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Ideavillage Products Corp.

18 CV 6266

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IDEAVILLAGE PRODUCTS CORP.,
Plaintiff

v.

29SHYANS2012, 29V-DAILYFU, 500-MILES,
AIEASYGO, ALIDECAL, ALWAYSBEST_UK,
AMAZSHOPP, AMERICAMAZING,
APPLEINTHEBOX, AZO-SHOP,
BATTERYPOWERMALL, BC_EMPORIUM,
BE-MAKEUP-2016, BEST4DEALS2013,
BETTYMARKET-TRADE2017,
BUYHERE4DEALS, CAR-DVD-GPS, CAR-
MULTIMEDIA-MANUFACTURER,
COMMON-NEEDS_989, CRANKLAHRAS,
CUTE*KIKI, DAILIDEAL86, DBONSALE,
DELUXEBEAUTYDEALS, DIGIBABYBOY,
DK888STORE2012, DVDGPS-
MANUFACTURER, EHOME-MALLTRADE-
ZONE, ELMAGICO2018,
EMERALD.EMPIRE.SHOP,
ENOUGHCLOUDS, EVERYSALE4U4,
FASHIONSELLER9002, FASHIONTECHOD,
IXCRACKED, FOR.BEAUTY,
FOREVERDEALS106, FUUJ6695,
GREATDEAL335, HAELO-0,

CIVIL ACTION No.

**DECLARATION OF LORIANN
LOMBARDO AND
ACCOMPANYING EXHIBITS IN
SUPPORT OF PLAINTIFF'S EX
PARTE APPLICATION FOR: 1) A
TEMPORARY RESTRAINING
ORDER; 2) AN ORDER
RESTRAINING ASSETS AND
MERCHANT STOREFRONTS; 3) AN
ORDER TO SHOW CAUSE WHY A
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE; 4) AN ORDER
AUTHORIZING ALTERNATIVE
SERVICE BY ELECTRONIC
MEANS AND 5) AN ORDER
AUTHORIZING EXPEDITED
DISCOVERY**

FILED UNDER SEAL

HAPPYENDING1920, HARRYNILSON,
HAZEINAS7, HEZHIHUA2017,
HOMEFASHIONCHOICE, HONGXIANG6,
HUIWAN2016, IMIKIMISHOP, INOLITE2016,
JINGCHENGFACTORY, JINLE-ZHAN,
JORDEN-SHOP2018, JUST-PERFECT-1840,
KEVINFANG128, KINGMOST1115, KING-
SELLING, KJ-STORE, KOLORRAINBOW,
LEMON-BEST2012, LIAOJIANGANG145-2,
LILLY_BETTER, LIUYU_1, LOYALTY2017,
LUCKJEWELRYSTORE, LUCKY-WORLD15,
MARKSHOPDEALS, MATAN3333, MEDLIFE-
STORE, METIKTECHNOLOGY,
MIXMIXMIXMIX, MYVENUSSHOP77,
NALANTRADE, NINADAVIS98,
ORIGHTHERE, PAPA-BABY, PRO-
DEAL_5680, PUPU888, ROY_CAR, SAWA-
STORE2018, SEYCHELLES_US02,
SHUANGFENGSHIYE, SMARTOPLED,
SPEAR-8487, STORE-REPLICAS,
SUPERSUPER7, TIKTAK.SHOP,
TIMBE.OUTLET, TREEDEAL,
UNISTORE2014, UWORLDBUYING,
VIDALI_6, VOGUETECH,
WONDER4SHOPPING, WUQIN18,
WUZHIANG19950, WWHOP, XD-
SMARTSHOP, YAJIE1956,
YOUR_BEST_SELECTION, YSTORE4U,
ZENGNIAN547-8, ZHANGQS-1 and ZXH1975,

Defendants

**CONFIDENTIAL/FILED UNDER SEAL
NOT TO BE OPENED EXCEPT BY ORDER OF THE COURT**

DECLARATION OF LORIANN LOMBARDO¹

I, LoriAnn Lombardo, hereby declare as follows:

