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Mark: CHIVÉRE

Chivére

US Serial Number: 79217953

Application Filing Date: Jul. 26, 2017

Register: Principal

Mark Type: Trademark

Status: New application assigned to an examining attorney for examination.

Status Date: Oct. 25, 2017

Mark Information

Mark Literal Elements: CHIVÉRE

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

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1368653

International Registration Date: Jul. 26, 2017

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: Skin care preparations; cosmetic preparations for skin care; cosmetic preparations for skin care, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; cosmetic oils; skin creams (cosmetic); skin care creams (cosmetic), lotions (cosmetic) and oils (cosmetic); wrinkle removing skin care preparations; sunscreens, waterproof sunscreen; sunscreen preparations, sunscreen creams and lotions; cosmetics for protecting the skin from sunburn; sunblock; sun barriers (cosmetics); sun creams; cosmetic preparations for protecting the skin from the sun's rays; sun care lotions; compounds for skin care after exposure to the sun's rays; after-sun milks, creams, lotions and moisturizers; sun bronzers; sun-tanning preparations; cosmetics for tanning the skin including preparations for tanning without sunlight, all based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; self-tanning preparations (cosmetic); self-tanning creams (cosmetic) and lotions (cosmetic); suntan creams, lotions, oils and gels; skin rejuvenation preparations; skin rejuvenation products with and without analogues of alpha-melanocyte stimulating hormone (alpha-MSH); anti-aging skincare preparations; anti-aging creams, lotions, moisturizers, gels, balms and serums; cleansing creams, lotions, milks, foam, gels and masks

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 66(a)

For: Pharmaceuticals; pharmaceutical drugs; pharmaceutical preparations; pharmaceutical preparations, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; sun tanning preparations for pharmaceutical purposes, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; pharmaceutical preparations for skin care; pharmaceutical preparations for treating skin disorders; dermatological preparations; dermatological pharmaceutical substances; dermatological pharmaceutical products; medicinal creams for the protection of the skin; skin care creams for medical use; skin care preparations for medical use; medicated skin creams and lotions; medicated creams for application after exposure to the sun; pharmaceutical skin lotions; preparations for cleansing the skin for medical use; chemical and biological preparations, substances, reagents and compounds for the delivery and storage of pharmaceuticals which are based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide

International Class(es): 005 - Primary Class

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

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use:	No	Currently Use:	No	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	Yes	Currently 66A:	Yes		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Clinuvel (UK) Ltd
Owner Address: Devonshire House
60 Goswell Road; London EC1M 7AD
UNITED KINGDOM
Legal Entity Type: Limited company
State or Country Where Organized: NOT ON LIST

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: FARAGO PATENTANWÄLTE
Thierschstr. 11
80538 München
GERMANY

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 25, 2017	ASSIGNED TO EXAMINER	93047
Oct. 17, 2017	APPLICATION FILING RECEIPT MAILED	
Oct. 12, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 05, 2017	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1368653	International Registration Date: Jul. 26, 2017
Priority Claimed Flag: Yes	Date of Section 67 Priority Claim: Feb. 07, 2017
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Oct. 05, 2017
Notification of Designation Date: Oct. 05, 2017	Date of Automatic Protection: Apr. 05, 2019
International Registration Renewal Date: Jul. 26, 2027	
First Refusal Flag: No	

TM Staff and Location Information

TM Staff Information

TM Attorney: BLAZICH, JOAN MICHELE

Law Office: LAW OFFICE 122

Assigned:

File Location

Current Location: TMO LAW OFFICE 122

Date in Location: Oct. 25, 2017

FILING RECEIPT FOR TRADEMARK APPLICATION

Oct 17, 2017

FARAGO PATENTANWÄLTE
Thierschstr. 11
80538 München
FED REP GERMANY

Docket/Reference
Number:

1. **YOUR APPLICATION RECEIVED:** We have received your U.S. Trademark Application and assigned the serial number listed below to your submission. A summary of your application data is provided at the bottom and serves as your official filing receipt. Please keep a copy of this information for your records. All correspondence concerning the application should reference your assigned serial number.

