

# EVIDENCE



## INNOVATION FEELS AT HOME HERE.™

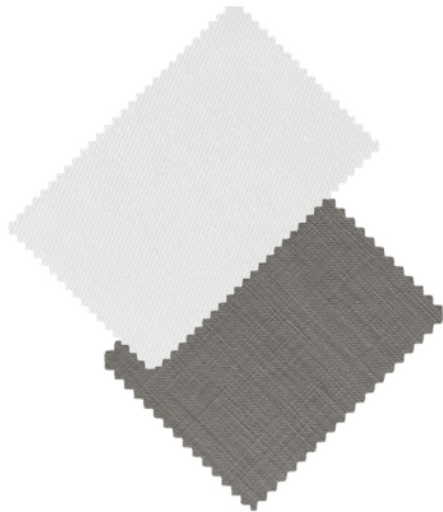
### Introducing Breathe By Milliken™

The average person takes 23,040 breaths a day. Those breaths happen in our individual, private homes, and in the larger home we all share called the Earth.

Breathe by Milliken™ fabrics were designed to reflect today's lifestyles and the values of the consumer, our customer and Milliken who share this planet and one common belief - little things can make a big difference, so choose wisely.

Breathe fabrics are a collection of unique, eco-elegant performance fabrics. Breathe textiles are durable, repel everyday stains, clean easily, and are sustainably designed using natural or recycled fibers and a remarkable plant-based water repellent.

[WHERE TO BUY](#)



# DESIGNED FOR A LIFETIME OF PERFORMANCE

COLORS AND FABRICS DESIGNED TO LAST. WITH INTEGRITY.

Breathe by Milliken is the eco-elegant fabric collection of the future. Only it's here now. Breathe fabrics are able to provide stain-resistance and more peace of mind enabling you to breathe easier in your home.