1. I am over eighteen (18) years of age. I have never been convicted of a felony or any criminal offense involving moral turpitude, and I am fully competent to testify to the matters stated herein. I have personal knowledge of every statement made in this Declaration and such statements are true and correct.
2. I am Vice President of Product Development for Ideavillage Products Corp. (“Ideavillage” or “Plaintiff”), a New Jersey corporation. I make and submit this affirmation in connection with Ideavillage’s *ex parte* application for: 1) a temporary restraining order; 2) an order restraining assets and Merchant Storefronts; 3) an order to show cause why a preliminary injunction should not issue; 4) an order authorizing alternative service and 5) an order authorizing expedited discovery against the above-captioned Defendants (hereinafter referred to as “Defendants”), Third Party Service Providers and Financial Institutions in light of Defendants’ intentional and willful offerings for sale and/or sales of Counterfeit Products (as defined *infra*) (“Application”).
3. Ideavillage is a leading developer, producer, marketer and distributor of quality, innovative consumer products. Ideavillage promotes and sells its products through national direct response television advertising commonly called “As Seen On TV” (“ASOTV”). Ideavillage also promotes and sells its ASOTV products at the retail level at well-known mass retail outlets, including, without limitation: Wal-Mart, Target Stores, Bed Bath &

¹ Where a defined term is referenced herein and not defined herein, the defined term should be understood as it is defined in the Complaint or Application.

Beyond, Toys R Us, Rite-Aid, CVS and Walgreens; through catalog companies; online, through its own website and its retail customers' websites; as well as through a network of international distributors, among other channels of trade.

4. One of Ideavillage's most popular and successful product brands is a line of personal hair removal tools, marketed and sold under Ideavillage's distinct Touch family of trademarks, namely, FINISHING TOUCH, MICROTOUCH, FINISHING TOUCH FLAWLESS, YES! BY FINISHING TOUCH and MICROTOUCH TOUGH BLADE, among others ("Touch Product(s)").
5. Ideavillage's line of Touch Products has achieved great success their initial introduction.
6. In addition to the channels described above, Ideavillage also markets the Touch Products on its own website, <https://www.ideavillage.com> ("Ideavillage Website"), as well as through its websites specific to the various Touch Products ("Touch Websites") (the Ideavillage Website and the Touch Websites are hereinafter collectively referred to as, "Plaintiff's Websites").
7. The Touch Products typically retail for between \$10.00 - \$29.99.
8. While Ideavillage has gained significant common law trademark and other rights in its Touch Products, through use, advertising and promotion, Ideavillage has also protected its valuable rights by filing for and obtaining federal trademark registrations.
9. Ideavillage is the owner of U.S. Trademark Registration No. 4,422,095 for the wordmark "FINISHING TOUCH" for goods in Class 8, U.S. Trademark Reg. No. 4,693,272 for the wordmark "YES! BY FINISHING TOUCH" for goods in Class 8, U.S. Trademark Registration No. 5,318,698 for the wordmark "FLAWLESS" for goods in Class 8, U.S. Trademark Registration No. 5,391,994 for the wordmark "FLAWLESS" for goods in Class 8, U.S. Trademark Registration No. 5,325,690 for the wordmark "FINISHING TOUCH

FLAWLESS” for goods in Class 8, U.S. Trademark Registration No. 2,884,308 for the wordmark “MICROTOUCH” for goods in Class 8, U.S. Trademark Registration No. 4,183,150 for the wordmark “MICROTOUCH MAX” for goods in Class 8, U.S. Trademark Registration No. 4,937,115 for the wordmark “MICROTOUCH ONE” for goods in Class 8, U.S. Trademark Registration No. 4,582,646 for the wordmark “MICROTOUCH SWITCHBLADE” for goods in Class 8 and U.S. Trademark Registration No. 4,749,480 for the wordmark “TOUGHBLADE” for goods in Class 8 (hereinafter collectively referred to as the “Touch Marks”). True and correct copies of the registrations for the Touch Marks are attached hereto as **Exhibit A** and incorporated herein by reference.

