

OUTDOOR MAKEUP CONTACT REPORT

CLIENT NOXELL CORPORATION

REPORT NUMBER 35

PRODUCT Outdoor MakeUp by Raintree

DISTRIBUTION

DATE OF CONTACT 4/28/75 DATE TYPED 4/30/75

CLIENT

THOSE PRESENT AT MEETING

Mr. R. Duke
Mr. P. Crosland (11)

CLIENT R. Duke, P. Crosland

AGENCY F.S. Roberts

AGENCY Mrs. M.A. Ayres
Mr. P.C. LaStayo
Ms. S.L. Darlington
Mr. G. Poris
Ms. R. Lareau
Ms. K. McIver
Mr. N. Pellegrino
Mr. M. Stevens

LOCATION—AGENCY ☐ CLIENT ☒ PHONE ☐

NOTE — Report on this form all conversations with clients where any decision is reached—or any subject discussed which affects advertising policies.

CREATIVE

CONFIDENTIAL

Line Name

Agency was advised that Client has filed for registration of "Outdoor Face by Raintree" and that negotiations were proceeding in an attempt to purchase "Outdoor MakeUp".

New Executions

As agreed, alternate executions will be developed under "Outdoor MakeUp". Agency will provide a timetable and the promised alternate names by telephone, April 29th.

Alternate Names to 'Outdoor Makeup'

'Outdoor Face' Makeup

'Outdoor Look' Makeup

'Outdoor Life' Makeup

'Action Makeup'

'Great Outdoors' Makeup

'Looking Great' Makeup

'Great Going' Makeup

'Horizon' Makeup

'Healthy Look' Makeup

'Element 3' Makeup

'Sunshine' Makeup

ALTERNATE NAMES TO "OUTDOOR MAKE-UP"

- * 'OUTDOOR FACE'
- * 'GREAT OUTDOORS'
- * 'ACTION MAKE-UP'
- 'ACTIVE MAKE-UP'
- 'LIFE MAKE-UP'
- 'LIVELY LIFE'
- 'LIVING MAKE-UP'
- 'GOOD LIFE'
- 'MAKE-UP-TO-GO'
- * 'MAKE-UP-ON-THE-GO'
- 'LE SPORT'
- 'SPORTING MAKE-UP'
- * 'OUTDOOR LIFE'
- 'OPEN AIR'
- 'OUT OF DOORS'
- BIG SKY MAKE-UP
- 'SKY LINE'
- * 'SKY' The outdoor make-up for active people
- 'FACE SAVERS' A complete collection of outdoor make-up
- 'FACE SAVER MAKE-UP'
- 'PASSPORT'
- * 'GO' - OUTDOOR MAKE-UP FOR OUTDOOR FACES.
(GO! Put on an outdoor face!)
- 'SHELTER'
- 'ACTION' The outdoor Make-up
- 'SPORTING LIFE'
- 'OUTDOOR LIVING' Make-up
- 'INDOOR-OUTDOOR' Make-up
- * 'FRESH HORIZONS'
- 'NEW HORIZONS'
- 'ACTIVEWEAR'
- 'ACTIVE WOMAN'
- * 'OUTDOOR LOOK'
- * 'LOOKING GREAT' Make-up that makes you look as great as all outdoors.
- * 'GREAT GOING' Make-up that goes where you want to go. You'll look great when you get there.
- 'MOVIN' ON' Make-up for women on the move.
- 'MAKE-UP IN MOTION'
- 'INSIDE-OUTSIDE'
- 'BASIC ELEMENTS'
- 'IT'S A GREAT DAY'
- 'FACE IT' Make-up for outdoor faces everywhere.

" GREAT GOING "

"HORIZON"

ELEMENT 3

OUTDOOR LIFE

OPEN AIR

OUT OF DOORS

BIG SKY MAKE-UP

SKY LINE

* 'SKY' The outdoor make-up for active people

FACE SAVERS or complete collection of outdoor make-up
(FACE SAVER MAKE-UP)

PASSPORT

* 'GO.' outdoor make-ups for outdoor faces
or: "GO. Put on an outdoor face!"