STRONG & DURABLE



REPELS & CLEANS  
EVERYDAY STAINS



SUSTAINABLY DESIGNED



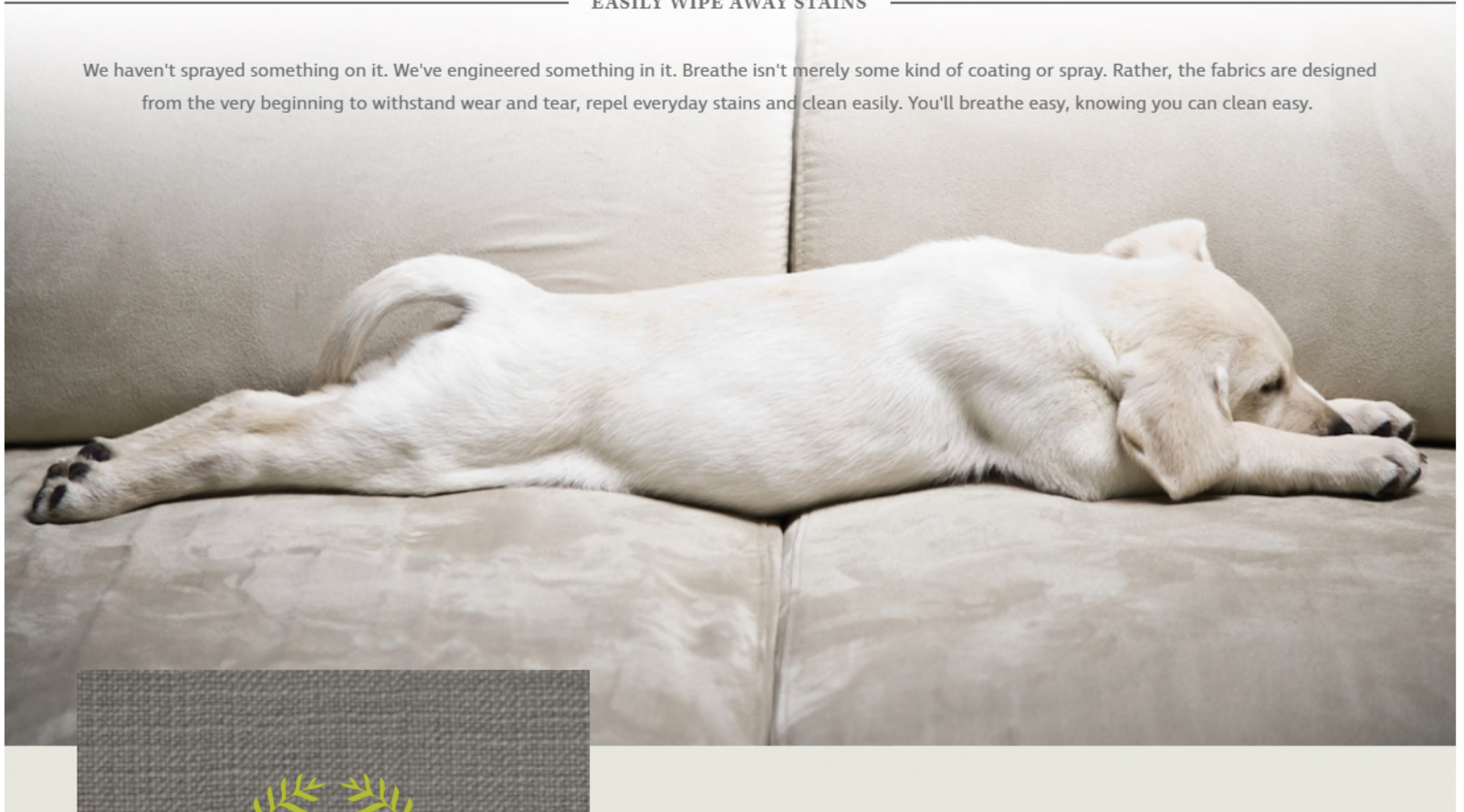
RESPONSIBLY  
MANUFACTURED



## CLEANS WITH EASE

### EASILY WIPE AWAY STAINS

We haven't sprayed something on it. We've engineered something in it. Breathe isn't merely some kind of coating or spray. Rather, the fabrics are designed from the very beginning to withstand wear and tear, repel everyday stains and clean easily. You'll breathe easy, knowing you can clean easy.



figuratively.

Breathe fabrics exist to enhance your home life. They do so by providing a fabric innovation that truly allows you to relax, knowing that when a drink gets spilled or your sofa becomes a trampoline, breathe easy. All is well.



WHERE TO BUY BREATHE  
BY MILLIKEN FABRICS

Generated on: This page was generated by TSDR on 2019-11-13 08:25:15 EST

Mark: BREATHE DEEP

# Breathe Deep

US Serial Number: 87566960

Application Filing Date: Aug. 13, 2017

US Registration Number: 5422887

Registration Date: Mar. 13, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Mar. 13, 2018

Publication Date: Dec. 26, 2017

## Mark Information

Mark Literal Elements: BREATHE DEEP

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: Hats; Shirts; Hooded sweat shirts; Hoodies; Jackets; Short-sleeved or long-sleeved t-shirts; Sweat shirts; T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 26, 2017

Use in Commerce: Aug. 11, 2017

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Breathe Deep LLC

**Owner Address:** 164 Barnsboro Rd.  
Sewell, NEW JERSEY UNITED STATES 08080

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** NEW JERSEY  
**Where Organized:**

---

## Attorney/Correspondence Information

---

### Attorney of Record - None

### Correspondent

**Correspondent Name/Address:** BREATHE DEEP LLC  
BREATHE DEEP LLC  
164 BARNSBORO RD.  
SEWELL, NEW JERSEY UNITED STATES 08080  
**Phone:** 856-723-0660

### Domestic Representative - Not Found

---

## Prosecution History

---

Date	Description	Proceeding Number
Mar. 13, 2018	REGISTERED-PRINCIPAL REGISTER	
Dec. 26, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 26, 2017	PUBLISHED FOR OPPOSITION	
Dec. 06, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 17, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 15, 2017	ASSIGNED TO EXAMINER	91243
Aug. 18, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 16, 2017	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. 13, 2018

Generated on: This page was generated by TSDR on 2019-11-13 08:31:41 EST

Mark: BREATHE LOVE

BREATHE LOVE

US Serial Number: 87027769

Application Filing Date: May 06, 2016

US Registration Number: 5108594

Registration Date: Dec. 27, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Dec. 27, 2016

Publication Date: Oct. 11, 2016

---

## Mark Information

---

Mark Literal Elements: BREATHE LOVE

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: Clothing, namely, tops, bottoms, footwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 02, 2016

Use in Commerce: Feb. 02, 2016

---

## Basis Information (Case Level)

---

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

---

## Current Owner(s) Information

---

Owner Name: Thomas, Troy



Owner Address: 3716 W. 54th St  
Los Angeles, CALIFORNIA UNITED STATES 90043

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Raj Abhyanker

Attorney Primary Email Address: [trademarks@legalforce.com](mailto:trademarks@legalforce.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Raj Abhyanker  
LegalForce RAPC Worldwide, P.C.  
446 E Southern Ave  
Tempe, ARIZONA UNITED STATES 85282

Phone: 650-965-8731

Fax: 650 989-2131

Correspondent e-mail: [trademarks@legalforce.com](mailto:trademarks@legalforce.com) [trademarks@legalforce.com](mailto:trademarks@legalforce.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 03, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 03, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jan. 10, 2018	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jan. 10, 2018	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 05, 2017	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 27, 2016	REGISTERED-PRINCIPAL REGISTER	
Oct. 11, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 11, 2016	PUBLISHED FOR OPPOSITION	
Sep. 21, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 29, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 23, 2016	ASSIGNED TO EXAMINER	92453
May 11, 2016	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 10, 2016	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, 27, 2016

Generated on: This page was generated by TSDR on 2019-11-13 08:33:28 EST

Mark: ;UST BREATHE

;UST BREATHE

US Serial Number: 87905068

Application Filing Date: May 03, 2018

US Registration Number: 5632347

Registration Date: Dec. 18, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Dec. 18, 2018

Publication Date: Oct. 02, 2018

## Mark Information

Mark Literal Elements: ;UST BREATHE

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: T-shirts; T-shirts for ADULTS AND BABIES

