

U.S. Trademark Application for SOOTHE
Serial No. 88/381587
Argument Portion of Response to
January 31, 2020 Office action

Registration was refused because of an alleged likelihood of confusion between Applicant's mark for SOOTHE and Registration No. 3167964 for SOOTHEX (the "Cited Mark"). Applicant respectfully maintains there is no likelihood of confusion between Applicant's mark and the Cited Mark.

As discussed in Applicant's prior response, Applicant respectfully submits that the marks are dissimilar, the goods are dissimilar, the goods are marketed in different channels of trade, and the purchasers are sophisticated, all weighing against a finding of a likelihood of confusion. Without rehashing Applicant's prior arguments, all of which Applicant maintains, Applicant presents herein additional arguments in support of registration.

I. The Goods Are Dissimilar and Marketed in Different Trade Channels

Where "the goods or services in question are not related or marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then, even if the marks are identical, confusion is not likely." TMEP § 1207.01(a)(i).

As previously noted, the Cited Mark, removing cancelled matter, is for "chemicals, namely, dispersing, stabilizing, bleaching and wetting agents for use in the manufacture of toiletries and cosmetics, chemicals for use in the manufacture of deodorants and deodorizing agents; chemicals for use in the manufacture and formulation of fragrances and perfumes; chemicals, namely, dispersing, stabilizing, bleaching and wetting agents for use in the manufacture of household and industrial detergents" in Class 1.

Applicant's mark, on the other hand, covers the following goods in class 1: "desiccants; humectants; desiccants for removing moisture in products stored or distributed in airtight and non-airtight packaging and containers, and for use in small and large rooms or enclosed spaces; desiccants for use with smokable products; humectants for controlling and stabilizing the dew point and humidity for products stored or distributed in airtight and non-airtight packaging and containers, and for use in small and large rooms or enclosed spaces; humectants for use with smokable products; chemicals for removing oxygen, odors and gases from products stored and distributed in airtight and non-airtight packaging and containers, and for use in small and large rooms or enclosed

spaces; chemicals for absorbing oxygen and odor for use with smokable products; chemical humidity indicator cards.”

The goods recited in Applicant’s application indicate that Applicant will be using its mark in association with stand-alone products in the retail market and in the cigar industry to keep cigars moist. In other words, Applicant’s mark is used on products offered to consumers at point-of-sale, and not as an ingredient in another product. The goods listed in the Cited Mark, on the contrary, are only chemicals “**for use in the manufacture of**” other products. In other words, the Cited Mark is not used on point-of-sale products at a retail level, but instead sold to manufacturers, who then use those chemicals to create their own products that may be sold at retail. The parties’ marks are not used in overlapping trade channels, and it is very unlikely that the respective products would reach the same end consumers. Products bearing the respective marks would not be sold in the same channels, nor to the same target end users on a large scale (end consumers vs. manufacturers), nor to the same target end users more specifically (people with air tight containers who need to control humidity levels therein vs. detergent manufacturers, cosmetics manufacturers, and toiletry manufacturers).

There are many marks that incorporate similar terms and are used by one party in association with chemicals for use in the manufacture of a product and used by another party in association with that product that peacefully coexist on the principal register. For example, U.S. Registration No. 5933805 for the mark GENESIS FACTOR for “chemical additives for use in the manufacture of cosmetics” and is owned by Iridesse Skin Care, LLC, while the following registrations incorporating “GENESIS” or similar terms are also registered for cosmetics: U.S. Registration No. 5234434 for the mark GENOSYS (stylized) for “skin lotions; skin creams; cosmetic sun milk lotions” and other related goods in classes 3 and 10, owned by DTS MG. Ltd; U.S. Registration No. 4942780 for the mark GENÈSE for a variety of cosmetic products in class 3, owned by Adar Science, Inc.; U.S. Registration No. 5239934 for the mark GENESIS for cosmetics, among other goods, in class 3, owned by Hyundai Motor Company; U.S. Registration No. 4656538 for the mark G GENESIS USA (stylized) for a variety of body and beauty care cosmetics, owned by Shashi Sureen dba Genesis USA. Printouts from the Trademark Electronic Search System (“TESS”) for U.S. Registration No. 5933805 is attached hereto as Exhibit A, for U.S. Registration No. 5234434 is attached hereto as Exhibit B, for U.S. Registration No. 4942780 is attached hereto as Exhibit C, U.S. Registration No. 5239934 is attached hereto as Exhibit D, and U.S. Registration No. 4656538 is attached hereto as Exhibit E.

