# **EXHIBIT A**

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Quiz

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#### clearfocus

The word you've entered isn't in the dictionary. Click on a spelling suggestion below or try again using the search bar above

- 1. Clearfield
- 2. clairvoyance

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Spelling Suggeations Powered By: Franklin Electronic Publishers
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TOP 10 LISTS :



A Handy Guide to Ruffians, Rapscallions, Cads & More Top 10 Charming Words for Nasty People



alfabet Failed Attempts to Reform English Spelling
8 Spelling Suggestions That Didn't Stick

51 • 0 0 b

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Spelling Secrets

Solving the Punctuation Puzzle Double Your Fun with Irregular Plurals

Six Words That Can Ruin Your Sentence

## Did you mean cleric?

#### More suggestions:

Genc's	CISST 05085
clerc's	classicus
clencs'	cievas
clargeds	clofowtia
dangous	deavages
dacks	docks
glaucous	cleavage's
darkias	clergy's
coude focus	coude-focus
coudé forus	coudé-tocus
calvous	CHYNS'
ciariou's	clergies'
clafauti's	ciatornia'
clange ars'	day floors
darke's	deavages'

## െ Old You Know?

What Was the Top Misspelling of the Year?

End or Enough? Why is English Spaling So Random?

How Does Autocorrect Work?

What is the "Bac" in "Spelling Boo"?

Why Do We Capitalize I?

Why Was Z Removed from the Alphabet?

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Alor vs. A lot: 9 Language Comes to Watch Out For Avoid the ditfolis of irregardless, thusly, and anyways.

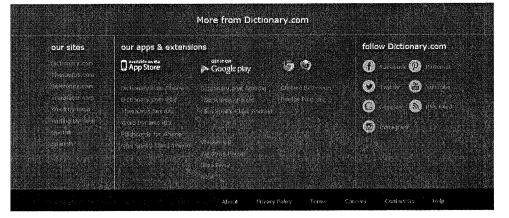
What's the Difference Between "A While" and "Awhile"? This is another peir of homophones that can be very confusing.

Know These 9 Commonly Confused Pairs? Imminent, eminent, or introduced? find out which one is

You Can Debunk Something, But Why Con't You Bunk Something?

As readers, we recognize prefixes, like dis- and un-, as expressing negation. However, there are some clear exceptions to these miss.



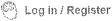




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#### clearfocus







FID2: (3582)

8+1 46k

Medical

Legal Dictionary

Financial Dictionary

Moms Acconyms

Word / Article 
 Starts with 
 Ends with 
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Encyclopedia

Wikipedia Encyclopedia



ill Feedback





#### clearfocus

Word not found in the Dictionary and Encyclopedia

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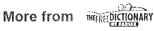
#### Full browser

- ABC Clearfield County Solid Waste Authority
- W Clearfield County PA
- Clearfield County, PA
- W. Clearfield County, Pennsylvania Clearfield County, Pennsylvania
- W Clearfield Creek
- W. Clearfield High
- H. Clearfield High School
- W. Clearfield Township
- W. Clearfield Township, Builer County, 8A
- W. Clearfield Township, Butler County, Pennsylvania W. Clearfield Township, Cambria County, PA.
- W. Clearfield Township, Cambria County, Pennsylva
- Clearfield Township, ND
- W' Clearfield Township, North Dakota
- W. Clearfield Township, PA
- W. Clearfield Township, Pennsylvania
- W. Clearfield Trust Co. v. U.S.
- W. Clearfield Trust Co. v. United States
- W' Clearfield, IA

- W. Clearfield, lows
- W Clearfield, PA
- ${
  m W}$  Clearfield, Pennsylvania m W Clearlield, UT
- W. Clearfield, Utah
- W. Clearfield, WI W. Charfield, Wisconsin.
- ASC Clearfield-Jefferson Association of Realtons
- ASC Clearfil Liner Bond 2 W. Clearfin Bonfish
- ► Q clearfocus
- W ClearForest
- W Clearfork
- W. Clearfork River
- Contracted contracted
- ी clearheaded
- Clearheadedly
- 416 clearheadedly CO clearheadedness
- বী clearheadedness
- C clearing

- \$ clearing III clearing oleaning.
- ්<u>රී</u> clearing ASC clearing
- & clearing W clearing
- W Clearing (album)
- (finance) W Clearing (finance)
- W Clearing (financial)
- W Clearing (geography) W Clearing (telecommunications)
- ABC Clearing Account Indicator O cleaning agent
- III clearing agent
- 4- clearing agent
- ্রী clearing agent W clearing agent
- Cleaning and Grubbing





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# EXHIBIT B

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Mark: AQUACLEAR

## **AQUACLEAR**

US Serial Number: 77276983

Application Filing Date: Sep. 11, 2007

US Registration Number: 3577287

Registration Date: Feb. 17, 2009

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 17, 2009

Publication Date: Mar. 11, 2008

Notice of Allowance Date: Jun. 03, 2008

#### **Mark Information**

Mark Literal Elements: AQUACLEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Contact lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Dec. 03, 2008

Use in Commerce: Dec. 03, 2008

## **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No Filed No Basis: No

Currently 66A: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Vision Source L.P.

Composed of: Vision Source Management L.L.C., a Texas limited liability company, its General Partner

Owner Address: 1849 Kingwood Drive, Suite 101

Kingwood, TEXAS 77339

UNITED STATES

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where TEXAS

Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Ben D. Tobor

Docket Number: 104086.01060

Attorney Primary Email toborb@gtlaw.com

Attorney Email No Authorized:

Address:

Correspondent

Correspondent Ben D. Tobor

Name/Address: GREENBERG TRAURIG LLP

1000 LOUISIANA, SUITE 1700 HOUSTON, TEXAS 77002 **UNITED STATES** 

Phone: 713-374-3568

Correspondent e-mail: toborb@gtlaw.com

Correspondent e-mail No

Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Feb. 17, 2009	REGISTERED-PRINCIPAL REGISTER	
Jan. 13, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76985
Jan. 08, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 12, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Dec. 03, 2008	USE AMENDMENT FILED	70565
Dec. 12, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Dec. 03, 2008	TEAS STATEMENT OF USE RECEIVED	
Jun. 03, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 11, 2008	PUBLISHED FOR OPPOSITION	
Feb. 20, 2008	NOTICE OF PUBLICATION	
Feb. 01, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Feb. 01, 2008	ASSIGNED TO LIE	76985
Dec. 20, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 14, 2007	ASSIGNED TO EXAMINER	82417
Sep. 15, 2007	NOTICE OF PSEUDO MARK MAILED	
Sep. 14, 2007	NEW APPLICATION ENTERED IN TRAM	
	TM Ctaff and I coation Information	

## **TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 13, 2009

## **Assignment Abstract Of Title Information**

Summary

Total Assignments: 2

Registrant: Vision Source L.P.

Assignment 1 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 4521/0737

Date Recorded: Apr. 14, 2011

Supporting Documents: assignment-tm-4521-0737.pdf

Assignor

Name: VISION SOURCE MANAGEMENT L.L.C.

Execution Date: Apr. 13, 2011

Pages: 7

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where TEXAS

Organized:

Assignee

Name: GCI CAPITAL MARKETS LLC, AS ADMINISTRATIVE AGENT

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE Organized:

Address: 551 MADISON AVENUE, 6TH FLOOR

NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: SHARON PATTERSON, PARALEGAL

Correspondent Address: GOLDBERG KOHN LTD., 55 E. MONROE ST.

STE 3300 CHICAGO, IL 60603

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 4521/0860

Date Recorded: Apr. 14, 2011

Supporting Documents: assignment-tm-4521-0860.pdf

Legal Entity Type: LIMITED PARTNERSHIP

Name: VISION SOURCE L.P.

Execution Date: Apr. 13, 2011

Pages: 7

State or Country Where TEXAS Organized:

Assignee

Assignor

Name: GCI CAPITAL MARKETS LLC, AS ADMINISTRATIVE AGENT

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 551 MADISON AVENUE, 6TH FLOOR NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: SHARON PATTERSON, PARALEGAL

Correspondent Address: GOLDBERG KOHN LTD., 55 E. MONROE ST. STE 3300 CHICAGO, IL 60603

**Domestic Representative - Not Found** 

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Mark: CLEAR CASE

## **CLEAR CASE**

US Serial Number: 78851665

Application Filing Date: Mar. 31, 2006

US Registration Number: 3782849

Registration Date: Apr. 27, 2010

Register: Principal Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 27, 2010

Notice of Allowance Date: Feb. 06, 2007 Publication Date: Nov. 14, 2006

## **Mark Information**

Mark Literal Elements: CLEAR CASE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Optical goods, namely, reading glasses, magnifying glasses, optical frames, eyeglass cords

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Feb. 04, 2010

Use in Commerce: Feb. 04, 2010

## **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Sun Optics, Inc.

Owner Address: 1785 South 4490 West

Salt Lake City, UTAH 84104

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where UTAH

Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: John C. Stringham

Docket Number: 14301.68

Attorney Primary Email jstringham@wnlaw.com

Attorney Email No

Authorized:

Correspondent

Correspondent John C. Stringham Name/Address: WORKMAN NYDEGGER 60 East South Temple

#### 1000 Eagle Gate Tower SALT LAKE CITY, UTAH 84111 UNITED STATES

Phone: (801) 533-9800

Fax: (801) 328-1707

Correspondent e-mail: jstringham@wnlaw.com

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 20, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	77976
Mar. 20, 2010	ASSIGNED TO LIE	77976
Mar. 03, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 01, 2010	STATEMENT OF USE PROCESSING COMPLETE	71034
Feb. 04, 2010	USE AMENDMENT FILED	71034
Mar. 01, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Feb. 04, 2010	TEAS STATEMENT OF USE RECEIVED	
Jul. 14, 2009	EXTENSION 5 GRANTED	98765
Jul. 14, 2009	EXTENSION 5 FILED	98765
Jul. 14, 2009	TEAS EXTENSION RECEIVED	
Feb. 05, 2009	EXTENSION 4 GRANTED	98765
Feb. 05, 2009	EXTENSION 4 FILED	98765
Feb. 05, 2009	TEAS EXTENSION RECEIVED	
Aug. 05, 2008	EXTENSION 3 GRANTED	98765
Aug. 05, 2008	EXTENSION 3 FILED	98765
Aug. 05, 2008	TEAS EXTENSION RECEIVED	
Jan. 15, 2008	EXTENSION 2 GRANTED	98765
Jan. 15, 2008	EXTENSION 2 FILED	98765
Jan. 15, 2008	TEAS EXTENSION RECEIVED	
Jul. 13, 2007	EXTENSION 1 GRANTED	98765
Jul. 13, 2007	EXTENSION 1 FILED	98765
Jul. 13, 2007	TEAS EXTENSION RECEIVED	
Feb. 06, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 14, 2006	PUBLISHED FOR OPPOSITION	
Oct. 25, 2006	NOTICE OF PUBLICATION	
Sep. 27, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76539
Sep. 22, 2006	ASSIGNED TO LIE	76539
Sep. 19, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 15, 2006	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 15, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 15, 2006	EXAMINERS AMENDMENT -WRITTEN	81848
Sep. 13, 2006	ASSIGNED TO EXAMINER	81848
Apr. 06, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 20, 2010

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Mark: CLEAR IMAGE

US Serial Number: 74194768

Application Filing Date: Aug. 12, 1991

US Registration Number: 1783281

Registration Date: Jul. 20, 1993

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jan. 21, 2003

Publication Date: Apr. 21, 1992

Notice of Allowance Date: Jul. 14, 1992

## **Mark Information**

Mark Literal Elements: CLEAR IMAGE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

• Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*..\* identify additional (new) wording in the goods/services.