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 28, 2018

Use in Commerce: Jan. 28, 2018

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Slay, Brittany N

**Owner Address:** 7102 Alexander Loop  
Brunswick, GEORGIA UNITED STATES 31525

**Legal Entity Type:** INDIVIDUAL

**Citizenship:** UNITED STATES

---

## Attorney/Correspondence Information

---

### Attorney of Record - None

#### Correspondent

**Correspondent Name/Address:** SLAY, BRITTANY N  
7102 ALEXANDER LOOP  
BRUNSWICK, GEORGIA UNITED STATES 31525

**Phone:** 912-506-9360

### Domestic Representative - Not Found

---

## Prosecution History

---

Date	Description	Proceeding Number
Dec. 18, 2018	REGISTERED-PRINCIPAL REGISTER	
Oct. 02, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 02, 2018	PUBLISHED FOR OPPOSITION	
Sep. 12, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 27, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 27, 2018	ASSIGNED TO EXAMINER	81879
May 11, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2018	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. 18, 2018

**Generated on:** This page was generated by TSDR on 2019-11-13 08:34:13 EST

**Mark:** BREATHE ACTIVEWEAR

BREATHE ACTIVEWEAR

**US Serial Number:** 86675687

**Application Filing Date:** Jun. 26, 2015

**US Registration Number:** 4981373

**Registration Date:** Jun. 21, 2016

**Filed as TEAS RF:** Yes

**Currently TEAS RF:** Yes

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Jun. 21, 2016

**Publication Date:** Nov. 17, 2015

---

## Mark Information

---

**Mark Literal Elements:** BREATHE ACTIVEWEAR

**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

**Disclaimer:** "ACTIVEWEAR"

---

## Related Properties Information

---

**Claimed Ownership of US Registrations:** 4038114

---

## 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:** Bikini tops and bikini bottoms for beach volleyball players; Swimwear; Women's activewear, namely, shorts, pants, shirts, tops, jackets, socks, headbands, hats, caps and sports bras; activewear in the nature of athletic pants, shirts and shoes

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 04, 2008

**Use in Commerce:** May 04, 2008

---

## Basis Information (Case Level)

---

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** DRAKEROD DESIGNS INC.

**Owner Address:** 1354 ESTER DRIVE,  
BURLINGTON CANADA L7P1L3

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** CANADA

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Christopher Civil

**Docket Number:** 425245

**Attorney Primary Email Address:** [trademarks@legalforce.com](mailto:trademarks@legalforce.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** MICHAEL P MARTIN  
FISCHBACH PERLSTEIN LIEBERMAN & ALMOND LLP  
1925 CENTURY PARK EAST  
SUITE 2050  
LOS ANGELES, CALIFORNIA UNITED STATES 90067

**Phone:** 650 965-8731

**Fax:** 650 989-2131

**Correspondent e-mail:** [trademarks@legalforce.com](mailto:trademarks@legalforce.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
May 23, 2018	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 21, 2016	REGISTERED-PRINCIPAL REGISTER	
May 16, 2016	TTAB RELEASE CASE TO TRADEMARKS	225947
May 16, 2016	OPPOSITION TERMINATED NO. 999999	225947
May 16, 2016	OPPOSITION DISMISSED NO. 999999	225947
Jan. 21, 2016	OPPOSITION INSTITUTED NO. 999999	225947
Dec. 10, 2015	EXTENSION OF TIME TO OPPOSE RECEIVED	
Nov. 17, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 17, 2015	PUBLISHED FOR OPPOSITION	
Oct. 28, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 06, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 05, 2015	ASSIGNED TO EXAMINER	74309
Jul. 03, 2015	NOTICE OF PSEUDO MARK E-MAILED	
Jul. 02, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 30, 2015	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. 21, 2016

## Proceedings

### Summary

**Number of Proceedings:** 2

**Type of Proceeding: Opposition**

**Proceeding Number:** [91225947](#)

**Filing Date:** Jan 21, 2016

**Status:** Terminated

**Status Date:** May 16, 2016

**Interlocutory Attorney:** ROBERT COGGINS

**Defendant**

**Name:** Heidi Roth

**Correspondent Address:** MICHAEL P MARTIN  
FISCHBACH PERLSTEIN LIEBERMAN & ALMOND LLP  
1925 CENTURY PARK EAST, SUITE 2050  
LOS ANGELES CA UNITED STATES , 90067

**Correspondent e-mail:** [mmartin@fplaw.com](mailto:mmartin@fplaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BREATHE ACTIVEWEAR	Registered	<a href="#">86675687</a>	<a href="#">4981373</a>

**Plaintiff(s)**

**Name:** SGS Sports, Inc.

**Correspondent Address:** PETER B BROMAGHIM  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
12400 WILSHIRE BOULEVARD, 7TH FL  
LOS ANGELES CA UNITED STATES , 90025

**Correspondent e-mail:** [tm\\_filings@bstz.com](mailto:tm_filings@bstz.com) , [Peter.Bromaghim@bstz.com](mailto:Peter.Bromaghim@bstz.com) , [tom\\_coester@bstz.com](mailto:tom_coester@bstz.com) , [quin\\_wolfe@bstz.com](mailto:quin_wolfe@bstz.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BREATHE			

