

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 79/056846

MARK: ARCHIMEDE

79056846

CORRESPONDENT ADDRESS:

Office KIRKPATRICK S.A.
Avenue Wolfers 32
B-1310 La Hulpe
BELGIUM

RESPOND TO THIS ACTION:

<http://www.uspto.gov/teas/eTEASpageD.htm>

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: ARCHIMEDE & CIE
SA

**CORRESPONDENT'S
REFERENCE/DOCKET NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE:

INTERNATIONAL REGISTRATION NO. 0589263.

This is a **PROVISIONAL FULL REFUSAL** of the trademark and/or service mark in the above-referenced U.S. application. See 15 U.S.C. §1141h(c).

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL:

Applicant may respond directly to this provisional refusal Office action, or applicant's attorney may respond on applicant's behalf. However, **the only attorneys who can practice before the USPTO** in trademark matters are as follows:

- (1) **Attorneys in good standing with a bar of the highest court of any U.S. state**, the District of Columbia, Puerto Rico, and other federal territories and possessions of the United States; and
- (2) **Canadian agents/attorneys** who represent applicants residing in Canada and who have received reciprocal recognition by the USPTO under 37 C.F.R. §10.14(c).

37 C.F.R. §§10.1(c), 10.14; TMEP §602.

Foreign attorneys are not permitted to practice before the USPTO, other than properly authorized Canadian attorneys. TMEP §602.06(b). Filing written communications, authorizing an amendment to an application, or submitting legal arguments in response to a requirement or refusal constitutes

representation of a party in a trademark matter. A response signed by an unauthorized foreign attorney is considered an incomplete response. *See* TMEP §§602.03, 712.03.

THE APPLICATION HAS BEEN PROVISIONALLY REFUSED AS FOLLOWS:

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

Section 2(d) Refusal

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 2131803. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registration.

Taking into account the relevant *du Pont* factors, a likelihood of confusion determination in this case involves a two-part analysis. The marks are compared for similarities in their appearance, sound, connotation and commercial impression. TMEP §§1207.01, 1207.01(b). The goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. *See Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002); *Han Beauty, Inc. v. Alberto-Culver Co.*, 236 F.3d 1333, 1336, 57 USPQ2d 1557, 1559 (Fed. Cir. 2001); TMEP §§1207.01, 1207.01(a)(vi).

In a likelihood of confusion determination, the marks are compared for similarities in their appearance, sound, meaning or connotation and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b). Similarity in any one of these elements may be sufficient to find a likelihood of confusion. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *In re Lamson Oil Co.*, 6 USPQ2d 1041, 1043 (TTAB 1987); *see* TMEP §1207.01(b).

In this case, the parties' marks are identical.

Turning to the comparison of the goods, the goods of the parties need not be identical or directly competitive to find a likelihood of confusion. *See Safety-Kleen Corp. v. Dresser Indus., Inc.*, 518 F.2d 1399, 1404, 186 USPQ 476, 480 (C.C.P.A. 1975); TMEP §1207.01(a)(i). Rather, they need only be related in some manner, or the conditions surrounding their marketing are such that they would be encountered by the same purchasers under circumstances that would give rise to the mistaken belief that the goods come from a common source. *In re Total Quality Group, Inc.*, 51 USPQ2d 1474, 1476 (TTAB 1999); TMEP §1207.01(a)(i); *see, e.g., On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086-87, 56 USPQ2d 1471, 1475-76 (Fed. Cir. 2000); *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 1566-68, 223 USPQ 1289, 1290 (Fed. Cir. 1984).

Likelihood of confusion is determined on the basis of the goods and/or services as they are identified in the application and registration. *Hewlett-Packard Co. v. Packard Press Inc.*, 281 F.3d 1261, 1267-68, 62 USPQ2d 1001, 1004-05 (Fed. Cir. 2002); *In re Shell Oil Co.*, 992 F.2d 1204, 1207 n.4, 26 USPQ2d 1687, 1690 n.4 (Fed. Cir. 1993); TMEP §1207.01(a)(iii).