10. The Touch Marks are currently in use in commerce in connection with the Touch Products. The Touch Marks were first used in commerce on or before the dates of first use as reflected in the respective registrations attached hereto as Exhibit A.
11. In addition, Ideavillage also owns both registered and unregistered copyrights related to the Touch Products.
12. For example, Ideavillage is the owner of U.S. Copyright Reg. PA 2-055-361, covering the Finishing Touch Flawless Commercial, U.S. Copyright Reg. VA 2-082-167, covering the Finishing Touch Flawless Website, U.S. Copyright Reg. VA 1-898-348, covering the Yes! by Finishing Touch Website, U.S. Copyright Reg. VA 1-892-726, covering the Microtouch One Packaging and Instructions, U.S. Copyright Reg. VA 2-000-168, covering the MicroTouch One Website, U.S. Copyright Reg. VA 2-000-181, covering the MicroTouch One Packaging Artwork, U.S. Copyright VAu 1-142-294, Microtouch Switchblade Packaging and Instructions and U.S. Copyright Reg. VA 1-945-485, covering the MicroTouch Tough Blade Packaging (collectively, the “Touch Works”). True and correct

copies of the U.S. Copyright registration certificates for the Touch Works are attached hereto as **Exhibit B** and incorporated herein by reference.

13. The success of the Touch Products is due in part to Plaintiff's marketing and promotional efforts. These efforts include advertising and promotion through television, Plaintiff's Websites, retailer websites and other internet-based advertising, print, participation in trade shows, among other efforts domestically and abroad, including New York.
14. Plaintiff's success is also due to its use of the highest quality materials and processes in making the Touch Products.
15. Additionally, Plaintiff owes a substantial amount of the success of the Touch Products to its consumers, and word of mouth buzz that its consumers have generated.
16. Ideavillage's efforts, the quality of its Touch Products, its marketing, promotion and distribution efforts, and the word-of-mouth buzz generated by its consumers have made the Touch Products, Touch Marks and Touch Works prominently placed in the minds of the public. Retailers, retail buyers, consumers and members of the public have become familiar with the Touch Products and associate them exclusively with Ideavillage.
17. As a result of such associations, Ideavillage and its Touch Products, Touch Marks and Touch Works, have acquired a valuable reputation and goodwill among the public.
18. Ideavillage has gone through great lengths to protect its interests to the Touch Products, Touch Marks and Touch Works. No one other than Ideavillage is authorized to manufacture, import, export, advertise, offer for sale, or sell any goods utilizing the Touch Marks or Touch Works without the express permission of Ideavillage.
19. In light of the success of Ideavillage, it and its Touch Products have become targets for unscrupulous individuals and entities wishing to exploit the goodwill, reputation and fame

of its Touch Products, Touch Marks and Touch Works, and we routinely investigate and enforce against such activities.

20. As part of these efforts, we authorized Epstein Drangel LLP (“Epstein Drangel”) to retain New Alchemy Limited (“NAL”), a company that provides intellectual property infringement research services, to investigate and research manufacturers and/or third-party merchants offering for sale and/or selling Counterfeit Products on online marketplace platforms such as eBay.com, which allows manufacturers and third-party merchants, like Defendants, to advertise, distribute, offer for sale, sell and ship retail products, originating from China, among other locations, directly to consumers worldwide and specifically to consumers residing in the U.S., including New York (hereinafter, “eBay”).
21. Through NAL’s investigative and enforcement efforts, we learned of Defendants’ infringing and counterfeiting actions, which vary and include, but are not limited to, manufacturing, importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale and/or selling counterfeit and/or infringing Touch Products bearing one or more of the Touch Marks and/or Touch Works, and/or bearing marks and artwork that are confusingly or substantially similar to the Touch Marks and/or Touch Works, and/or are identical or confusingly or substantially similar to the Touch Products (“Infringing Products” or “Counterfeit Products”) to U.S. consumers, including those located in New York, through Defendants’ User Accounts and Merchant Storefronts on eBay.
22. Through visual inspection of Defendants’ listings for Counterfeit Products (“Infringing Listings”), we confirmed that each Defendant is using one or more of the Touch Marks and/or displaying the Touch Works in the Infringing Listings without authorization and

that the products that each Defendant offers for sale using and featuring virtually identical copies of the Touch Marks and/or Touch Works are, in fact, Counterfeit Products.