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 21, 2016	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 21, 2016	Mar 01, 2016
3	PENDING, INSTITUTED	Jan 21, 2016	
4	D REQ TO W/DRAW AS ATTORNEY	Feb 03, 2016	
5	RESPONSE DUE 30 DAYS (DUE DATE)	Feb 09, 2016	Mar 10, 2016
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 08, 2016	
7	SUSPENDED	Mar 15, 2016	
8	W/DRAW OF OPPOSITION	May 11, 2016	
9	BD DECISION: DISMISSED W/O PREJ	May 16, 2016	
10	TERMINATED	May 16, 2016	

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [86675687](#)

**Filing Date:** Dec 10, 2015

**Status:** Terminated

**Status Date:** Mar 16, 2016

**Interlocutory Attorney:**

**Defendant**

**Name:** Roth, Heidi

**Correspondent Address:** JOHN SALCIDO  
Raj Abhyanker P C  
451 N Shoreline Blvd  
Mountain View CA , 94043-4605

**Associated marks**

Mark	Application Status	Serial Number	Registration
------	--------------------	---------------	--------------

BREATHE ACTIVEWEAR	Registered	<a href="#">86675687</a>	<b>Number</b> <a href="#">4981373</a>
--------------------	------------	--------------------------	--

**Potential Opposer(s)**

**Name:** SGS Sports, Inc.

**Correspondent** Peter B. Bromaghim

**Address:** Blakely Sokoloff Taylor & Zafman LLP  
12400 Wilshire Blvd., 7th Fl  
Los Angeles CA UNITED STATES , 90025

**Correspondent e-mail:** [Pete\\_Bromaghim@bstz.com](mailto:Pete_Bromaghim@bstz.com) , [tm\\_filings@bstz.com](mailto:tm_filings@bstz.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Dec 10, 2015	
2	EXTENSION OF TIME GRANTED	Dec 10, 2015	

Generated on: This page was generated by TSDR on 2019-11-13 08:35:02 EST

Mark: JUST BREATHE

JUST BREATHE

US Serial Number: 86569216

Application Filing Date: Mar. 19, 2015

US Registration Number: 5065093

Registration Date: Oct. 18, 2016

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Oct. 18, 2016

Publication Date: Aug. 25, 2015

Notice of Allowance Date: Aug. 30, 2016

## Mark Information

Mark Literal Elements: JUST BREATHE

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: Clothing, namely, yoga pants, yoga shirts, sports bras, yoga shorts, sweatpants, sweatshirts, socks, hats, headbands, shoes, sneakers

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 2015

Use in Commerce: Aug. 2015

For: Yoga studio services, namely, yoga instruction for Vinyasa yoga, power yoga, hot yoga, and Kundalini yoga; pilates instruction; workshops in the field of spirituality; meditation training; educational services, namely, conducting yoga retreats

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 2015

Use in Commerce: Aug. 2015

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No



Filed 44D: No  
Filed 44E: No  
Filed 66A: No  
Filed No Basis: No

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

## Current Owner(s) Information

**Owner Name:** UJJAYI STUDIOS, INC.  
**Owner Address:** 70 BAITING PLACE ROAD  
FARMINGDALE, NEW YORK UNITED STATES 11735  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** NEW YORK

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Randy M. Friedberg  
**Attorney Primary Email Address:** [trademarks@whiteandwilliams.com](mailto:trademarks@whiteandwilliams.com)  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Randy M. Friedberg  
White and Williams LLP  
7 Times Square, Suite 2900  
New York, NEW YORK UNITED STATES 10036  
**Phone:** 2127143079  
**Fax:** 2127143079  
**Correspondent e-mail:** [trademarks@whiteandwilliams.com](mailto:trademarks@whiteandwilliams.com)  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Sep. 06, 2017	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 02, 2017	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 02, 2017	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 18, 2016	REGISTERED-PRINCIPAL REGISTER	
Sep. 13, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 12, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 10, 2016	STATEMENT OF USE PROCESSING COMPLETE	65362
Aug. 30, 2016	USE AMENDMENT FILED	65362
Aug. 30, 2016	TEAS STATEMENT OF USE RECEIVED	
Aug. 30, 2016	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 2016	NEW NOA TO ISSUE	65362
Apr. 20, 2016	NOTICE OF ALLOWANCE CANCELLED	65362
Jul. 20, 2016	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jun. 07, 2016	NOTICE OF REVIVAL - E-MAILED	
Jun. 06, 2016	PETITION TO REVIVE-GRANTED	88889
Jun. 06, 2016	TEAS PETITION TO REVIVE RECEIVED	
May 23, 2016	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
May 23, 2016	ABANDONMENT - NO USE STATEMENT FILED	99999
Oct. 20, 2015	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 25, 2015	PUBLISHED FOR OPPOSITION	
Aug. 05, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 21, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jul. 21, 2015	ASSIGNED TO LIE	66213
Jul. 08, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	