SHELTER

ACTION. The Outdoor Make-up

SPORTING LIFE

'OUTDOOR FACE'

'GREAT OUTDOORS'

{ 'ACTION MAKEUP'
('ACTIVE MAKEUP'

'LIFE MAKEUP'

'LIVELY LIFE'

'LIVING MAKEUP'

'GOOD LIFE'

{ 'MAKEUP-TO-GO'
* { 'MAKEUP-ON-THE-GO'

'LE SPORT'

'SPORTING MAKEUP'

ESTABLISHED 1861

BOYNTON P. LIVINGSTON
THOMAS B. VAN POOLE
G. CABELL BUSICK
EDWARD G. FENWICK, JR.
FRANCIS A. KEEGAN
PETER N. LALOS
HENRY W. LEEDS
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MASON, FENWICK & LAWRENCE

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WASHINGTON, D. C. 20036

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TELEPHONE

293-2010

AREA CODE 202

March 31, 1975

Mr. Francis Harrison
Noxell Corporation
11050 York Road
Baltimore, Maryland 21203

Re: OUTDOOR MAKEUP

Dear Fran:

This will confirm my several telephone conferences with you regarding the proposed use of OUTDOOR MAKEUP.

A search of the Patent Office records disclosed four references that are pertinent -- namely, Reg. No. 710,046 for OUTDORABLE; Reg. No. 649,852 for OUTDOORS & Design; Reg. No. 865,471 for OUTDOOR MAN; and Reg. No. 705,053 for OUTDOOR GIRL. In view of these registrations, it would not be possible to register OUTDOOR MAKEUP in view of the fact that "MAKEUP" is the name of the goods, and thus you would effectively be attempting to register OUTDOOR over OUTDOOR MAN, OUTDOOR GIRL and OUTDOORS.

I doubt whether it would be possible to use OUTDOOR MAKEUP in conjunction with another mark such as COVER GIRL to avoid possible liability for infringement of one or more of the registrations cited above. Apparently the Patent Office does not consider OUTDOOR or OUTDOORS as a generic term. Accordingly, a prominent use of OUTDOOR MAKEUP, although accompanied by COVER GIRL, could still be considered an infringing use.

In the alternative, you might wish to consider an attempt to acquire Reg. No. 705,053 for the mark OUTDOOR GIRL, registered by Crystal Products Company Limited of Surrey, England. You will note that the registration was secured on the basis of a British registration, but

M. L. HATHAWAY

F. J. HARRISON

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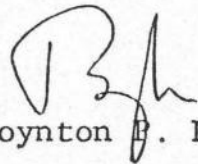
Mr. Francis Harrison
March 31, 1975
Page Two

an affidavit under Section 8 was filed, which indicates that the registrant at least had to assert a claim that the mark was in use in commerce at the time the affidavit was filed.

It has been our experience in many instances that the owner of a U. K. or French registration may file here and make some use, but not develop an active market, and under such circumstances, there is always a possibility of picking up a registration if the registrant does not have any substantial interest in it.

After you have had a chance to review the matter, #6 v. 34
please let me have your advices. Our statement covering search and report is enclosed.

Yours sincerely,



Boynton B. Livingston

BPL:d1
Enclosure

ESTABLISHED 1861

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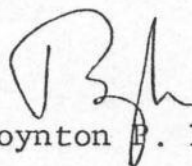
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Yours sincerely,



Boynton B. Livingston

BPL:d1
Enclosure

BROADCAST

SSC&B JOB NO. _____
CLIENT NOXELLCORP.
PRODUCT RAINTREE OUTDOOR FACE
BROADCAST MEDIUM TV
LENGTH OF COMM. :60
DATE TYPED MAY 12, 1975 fp

Once upon a time, makeup was
made for the indoor life.

For candlelight, not Sunshine.

For sitting pretty, not going places.

But yesterday's makeup was for
yesterday's girl.

Today, for you, Raintree introduces...

"Outdoor Face" - a great new collection
of makeups-on-the-go for the girl-
on-the-move.

"Outdoor Face" is more than a good
look. It's a good thing.

Anti-sun.
Anti-wind.
Anti-water.
Anti-dryness.