23. We also confirmed that all Defendants are not, nor have they ever been, authorized distributors or licensees of the Touch Products. We never consented to Defendants' use of the Touch Marks or Touch Works, nor have we consented to Defendants' use of any identical or confusingly or substantially similar marks or artwork.
24. Ideavillage uses high quality materials and processes in making the Touch Products to meet or exceed U.S. requirements and standards.
25. Our inspection of the Infringing Listings revealed, among other things, improper packaging, incorrect labeling, wrong coloring and below market pricing.
26. One of the principal reasons we instituted an active anti-infringement enforcement program is to protect our consumers from purchasing counterfeit and/or infringing consumer products that wrongly bear Ideavillage's name, and which may be unsafe or of poor quality.
27. Defendants' intentional and deceitful misconduct has likely resulted in lost profits to Ideavillage and has damaged the inherent value of the Touch Marks, impaired Ideavillage's reputation for providing high-quality products, diluted Ideavillage's brands and the goodwill associated therewith, negatively affecting Ideavillage's relationships with current customers (including both retail customers as well as end consumers) and its ability to attract new customers.
28. We have trained Ideavillage's counsel, Epstein Drangel, on how to identify infringing Touch Products. Epstein Drangel is available to identify additional differences between the Counterfeit Products and the authentic Touch Products upon request of the Court. Ideavillage keeps its procedures to determine the authenticity of its Touch Products

confidential to streamline and ensure accuracy of the identification process for Ideavillage and its anti-infringement team.

29. Neither I, nor anyone else at Ideavillage, to the best of my knowledge, have publicized this Application or Ideavillage's intent to seek entry of a temporary restraining order against Defendants to any third party.

I declare under the penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Executed on this 9th day of July 2018 in Wayne.

By: 
LoriAnn Lombardo

EXHIBIT A

United States of America

United States Patent and Trademark Office

FINISHING TOUCH FLAWLESS

Reg. No. 5,325,690

Ideavillage Products Corp. (NEW JERSEY CORPORATION)
155 Route 46 West, 4th Floor
Wayne, NEW JERSEY 07470

Registered Oct. 31, 2017

Int. Cl.: 8

CLASS 8: appliances for beauty care purposes, namely, electric shavers, hair trimmers and depilatory appliances; electric and battery-powered hair trimmers; razors

Trademark

FIRST USE 2-23-2017; IN COMMERCE 2-23-2017

Principal Register

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-294,188, FILED 01-09-2017



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

FINISHING TOUCH

Reg. No. 4,422,095

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46 WEST

Registered Oct. 22, 2013

WAYNE, NJ 07470

Int. Cl.: 8

FOR: CUTICLE SCISSORS; DEPILATORY APPLIANCES; ELECTRIC AND BATTERY-POWERED HAIR TRIMMERS; ELECTRIC SHAVERS; NAIL SCISSORS; TWEEZERS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK

FIRST USE 5-1-1998; IN COMMERCE 5-1-1998.

PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-931,181, FILED 5-14-2013.

JACQUELINE ABRAMS, EXAMINING ATTORNEY



Lisa Street Lee

Deputy Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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United States of America

United States Patent and Trademark Office

FLAWLESS

Reg. No. 5,318,698

Ideavillage Products Corp. (NEW JERSEY CORPORATION)
155 Route 46 West, 4th Floor
Wayne, NEW JERSEY 07470

Registered Oct. 24, 2017

Int. Cl.: 8

CLASS 8: appliances for beauty care purposes, namely, electric shavers, hair trimmers and depilatory appliances; electric and battery-powered hair trimmers; razors

Trademark

FIRST USE 2-23-2017; IN COMMERCE 2-23-2017

Principal Register

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-294,136, FILED 01-09-2017



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
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Requirements in the First Ten Years*