Jul. 08, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 08, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 08, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 08, 2015	EXAMINERS AMENDMENT -WRITTEN	90296
Jun. 25, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 25, 2015	NON-FINAL ACTION E-MAILED	6325
Jun. 25, 2015	NON-FINAL ACTION WRITTEN	90296
Jun. 23, 2015	ASSIGNED TO EXAMINER	90296
Mar. 30, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 23, 2015	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. 12, 2016

Generated on: This page was generated by TSDR on 2019-11-13 08:35:46 EST

Mark: BREATHE BEAUTIFULLY

BREATHE BEAUTIFULLY

US Serial Number: 86010000

Application Filing Date: Jul. 15, 2013

US Registration Number: 4553236

Registration Date: Jun. 17, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Jun. 17, 2014

Publication Date: Dec. 10, 2013

Notice of Allowance Date: Feb. 04, 2014

---

## Mark Information

---

Mark Literal Elements: BREATHE BEAUTIFULLY

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: Bras; undergarments

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 11, 2014

Use in Commerce: Mar. 11, 2014

---

## Basis Information (Case Level)

---

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

---

## Current Owner(s) Information

---

**Owner Name:** CHICO'S BRANDS INVESTMENTS, INC.

**Owner Address:** 11215 METRO PARKWAY  
FORT MYERS, FLORIDA UNITED STATES 33966

**Legal Entity Type:** CORPORATION

**State or Country** FLORIDA  
**Where Organized:**

---

## Attorney/Correspondence Information

---

### Attorney of Record

**Attorney Name:** Susan M. Natland

**Docket Number:** CHICO.036T

**Attorney Primary Email Address:** [efiling@knobbe.com](mailto:efiling@knobbe.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Susan M. Natland  
Knobbe, Martens, Olson & Bear, LLP  
2040 Main Street, 14th Floor  
Irvine, CALIFORNIA UNITED STATES 92614

**Phone:** 949-760-0404

**Fax:** 949-760-9502

**Correspondent e-mail:** [efiling@knobbe.com](mailto:efiling@knobbe.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

---

## Prosecution History

---

Date	Description	Proceeding Number
Jun. 17, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Dec. 22, 2016	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Dec. 22, 2016	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 17, 2014	REGISTERED-PRINCIPAL REGISTER	
May 13, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 07, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 11, 2014	STATEMENT OF USE PROCESSING COMPLETE	65362
Mar. 19, 2014	USE AMENDMENT FILED	65362
Apr. 10, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Mar. 19, 2014	TEAS STATEMENT OF USE RECEIVED	
Feb. 04, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 10, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Dec. 10, 2013	PUBLISHED FOR OPPOSITION	
Nov. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 02, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 28, 2013	ASSIGNED TO EXAMINER	76737
Jul. 22, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 18, 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:** May 12, 2014

**Generated on:** This page was generated by TSDR on 2019-11-13 08:46:22 EST

**Mark:** BREATHE BELIEVE BATTLE

BREATHE BELIEVE BATTLE

**US Serial Number:** 86014809

**Application Filing Date:** Jul. 19, 2013

**US Registration Number:** 4754112

**Registration Date:** Jun. 16, 2015

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Jun. 16, 2015

**Publication Date:** Mar. 31, 2015

---

## Mark Information

---

**Mark Literal Elements:** BREATHE BELIEVE BATTLE

**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:** Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Shirts

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 01, 2006

**Use in Commerce:** Oct. 01, 2011

---

## Basis Information (Case Level)

---

**Filed Use:** Yes

**Currently Use:** Yes

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

---

## Current Owner(s) Information

---

Owner Name: Troy Tanner

Owner Address: 1904 Calle De Los Alamos  
San Clemente, CALIFORNIA UNITED STATES 92672

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Ryan Alexander

Attorney Primary Email Address: [Ryan@TheFirm-LV.com](mailto:Ryan@TheFirm-LV.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: RYAN ALEXANDER  
THE FIRM, P.C.  
200 E CHARLESTON BLVD  
LAS VEGAS, NEVADA UNITED STATES 89104-1020

Phone: 7022223476

Fax: 7022523476

Correspondent e-mail: [preston@thefirm-lv.com](mailto:preston@thefirm-lv.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jun. 16, 2015	REGISTERED-PRINCIPAL REGISTER	
Mar. 31, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 31, 2015	PUBLISHED FOR OPPOSITION	
Mar. 11, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 25, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Feb. 24, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 13, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Feb. 13, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Feb. 12, 2015	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 14, 2014	NOTIFICATION OF FINAL REFUSAL EMAILED	
Aug. 14, 2014	FINAL REFUSAL E-MAILED	
Aug. 14, 2014	FINAL REFUSAL WRITTEN	90289
Jul. 28, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Jul. 28, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Jul. 15, 2014	ASSIGNED TO LIE	66121
Jul. 08, 2014	NOTICE OF REVIVAL - E-MAILED	
Jul. 08, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 08, 2014	PETITION TO REVIVE-GRANTED	88889
Jul. 08, 2014	TEAS PETITION TO REVIVE RECEIVED	
Jun. 03, 2014	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Jun. 03, 2014	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Nov. 05, 2013	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Nov. 05, 2013	PRIORITY ACTION E-MAILED	6326
Nov. 05, 2013	PRIORITY ACTION WRITTEN	90289
Nov. 02, 2013	ASSIGNED TO EXAMINER	90289
Jul. 25, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 23, 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. 16, 2015

**Generated on:** This page was generated by TSDR on 2019-11-13 08:36:30 EST

**Mark:** BREATHE. RELAX. SLEEP.

BREATHE. RELAX. SLEEP.