Please read all of the important information below. Not every mark is registrable with the USPTO and we do not refund the application filing fee(s) if a registration does not ultimately issue.

2. **RECEIVING E-MAIL COMMUNICATIONS/FILING DOCUMENTS ON-LINE:** If you authorize receipt of correspondence by e-mail, please make sure that your server will accept USPTO e-mail and not treat it as SPAM. If you have not authorized communication by e-mail, please do so at any time by using the "Change of Correspondence Address" form, available at <http://teas.uspto.gov/ccr/cca>. If you must submit correspondence to us, please use the Trademark Electronic Application System (TEAS) forms, available at <http://www.uspto.gov/trademarks/teas/index.jsp>.

3. **KEEP YOUR ADDRESS CURRENT IN USPTO RECORDS:** We do not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must update the correspondence and/or owner's address if a postal address and/or e-mail address changes, using the form(s) available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

4. **WARNING ABOUT UNSOLICITED COMMUNICATIONS:** You may receive trademark-related communications from private companies not associated with the USPTO. These communications frequently display customer-specific information, including your USPTO serial number or registration number and owner name, and request fees for trademark-related services, such as monitoring, listings in international publications, and document filing. **None** of the companies offering these services are affiliated with the USPTO or any other federal agency. All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov." Please consult the "Warning" page on the Trademarks section of the USPTO's website for further information about unsolicited communications and to view representative examples of them. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult www.uspto.gov, contact the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199.

5. **LEGAL EXAMINATION PROCESS:** Your application is now pending examination. In approximately 3 months, your application will be assigned to a USPTO examining attorney for review. The application cannot mature into a registration unless all legal requirements are met, and many applications never satisfy these requirements and therefore never register. The overall process can take up to 18 months.

6. **CHECK STATUS AND REVIEW DOCUMENTS OR YOUR APPLICATION MAY BE UNINTENTIONALLY ABANDONED:** You **must** check the status and review all documents associated with your application at least every 3-4 months using Trademark Status and Document Retrieval (TSDR), available at <http://tsdr.uspto.gov/>.

Promptly e-mail the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199 (select option #1) if an Office action (letter from the USPTO) or notice has issued for your application that you did not receive or do not understand. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

7. **FILING ERRORS:** If you discover an error in the application data, you must file a Voluntary Amendment at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Please wait approximately 7 days after the filing date of your application to submit a Voluntary Amendment in order to allow for initial upload of your application data into the USPTO database. The assigned examining attorney will determine the acceptability of any Voluntary Amendment during examination. Not all errors may be corrected. For example, if you submitted the wrong mark or if the proposed correction would be considered a material alteration to your original filing, it will not be accepted. In this situation, your only recourse would be to file a new application, with a new fee and no refund of your original filing fee.

8. **REQUEST FOR REFUND AND/OR CANCELLATION:** Since your application has already been assigned a serial number, please do not request a refund or to cancel the filing. We will only cancel the filing and refund the filing fee if the application does not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.

9. **SelectUSA:** The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit SelectUSA.gov or call +1-202-482-6800.

PLEASE REVIEW THE ACCURACY OF THE FILING RECEIPT DATA.

A request for correction to the filing receipt should be submitted within 30 days. Such requests may be submitted by mail to: COMMISSIONER FOR TRADEMARKS, P.O. BOX 1451, ALEXANDRIA, VIRGINIA 22313-1451; by fax to 571-273-9913; or by e-mail to tmfilingreceipt@uspto.gov. The USPTO will review the request and make corrections when appropriate.

