

ESTTA Tracking number: **ESTTA706800**

Filing date: **11/05/2015**

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	Gap (Apparel), LLC		
Entity	limited liability company	Citizenship	California
Address	2 Folsom Street San Francisco, CA 94105 UNITED STATES		

Attorney information	James D. Weinberger Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza 6th Floor New York, NY 10017 UNITED STATES jweinberger@fzlz.com, fkohn@fzlz.com Phone:(212) 813-5900		
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Registration Subject to Cancellation

Registration No	4626645	Registration date	10/28/2014
International Registration No.	NONE	International Registration Date	NONE
Registrant	VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L. Via Daniele Crespi, 1 ITALY		

Goods/Services Subject to Cancellation

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Communication and telecommunication apparatus and installations, namely, personal digital assistants, smartphones, tablet PCs; electronic apparatus, namely, motion detectors, plasma display panels, ticket issuing, reading and recording machines; CD players; MP3 players; scientific apparatus and instruments, namely, optical mirrors, scientific apparatus for determining the water content in petroleum products, glass tubes for scientific purposes, conductivity meters, prisms for scientific purposes; nautical, surveying and electric apparatus and instruments, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balance, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, life-saving rafts, medical teaching mannequins; electric cables; electric switches; electronic apparatus and instruments, namely, blank electronic chipcards, electronic burglar alarms, electronic oxygen monitors and sensors for environmental use, electronic cables, electronic locks; television apparatus, namely, portable televisions, receivers for receiving cable television; decoders for television apparatus, namely, television; radios, radio receivers, radio transmitters, radio telephones, record players; disks, namely, blank computer discs, blank magnetic discs; tapes, namely, blank audio tapes, blank magnetic computer tapes; video recorders; optical disk readers; photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, compasses, automatic elec-

trical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balances, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, lifesaving rafts, medical teaching mannequins; television cameras; apparatus for live recording and broadcasting of television shows, namely, television cameras; repeaters for radio and television stations; antennas for radio and television; spectacles; spectacles and sunglasses; glasses, namely, sportglasses, sun glasses, optical glasses; automatic coin or token-operated apparatus, namely, dispensers; sound amplifiers and projectors; cash registers; calculating machines; fire-extinguishing apparatus, namely, fire-extinguishing systems; computer programs for use in database management, use in spreadsheet, word processing; computers; connecting microprocessors and plugs for computers; computer printers; modems; facsimile machines; telephone apparatus; cellular telephones; protective helmets for sports and for safety at work, electronic welding apparatus, namely, welding transformers

Class 014. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Gold; silver; platinum; precious metals and alloys thereof; objects made of precious metals and alloys thereof, namely, jewelry; diamonds; brilliants; precious stones; jewelry articles, namely, jewelry; jewelry; cuff links and tie clips; wristwatches; clocks in general; watch straps; chronometric instruments; jewelry articles plated with precious metals, namely, jewelry; cases and other boxes for timepieces and jewelry

Class 025. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Clothing for men, women and children in general, namely, dresses made from hides; shirts; blouses; skirts; tailleurs; suit jackets; trousers; shorts; undershirts; knitwear, namely, shirts, pants, dresses; pajamas; socks; knitted underclothing, namely, underpants, t-shirts; bodices; suspender belts; breeches for wear and underpants; brassieres; slippers; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, cloaks, coats, hats, muffs, stoles; sashes for wear; gloves; dressing gowns, footwear in general, including slippers; footwear; footwear for sports; boots and sandals

Grounds for Cancellation

Abandonment	Trademark Act section 14
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Non use (Trademark Act section 14)

Related Proceedings	Opp. No. 91222574
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Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2449575	Application Date	05/26/1998
Registration Date	05/08/2001	Foreign Priority Date	NONE
Word Mark	1969		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1999/02/04 First Use In Commerce: 1999/02/04 CLOTHING, namely, PANTS, JEANS, [OVERALLS,] SHORTS, KHAKI PANTS, SWEATSHIRTS, SHIRTS, T-SHIRTS, [SOCKS, CAPS] AND JACKETS		

U.S. Registration	3873549	Application Date	04/08/2010
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No.			
Registration Date	11/09/2010	Foreign Priority Date	NONE
Word Mark	1969		
Design Mark	<h1>1969</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/02/04 First Use In Commerce: 1999/02/04 Retail store services in the field of clothing		

U.S. Registration No.	4161684	Application Date	04/08/2010
Registration Date	06/19/2012	Foreign Priority Date	NONE
Word Mark	1969		
Design Mark	<h1>1969</h1>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1999/02/04 First Use In Commerce: 1999/02/04 Retail store services in the field of clothing, accessories, footwear, and bags; on-line retail store services in the field of clothing, accessories, footwear, and bags		

U.S. Registration No.	4221697	Application Date	03/02/2012
Registration Date	10/09/2012	Foreign Priority Date	NONE
Word Mark	1969		

Design Mark	<h1>1969</h1>
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2011/11/10 First Use In Commerce: 2011/11/10 Magnetic coded gift cards

U.S. Registration No.	4481405	Application Date	06/11/2010
Registration Date	02/11/2014	Foreign Priority Date	NONE
Word Mark	1969		
Design Mark	<h1>1969</h1>		
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2013/11/01 First Use In Commerce: 2013/11/01 Bags, namely, tote bags, handbags, and all-purpose carrying bags		

Attachments	85009804#TMSN.png(bytes) 85009864#TMSN.png(bytes) 85559179#TMSN.png(bytes) 85060649#TMSN.png(bytes) 19 v 69 - Petition to Cancel (F1810401x96B9E).pdf(173827 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	/s/ James D. Weinberger
Name	James D. Weinberger
Date	11/05/2015

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

In the matter of Registration No. 4,626,645

GAP (APPAREL), LLC,

Petitioner,

-against-

VERSACE 19.69 ABBIGLIAMENTO
SPORTIVO S.R.L.,

Registrant.