For: microscopic and telescopic device for mounting in spectacle frames

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Jul. 01, 1992

Use in Commerce: Jul. 01, 1992

## **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Currently 44E: No

Amended 44E: No

Filed 44E: No Filed 66A: No

Filed No Basis: No

Currently 66A: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: DESIGNS FOR VISION, INC.

Owner Address: 760 Koehler Avenue

Ronkonkoma, NEW YORK 11779

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where NEW YORK

Organized:

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carl Giordano

Attorney Primary Email cagiordanolaw@optonline.net

Attorney Email Yes

Address:

Authorized:

Correspondent

Correspondent Carl Giordano
Name/Address: Law Office of Carl Giordano, PA
17 Arcadian Avenue, Suite 208
Paramus, NEW JERSEY 07652
UNITED STATES

Phone: 201 421 0865

Correspondent e-mail: cagiordanolaw@optonline.net

Fax: 845 268 0314

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Jan. 24, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Jan. 24, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 17, 2009	CASE FILE IN TICRS	
Sep. 07, 2006	REVIEW OF CORRESPONDENCE COMPLETE	59315
Aug. 11, 2004	PAPER RECEIVED	
Jan. 21, 2003	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 21, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 26, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 26, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 26, 2002	PAPER RECEIVED	
Apr. 04, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Mar. 07, 2002	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 15	
Mar. 07, 2002	PAPER RECEIVED	
Jan. 25, 2002	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Jan. 07, 2002	PETITION TO DIRECTOR - GRANTED	
Nov. 29, 2000	PETITION TO DIRECTOR RECEIVED	
Sep. 24, 1999	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
May 10, 1999	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 20, 1993	REGISTERED-PRINCIPAL REGISTER	
May 14, 1993	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 27, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 04, 1993	NON-FINAL ACTION MAILED	
Feb. 14, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 24, 1992	NON-FINAL ACTION MAILED	
Sep. 15, 1992	ASSIGNED TO EXAMINER	60219
Sep. 04, 1992	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 17, 1992	USE AMENDMENT FILED	
Jul. 14, 1992	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 21, 1992	PUBLISHED FOR OPPOSITION	
Mar. 20, 1992	NOTICE OF PUBLICATION	
Dec. 05, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 25, 1991	EXAMINER'S AMENDMENT MAILED	
Nov. 21, 1991	ASSIGNED TO EXAMINER	60219

Maintenance Filings or Post Registration Information

Incontestability:

Renewal Date: Jul. 20, 2003

## TM Staff and Location Information

TM Staff Information - None File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 17, 2009

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Mark: CLEAR RIDE

#### **CLEAR RIDE**

US Serial Number: 86083052

Application Filing Date: Oct. 04, 2013

US Registration Number: 4555091

Registration Date: Jun. 24, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 24, 2014 Publication Date: Apr. 08, 2014

## **Mark Information**

Mark Literal Elements: CLEAR RIDE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Anti-fog films, layers, lenses, and inserts for use in eyewear and protective eye gear, namely, goggles, glasses, lenses, shields, face shields, face masks, safety goggles, protective visors, sports goggles, sports visors, helmet visors, eye shields, protective headgear visors, wind shields, and inserts; anti-fog optical devices, namely, protective goggles, glasses, lenses, films, shields, face shields, face masks, safety goggles, protective visors, sports goggles, sports visors, helmet visors, eye shields, protective headgear visors, wind shields, tinted or tintable inserts, variable light transmittance inserts and inserts featuring liquid crystals that attach to eyewear, protective eye gear, eye shields and visors mounted to helmets; anti-fog optical inserts for use with eyewear and protective eye gear, namely, goggles, glasses, lenses, shields, face shields, face masks, safety goggles, protective visors, sports goggles, sports visors, helmet visors, eye shields, protective headgear visors, and wind shields

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Feb. 15, 2013

Use in Commerce: Feb. 15, 2013

## **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Currently 44E: No

Amended 44E: No

Filed 44E: No

Filed 66A: No Filed No Basis: No

Currently No Basis: No

Currently 66A: No

Owner Name: AMI POWERSPORTS, LLC

Owner Address: 1950 State Route 59

Kent, OHIO 44240

UNITED STATES

State or Country Where OHIO

Legal Entity Type: LIMITED LIABILITY COMPANY

Organized:

## Attorney/Correspondence Information

**Current Owner(s) Information** 

Attorney of Record

Attorney Name: Andrew B. Morton

Docket Number: AMN.T0009

Address:

Attorney Primary Email morton@rennerkenner.com

Attorney Email Yes Authorized:

#### Correspondent

Correspondent ANDREW B. MORTON Name/Address: RENNER KENNER GREIVE BOBAK TAYLOR & WEBE

106 S MAIN ST

First National Tower, Suite 400 AKRON, OHIO 44308-1417 UNITED STATES

Phone: 330-376-1242

Fax: 330-376-9646

Correspondent e-mail: morton@rennerkenner.com mgarro@rennerkenne

r.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Jun. 24, 2014	REGISTERED-PRINCIPAL REGISTER	
Apr. 08, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 08, 2014	PUBLISHED FOR OPPOSITION	
Mar. 19, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 28, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Feb. 26, 2014	ASSIGNED TO LIE	70633
Feb. 06, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2014	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 25, 2014	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 25, 2014	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 25, 2014	EXAMINERS AMENDMENT -WRITTEN	72146
Jan. 19, 2014	ASSIGNED TO EXAMINER	72146
Oct. 11, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 08, 2013	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 24, 2014

Generated on: This page was generated by TSDR on 2015-01-22 14:47:26 EST

Mark: CLEARCOLOR

#### **CLEARCOLOR**

US Serial Number: 85124555

Application Filing Date: Sep. 08, 2010

US Registration Number: 3938097

Registration Date: Mar. 29, 2011

Register: Principal Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 29, 2011 Publication Date: Jan. 11, 2011

#### **Mark Information**

Mark Literal Elements: CLEARCOLOR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Contact lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Nov. 03, 2004

Use in Commerce: Jul. 01, 2010

## **Basis Information (Case Level)**

Filed Use: Yes Filed ITU: No

Currently Use: Yes Currently ITU: No

Amended Use: No Amended ITU: No

Filed 44D: No Filed 44E: No Currently 44D: No Currently 44E: No

Amended 44D: No

Filed 66A: No

Currently 66A: No

Amended 44E: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Clearlab US, Inc.

Owner Address: Suite 1

4200 Jenkins Court

Suwanee, GEORGIA 30024 UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where GEORGIA Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Irene Y. Lee

Docket Number: 3151-005

Attorney Primary Email ||lee@raklaw.com

Attorney Email Yes Authorized:

Address:

Correspondent

Correspondent Irene Y. Lee Name/Address: Russ August & Kabat 12424 Wilshire Blvd., Suite 1200 Los Angeles, CALIFORNIA 90025 UNITED STATES

Phone: 310.826.7474

Fax: 310.826.6991

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Feb. 20, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 20, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 29, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 11, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 11, 2011	PUBLISHED FOR OPPOSITION	
Dec. 09, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
Dec. 09, 2010	ASSIGNED TO LIE	77312
Nov. 17, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 09, 2010	ASSIGNED TO EXAMINER	73350
Sep. 14, 2010	NOTICE OF PSEUDO MARK MAILED	
Sep. 11, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 11, 2010	NEW APPLICATION ENTERED IN TRAM	-pp
377777777777777777777777777777777777777	TM Staff and Location Information	

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 29, 2011

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Mark: CLEARDAY

## **CLEARDAY**

US Serial Number: 86054099

Application Filing Date: Sep. 03, 2013

Register: Principal Mark Type: Trademark

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six

months of the NOA issuance date.

