

ESTTA Tracking number: **ESTTA1186044**

Filing date: **01/21/2022**

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	Kimberly-Clark Worldwide, Inc.
Granted to date of previous extension	01/23/2022
Address	2300 WINCHESTER ROAD NEENAH, WI 54956 UNITED STATES
Attorney information	DONNA F. SCHMITT ARMSTRONG TEASDALE LLP 7700 FORSYTH BOULEVARD, SUITE 1800 ST. LOUIS, MO 63105 UNITED STATES Primary email: iptm@atllp.com Secondary email(s): dschmitt@atllp.com, aharris@atllp.com, kmowery@atllp.com 314-621-5070
Docket no.	35180-54

Applicant information

Application no.	90405103	Publication date	07/27/2021
Opposition filing date	01/21/2022	Opposition period ends	01/23/2022
Applicant	Yugang,Zhou NO. 37, TIYU ROAD, CHENGXIANG STREET XIAOSHAN DISTRICT, HANGZHOU ZHEJIANG, 311201 CHINA		


Goods/services affected by opposition

Class 005. First Use: 2020/09/12 First Use In Commerce: 2020/09/12
All goods and services in the class are opposed, namely: Alcohol for medicinal purposes; Anti-inflammatory ointments; Anti-insect spray; Antibacterial hand lotions; Antimicrobial preparations for inhibiting microbiological decomposition in food, beverages, animal feed and pharmaceuticals; Beverages containing chlorophyll for use as a nutritional supplement; Deodorizing products, namely, all purpose deodorizer preparations for household, commercial and industrial use; Diapers for incontinents; Dietary supplements; Dietary and nutritional supplements; Disinfectants; Disinfectants for medical instruments; Eye drops; Food for babies; Glycerine for medical purposes; Hemorrhoidal ointments; Infant cloth diapers; Insecticides; Malted milk beverages for medical purposes; Meal replacement bars for weight loss purposes; Medicated baby powders; Nutritional supplement meal replacement bars for boosting energy; Nutritional supplements; Sanitary towels; Sanitizing preparations for household use; Sanitizing wipes; Soy protein dietary supplements


Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols	Trademark Act Section 2(a)

Marks cited by opposer as basis for opposition

U.S. registration no.	4501850	Application date	09/18/2013
Register	Principal		
Registration date	03/25/2014	Foreign priority date	NONE
Word mark	U		
Design mark			
Description of mark	The mark consists of the letter "u" contained within a black circle.		
Goods/services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Feminine hygiene pads; Panty liners		

U.S. registration no.	4279956	Application date	07/18/2012
Register	Principal		
Registration date	01/22/2013	Foreign priority date	NONE
Word mark	U BY KOTEX		

Design mark	
Description of mark	The mark consists of the letter "U" appearing above the words "by Kotex".
Goods/services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Feminine care products, namely, sanitary napkins, pantliners and tampons

U.S. registration no.	5814107	Application date	07/25/2017
Register	Principal		
Registration date	07/23/2019	Foreign priority date	NONE

Word mark	U BY KOTEX
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Design mark	
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Description of mark	The mark consists of the words "U BY KOTEX" in the color white inside a black circle.
Goods/services	Class 005. First use: First Use: 2019/01/01 First Use In Commerce: 2019/01/01 Panty liners; Sanitary pads; Tampons

U.S. registration no.	6294839	Application date	08/05/2020
Register	Principal		
Registration date	03/16/2021	Foreign priority date	NONE

Word mark	U BY KOTEX
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Description of mark	The mark consists of the words "U BY KOTEX" in the color white with the letter "o" in pink and the letter "t" in red and combined to resemble the female biological symbol, all of which is surrounded by a black circle with a pink and red border.
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Goods/services	Class 005. First use: First Use: 2019/01/01 First Use In Commerce: 2019/01/01 Tampons; Panty liners; Sanitary pads
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U.S. registration no.	3832437	Application date	05/19/2008
Register	Principal		
Registration date	08/10/2010	Foreign priority date	NONE

Word mark	U BY KOTEX
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Design mark	U BY KOTEX		
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 FEMININE SANITARY NAPKINS, FEMININE HYGIENE PADS, PANTY LINERS AND TAMPONS		

U.S. registration no.	3835809	Application date	12/02/2008
Register	Principal		
Registration date	08/17/2010	Foreign priority date	NONE

Word mark	U BY KOTEX ALLNIGHTER		
Design mark	U BY KOTEX ALLNIGHTER		
Description of mark	NONE		
Goods/services	Class 005. First use: First Use: 2010/03/28 First Use In Commerce: 2010/03/28 Sanitary pads		

U.S. registration no.	3822734	Application date	01/22/2009
Register	Principal		
Registration date	07/20/2010	Foreign priority date	NONE
Word mark	U BY KOTEX BARELY THERE		

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