

ESTTA Tracking number: **ESTTA1191797**

Filing date: **02/17/2022**

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	Caleel+Hayden, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	610 EAST 55TH AVENUE DENVER, CO 80216 UNITED STATES		
Attorney information	MICHAEL J. MACDERMOTT LEWIS ROCA ROTHGERBER CHRISTIE LLP P.O. BOX 29001 GLENDALE, CA 91209-9001 UNITED STATES Primary email: pto@lewisroca.com 626-795-9900		
Docket no.	414525-00001		

**Applicant information**

Application no.	90565188	Publication date	01/18/2022
Opposition filing date	02/17/2022	Opposition period ends	02/17/2022
Applicant	Gentile, Gabrielle 7 GLEN WOOD COURT MANALAPAN, NJ 07726 UNITED STATES		

**Goods/services affected by opposition**

Class 044. First Use: Mar 4, 2021 First Use In Commerce: Mar 4, 2021  
All goods and services in the class are opposed, namely: Cosmetic skin care services, namely, facials, chemical peels, microdermabrasion, and non-invasive cosmetic therapy facials

**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.	4554602	Application date	05/22/2013
Register	Principal		
Registration date	06/24/2014	Foreign priority date	NONE
Word mark	GLO		

Design mark	<h1>GLO</h1>
Description of mark	NONE
Goods/services	<p>Class 003. First use: First Use: Oct 31, 2002 First Use In Commerce: Oct 31, 2002</p> <p>Skin care products, namely, lighteners;hair care products, namely, leave-in conditioning aids, creams, pastes, sprays or mousse, hairsprays, shine or finishing oils, treatment oils, shine sprays, detangling sprays, heat protection sprays and pomades; non medicated skin care preparations, namely, chemical peel preparations</p> <p>Class 005. First use: First Use: Apr 30, 2006 First Use In Commerce: Apr 30, 2006</p> <p>Medicated skin care preparations, namely, chemical peel preparations</p> <p>Class 035. First use: First Use: Sep 30, 1999 First Use In Commerce: Sep 30, 1999</p> <p>Retail store services and computerized online ordering services in the fields of body care products, skin care products and candles; wholesale distributorship services in the fields of cosmetics, body care products, skin care products, skin care preparations and candles</p>

U.S. registration no.	4014200	Application date	01/07/2003
Register	Principal		
Registration date	08/23/2011	Foreign priority date	NONE
Word mark	GLO		
Design mark	<h1>GLO</h1>		
Description of mark	NONE		
Goods/services	<p>Class 003. First use: First Use: Oct 31, 2002 First Use In Commerce: Oct 31, 2002</p> <p>BODY CARE PRODUCTS, namely, CLEANSING GELS, BODY LOTIONS, DUSTING POWDER, AND BUFFING CREAMS; [ HAIR CARE PRODUCTS, namely, SHAMPOOS, CONDITIONERS, STYLING GELS, FINISHING SPRAYS AND STYLING MOUSSE; ] SKIN CARE PRODUCTS, namely, CLEANSING</p>		

CREAMS, CLEANSING BARS, FACIAL SOAPS, FACIAL MOISTURE AND REVITALIZING MASKS, TONERS, SHAVE CREAMS, MOISTURIZERS, OIL CONTROL LOTIONS, OIL ABSORBERS, HAND CREAMS, CREAM AND LIQUID FOUNDATIONS, SKIN CREAMS; GLAMOUR AND BEAUTY PRODUCTS, namely, EYE COLORS, EYE DEFINING PENCILS, EYEBROW PENCILS, MASCARA, LIPSTICKS, LIPGLOSS, LIP LINER PENCILS, CHEEK COLORS, ROUGE, LOOSE POWDER, PRESSED POWDER, FACIAL HIGHLIGHTER, BLEMISH CONCEALERS, SKIN CONCEALERS AND CAMOUFLAGE SKIN CONCEALERS, AND SKIN CONDITIONERS; [ NAIL CARE PREPARATIONS, NAIL COLORS AND EMERY BOARDS;] NON-MEDICATED LIP PROTECTOR PREPARATIONS [ ; AND FRAGRANCE PRODUCTS, namely, COLOGNES AND COLOGNE SPRAYS ]

Class 018. First use: First Use: Oct 31, 2002 First Use In Commerce: Oct 31, 2002

PLASTIC AND PAPER COSMETIC BAGS SOLD EMPTY

Class 035. First use: First Use: Sep 30, 1999 First Use In Commerce: Sep 30, 1999

RETAIL STORE SERVICES AND COMPUTERIZED INTERACTIVE ON-LINE RETAIL STORE AND SHOP SERVICES FEATURING SKIN CARE PREPARATIONS COSMETICS AND DIETARY SUPPLEMENTS

Class 044. First use: First Use: Sep 30, 1999 First Use In Commerce: Sep 30, 1999

[ SKIN CARE SALONS FEATURING THE USE OF SKIN CARE PREPARATIONS, COSMETICS AND DIETARY SUPPLEMENTS ]

U.S. registration no.	5347389	Application date	08/31/2016
Register	Principal		
Registration date	11/28/2017	Foreign priority date	NONE
Word mark	GLO SKIN BEAUTY		
Design mark			
Description of mark	The mark consists of the stylized term glo with the words "SKIN BEAUTY" appearing below the letters "l" and "o".		