Status Date: Sep. 09, 2014

Publication Date: Jul. 15, 2014

Notice of Allowance Date: Sep. 09, 2014

## **Mark Information**

Mark Literal Elements: CLEARDAY

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

• Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Solutions and cleaning preparations for contact lenses; protein removers for contact lenses; ophthalmic and ophthalmological

preparations; ophthalmic and ophthalmological preparations for the care of contact lenses; eyewash; eye drops; eye lotions and

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

For: Contact lenses; tinted soft, hard, gas permeable and disposable contact lenses; ophthalmic lenses; cases, holders and containers for contact lenses; ophthalmic, ophthalmological and optical frames, lenses, glass and glasses; sunglasses, monocles, eyeglasses and speciacles; cases, holders and containers for sunglasses, monocles, eyeglasses and speciacles; eye shades; chains and cords for

sunglasses, monocles, eyeglasses and spectacles; eyewear; eyepieces and instruments containing eyepieces

U.S Class(es): 021, 023, 026, 036, 038 International Class(es): 009 - Primary Class

Class Status: ACTIVE

Basis: 1(b)

## **Basis Information (Case Level)**

Filed Use: No

Currently Use: No Currently ITU: Yes Amended Use: No

Filed ITU: Yes Filed 44D: No

Currently 44D: No

Amended ITU: No Amended 44D: No

Filed 44E: No Filed 66A: No Currently 44E: No Currently 66A: No Amended 44E: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Sauflon Pharmaceuticals Limited

Owner Address: 49-53 York Street

Twickenham, Middlesex TW13LP UNITED KINGDOM

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where ENGLAND

Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Donna J. Bunton

Docket Number: DJB/141-666

Address:

Attorney Primary Email nixonptomail@nixonvan.com

Attorney Email Yes Authorized:

Correspondent

Correspondent DONNA J. BUNTON Name/Address: NIXON & VANDERHYE, P.C. 901 N GLEBE RD FL 11

ARLINGTON, VIRGINIA 22203-1853

UNITED STATES

Phone: 703-816-4003

Fax: 703-816-4100

Correspondent e-mail: nixonptomail@nixonvan.com djb@nixonvan.com

Correspondent e-mail Yes

Authorized:

**Domestic Representative** 

Domestic Representative Donna J. Bunton Name:

Phone: 703-816-4003

e-mail:

Fax: 703-816-4100

Domestic Representative nixonptomail@nixonvan.com

Domestic Representative Yes e-mail Authorized:

## **Prosecution History**

Date	Description	Proceeding Number
Sep. 09, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 15, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 15, 2014	PUBLISHED FOR OPPOSITION	
Jun. 25, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 08, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Jun. 04, 2014	ASSIGNED TO LIE	70138
May 21, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 13, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 13, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 13, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 19, 2013	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Dec. 19, 2013	PRIORITY ACTION E-MAILED	6326
Dec. 19, 2013	PRIORITY ACTION WRITTEN	73360
Dec. 15, 2013	ASSIGNED TO EXAMINER	73360
Sep. 12, 2013	NOTICE OF PSEUDO MARK E-MAILED	
Sep. 11, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 06, 2013	NEW APPLICATION ENTERED IN TRAM	

## **TM Staff and Location Information**

**TM Staff Information** 

TM Attorney: BLANDU, FLORENTINA

Law Office Assigned: LAW OFFICE 117

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Sep. 09, 2014

Generated on: This page was generated by TSDR on 2015-01-22 14:48:20 EST

Mark: CLEARSHOT

#### CLEARSHOT

US Serial Number: 77360912

Application Filing Date: Dec. 28, 2007

US Registration Number: 3511303

Registration Date: Oct. 07, 2008

Register: Principal Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 07, 2008 Publication Date: Apr. 22, 2008

## **Mark Information**

Mark Literal Elements: CLEARSHOT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Sunglasses and Sport Glasses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Sep. 01, 1988

Use in Commerce: Sep. 01, 1988

## **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Amended 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No Filed No Basis: No Currently 66A: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: MasterGrip, Inc.

Owner Address: 3410 Century Circle

Irving, TEXAS 75062 UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where TEXAS

Organized:

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lewis T. Steadman Jr.

Attorney Primary Email steadman@wildman.com

Attorney Email No Authorized:

Correspondent

Correspondent LEWIS T. STEADMAN JR.

Name/Address: WILDMAN, HARROLD, ALLEN & DIXON LLP

225 W WACKER DR STE 2800

CHICAGO, ILLINOIS 60606-1228 UNITED STATES

Phone: (312) 201-2720

Fax: (312) 201-2555

Correspondent e-mail: steadman@wildman.com

Correspondent e-mail No Authorized:

**Domestic Representative - Not Found** 

Prosecution	<b>History</b>
, , , , , , , , , , , , , , , , , , ,	

Date	Description	Proceeding Number
Oct. 07, 2008	REGISTERED-PRINCIPAL REGISTER	
Sep. 03, 2008	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
May 14, 2008	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 22, 2008	PUBLISHED FOR OPPOSITION	
Apr. 02, 2008	NOTICE OF PUBLICATION	
Mar. 27, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 27, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 17, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Mar. 17, 2008	ASSIGNED TO LIE	77075
Feb. 26, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 26, 2008	ASSIGNED TO EXAMINER	76505
Jan. 04, 2008	NOTICE OF PSEUDO MARK MAILED	
Jan. 03, 2008	NEW APPLICATION ENTERED IN TRAM	
	TM Staff and Location Information	

## IM Stail and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 07, 2008

## **Proceedings**

Summary

Number of Proceedings: 1

Type of Proceeding: Extension of Time

Proceeding Number: 77360912

Status: Terminated

Filing Date: Aug 20, 2008 Status Date: Sep 03, 2008

Interlocutory Attorney:

Defendant

Name: MasterGrip, Inc.

Correspondent Address: LEWIS T. STEADMAN JR.
WILDMAN, HARROLD, ALLEN & DIXON LLP
225 W WACKER DR STE 2800
CHICAGO IL , 60606-1228
UNITED STATES

Associated marks

Mark

**Application Status** 

Serial Number

Registration Number

CLEARSHOT

Registered

77360912

3511303

Potential Opposer(s)

Name: Schott AG, Hatenbergstrasse

Correspondent Address: Edward P. Kelly

Tiajoloff & Kelly 405 Lexington Ave., 37th Floor New York NY, 10174

UNITED STATES

Correspondent e-mail: epk@patentadvance.com

**Prosecution History** 

Entry Number

History Text

Date

**Due Date** 

1	INCOMING - EXT TIME TO OPPOSE FILED	May 14, 2008
2	EXTENSION OF TIME GRANTED	May 14, 2008
3	INCOMING - EXT TIME TO OPPOSE FILED	Aug 20, 2008
4	EXTENSION DENIED	Sep 03, 2008
5	TERMINATED	Sep 03, 2008
6	TERMINATED	Sep 03, 2008

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Mark: CLEARVIEW

US Serial Number: 74654937

Application Filing Date: Apr. 03, 1995

US Registration Number: 1956402

Registration Date: Feb. 13, 1996

Register: Principal Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 16, 2006 Publication Date: Nov. 21, 1995

## **Mark Information**

Mark Literal Elements: CLEARVIEW

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: contact lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Jun. 08, 1993

Use in Commerce: Jun. 08, 1993

## **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: NOVARTIS AG

Owner Address: CH-4002 BASEL

SWITZERLAND

Legal Entity Type: CORPORATION

State or Country Where SWITZERLAND

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Catherine D. Murray

Attorney Primary Email tm.services@alconlabs.com

Attorney Email Yes Authorized:

#### Correspondent

Correspondent Catherine D. Murray

Name/Address: Alcon Laboratories, Inc.

6201 South Freeway Fort Worth, TEXAS 76134 UNITED STATES

Phone: 817 568 6304

Correspondent e-mail: tm.services@alconlabs.com

Fax: 817 551 4373

Phone: 678 415 3894

Correspondent e-mail Yes Authorized:

Domestic Representative

Domestic Representative Lauren Fernandez Staley

Name:

Fax: 678 415 3018

Domestic Representative ciba.trademarks@cibavision.com

e-mail:

Domestic Representative Yes e-mail Authorized:

## **Prosecution History**

Date	Description	Proceeding Number
Oct. 24, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Oct. 24, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 29, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Sep. 29, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Aug. 17, 2006	CASE FILE IN TICRS	
May 16, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	60132
May 16, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 12, 2006	ASSIGNED TO PARALEGAL	60132
Feb. 15, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 15, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 15, 2006	PAPER RECEIVED	
Jun. 21, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 22, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 11, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Feb. 13, 1996	REGISTERED-PRINCIPAL REGISTER	
Nov. 21, 1995	PUBLISHED FOR OPPOSITION	
Oct. 20, 1995	NOTICE OF PUBLICATION	
Aug. 10, 1995	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 10, 1995	ASSIGNED TO EXAMINER	69803

## **Maintenance Filings or Post Registration Information**

Affidavit of Continued Section 8 - Accepted Use:

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Feb. 13, 2006

## TM Staff and Location Information

TM Staff Information - None File Location

Current Location: SCANNING ON DEMAND

Date in Location: Aug. 17, 2006

## Assignment Abstract Of Title Information

Total Assignments: 7

Registrant: Pilkington Barnes Hind, Inc.

Assignment 1 of 7

Conveyance: GRANT OF SECURITY INTEREST

Reel/Frame: 1533/0702

Date Recorded: Dec. 02, 1996

Supporting Documents: No Supporting Documents Available

Name: PBH, INC.

Assignor

Execution Date: Oct. 01, 1996

Pages: 6

Legal Entity Type: CORPORATION

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: BANKERS TRUST COMPANY

Legal Entity Type: BANKING CORPORATION

State or Country Where No Place Where Organized Found

Organized:

Address: ONE BANKERS TRUST PLAZA NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: WHITE & CASE

Correspondent Address: DAVID KOSCHIK, ESQ. 1155 AVENUE OF THE AMERICAS ROOM 3134

NEW YORK, NY 10036-2767

**Domestic Representative - Not Found** 

Assignment 2 of 7

Conveyance: ASSIGNMENT OF SECURITY INTEREST

Reel/Frame: 1563/0402

Pages: 6

Date Recorded: Mar. 13, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: PBH, INC.

Execution Date: Feb. 19, 1997

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Assignee

Name: BANKERS TRUST COMPANY

Legal Entity Type: BANKING CORPORATION

State or Country Where No Place Where Organized Found

Organized:

Address: ONE BANKERS TRUST COMPANY

NEW YORK, NEW YORK 10006

Correspondent

Correspondent Name: WHITE & CASE

Correspondent Address: MICHELLE PAPINI

**ROOM 2623** 

1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

**Domestic Representative - Not Found** 

Assignment 3 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1624/0559

Pages: 4

Date Recorded: Aug. 27, 1997

Supporting Documents: No Supporting Documents Available

Assignor

Name: PILKINGTON BARNES HIND, INC.

Execution Date: Jul. 31, 1997

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Assignee

Name: WESLEY JESSEN CORPORATION

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Address: 333 EAST HOWARD AVENUE

DES PLAINES, ILLINOIS 60018

Correspondent

Correspondent Name: SWEENEY LEV & BLINKOFF

Correspondent Address: GARY B. SCHMIDT, ESQ.

#### 708 THIRD AVENUE, 14TH FLOOR NEW YORK, NY 10017

Domestic Representative - Not Four	ıd
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Assignment 4 of 7 Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 2302/0891

Date Recorded: May 17, 2001

Supporting Documents: assignment-tm-2302-0891.pdf

Name: BANKERS TRUST COMPANY

Legal Entity Type: COLLATERAL AGENT

Assignor

Execution Date: Apr. 27, 2001

Pages: 4

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: PBH, INC.

