



Attorney Ref.: 201-091

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

**TTAB**

The Mentholatum Company,

Opposer,

v.

Opposition No.: 91/160,810

Therox, Inc.,

Applicant.

**OPPOSER'S NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(E)**

Opposer, by its attorney, hereby relies, pursuant to Trademark Rule 2.122(e), on the following registrations to show that third parties have commonly adopted and registered marks for cosmetics goods in class 3 and acne preparations in class 5:


<i>Mark</i>	<i>Registration Number</i>	<i>Issue Date</i>
AKNORM (stylized)	3,071,263	March 21, 2006
FINALLY CLEAR	3,088,729	May 2, 2006
N.V. PERRICONE, M.D.	3,126,999	August 8, 2006
THE YOUNGER YOU	3,119,517	July 25, 2006
NARAYANA	3,106,145	June 20, 2006
ECKERD	3,092,463	May 16, 2006
ARBONNE	3,159,918	October 17, 2006
MENSCIENCE ANDROCEUTICALS (stylized)	3,016,174	November 15, 2005

<i>Mark</i>	<i>Registration Number</i>	<i>Issue Date</i>
PROCAPIL	3,147,522	September 26, 2006
AROMA BELLA & design	3,146,471	September 19, 2006
CLEAR ZONE ACNE SYSTEM & design	3,108,687	June 27, 2006
PROACTIVE SOLUTION (stylized)	2,850,933	June 8, 2004
SKINTACTIX	3,011,294	November 1, 2005
NEACLEAR	3,080,537	April 11, 2006
NOXZEMA	2,814,140	February 10, 2004
BIOCEUTIX	3,042,110	January 10, 2006
BOOTS HEALTHCARE & design	3,011,692	November 1, 2005
ROSACED	3,047,872	January 24, 2006
CLEAR FACTOR BY PHYSICIANS SKIN SOLUTIONS & design	3,024,088	December 6, 2005
COMPLEXIONS RX	2,491,278	September 18, 2001
STALLEX	2,439,152	March 27, 2001
M.D. FORTE (stylized)	2,032,456	January 21, 1997
BIOELEMENTS & design	1,684,104	April 21, 1992
BEAUTY DOCTOR	2,130,309	January 20, 1998
BLUE LAGOON ICELAND & design	2,708,245	April 22, 2003
VEGELATUM	2,523,797	January 1, 2002
NEUTROGENA	2,019,977	November 26, 1996

This Notice of Reliance is accompanied by copies of TARR information for each of the foregoing registrations obtained from the United States Patent and Trademark Office website.

Respectfully submitted,

**THE MENTHOLATUM COMPANY**

By:   
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Date: October 24, 2006

Enclosures: TARR information for Registrations (27)  
Certificate of Service

**CERTIFICATE OF SERVICE**

I, Leigh Ann Lindquist, Esquire, hereby certify that on this 24<sup>th</sup> day of October, 2006, a true and correct copy of the foregoing **OPPOSER'S NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(E)** has been properly served, via First Class U.S. Mail, postage prepaid and fax to:

Tawnya Wojciechowski, Esq.  
TRW Law Group  
19990 MacArthur Boulevard, Suite 1150  
Irvine, CA 92612

  
Leigh Ann Lindquist

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**This page was generated by the TARR system on 2006-10-23 11:39:47 ET**

**Serial Number:** 79010452 Assignment Information

**Registration Number:** 3071263

**Mark**

# AKNORM

**(words only):** AKNORM

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2006-03-21

**Filing Date:** 2005-04-05

**Transformed into a National Application:** No

**Registration Date:** 2006-03-21

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 109

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2006-03-21

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