

United States Patent and Trademark Office	TRADEMARK TRIAL AND APPEAL BOARD P.O. Box 1451 Alexandria, VA 22313 (571) 272-8500
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Notice of Opposition

(Notification of Provisional Refusal Based on an Opposition)

Notice is hereby given that the following party opposes indicated request for extension of protection to the United States.

Opposer Information

Name	Carl Zeiss Vision Inc.
Address	10590 West Ocean Air Drive Torrey View Corporate Tower, Suite 300 San Diego, CA 92130 UNITED STATES

Attorney information	Richard W. Young Drinker Biddle & Reath LLP 191 North Wacker Drive Suite 3700 Chicago, IL 60606 UNITED STATES IPDOCKETCHICAGO@DBR.COM, nancy.martinez-curtin@dbr.com Phone:312 569 1460
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Opposed Request for Extension of Protection to U.S.

U.S. Serial No.	79022869	Publication date	08/07/2007
Opposition Filing Date	12/03/2007	Opposition Period 1 Ends	12/05/2007
International Registration No.	0882620	International Registration Date	09/11/2004
Name of Holder of International Registration	D. Jacobson & Sons Limited Cloughfold, Bacup Road Rawtenstall, Lancashire, BB4 7PA UNITED KINGDOM		

Goods/Services Affected by Opposition

Class 009. Opposed goods and services in the class: spectacles, eye glasses; sunglasses; contact lenses; frames
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for spectacles, eye glasses and sunglasses; binoculars; telescopes; anti-glare glasses and anti-glare sunglasses; cases, holders, chains and cords for spectacles, eye glasses, sunglasses, contact lenses, binoculars and telescopes; goggles for sports, protective face guards being parts of protective helmets; ski goggles; protective face guards affixed to protective helmets; bags, carriers, boxes, covers and containers adapted to carry spectacles, sunglasses, contact lenses.


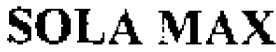
Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1168980	Application Date	08/16/1976
Registration Date	09/15/1981	Foreign Priority Date	NONE
Word Mark	SOLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1971/06/00 First Use In Commerce: 1971/06/00 FINISHED OPTICAL LENSES, AND SEMI-FINISHED BLANKS FOR MAKING OPTICAL LENSES		

U.S. Registration No.	2292957	Application Date	05/05/1995
Registration Date	11/16/1999	Foreign Priority Date	NONE
Word Mark	SOLA RX		
Design Mark	SOLA RX		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1999/03/04 First Use In Commerce: 1999/03/04 computers, computer software, namely, pre-recorded computer programs for scientific, industrial, business and manufacturing applications for use in demonstrating spectacle lens products, parts and accessories therefor, namely,		

	displays and manuals sold as a unit		
U.S. Registration No.	2940870	Application Date	07/31/2003
Registration Date	04/12/2005	Foreign Priority Date	NONE
Word Mark	SOLA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 1996/06/00 First Use In Commerce: 1996/06/00</p> <p>Optical goods and apparatus, namely, spectacles, sunglasses, goggles, coated lenses, lens blanks, and lens wafers; ophthalmic lenses namely, coated lenses, spectacle lenses, sunglass lenses, and progressive lenses; parts thereof for the above mentioned</p>		
U.S. Registration No.	2724696	Application Date	12/13/1999
Registration Date	06/10/2003	Foreign Priority Date	NONE
Word Mark	SOLA MAX		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2000/02/00 First Use In Commerce: 2000/11/30</p> <p>Optical goods and apparatus, namely, spectacles, sunglasses, safety goggles, contact lenses, spectacle lenses, lens blanks and ophthalmic lenses not including intraocular lenses</p>		

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Tracking number: ESTTA178202

¹The maximum possible opposition period is 180 days from publication, and other oppositions may therefore be filed before the end of that period.

Your response must go to the Trademark Trial and Appeal Board (TTAB) of the United States Patent and Trademark Office.

You must file a response, and serve the opposing party, within forty days from the date of the TTAB order setting discovery and trial dates. You will receive that order directly from the TTAB, and the forty day period begins on the mailing date of that order. You need not file a response until you receive that order.

You may file your answer through an attorney permitted to practice before the United States Patent and Trademark Office in trademark cases. While an attorney is not required, your answer and all other papers in this proceeding must conform to the applicable United States rules and statutes. Foreign attorneys may not represent parties before the TTAB, unless specifically permitted to do so under Patent and Trademark Rule 10.14(c). The TTAB cannot assist you in choosing an attorney.

***United States Patent and Trademark Office
Trademark Trial and Appeal Board***