**US Serial Number:** 85740170

**Application Filing Date:** Sep. 27, 2012

**US Registration Number:** 4452354

**Registration Date:** Dec. 17, 2013

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Dec. 17, 2013

**Publication Date:** Mar. 05, 2013

**Notice of Allowance Date:** Apr. 30, 2013

---

## Mark Information

---

**Mark Literal Elements:** BREATHE. RELAX. SLEEP.

**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:** Mattress covers and Pillow covers

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 042, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb, 2013

**Use in Commerce:** Feb, 2013

---

## Basis Information (Case Level)

---

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

---

## Current Owner(s) Information

---

**Owner Name:** Fabrictech 2000, LLC

**Owner Address:** 1402 S. 40th Ave  
Phoenix, ARIZONA UNITED STATES 85009

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** NEW JERSEY  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Peter Nussbaum  
**Attorney Primary** [pnussbaum@csglaw.com](mailto:pnussbaum@csglaw.com)  
**Email Address:**

**Docket Number:** 9388/1/85  
**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent Name/Address:** Peter Nussbaum  
Chiesa Shahinian & Giantomasi PC  
One Boland Drive  
West Orange, NEW JERSEY UNITED STATES 07052

**Phone:** 973-530-2025  
**Fax:** 973-530-2225

**Correspondent e-mail:** [pnussbaum@csglaw.com](mailto:pnussbaum@csglaw.com)  
[trademarks@csglaw.com](mailto:trademarks@csglaw.com)  
[tmcketing@csglaw.com](mailto:tmcketing@csglaw.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 31, 2019	TEAS SECTION 8 & 15 RECEIVED	
Dec. 17, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Feb. 06, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 06, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 20, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 20, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 17, 2013	REGISTERED-PRINCIPAL REGISTER	
Nov. 12, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 09, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Nov. 09, 2013	ASSIGNED TO LIE	76568
Oct. 24, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 24, 2013	STATEMENT OF USE PROCESSING COMPLETE	76538
Sep. 18, 2013	USE AMENDMENT FILED	76538
Oct. 21, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Sep. 18, 2013	TEAS STATEMENT OF USE RECEIVED	
Apr. 30, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 25, 2013	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 25, 2013	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 05, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 05, 2013	PUBLISHED FOR OPPOSITION	
Feb. 13, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 25, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 25, 2013	ASSIGNED TO EXAMINER	76596
Oct. 02, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 01, 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:** Nov. 09, 2013



**Generated on:** This page was generated by TSDR on 2019-11-13 08:37:17 EST

**Mark:** SPIRO BREATHE TO PERFORM



**US Serial Number:** 79093861

**Application Filing Date:** Nov. 26, 2010

**US Registration Number:** 4482933

**Registration Date:** Feb. 18, 2014

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

**Status Date:** Feb. 18, 2014

**Publication Date:** Dec. 03, 2013

---

## Mark Information

---

**Mark Literal Elements:** SPIRO BREATHE TO PERFORM

**Standard Character Claim:** No

**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

---

## Related Properties Information

---

**International Registration Number:** 1067912

**International Registration Date:** Nov. 26, 2010

---

## 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:** Textiles

**International Class(es):** 024 - Primary Class

**U.S Class(es):** 042, 050

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Clothing except for clothing for fishing sports

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 66(a)

**For:** Business services

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** Yes

**Filed 66A:** Yes

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Result Clothing Limited

**Owner Address:** Clement House  
Commerce Way, Colchester, Essex CO0 8HY  
UNITED KINGDOM

**Legal Entity Type:** A limited company incorporated un the United Kingdom

**State or Country Where Organized:** NOT PROVIDED

## Attorney/Correspondence Information

**Attorney of Record - None**

**Correspondent**

**Correspondent Name/Address:** Briffa  
Business Design Centre,  
52 Upper Street,  
London N1 0QH UNITED KINGDOM

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Feb. 18, 2014	REGISTERED-PRINCIPAL REGISTER	
Dec. 03, 2013	PUBLISHED FOR OPPOSITION	
Dec. 01, 2013	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Nov. 13, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Nov. 13, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Nov. 13, 2013	NOTICE OF PUBLICATION	
Oct. 28, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 28, 2013	ASSIGNED TO EXAMINER	78352
Aug. 31, 2012	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Aug. 15, 2012	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Aug. 15, 2012	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Mar. 22, 2011	APPLICATION FILING RECEIPT MAILED	
Mar. 16, 2011	ASSIGNED TO EXAMINER	85319
Mar. 16, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 10, 2011	SN ASSIGNED FOR SECT 66A APPL FROM IB	