Other examples include:

- U.S. Registration No. 5915738 for the mark **BRAINPACK** for “Chemical additives, namely, ingredients, nutrients, flavorants, texturants for use in the manufacture of foods,

beverages, dietary supplements, nutraceuticals, and a wide variety of goods” owned by Ingenuity Foods, Inc. (TESS printout attached hereto as Exhibit F)

and

- U.S. Registration No. 5118460 for the mark **BRAIN POWER+** for “Dietary supplements; Dietary and nutritional supplements; Dietary food supplements” owned by Superior Solutionz, LLC. (TESS Printout attached hereto as Exhibit G)
- U.S. Registration No. 6038025 for the mark **PEPTASTEM** for “Chemical additives for use in the manufacture of cosmetics” owned by JNK Management LLC (TESS printout attached hereto as Exhibit H)
and
- U.S. Registration No. 5335595 for the mark **PEPTA-BRIGHT** for “Non-medicated skin care preparations; skin creams and lotions; cosmetics; cosmetic creams and lotions” owned by Indeed Laboratories Inc. (TESS printout attached hereto as Exhibit I)
- U.S. Registration No. 5963013 for the mark **BELLOCEA** for “Chemical additives for use in the manufacture of cosmetics” owned by Daicel Corporation (TESS printout attached hereto as Exhibit J)
and
- U.S. Registration No. 4269559 for the mark **BELLO MOI** for “cosmetic creams for skin care” owned by Logan Lezell (TESS Printout attached hereto as Exhibit K)
- U.S. Registration No. 5588076 for the mark **TRU BELLO** for a variety of cosmetics owned by JEXKO Corp. (TESS printout attached hereto as Exhibit L)
- U.S. Registration No. 5914988 for the mark **BIEAU** for “chemical additives for use in the manufacture of cosmetics” owned by Active Concepts LLC (TESS printout attached hereto as Exhibit M)
and
- U.S. Registration No. 4516855 for the mark **OH BEAU** (and design) for “cosmetics” owned by Jang Il Choi (TESS printout attached hereto as Exhibit N)
- U.S. Registration No. 5337558 for the mark **NOVO NORDISK** (and design) for “chemical additives for use in the manufacture of pharmaceuticals, cosmetics, hair lotions, disinfectants, paints, clay; chemical diagnostic reagents for industrial use” owned by Novo Nordisk A/S (TESS printout attached hereto as Exhibit O)
and
- U.S. Registration No. 5221619 for the mark **NOVO-DRY** for “desiccants” owned by Novolex Holdings, Inc. (TESS printout attached hereto as Exhibit P)

As shown by the numerous examples above, even similar marks may peacefully coexist where one mark is used for chemicals during manufacture and the other mark is used for the end product. The goods are dissimilar as well as the consumers of these goods, rendering confusion unlikely.

In summary, the parties' goods – additives during manufacturing of detergents, cosmetics, and toiletries and humidity controllers to be used in air tight containers – are simply not related, and there is no apparent overlap between the parties' end users or trade channels that would make confusion as to source, sponsorship, or affiliation likely. These factors weigh against a finding of likelihood of confusion.

As discussed in detail in Applicant's prior response and further explained herein, considering the *Du Pont* factors in their entirety, it is clear that there is no likelihood of confusion between the parties' respective marks. As such, Applicant requests that partial refusal under Section 2(d) be withdrawn.

EXHIBIT A



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Genesis Factor

Word Mark	GENESIS FACTOR
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Chemical additives for use in the manufacture of cosmetics. FIRST USE: 20180700. FIRST USE IN COMMERCE: 20190600
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88220186
Filing Date	December 6, 2018
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	April 16, 2019
Registration Number	5933805
Registration Date	December 10, 2019
Owner	(REGISTRANT) Iridesse Skin Care, LLC DBA Iridesse LIMITED LIABILITY COMPANY VIRGINIA 12883 River Road Richmond VIRGINIA 23238
Attorney of Record	Heather Dent, JungJin Lee
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Word Mark GENOSYS

