

Additional Receiving Party:

FishUSA, Inc.

901 W. 12th Street

Erie, Pennsylvania 16501

Corporation:

TRADEMARK

REEL: 003546 FRAME: 0605

Trademark Registration Nos.

✓ STEALTH	1,332,378	04-23-85	28	01-15-81
✓ STEALTH	1,434,642	03-31-87	12	01-00-82
✓ STEALTH	1,717,010	09-15-92	2	05-26-92
✓ STEALTH	1,766,806	04-20-93	28	07-10-92
✓ STEALTH	1,846,182	07-19-94	12	12-21-93
✓ STEALTH	1,867,087	12-13-94	28	11-17-86
STEALTH TECHNOLOGY	1,947,145	01-09-96	9	01-01-93
✓ STEALTH SQUAD	2,007,348	10-15-96	16	07-02-93
✓ THE STEALTH	2,024,889	12-24-96	21	01-25-95
✓ STEALTH	2,025,156	12-24-96	6	04-01-88
✓ STEALTH	2,074,780	07-01-97	9	10-31-90
✓ STEALTH	2,227,069	03-02-99	36	10-00-86
✓ STEALTH ASSAULT	2,269,113	08-19-99	28	08-04-98
✓ STEALTH	2,272,891	08-24-99	14	10-31-98
✓ STEALTH 9MM	2,325,053	03-07-00	40	08-01-95
✓ STEALTH 9MM SHADOW	2,325,054	03-07-00	40	08-01-95
STEALTH	2,330,467	03-21-00	18	01-00-85
STEALTH	2,403,775	11-14-00	8	06-00-81
STEALTH	2,439,735	04-03-01	9	01-00-86
STEALTH	2,433,330	03-06-01	8&10	12-29-97
STEALTH	2,478,742	08-21-01	9	01-00-85
STEALTH SPRAY	2,497,857	10-16-01	28	02-01-99
STEALTH SOAP	2,497,858	10-16-01	28	02-01-99
STEALTH	2,505,698	11-13-01	11	07-15-95
STEALTH	2,523,745	01-01-02	26	08-25-96
STEALTH	2,551,385	03-26-02	9	01-00-86
STEALTH	2,636,049	10-15-02	10	03-28-02
STEALTH	2,641,546	10-29-02	07	02-05-99
STEALTH	2,657,452	12-10-02	28	01-00-85
STEALTH BELT	2,737,991	07-15-03	28	02-15-03
STEALTH DUST	2,744,536	07-29-03	28	01-01-03
STEALTH POD	2,761,682	09-09-03	09	07-00-01
STEALTH LITERACY	2,784,049	11-18-03	16	10-10-02
BP STEALTH	2,859,897	07-06-04	12	01-01-99
STEALTH	2,892,249	10-12-04	28	01-03-01

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

February 12, 2007

Before

Hon. RICHARD A. POSNER, *Circuit Judge*

Hon. DANIEL A. MANION, *Circuit Judge*

Hon. DIANE P. WOOD, *Circuit Judge*

LEO D. STOLLER, Plaintiff-Appellant,]	Appeal from the United
]	States District Court for
No. 06-3792	v.] the Northern District of
] Illinois, Eastern Division.
]
PURE FISHING, INCORPORATED, an Iowa Corporation doing business]	No. 05 C 725
as BERKLEY, FISHING SPIRIT,]	
INCORPORATED, a Wisconsin]	George W. Lindberg,
Corporation and FISHUSA]	Judge.
INCORPORATED, doing business as]	
FISHUSA.COM,]	
Defendants-Appellees.]	
]	

The following are before the court:

1. MOTION TO DISMISS APPEAL filed January 24, 2007, by counsel for the appellees;
2. OBJECTION TO PURE FISHING'S MOTION TO DISMISS APPEAL filed January 30, 2007, by the pro se appellant;
3. PFI REPLY IN SUPPORT OF MOTION TO DISMISS APPEAL filed February 2, 2007, by counsel;
4. OPPOSITION TO MOTION FOR EXTENSION OF TIME filed February 2, 2007, by counsel for the appellees;

- over -

5. REPLY TO OBJECTION TO MOTION FOR EXTENSION OF TIME filed February 6, 2007, by the pro se appellant; and
6. MOTION TO STRIKE REPLY IN SUPPORT OF MOTION TO DISMISS APPEAL filed February 7, 2007, by the pro se appellant.


IT IS ORDERED that the appellant's request for an extension of time is **DENIED**.

IT IS FURTHER ORDERED that the Motion to Strike Reply in Support of Motion to Dismiss Appeal is **DENIED**.


IT IS FINALLY ORDERED that the Motion to Dismiss Appeal is **GRANTED** and the appeal is **DISMISSED** for want of prosecution.

A True Copy:
Teste:

Deputy


Clerk of the United States
Court of Appeals for the
Seventh Circuit.

