005

Supporting Documents: [assignment-tm-3043-0142.pdf](#)

### Assignor

Name: [KINDLER, INC.](#)

Execution Date: Dec. 30, 2004

Legal Entity Type: CORPORATION

State or Country Where Organized: OREGON

DBA, AKA, TA, Formerly: FORMERLY KINCO INTERNATIONAL, INC.

### Assignee

Name: [KINCO, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: OREGON

Address: 4286 NE 185TH AVENUE  
PORTLAND, OREGON 97204

### Correspondent

Correspondent Name: RANDALL L. DUNCAN, ESQ

Correspondent Address: 851 SW 6TH AVENUE  
PORTLAND, OR 97204

Domestic Representative - Not Found

# EXHIBIT A

Int. Cls.: 9 and 28

Prior U.S. Cls.: 22, 26 and 39

**United States Patent and Trademark Office**

**Reg. No. 1,460,714**  
Registered Oct. 13, 1987

## TRADEMARK PRINCIPAL REGISTER

### HEATKEEP

KINCO INTERNATIONAL, INC. (OREGON  
CORPORATION)  
P.O. BOX 02345  
PORTLAND, OR 97202

FOR: THERMALLY INSULATED PROTECTIVE GLOVES FOR INDUSTRIAL USE, IN CLASS 9 (U.S. CLS. 26 AND 39).

FIRST USE 12-26-1986; IN COMMERCE 12-26-1986.

FOR: SKI, SNOWMOBILE AND BICYCLE GLOVES, IN CLASS 28 (U.S. CL. 22).

FIRST USE 12-26-1986; IN COMMERCE 12-26-1986.

SER. NO. 639,130, FILED 1-12-1987.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY

# EXHIBIT B

Generated on: This page was generated by TSDR on 2015-04-13 19:09:43 EDT

Mark: HEATKEEP

## HEATKEEP

**US Serial Number:** 85217303      **Application Filing Date:** Jan. 13, 2011  
**US Registration Number:** 4214673      **Registration Date:** Sep. 25, 2012  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.  
**Status Date:** Sep. 25, 2012  
**Publication Date:** Nov. 08, 2011      **Notice of Allowance Date:** Jan. 03, 2012

### Mark Information

**Mark Literal Elements:** HEATKEEP  
**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

### 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:** clothing, namely, sweat suits, sweatshirts, sweat pants, pants, ponchos, sweaters, raincoats, pajamas, robes, shirts, swimsuits, T-shirts, underwear, vests; footwear

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 31, 2011

**Use in Commerce:** Aug. 31, 2011

### Basis Information (Case Level)

<b>Filed Use:</b> No	<b>Currently Use:</b> Yes	<b>Amended Use:</b> No
<b>Filed ITU:</b> Yes	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No	<b>Amended 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

### Current Owner(s) Information

**Owner Name:** D.P.I. IMPORTS INC.  
**Owner Address:** 90 Spence Street  
Bay Shore, NEW YORK 11706  
UNITED STATES  
**Legal Entity Type:** CORPORATION      **State or Country Where Organized:** NEW YORK

### Attorney/Correspondence Information

#### Attorney of Record

**Attorney Name:** Linda S. Chan      **Docket Number:** DPS 24.612 (  
**Attorney Primary Email Address:** [michael.sarney@kattenlaw.com](mailto:michael.sarney@kattenlaw.com)      **Attorney Email Authorized:** No

#### Correspondent

**Correspondent Name/Address:** LINDA S. CHAN  
KATTEN MUCHIN ROSENMAN LLP

# EXHIBIT B

575 MADISON AVE  
NEW YORK, NEW YORK 10022-2511  
UNITED STATES

Phone: 212-940-8800

Fax: 212-940-8776

Correspondent e-mail: [michael.sarney@kattenlaw.com](mailto:michael.sarney@kattenlaw.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 01, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 25, 2012	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 22, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Aug. 16, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 03, 2012	STATEMENT OF USE PROCESSING COMPLETE	61813
Jul. 03, 2012	USE AMENDMENT FILED	61813
Jul. 27, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jul. 03, 2012	TEAS STATEMENT OF USE RECEIVED	
Jan. 03, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 08, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 08, 2011	PUBLISHED FOR OPPOSITION	
Oct. 06, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Oct. 04, 2011	ASSIGNED TO LIE	74221
Sep. 20, 2011	EXAMINERS AMENDMENT MAILED	
Sep. 20, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 20, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 20, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2011	EXAMINERS AMENDMENT -WRITTEN	68625
Sep. 20, 2011	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 20, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 20, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 20, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 20, 2011	EXAMINERS AMENDMENT -WRITTEN	68625
Sep. 20, 2011	FINAL REFUSAL WRITTEN	68625
Aug. 30, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 30, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 30, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 04, 2011	NON-FINAL ACTION MAILED	
Mar. 03, 2011	NON-FINAL ACTION WRITTEN	68625
Mar. 03, 2011	ASSIGNED TO EXAMINER	68625
Jan. 20, 2011	NOTICE OF PSEUDO MARK MAILED	
Jan. 19, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 17, 2011	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 22, 2012

# EXHIBIT B

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: D.P.I. IMPORTS INC.

### Assignment 1 of 1

Conveyance: SECURITY AGREEMENT

Reel/Frame: [5487/0468](#)

Pages: 9

Date Recorded: Mar. 30, 2015

Supporting Documents: [assignment-tm-5487-0468.pdf](#)

### Assignor

Name: [D P I IMPORTS, INC.](#)

Execution Date: Mar. 27, 2015

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

### Assignee

Name: [CAPITAL ONE, NATIONAL ASSOCIATION](#)

Legal Entity Type: ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 275 BROADHOLLOW ROAD  
MELVILLE, NEW YORK 11747

### Correspondent

Correspondent Name: WENDY D. FORREST, ESQ.

Correspondent Address: 100 QUENTIN ROOSEVELT BOULEVARD  
CULLEN AND DYKMAN LLP  
GARDEN CITY, NY 11530

Domestic Representative - Not Found

EXHIBIT B

United States of America  
United States Patent and Trademark Office

HEATKEEP

**Reg. No. 4,214,673**

**Registered Sep. 25, 2012**

**Int. Cl.: 25**

**TRADEMARK**

**PRINCIPAL REGISTER**

D.P.I. IMPORTS INC. (NEW YORK CORPORATION)  
90 SPENCE STREET  
BAY SHORE, NY 11706

FOR: CLOTHING, NAMELY, SWEAT SUITS, SWEATSHIRTS, SWEAT PANTS, PANTS, PONCHOS, SWEATERS, RAINCOATS, PAJAMAS, ROBES, SHIRTS, SWIMSUITS, T-SHIRTS, UNDERWEAR, VESTS; FOOTWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-31-2011; IN COMMERCE 8-31-2011.

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

SN 85-217,303, FILED 1-13-2011.

SAMUEL E. SHARPER JR., EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office