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Skin lotions; skin creams; skin cleansers; eye creams; face and body lotions; face and body creams; hair tonics; beauty masks; **cosmetic** sun milk lotions; shampoo

IC 010. US 026 039 044. G & S: Electric massage apparatus for household use; gloves for massage; electrically-powered skin massaging apparatus for household use; electrically-powered skin stimulator for therapeutic skin care purposes for household use

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code

- 01.01.02 - Star - a single star with four points
- 01.01.06 - Stars with rays or radiating lines
- 01.05.04 - Sun with rays but neither partially exposed nor with facial features
- 01.05.25 - Sun, other representations of the sun
- 26.01.02 - Circles, plain single line; Plain single line circles
- 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
- 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)
- 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal
- 27.03.01 - Geometric figures forming letters, numerals or punctuation
- 27.03.05 - Objects forming letters or numerals

Serial Number 79192451

Filing Date April 25, 2016

Current Basis 66A

Original Filing Basis 66A

Published for Opposition April 18, 2017

Registration Number 5234434

International Registration Number 1288924

Registration Date July 4, 2017

Owner (REGISTRANT) DTS MG., Ltd CORPORATION REPUBLIC OF KOREA (401~402, Daegun Indus Town Seongsu-dong 2-ga), 14, Yeonmujang 17-gil, Seongdong-gu Seoul REPUBLIC OF KOREA

Attorney of Record Helena H. Kwon

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the stylized wording "GENOSYS" with the "O" represented by a design consisting of four vertical and four horizontal lines, all with rounded edges, intersecting at their center. A contrasting circle overlays the area in which the lines intersect.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Genèse

Word Mark GENÈSE

Translations The English translation of "GENÈSE" in the mark is "GENESIS".

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: **Cosmetic** creams; **Cosmetic** creams for skin care; **Cosmetic** hand creams; **Cosmetic** nourishing creams; **Cosmetic** oils; **Cosmetic** oils for the epidermis; **Cosmetic** preparations; **Cosmetic** preparations against sunburn; **Cosmetic** preparations for body care; **Cosmetic** preparations for skin care; **Cosmetic** preparations for the hair and scalp; **Cosmetic** preparations, namely, firming creams; **Cosmetic** preparations, namely, firming lotions; **Cosmetic** products in the form of aerosols for skincare; **Cosmetic** sun-protecting preparations; **Cosmetic** sunscreen preparations; **Cosmetic** suntan preparations; **Cosmetics**; **Cosmetics** and **cosmetic** preparations; **Cosmetics** and make-up; **Cosmetics** in general, including perfumes; **Cosmetics** in the form of milks, lotions and emulsions; **Cosmetics**, namely, lip primer; Face creams for **cosmetic** use; Plant and herb extracts sold as components of **cosmetics**; Private label **cosmetics**; Skin and body topical lotions, creams and oils for **cosmetic** use; Skin conditioning creams for **cosmetic** purposes; Toners; Topical skin sprays for **cosmetic** purposes; Wrinkle-minimizing **cosmetic** preparations for topical facial use. FIRST USE: 20160120. FIRST USE IN COMMERCE: 20160201

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86581645

Filing Date March 30, 2015

Current Basis 1A

Original Filing Basis 1B

Published for August 25, 2015

Opposition

Registration Number 4942780

Registration Date April 19, 2016

Owner (REGISTRANT) Adar Science, Inc. CORPORATION CALIFORNIA 9 Waterway Irvine CALIFORNIA 926147092

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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GENESIS

Word Mark GENESIS

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Degreasers for cars; **Cosmetics; Cosmetic** preparations for baths; Lotions for **cosmetic** purposes; After-shave lotions; **Cosmetic** hand creams; Perfume; Windscreen cleaning liquids; Cleaning preparations for automobile tires and wheels; Automobile cleaners; Automotive cleaning preparations; Aromatics for household purposes, namely, potpourris, oils, essential oils, air fragrancing preparations; Aromatics for automobiles, namely, potpourris, oils, essential oils, air fragrancing preparations; Fragrances for cars; Soaps for personal use; Facial scrub; Automobile polish; Automobile wax; Carnauba wax for automotive use; Carnauba polishing wax for automobile use; Grinding preparations for automobiles, namely, abrasive papers, polishes, waxes, scouring solutions, scouring liquids, scouring powders; Toiletries; all the foregoing sold exclusively through authorized vehicle dealers and authorized vehicle service outlets