PETITION FOR CANCELLATION

Petitioner, Gap (Apparel) LLC, a California corporation with a place of business at 2 Folsom Street, San Francisco, California 94105 (“Petitioner”), believes that it is and will be damaged by the continued registration of U.S. Registration No. 4,626,645 and hereby petitions to cancel same. As grounds for its petition for cancellation, Petitioner, by its attorneys Fross Zelnick Lehrman & Zissu, P.C., alleges as follows:

1. Petitioner is one of the world’s leading retailers of, among other things, clothing and accessories.
2. Petitioner has used the mark 1969 (“1969 Mark”) in connection with the above goods, including in store locations throughout the United States dedicated to Petitioner’s 1969 brand and on websites located at *www.gap.com* and *www.gap1969.com*.
3. Petitioner is the owner of all right, title and interest in and to the 1969 Mark in connection with retail clothing based on first use in commerce as early as 1999. Petitioner is also the owner of all right, title and interest in and to the 1969 Mark in connection with a variety of

other goods and services. Additionally, Petitioner owns numerous U.S. trademark registrations and applications for the 1969 Mark for a variety of goods and services, including the following:

- 1969, U.S. Reg. No. 2,449,575, registered May 8, 2001, based on first use in February 1999, for “clothing, namely, pants, jeans, shorts, khaki pants, sweatshirts, shirts, t-shirts, and jackets” in International Class 25;
- 1969, U.S. Reg. No. 3,873,549, registered November 9, 2010, based on first use in February 1999, for “Retail store services in the field of clothing” in International Class 35;
- 1969, U.S. Reg. No. 4,161,684, registered June 19, 2012, based on first use in February 1999, for “Retail store services in the field of clothing, accessories, footwear, and bags; online retail store services in the field of clothing, accessories, footwear, and bags” in International Class 35;
- 1969, U.S. Reg. No. 4,221,697, registered October 9, 2012, based on first use in November 2011, for “Magnetic coded gift cards” in International Class 9; and
- 1969, U.S. Reg. No. 4,481,405, registered February 11, 2014, based on first use in November 2013, for “Bags, namely, tote bags, handbags, and all-purpose carrying bags” in International Class 18.

4. These registrations are valid, subsisting and in full effect and serve as prima facie evidence of the validity of the mark and of Petitioner’s exclusive right to use the mark in connection with the goods and services identified therein, pursuant to Section 33(b) of the Lanham Act, 15 U.S.C. § 1115(a). Additionally, U.S. Registration No. 2,449,575 has become incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065. Attached hereto as Exhibit

A are printouts from the TSDR electronic database records of the U.S. Patent and Trademark Office showing the current status and title of the registrations relied upon herein.

5. Upon information and belief, Registrant Versace 19.69 Abbigliamento Sportivo S.R.L. (“Registrant”) is a limited liability company organized under the laws of Italy, located and doing business at Via Daniele Crespi, 1, Busto Arsizio (VA) I-21052, Italy.

6. On August 6, 2012, Registrant filed Application Serial No. 79/127,737 to register the following design mark:



based on an extension of protection of an international registration under Section 66(a) of the Lanham Act in connection with “Communication and telecommunication apparatus and installations, namely, personal digital assistants, smartphones, tablet PCs; electronic apparatus, namely, motion detectors, plasma display panels, ticket issuing, reading and recording machines; CD players; MP3 players; scientific apparatus and instruments, namely, optical mirrors, scientific apparatus for determining the water content in petroleum products, glass tubes for scientific purposes, conductivity meters, prisms for scientific purposes; nautical, surveying and electric apparatus and instruments, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balance, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials

processing by lasers, apparatus for checking flight parameters, life-saving rafts, medical teaching mannequins; electric cables; electric switches; electronic apparatus and instruments, namely, blank electronic chip cards, electronic burglar alarms, electronic oxygen monitors and sensors for environmental use, electronic cables, electronic locks; television apparatus, namely, portable televisions, receivers for receiving cable television; decoders for television apparatus, namely, television; radios, radio receivers, radio transmitters, radio telephones, record players; disks, namely, blank computer discs, blank magnetic discs; tapes, namely, blank audio tapes, blank magnetic computer tapes; video recorders; optical disk readers. photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balances, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, lifesaving rafts, medical teaching mannequins; television cameras; apparatus for live recording and broadcasting of television shows, namely, television cameras; repeaters for radio and television stations; antennas for radio and television; spectacles; spectacles and sunglasses; glasses, namely, sport glasses, sun glasses, optical glasses; automatic coin or token-operated apparatus, namely, dispensers; sound amplifiers and projectors; cash registers; calculating machines; fire-extinguishing apparatus, namely, fire-extinguishing systems; computer programs for use in database management, use in spreadsheet, word processing; computers; connecting microprocessors and plugs for computers; computer printers; modems; facsimile machines; telephone apparatus; cellular telephones; protective helmets for sports and for safety at work, electronic welding apparatus, namely, welding

transformers” in International Class 9; “Gold; silver; platinum; precious metals and alloys thereof; objects made of precious metals and alloys thereof, namely, jewelry; diamonds; brilliants; precious stones; jewelry articles, namely, jewelry; jewelry; cuff links and tie clips; wristwatches; clocks in general; watch straps; chronometric instruments; jewelry articles plated with precious metals, namely, jewelry; cases and other boxes for timepieces and jewelry” in International Class 14; and “Clothing for men, women and children in general, namely, dresses made from hides; shirts; blouses; skirts; tailleurs; suit jackets; trousers; shorts; undershirts; knitwear, namely, shirts, pants, dresses; pajamas; socks; knitted underclothing, namely, underpants, t-shirts; bodices; suspender belts; breeches for wear and underpants; brassieres; slips; hats; scarves; neckties; raincoats; overcoats; coats; bathing suits; tracksuits for sports; anoraks; ski pants; belts; furs, namely, cloaks, coats, hats, muffs, stoles; sashes for wear; gloves; dressing gowns, footwear in general, including slippers; footwear; footwear for sports; boots and sandals” in International Class 25 (hereinafter “the V 19 69 ITALIA & Design Mark”).

7. The V 19 69 ITALIA & Design Mark matured to registration, U.S. Registration No. 4,626,645, on October 28, 2014.

COUNT 1: ABANDONMENT/NON-USE – INTERNATIONAL CLASS 9

8. Petitioner repeats and realleges the allegations set forth in paragraphs 1 through 8 as if fully stated herein.

9. Upon information and belief, Registrant has never used, or in the alternative has ceased use of, the V 19 69 ITALIA & Design Mark in U.S. commerce in connection with “Communication and telecommunication apparatus and installations, namely, personal digital assistants, smartphones, tablet PCs; electronic apparatus, namely, motion detectors, plasma display panels, ticket issuing, reading and recording machines; CD players; MP3 players;

