



DECLARATION

commercial register number 28040383

The Chamber of Commerce for Friesland, situated at Leeuwarden (The Netherlands) hereby declares that the business name Erika Chemicals B.V. has changed on the 1st of January 1999 into Erika Additives. The official name Erika Chemicals B.V. has changed on the 12th of July 1999 into Erika Additives B.V.

The address of the company, Noorderlaan 11, 2182 GZ HILLEGOM, has changed on the 11th of December 1999 into Innovatiedaan 11, 8466 SN NEEHASKJE.

Leeuwarden, 8th August 2002

E.M. bij de Wep
Commercial register department

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*** Combined Declaration of Use and Incontestability Under Sections 8 & 15 *
* (15 U.S.C. §§ 1058 & 1065) ***

*** To the Commissioner for Trademarks ***

**DOCUMENT INFORMATION
COMBINED DECLARATION OF USE AND INCONTESTABILITY UNDER SECTIONS
8 & 15
VERSION 1.22**

TRADEMARK/SERVICEMARK INFORMATION

MARK: EFKA (and Design)
REGISTRATION NUMBER: 2,057,546
SERIAL NUMBER: 74-319,597
REGISTRATION DATE: 04/29/1997

OWNER INFORMATION

NAME: Efka Additives B.V.
STREET: Innovatielaan 11
CITY: Nijmegen
COUNTRY: Netherlands
ZIP/POSTAL CODE: 3466 SN

GOODS AND SERVICES INFORMATION

ALL GOODS AND/OR SERVICES IN EXISTING REGISTRATION: yes (yes/no)

- The owner has used the mark in commerce for five consecutive years after the date of registration, or the date of publication under Section 12(c), and is still using the mark in commerce on or in connection with all goods and/or services listed in the existing registration.
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- The owner has used the mark in commerce for five consecutive years after the date of registration, or the date of publication under Section 12(o), and is still using the mark in commerce on or in connection with all goods and/or services listed in the existing registration, except the goods and/or services identified above. -

DOMESTIC REPRESENTATIVE

NAME: Townsend & Townsend & Crew LLP
STREET: Two Embarcadero Center, 8th Floor
CITY: San Francisco
STATE: California
ZIP CODE: 94111-3834

- is hereby appointed applicant's representative upon whom notice or process in the proceedings affecting the mark may be served -

ATTORNEY INFORMATION

NAME: Townsend & Townsend & Crew LLP
STREET: Two Embarcadero Center, 8th Floor
CITY: San Francisco
STATE: California
COUNTRY:
ZIP/POSTAL CODE: 94111-3834
FIRM NAME: Townsend & Townsend & Crew LLP
John A. Hughes, Esq.

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TELEPHONE NUMBER: 415-576-0200
FAX NUMBER: 415-576-0300

FEE INFORMATION	
COMBINED SECTIONS 8 & 15 FILING FEE AMOUNT:	<u>\$600.00</u>
NUMBER OF CLASSES:	<u>2</u>
TOTAL FEES PAID:	<u>\$600.00</u>
NUMBER OF CLASSES:	<u>2</u>

USE INFORMATION
SPECIMEN DESCRIPTION (e.g. labels, tags, containers): labels

LAW OFFICE INFORMATION
E-MAIL ADDRESS FOR CORRESPONDENCE: lab@townsend.com

SIGNATURE AND OTHER INFORMATION

- Declaration: The owner is using or is using through a related company the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under Section 12(c), and is still using the mark in commerce on or in connection with all goods and/or services listed in the existing registration. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods and/or services, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts. -

- The undersigned being hereby warned that wilful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such wilful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true. ~

SIGNATURE: *H. J. Quinn* * please sign here*
 DATE: 12-18-03
 NAME: H. J. Quinn