*United States District Court
Northern District of Illinois
Eastern Division*



I, Michael W. Dobbins, Clerk of the United States District Court for the Northern District of Illinois, do hereby attest and certify that the annexed document(s) is(are) a full, true, and correct copy of the original(s) on file in my office and in my legal custody.

IN TESTIMONY WHEREOF: I have hereunto
subscribed my name and affixed the seal of the
foresaid court at Chicago, Illinois, on

MAR 27 2007

MICHAEL W. DOBBINS, CLERK

By: 

Deputy Clerk

TRADEMARK

REEL: 003546 FRAME: 0609

AE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Central Mfg. Co., et al.

Plaintiff,

v.

Case No.: 1:05-CV-00725

Honorable George W. Lindberg

Pure Fishing, Inc., et al.

Defendant

PROPOSED FINAL JUDGMENT

Having considered Defs.' Motion to Lift Stay and Enter Final Judgment, the Court hereby enters this final judgment in accordance with Fed. R. Civ. P. 54, 55(b), and 58.

IT IS ORDERED that final judgment is hereby entered in favor of Defendants / Counter-Plaintiffs on counterclaims I-IV against Central Mfg. Co., Leo Stoller an individual doing business as Central Mfg. Co. doing business as S. Industries Inc. doing business as Terminator doing business as Stealth doing business as Rentamark doing business as Rentamark.Com doing business as Stealth Sports and Marine doing business as Association Network Management doing business as USA Sports Co. Inc. doing business as Stealth Industries, Inc. doing business as Central Mfg Inc. doing business as S Industries doing business as Sentra Industries Inc.

IT IS FURTHER ORDERED that this case is "exceptional" under 15 U.S.C. § 1117(a). Counter-Defendants are jointly and severally responsible, and shall pay the Defendants'/Counter-Plaintiffs' costs, charges and disbursements, including a reasonable attorneys' fees, incurred in this action. Defendants / Counter-Plaintiffs shall file the information required by Fed. R. Civ. P. 54(d)(2) in support of its fee award within fourteen (14) days after the date of this Order. Defendants / Counter-Plaintiffs shall file a bill of costs and disbursements on the form provided by the clerk pursuant to Fed. R. Civ. P. 54(d), no later than ten (10) days after the date of this Order.

TRADEMARK

REEL: 003546 FRAME: 0610

IT IS FURTHER ORDERED that US Trademark Registration No. 1,766,806 and the STEALTH mark for fishing bobbers are lapsed, invalid, abandoned, unenforceable, and forfeit under federal and common laws.

IT IS FURTHER ORDERED that US Trademark Registration No. 1,766,806 and each of the "Stealth" trademark registrations listed in the Complaint are canceled.

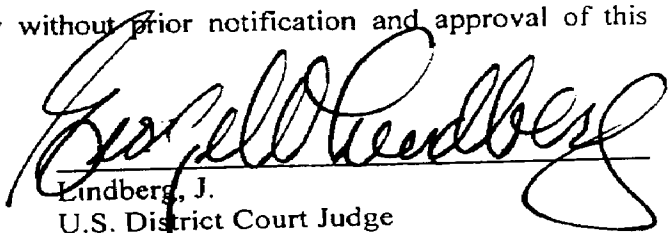
IT IS FURTHER ORDERED that there is no reasonable likelihood of confusion between Plaintiff's STEALTH marks and the SPIDERWIRE STEALTH mark as used by Defendants.

IT IS FURTHER ORDERED that Counter-Defendants, whether or not registered with the State of Illinois, are vexatious litigants and are barred from instituting any lawsuit or trademark opposition without prior leave of this Court pursuant to this Court's authority under the All Writs Act 28 U.S. C. § 1651(a).

IT IS FURTHER ORDERED that Counter-Defendants are liable for the judgment in *S Industries, Inc. v. Centra 2000, Inc.*, 1998 U.S. Dist. LEXIS 10649, 1998 WL 395161 (N.D. Ill. 1998) so as to allow execution of that judgment against such trademark registrations, goodwill, and associated license assets, including US trademark registration nos, 1,332,378 and 1,766,806 and all other trademark registrations at a value of \$245 for each (sanctions of October 12, 2005 hearing) in partial satisfaction of that judgment.

IT IS FURTHER ORDERED that Counter-Defendants are enjoined from dissipating, transferring, assigning, liquidating, or otherwise removing the trademark assets of Plaintiffs and Counter-Defendants to another person or entity without prior notification and approval of this Court.

10/4/06
Dated:


Lindberg, J.
U.S. District Court Judge

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Central Mfg. Co., *et al.*

Plaintiff,

v.