## International Registration Information (Section 66a)

**International Registration Number:** 1067912

**International Registration Date:** Nov. 26, 2010

**Priority Claimed Flag:** Yes

**Date of Section 67 Priority Claim:** Jun. 16, 2010

**Intl. Registration Status:** REQUEST FOR EXTENSION OF PROTECTION PROCESSED

**Date of International Registration Status:** Mar. 10, 2011

**Notification of Designation Date:** Mar. 10, 2011

**Date of Automatic Protection:** Sep. 10, 2012

**International Registration Renewal Date:** Nov. 26, 2020

**First Refusal Flag:** No

---

## TM Staff and Location Information

---

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Feb. 18, 2014

Generated on: This page was generated by TSDR on 2019-11-13 08:37:58 EST

Mark: BREATHE WEAVE



US Serial Number: 78681482

Application Filing Date: Jul. 29, 2005

US Registration Number: 3323909

Registration Date: Oct. 30, 2007

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 31, 2017

Publication Date: Aug. 14, 2007

## Mark Information

Mark Literal Elements: BREATHE WEAVE

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 a circular spiral in green and the wording "BREATHE WEAVE" is in black."

Color Drawing: Yes

Color(s) Claimed: "The color(s) green and black is/are claimed as a feature of the mark."

Disclaimer: "WEAVE"

Design Search Code(s): 26.01.26 - Coils; Spirals; Swirls

26.01.28 - Circles with irregular circumferences; Miscellaneous circular designs with an irregular circumference  
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

## 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: Cotton base mixed woven fabric sold as an integral component of athletic clothing, namely pants, shirts, shorts, skirts, halter tops, hooded tunics and panties

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2004

Use in Commerce: Aug. 01, 2004

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

Owner Name: Be Present, Inc.

Owner Address: 5575 Willow Trail Road  
Morrison, COLORADO UNITED STATES 80465

Legal Entity Type: CORPORATION

State or Country Where Organized: COLORADO

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Denise LaBier Pilkington

Attorney Primary Email Address: [deniselabier@yahoo.com](mailto:deniselabier@yahoo.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: Denise LaBier Pilkington  
LABIER, LLC  
13887 LEXINGTON PL  
WESTMINSTER, COLORADO UNITED STATES 80020-9375

Phone: (303) 254-6618

Fax: (303) 474-3193

Correspondent e-mail: [deniselabier@yahoo.com](mailto:deniselabier@yahoo.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 31, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 31, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Jan. 31, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68502
Jan. 31, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Nov. 27, 2016	TEAS SECTION 8 & 9 RECEIVED	
Oct. 30, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jun. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 29, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jun. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Jun. 17, 2013	TEAS SECTION 8 & 15 RECEIVED	
Oct. 30, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 14, 2007	PUBLISHED FOR OPPOSITION	
Jul. 25, 2007	NOTICE OF PUBLICATION	
Jul. 12, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Jul. 07, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 04, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 03, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 03, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 08, 2007	SUBSEQUENT FINAL EMAILED	
May 08, 2007	SUBSEQUENT FINAL REFUSAL WRITTEN	80797
Mar. 28, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Mar. 28, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Mar. 28, 2007	ASSIGNED TO LIE	70633
Feb. 21, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 27, 2007	NON-FINAL ACTION E-MAILED	6325

Jan. 27, 2007	NON-FINAL ACTION WRITTEN	80797
Dec. 21, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 20, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 20, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 08, 2006	FINAL REFUSAL E-MAILED	
Dec. 08, 2006	FINAL REFUSAL WRITTEN	80797
Nov. 16, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	70824
Oct. 31, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	70824
Oct. 31, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 24, 2006	NON-FINAL ACTION E-MAILED	6325
Oct. 24, 2006	NON-FINAL ACTION WRITTEN	80797
Oct. 18, 2006	PETITION TO REVIVE-GRANTED	88888
Oct. 18, 2006	TEAS PETITION TO REVIVE RECEIVED	
Oct. 11, 2006	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Oct. 11, 2006	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Mar. 14, 2006	NON-FINAL ACTION E-MAILED	6325
Mar. 14, 2006	NON-FINAL ACTION WRITTEN	80797
Feb. 17, 2006	ASSIGNED TO EXAMINER	80797
Aug. 04, 2005	NEW APPLICATION ENTERED IN TRAM	

---

## TM Staff and Location Information

---

**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jan. 31, 2017

Generated on: This page was generated by TSDR on 2019-11-13 08:38:43 EST

Mark: BREATHE

B R E A T H E

US Serial Number: 86646652

Application Filing Date: May 31, 2015

US Registration Number: 5588565

Registration Date: Oct. 23, 2018

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: Oct. 23, 2018

Publication Date: Aug. 07, 2018

## Mark Information

Mark Literal Elements: BREATHE

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Color(s) Claimed: Color is not claimed as a feature of the 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: Graphic T-shirts; Hooded sweat shirts; Shirts; Shirts and short-sleeved shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; T-shirts; Tee shirts; Wearable garments and clothing, namely, shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 13, 2015