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Address: 333 E. HOWARD AVENUE

DES PLAINES, ILLINOIS 60018

Correspondent

Correspondent Name: WHITE & CASE LLP

Correspondent Address: BRIAN JAENICKE, LEGAL ASSISTANT

1155 AVENUE OF THE AMERICAS

NEW YORK NY 10036

**Domestic Representative - Not Found** 

Assignment 5 of 7

Conveyance: RELEASE OF A SECURITY INTEREST

Reel/Frame: 2302/0895

Date Recorded: May 17, 2001

Supporting Documents: assignment-tm-2302-0895.pdf

Assignor

Name: BANKERS TRUST COMPANY

Execution Date: Apr. 27, 2001

Pages: 4

Legal Entity Type: COLLATERAL AGENT

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: PBH, INC.

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Address: 333 E. HOWARD AVENUE

DES PLAINES, ILLINOIS 60018

Correspondent

Correspondent Name: WHITE & CASE LLP

Correspondent Address: BRIAN JAENICKE, LEGAL ASSISTANT 1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: MERGER

Reel/Frame: 2801/0499

Date Recorded: Feb. 25, 2004

Pages: 5

Supporting Documents: assignment-tm-2801-0499.pdf

Assignor

Name: WESLEY JESSEN CORPORATION

Execution Date: Dec. 18, 2002

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Assignee

Name: CIBA VISION CORPORATION

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Address: 11460 JOHNS CREEK PARKWAY

DULUTH, GEORGIA 30097

Correspondent

Correspondent Name: FROSS ZELNICK LEHMAN & ZISSU, P.C.

Correspondent Address: PATRICK BOISSON 866 UNITED NATIONS PLAZA NEW YORK, NY 10017

**Domestic Representative - Not Found** 

Assignment 7 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 2824/0364

Date Recorded: Mar. 31, 2004

Supporting Documents: assignment-tm-2824-0364.pdf

Name: CIBA VISION CORPORATION

Legal Entity Type: CORPORATION

Name: NOVARTIS AG

Legal Entity Type: CORPORATION

Address: CH-4002 BASEL, SWITZERLAND

Correspondent Name: FROSS ZELNICK LEHRMAN, ET AL.

Correspondent Address: NANCY SABARRA 866 UNITED NATIONS PLAZA NEW YORK, NY 10017

Assignor

Execution Date: Mar. 04, 2004

Pages: 7

State or Country Where DELAWARE Organized:

Assignee

State or Country Where SWITZERLAND Organized:

Correspondent

Domestic Representative - Not Found

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Mark: FINE&CLEAR

#### FINE&CLEAR

US Serial Number: 77756402

Application Filing Date: Jun. 10, 2009

US Registration Number: 3718592

Registration Date: Dec. 01, 2009

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 01, 2009

Publication Date: Sep. 15, 2009

## **Mark Information**

Mark Literal Elements: FINE&CLEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Contact lens solutions; Disinfectants for contact lenses

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 30, 2003

Use in Commerce: Nov. 30, 2003

For: Contact lenses; Containers for contact lens

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Nov. 30, 2003

Use in Commerce: Nov. 30, 2003

## **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

**Current Owner(s) Information** 

Owner Name: THEG, Inc.

Owner Address: 405 Lexington, Ave., 26th Floor

New York, NEW YORK 10174

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where NEW YORK

Organized:

## **Attorney/Correspondence Information**

#### Attorney of Record

Attorney Name: Jason D. Voight

Docket Number: THEG-10003

Attorney Primary Email jason.voight@hvpatentlaw.com
Address:

Attorney Email No Authorized:

Correspondent

Correspondent JASON D. VOIGHT
Name/Address: HAHN & VOIGHT PLLC
1012 14TH ST NW STE 620
WASHINGTON, DISTRICT OF COLUMBIA 20005-3476
UNITED STATES

Fax: 202-637-0023

Phone: 202-637-0020 Correspondent e-mail: jason.voight@hvpatentlaw.com

Correspondent e-mail No

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number		
Dec. 01, 2009	REGISTERED-PRINCIPAL REGISTER			
Sep. 15, 2009	PUBLISHED FOR OPPOSITION			
Aug. 26, 2009	NOTICE OF PUBLICATION			
Aug. 12, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121		
Aug. 12, 2009	ASSIGNED TO LIE	66121		
Aug. 04, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER			
Aug. 04, 2009	ASSIGNED TO EXAMINER	82103		
Jun. 16, 2009	NOTICE OF PSEUDO MARK MAILED			
Jun. 15, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM			
Jun. 13, 2009	NEW APPLICATION ENTERED IN TRAM			
TM Staff and Location Information				

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 01, 2009

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Mark: SOCLEAR

## SoClear

US Serial Number: 85508481

Application Filing Date: Jan. 04, 2012

US Registration Number: 4213102

Registration Date: Sep. 25, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: No

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 25, 2012

Publication Date: Jul. 10, 2012

#### **Mark Information**

Mark Literal Elements: SOCLEAR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## **Related Properties Information**

International Registration 1175926

Number:

International A0037082/1175926

Application(s) /Registration(s) Based on

this Property:

Claimed Ownership of US 3284988

Registrations:

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* Identify additional (new) wording in the goods/services.

For: Anti-reflective coatings for ophthalmic lenses; Protective coatings for ophthalmic lenses

International Class(es): 002 - Primary Class

U.S Class(es): 006, 011, 016

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2006

Use in Commerce: Sep. 01, 2006

For: Anti-reflective lenses; Spectacle lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2006

Use in Commerce: Sep. 01, 2006

## **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No Amended 44D: No

Filed 44D: No Filed 44E: No Currently 44D: No Currently 44E: No

Amended 44E: No

Filed 66A: No Filed No Basis: No Currently 66A: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Dakota Sciences, LLC

Owner Address: 2701 S. Minnesota Ave, Suite 7 Sioux Falls, SOUTH DAKOTA 57105 UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where SOUTH DAKOTA

Organized:

## **Attorney/Correspondence Information**

#### Attorney of Record

Attorney Name: Dennis L. Hall

Attorney Primary Email dennis@dlhall.net

Address:

Attorney Email No

Authorized:

Correspondent

Correspondent Dennis L. Hall

Name/Address: Dennis L. Hall, Attorney, pilc 14555 North Scottsdale Road, Suite 160 Scottsdale, ARIZONA 85254 UNITED STATES

Phone: 480-596-4045

Fax: 480-596-7956

Phone: 480-596-4045

Correspondent e-mail: dennis@dlhall.net dennis@dlhall.net laura@dlhall.

Correspondent e-mail Yes

net rfranques@soclearlens.com

**Domestic Representative** 

Domestic Representative Dennis L. Hall Name:

Fax: 480-596-7956

Domestic Representative dennis@dlhall.net

e-mail:

Domestic Representative Yes e-mail Authorized:

## **Prosecution History**

Date	Description	Proceeding Number
Sep. 25, 2012	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 10, 2012	PUBLISHED FOR OPPOSITION	
Jun. 20, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 01, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jun. 01, 2012	ASSIGNED TO LIE	66213
May 14, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 14, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88888
May 14, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
May 14, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 11, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88888
May 10, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
May 10, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 09, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 08, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 08, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 26, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 26, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 16, 2012	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Apr. 16, 2012	PRIORITY ACTION E-MAILED	6326
Apr. 16, 2012	PRIORITY ACTION WRITTEN	86337
Apr. 16, 2012	REMOVED FROM TEAS PLUS	86337
Apr. 16, 2012	RESTORE TO TEAS PLUS	86337
Apr. 16, 2012	REMOVED FROM TEAS PLUS	86337

Apr. 09, 2012 ASSIGNED TO EXAMINER 86337

Jan. 10, 2012 NOTICE OF PSEUDO MARK MAILED

Jan. 09, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM

Jan. 07, 2012 NEW APPLICATION ENTERED IN TRAM

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 25, 2012

# EXHIBIT C

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Mark: FOCUS

US Serial Number: 74024062

Application Filing Date: Jan. 30, 1990

US Registration Number: 1665417

Registration Date: Nov. 19, 1991

Register: Principal Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 17, 2011

Publication Date: Aug. 07, 1990

Notice of Allowance Date: Oct. 30, 1990

## **Mark Information**

Mark Literal Elements: FOCUS Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

## **Related Properties Information**

Claimed Ownership of US 1435223 Registrations:

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of inconlestability; and

· Asterisks \*.. \* identify additional (new) wording in the goods/services

For: soft contact lenses

International Class(es): 009 - Primary Class

U.S Class(es): 026

Class Status: ACTIVE Basis: 1(a)

First Use: Oct. 17, 1990

Use in Commerce: Oct. 17, 1990

## **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Currently 44D: No

Filed 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: CIBA VISION CORPORATION

Owner Address: 11460 JOHNS CREEK PARKWAY

DULUTH, GEORGIA 30155 UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Ronald E. Shapiro

Docket Number: CPA9291

Attorney Primary Email rshapiro@sasiplaw.com

Attorney Email Yes Authorized:

Address:

Correspondent

Correspondent RONALD E. SHAPIRO
Name/Address: SHAPIRO AND SILVERSTEIN PLLC

11350 RANDOM HILLS ROAD SUITE 740 FAIRFAX, VIRGINIA 22030 UNITED STATES

Phone: 703-273-7680

Fax: 703-273-7684

Correspondent e-mail: rshapiro@sasiplaw.com

Correspondent e-mail Yes

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Nov. 17, 2011	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	64591
Nov. 17, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Nov. 15, 2011	TEAS SECTION 8 & 9 RECEIVED	
Dec. 03, 2007	CASE FILE IN TICRS	
Jan. 02, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 25, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 25, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 13, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 27, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jun. 23, 1998	RESPONSE RECEIVED TO POST REG. ACTION	
Dec. 19, 1997	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	
Nov. 19, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 19, 1991	REGISTERED-PRINCIPAL REGISTER	
Sep. 09, 1991	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 05, 1991	EXAMINERS AMENDMENT -WRITTEN	
Aug. 28, 1991	ASSIGNED TO EXAMINER	60004
Aug. 02, 1991	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 19, 1991	USE AMENDMENT FILED	
Oct. 30, 1990	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 07, 1990	PUBLISHED FOR OPPOSITION	
Jul. 11, 1990	NOTICE OF PUBLICATION	
Jul. 10, 1990	NOTICE OF PUBLICATION	
Jul. 07, 1990	NOTICE OF PUBLICATION	
May 07, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	