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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United States of America

United States Patent and Trademark Office

FLAWLESS

Reg. No. 5,391,994

Ideavillage Products Corp. (NEW JERSEY CORPORATION)
155 Route 46 West
Wayne, NEW JERSEY 07470

Registered Jan. 30, 2018

Int. Cl.: 8

CLASS 8: Appliances for beauty care purposes, namely, electric shavers, hair trimmers and depilatory appliances; electric and battery-powered hair trimmers; razors

Trademark

FIRST USE 2-23-2017; IN COMMERCE 2-23-2017

Principal Register

The mark consists of the stylized wording "FLAWLESS".

SER. NO. 87-551,367, FILED 08-01-2017



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

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Requirements in the First Ten Years*

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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United States of America

United States Patent and Trademark Office

MICROTOUCH MAX

Reg. No. 4,183,150

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46 WEST
WAYNE, NJ 07470

Registered July 31, 2012

Int. Cl.: 8

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY ELECTRIC SHAVERS, BATTERY-OPERATED HAIR TRIMMERS AND DEPILATORY APPLIANCES; SCISSORS, HAND-OPERATED SHEARS, RAZORS, AND MANICURE IMPLEMENTS, NAMELY, NAIL FILES, NAIL CLIPPERS, CUTICLE PUSHERS, TWEEZERS, NAIL AND CUTICLE SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 9-30-2010; IN COMMERCE 9-30-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-491,545, FILED 12-9-2011.

TRACY FLETCHER, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

MICROTOUCH ONE

Reg. No. 4,937,115

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46

Registered Apr. 12, 2016

WAYNE, NJ 07470

Int. Cl.: 8

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY, HAIR TRIMMERS AND
DEPILATORY APPLIANCES; RAZORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK

FIRST USE 7-19-2013; IN COMMERCE 7-19-2013.

PRINCIPAL REGISTER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,884,308 AND 4,183,150.

SN 86-023,382, FILED 7-30-2013.

JAMES MACFARLANE, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

MICROTOUCH SWITCHBLADE

Reg. No. 4,582,646

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46 WEST

Registered Aug. 12, 2014

WAYNE, NJ 07470

Int. Cl.: 8

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY, ELECTRIC SHAVERS, HAIR TRIMMERS AND DEPILATORY APPLIANCES; SCISSORS, NON-ELECTRIC PORE CLEANSERS; HAND-OPERATED SHEARS, RAZORS, AND MANICURE IMPLEMENTS, NAMELY, NAIL FILES, NAIL CLIPPERS, CUTICLE PUSHERS, TWEEZERS, NAIL AND CUTICLE SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 3-23-2013; IN COMMERCE 3-23-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-892,525, FILED 4-2-2013.

JACQUELINE ABRAMS, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Int. Cl.: 8

Prior U.S. Cls.: 23, 28 and 44

Reg. No. 2,884,308

United States Patent and Trademark Office

Registered Sep. 14, 2004

**TRADEMARK
PRINCIPAL REGISTER**

MICROTOUCH

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
21 LAW DRIVE
FAIRFIELD, NJ 07004

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY ELECTRIC SHAVERS, HAIR TRIMMERS AND DEPILATORY APPLIANCES; SCISSORS, NON-ELECTRIC PORE CLEANSERS; HAND-OPERATED SHEARS, RAZORS, AND MANICURE IMPLEMENTS, NAMELY, NAIL FILES,

NAIL CLIPPERS, CUTICLE PUSHERS, TWEEZERS, NAIL AND CUTICULE SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 9-1-2003; IN COMMERCE 9-1-2003.

SER. NO. 78-282,058, FILED 8-1-2003.