The protection of the exclusive
"Raintree Outdoor Formulas" keeps
on going-whenever the action is.

The look is fresh. Glow. Natural.
Indoors or out.

So go ahead - and get it on.

New "Outdoor Face" makeup by Raintree.

GIRL (DIRECT): It's going where you are

APPROVED: LEGAL _____ MEDICAL _____ CLIENT _____
DATE _____ DATE _____ DATE _____

For more information contact the Archives Center at archivescenter@si.edu or 202-633-3270

Once upon a time,
makeup was made for the
indoor life.

For candlelight, not Sunshine.

For sitting pretty, not going
places.

x But you're not yesterday's
girl.

Today, for you, ~~the~~ quit on the
move, go,

Ramtree introduces "Outdoor Face"
~~makeup~~ makeup ~~outer~~ go -

is a great new collection of
makeups that go where the
action is - beautifully!

"Outdoor Face" is a more than a
good look. It's a good thing.

Anti - Sun.

Anti - wind.

Anti - water.

Anti - stress.

The protection of the
exclusive "Rainier
Outdoor Formulas"
keeps on going - ^{the action} whenever you
see

The look is fresh. Glowy.
Natural. Indoors and out.

New "Outdoor Face" makeup
by Rainier.

Gilz (Direct): It's not
for sitting around.

- ① It goes where the action is.
- ② It's not for your mother.
- ③ It's going where you are.

Once upon a time, makeups
was made for the indoor life.

For candlelight, not sunshine.

For sitting pretty, not going places.

But you're not yesterday's
girl.

Today, for you, the girl on the
~~move~~ go, move,

Rainier introduces "Outdoor Face"
~~isn't it something you need~~

~~to have this~~ - a great new collection

of makeups ~~that~~ ~~you need~~ that

go where the action is - beautifully

"Outdoor Face" is more than a
good look - it's a good thing.

Exclusive "Rainier Outdoor Formulas"
Contain

Once upon a time, makeup
was made for the indoor life.

For candlelight, not Sunshine

For sitting pretty, not going
places!

But yesterday's makeup was
for yesterday's girl.

Today, for you, Poinette introduces
"Outdoor ~~Makeup~~ Face" - ~~Makeup~~
~~Makeup~~

Indoors or out, "Outdoor Face" goes
where the action is

Outdoor Face lives the way you do -
actually - on the go -

make-up - on the go - for the girl on the run.
Even

*The Long-lasting protection of the
Smelter exclusive Painted Outdoor
Forum*

Once upon a time, nobody
was meant for, indoor girls

For moonlight, not Sunshine

For sitting pretty, not going
places.

But yesterday's nobody was
for yesterday's girl.

For you,

Go where the
action is -
indoor or
out!

Once upon a time, makeup
was for indoor girls.

For candlelight, not ~~day~~^{sunshine}

For getting places, but not for

For candlelight, not ~~sunshine~~
For ~~anything~~, not.

To be seen, but not ~~lived in~~
To

not for
yesterday's
girl -

but for you
now - and the
way you think.

For sitting pretty, not going places
For candlelight, not ~~sunshine~~

But wow! look at it now!

Introducing "Outdoor Face" by Nacenter

A great new collection of action make-
that go ~~every~~ with you - and look
live with you - wherever you
and out - and look in

~~Outdoor Face~~

So go Outdoor Face -

~~And yet~~
Once upon a time, no one
was for ^{this} indoor girls life.

For candlelight, not sunshine.
_{wind & rain}

~~For the parlor, not the office~~

For sitting pretty, not going places

But yesterday's no one ^{isn't}
unlike the way you live today

_{not even the way}
Between Outdoor Fair by Rauter

Welcome to Outdoor Life. ~~~~~

Once upon a time, makeups
was ~~important~~ for the indoor life

For candlelight
~~and moonlight~~, not Sunshine

For sitting pretty, not going
places.

~~But you need not~~

^{Today,}
But for your kind of life,
you need makeups as active
as you are

The protection of the
exclusive "Raintree
Outdoor Formulas" - to keep
the good looks going as long
~~as possible~~ as you do.