

ESTTA Tracking number: **ESTTA1349088**  
Filing date: **03/28/2024**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer information

Name	Panda Life Ltd.
Granted to date of previous extension	03/30/2024
Address	UNIT 26, GARRICK INDUSTRIAL ESTATE IRVING WAY LONDON, NW9 6AQ UNITED KINGDOM
Attorney information	LORI ANDERSON RUHLY QUARLES & BRADY LLP 33 EAST MAIN STREET, SUITE 900 MADISON, WI 53703 UNITED STATES Primary email: lori.ruhly@quarles.com Secondary email(s): bryce.loken@quarles.com, grace.stewart@quarles.com, meme.hilley@quarles.com, lauren.jones@quarles.com, docketwi@quarles.com 608-251-5000
Docket no.	

### Applicant information

Application no.	97858661	Publication date	01/30/2024
Opposition filing date	03/28/2024	Opposition period ends	03/30/2024
Applicant	M AND M TYH LLC 374 GRANDE RIVER BLVD TOMS RIVER, NJ 08755 UNITED STATES		

### Goods/services affected by opposition


Class 024. First Use: None First Use In Commerce: None  
All goods and services in the class are opposed, namely: Towels

### 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.	4833551	Application date	11/17/2014
Register	Principal		

Registration date	10/13/2015	Foreign priority date	NONE
Word mark	PANDA LIFE		
Design mark			
Description of mark	NONE		
Goods/services	Class 020. First use: First Use: Apr 9, 2015 First Use In Commerce: Apr 9, 2015 mattresses, pillows Class 024. First use: First Use: Apr 9, 2015 First Use In Commerce: Apr 9, 2015 Bed sheets, bed blankets, bed spreads, bed quilts, pillow cases		

U.S. registration no.	6382600	Application date	01/21/2019
Register	Principal		
Registration date	06/15/2021	Foreign priority date	11/28/2018
Word mark	PANDA LONDON		
Design mark			
Description of mark	The mark consists of a panda design above the wording "PANDA" above the wording "LONDON".		
Goods/services	Class 020. First use: First Use: None First Use In Commerce: None Pillows; head-supporting pillows; neck-supporting pillows; mattresses; mattresses for children's beds; pillows and cushions; neck pillows other than for medical or surgical use; mattress toppers; bed mattresses Class 024. First use: First Use: None First Use In Commerce: None Pillow cases; pillow covers; bed sheets; bed linen; bed blankets; towels; large bath towels; bath towels; duvet covers; duvets; bed throws; bed spreads; mat-		

	tress covers; mattress protector pads; muslin fabric squares; muslin fabric
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Attachments	86456541#TMSN.png( bytes ) 79254468#TMSN.png( bytes ) 2024.03.28 Notice of Opposition.pdf(154388 bytes ) Exhibit A.pdf(341490 bytes ) Exhibit B.pdf(375983 bytes ) Exhibit C.pdf(4515492 bytes ) Exhibit D.pdf(2745078 bytes ) Exhibit E.pdf(1670880 bytes ) Exhibit F.pdf(57101 bytes ) Exhibit G.pdf(342146 bytes )
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Signature	/Lori Anderson Ruhly/
Name	Lori Anderson Ruhly
Date	03/28/2024

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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Panda Life Ltd.,

Opposer,

v.

M AND M TYH LLC,

Applicant.

Opposition No. \_\_\_\_\_

U.S. App. Serial No. 97/858,661

Mark: PANDAKLEEN

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**NOTICE OF OPPOSITION**

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Panda Life Ltd. (“Opposer”), a limited liability company duly organized and existing under the laws of the United Kingdom, located and doing business at Unit 26, Garrick Industrial Estate, Irving Way, London, NW9 6AQ, United Kingdom, believing that it will be damaged by registration, pursuant to 15 U.S.C. § 1063(a), hereby opposes Application Serial No. 97/858,661 (“the ‘661 Application”) for the mark PANDAKLEEN (the applied-for “PANDAKLEEN mark”), filed on March 27, 2023, under the Trademark Act of 1946, published for opposition in the *Official Gazette* of January 30, 2024, in the name of M AND M TYH LLC (“Applicant”).

The grounds for this Opposition are as follows:

**Opposer’s PANDA-formative Marks**

1. Prior to Applicant’s filing date, Opposer engaged—and continues to engage—in the advertising, promotion, sale, and offering for sale in interstate commerce of goods including

bed and bath products made with bamboo fiber, in connection with various PANDA-formative marks.

2. Prior to Applicant's filing date, Opposer used, and is now using, Opposer's PANDA-formative marks in connection with Opposer's goods, including bed and bath products, that are advertised, promoted, sold, and/or rendered by Opposer in commerce. Opposer's PANDA-formative marks include, but are not limited to: PANDA, PANDA LIFE, PANDA

LONDON,  and .

3. Opposer's PANDA-formative marks have been in use, including within United States interstate commerce, since at least as early as April 2015 in connection with bed products, including but not limited to pillows. (See **Exhibits A, B**).

4. Opposer's PANDA-formative marks have been in use, including within United States interstate commerce, since at least as early as January 2020 in connection with bath products, including but not limited to towels, bath rugs, and hooded towels.

5. Opposer has sold and offered for sale, and is selling and offering for sale, bed and bath goods, including memory foam bamboo pillows and mattress toppers, using PANDA-formative marks online, including selling or offering to sell within the United States. Attached as **Exhibit C** are examples of Opposer's use of PANDA-formative marks online at Etsy.com. Attached as **Exhibit D** are examples of Opposer's use of PANDA-formative marks online at Amazon.com.

6. Attached as **Exhibit E** are additional examples of Opposer's use of PANDA-formative marks on Opposer's website located at [www.mypandalife.com](http://www.mypandalife.com) and [www.pandalondon.com](http://www.pandalondon.com).

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