scientific apparatus and instruments, namely, optical mirrors, scientific apparatus for determining the water content in petroleum products, glass tubes for scientific purposes, conductivity meters, prisms for scientific purposes; nautical, surveying and electric apparatus and instruments, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balance, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, life-saving rafts, medical teaching mannequins; electric cables; electric switches; electronic apparatus and instruments, namely, blank electronic chip cards, electronic burglar alarms, electronic oxygen monitors and sensors for environmental use, electronic cables, electronic locks; television apparatus, namely, portable televisions, receivers for receiving cable television; decoders for television apparatus, namely, television; radios, radio receivers, radio transmitters, radio telephones, record players; disks, namely, blank computer discs, blank magnetic discs; tapes, namely, blank audio tapes, blank magnetic computer tapes; video recorders; optical disk readers. photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balances, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, lifesaving rafts, medical teaching mannequins; television cameras; apparatus for live recording and broadcasting of television

shows, namely, television cameras; repeaters for radio and television stations; antennas for radio and television; . . . automatic coin or token-operated apparatus, namely, dispensers; sound amplifiers and projectors; cash registers; calculating machines; fire-extinguishing apparatus, namely, fire-extinguishing systems; computer programs for use in database management, use in spreadsheet, word processing; computers; connecting microprocessors and plugs for computers; computer printers; modems; facsimile machines; telephone apparatus; cellular telephones; protective helmets for sports and for safety at work, electronic welding apparatus, namely, welding transformers” in International Class 9.

10. Upon information and belief, Registrant has not used the V 19 69 ITALIA & Design Mark on or in connection with “Communication and telecommunication apparatus and installations, namely, personal digital assistants, smartphones, tablet PCs; electronic apparatus, namely, motion detectors, plasma display panels, ticket issuing, reading and recording machines; CD players; MP3 players; scientific apparatus and instruments, namely, optical mirrors, scientific apparatus for determining the water content in petroleum products, glass tubes for scientific purposes, conductivity meters, prisms for scientific purposes; nautical, surveying and electric apparatus and instruments, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balance, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, life-saving rafts, medical teaching mannequins; electric cables; electric switches; electronic apparatus and instruments, namely, blank electronic chip cards, electronic burglar alarms, electronic oxygen monitors and sensors for

environmental use, electronic cables, electronic locks; television apparatus, namely, portable televisions, receivers for receiving cable television; decoders for television apparatus, namely, television; radios, radio receivers, radio transmitters, radio telephones, record players; disks, namely, blank computer discs, blank magnetic discs; tapes, namely, blank audio tapes, blank magnetic computer tapes; video recorders; optical disk readers. photographic, cinematographic, optical, weighing, measuring and signaling apparatus, namely, compasses, automatic electrical distribution apparatus, electric cables, electrical conductors, photographic cameras, photographic filters, cinematographic machines and apparatus, optical cables, optical lenses, optical mirrors, scales and balances, instruments for measuring length, laser measuring systems, bevels, signal processors, sensing and signaling devices for measurement and quality control of materials processing by lasers, apparatus for checking flight parameters, lifesaving rafts, medical teaching mannequins; television cameras; apparatus for live recording and broadcasting of television shows, namely, television cameras; repeaters for radio and television stations; antennas for radio and television; . . . automatic coin or token-operated apparatus, namely, dispensers; sound amplifiers and projectors; cash registers; calculating machines; fire-extinguishing apparatus, namely, fire-extinguishing systems; computer programs for use in database management, use in spreadsheet, word processing; computers; connecting microprocessors and plugs for computers; computer printers; modems; facsimile machines; telephone apparatus; cellular telephones; protective helmets for sports and for safety at work, electronic welding apparatus, namely, welding transformers” in International Class 9 in U.S. commerce for more than three years.

11. Upon information and belief, if it has ever used the V 19 69 ITALIA & Design Mark as such, except in connection with “spectacles and sunglasses; glasses, namely, sport glasses, sun glasses, optical glasses,” Registrant does not intend to resume use of the V 19 69

ITALIA & Design Mark in the U.S. for goods and services in connection with electrical and scientific apparatus in International Class 9.

12. Based on the foregoing, Registrant has abandoned the V 19 69 ITALIA & Design Mark, and for this reason Reg. No. 4,626,645 should be cancelled pursuant to 15 U.S.C. §§ 1052(3) and 1064 for the goods and services enumerated above in Paragraphs 9–10 in International Class 9.

13. Because the continued registration of the V 19 69 ITALIA & Design Mark has and may continue to interfere with Petitioner’s exclusive right to use and register the 1969 Mark and related marks, Petitioner is harmed by the continued registration of Reg. No. 4,626,645.

COUNT 2: ABANDONMENT/NON-USE – INTERNATIONAL CLASS 14

14. Petitioner repeats and realleges the allegations set forth in paragraphs 1 through 13 as if fully stated herein.

15. Upon information and belief, Registrant has never used, or in the alternative has ceased use of, the V 19 69 ITALIA & Design Mark in U.S. commerce in connection with “Gold; silver; platinum; precious metals and alloys thereof; objects made of precious metals and alloys thereof, namely, jewelry; diamonds; brilliants; precious stones; jewelry articles, namely, jewelry; jewelry; cuff links and tie clips; wristwatches; clocks in general; watch straps; chronometric instruments; jewelry articles plated with precious metals, namely, jewelry; cases and other boxes for timepieces and jewelry” in International Class 14.

16. Upon information and belief, Registrant has not used the V 19 69 ITALIA & Design Mark on or in connection with “Gold; silver; platinum; precious metals and alloys thereof; objects made of precious metals and alloys thereof, namely, jewelry; diamonds; brilliants; precious stones; jewelry articles, namely, jewelry; jewelry; cuff links and tie clips;

wristwatches; clocks in general; watch straps; chronometric instruments; jewelry articles plated with precious metals, namely, jewelry; cases and other boxes for timepieces and jewelry” in International Class 14 in U.S. commerce for more than three years.

17. Upon information and belief, if it has ever used the V 19 69 ITALIA & Design Mark as such, Registrant does not intend to resume use of the V 19 69 ITALIA & Design Mark in the U.S. for goods and services in International Class 14.

18. Based on the foregoing, Registrant has abandoned the V 19 69 ITALIA & Design Mark, and for this reason Reg. No. 4,626,645 should be cancelled pursuant to 15 U.S.C. §§ 1052(3) and 1064 in International Class 14.

19. Because the continued registration of the V 19 69 ITALIA & Design Mark has and may continue to interfere with Petitioner’s exclusive right to use and register the 1969 Mark and related marks, Petitioner is harmed by the continued registration of Reg. No. 4,626,645.

