

ESTTA Tracking number: **ESTTA160863**

Filing date: **09/05/2007**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

| | | | |
|---------|---|-------------|----------|
| Name | Tommy Hilfiger Licensing LLC | | |
| Entity | limited liability company | Citizenship | Delaware |
| Address | 601 W. 26th Street New York, NY 10001 UNITED STATES | | |

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| Attorney information | Robert W. Sacoff Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP 311 South Wacker Drive Suite 5000 Chicago, IL 60606 UNITED STATES rsacoff@pattishall.com, mmonahan@pattishall.com Phone:312 554 8000 | | |
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Applicant Information

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|------------------------|--|------------------------|------------|
| Application No | 77098056 | Publication date | 08/07/2007 |
| Opposition Filing Date | 09/05/2007 | Opposition Period Ends | 09/06/2007 |
| Applicant | Isdin, S.A. Avda Diagonal, 520 Barcelona, 08006 SPAIN | | |

Goods/Services Affected by Opposition

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| Class 005. All goods and services in the class are opposed, namely: PHARMACEUTICAL PREPARATIONS, NAMELY PREPARATIONS FOR SKIN CARE AND TREATMENT, MOUTH AND DENTAL CARE, PREPARATIONS FOR THE TREATMENT OF GUMS, SENSITIVE TEETH, TEETHING, CARIES AND CANKER SORES, DERMATOLOGICAL PREPARATIONS, GYNECOLOGICAL PREPARATIONS FOR THE TREATMENT OF MENOPAUSE/OSTEOPOROSIS, MYCOSIS AND VIRICAL INFECTIONS, ANTIBIOTICS, ANALGESICS, ANTI-INFLAMMATORY PREPARATIONS AND FUNGICIDES, PREPARATIONS FOR ALLERGY, HORMONE AND OSTEOPOROSIS TREATMENT, MEDICAL PLASTERS |
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Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

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|-----------------------|---------|------------------|------------|
| U.S. Registration No. | 1460988 | Application Date | 11/04/1985 |
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|---------------------|--|-----------------------|------|
| Registration Date | 10/13/1987 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | THE TRADEMARK IS A COMBINATION OF DIFFERENT COLORED GEOMETRIC SHAPES. | | |
| Goods/Services | Class 025. First use: First Use: 1985/01/00 First Use In Commerce: 1985/01/00 CLOTHING FOR MEN AND WOMEN, NAMELY, SHIRTS, PANTS, JACKETS, SWEATERS, SHORTS, BELTS, VESTS, SPORT JACKETS, COATS, RAIN COATS, PARKAS | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 1727740 | Application Date | 07/02/1991 |
| Registration Date | 10/27/1992 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 025. First use: First Use: 1985/01/00 First Use In Commerce: 1985/01/00 clothing for men and boys, namely, shirts, sweaters, sportcoats, pants, sweatshirts, shorts, sport jackets, raincoats, parkas, overcoats, bathing suits, vests, turtlenecks Class 042. First use: First Use: 1985/08/00 First Use In Commerce: 1985/08/00 retail clothing store services | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 1808520 | Application Date | 01/30/1991 |
| Registration Date | 11/30/1993 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 025. First use: First Use: 1993/09/25 First Use In Commerce: 1993/09/25 socks, ties, hats, caps and blazers | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2030406 | Application Date | 01/30/1991 |
| Registration Date | 01/14/1997 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 003. First use: First Use: 1995/03/00 First Use In Commerce: 1995/03/00 cologne, eau de toilette, shaving lotion, deodorant, soap for personal use Class 018. First use: First Use: 1994/11/00 First Use In Commerce: 1994/11/00 articles of leather and imitation leather, namely wallets, credit card cases, billfolds, umbrellas, and travelling bags | | |