In this case, applicant's goods are identified broadly. Therefore, it is presumed that the application encompasses all goods of the type described, including those in the registrant's more specific identification, that they move in all normal channels of trade, and that they are available to all potential customers. *See* TMEP §1207.01(a)(iii); *see, e.g., In re Americor Health Servs.*, 1 USPQ2d 1670, 1670-71 (TTAB 1986); *In re Equitable Bancorporation*, 229 USPQ 709, 710 (TTAB 1986).

Additionally, International Class 028 goods are commonly offered under the same mark as goods such as those identified by the registrant. Attached copies of printouts from the USPTO X-Search database show third-party registrations of marks used in connection with the same or similar goods

as those of applicant and registrant in this case. These printouts have probative value to the extent that they serve to suggest that the goods listed therein are of a kind that may emanate from a single source. *In re Infinity Broad. Corp.*, 60 USPQ2d 1214, 1217-18 (TTAB 2001); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co.*, 6 USPQ2d 1467, 1470 n.6 (TTAB 1988); TMEP §1207.01(d)(iii).

Moreover, if the marks of the respective parties are identical, the relationship between the goods and/or services of the respective parties need not be as close to support a finding of likelihood of confusion as might apply where differences exist between the marks. *In re Opus One Inc.*, 60 USPQ2d 1812, 1815 (TTAB 2001); *Amcor, Inc. v. Amcor Indus., Inc.*, 210 USPQ 70, 78 (TTAB 1981); TMEP §1207.01(a).

The overriding concern is not only to prevent buyer confusion as to the source of the goods and/or services, but to protect the registrant from adverse commercial impact due to use of a similar mark by a newcomer. *See In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt regarding a likelihood of confusion determination is resolved in favor of the registrant. TMEP §1207.01(d)(i); *see Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 464-65, 6 USPQ2d 1025, 1025 (Fed. Cir. 1988).

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

Applicant must respond to the requirement(s) set forth below.

Identification of Goods

THIS REQUIREMENT APPLIES ONLY TO THE GOODS SPECIFIED THEREIN

The identification of goods and/or services contains parentheses. Generally, parentheses and brackets should *not* be used in identifications. Parenthetical information is permitted in identifications only if it serves to explain or translate the matter immediately preceding the parenthetical phrase in such a way that it does not affect the clarity of the identification, e.g., "obi (Japanese sash)." TMEP §1402.12.

Therefore, applicant must remove the parentheses from the identification of goods and/or services and incorporate the parenthetical information into the description.

The following wording in the identification of goods is unacceptably indefinite and must be clarified because the exact nature of the goods is unclear:

"Emergency (life-saving) equipment"

"Clothing ... headgear"

"Gymnastic and sporting articles not included in other classes".

Applicant may amend the identification to the following, if accurate:

"Emergency life-saving equipment, namely, emergency flares and emergency signal transmitters" [in International Class 009]

"Clothing, namely, shirts and pants; footwear; headgear, namely, {specify type, e.g., hats, caps}" [in International Class 025]

"Gymnastic and sporting articles not included in other classes, namely, gymnastic apparatus

and spring boards” [in International Class 028].

TMEP §§1402.01 and 1402.03. [Note: Bracketed classification listing is provided for informational purposes, and does not appear in identification wording.]

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>. See TMEP §1402.04.

Identifications of goods can be amended only to clarify or limit the goods; adding to or broadening the scope of the goods is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include goods that are not within the scope of the goods set forth in the present identification.

Classification Cannot be Changed – Informational Advisory

The international classification of goods and/or services in applications filed under Trademark Act Section 66(a) cannot be changed from the classification given to the goods and/or services by the International Bureau in the corresponding international registration. TMEP §§1401.03(d), 1904.02 (b).

Mark Significance

Applicant must explain whether “ARCHIMEDE” has any meaning or significance in the industry in which the goods are manufactured/provided, or if such wording is a “term of art” within applicant’s industry. Applicant must also explain whether this wording identifies a geographic place. See 37 C.F.R. §2.61(b); TMEP §814.

Further, applicant must provide additional information about this wording to enable proper examination of the application.

Applicant must specify whether “ARCHIMEDE” in the mark has any meaning in a foreign language. See 37 C.F.R. §2.61(b); TMEP §§809, 814.

