

ESTTA Tracking number: **ESTTA1026732**

Filing date: **01/03/2020**

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

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

Name	Admar International, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	3030 Aurora Avenue Monroe, LA 71201 UNITED STATES		

Correspondence information	Robert M. Chiaviello, Jr. NubyLaw 3030 Aurora Avenue Monroe, LA 71201 UNITED STATES bobc@nuby.com 3184104012
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Registration Subject to Cancellation

Registration No.	5035358	Registration date	09/06/2016
Registrant	Noobie LLC 223 Prospect Place Brooklyn, NY 11238 UNITED STATES		

Additional Registrant Information

Additional registrant information provided by the petitioner	Noobie, LLC 55 Berry Street Brooklyn, NY 11249 UNITED STATES no email provided no phone number provided
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Goods/Services Subject to Cancellation

<p>Class 035. First Use: 2015/05/11 First Use In Commerce: 2015/05/11 All goods and services in the class are subject to cancellation, namely: Advertising and marketing services, namely, promoting the goods and services of others; Advertising services, namely, promoting and marketing the goods and services of others through all public and private communication means; Promoting the goods of others, namely, providing coupons, rebates and vouchers for the goods of others; Promoting the goods of others, namely, providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others; Promoting the goods and services of others by distributing advertising materials through a variety of methods; Promoting and marketing the goods and services of others by providing a box filled with products, samples, coupons, booklets and flyers for the benefit of various individuals, such as expectant parents, babies and tod-</p>
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dlers; Promoting and marketing the goods of others by e-mail, mailings and social media; Consulting services, namely, providing expectant parents with consumer information on all types of baby products and services

Grounds for Cancellation


Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Related Proceedings	Admar International, Inc., et al. v Noobie, LLC, US District Court for the Western District of Louisiana, Civil Action No. 3:20-cv-00005

Marks Cited by Petitioner as Basis for Cancellation


U.S. Registration No.	2335700	Application Date	04/20/1999
Registration Date	03/28/2000	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark	NUBY		
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 Infant Pacifier(s)		

U.S. Application No.	88634179	Application Date	09/27/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark	NUBY		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 0 First Use In Commerce: 0 Baby bubble bath; Baby hair conditioner; Baby hand soap; Baby lotion; Baby oil; Baby oils; Baby powder; Baby powders; Baby shampoo; Baby suncreams; Baby wipes impregnated with cleaning preparations; Body cream; Body cream soap; Body creams; Body lotion; Body lotions; Body oil; Body oils; Body powder; Body scrub; Body scrubs; Body sprays; Body wash; Dish detergents; Face		

creams; Laundry detergent; Laundry detergents; Laundry fabric conditioner; Laundry soap; Lip balm; Lip cream; Moisturising creams; Moisturizing creams; Moisturizing preparations for the skin; Shampoo-conditioners; Shampoos; Cases for baby wipes impregnated with cleaning preparations; Deodorants for body care; Disposable wipes impregnated with cleaning chemicals or compounds for industrial and commercial use; Face and body beauty creams; Face and body lotions; Facial moisturizers; Hair shampoo; Hair shampoos and conditioners; Hand cleaning gels; Hand cleaners; Liquid laundry detergents; Liquid soaps for laundry; Lotions for face and body care; Moisturizing body lotions; Nasal cleaning preparations for personal sanitary purposes; Non-medicated lip balm that does not contain beeswax; Non-medicated lip balms; Non-medicated lip care preparations; Non-medicated balms for use on lips; Non-medicated herbal body care products, namely, body oils, salves, and lip balms; Non-medicated lotions for body; Non-medicated skin care preparation, namely, body mist; Non-medicated soaps for babies; Powder laundry detergents; Pre-moistened towelettes impregnated with a detergent for cleaning; Scented body lotions and creams; Shampoos for babies; Skin moisturizer; Skin moisturizing gel; Skin care preparations, namely, body balm; Skin cleanser in liquid spray form for use as a baby wipe alternative; Tooth cleaning preparations

U.S. Application No.	88634597	Application Date	09/27/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 005. First use: First Use: 0 First Use In Commerce: 0</p> <p>Aloe vera gel for therapeutic purposes; Aloe vera preparations for therapeutic purposes; Anti-bacterial soap; Anti-cough drops; Anti-inflammatories; Anti-inflammatory and antipyretic preparations; Anti-inflammatory gels; Anti-inflammatory ointments; Anti-inflammatory salves; Anti-inflammatory sprays; Anti-itch cream; Anti-itch ointment; Antibacterial hand lotions; Antibacterial hand soaps; Antibacterial handwash; Antibacterial handwashes; Antibacterial liquid soap; Antibacterial liquid soaps; Antibacterial skin soaps; Antibacterial soap; Antibacterial spray; Antibacterial wipes; Babies' diaper-pants; Babies' diapers; Babies' diapers of paper; Babies' napkin-pants; Babies' napkins; Babies' swim diapers; Baby diapers; Baby food; Baby foods; Breast pads; Calamine lotion; Disposable sanitizing wipes; Disposable training pants; Haemorrhoid preparations; Hemorrhoid preparations; Hemorrhoid treatment preparations; Hemorrhoidal ointments; Herbal supplements; Homeopathic supplements; Hydrocortisone cream; Infant cloth diapers; Infant diaper covers; Infant formula; Insect repellents; Insect repellents in pre-moistened towelette form; Insect-repellents; Kits comprised primarily of sanitizer gel and disinfecting wipes and also including sanitary masks, plastic gloves and hand cream used for germ prevention;</p>		