SERIAL NUMBER: 79217953
FILING DATE: Jul 26, 2017
REGISTER: Principal
MARK: CHIVÉRE
MARK TYPE(S): Trademark
DRAWING TYPE: Standard Character Mark
FILING BASIS: Sect. 66(a)(Madrid Protocol)

OWNER: Clinuvel (UK) Ltd (NOT ON LIST, Limited company)
Devonshire House
60 Goswell Road; London EC1M 7AD
, UNITED KINGDOM

FOR: Skin care preparations; cosmetic preparations for skin care; cosmetic preparations for skin care, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; cosmetic oils; skin creams (cosmetic); skin care creams (cosmetic), lotions (cosmetic) and oils (cosmetic); wrinkle removing skin care preparations; sunscreens, waterproof sunscreen; sunscreen preparations, sunscreen creams and lotions; cosmetics for protecting the skin from sunburn; sunblock; sun barriers (cosmetics); sun creams; cosmetic preparations for protecting the skin from the sun's rays; sun care lotions; compounds for skin care after exposure to the sun's rays; after-sun milks, creams, lotions and moisturizers; sun bronzers; sun-tanning preparations; cosmetics for tanning the skin including preparations for tanning without sunlight, all based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; self-tanning preparations (cosmetic); self-tanning creams (cosmetic) and lotions (cosmetic); suntan creams, lotions, oils and gels; skin rejuvenation preparations; skin rejuvenation products with and without analogues of alpha-melanocyte stimulating hormone (alpha-MSH); anti-aging skincare preparations; anti-aging creams, lotions, moisturizers, gels, balms and serums; cleansing creams, lotions, milks, foam, gels and masks

INT. CLASS: 003

FIRST USE: NONE USE IN COMMERCE: NONE

FOR: Pharmaceuticals; pharmaceutical drugs; pharmaceutical preparations; pharmaceutical preparations, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; sun tanning preparations for pharmaceutical purposes, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; pharmaceutical preparations for skin care; pharmaceutical preparations for treating skin disorders; dermatological preparations; dermatological pharmaceutical substances; dermatological pharmaceutical products; medicinal creams for the protection of the skin; skin care creams for medical use; skin care preparations for medical use; medicated skin creams and lotions; medicated creams for application after exposure to the sun; pharmaceutical skin lotions; preparations for cleansing the skin for medical use; chemical and biological preparations, substances, reagents and compounds for the delivery and storage of pharmaceuticals which are based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide

INT. CLASS: 005

FIRST USE: NONE USE IN COMMERCE: NONE

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

INTERNATIONAL OR FOREIGN REGISTRATION DATA

INTERNATIONAL REG. NUMBER: 1368653

Note on representation: An attorney who is a member in good standing of the bar of the highest court of any U.S. state may practice before the USPTO in trademark matters. See http://tess2.uspto.gov/tmdb/tmep/0600.htm#_T60206 for more information on foreign attorneys and persons who may practice before the Office.

ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS

REQUEST FOR EXTENSION OF PROTECTION

SERIAL NUMBER: 79217953

FILING DATE: 07/26/2017

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
IMAGE	\\TICRS\EXPORT17\IMAGEOUT17\792\179\79217953\xml1\APP0002.JPG
COLLECTIVE, CERTIFICATE OR GUARANTEE MARK	NO
MARK IN STANDARD CHARACTERS	YES
MARK IN COLOR	NO
THREE DIMENSIONAL MARK	NO
SOUND MARK	NO
THE WORDS CONTAINED IN THE MARK HAVE NO MEANING (AND THEREFORE CANNOT BE TRANSLATED)	YES
TM IMAGE: COLOR	NO
IMAGE FILE NAME	\\TICRS\EXPORT17\IMAGEOUT17\792\179\79217953\xml1\APP0002.JPG
TYPE (IMAGE TYPE)	JPG
TEXTUAL ELEMENTS OF MARK	Chivére
HOLDER DETAILS	
CLIENT IDENTIFIER	1054379
NOTIFICATION LANGUAGE	ENGLISH
NAME	Clinuvel (UK) Ltd
ADDRESS	Devonshire House 60 Goswell Road London EC1M 7AD
COUNTRY	United Kingdom
ENTITLEMENT ESTABLISHMENT	European Union
LEGAL NATURE	Limited company
LEGAL NATURE: PLACE INCORPORATED	GB
CORRESPONDENCE INDICATOR	YES
BASIC GOODS AND SERVICES	
VERSION OF NICE CLASSIFICATION USED	11
NICE CLASSIFICATION	03 Skin care preparations; cosmetic preparations for skin care; cosmetic preparations for skin care, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; cosmetic oils; skin creams (cosmetic); skin care creams (cosmetic), lotions (cosmetic) and oils (cosmetic); wrinkle removing skin care preparations; sunscreens, waterproof sunscreen; sunscreen preparations, sunscreen