If this term has meaning in a foreign language, applicant must submit a statement translating the non-English wording in the mark. TMEP §809; see 37 C.F.R. §§2.32(a), 2.61(b).

The following formats are acceptable for a translation and transliteration statement:

The English translation of “ARCHIMEDE” in the mark is “[specify translation].”

TMEP §809.02.

If this term has no meaning in a foreign language, applicant should provide the following statement: “The wording “ARCHIMEDE” has no meaning in a foreign language.” *Id.*

Failure to respond to this request for information can be grounds for refusing registration. See *In re DTIP’ship LLP*, 67 USPQ2d 1699, 1701 (TTAB 2003); TMEP §814.

Entity

The application does not include applicant’s “Legal Nature: Place Incorporated.” Applicant must specify its citizenship (“Place Incorporated”). 37 C.F.R. §2.32(a)(3); TMEP §§803.03, 803.04.

If applicant’s entity type is a corporation or association, applicant must set forth the country under whose laws applicant is organized or incorporated. 37 C.F.R. §2.32(a)(3)(ii); TMEP §§803.03(c), 803.04. If applicant’s entity type is a partnership or joint venture, applicant must specify the country under whose laws the partnership or joint venture is organized. 37 C.F.R. §2.32(a)(3)(ii)-(iii); TMEP

§§803.03(b), 803.04.

/Nelson B. Snyder III/
Trademark Examining Attorney
Law Office 107
(571) 272-9284
(571) 273-9107 (fax)

RESPOND TO THIS ACTION: Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

Print: Sep 3, 2008 75101657

TYPED DRAWING

Serial Number
75101657

Status
SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark
ARCHIMEDE

Standard Character Mark
No

Registration Number
2131803

Date Registered
1998/01/27

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
MOENS, CEDRIC INDIVIDUAL BELGIUM RUE COLEAU 17 WATERLOO BELGIUM 1410

Owner
BOTTEQUIN, OLIVER INDIVIDUAL BELGIUM RUE BARON DE XAVIER 7 LASNE BELGIUM 1380

Owner
LAMBILLION, TANGUY INDIVIDUAL BELGIUM RUE DE LA BRUYERE 19A LASNE BELGIUM 1380

Goods/Services
Class Status -- ACTIVE, IC 009, US 021 023 026 036 038, G & S: safety swim suit with floatation devices attached thereto, and sold as a unit, used to instruct novice swimmers.

Goods/Services
Class Status -- ACTIVE, IC 025, US 022 039, G & S: shoes, headgear, namely, bathing cape and sun hats, and swim suits.

Foreign Country Name
BELGIUM

Print: Sep 3, 2008

75101657

Foreign Registration Number
489,758

Foreign Registration Date
1990/10/18

Foreign Expiration Date
2000/10/18

Filing Date
1996/05/09

Examining Attorney
KIM, RICHARD

Attorney of Record
Stephen J. Strauss

Print: Sep 3, 2008

78578209

DESIGN MARK

Serial Number
78578209

Status
REGISTERED

Registration Number
3063249

Date Registered
2006/02/28

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(2) DESIGN ONLY

Owner
DIADORA SPA JOINT STOCK COMPANY VIA MONTELLIO 80 CAERANO DI SAN MARCO
TV ITALY 31031

Goods/Services

Class Status -- ACTIVE. IC 019. US 001 002 003 022 041. G & S:
Sports bags, Backpacks, drawstring sacks, Shoe bags, Briefcases,
Duffle bags, Bags for balls, Racquet bags. First Use: 1974/00/00.
First Use In Commerce: 1980/12/01.

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Soccer
footwear, Tennis footwear, Running footwear, Athletic footwear,
Sandals, slippers; Soccer team apparel, namely, Jerseys, shorts,
T-shirts, practice vests; Goalkeeper apparel, namely, jerseys, pants,
shorts; warm-up jackets, warm-up pants, warm-up suits, bench coats,
namely coat intended to be worn over athletic wear; Competitive
training apparel, namely, jackets, pants, fleeces, sweatshirts,
T-shirts; women's and men's tennis apparel, namely, T-shirts, skirts,
dresses, tank tops, vests, shorts, polo shirts, warm-up suits;
T-shirts, Sleeve tie-backs, Armbands, Wristbands, Headbands, Gloves,
Socks, Caps, Hats, Visors. First Use: 1974/00/00. First Use In
Commerce: 1980/12/01.