	<p>Mentholated ointment for medical use; Mercurial ointments for medical use; Nail fungus treatment preparations; Non-medicated topical gel for the prevention and treatment of allergies; Non-medicated topical gel for the prevention and treatment of cold and flu; Nursing pads; Nutritional supplements; Nutritional supplements, namely, probiotic compositions; Pharmaceutical skin lotions; Preparations for repelling animals, birds and insects; Teething gels; Topical dermatological preparations that treat insect bites and stings; Topical first aid gel; Topical gel for medical and therapeutic treatment of diaper rash; Wearable insect repelling devices for attachment to clothing sold pre-filled with insect repelling preparations; Anti-insect spray; Bracelets impregnated with insect repellent; Breast-nursing pads; Dietary and nutritional supplements; Disposable baby diapers; Disposable swim diapers for children and infants; First aid kits; First aid kits for domestic or other non-professional use; Food for babies; Food for infants; Food for infants, namely, human breast milk; Gels, creams and solutions for dermatological use; Homeopathic anti-inflammatory ointment; In vitro gender prediction test kit; In-vitro ovulation prediction test kit for home use; Liquid herbal supplements; Liquid nutritional supplement; Medicated baby oils; Medicated baby powders; Medicated cream soap; Medicated creams for treating dermatological conditions; Medicated shampoos for babies; Medicated skin care preparations, namely, creams, lotions, gels, toners, cleaners and peels; Medicated soaps for babies; Medicated supplements for foodstuffs for babies; Medicinal creams for skin care; Mineral nutritional supplements; Mosquito-repellent patches for babies; Multipurpose medicated antibiotic cream, analgesic balm and mentholated salve; Nappies as baby diapers; Natural herbal supplements; Ovulation test kits; Powdered milk for babies; Pregnancy test kits for home use; Preparations to prevent nail-biting and thumb-sucking; Tissues impregnated with antibacterial preparations; Topical analgesic creams</p>
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U.S. Application No.	88634601	Application Date	09/27/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 007. First use: First Use: 0 First Use In Commerce: 0 Electric food blenders; Electric food blenders; Electric food choppers; Electric food grinders; Electric food processors; Electric food slicers; Electric fruit peelers; Electric fruit presses; Electric fruit presses for household use; Electric fruit squeezers for household purposes; Electric juice extractors; Electric juicers; Electric mixers; Electric mixers for household purposes; Electrical juice extractors for fruit; Electrical squeezers for fruit and vegetable; Food processors, electric; Fruit presses, electric, for household purposes; Hand-held electric-powered food processors; Juice extractors, electric</p>		

U.S. Application No.	88634604	Application Date	09/27/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark	<h1>NUBY</h1>		
Description of Mark	NONE		
Goods/Services	Class 008. First use: First Use: 0 First Use In Commerce: 0 Emery boards; Fingernail clippers; Flatware, namely, forks, knives, and spoons; Manicure sets; Nail clippers; Nail scissors; Tableware, namely, knives, forks and spoons; Disposable tableware, namely, knives, forks and spoons; Disposable tableware, namely, spoons; Forks and spoons being tableware; Forks being tableware; Knives being tableware; Knives, forks, and spoons being tableware; Spoons being tableware; Spoons made of precious metal being tableware		

U.S. Application No.	88634605	Application Date	09/27/2019
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NUBY		
Design Mark	<h1>NUBY</h1>		
Description of Mark	NONE		
Goods/Services	Class 010. First use: First Use: 0 First Use In Commerce: 0 Babies' bottles; Baby bottle nipples; Baby bottle that plays sounds using wireless technology; Baby bottles; Baby feeding dummies; Baby feeding pacifiers; Babynursers; Breast milk storage bottles; Breast pumps; Breast shields; Breast warmer pads for medical purposes; Dropper bottles for administering medication, sold empty; Droppers for administering medication, sold empty; Feeding bottle teats; Feeding bottles; Gum massaging instruments; Nasal aspirators; Nursing bottles; Pacifier clips; Pacifier cloth for attachment to infant pacifiers; Spoons for administering medicine; Teething rings; Thermometers for medical purposes; Thermometers for medical use; Bottle holders for holding babies'		

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