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| | Class 025. First use: First Use: 1994/06/00 First Use In Commerce: 1994/06/00 bathrobes, tuxedos, pajamas, underpants, undershirts, and suspenders | | |
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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2063504 | Application Date | 09/06/1996 |
| Registration Date | 05/20/1997 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | The mark is lined for the colors red and blue. | | |
| Goods/Services | Class 009. First use: First Use: 1996/07/00 First Use In Commerce: 1996/07/00 eyewear, namely, eyeglasses, sunglasses and eyeglass frames and lenses and eyewear accessories, namely, cases and holders | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2159029 | Application Date | 06/13/1997 |
| Registration Date | 05/19/1998 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 025. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 clothing, namely, shirts, T-shirts, sweatshirts, shorts, pants, socks and footwear | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2168652 | Application Date | 09/06/1996 |
| Registration Date | 06/23/1998 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | The mark is lined for the colors red and blue. | | |
| Goods/Services | Class 014. First use: First Use: 1997/11/16 First Use In Commerce: 1997/11/16 jewelry made of precious and non-precious metals and stone, namely, cuff-links | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2213511 | Application Date | 09/06/1996 |
| Registration Date | 12/22/1998 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | The mark is lined for the colors red and blue. | | |
| Goods/Services | Class 025. First use: First Use: 1997/01/15 First Use In Commerce: 1997/01/15 footwear, namely, shoes, boots, sneakers, sandals, and slippers | | |

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|-----------------------|---------|------------------|------------|
| U.S. Registration No. | 2237862 | Application Date | 09/06/1996 |
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|---------------------|--|-----------------------|------|
| Registration Date | 04/06/1999 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | The mark is lined for the colors red and blue. | | |
| Goods/Services | Class 021. First use: First Use: 1998/09/01 First Use In Commerce: 1998/09/01 household utensils, namely, sponges, brushes, combs Class 024. First use: First Use: 1998/09/01 First Use In Commerce: 1998/09/01 bed and table covers, namely, fitted sheets, non-fitted sheets, pillowcases, shams, bed spreads and dust ruffles, towels, and wash cloths, and curtains | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2348651 | Application Date | 06/29/1999 |
| Registration Date | 05/09/2000 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 020. First use: First Use: 1999/01/01 First Use In Commerce: 1999/01/01 Key lanyards | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2352799 | Application Date | 09/30/1997 |
| Registration Date | 05/23/2000 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 021. First use: First Use: 1998/06/00 First Use In Commerce: 1999/05/00 soap dishes, soap dispensers, trash cans, plastic cups and shower caddies Class 024. First use: First Use: 1998/06/00 First Use In Commerce: 1999/05/00 Bed accessories, namely, bed spreads, bed blankets, comforters, quilts, duvet covers, swag window treatments, bed linens, non-fitted bed sheets, pillow cases, bath accessories, textile bath mats, terry-cloth bath mats, bath linens, shower curtains, towels | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2663494 | Application Date | 09/30/1997 |
| Registration Date | 12/17/2002 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 020. First use: First Use: 1998/05/00 First Use In Commerce: 1998/05/00 pillows Class 021. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 | | |

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| | soap holders Class 024. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 dust ruffles, fitted bed sheets, upholstery and curtain fabrics Class 027. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 Rugs, plastic and/or rubber bath mats |
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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2663869 | Application Date | 05/19/2000 |
| Registration Date | 12/17/2002 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 020. First use: First Use: 1998/05/00 First Use In Commerce: 1998/05/00 pillows and jewelry cases not of precious metal | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2672727 | Application Date | 05/19/2000 |
| Registration Date | 01/07/2003 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 014. First use: First Use: 2000/06/00 First Use In Commerce: 2000/06/00 Jewelry made of precious and non-precious metals and stones, namely, bracelets, necklaces, brooches, rings, tie tacks, watches and clocks | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2739594 | Application Date | 07/06/2001 |
| Registration Date | 07/22/2003 | Foreign Priority Date | NONE |
| Word Mark | NONE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 028. First use: First Use: 1997/01/31 First Use In Commerce: 1997/01/31 Toys, games and playthings, children's and infant's toys, namely baby rattles; play building blocks; plush building blocks; stuffed and plush animals; infant crib toys; puppets; toy mobiles; play quilts; toy music boxes; squeezable squeaking toys; educational and parlor-type board and card games and accessory parts for playing same; jigsaw puzzles; bath and water toys; dolls; doll accessories; toy clocks; electronic toys and equipment for playing electronic games, namely, stand alone video game machines; hand-held units for playing electronic games; flying discs; golf bags; balls and sports balls, namely, baseballs, basketballs, golf balls, soccer balls, tennis balls; rubber action balls; plush balls; golf ball gift sets with divot repair tools; golf tees; ball markers; golf flags; golf accessories, namely, club head covers; golf ball sleeves; tennis racket covers; toy pails; toy shovels; kites; boomerangs; Christmas tree ornaments | | |

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