COUNT 3: ABANDONMENT/NON-USE – INTERNATIONAL CLASS 25

20. Petitioner repeats and realleges the allegations set forth in paragraphs 1 through 25 as if fully stated herein.

21. Upon information and belief, Registrant has never used, or in the alternative has ceased use of, the V 19 69 ITALIA & Design Mark in U.S. commerce in connection with anoraks; ski pants; furs, namely, cloaks, coats, hats, muffs, stoles; sashes for wear; gloves; and dressing gowns in International Class 25.

22. Upon information and belief, Registrant has not used the V 19 69 ITALIA & Design Mark on or in connection with anoraks; ski pants; furs, namely, cloaks, coats, hats, muffs, stoles; sashes for wear; gloves; and dressing gowns in International Class 25 in U.S. commerce for more than three years.

23. Upon information and belief, if it has ever used the V 19 69 ITALIA & Design Mark as such, Registrant does not intend to resume use of the V 19 69 ITALIA & Design Mark in the U.S. for goods and services in connection with the items of apparel enumerated in Paragraphs 21–22 in International Class 25.

24. Based on the foregoing, Registrant has abandoned the V 19 69 ITALIA & Design Mark, and for this reason Reg. No. 4,626,645 should be cancelled pursuant to 15 U.S.C. §§ 1052(3) and 1064 for the goods and services enumerated above in Paragraphs 21–22 in International Class 25.

25. Because the continued registration of the V 19 69 ITALIA & Design Mark has and may continue to interfere with Petitioner's exclusive right to use and register the 1969 Mark and related marks, Petitioner is harmed by the continued registration of Reg. No. 4,626,645.

COUNT 4: PRIORITY AND LIKELIHOOD OF CONFUSION

26. Petitioner repeats and realleges the allegations set forth in paragraphs 1 through 25 as if fully stated herein.

27. Upon information and belief, prior to any date on which Registrant can rely, Registrant was on notice of Petitioner's prior rights in and to the 1969 Mark.

28. Petitioner's rights in the 1969 Mark are prior and superior to any rights Registrant may legitimately claim in the V 19 69 ITALIA & Design Mark. The continued registration of the V 19 69 ITALIA & Design Mark by Registrant is inconsistent with Petitioner's prior rights and exclusivity of use.

29. The V 19 69 ITALIA & Design Mark is confusingly similar to Petitioner's prior used 1969 Mark, in that they are virtually identical – Registrant's mark adds only the non-

distinctive letter V and the geographically descriptive term “Italia” – for identical and complementary goods and services.

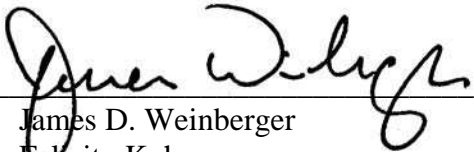
30. Registrant’s use and continued registration of the mark V 19 69 ITALIA & Design Mark in connection with the goods and services identified in the Registration is likely to cause confusion, cause mistake or to deceive consumers to falsely believe that Registrant’s goods and services emanate from or otherwise are authorized, sponsored by, or affiliated with Petitioner, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

31. Because the continued registration of the V 19 69 ITALIA & Design Mark has and may continue to interfere with Petitioner’s exclusive right to use and register the 1969 Mark and related marks, Petitioner is harmed by the continued registration of Reg. No. 4,626,645.

WHEREFORE, it is respectfully requested that this cancellation petition be granted and that Registration No. 4,626,645 be cancelled.

Dated: New York, New York
November 5, 2015

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 
James D. Weinberger
Felicity Kohn

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EXHIBIT A

Generated on: This page was generated by TSDR on 2015-11-05 13:39:50 EST

Mark: 1969

US Serial Number: 75491099 **Application Filing Date:** May 26, 1998
US Registration Number: 2449575 **Registration Date:** May 08, 2001
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Mar. 28, 2011
Publication Date: Nov. 30, 1999 **Notice of Allowance Date:** Feb. 22, 2000

Mark Information

Mark Literal Elements: 1969
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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, PANTS, JEANS, [OVERALLS,] SHORTS, KHAKI PANTS, SWEATSHIRTS, SHIRTS, T-SHIRTS, [SOCKS, CAPS] AND JACKETS

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 04, 1999

Use in Commerce: Feb. 04, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: GAP (APPAREL), LLC
Owner Address: 2 FOLSOM STREET
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** UNITED STATES

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Frank Goldberg
Attorney Primary Email: ip@gap.com **Attorney Email:** Yes

Address: _____

Authorized:

Correspondent

Correspondent Name/Address: Frank Goldberg
Gap (Apparel), LLC
2 Folsom Street
SAN FRANCISCO, CALIFORNIA UNITED STATES 94105

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: jp@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 28, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Mar. 28, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 22, 2011	TEAS SECTION 8 & 9 RECEIVED	
Jun. 30, 2010	NOTICE OF SUIT	
Jan. 08, 2010	NOTICE OF SUIT	
Dec. 19, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 28, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69934
Dec. 20, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Dec. 20, 2006	TEAS SECTION 8 & 15 RECEIVED	
Nov. 16, 2006	CASE FILE IN TICRS	
May 08, 2001	REGISTERED-PRINCIPAL REGISTER	
Nov. 22, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 01, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 18, 2000	USE AMENDMENT FILED	
Feb. 22, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 30, 1999	PUBLISHED FOR OPPOSITION	
Oct. 29, 1999	NOTICE OF PUBLICATION	
Aug. 17, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 02, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 05, 1999	NON-FINAL ACTION MAILED	
Dec. 23, 1998	ASSIGNED TO EXAMINER	74665

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 08, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Mar. 28, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: GAP (APPAREL) INC.

Assignment 1 of 2

Conveyance: CHANGE OF NAME

Reel/Frame: [2801/0200](#)

Pages: 9

Date Recorded: Feb. 27, 2004

Supporting Documents: [assignment-tm-2801-0200.pdf](#)

Assignor

Name: [GAP \(APPAREL\) INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jan. 31, 2004
State or Country Where Organized: CALIFORNIA

Assignee

Name: [GAP \(APPAREL\), LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: UNITED STATES

Address: 2 FOLSOM STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: JULIE GRUBER
Correspondent Address: 2 FOLSOM STREET
SAN FRANCISCO, CA 94105

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE CITIZENSHIP PREVIOUSLY RECORDED ON REEL 002801 FRAME 0200. ASSIGNOR(S) HEREBY CONFIRMS THE CITIZENSHIP SHOULD BE CALIFORNIA.