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87150681

Filing Date August 25, 2016

Current Basis 44E

Original Filing Basis 1B;44D

Published for Opposition April 25, 2017

Registration Number 5239934

Registration July 11, 2017

Date
Owner (REGISTRANT) HYUNDAI MOTOR COMPANY CORPORATION REPUBLIC OF KOREA 12, Heolleung-ro, Seocho-gu Seoul REPUBLIC OF KOREA
Attorney of Record Miriam Trudell
Priority Date February 29, 2016
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Word Mark G GENESIS USA

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Aloe vera gel for **cosmetic** purposes; Body and beauty care **cosmetics**; Cleansing milk for **cosmetic** purposes; Coloring preparations for **cosmetic** purposes; Concealers; **Cosmetic** creams; **Cosmetic** creams for skin care; **Cosmetic** facial blotting papers; **Cosmetic** masks; **Cosmetic** milks; **Cosmetic** pads; **Cosmetic** pencils; **Cosmetic** preparations against sunburn; **Cosmetic** preparations for bath and shower; **Cosmetic** preparations for body care; **Cosmetic** preparations for eye lashes; **Cosmetic** preparations for nail drying; **Cosmetic** preparations for protecting the skin from the sun's rays; **Cosmetic** preparations for skin care; **Cosmetic** preparations for skin renewal; **Cosmetic** preparations for the hair and scalp; **Cosmetic** preparations, namely, firming lotions; **Cosmetic** skin fresheners; **Cosmetic** soaps; **Cosmetic** sun-tanning preparations; **Cosmetic** sunscreen preparations; **Cosmetic** suntan lotions; **Cosmetic** white face powder; **Cosmetics** and make-up; **Cosmetics** in general, including perfumes; **Cosmetics** in the form of milks, lotions and emulsions; **Cosmetics**, namely, compacts; **Cosmetics**, namely, lip primer; **Cosmetics**, namely, lip repairers; Eye compresses for **cosmetic** purposes; Eyebrow **cosmetics**; Face creams and cleansers containing benzoyl peroxide for **cosmetic** purposes; Face creams for **cosmetic** use; Foams containing **cosmetics** and sunscreens; Glitter for **cosmetic** purposes; Lotions for **cosmetic** purposes; Mask pack for **cosmetic** purposes; Milk for **cosmetic** purposes; Mineral powder for use in **cosmetic** body wrap applications; Non-medicated hair treatment preparations for **cosmetic** purposes; Pencils for **cosmetic** purposes; Petroleum jelly for **cosmetic** purposes; Pre-moistened **cosmetic** wipes; Private label **cosmetics**; Retinol cream for **cosmetic** purposes; Skin and body topical lotions, creams and oils for **cosmetic** use; Skin conditioning creams for **cosmetic** purposes; Skin fresheners; Soaps. Solid powder for compacts; Toners; Wrinkle-minimizing **cosmetic** preparations for topical facial use. FIRST USE: 20140515. FIRST USE IN COMMERCE: 20140515

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 26.11.03 - Incomplete rectangles; Rectangles (incomplete)
27.03.01 - Geometric figures forming letters, numerals or punctuation

Serial Number 85358513

Filing Date June 28, 2011

Current Basis 1A

Original Filing Basis 1B

Published for Opposition February 28, 2012

Registration Number 4656538

Registration Date December 16, 2014

Owner (REGISTRANT) Sureen, Shashi DBA Genesis USA Shashi Sureen is a United States citizen and Geeta Devi, is a Burmese citizen. PARTNERSHIP CALIFORNIA P.O.box 62004 Irvine CALIFORNIA 92602

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of graphic design for letter "G". A partial rectangle inside letter "G" and the word "Genesis USA".