## **Maintenance Filings or Post Registration Information**

Affidavit of Continued Section 8 - Accepted

Use:

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Nov. 19, 2011

## TM Staff and Location Information

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 17, 2011

## **Assignment Abstract Of Title Information**

Summary

Total Assignments: 2

Registrant: CIBA-GEIGY CORPORATION

Assignment 1 of 2

Conveyance: MERGER & CHANGE OF NAME

Reel/Frame: 1742/0951

Date Recorded: Jun. 10, 1998

Supporting Documents: assignment-tm-1742-0951.pdf

Assignor

Name: SANDOZ CORPORATION (MERGED INTO)

Execution Date: Dec. 26, 1996

Pages: 3

Legal Entity Type: CORPORATION

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Name: CIBA-GEIGY CORPORATION (CHANGED

Execution Date: Dec. 26, 1996

NAME TO)

State or Country Where DELAWARE

Organized:

Assignee

Name: NOVARTIS CORPORATION

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Address: 564 MORRIS AVENUE

SUMMIT, NEW JERSEY 07901

Correspondent

Correspondent Name: NIMS, HOWES, COLLISON, HANSEN & LACKERT

Correspondent Address: KEITH E. SHARKIN

605 THIRD AVENUE, SUITE 3500 NEW YORK, NY 10158

**Domestic Representative - Not Found** 

Assignment 2 of 2

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE AS OF JANUARY 1, 1997

Reel/Frame: 1743/0138

Pages: 3

Date Recorded: Jun. 10, 1998

Supporting Documents: assignment-tm-1743-0138.pdf

Assignor

Name: NOVARTIS CORPORATION

Execution Date: Jun. 04, 1998

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Assignee

Name: CIBA VISION CORPORATION

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Address: 11460 JOHNS CREEK PARKWAY

DULUTH, GEORGIA 30155

Correspondent

Correspondent Name: NIMS, HOWES, COLLISON, HANSEN & LACKERT

Correspondent Address: KEITH E. SHARKIN 605 THIRD AVENUE, SUITE 3500 NEW YORK, NY 10158

Domestic Representative - Not Found

**Proceedings** 

Summary

Number of Proceedings: 7

Type of Proceeding: Opposition

Proceeding Number: 91200872

Status: Terminated

Filing Date: Jul 25, 2011

Status Date: Aug 22, 2012

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Zoom Focus Eyewear, LLC

Correspondent Address: LORI S KOZAK
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR

LOS ANGELES CA, 90025

UNITED STATES

Correspondent e-mail: lori\_kozak@bstz.com , kyle\_samia@bstz.com , tm\_fillings@bstz.com

Associated marks

**Application Status** Serial Number Mark 85086512 SUPERFOCUS Registered

Registration Number

4246437

Plaintiff(s)

Name: Ciba Vision Corporation

Correspondent Address: JOHN P MARGIOTTA FROSS ZELNICK LEHRMAN ZISSU PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES

Correspondent e-mail: jmargiotta@fzlz.com, agreenberg@fzlz.com

Associated marks

Registration Number **Application Status** Serial Number Mark Renewed 74024062 1665417 **FOCUS Prosecution History** Entry **Due Date History Text** Date

Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 25, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 26, 2011	Sep 04, 2011
3	PENDING, INSTITUTED	Jul 26, 2011	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Aug 22, 2011	
5	D'S CHANGE OF CORRESPONDENCE ADDRESS	Aug 22, 2011	
6	STIPULATION FOR AN EXTENSION OF TIME	Sep 02, 2011	
7	EXTENSION OF TIME GRANTED	Sep 02, 2011	
8	STIPULATION FOR AN EXTENSION OF TIME	Oct 04, 2011	
9	EXTENSION OF TIME GRANTED	Oct 04, 2011	
10	STIPULATION FOR AN EXTENSION OF TIME	Nov 03, 2011	
11	EXTENSION OF TIME GRANTED	Nov 03, 2011	
12	STIPULATION FOR AN EXTENSION OF TIME	Dec 27, 2011	
13	EXTENSION OF TIME GRANTED	Dec 27, 2011	
14	STIPULATION FOR AN EXTENSION OF TIME	Mar 01, 2012	
15	EXTENSION OF TIME GRANTED	Mar 01, 2012	
16	STIPULATION FOR AN EXTENSION OF TIME	May 01, 2012	
17	EXTENSION OF TIME GRANTED	May 01, 2012	
18	STIPULATION FOR AN EXTENSION OF TIME	Jun 21, 2012	
19	EXTENSION OF TIME GRANTED	Jun 21, 2012	
20	WITHDRAWAL OF OPPOSITION	Aug 17, 2012	
21	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 22, 2012	
22	TERMINATED	Aug 22, 2012	

Type of Proceeding: Opposition

Proceeding Number: 91199259

Filing Date: Apr 04, 2011

Status: Terminated

Status Date: Aug 22, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Kenneth C. Finochiaro

Correspondent Address: RICHARD O BARTZ

BARTZ BARTZ PA

6950 FRANCE AVENUE SOUTH, SUITE 119

EDINA MN , 55435 2024

UNITED STATES

Correspondent e-mail: bartzpa@bartzlaw.com

Associated marks

Mark

Registration Number

MYFOCUS

Registered

**Application Status** 

85030089

Serial Number

4547820

Plaintiff(s)

Name: Ciba Vision Corporation

Correspondent Address: JOHN P MARGIOTTA

JOHN P MARGIOTTA FROSS ZELNICK LEHRMAN ZISSU PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES

Correspondent e-mail: jm@fzlz.com

Associated marks

**Application Status** 

Serial Number

Registration Number

Mark FOCUS

Renewed

74024062

1665417

	Prosec	cution History	
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 04, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 04, 2011	May 14, 2011
3	PENDING, INSTITUTED	Apr 04, 2011	
4	ANSWER	May 12, 2011	
5	TRIAL DATES REMAIN AS PREVIOUSLY SET	May 16, 2011	
6	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 09, 2011	
7	SUSPENDED	Nov 09, 2011	
8	STIPULATION FOR AN EXTENSION OF TIME	Jun 07, 2012	
9	EXTENSION OF TIME GRANTED	Jun 07, 2012	
10	STIPULATION FOR AN EXTENSION OF TIME	Aug 22, 2012	
11	EXTENSION OF TIME GRANTED	Aug 22, 2012	
12	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 03, 2012	
13	SUSPENDED	Dec 03, 2012	
14	STIPULATION FOR AN EXTENSION OF TIME	Feb 04, 2013	
15	EXTENSION OF TIME GRANTED	Feb 04, 2013	
16	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 04, 2013	
17	SUSPENDED	Feb 04, 2013	
18	W/DRAW OF OPPOSITION	Jul 12, 2013	
19	BD DECISION: DISMISSED W/ PREJ	Aug 22, 2013	
20	TERMINATED	Aug 22, 2013	

Type of Proceeding: Opposition

Proceeding Number: 91188232

Filing Date: Dec 31, 2008

Status: Terminated

Status Date: Nov 29, 2009

Interlocutory Attorney: FRANCES S WOLFSON

Defendant

Name: DERBY CYCLE WERKE GMBH

Correspondent Address: STEWART J BELLUS & AIMEE KAPLAN

COLLARD AND ROE 1077 NORTHERN BLVD ROSLYN NY , 11576-1614 UNITED STATES

Correspondent e-mail: akaplan@collardroe.com

Associated marks

Registration Number **Application Status** Serial Number Mark 4105806 Registered 77442616 **FOCUS** Plaintiff(s) Name: Ciba Vision Corporation Correspondent Address: John P. Margiotta Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York NY, 10017 UNITED STATES Correspondent e-mail: jm@fzlz.com Associated marks Registration **Application Status** Serial Number Mark Number FOCUS Renewed 74024062 1665417 **Prosecution History** Entry **Due Date** Date **History Text** Number FILED AND FEE Dec 31, 2008 1 NOTICE AND TRIAL DATES SENT; ANSWER DUE: Jan 01, 2009 Feb 10, 2009 2 PENDING, INSTITUTED 3 Jan 01, 2009 ANSWER Jan 30, 2009 STIP TO SUSPEND PEND SETTLEMENT NEGOTNS 5 Mar 25, 2009 SUSPENDED Mar 25, 2009 6 7 AMENDMENT TO APPLICATION Oct 05, 2009 STIPULATION FOR AN EXTENSION OF TIME Oct 05, 2009 8 EXTENSION OF TIME GRANTED Oct 05, 2009 q AMENDMENT APPROVED; OPPOSER'S ALLOWED 30 DAYS TO WITHDRAW Oct 30, 2009 10 WITHDRAWAL OF OPPOSITION Nov 24, 2009 11 BD'S DECISION: DISMISSED W/O PREJUDICE Nov 29, 2009 12 13 TERMINATED Nov 29, 2009 Type of Proceeding: Opposition Filing Date: Oct 26, 2004 Proceeding Number: 91162872 Status Date: May 16, 2007 Status: Terminated Interlocutory Attorney: MARY CATHERINE FAINT Defendant Name: Chasnov, Craig Correspondent Address: Cheryl Meide Meide Law Firm, P.A. 7545 Centurion Parkway Suite 201 Jacksonville FL , 32256 UNITED STATES Correspondent e-mail: cmeide@meidelaw.com Associated marks Serial Registration Mark **Application Status** Number Number Abandoned - After Inter-Partes Decision 78307538 PERFECT FOCUS Plaintiff(s) Name: Novartis AG Correspondent Address: PETER S. SLOANE OSTROLENK, FABER, GERB & SOFFEN, LLP 1180 AVENUE OF THE AMERICAS New York NY, 10036-8403 UNITED STATES  $\textbf{Correspondent e-mail:} \quad \underline{kbargmann@ostrolenk.com} \,, \, \underline{psloane@ostrolenk.com} \,$ Associated marks