GOODS AND SERVICES

creams and lotions; cosmetics for protecting the skin from sunburn; sunblock; sun barriers (cosmetics); sun creams; cosmetic preparations for protecting the skin from the sun's rays; sun care lotions; compounds for skin care after exposure to the sun's rays; after-sun milks, creams, lotions and moisturizers; sun bronzers; sun-tanning preparations; cosmetics for tanning the skin including preparations for tanning without sunlight, all based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; self-tanning preparations (cosmetic); self-tanning creams (cosmetic) and lotions (cosmetic); suntan creams, lotions, oils and gels; skin rejuvenation preparations; skin rejuvenation products with and without analogues of alpha-melanocyte stimulating hormone (alpha-MSH); anti-aging skincare preparations; anti-aging creams, lotions, moisturizers, gels, balms and serums; cleansing creams, lotions, milks, foam, gels and masks.

NICE CLASSIFICATION

05

Pharmaceuticals; pharmaceutical drugs; pharmaceutical preparations; pharmaceutical preparations, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; sun tanning preparations for pharmaceutical purposes, based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide; pharmaceutical preparations for skin care; pharmaceutical preparations for treating skin disorders; dermatological preparations; dermatological pharmaceutical substances; dermatological pharmaceutical products; medicinal creams for the protection of the skin; skin care creams for medical use; skin care preparations for medical use; medicated skin creams and lotions; medicated creams for application after exposure to the sun; pharmaceutical skin lotions; preparations for cleansing the skin for medical use; chemical and biological preparations, substances, reagents and compounds for the delivery and storage of pharmaceuticals which are based on analogues of melanocyte stimulating hormone (MSH), in particular afamelanotide.

GOODS AND SERVICES**PARIS PRIORITY DETAILS**

PARIS PRIORITY CODE:

European Union

PARIS PRIORITY APPLICATION NUMBER

016323867

PARIS PRIORITY APPLICATION DATE

02/07/2017

BASE REGISTRATION DETAILS

BASE REGISTRATION NUMBER

016323867

BASE REGISTRATION DATE

06/02/2017

BASE APPLICATION NUMBER

016323867

BASE APPLICATION DATE

02/07/2017

REPRESENTATIVE DETAILS

CLIENT IDENTIFIER

1054381

NAME

FARAGO PATENTANWÄLTE

ADDRESS

Thierschstr. 11

80538 München

COUNTRY

Germany

INTENT TO USE GROUP

CONTRACTING PARTY CODE

United States of America

DESIGNATIONS

DESIGNATIONS UNDER THE PROTOCOL

United States of America

INTERNATIONAL REGISTRATION DETAILS

INTERNATIONAL REGISTRATION NUMBER

1368653

INTERNATIONAL REGISTRATION DATE OF MARK	07/26/2017
INTERNATIONAL REGISTRATION EXPIRY DATE	07/26/2027
EFFECTIVE DATE OF MODIFICATION	07/26/2017
NOTIFICATION DATE	10/05/2017
DATE OF RECORDAL IN INTERNATIONAL REGISTER	09/22/2017
IB DOCUMENT ID	1083486701
OFFICE OF ORIGIN CODE	European Union
OFFICE REFERENCE	79217953
TRANSACTION TYPE VALUES	Initial Designation
ORIGINAL LANGUAGE	ENGLISH
INSTRUMENT UNDER WHICH CONTRACTING PARTY IS DESIGNATED	Protocol
DURATION OF MARK (YEARS)	10

Chivére

Chivére