Goods/Services

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: shin
guards and ankle guards for athletic use, Goalkeeper gloves, Soccer
Balls. First Use: 1974/00/00. First Use In Commerce: 1980/12/01.

Print: Sep 3, 2008

78578209

Prior Registration(s)
1313513; 1324537; 1869672; 2058069; 2751758; AND OTHERS

Filing Date
2005/03/02

Examining Attorney
GUSTABSON, ANNE E.

Attorney of Record
Bruce S. Londa



Print: Sep 3, 2008 78681121

DESIGN MARK

Serial Number
78681121

Status
REGISTERED

Word Mark
BLUESEVENTY

Standard Character Mark
No

Registration Number
3286912

Date Registered
2007/08/28

Type of Mark
TRADEMARK

Register
PRINCIPAL

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

Owner
BLUESEVENTY USA LLC LIMITED LIABILITY COMPANY WASHINGTON 3131 WESTERN
AVE SUITE 316 SEATTLE WASHINGTON 98121

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Ear
plugs for swimming; Ear plugs for swimming purposes; Nose clips for
swimming; Swim goggles; Swim masks; Swimming face masks; Swimming
goggles. First Use: 2005/09/15. First Use In Commerce: 2005/09/15.

Goods/Services
Class Status -- ACTIVE. IC 025. US 042 039. G & S: Swim caps; swim
trunks; swim wear; swim wear for gentlemen and ladies; swimming capes;
bathing capes; swimming costumes; swimming trunks; wet suits. First
Use: 2005/09/15. First Use In Commerce: 2005/09/15.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Floats
for recreational use, namely, arm floats, foam floats, swim floats;
play articles namely inflatable swimming pools; swim boards for
recreational use; swim fins; swim floats for recreational use;
swimming aids, namely pool rings, arm floats for training; swimming

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78681121

boards; swimming equipment, namely, racing lanes; swimming equipment, namely, starting blocks; swimming gloves; water wing swim aids for recreational use. First Use: 2005/09/15. First Use In Commerce: 2005/09/15.

Colors Claimed

The colors orange and blue are claimed as a feature of the mark.

Part of Mark in Color

The colors orange appears as the color of the swirl and the word element seventy, the color blue appears as the color of the wave and the word element blue.

Filing Date

2005/07/28

Examining Attorney

DEFORD, JEFF

Attorney of Record

NANCY V. STEPHENS



blueseventy

Print: Sep 3, 2008

78696524

DESIGN MARK

Serial Number
78696524

Status
REGISTERED

Word Mark
ALLIANCE

Standard Character Mark
Yes

Registration Number
3365649

Date Registered
2008/01/08

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
ALLIANCE BOARD SPORTS, INC. CORPORATION CALIFORNIA PO BOX 2186
ESCONDIDO CALIFORNIA 92033

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: CLOTHING,
NAMESLY T-SHIRTS, SWEATSHIRTS, CAPS, AND SHOES. First Use: 1999/01/25.
First Use In Commerce: 1999/01/25.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Bags
for skateboards; skateboard wheels; skateboards; skateboard trucks.
First Use: 1999/01/25. First Use In Commerce: 1999/01/25.

Filing Date
2005/08/19

Examining Attorney
CLARK, ROBERT C.

ALLIANCE

Print: Sep 3, 2008 78932971

DESIGN MARK

Serial Number
78932971

Status
REGISTERED

Word Mark
CRASH PADS

Standard Character Mark
No

Registration Number
3388918

Date Registered
2008/02/26

Type of Mark
TRADEMARK

Register
PRINCIPAL

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

Owner
Lehner Industries Inc. CORPORATION OREGON crash-pads.com 15129 NW
Oakmont Loop Beaverton OREGON 97006

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Athletic
clothing, military clothing and medical clothing, namely, shirts,
jackets, pants, socks, shorts, shoes and hats. First Use: 1992/06/01.
First Use In Commerce: 1992/09/01.