TRACY WHITAKER-BOWN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

TOUGH BLADE

Reg. No. 4,749,480

Registered June 2, 2015

Int. Cl.: 8

TRADEMARK

PRINCIPAL REGISTER

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46 WEST
WAYNE, NJ 07470

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY, ELECTRIC SHAVERS, HAIR TRIMMERS AND DEPILATORY APPLIANCES; SCISSORS; HAND-OPERATED SHEARS; RAZORS; MANICURE IMPLEMENTS, NAMELY, NAIL FILES, NAIL CLIPPERS, CUTICLE PUSHERS, TWEEZERS, NAIL AND CUTICLE SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 1-14-2015; IN COMMERCE 1-14-2015.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BLADE", APART FROM THE MARK AS SHOWN.

SN 86-288,149, FILED 5-21-2014.

JACQUELINE ABRAMS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
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Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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United States of America

United States Patent and Trademark Office

YES! BY FINISHING TOUCH

Reg. No. 4,693,272

IDEAVILLAGE PRODUCTS CORP. (NEW JERSEY CORPORATION)
155 ROUTE 46

Registered Feb. 24, 2015

WAYNE, NJ 07470

Int. Cl.: 8

FOR: APPLIANCES FOR BEAUTY CARE PURPOSES, NAMELY, ELECTRIC SHAVERS, HAIR TRIMMERS AND DEPILATORY APPLIANCES; SCISSORS; HAND-OPERATED SHEARS; RAZORS; MANICURE IMPLEMENTS, NAMELY, NAIL FILES, NAIL CLIPPERS, CUTICLE PUSHERS, TWEEZERS, NAIL AND CUTICLE SCISSORS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 2-22-2014; IN COMMERCE 2-22-2014.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 86-130,204, FILED 11-26-2013.

ALLISON HOLTZ, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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Requirements in the First Ten Years*

What and When to File:

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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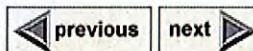
EXHIBIT B

Public Catalog

Copyright Catalog (1978 to present)

Search Request: Left Anchored Title = Finishing Touch Flawless

Search Results: Displaying 1 of 1 entries



Labeled View

Finishing Touch Flawless Commercial.

Type of Work: Motion Picture

Registration Number / Date: PA0002055361 / 2017-04-06

Application Title: Finishing Touch Flawless Commercial.

Title: Finishing Touch Flawless Commercial.

Description: Electronic file (eService)

Copyright Claimant: Ideavillage Products Corp., Transfer: By written agreement. Address: 155 Route 46 West, Wayne, NJ, 07470, United States.

Date of Creation: 2016

Date of Publication: 2017-02-23

Nation of First Publication: United States

Authorship on Application: Blue Reed Productions, employer for hire; Domicile: United States. Authorship: entire motion picture.

Rights and Permissions: Epstein Drangel LLP, 60 East 42nd Street, Suite 2520, New York, NY, 10165, United States, (212) 292-5390, mail@ipcounselors.com

Names: [Blue Reed Productions](#)

[Ideavillage Products Corp.](#)



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Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Mauri A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-898-348

Effective date of registration:
March 20, 2014

Title

Title of Work: Yes! By Finishing Touch website 3.20.14

Completion/Publication

Year of Completion: 2014

Date of 1st Publication: February 21, 2014

Nation of 1st Publication: United States

Author

■ **Author:** Ideavillage Products Corp.

Author Created: text, photograph(s), 2-D artwork

Work made for hire: Yes

Citizen of: United States

Copyright claimant

Copyright Claimant: Ideavillage Products Corp.

155 Route 46 West, Wayne, NJ, 07470, United States

Rights and Permissions

Organization Name: Epstein Drangel LLP

Name: Jason M Drangel

Email: mail@ipcounselors.com

Telephone: 212-292-5390

Address: 60 E. 42nd St.

Suite 2410

New York, NY 10165 United States

Certification

Name: Jason Drangel

Date: March 20, 2014

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Mauri A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-892-726

Effective date of registration:

January 8, 2014

Title

Title of Work: Microtouch One Packaging and Instructions

Completion/Publication

Year of Completion: 2013

Date of 1st Publication: July 22, 2013

Nation of 1st Publication: United States

Author

■ **Author:** Ideavillage Products Corp.

Author Created: text, photograph(s), 2-D artwork

Work made for hire: Yes

Citizen of: United States

Copyright claimant

Copyright Claimant: Ideavillage Products Corp.