Reel/Frame: [3679/0705](#)

Pages: 16

Date Recorded: Dec. 17, 2007

Supporting Documents: [assignment-tm-3679-0705.pdf](#)

Assignor

Name: [GAP \(APPAREL\) INC.](#)
Legal Entity Type: CORPORATION

Execution Date: Jan. 31, 2004
State or Country Where Organized: CALIFORNIA

Assignee

Name: [GAP \(APPAREL\), LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: CALIFORNIA

Address: 2 FOLSOM STREET
SAN FRANCISCO, CALIFORNIA 94105

Correspondent

Correspondent Name: LINDSEY MOHLE
Correspondent Address: 2 FOLSOM STREET
SAN FRANCISCO, CA 94105

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91223813](#)

Filing Date: Sep 15, 2015

Status: Pending

Status Date: Sep 15, 2015

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Monster, Inc.

Correspondent Address: MATTHEW POWELSON
321 LAW, INC.
P. O. BOX 911
MONTEREY CA , 93942

Correspondent e-mail: matt@321-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Opposition Pending	86475883	
Plaintiff(s)			

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
 Fross Zelnick Lehrman & Zissu, P.C.
 866 United Nations Plaza6th Floor
 New York NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@frosszelnick.com , jinsley-pruitt@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 15, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 15, 2015	Oct 25, 2015
3	PENDING, INSTITUTED	Sep 15, 2015	
4	ANSWER	Oct 26, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91222574](#)

Filing Date: Jun 29, 2015

Status: Pending

Status Date: Jun 29, 2015

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L.

Correspondent Address: KATHLEEN A. COSTIGAN
 HEDMAN & COSTIGAN, P.C.
 1 ROCKEFELLER PLZ FL 11
 NEW YORK NY , 10020-2003

Correspondent e-mail: ipdocket@hgcpatent.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
19 V 69 ITALIA	Opposition Pending	86291528	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
 Fross Zelnick Lehrman & Zissu, P.C.
 866 United Nations Plaza6th Floor
 New York NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@fzlj.com , fkohn@fzlj.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2015	Aug 08, 2015
3	PENDING, INSTITUTED	Jun 29, 2015	
4	STIP FOR EXT	Aug 05, 2015	

5	EXTENSION OF TIME GRANTED	Aug 05, 2015
6	STIP FOR EXT	Sep 03, 2015
7	EXTENSION OF TIME GRANTED	Sep 03, 2015
8	STIP FOR EXT	Oct 05, 2015
9	EXTENSION OF TIME GRANTED	Oct 05, 2015

Type of Proceeding: Opposition

Proceeding Number: [91199735](#)

Filing Date: May 06, 2011

Status: Terminated

Status Date: Mar 07, 2013

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Bergelin Ltd.

Correspondent Address: JOHN A CLIFFORD
MERCHANT GOULD PC
PO BOX 2910
MINNEAPOLIS MN UNITED STATES , 55402 0910

Correspondent e-mail: JClifford@merchantgould.com , aavery@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Registered	77920351	4319302

Plaintiff(s)

Name: Gap (Apparel) LLC

Correspondent Address: JAMES D WEINBERGER
FROSS ZELNICK LEHRMAN ZISSU PC
866 UNITED NATIONS PLAZA, 6TH FLOOR
NEW YORK NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@frosszelnick.com , ghuron@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 06, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 10, 2011	Jun 19, 2011
3	PENDING, INSTITUTED	May 10, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Jun 17, 2011	
5	EXTENSION OF TIME GRANTED	Jun 17, 2011	
6	ANSWER	Jul 19, 2011	
7	STIPULATION FOR AN EXTENSION OF TIME	Aug 15, 2011	
8	EXTENSION OF TIME GRANTED	Aug 31, 2011	
9	CHANGE OF CORRESPONDENCE ADDRESS	Jan 27, 2012	
10	CHANGE OF CORRESPONDENCE ADDRESS	Jan 30, 2012	
11	STIPULATION FOR AN EXTENSION OF TIME	Mar 12, 2012	
12	EXTENSION OF TIME GRANTED	Mar 12, 2012	
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 23, 2012	
14	SUSPENDED	Mar 23, 2012	
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 24, 2012	
16	SUSPENDED	May 24, 2012	
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 03, 2012	
18	SUSPENDED	Jul 03, 2012	

19	MOTION TO AMEND APPLICATION	Oct 25, 2012
20	BD DECISION: DISMISSED W/O PREJ	Mar 07, 2013
21	TERMINATED	Mar 07, 2013

Generated on: This page was generated by TSDR on 2015-11-05 13:40:11 EST

Mark: 1969

1969

US Serial Number: 85009804
Application Filing Date: Apr. 08, 2010
US Registration Number: 3873549
Registration Date: Nov. 09, 2010
Register: Principal
Mark Type: Service Mark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 09, 2010
Publication Date: Aug. 24, 2010

Mark Information

Mark Literal Elements: 1969
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: 2449575

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: Retail store services in the field of clothing
International Class(es): 035 - Primary Class
U.S Class(es): 100, 101, 102
Class Status: ACTIVE
Basis: 1(a)
First Use: Feb. 04, 1999
Use in Commerce: Feb. 04, 1999

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Gap (Apparel), LLC
Owner Address: 13th Floor
2 Folsom Street
San Francisco, CALIFORNIA 94105
UNITED STATES
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Frank Goldberg

Attorney Primary Email Address: ip@gap.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: FRANK GOLDBERG
GAP (APPAREL), LLC
2 FOLSOM ST FL 13
SAN FRANCISCO, CALIFORNIA 94105-1205
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Aug. 24, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 24, 2010	PUBLISHED FOR OPPOSITION	
Jul. 19, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jul. 19, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 16, 2010	EXAMINER'S AMENDMENT ENTERED	70468
Jul. 16, 2010	ASSIGNED TO LIE	70468
Jul. 15, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2010	EXAMINERS AMENDMENT -WRITTEN	73360
Jul. 13, 2010	ASSIGNED TO EXAMINER	73360
Apr. 14, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 12, 2010	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: Nov. 09, 2010

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91223813](#)

Filing Date: Sep 15, 2015

Status: Pending

Status Date: Sep 15, 2015

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Monster, Inc.

Correspondent Address: MATTHEW POWELSON
321 LAW, INC.
P. O. BOX 911
MONTEREY CA , 93942

Correspondent e-mail: matt@321-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Opposition Pending	86475883	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor

New York NY , 10017
UNITED STATES

Correspondent e-mail: jweinberger@frosszelnick.com , jinsley-pruitt@frosszelnick.com

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 15, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 15, 2015	Oct 25, 2015
3	PENDING, INSTITUTED	Sep 15, 2015	
4	ANSWER	Oct 26, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91222574](#)

Filing Date: Jun 29, 2015

Status: Pending

Status Date: Jun 29, 2015

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L.