Goods/Services
Class Status -- ACTIVE. IC 028. US 042 023 038 050. G & S:
Protective padding for sports, namely, protective padding in the
nature of padded shorts, padded pants, padded shirts, padded vests,
and padded jackets for use in skiing, snowboarding, cliff jumping,
skateboarding, hockey, ice skating, roller skating, motocross and
biking. First Use: 1992/06/01. First Use In Commerce: 1992/09/01.

Disclaimer Statement
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CRASH PADS" APART FROM
THE MARK AS SHOWN.

Print: Sep 3, 2008

78932971

Description of Mark

The mark consists of the words CRASH PADS surrounded by two nested triangles.

Colors Claimed

Color is not claimed as a feature of the mark.

Filing Date

2006/03/09

Examining Attorney

COLLINS, ALICIA

Attorney of Record

SCOTT A. SCHAFER



Print: Sep 3, 2008 7898381

DESIGN MARK

Serial Number
7898381

Status
REGISTERED

Word Mark
GAMENESS

Standard Character Mark
No

Registration Number
3274949

Date Registered
2007/08/07

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(S) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner
Clay Enterprises CORPORATION TENNESSEE 613 Durrett Drive Nashville
TENNESSEE 37211

Goods/Services

Class Status -- ACTIVE. IC 025. US 022 039. G & S: Clothing namely t-shirts, tank tops, rash guards, sweat shirts, sweat pants, fight shorts, vale tudo shorts, boardshorts, polo shirts, jackets, beanies, skullcaps, hats, caps, fight robes, shoes, pants, warm-up suits, vests; belts for Brazilian Jiu-jitsu, Mixed Martial Arts, No Holds Barred, Full Contact Fighting, Submission Fighting, Karate, Judo, Tae Kwon Do, Muay Thai, Vale Tudo, Kickboxing and Boxing; Brazilian Jiu-jitsu gi's and Kimonos, Judo gi's and Kimonos, Karate gi's and Kimonos, TaeKwondo gi's and Kimonos, kempo gi's and Kimonos. First Use: 1996/01/05. First Use In Commerce: 1996/01/05.

Goods/Services

Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Fight gloves, Boxing gloves, hand wraps, heavy bags for boxing, Mixed Martial Arts and Kickboxing; boxing rings; double ended bags for boxing, Mixed Martial Arts and Kickboxing; Mixed Martial Arts gloves for Mixed Martial Arts and Kickboxing; training gloves, headgear,

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7898381

namely head guard for boxing, head guard for wrestling, head guard for kickboxing; speedbags for boxing, focus mitts for kickboxing, punch shields, shin guards, cages for Mixed Martial Arts, octagons in the nature of eight sided cages for Mixed Martial Arts. First Use: 1996/01/05. First Use In Commerce: 1996/01/05.

Filing Date
2006/06/01

Examining Attorney
COWARD, KATHRYN

Hamenezz

Print: Sep 3, 2008 78908664

DESIGN MARK

Serial Number
78908664

Status
REGISTERED

Word Mark
FREEDOM IS A WHEEL IN YOUR SOLE

Standard Character Mark
Yes

Registration Number
3294016

Date Registered
2007/09/18

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
Heeling Sports Limited LIMITED PARTNERSHIP TEXAS Suite 100 3200
Belmeade Dr. Carrollton TEXAS 75006

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: footwear,
namely athletic shoes. First Use: 2001/09/00. First Use In Commerce:
2001/09/00.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: roller
skates equipped with at least one roller used for walking, running and
rolling. First Use: 2001/09/00. First Use In Commerce: 2001/09/00.

Filing Date
2006/06/15

Examining Attorney
MARTIN, JENNIFER

Attorney of Record
Robert J. Ward

FREEDOM IS A WHEEL IN YOUR
SOLE

Print: Sep 3, 2008 78933820

DESIGN MARK

Serial Number
78933820

Status
REGISTERED

Word Mark
FUNKADILLY CIRCUS

Standard Character Mark
Yes

Registration Number
3244848

Date Registered
2007/05/22

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
Renteria, Marny INDIVIDUAL UNITED STATES 71361 Gardess Road Rancho
Mirage CALIFORNIA 92270

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: clothing namely
jackets, t-shirt, tank-tops, shirts, blouses, jeans, pants, skirts,
shorts, dresses, socks, hats, shoes and swim wear. First Use:
2006/04/04. First Use In Commerce: 2006/04/04.