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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BRAINPACK

Word Mark BRAINPACK

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: **Chemical additives**, namely, ingredients, nutrients, flavorants, texturants for use in the manufacture of foods, beverages, dietary supplements, nutraceuticals, and a wide variety of goods. FIRST USE: 20190301. FIRST USE IN COMMERCE: 20190301

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 87904734

Filing Date May 2, 2018

Current Basis 1A

Original Filing Basis 1B

Published for April 9, 2019

Opposition

Registration Number 5915738

Registration Date November 19, 2019

Owner (REGISTRANT) INGENUITY FOODS, INC. CORPORATION DELAWARE 449 Forbes Blvd. South San Francisco CALIFORNIA 94080

Attorney of Record John C. Baum

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BRAIN POWER+

Word Mark	BRAIN POWER+
Goods and Services	IC 005. US 006 018 044 046 051 052. G & S: Dietary supplements; Dietary and nutritional supplements; Dietary food supplements. FIRST USE: 20150105. FIRST USE IN COMMERCE: 20150105
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87037723
Filing Date	May 16, 2016
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	October 25, 2016
Registration Number	5118460
Registration Date	January 10, 2017
Owner	(REGISTRANT) Superior Solutionz, LLC LIMITED LIABILITY COMPANY NEW JERSEY 136 Cozy Lake Road Oak Ridge NEW JERSEY 07438
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BRAIN" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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PeptaStem

Word Mark	PEPTASTEM
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Chemical additives for use in the manufacture of cosmetics. FIRST USE: 20190223. FIRST USE IN COMMERCE: 20190223
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88171749
Filing Date	October 27, 2018
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	January 22, 2019
Registration Number	6038025
Registration Date	April 21, 2020
Owner	(REGISTRANT) JNK MANAGEMENT LLC LIMITED LIABILITY COMPANY CALIFORNIA 700 E. BIRCH ST #852 BREA CALIFORNIA 92822
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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PEPTA-BRIGHT

Word Mark PEPTA-BRIGHT

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: (Based on 1a and 44e) Non-medicated skin care preparations; skin creams and lotions; **cosmetics; cosmetic** creams and lotions. FIRST USE: 20130000. FIRST USE IN COMMERCE: 20130000

IC 035. US 100 101 102. G & S: (Based on 44e) Retail store services, online retail store services, and retail catalog ordering services featuring skin care preparations, skin creams and lotions, **cosmetics, cosmetic** creams and lotions, medicated skin care preparations and medicated skin creams and lotions; providing consumer product information in the field of skin care preparations, skin creams and lotions, **cosmetics, cosmetic** creams and lotions, medicated skin care preparations and medicated skin creams and lotions

IC 044. US 100 101. G & S: (Based on 44e) Providing personal beauty care information featuring information on skin care preparations, skin creams and lotions, **cosmetics, cosmetic** creams and lotions, medicated skin care preparations and medicated skin creams and lotions via the Internet

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85752583

Filing Date October 12, 2012

Current Basis 1A;44E

Original Filing Basis 1B;44D

Published for June 28, 2016

Opposition

Registration Number 5335595

Registration November 14, 2017

Date
Owner (REGISTRANT) Indeed Laboratories Inc. CORPORATION CANADA 67 Mowat Ave., Suite 300 Toronto, Ontario CANADA M6K3E3
Attorney of Record Andrew S. Ehard
Priority Date October 11, 2012
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BELLOCEA

Word Mark BELLOCEA

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: **Chemical additives** for use in the manufacture of cosmetics; unprocessed synthetic resins for use in manufacturing cosmetics; chemical products for the manufacture of cosmetics; chemicals for use in the manufacture of cosmetics; chemical compositions and materials for use in the manufacture of cosmetics; chemical preparations for use in the manufacture of cosmetics; cellulose derivatives for use in the manufacture of cosmetics; cellulose acetates for use in the manufacture of cosmetics; cellulose acetates for use in the manufacture of cosmetics; cellulose derivatives for use in the manufacture of cosmetics; cellulose esters for industrial purposes; unprocessed plastics in the form of powders; unprocessed plastics in the form of powder or granules; cellulose derivatives in the form of powder or granules, namely, powdered or granulated cellulose esters for industrial purposes; cellulose esters in the form of powder or granules, namely, powdered or granulated cellulose esters for industrial purposes. FIRST USE: 20190716. FIRST USE IN COMMERCE: 20190716

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 88237321

Filing Date December 20, 2018

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 30, 2019

Registration 5963013

Number

Registration Date January 14, 2020

Owner (REGISTRANT) Daicel Corporation CORPORATION JAPAN 3-1, Ofuka-cho, Kita-ku, Osaka-shi Osaka JAPAN 530-0011