Use in Commerce: May 13, 2015

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Aldrin H. Festejo

**Owner Address:** Suite I  
4036 Grand Avenue  
Chino Hills, CALIFORNIA UNITED STATES 91709

**Legal Entity Type:** INDIVIDUAL

**Citizenship:** UNITED STATES

## Attorney/Correspondence Information

### Attorney of Record - None

#### Correspondent

**Correspondent Name/Address:** ALDRIN H. FESTEJO  
4036 GRAND AVENUE  
SUITE I  
CHINO HILLS, CALIFORNIA UNITED STATES 91709

**Phone:** (626) 806-3612

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 23, 2018	REGISTERED-PRINCIPAL REGISTER	
Aug. 07, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 07, 2018	PUBLISHED FOR OPPOSITION	
Jul. 18, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 03, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 24, 2018	LIE CHECKED SUSP - TO ATTY FOR ACTION	68171
Nov. 22, 2017	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Nov. 22, 2017	ASSIGNED TO LIE	68171
May 11, 2017	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70468
May 04, 2017	ASSIGNED TO LIE	70468
Oct. 08, 2016	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Mar. 25, 2016	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 25, 2016	LETTER OF SUSPENSION E-MAILED	6332
Mar. 25, 2016	SUSPENSION LETTER WRITTEN	67971
Mar. 01, 2016	TEAS/EMAIL CORRESPONDENCE ENTERED	77976
Mar. 01, 2016	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976
Feb. 29, 2016	ASSIGNED TO LIE	77976
Feb. 20, 2016	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 16, 2015	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 16, 2015	NON-FINAL ACTION E-MAILED	6325
Sep. 16, 2015	NON-FINAL ACTION WRITTEN	67971
Sep. 11, 2015	ASSIGNED TO EXAMINER	67971
Jun. 05, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 03, 2015	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. 23, 2018



Generated on: This page was generated by TSDR on 2019-11-13 08:39:22 EST

Mark: POLY BREATHE LIGHT



US Serial Number: 78962044

Application Filing Date: Aug. 28, 2006

US Registration Number: 3455824

Registration Date: Jun. 24, 2008

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jun. 29, 2018

Publication Date: Sep. 11, 2007

Notice of Allowance Date: Dec. 04, 2007

## Mark Information

Mark Literal Elements: POLY BREATHE LIGHT

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 the words "Poly Breathe Light" in stylized fonts enclosed within an oval.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "LIGHT"

Design Search Code(s): 26.03.02 - Plain single line ovals; Ovals, plain single line

## 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: Nonwoven fabrics made from polyolefins

International Class(es): 024 - Primary Class

U.S Class(es): 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 22, 2008

Use in Commerce: Jan. 22, 2008

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

## Current Owner(s) Information

**Owner Name:** Chicopee, Inc.

**Owner Address:** Suite 300  
9335 Harris Corners Parkway  
Charlotte, NORTH CAROLINA UNITED STATES 28269

**Legal Entity Type:** CORPORATION

**State or Country** DELAWARE  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Adam W. Borgman

**Docket Number:** 0352-US

**Attorney Primary** [adamborgman@berryglobal.com](mailto:adamborgman@berryglobal.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** Adam W. Borgman  
**Name/Address:** Berry Global, Inc.  
101 Oakley Street  
Evansville, INDIANA UNITED STATES 47710

**Phone:** 8122503815

**Fax:** 919-286-8199

**Correspondent e-mail:** [adamborgman@berryglobal.com](mailto:adamborgman@berryglobal.com) [annmorouney@berryglobal.com](mailto:annmorouney@berryglobal.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jul. 10, 2019	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 29, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 29, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Jun. 29, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74886
Jun. 28, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Jun. 18, 2018	TEAS SECTION 8 & 9 RECEIVED	
Jun. 24, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 14, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 07, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 17, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 29, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 29, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Jul. 29, 2014	AMENDMENT UNDER SECTION 7 - ISSUED	69471
Jul. 07, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Jun. 18, 2014	TEAS SECTION 8 & 15 RECEIVED	
Jun. 18, 2014	TEAS SECTION 7 REQUEST RECEIVED	
Jun. 24, 2008	REGISTERED-PRINCIPAL REGISTER	
May 19, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78413
May 16, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 15, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
May 15, 2008	EXTENSION 1 GRANTED	70565
May 06, 2008	USE AMENDMENT FILED	70565
May 06, 2008	EXTENSION 1 FILED	70565
May 06, 2008	TEAS EXTENSION RECEIVED	
May 06, 2008	TEAS STATEMENT OF USE RECEIVED	
Dec. 04, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	

Sep. 11, 2007	PUBLISHED FOR OPPOSITION	
Aug. 22, 2007	NOTICE OF PUBLICATION	
Aug. 07, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Aug. 02, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 02, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	78413
Aug. 02, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	78413
Aug. 02, 2007	ASSIGNED TO LIE	78413
Jul. 18, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 13, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 23, 2007	NON-FINAL ACTION E-MAILED	6325
Jan. 23, 2007	NON-FINAL ACTION WRITTEN	72508
Jan. 22, 2007	ASSIGNED TO EXAMINER	72508
Sep. 06, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 05, 2006	NEW APPLICATION ENTERED IN TRAM	

---

## TM Staff and Location Information

---

### TM Staff Information - None

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jun. 29, 2018