Goods/Services
Class Status -- ACTIVE. IC 028. US 042 023 038 050. G & S:
skateboards. First Use: 2006/04/04. First Use In Commerce:
2006/04/04.

Filing Date
2006/07/20

Examining Attorney
HETZEL, DANNEAN

PUNKADILLY CIRCUS

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78947318

DESIGN MARK

Serial Number
78947318

Status
REGISTERED

Word Mark
VIOLATE THE NATURAL ORDER

Standard Character Mark
Yes

Registration Number
3339912

Date Registered
2007/11/20

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
ADAMS, ROGER R. INDIVIDUAL UNITED STATES 8740 STEMMONS FWY HICKORY
CREEK TEXAS 75065

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: footwear,
namely athletic shoes; t-shirts and caps. First Use: 2001/01/01.
First Use In Commerce: 2001/01/01.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: roller
skates equipped with at least one roller used for walking, running and
rolling. First Use: 2001/01/01. First Use In Commerce: 2001/01/01.

Filing Date
2006/08/08

Examining Attorney
MARTIN, JENNIFER

Attorney of Record
Robert J. Ward

VIOLATE THE NATURAL ORDER

Print: Sep 3, 2008 78961738

DESIGN MARK

Serial Number
78961738

Status
REGISTERED

Word Mark
WAVE RAVE

Standard Character Mark
Yes

Registration Number
3275205

Date Registered
2007/08/07

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
Freetime Ventures Inc. DBA Wave Rave Snowboard Shop CORPORATION
CALIFORNIA P.O. Box 2479/3203 Main Street Mammoth Lakes CALIFORNIA
93546

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Men's, women's
and children's apparel, namely, jackets, pants, gloves, mittens,
beanies, hats, sweaters, sweatshirts, sweatpants, shirts, t-shirts,
shoes, socks, thermal underwear, snowboarding jackets, snowboarding
pants, ski jackets, ski pants. First Use: 1989/10/01. First Use in
Commerce: 1989/11/15.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S:
Skateboards. First Use: 2000/06/01. First Use in Commerce:
2000/06/01.

Goods/Services
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Retail
store services, mail order retail store services, and on-line retail
store services featuring snowboarding equipment and supplies.

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skateboarding equipment and supplies, sporting goods, outdoor equipment and supplies, apparel, footwear, and accessories. First Use: 1989/10/01. First Use In Commerce: 1989/10/01.

Filing Date
2006/08/28

Examining Attorney
PERKINS, ELLEN

Attorney of Record
Mary A. Harris, Esq.

WAVE RAVE

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DESIGN MARK

Serial Number
78970801

Status
REGISTERED

Word Mark
DREAD OR DEAD

Standard Character Mark
Yes

Registration Number
3275253

Date Registered
2007/08/07

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
Garrett, Russell INDIVIDUAL BARBADOS c/o Dread or Dead Hastings Main Road Christ Church BARBADOS WestIndie

Goods/Services
Class Status -- ACTIVE. IC 025. US 022 039. G & S: Bathing suits; Board shorts; Body suits; Flip flops; Footwear; Headgear, namely, hats, caps; Hoods; Open-necked shirts; Shirts; Shoes; Short sets; Short trousers; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Shorts; Ski suits; Ski wear; Snow boarding suits; Sports shirts; Surf wear; T-shirts; Tops; Wet suits. First Use: 1995/05/09. First Use In Commerce: 1995/06/01.

Goods/Services
Class Status -- ACTIVE. IC 028. US 022 023 038 050. G & S: Bags especially designed for surfboards; Bags for skateboards; Body boards; Sail boards; Skateboard decks; Skateboards; Skim boards; Skis; Snow skis; Snowboard decks; Snowboards; Surf boards; Surfboards; Wake boards. First Use: 1995/05/09. First Use In Commerce: 1995/06/01.

Filing Date
2006/03/09

Print: Sep 3, 2008

78970801

Examining Attorney
GRAY, CAROLYN

Dread or Dead