Attorney of Record Stacey R. Halpern

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark	BELLO MOI
Translations	The English translation of "Bello Moi" in the mark is Beautiful Me.
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Cosmetic creams for skin care. FIRST USE: 20120930. FIRST USE IN COMMERCE: 20120930
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	02.03.01 - Busts of women facing forward; Heads of women facing forward; Portraiture of women facing forward; Women - head, portraiture or busts facing forward 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women 27.03.02 - Humans forming letters or numerals; Humans forming punctuation
Serial Number	85488169
Filing Date	December 6, 2011
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	May 15, 2012
Registration Number	4269559
Registration Date	January 1, 2013
Owner	(REGISTRANT) Lezell, Logan INDIVIDUAL UNITED STATES 2901 Clint Moore R. #324 Boca Raton FLORIDA 33496
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the term "BELLO MOI" with the "O" in "BELLO" containing the design of a woman's face.
Type of Mark	TRADEMARK
Register	PRINCIPAL

Affidavit Text SECT 8 (6-YR).

**Live/Dead
Indicator** **LIVE**

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tru bello

Word Mark TRU BELLO

Translations The English translation of "bello" in the mark is "beautiful".

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: **Cosmetic** bath salts; **Cosmetic** creams; **Cosmetic** creams for skin care; **Cosmetic** facial blotting papers; **Cosmetic** hand creams; **Cosmetic** masks; **Cosmetic** milks; **Cosmetic** nourishing creams; **Cosmetic** oils; **Cosmetic** oils for the epidermis; **Cosmetic** pencils; **Cosmetic** preparations; **Cosmetic** preparations for bath and shower; **Cosmetic** preparations for body care; **Cosmetic** preparations for skin care; **Cosmetic** preparations for the hair and scalp; **Cosmetic** preparations, namely, firming creams; **Cosmetic** preparations, namely, firming lotions; **Cosmetic** rouges; **Cosmetic** skin fresheners; **Cosmetic** soaps; **Cosmetic** suntan lotions; **Cosmetics**; **Cosmetics** and make-up; **Cosmetics** for children; **Cosmetics** in general, including perfumes; **Cosmetics** in the form of milks, lotions and emulsions; **Cosmetics** sold as an integral component of non-medicated skincare preparations; **Cosmetics**, namely, compacts; **Cosmetics**, namely, lip primer; After-sun gels; Aloe vera gel for **cosmetic** purposes; Aloe vera preparations for **cosmetic** purposes; Anti-aging moisturizers used as **cosmetics**; Bath melts; Bath oils for **cosmetic** purposes; Bath powder; Body and beauty care **cosmetics**; Cleansing creams; Cleansing milk for **cosmetic** purposes; Colognes, perfumes and **cosmetics**; Cotton sticks for **cosmetic** purposes; Cotton swabs for **cosmetic** purposes; Eye compresses for **cosmetic** purposes; Eyebrow **cosmetics**; Face creams for **cosmetic** use; Gels for **cosmetic** purposes; Glitter for **cosmetic** purposes; Impregnated cleaning pads impregnated with **cosmetics**; Lip stains; Lip stains for **cosmetic** purposes; Lotions for **cosmetic** purposes; Mask pack for **cosmetic** purposes; Nail **cosmetics**; Nail paint; Nail primer; Nail varnish for **cosmetic** purposes; Non-medicated **cosmetics**; Pencils for **cosmetic** purposes; Pore tightening mask packs used as **cosmetics**; Pre-moistened **cosmetic** towelettes; Pre-moistened **cosmetic** wipes; Skin conditioning creams for **cosmetic** purposes; Skin fresheners; Skin moisturizers used as **cosmetics**; Solid powder for compacts; Tissues impregnated with **cosmetic** lotions; Wrinkle-minimizing **cosmetic** preparations for topical facial use; face and skin moisturizers. FIRST USE: 20180303. FIRST USE IN COMMERCE: 20180303

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial 87741528

Number
Filing Date January 3, 2018
Current Basis 1A
Original Filing Basis 1B
Published for Opposition May 22, 2018
Registration Number 5588076
Registration Date October 16, 2018
Owner (REGISTRANT) JEXKO Corp. CORPORATION VIRGINIA 1259 Courthouse Road, Suite 204 Stafford VIRGINIA 22554
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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BiEau