Registration

Number 1665417

Serial Number

74024062

**Application Status** 

Renewed

Mark

**FOCUS** 

#### **Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 26, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 12, 2004	Dec 22, 2004
3	PENDING, INSTITUTED	Nov 12, 2004	
4	ANSWER	Dec 21, 2004	
5	STIPULATED PROTECTIVE ORDER	Jun 01, 2005	
6	P'S MOTION TO COMPEL DISCOVERY	Jun 01, 2005	
7	D'S OPPOSITION/RESPONSE TO MOTION	Jun 20, 2005	
8	P'S REPLY IN SUPPORT OF MOTION	Jul 11, 2005	
9	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Aug 17, 2005	
10	TRIAL DATES RESET	Apr 20, 2006	
11	STIPULATION FOR AN EXTENSION OF TIME	Jun 30, 2006	
12	EXTENSION OF TIME GRANTED	Jun 30, 2006	
13	PAPER RECEIVED AT TTAB	Sep 07, 2006	
14	EXTENSION OF TIME GRANTED	Sep 12, 2006	
15	PL'S MOTION FOR SANCTIONS	Oct 17, 2006	
16	SUSPENDED	Oct 25, 2006	
17	CHANGE OF CORRESPONDENCE ADDRESS	Apr 02, 2007	
18	BOARD'S DECISION: SUSTAINED	May 16, 2007	
19	TERMINATED	May 16, 2007	
	Type of Proceedi	ng: Extension of Time	

Proceeding Number: 78307538

Status: Terminated

Filing Date: Jul 22, 2004

Status Date: Nov 28, 2004

Interlocutory Attorney:

Name: Chasnov, Craig

Correspondent Address: Craig Chasnov 26831 S. Bay Dr. Suite 108

Bonita Springs FL , 34134 UNITED STATES

Associated marks

Mark

**Application Status** 

Defendant

Serial Number Registration Number

PERFECT FOCUS

Abandoned - After Inter-Partes Decision

78307538

Potential Opposer(s)

Name: Novartis AG

Correspondent Address: David Donahue Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York NY, 10017 UNITED STATES

Correspondent e-mail: ddonahue@fzlz.com

Associated marks

Mark

**Application Status** 

Serial Number

Registration Number

**FOCUS** 

Renewed

**Prosecution History** 

74024062

1665417

**History Text Entry Number** 

Date

**Due Date** 

INCOMING - EXT TIME TO OPPOSE FILED

Jul 22, 2004

EXTENSION OF TIME GRANTED

Jul 22, 2004

Type of Proceeding: Opposition

Proceeding Number: 91125687

Filing Date: Mar 07, 2002

Status: Terminated

Status Date: Dec 05, 2005

Interlocutory Attorney: CHERYL A BUTLER

#### Defendant

Name: OPTICAL DYNAMICS CORPORATION

Correspondent Address: JACK A. WHEAT

STITES & HARBISON PLLC 400 WEST MARKET, SUITE 1800 LOUISVILLE KY, 40202

UNITED STATES

Associated marks

**Application Status** Mark

Serial Number Registration Number

CONTINUAL FOCUS

Abandoned - No Statement Of Use Filed

76226434

Plaintiff(s)

Name: NOVARTIS AG

Christopher J. Kellner Correspondent Address:

KILPATRICK STOCKTON LLP 1100 Peachtree Street, NE; Suite 2800

Atlanta GA , 30309 UNITED STATES

Associated marks

Registration Serial Number **Application Status** Mark Number 1665417 Renewed 74024062 **FOCUS** 

**Prosecution History** Entry **Due Date** Date **History Text** Number Mar 07, 2002 FILED AND FEE Sep 29, 2002 NOTICE AND TRIAL DATES SENT; ANSWER DUE: Aug 20, 2002 2 PENDING, INSTITUTED Aug 20, 2002 3 **ANSWER** Oct 03, 2002 4 P'S MOT FOR EXTEN. OF TIME W/ CONSENT Mar 07, 2003 5 PL'S MOTION FOR EXT APPROVED Apr 08, 2003 6 D'S MOT FOR EXTEN. OF TIME W/ CONSENT Apr 14, 2003 7 DEF'S MOTION FOR EXT APPROVED May 15, 2003 8 Aug 14, 2003 P'S MOT FOR EXTEN. OF TIME W/ CONSENT 9 Sep 29, 2003 SUSPENDED 10 PROCS RESUMED; TD RESET Jul 06, 2004 11 P'S MOT FOR EXTEN. OF TIME W/ CONSENT Nov 03, 2004 12 PL'S MOTION FOR EXT APPROVED Nov 24, 2004 13 P'S MOTION FOR AN EXTENSION OF TIME Dec 06, 2004 14 Feb 01, 2005 SUSPENDED 15 P'S MOT FOR EXTEN. OF TIME W/ CONSENT Feb 01, 2005 16 Feb 24, 2005 PROCS RESUMED; TD RESET 17 P'S MOT FOR EXTEN. OF TIME W/ CONSENT Aug 22, 2005 18 EXTENSION OF TIME GRANTED Aug 23, 2005 19 DF'S CONSENTED MOT TO AMEND Oct 11, 2005 20 AMDT APPROVED AND ENTERED; PL ALLOWED 30 DAYS TO Oct 25, 2005 FILE W/DRAWAL OF OPP 21 Nov 09, 2005 WITHDRAWAL OF OPPOSITION 22 BD'S DECISION: DISMISSED W/O PREJUDICE Dec 05, 2005 23

Proceeding Number: 91111871

24

Type of Proceeding: Opposition Filing Date: Sep 22, 1998 Status Date: Nov 03, 1999 Status: Terminated

Dec 05, 2005

Interlocutory Attorney: ALBERT J ZERVAS

TERMINATED

Defendant

Name: LING-JU LIN

Correspondent Address: CHARLES C.H. WU

CHARLES C.H. WU & ASSOCIATES, APC 2030 MAIN STREET SUITE 1050 IRVINE CA , 92614-7254 UNITED STATES

#### **Associated marks**

Mark

**Application Status** 

Serial Number

Registration Number

Registration Number

<u>1665417</u>

FOCUS OPTICAL

Abandoned - After Inter-Partes Decision

75345170

Serial Number

74024062

Plaintiff(s)

Name: CIBA VISION CORPORATION

Correspondent Address: KEITH E. SHARKIN
NIMS, HOWES, COLLISON,
HANSEN & LACKERT 605 THIRD AVENUE - SUITE 3500
NEW YORK NY, 10158
UNITED STATES

#### Associated marks

Mark	Application Status
FOCUS	Renewed
	Prosecution History

Prosecution History		
History Text	Date	Due Date
FILED AND FEE	Sep 22, 1998	
NOTICE SENT; ANSWER DUE (DUE DATE)	Oct 08, 1998	Nov 17, 1998
PENDING, INSTITUTED	Oct 08, 1998	
ANSWER	Nov 16, 1998	
TRIAL DATES SET	Dec 09, 1998	
P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Sep 23, 1999	
ABANDONMENT OF APPLICATION 75/345,170	Oct 05, 1999	
BOARD'S DECISION: SUSTAINED	Nov 03, 1999	
BOARD'S DECISION: SUSTAINED	Nov 03, 1999	
BOARD'S DECISION: SUSTAINED	Nov 03, 1999	
TERMINATED	Nov 03, 1999	
	History Text  FILED AND FEE  NOTICE SENT; ANSWER DUE (DUE DATE)  PENDING, INSTITUTED  ANSWER  TRIAL DATES SET  P'S MOT FOR EXTEN. OF TIME W/ CONSENT  ABANDONMENT OF APPLICATION 75/345,170  BOARD'S DECISION: SUSTAINED  BOARD'S DECISION: SUSTAINED	FILED AND FEE  NOTICE SENT; ANSWER DUE (DUE DATE)  PENDING, INSTITUTED  Oct 08, 1998  ANSWER  Nov 16, 1998  TRIAL DATES SET  Dec 09, 1998  P'S MOT FOR EXTEN. OF TIME W/ CONSENT  ABANDONMENT OF APPLICATION 75/345,170  BOARD'S DECISION: SUSTAINED  BOARD'S DECISION: SUSTAINED  Nov 03, 1999  BOARD'S DECISION: SUSTAINED  Nov 03, 1999

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Mark: FOCUSERS



US Serial Number: 75441209

Application Filing Date: Feb. 26, 1998

US Registration Number: 2325259

Registration Date: Mar. 07, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 15, 2009 Publication Date: Dec. 14, 1999

### **Mark Information**

Mark Literal Elements: FOCUSERS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S) Description of Mark: The mark consists of in part of a representation of the historical figure, "Benjamin Franklin".

Statement:

Lining and Stippling The stippling shown in the drawing is a feature of the mark and not intended to indicate color.

Design Search Code(s): 02.01.01 - Portraiture of men facing forward; Men - heads, portraiture, or busts facing forward; Heads of men facing forward; Busts of

men facing forward

02.01.05 - Presidents (American); Men, famous; Historical men (American)

02.01.31 - Men, stylized, including men depicted in caricature form

16.03.07 - Sunglasses; Spectacles; Safety goggles; Goggles; Glasses, safety; Frames, eyeglass; Eyeglasses; Glasses, eye

26.09.01 - Squares as carriers or squares as single or multiple line borders

26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words

or letters

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Eyeglasses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Aug. 1997

Use in Commerce: Aug. 1997

### **Basis Information (Case Level)**

Filed Use: Yes Filed ITU: No

Currently Use: Yes

Amended Use: No

Filed 44D: No Filed 44E: No

Currently ITU: No Currently 44D: No Currently 44E: No

Amended ITU: No Amended 44D: No

Filed 66A: No Filed No Basis: No

Currently 66A: No Currently No Basis: No Amended 44E: No

# **Current Owner(s) Information**

Owner Name: FOCUSERS INC. Owner Address: 2700 Aramark Tower

1101 Market Street

Philadelphia, PENNSYLVANIA 19107

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where PENNSYLVANIA Organized:

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: LARRY M KELLER

Attorney Primary Email Imk@sidkoffpincusgreen.com

Address:

Attorney Email Yes

Authorized:

Correspondent

Correspondent LARRY M KELLER
Name/Address: SIDKOFF PINCUS & GREEN PC
2700 ARAMARK TWR

1101 MARKET ST PHILADELPHIA, PENNSYLVANIA 19107

**UNITED STATES** 

Fax: 215-574-0310

Phone: 215-574-0600 Correspondent e-mail: Imk@sidkoffpincusgreen.com

Correspondent e-mail Yes

Authorized:

