LADAS &PARRY

INTELLECTUAL PROPERTY LAW

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January 8, 2016

VIA HAND DELIVERY
COMMISSIONER FOR TRADEMARKS
P.O. Box 1451
Alexandria, VA 22313-1451

Re: BERARD GROUPE vs. WEIQING DONG
       Application Serial No. 86-674081
       Mark: **HAIRMODE**
       Attorney Reference: C16676038

Dear Commissioner:

On behalf of BERARD GROUPE, please acknowledge receipt of the following:

1.   Notice of Opposition

2.   Authorization to charge the LADAS & PARRY LLP Deposit account **#120423** the amount of $300.00 for the government filing fee

3.   Copy of cover letter to be date stamped by the U.S. Patent and Trademark Office and returned as a receipt of filing

If there are any questions, please contact the undersigned.

Respectfully submitted,

By: _____
       Donald L. Dennison
       Attorney for Opposer

DLD/py
Enclosures: As stated

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

BERARD GROUPE,   ]
                                        ]
                     Opposer,   ]
                                        ] Opposition No. _____
             v.   ]
                                        ] Application No. 86-674081
                                        ]
WEIQING DONG,   ]
                                        ]
                     Applicant.   ]
_____]

NOTICE OF OPPOSITION

Hon. Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

In the matter of the application for registration of the trademark **HAIRMODE** for body waxing services for the human body; cosmetic body care services; day spa services, namely, nail care, manicures, pedicures and nail enhancements; hair salon services, namely hair cutting, styling, coloring and hair extension services; hair dressing salons; and nail care services in Class 44, Serial No. 86/674,081, filed June 25, 2015 by Weiqing Dong and published for Opposition on

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November 10, 2015 in the U.S. Patent and Trademark Office Official Gazette; Berard Groupe, a French Company, having its principal place of business at 46 rue d'Amsterdam, Paris, France 75009, believes that it would be damaged by such registration and hereby opposes registration of said alleged trademark as it applies to the specified services in Class 44.

Opposer has obtained an extension of time through January 9, 2016 in which to file this Notice of Opposition.

As grounds for the opposition, it is alleged that:

1. Applicant, Weiqing Dong, is on information and belief, an individual and citizen of the United States with an address and place of business located at 144-44 41st Avenue, #2D, Flushing, New York 11255, and seeks to register the trademark **HAIRMODE** for body waxing services for the human body; cosmetic body care services; day spa services, namely, nail care, manicures, pedicures and nail enhancements; hair salon

services, namely hair cutting, styling, coloring and hair extension services; hair dressing salons; and nail care services in Class 44, as set forth in the application here opposed. The application was filed on June 25,2015, based upon alleged use in commerce since May 27, 2015.

2. Opposer is well known both in France, the United States and throughout the world as a provider of a variety of beauty salon services including cosmetology, manicure and pedicure services and was founded at least as early as 1968 and operates in over 14 countries with additional salons under consideration.

3. Opposer has used its well-recognized service mark **"MOD'S HAIR"** in conjunction with its services throughout the world.

4. In conjunction with its salons, Opposer publishes magazines, brochures and pamphlets all bearing its trademark **"MOD'S HAIR"**.

5. Opposer's mark **MOD'S HAIR®** is the subject of United States Trademark Registration No. 3,621,027, registered on May 12, 2009, well prior to the first use date alleged by the Applicant. This registration is in full force and effect. A copy of this registration is attached hereto as Exhibit "A".

6. Opposer's registration identified in Paragraph 5 supra, covers hairdressing salons; beauty salon services; providing health care services for human beings; providing hygienic and beauty services for human beings, namely, cosmetology, manicure and pedicure services in Class 44.

7. Opposer affixes its mark prominently by printing the same on signage associated with its salons and on a wide variety of advertising materials and on its web-site.

8. Opposer's salons are in actual operation in commerce in the United States and elsewhere as noted above, and enjoy a high degree of consumer acceptance and recognition.

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