Goods/services	<p>Class 003. First use: First Use: Aug 2017 First Use In Commerce: Aug 2017  NON-MEDICATED BODY CARE PRODUCTS, NAMELY, SKIN CLEANSING GELS, BODY LOTIONS, DUSTING POWDER; SKIN CARE PRODUCTS, NAMELY, CLEANSING CREAMS, BAR SOAP, FACIAL SOAPS, FACIAL MOISTURE AND REVITALIZING MASKS, TONERS, FACE, BODY AND HAND MOISTURIZERS, SKIN CARE PREPARATIONS, NAMELY, LOTIONS FOR CONTROLLING EXCESSIVE OIL OF THE SKIN AND FOR ABSORBING OIL IN THE SKIN, HAND CREAMS, CREAM, LIQUID AND POWDERFOUNDATIONS, SKIN CREAMS; GLAMOUR AND BEAUTY PRODUCTS, NAMELY, EYE SHADOW, EYE DEFINING PENCILS, EYEBROW PENCILS, MASCARA, LIPSTICKS, LIPGLOSS, LIP LINER PENCILS, CHEEK COLORS, ROUGE, LOOSE FACE POWDER; PRESSED FACE POWDER, FACIAL BLUSH, BLEMISH CONCEALERS, SKIN CONCEALERS AND CAMOUFLAGE SKIN CONCEALERS, AND SKIN CONDITIONERS; NON-MEDICATED LIP PROTECTOR PREPARATIONS; SKIN LIGHTENERS; BEAUTY CREAMS; NON MEDICATED SKIN CARE PREPARATIONS; SKIN CARE PREPARATIONS, NAMELY, CHEMICAL PEELS FOR THE SKIN; ESSENTIAL OILS FOR AROMATHERAPY USE; BATH SALTS; BODY CREAMS; BODY OILS; BODY SCRUBS; BODY WASHES; EXFOLIANT CREAMS FOR THE SKIN; FOUNDATION; MAKE-UP REMOVERS; NON-MEDICATED SKIN CARE PREPARATIONS; PRE-MOISTENED COSMETIC WIPES; SKIN CARE BOOSTERS, NAMELY, CONCENTRATED NON-MEDICATED SKIN CARE PREPARATIONS FOR TREATMENT OF A VARIETY OF SKIN CONDITIONS; SKIN CLEANSERS; SKIN CONDITIONERS; NON-MEDICATED SKIN CREAMS; SKIN MASQUES; SKIN MOISTURIZERS; BODY SCRUBS; SUN BLOCK PREPARATIONS; SUN CARE LOTIONS; SUN SCREEN PREPARATIONS AND NON-MEDICATED SKIN BLEMISH PREPARATIONS, NON-MEDICATED FACIAL AND EYE SERUMS; BEAUTY SERUMS</p> <p>Class 005. First use: First Use: Aug 2017 First Use In Commerce: Aug 2017  MEDICATED SKIN CARE PREPARATIONS; MEDICATED SKIN BLEMISH PREPARATIONS</p> <p>Class 035. First use: First Use: Aug 2017 First Use In Commerce: Aug 2017  RETAIL STORE SERVICES AND ON-LINE RETAIL STORE SERVICES FEATURING SKIN CARE PREPARATIONS COSMETICS AND DIETARY SUPPLEMENTS; RETAIL STORE SERVICES AND ONLINE RETAIL STORE SERVICES AND ONLINE RETAIL STORE SERVICES IN THE FIELD OF SKIN CARE PRODUCTS; WHOLESALE DISTRIBUTORSHIP SERVICES IN THE FIELDS OF COSMETICS, BODY CARE PRODUCTS, SKIN CARE PRODUCTS, SKIN CARE PREPARATIONS AND CANDLES; RETAIL STOREAND ONLINE SERVICES IN THE FIELD OF SKIN CARE PRODUCTS</p>
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Attachments	85939310#TMSN.png( bytes ) 76480640#TMSN.png( bytes ) 87156719#TMSN.png( bytes ) Opposition.pdf(2258569 bytes )
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Signature	/Michael J. MacDermott/
Name	Michael J. MacDermott
Date	02/17/2022

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

In the matter of trademark application **Serial No. 90/565,188**  
For the mark GLOW, ETC. and Design  
Published in the Trademark *Official Gazette* on January 18, 2022

Caleel+Hayden, LLC	Opposer,	Opposition No.
v.		
Gabrielle Gentile	Applicant.	NOTICE OF OPPOSITION

Opposer Caleel+Hayden, LLC, a Delaware limited liability company, whose address is 610 East 55th Avenue, Denver, Colorado 80216, believes that it will be damaged by registration of the mark GLOW, ETC. and Design shown in application Serial No. 90/565,188 in International Class 44 and hereby opposes its registration.

As grounds for opposition, Opposer alleges that:

1. Opposer, and its predecessors, has been and is now engaged in the marketing, manufacture, advertising and sale of a wide variety of cosmetic and personal care products, including facial and skin peel products, and the retailing of same.
2. Since prior to Applicant's priority date, Opposer has continuously and extensively used in commerce the trade name and mark GLO, alone and in combination with other terms and designs (hereinafter the "GLO Trade Name and Marks"), in connection with the retailing,

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