Correspondent Address: KATHLEEN A. COSTIGAN
HEDMAN & COSTIGAN, P.C.
1 ROCKEFELLER PLZ FL 11
NEW YORK NY , 10020-2003

Correspondent e-mail: ipdocket@hgcpatent.com

Mark	Application Status	Serial Number	Registration Number
19 V 69 ITALIA	Opposition Pending	86291528	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY , 10017
UNITED STATES

Correspondent e-mail: jweinberger@fzlz.com , fkohn@fzlz.com

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2015	Aug 08, 2015
3	PENDING, INSTITUTED	Jun 29, 2015	
4	STIP FOR EXT	Aug 05, 2015	
5	EXTENSION OF TIME GRANTED	Aug 05, 2015	

6	STIP FOR EXT	Sep 03, 2015
7	EXTENSION OF TIME GRANTED	Sep 03, 2015
8	STIP FOR EXT	Oct 05, 2015
9	EXTENSION OF TIME GRANTED	Oct 05, 2015

Type of Proceeding: Opposition

Proceeding Number: [91199735](#) Filing Date: May 06, 2011
 Status: Terminated Status Date: Mar 07, 2013

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Bergelin Ltd.

Correspondent Address: JOHN A CLIFFORD
 MERCHANT GOULD PC
 PO BOX 2910
 MINNEAPOLIS MN , 55402 0910
 UNITED STATES

Correspondent e-mail: JClifford@merchantgould.com , aavery@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Registered	77920351	4319302

Plaintiff(s)

Name: Gap (Apparel) LLC

Correspondent Address: JAMES D WEINBERGER
 FROSS ZELNICK LEHRMAN ZISSU PC
 866 UNITED NATIONS PLAZA, 6TH FLOOR
 NEW YORK NY , 10017
 UNITED STATES

Correspondent e-mail: jweinberger@frosszelnick.com , ghuron@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 06, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 10, 2011	Jun 19, 2011
3	PENDING, INSTITUTED	May 10, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Jun 17, 2011	
5	EXTENSION OF TIME GRANTED	Jun 17, 2011	
6	ANSWER	Jul 19, 2011	
7	STIPULATION FOR AN EXTENSION OF TIME	Aug 15, 2011	
8	EXTENSION OF TIME GRANTED	Aug 31, 2011	
9	CHANGE OF CORRESPONDENCE ADDRESS	Jan 27, 2012	
10	CHANGE OF CORRESPONDENCE ADDRESS	Jan 30, 2012	
11	STIPULATION FOR AN EXTENSION OF TIME	Mar 12, 2012	
12	EXTENSION OF TIME GRANTED	Mar 12, 2012	
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 23, 2012	
14	SUSPENDED	Mar 23, 2012	
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 24, 2012	
16	SUSPENDED	May 24, 2012	
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 03, 2012	
18	SUSPENDED	Jul 03, 2012	

19	MOTION TO AMEND APPLICATION	Oct 25, 2012
20	BD DECISION: DISMISSED W/O PREJ	Mar 07, 2013
21	TERMINATED	Mar 07, 2013

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Mark: 1969

1969

US Serial Number: 85009864

Application Filing Date: Apr. 08, 2010

US Registration Number: 4161684

Registration Date: Jun. 19, 2012

Register: Principal

Mark Type: Service Mark

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

Status Date: Jun. 19, 2012

Publication Date: Aug. 31, 2010

Notice of Allowance Date: Oct. 26, 2010

Mark Information

Mark Literal Elements: 1969

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: 2449575

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: Retail store services in the field of clothing, accessories, footwear, and bags; online retail store services in the field of clothing, accessories, footwear, and bags

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 04, 1999

Use in Commerce: Feb. 04, 1999

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Gap (Apparel), LLC

Owner Address: 2 Folsom Street
San Francisco, CALIFORNIA UNITED STATES 94105

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: D'Lonra Ellis

Attorney Primary Email ip@gap.com

Attorney Email No

Address:

Authorized:

Correspondent

Correspondent Name/Address: D'Lonra Ellis
Gap (Apparel), LLC
2 Folsom Street
San Francisco, CALIFORNIA UNITED STATES 94105

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: ip@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 19, 2012	REGISTERED-PRINCIPAL REGISTER	
May 15, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 14, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	77312
May 11, 2012	ASSIGNED TO LIE	77312
May 09, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 05, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Mar. 30, 2012	USE AMENDMENT FILED	76874
Mar. 30, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 12, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 11, 2011	EXTENSION 2 GRANTED	76874
Oct. 05, 2011	EXTENSION 2 FILED	76874
Oct. 07, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Oct. 05, 2011	TEAS EXTENSION RECEIVED	
Sep. 29, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 29, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 22, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 20, 2011	EXTENSION 1 GRANTED	98765
Apr. 20, 2011	EXTENSION 1 FILED	98765
Apr. 20, 2011	TEAS EXTENSION RECEIVED	
Oct. 26, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 31, 2010	PUBLISHED FOR OPPOSITION	
Jul. 29, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Jul. 29, 2010	ASSIGNED TO LIE	68658
Jul. 14, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2010	ASSIGNED TO EXAMINER	73360
Apr. 14, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 12, 2010	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: May 14, 2012

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91223813](#)

Filing Date: Sep 15, 2015

Status: Pending

Status Date: Sep 15, 2015

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Monster, Inc.

Correspondent Address: MATTHEW POWELSON
321 LAW, INC.
P. O. BOX 911
MONTEREY CA , 93942

Correspondent e-mail: matt@321-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Opposition Pending	86475883	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@frosszelnick.com , jinsley-pruitt@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 15, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 15, 2015	Oct 25, 2015
3	PENDING, INSTITUTED	Sep 15, 2015	
4	ANSWER	Oct 26, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91222574](#)

Filing Date: Jun 29, 2015

Status: Pending

Status Date: Jun 29, 2015

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L.