**Domestic Representative - Not Found** 

### **Prosecution History**

Date	Description	Proceeding Number
Apr. 15, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Apr. 15, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 13, 2009	ASSIGNED TO PARALEGAL	69471
Apr. 10, 2009	TEAS SECTION 8 & 9 RECEIVED	
May 16, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED	
Apr. 13, 2005	REGISTERED - SEC. 8 (6-YR) FILED	
Apr. 13, 2005	TEAS SECTION 8 RECEIVED	
Mar. 07, 2000	REGISTERED-PRINCIPAL REGISTER	
Dec. 14, 1999	PUBLISHED FOR OPPOSITION	
Nov. 12, 1999	NOTICE OF PUBLICATION	
Sep. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 19, 1999	EXAMINER'S AMENDMENT MAILED	
Aug. 18, 1999	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 18, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 04, 1999	FINAL REFUSAL MAILED	
Nov. 10, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 02, 1998	NON-FINAL ACTION MAILED	
Oct. 07, 1998	ASSIGNED TO EXAMINER	75601
May 26, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	·^
	TOTAL AND	

## **Maintenance Filings or Post Registration Information**

Affidavit of Continued Section 8 - Accepted Use:

Renewal Date: Mar. 07, 2010

## TM Staff and Location Information

TM Staff Information - None **File Location** 

Current Location: POST REGISTRATION

Date in Location: Apr. 15, 2009

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Mark: FREEFOCUS

### **FREEFOCUS**

US Serial Number: 85788294

Application Filing Date: Nov. 27, 2012

US Registration Number: 4522844

Registration Date: Apr. 29, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 29, 2014

Publication Date: Apr. 30, 2013

Notice of Allowance Date: Jun. 25, 2013

### **Mark Information**

Mark Literal Elements: FREEFOCUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis (i...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*..\* identify additional (new) wording in the goods/services.

For: optical products, namely, eyeglass lenses, progressive no-line bifocal spectacle lenses, contact lenses, eyeglass frames and

sunglasses, eyeglass cases, magnifying lenses that fit on the user's face in the manner of eyeglasses for correcting low vision, and

anti-reflective and mirror coatings sold as an integral component of spectacle lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Sep. 01, 2013

Use in Commerce: Sep. 01, 2013

### **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### **Current Owner(s) Information**

Owner Name: Luzerne Optical Laboratories, Ltd.

Owner Address: 180 N. Wilkes-Barre Boulevard

Wilkes-Barre, PENNSYLVANIA 187025341

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where PENNSYLVANIA

Organized:

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: Sanford J. Piltch

Docket Number: 1093.8

Attorney Primary Email spiltch@pennsylawyers.com

Attorney Email Yes Authorized:

Address:

Correspondent

Correspondent SANFORD J. PILTCH

Name/Address: 1132 HAMILTON ST ALLENTOWN, PENNSYLVANIA 18101-1024 UNITED STATES

Correspondent e-mail: spiltch@pennsylawyers.com lbobenko@pennsylawyers.com uyers.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number		
Apr. 29, 2014	REGISTERED-PRINCIPAL REGISTER			
Mar. 28, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED			
Mar. 27, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	77976		
Mar. 16, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED			
Feb. 24, 2014	STATEMENT OF USE PROCESSING COMPLETE	66530		
Dec. 24, 2013	USE AMENDMENT FILED	66530		
Feb. 09, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66530		
Dec. 27, 2013	PAPER RECEIVED			
Jun. 25, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT			
Apr. 30, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED			
Apr. 30, 2013	PUBLISHED FOR OPPOSITION			
Apr. 10, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED			
Mar. 26, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976		
Mar. 20, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER			
Mar. 07, 2013	EXAMINER'S AMENDMENT ENTERED	77976		
Mar. 07, 2013	ASSIGNED TO LIE	77976		
Mar. 07, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328		
Mar. 07, 2013	EXAMINERS AMENDMENT E-MAILED	6328		
Mar. 07, 2013	EXAMINERS AMENDMENT -WRITTEN	67507		
Mar. 01, 2013	ASSIGNED TO EXAMINER	67507		
Dec. 06, 2012	NOTICE OF PSEUDO MARK MAILED			
Dec. 05, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM			
Nov. 30, 2012	NEW APPLICATION ENTERED IN TRAM			
	TM Staff and Location Information			

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 27, 2014

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Mark: INFOCUSHD

#### **INFOCUSHD**

US Serial Number: 86171267

Application Filing Date: Jan. 21, 2014

US Registration Number: 4588562

Registration Date: Aug. 19, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Aug. 19, 2014 Publication Date: Jun. 03, 2014

### **Mark Information**

Mark Literal Elements: INFOCUSHD

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Eyeglass lenses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE Basis: 1(a)

First Use: Nov. 2013

Use in Commerce: Nov. 2013

### **Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No Filed No Basis: No Currently 66A: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Visionworks of America, Inc.

Owner Address: 175 East Houston Street

San Antonio, TEXAS 78205

UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where TEXAS

# Attorney/Correspondence Information

Attorney of Record

Attorney Name: Pamela B. Huff

Docket Number: 6170.844

Attorney Primary Email ipdocket@coxsmith.com
Address:

Attorney Email Yes

Authorized: Correspondent

Correspondent Pamela B. Huff

Name/Address: Cox Smith Matthews Incorporated

112 E PECAN ST STE 1800 San Antonio, TEXAS 78205 UNITED STATES

Correspondent e-mail: ipdocket@coxsmith.com

Correspondent e-mail Yes Authorized:

Domestic Representative - Not Found

### **Prosecution History**

Date	Description	Proceeding Number
Jan. 05, 2015	CERTIFICATE OF CORRECTION ISSUED	76293
Dec. 31, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Dec. 30, 2014	TEAS SECTION 7 REQUEST RECEIVED	
Dec. 30, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 19, 2014	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 03, 2014	PUBLISHED FOR OPPOSITION	
May 14, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 25, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 24, 2014	ASSIGNED TO EXAMINER	76833
Feb. 01, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Jan. 31, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 24, 2014	NEW APPLICATION ENTERED IN TRAM	
	Maintenance Filings or Post Registration Information	

Change in Registration: Yes

Correction made to In the statement, line 1, "Delaware" should be deleted, and "Texas" should be inserted. Registration:

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 05, 2015

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Mark: MYFOCUS

### **MYFOCUS**

US Serial Number: 85030089

Application Filing Date: May 04, 2010

US Registration Number: 4547820

Registration Date: Jun. 10, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 10, 2014

Publication Date: Oct. 05, 2010

Notice of Allowance Date: Oct. 01, 2013

#### **Mark Information**

Mark Literal Elements: MYFOCUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

Brackets [..] indicate deleted goods/services;

Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 Asterisks \*...\* identify additional (new) wording in the goods/services.

For: Reading eyeglasses

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 15, 2010

Use in Commerce: Jun. 15, 2010

### **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Amended 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No Filed No Basis: No Currently 66A: No

Currently No Basis: No

### **Current Owner(s) Information**

Owner Name: Kenneth C. Finochiaro

Owner Address: 15601 Foliage Ave. Ste. 230

Apple Valley, MINNESOTA 55124

UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

## **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Richard O. Bartz

Attorney Primary Email bartzpa@bartzlaw.com

Attorney Email Yes

Authorized:

Correspondent

Correspondent RICHARD O BARTZ

Address:

Name/Address: BARTZ BARTZ PA 6950 FRANCE AVENUE SOUTH

SUITE 119 EDINA, MINNESOTA 55435 2024 UNITED STATES

Phone: 952-920-3959

Correspondent e-mail: bartzpa@bartzlaw.com

Fax: 952-920-6494

Correspondent e-mail Yes Authorized:

**Domestic Representative - Not Found** 

## **Prosecution History**

Date	Description	Proceeding Number
Jun. 10, 2014	REGISTERED-PRINCIPAL REGISTER	
May 03, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 02, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Apr. 26, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 24, 2014	STATEMENT OF USE PROCESSING COMPLETE	65362
Apr. 01, 2014	USE AMENDMENT FILED	65362
Apr. 22, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Apr. 01, 2014	TEAS STATEMENT OF USE RECEIVED	
Oct. 01, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 22, 2013	TTAB RELEASE CASE TO TRADEMARKS	199259
Aug. 22, 2013	OPPOSITION TERMINATED NO. 999999	199259
Aug. 22, 2013	OPPOSITION DISMISSED NO. 999999	199259
Apr. 04, 2011	OPPOSITION INSTITUTED NO. 999999	199259
Nov. 03, 2010	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 05, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 05, 2010	PUBLISHED FOR OPPOSITION	
Aug. 30, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Aug. 30, 2010	ASSIGNED TO LIE	68552
Aug. 14, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 14, 2010	ASSIGNED TO EXAMINER	80801
May 11, 2010	NOTICE OF PSEUDO MARK MAILED	
May 10, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2010	NEW APPLICATION ENTERED IN TRAM	
	TM Staff and Location Information	

#### TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 02, 2014

### **Proceedings**

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: 91199259

Filing Date: Apr 04, 2011

Status: Terminated

Status Date: Aug 22, 2013

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Kenneth C. Finochiaro

Correspondent Address: RICHARD O BARTZ

BARTZ BARTZ PA 6950 FRANCE AVENUE SOUTH, SUITE 119 EDINA MN , 55435 2024 UNITED STATES

Correspondent e-mail: bartzpa@bartzlaw.com

Associated marks

**Application Status** 

Serial Number

Registration Number

MYFOCUS

Registered

85030089

4547820

Plaintiff(s)

Name: Ciba Vision Corporation

Correspondent Address: JOHN P MARGIOTTA

FROSS ZELNICK LEHRMAN ZISSU PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES

