

ESTTA Tracking number: **ESTTA477767**

Filing date: **06/13/2012**

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	Johnson & Johnson
Granted to Date of previous extension	06/13/2012
Address	One Johnson & Johnson Plaza New Brunswick, NJ 08933 UNITED STATES

Attorney information	Christen M. English Drinker Biddle & Reath LLP 1500 K Street, NW, Suite 1100 Washington, DC 20005 UNITED STATES dctrademarks@dbr.com, christen.english@dbr.com Phone:202-842-8800
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**Applicant Information**

Application No	85401841	Publication date	02/14/2012
Opposition Filing Date	06/13/2012	Opposition Period Ends	06/13/2012
Applicant	DERMAL LIFE, LLC 4951 Tampa West Boulevard Tampa, FL 33634 UNITED STATES		

**Goods/Services Affected by Opposition**

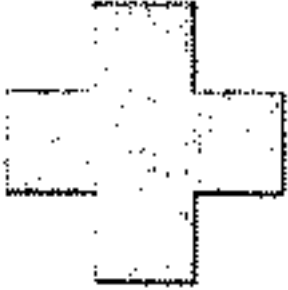
Class 005. All goods and services in the class are opposed, namely: Anti-inflammatory ointments; Medicated lotions for face and body; Medicated skin preparation for use in treating sunburns, facial wrinkles, dry skin, burns, rashes and wounds; Medicated sun block; Medicated sun care preparations; Medicated sun screen; Pharmaceutical preparations for wounds; Pharmaceutical skin lotions
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**Grounds for Opposition**

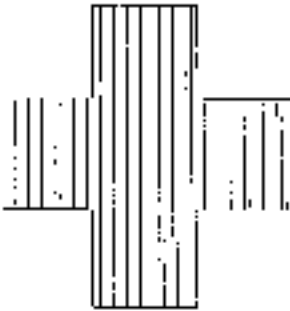
Priority and likelihood of confusion	Trademark Act section 2(d)
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**Marks Cited by Opposer as Basis for Opposition**


U.S. Registration No.	54308	Application Date	10/17/1905
Registration Date	06/26/1906	Foreign Priority Date	NONE
Word Mark	+		

Design Mark	
Description of Mark	THE TRADEMARK IS ILLUSTRATED IN THE ACCOMPANYING DRAWING, WHEREIN APPEARS A REPRESENTATION OF A RED GREEK CROSS.
Goods/Services	Class U018 (International Class 005). First use: First Use: 1887/00/00 First Use In Commerce: 1887/00/00 MEDICINAL AND SURGICAL PLASTERS

U.S. Registration No.	1870955	Application Date	08/06/1993
Registration Date	01/03/1995	Foreign Priority Date	NONE
Word Mark	RED CROSS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1898/00/00 First Use In Commerce: 1898/00/00 cotton for personal use Class 005. First use: First Use: 1898/00/00 First Use In Commerce: 1898/00/00 sterile cotton for medical use		

U.S. Registration No.	1888143	Application Date	08/06/1993
Registration Date	04/11/1995	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1898/00/00 First Use In Commerce: 1898/00/00 cotton for cosmetic use		

U.S. Registration No.	3178913	Application Date	10/18/2004
Registration Date	12/05/2006	Foreign Priority Date	NONE
Word Mark	JOHNSON&JOHNSON FIRST AID		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00 adhesive medical tapes, gauze pads, sterile rolled gauze, bandages and dressings for skin wounds, sterile cotton and cotton balls for medical use, first aid cream, medical plasters for the back, and first aid kits		

U.S. Registration No.	1889576	Application Date	08/09/1993
Registration Date	04/18/1995	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 1898/00/00 First Use In Commerce: 1898/00/00 first aid kits, adhesive bandages, topical preparations for medical and therapeutic use, medical adhesive tape, gauze, sterile cotton for medical purposes, and wound dressings		

Attachments	71013666#TMSN.gif ( 1 page )( bytes ) 74422556#TMSN.gif ( 1 page )( bytes ) 76617076#TMSN.jpeg ( 1 page )( bytes ) 74422859#TMSN.gif ( 1 page )( bytes ) Notice of Opposition - SN 85401841 - DERMAL LIFE ADVANCED SKIN CARE
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SOLUTIONS and Cross Design.pdf ( 11 pages )(440471 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	/Christen M. English/
Name	Christen M. English
Date	06/13/2012

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

**In re Application Ser. No.**

**85/401,841 – DERMAL LIFE ADVANCED SKIN CARE SOLUTIONS & Cross Design**

**Published: February 14, 2012**

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JOHNSON & JOHNSON, \_\_\_\_\_ :  
  
Opposer, \_\_\_\_\_ :  
  
v. \_\_\_\_\_ :      Opposition No. \_\_\_\_\_  
  
DERMAL LIFE LLC \_\_\_\_\_ :  
  
\_\_\_\_\_  
Applicant. \_\_\_\_\_ :

**NOTICE OF OPPOSITION**

JOHNSON & JOHNSON, a New Jersey corporation, having a principal place of business at One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933-7001 (“Opposer”), believes that it will be damaged by the registration of the mark shown in application Ser. No. 85/401,841 – DERMAL LIFE ADVANCED SKIN CARE SOLUTIONS & Cross Design covering “anti-inflammatory ointments; medicated lotions for face and body; medicated skin preparation for use in treating sunburns, facial wrinkles, dry skin, burns, rashes and wounds; medicated sun block; medicated sun care preparations; medicated sun screen; pharmaceutical preparations for wounds; pharmaceutical skin lotions” in Class 5; filed on August 18, 2011, by Dermal Life LLC, a Florida limited liability company, having an address at 4951 Tampa West Boulevard, Tampa, FL 33634.

As grounds for the opposition, Opposer alleges that:

1. Opposer has adopted and is using the mark Red Cross Design for medical and surgical plasters; first aid kits, adhesive bandages, topical preparations for medical and therapeutic use, medical adhesive tape, gauze, sterile cotton for medical purposes and wound dressings; and cotton for cosmetic use.

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