Correspondent Address: KATHLEEN A. COSTIGAN
HEDMAN & COSTIGAN, P.C.
1 ROCKEFELLER PLZ FL 11
NEW YORK NY , 10020-2003

Correspondent e-mail: ipdocket@hgcpatent.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
19 V 69 ITALIA	Opposition Pending	86291528	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@fzlj.com , fkohn@fzlj.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2015	Aug 08, 2015
3	PENDING, INSTITUTED	Jun 29, 2015	
4	STIP FOR EXT	Aug 05, 2015	
5	EXTENSION OF TIME GRANTED	Aug 05, 2015	
6	STIP FOR EXT	Sep 03, 2015	
7	EXTENSION OF TIME GRANTED	Sep 03, 2015	
8	STIP FOR EXT	Oct 05, 2015	
9	EXTENSION OF TIME GRANTED	Oct 05, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91199735](#) Filing Date: May 06, 2011
 Status: Terminated Status Date: Mar 07, 2013
 Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Bergelin Ltd.
 Correspondent Address: JOHN A CLIFFORD
 MERCHANT GOULD PC
 PO BOX 2910
 MINNEAPOLIS MN UNITED STATES , 55402 0910
 Correspondent e-mail: JClifford@merchantgould.com , aavery@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Registered	77920351	4319302

Plaintiff(s)

Name: Gap (Apparel) LLC
 Correspondent Address: JAMES D WEINBERGER
 FROSS ZELNICK LEHRMAN ZISSU PC
 866 UNITED NATIONS PLAZA, 6TH FLOOR
 NEW YORK NY UNITED STATES , 10017
 Correspondent e-mail: jweinberger@frosszelnick.com , ghuron@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 06, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 10, 2011	Jun 19, 2011
3	PENDING, INSTITUTED	May 10, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Jun 17, 2011	
5	EXTENSION OF TIME GRANTED	Jun 17, 2011	
6	ANSWER	Jul 19, 2011	

7	STIPULATION FOR AN EXTENSION OF TIME	Aug 15, 2011
8	EXTENSION OF TIME GRANTED	Aug 31, 2011
9	CHANGE OF CORRESPONDENCE ADDRESS	Jan 27, 2012
10	CHANGE OF CORRESPONDENCE ADDRESS	Jan 30, 2012
11	STIPULATION FOR AN EXTENSION OF TIME	Mar 12, 2012
12	EXTENSION OF TIME GRANTED	Mar 12, 2012
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 23, 2012
14	SUSPENDED	Mar 23, 2012
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 24, 2012
16	SUSPENDED	May 24, 2012
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 03, 2012
18	SUSPENDED	Jul 03, 2012
19	MOTION TO AMEND APPLICATION	Oct 25, 2012
20	BD DECISION: DISMISSED W/O PREJ	Mar 07, 2013
21	TERMINATED	Mar 07, 2013

SAN FRANCISCO, CALIFORNIA 94105-1205
UNITED STATES

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: jp@gap.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 09, 2012	REGISTERED-PRINCIPAL REGISTER	
Jul. 24, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 24, 2012	PUBLISHED FOR OPPOSITION	
Jul. 04, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 15, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 12, 2012	ASSIGNED TO EXAMINER	78439
Mar. 09, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 06, 2012	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: Oct. 09, 2012

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91223813](#)

Filing Date: Sep 15, 2015

Status: Pending

Status Date: Sep 15, 2015

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Monster, Inc.

Correspondent Address: MATTHEW POWELSON
321 LAW, INC.
P. O. BOX 911
MONTEREY CA , 93942

Correspondent e-mail: matt@321-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Opposition Pending	86475883	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY , 10017
UNITED STATES

Correspondent e-mail: jweinberger@frosszelnick.com , jinsley-pruitt@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697

1969

Registered

[85060649](#)[4481405](#)**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 15, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 15, 2015	Oct 25, 2015
3	PENDING, INSTITUTED	Sep 15, 2015	
4	ANSWER	Oct 26, 2015	

Type of Proceeding: OppositionProceeding Number: [91222574](#)

Filing Date: Jun 29, 2015

Status: Pending

Status Date: Jun 29, 2015

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L.

Correspondent Address: KATHLEEN A. COSTIGAN
HEDMAN & COSTIGAN, P.C.
1 ROCKEFELLER PLZ FL 11
NEW YORK NY , 10020-2003Correspondent e-mail: ipdocket@hgcpatent.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
19 V 69 ITALIA	Opposition Pending	86291528	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY , 10017
UNITED STATESCorrespondent e-mail: jweinberger@fzlj.com , fkohn@fzlj.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2015	Aug 08, 2015
3	PENDING, INSTITUTED	Jun 29, 2015	
4	STIP FOR EXT	Aug 05, 2015	
5	EXTENSION OF TIME GRANTED	Aug 05, 2015	
6	STIP FOR EXT	Sep 03, 2015	
7	EXTENSION OF TIME GRANTED	Sep 03, 2015	
8	STIP FOR EXT	Oct 05, 2015	
9	EXTENSION OF TIME GRANTED	Oct 05, 2015	

Generated on: This page was generated by TSDR on 2015-11-05 13:41:41 EST

Mark: 1969

1969

US Serial Number: 85060649 Application Filing Date: Jun. 11, 2010
US Registration Number: 4481405 Registration Date: Feb. 11, 2014
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Feb. 11, 2014
Publication Date: Oct. 12, 2010 Notice of Allowance Date: Dec. 07, 2010

Mark Information

Mark Literal Elements: 1969
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: 2449575

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: Bags, namely, tote bags, handbags, and all-purpose carrying bags
International Class(es): 018 - Primary Class U.S Class(es): 001, 002, 003, 022, 041
Class Status: ACTIVE
Basis: 1(a)
First Use: Nov. 01, 2013 Use in Commerce: Nov. 01, 2013

Basis Information (Case Level)

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

Current Owner(s) Information

Owner Name: Gap (Apparel), LLC
Owner Address: 2 Folsom Street
San Francisco, CALIFORNIA UNITED STATES 94105
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kristin Manley Docket Number: 500.529.1391
Attorney Primary Email Address: jp@gap.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Kristin Manley
The Gap, Inc.
2 Folsom Street
San Francisco, CALIFORNIA UNITED STATES 94105