Correspondent e-mail: im@fzlz.com

Associated marks

**Application Status** 

Serial Number

Registration Number

Mark

Renewed

74024062

1665417

FOCUS

**Prosecution History** 

Prose	cution history	
History Text	Date	Due Date
FILED AND FEE	Apr 04, 2011	
NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 04, 2011	May 14, 2011
PENDING, INSTITUTED	Apr 04, 2011	
ANSWER	May 12, 2011	
TRIAL DATES REMAIN AS PREVIOUSLY SET	May 16, 2011	
STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 09, 2011	
SUSPENDED	Nov 09, 2011	
STIPULATION FOR AN EXTENSION OF TIME	Jun 07, 2012	
EXTENSION OF TIME GRANTED	Jun 07, 2012	
STIPULATION FOR AN EXTENSION OF TIME	Aug 22, 2012	
EXTENSION OF TIME GRANTED	Aug 22, 2012	
STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 03, 2012	
SUSPENDED	Dec 03, 2012	
STIPULATION FOR AN EXTENSION OF TIME	Feb 04, 2013	
EXTENSION OF TIME GRANTED	Feb 04, 2013	
STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 04, 2013	
SUSPENDED	Feb 04, 2013	
W/DRAW OF OPPOSITION	Jul 12, 2013	
BD DECISION: DISMISSED W/ PREJ	Aug 22, 2013	
TERMINATED	Aug 22, 2013	
	FILED AND FEE  NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED  ANSWER  TRIAL DATES REMAIN AS PREVIOUSLY SET STIP TO SUSPEND PEND SETTLEMENT NEGOTNS SUSPENDED  STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED STIP TO SUSPEND PEND SETTLEMENT NEGOTNS SUSPENDED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED STIPULATION FOR AN EXTENSION OF TIME EXTENSION OF TIME GRANTED STIP TO SUSPEND PEND SETTLEMENT NEGOTNS SUSPENDED W/DRAW OF OPPOSITION BD DECISION: DISMISSED W/ PREJ	FILED AND FEE  NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED  APR 04, 2011  TRIAL DATES REMAIN AS PREVIOUSLY SET  May 16, 2011  STIP TO SUSPEND PEND SETTLEMENT NEGOTNS  NOV 09, 2011  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  SUSPENDED  Dec 03, 2012  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  SUSPENDED  Dec 03, 2012  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  STIPULATION FOR AN EXTENSION OF TIME  EXTENSION OF TIME GRANTED  Feb 04, 2013  SUSPENDED  Feb 04, 2013  SUSPENDED  Feb 04, 2013  SUSPENDED  Feb 04, 2013  AUG 22, 2013  BD DECISION: DISMISSED W/ PREJ  AUG 22, 2013

Type of Proceeding: Extension of Time

Proceeding Number: 85030089

Filing Date: Nov 03, 2010

Status: Terminated

Status Date: Apr 04, 2011

Interlocutory Attorney:

Defendant

Name: Kenneth C. Finochiaro

Correspondent Address: RICHARD O. BARTZ

BARTZ & BARTZ, P.A. 6950 FRANCE AVE S STE 119 EDINA MN , 55435-2024 UNITED STATES

Associated marks

Mark

**Application Status** 

Serial Number

Registration Number

**MYFOCUS** 

Registered

85030089

4547820

Potential Opposer(s)

Name: Ciba Vision Corporation

Correspondent Address: John P. Margiotta
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
New York NY, 10028
UNITED STATES

Correspondent e-mail: jm@fzlz.com

Associated marks

•	Acceptation Harris				
	Mark		Application Status	Serial Number	Registration Number
		Prosecution	n History		
	Entry Number	History Text	Date		Due Date
1		INCOMING - EXT TIME TO OPPOSE FILED	Nov 03, 2010		
2		EXTENSION OF TIME GRANTED	Nov 03, 2010		
3		INCOMING - EXT TIME TO OPPOSE FILED	Feb 02, 2011		
4		EXTENSION OF TIME GRANTED	Feb 02, 2011		

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Mark: SUPERFOCUS

#### **SUPERFOCUS**

US Serial Number: 85086512

Application Filing Date: Jul. 16, 2010

US Registration Number: 4246437

Registration Date: Nov. 20, 2012

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 20, 2012

Publication Date: Jan. 25, 2011

Notice of Allowance Date: Oct. 02, 2012

### **Mark Information**

Mark Literal Elements: SUPERFOCUS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

#### **Goods and Services**

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

· Brackets [..] indicate deleted goods/services;

• Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and

Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Eyewear cases; Eyewear, namely, sunglasses, eyeglasses and ophthalmic frames and cases therefor

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 2010

Use in Commerce: Oct. 2010

#### **Basis Information (Case Level)**

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Amended 44E: No

Filed No Basis: No

Currently No Basis: No

## **Current Owner(s) Information**

Owner Name: Zoom Focus Eyewear, LLC

Owner Address: 11 Cherbourg Newport Beach, CALIFORNIA 92660 UNITED STATES

State or Country Where CALIFORNIA

Legal Entity Type: LIMITED LIABILITY COMPANY

Organized:

### **Attorney/Correspondence Information**

Attorney of Record

Attorney Name: Lori S. Kozak

Docket Number: 009261.T001U

Attorney Primary Email bstz\_mail@bstz.com

Attorney Email No Authorized:

Address:

Correspondent

Correspondent LORIS KOZAK

Name/Address: BLAKELY SOKOLOFF TAYLOR & ZAFMAN

12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CALIFORNIA 90025 UNITED STATES

Phone: 310.207.3800

Correspondent e-mail: bstz\_mail@bstz.com

Fax: 310.820.5988

Correspondent e-mail No Authorized:

Domestic Representative - Not Found

## **Prosecution History**

Date	Description	Proceeding Number
Nov. 20, 2012	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Oct. 15, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70468
Oct. 11, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 04, 2012	STATEMENT OF USE PROCESSING COMPLETE	76874
Oct. 02, 2012	USE AMENDMENT FILED	76874
Oct. 03, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Oct. 02, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 02, 2012	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 22, 2012	TTAB RELEASE CASE TO TRADEMARKS	200872
Aug. 22, 2012	OPPOSITION TERMINATED NO. 999999	200872
Aug. 22, 2012	OPPOSITION DISMISSED NO. 999999	200872
Aug. 22, 2011	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 22, 2011	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jul. 26, 2011	OPPOSITION INSTITUTED NO. 999999	200872
Feb. 18, 2011	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 25, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 25, 2011	PUBLISHED FOR OPPOSITION	
Dec. 17, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
Dec. 17, 2010	ASSIGNED TO LIE	70468
Nov. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 08, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Nov. 08, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Nov. 08, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Nov. 04, 2010	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Nov. 04, 2010	LETTER OF SUSPENSION E-MAILED	6332
Nov. 04, 2010	SUSPENSION LETTER WRITTEN	68356
Oct. 30, 2010	ASSIGNED TO EXAMINER	68356
Jul. 22, 2010	NOTICE OF PSEUDO MARK MAILED	
Jul. 21, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 20, 2010	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Oct. 15, 2012

## **Proceedings**

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: 91200872

Filing Date: Jul 25, 2011

Status: Terminated

Status Date: Aug 22, 2012

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Zoom Focus Eyewear, LLC

Correspondent Address: LORI S KOZAK
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES CA , 90025
UNITED STATES

Correspondent e-mail: lori\_kozak@bstz.com , kyle\_samia@bstz.com , tm\_filings@bstz.com

**Associated marks** 

Mark

**Application Status** 

Serial Number

Registration Number

SUPERFOCUS

Registered

85086512

4246437

Plaintiff(s)

Name: Ciba Vision Corporation

History Text

Correspondent Address: JOHN P MARGIOTTA

FROSS ZELNICK LEHRMAN ZISSU PC 866 UNITED NATIONS PLAZA NEW YORK NY , 10017 UNITED STATES

Correspondent e-mail: imargiotta@fzlz.com, agreenberg@fzlz.com

Associated marks

Mark

Entry

**Application Status** 

Serial Number

Registration Number

Renewed

FOCUS

74024062

1665417

**Prosecution History** 

Due Date

	D-4-

Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 25, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 26, 2011	Sep 04, 2011
3	PENDING, INSTITUTED	Jul 26, 2011	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Aug 22, 2011	
5	D'S CHANGE OF CORRESPONDENCE ADDRESS	Aug 22, 2011	
6	STIPULATION FOR AN EXTENSION OF TIME	Sep 02, 2011	
7	EXTENSION OF TIME GRANTED	Sep 02, 2011	
8	STIPULATION FOR AN EXTENSION OF TIME	Oct 04, 2011	
9	EXTENSION OF TIME GRANTED	Oct 04, 2011	
10	STIPULATION FOR AN EXTENSION OF TIME	Nov 03, 2011	
11	EXTENSION OF TIME GRANTED	Nov 03, 2011	
12	STIPULATION FOR AN EXTENSION OF TIME	Dec 27, 2011	
13	EXTENSION OF TIME GRANTED	Dec 27, 2011	
14	STIPULATION FOR AN EXTENSION OF TIME	Mar 01, 2012	
15	EXTENSION OF TIME GRANTED	Mar 01, 2012	
16	STIPULATION FOR AN EXTENSION OF TIME	May 01, 2012	
17	EXTENSION OF TIME GRANTED	May 01, 2012	
18	STIPULATION FOR AN EXTENSION OF TIME	Jun 21, 2012	
19	EXTENSION OF TIME GRANTED	Jun 21, 2012	
20	WITHDRAWAL OF OPPOSITION	Aug 17, 2012	
21	BD'S DECISION: DISMISSED W/O PREJUDICE	Aug 22, 2012	
22	TERMINATED	Aug 22, 2012	

Type of Proceeding: Extension of Time

Proceeding Number: 85086512 Status: Terminated

Filing Date: Feb 18, 2011 Status Date: Jul 26, 2011

#### Interlocutory Attorney:

Defendant

Name: Zoom Focus Eyewear, LLC

Correspondent Address: SAUL EPSTEIN
LAW OFFICES OF SAUL EPSTEIN
14558 DEERVALE PL
SHERMAN OAKS CA, 91403-4611

UNITED STATES

Associated marks

Mark

**Application Status** 

Serial Number

Registration Number

SUPERFOCUS

Registered

85086512

4246437

Potential Opposer(s)

Name: Ciba Vision Corporation

Correspondent Address: John P. Margiotta Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York NY, 10017 UNITED STATES

Correspondent e-mail: jm@fzlz.com

Associated marks

Mark

**Application Status** 

Serial Number

Registration Number

Due Date

**Prosecution History** 

Entry Number	History Text	Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Feb 18, 2011
2	EXTENSION OF TIME GRANTED	Feb 18, 2011
3	INCOMING - EXT TIME TO OPPOSE FILED	May 24, 2011
4	EXTENSION OF TIME GRANTED	May 24, 2011