155 Route 46 West, Wayne, NJ, 07470, United States

Rights and Permissions

Organization Name: Epstein Drangel LLP

Name: Jason M Drangel

Email: mail@ipcounselors.com

Telephone: 212-292-5390

Address: 60 E. 42nd St.

Suite 2410

New York, NY 10165 United States

Certification

Name: Sarah I. Cohen

Date: January 8, 2014

Applicant's Tracking Number: 1111-1142

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Registration Number

VA 2-000-181

Effective Date of Registration:

January 11, 2016

Maria A. Pallante

United States Register of Copyrights and Director

Title

Title of Work: MicroTouch One Packaging Artwork

Completion/Publication

Year of Completion: 2013
Date of 1st Publication: September 17, 2013
Nation of 1st Publication: United States

Author

Author: Adcomm Advertising
Author Created: photograph, Text
Work made for hire: Yes
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Ideavillage Products Corp.
155 Route 46 West, 4th Floor, Wayne, NJ, 07470, United States
Transfer statement: By written agreement

Rights and Permissions

Organization Name: Epstein Drangel LLP
Email: mail@ipcounselors.com
Telephone: (212)292-5390
Address: 60 East 42nd Street
Suite 2520
New York, NY 10165 United States

Certification

Name: Jennette Wisner
Date: January 11, 2016
Applicant's Tracking Number: X1111-1280

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Registration Number

VA 2-000-168

Effective Date of Registration:

January 11, 2016

Maria A. Pallante

United States Register of Copyrights and Director

Title

Title of Work: MicroTouch One Website

Completion/Publication

Year of Completion: 2013
Date of 1st Publication: July 19, 2013
Nation of 1st Publication: United States

Author

Author: Digital Target Marketing
Author Created: photograph, 2-D artwork, Text
Work made for hire: Yes
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Ideavillage Products Corp.
155 Route 46 West, 4th Floor, Wayne, NJ, 07470, United States
Transfer statement: By written agreement

Rights and Permissions

Organization Name: Epstein Drangel LLP
Email: mail@ipcounselors.com
Telephone: (212)292-5390
Address: 60 East 42nd Street
Suite 2520
New York, NY 10165 United States

Certification

Name: Jennette Wiser
Date: January 11, 2016
Applicant's Tracking Number: X1111-1280

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
Vau 1-142-294

Effective date of registration:

August 15, 2013

Title

Title of Work: Microtouch Switchblade Packaging and Instructions

Completion/Publication

Year of Completion: 2013

Author

- **Author:** Ideavillage Products Corp.
Author Created: text, photograph(s), 2-D artwork

Work made for hire: Yes

Citizen of: United States

Copyright claimant

Copyright Claimant: Ideavillage Products Corp.

155 Route 46 West, Wayne, NJ, 07470, United States

Rights and Permissions

Organization Name: Epstein Drangel LLP

Name: Jason M Drangel

Email: mail@ipcounselors.com

Telephone: 212-292-5390

Address: 60 E. 42nd St.

Suite 2410

New York, NY 10165 United States

Certification

Name: Sarah I Cohen

Date: August 15, 2013

Applicant's Tracking Number: 1111-1119

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number

VA 1-945-485

Effective Date of Registration:

January 16, 2015

Title

Title of Work: MicroTouch Tough Blade Packaging

Completion/Publication

Year of Completion: 2014
Date of 1st Publication: January 14, 2015
Nation of 1st Publication: United States

Author

Author: Adcomm Advertising
Author Created: photograph(s), 2-D artwork
Work made for hire: Yes
Citizen of: United States
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Ideavillage Products Corp.
155 Route 46 West, Wayne, NJ, 07470, United States
Transfer statement: By written agreement

Rights and Permissions

Organization Name: Epstein Drangel LLP
Email: mail@ipcounselors.com
Telephone: (212)292-5390
Address: 60 E. 42nd St.
Suite 2410
New York, NY 10165 United States

Certification

Name: Jason M. Drangel
Date: January 16, 2015