Phone: 415-427-5575

Fax: 415-427-2166

Correspondent e-mail: jp@gap.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 11, 2014	REGISTERED-PRINCIPAL REGISTER	
Jan. 09, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 08, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	70468
Jan. 07, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 30, 2013	STATEMENT OF USE PROCESSING COMPLETE	66154
Nov. 06, 2013	USE AMENDMENT FILED	66154
Nov. 06, 2013	TEAS STATEMENT OF USE RECEIVED	
May 25, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 24, 2013	EXTENSION 5 GRANTED	66154
May 23, 2013	EXTENSION 5 FILED	66154
May 23, 2013	TEAS EXTENSION RECEIVED	
May 09, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
May 09, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 08, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 07, 2012	EXTENSION 4 GRANTED	66154
Dec. 03, 2012	EXTENSION 4 FILED	66154
Dec. 03, 2012	TEAS EXTENSION RECEIVED	
May 24, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 23, 2012	EXTENSION 3 GRANTED	66154
Apr. 27, 2012	EXTENSION 3 FILED	66154
Apr. 27, 2012	TEAS EXTENSION RECEIVED	
Dec. 10, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 09, 2011	EXTENSION 2 GRANTED	66154
Nov. 30, 2011	EXTENSION 2 FILED	66154
Dec. 09, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Nov. 30, 2011	TEAS EXTENSION RECEIVED	
Sep. 29, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 29, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 02, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 31, 2011	EXTENSION 1 GRANTED	98765
May 31, 2011	EXTENSION 1 FILED	98765
May 31, 2011	TEAS EXTENSION RECEIVED	
Dec. 07, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 12, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 12, 2010	PUBLISHED FOR OPPOSITION	
Sep. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Sep. 08, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 07, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 07, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Sep. 07, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 07, 2010	EXAMINERS AMENDMENT -WRITTEN	73360
Aug. 11, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Aug. 11, 2010	NON-FINAL ACTION E-MAILED	6325
Aug. 11, 2010	NON-FINAL ACTION WRITTEN	73360
Aug. 03, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jul. 31, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	60756
Jul. 19, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Jul. 19, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 16, 2010	EXAMINER'S AMENDMENT ENTERED	70468
Jul. 16, 2010	ASSIGNED TO LIE	70468
Jul. 15, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 15, 2010	EXAMINERS AMENDMENT -WRITTEN	73360
Jul. 13, 2010	ASSIGNED TO EXAMINER	73360
Jun. 16, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 15, 2010	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: Jan. 08, 2014

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91223813](#)

Filing Date: Sep 15, 2015

Status: Pending

Status Date: Sep 15, 2015

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Monster, Inc.

Correspondent Address: MATTHEW POWELSON
321 LAW, INC.
P. O. BOX 911
MONTEREY CA , 93942

Correspondent e-mail: matt@321-law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Opposition Pending	86475883	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@frosszelnick.com , jinsley-pruitt@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697

1969

Registered

[85060649](#)[4481405](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 15, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 15, 2015	Oct 25, 2015
3	PENDING, INSTITUTED	Sep 15, 2015	
4	ANSWER	Oct 26, 2015	

Type of Proceeding: OppositionProceeding Number: [91222574](#)

Filing Date: Jun 29, 2015

Status: Pending

Status Date: Jun 29, 2015

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R.L.

Correspondent Address: KATHLEEN A. COSTIGAN
HEDMAN & COSTIGAN, P.C.
1 ROCKEFELLER PLZ FL 11
NEW YORK NY , 10020-2003Correspondent e-mail: ipdocket@hgcpatent.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
19 V 69 ITALIA	Opposition Pending	86291528	

Plaintiff(s)

Name: Gap (Apparel), LLC

Correspondent Address: James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza6th Floor
New York NY UNITED STATES , 10017Correspondent e-mail: jweinberger@fzlj.com , fkohn@fzlj.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85559179	4221697
1969	Registered	85060649	4481405

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 29, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 29, 2015	Aug 08, 2015
3	PENDING, INSTITUTED	Jun 29, 2015	
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5	EXTENSION OF TIME GRANTED	Aug 05, 2015	
6	STIP FOR EXT	Sep 03, 2015	
7	EXTENSION OF TIME GRANTED	Sep 03, 2015	
8	STIP FOR EXT	Oct 05, 2015	
9	EXTENSION OF TIME GRANTED	Oct 05, 2015	

Type of Proceeding: OppositionProceeding Number: [91199735](#)

Filing Date: May 06, 2011

Status: Terminated

Status Date: Mar 07, 2013

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Bergelin Ltd.

Correspondent Address: JOHN A CLIFFORD
 MERCHANT GOULD PC
 PO BOX 2910
 MINNEAPOLIS MN UNITED STATES , 55402 0910

Correspondent e-mail: JClifford@merchantgould.com , aavery@merchantgould.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Registered	77920351	4319302

Plaintiff(s)

Name: Gap (Apparel) LLC

Correspondent Address: JAMES D WEINBERGER
 FROSS ZELNICK LEHRMAN ZISSU PC
 866 UNITED NATIONS PLAZA, 6TH FLOOR
 NEW YORK NY UNITED STATES , 10017

Correspondent e-mail: jweinberger@frosszelnick.com , ghuron@frosszelnick.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1969	Renewed	75491099	2449575
1969	Registered	85009804	3873549
1969	Registered	85009864	4161684
1969	Registered	85060649	4481405

Prosecution History

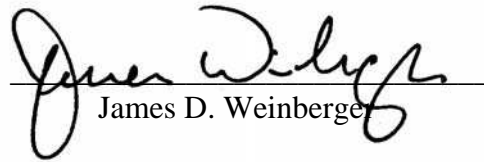
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 06, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 10, 2011	Jun 19, 2011
3	PENDING, INSTITUTED	May 10, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Jun 17, 2011	
5	EXTENSION OF TIME GRANTED	Jun 17, 2011	
6	ANSWER	Jul 19, 2011	
7	STIPULATION FOR AN EXTENSION OF TIME	Aug 15, 2011	
8	EXTENSION OF TIME GRANTED	Aug 31, 2011	
9	CHANGE OF CORRESPONDENCE ADDRESS	Jan 27, 2012	
10	CHANGE OF CORRESPONDENCE ADDRESS	Jan 30, 2012	
11	STIPULATION FOR AN EXTENSION OF TIME	Mar 12, 2012	
12	EXTENSION OF TIME GRANTED	Mar 12, 2012	
13	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Mar 23, 2012	
14	SUSPENDED	Mar 23, 2012	
15	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	May 24, 2012	
16	SUSPENDED	May 24, 2012	
17	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 03, 2012	
18	SUSPENDED	Jul 03, 2012	
19	MOTION TO AMEND APPLICATION	Oct 25, 2012	
20	BD DECISION: DISMISSED W/O PREJ	Mar 07, 2013	
21	TERMINATED	Mar 07, 2013	

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November, 2015, I caused a true and correct copy of Gap Inc.'s **PETITION FOR CANCELLATION** to be served by email and first class mail on Registrant and Registrant's counsel of record as follows:

Versace 19.69 Italia S.R.L.
Via Daniele Crespi, 1
I-21052 Busto Arsizio (VA), Italy

Kathleen A. Costigan, Esq.
Hedman & Costigan, P.C.
1 Rockefeller Plz. Fl. 11
New York, NY 10020


James D. Weinberg