Word Mark	BIEAU
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Chemical additives for use in the manufacture of cosmetics. FIRST USE: 20190611. FIRST USE IN COMMERCE: 20190614
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88479421
Filing Date	June 19, 2019
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	September 3, 2019
Registration Number	5914988
Registration Date	November 19, 2019
Owner	(REGISTRANT) Active Concepts, LLC LIMITED LIABILITY COMPANY NORTH CAROLINA 107 Technology Dr. Lincolnton NORTH CAROLINA 28092
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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오뷰

Ohbeau

Word Mark	OHBEAU
Translations	The non-Latin characters in the mark transliterate to "Oh Beau " and this has no meaning in a foreign language. The wording "Ohbeau" has no meaning in a foreign language.
Goods and Services	IC 003. US 001 004 006 050 051 052. G & S: Cosmetics
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	28.01.03 - Chinese characters ; Japanese characters ; Japanese and Chinese characters 28.01.04 - Korean Hangul
Serial Number	79135154
Filing Date	July 9, 2013
Current Basis	66A
Original Filing Basis	66A
Published for Opposition	February 4, 2014
Registration Number	4516855
International Registration Number	1173094
Registration Date	April 22, 2014
Owner	(REGISTRANT) CHOI, Jang Il. Individual REPUBLIC OF KOREA 91, 103dong #502 Susong I-Park Apt., Susong-dong, Gunsan-si Jeonbuk REPUBLIC OF KOREA
Attorney of Record	Jae Youn Kim
Description of Mark	Color is not claimed as a feature of the mark.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Word Mark NOVO NORDISK

Translations The English translation of "NOVO NORDISK" in the mark is "NEW NORDIC".

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Chemical preparations for use in industry; chemical additives for use in the **manufacture** of pharmaceuticals, cosmetics, hair lotions, disinfectants, paints, clay; chemical diagnostic reagents for industrial use; chemical preparations for use in the oil industry

IC 005. US 006 018 044 046 051 052. G & S: Chemical preparations for use in medical devices used to administer nasal solutions, vaccines, and anti-diabetic preparations, namely, delivery agents consisting of compounds that facilitate delivery of a wide range of pharmaceuticals, namely, delivery agents consisting of compounds that facilitate delivery of a wide range of pharmaceuticals

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.07.01 - Cattle ; Oxen, cows, calves, bulls ; Steers
 03.07.24 - Stylized bovines, deer, antelopes, goats, sheep, pigs, cows, bulls, buffalo, moose
 26.01.21 - Circles that are totally or partially shaded.

Serial Number 79199891

Filing Date August 1, 2016

Current Basis 66A

Original Filing Basis 66A

Published for Opposition September 5, 2017

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration 5337558

Number**International****Registration Number** 1327264**Number****Registration****Date** November 21, 2017**Owner**

(REGISTRANT) Novo Nordisk A/S a Public Limited Company AKTIESELSKAB DENMARK Novo Allé DK-2880 Bagsværd DENMARK

Attorney of Record

Claudia A. Smith

Description of Mark

The color(s) dark blue and light blue is/are claimed as a feature of the mark. The mark consists of the stylized wording "NOVO NORDISK" in dark blue below a stylized light blue bull that has dark blue features, namely, the eye, leg, horns, tails, detailing lines and outline. A light blue circle with a dark blue perimeter is above the bull's head and between its horns.

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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Novo-Dry

Word Mark	NOVO-DRY
Goods and Services	IC 001. US 001 005 006 010 026 046. G & S: Desiccants . FIRST USE: 20160819. FIRST USE IN COMMERCE: 20160819
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87151131
Filing Date	August 25, 2016
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	March 28, 2017
Registration Number	5221619
Registration Date	June 13, 2017
Owner	(REGISTRANT) Dry Air Solutions, LLC LIMITED LIABILITY COMPANY WASHINGTON 6614 179th Street Court East Puyallup WASHINGTON 98375 (LAST LISTED OWNER) NOVOLEX HOLDINGS, INC. CORPORATION DELAWARE 280 PARK AVENUE, 15TH FLOOR WEST IP DOCKETING CHARLOTTE NORTH CAROLINA 28202
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Susan S. Jackson

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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