Case No.: 1:05-CV-00725

Honorable George W. Lindberg

Pure Fishing, Inc., *et al.*

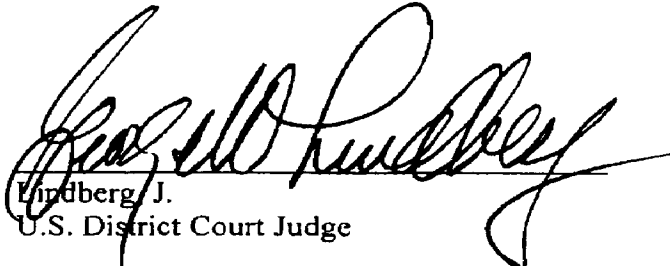
Defendant

PROPOSED ORDER LIFTING STAY

For the reasons expressed in Defs.' Motion to Lift Stay and Enter Final Judgment, the stay in this case is lifted.

Oct 4 '06

Dated:


Lindberg, J.
U.S. District Court Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Central Mfg. Co., et al.

Plaintiff,

v.

Case No.: 1:05-CV-00725

Honorable George W. Lindberg

Pure Fishing, Inc., et al.

Defendant

PROPOSED ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that this Court takes judicial notice of the documents attached as Exhibits 1-6 to Defendant's Third Motion for Judicial Notice.

Oct 4 2006

Dated:

George W. Lindberg

Lindberg, J.
U.S. District Court Judge

Complaint

Exhibit 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

1

CENTRAL MFG. CO.,
(a Delaware Corporation),
LINDY-LITTLE JOE, INC.,
(a Minnesota corporation), and
LEO STOLLER,
an individual,

Plaintiffs,

vs.

PURE FISHING, INC., d/b/a
BERKLEY
(an Iowa corporation) and
FISHING SPIRIT, INC.,
(a Wisconsin corporation), and
FISHUSA, INC.,
d/b/a FISHUSA.COM.,

Defendants,

FEB 04 2005

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

05C 0725

Case No:

JUDGE LINDBERG

Judge

MAGISTRATE JUDGE LEVIN

COMPLAINT

NOW COMES CENTRAL MFG. CO., a Delaware corporation, LINDY-LITTLE JOE, INC., a Minnesota corporation, and LEO STOLLER, an individual, doing business as STEALTH (hereinafter referred to as Plaintiffs), complain of Defendant, PURE FISHING, INC., d/b/a BERKLEY, an Iowa Corporation, doing business as PURE FISHING, INC.; SPIRIT FISHING, INC., a Wisconsin Corporation, doing business as SPIRIT FISHING, INC., and FISHUSA, INC., (hereinafter referred to as Defendants), and states as follows.

COUNT I

1. Plaintiff, CENTRAL MFG. CO., is a Delaware corporation with its principal place of business in Chicago, Illinois.
2. Plaintiff, LINDY-LITTLE JOE, INC., is a Minnesota corporation with its principal place of business in Brainerd, Minnesota, doing business in Chicago, Illinois.
3. Plaintiff, LEO STOLLER, is an individual and President and sole shareholder of STEALTH INDUSTRIES, INC. and CENTRAL MFG. CO., and doing business as STEALTH, with its principal place of business in Chicago, Illinois.

TRADEMARK

REEL: 003546 FRAME: 0615

4. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, hold rights to the STEALTH Federal Trademark Registrations herein pled and relied upon in support of Plaintiffs' action. Plaintiff, LINDY-LITTLE JOE, INC. is the exclusive licensee for use of the mark STEALTH on fishing lures.

5. Defendant, PURE FISHING, INC., is an Iowa corporation with its principal place of business in Spirit Lake, Iowa. Defendant is regularly engaged in business in the Northern District of Illinois and operates a web site known as www.purefishing.com, and does business on a line of fishing tackle bearing the mark STEALTH and/or SPIDERWIRE STEALTH.

6. PURE FISHING, INC. is misrepresenting that it owns a registered trademark STEALTH by falsely designating the "R" in the circle after the word mark STEALTH when PURE FISHING, INC. does not own any registered trademark for the mark STEALTH and/or SPIDERWIRE STEALTH. See a true and correct copy of a page from Defendant's, PURE FISHING, INC. web site, attached hereto and marked as EXHIBIT A.

7. Defendant, SPIRIT FISHING, INC., is a Wisconsin corporation with its principal place of business in Spirit Lake, Iowa.

8. Defendant, SPIRIT FISHING, INC. is marketing fishing lines under the mark STEALTH and/or SPIDERWIRE STEALTH.

9. On January 12, 2005, Defendant, FISHING SPIRIT, INC., filed trademark Application SN: 78-546,457, for the mark SPIDERWIRE STEALTH for the following goods: fishing lines. (See a true and correct copy of a TESS report from the United States Patent and Trademark Office, attached hereto and marked as EXHIBIT B.)

10. Defendant, FISHUSA, INC., is regularly engaged in business in the Northern District of Illinois and operates an interactive web site known as www.fishusa.com, and does business on a line of fishing tackle bearing the mark STEALTH and/or SPIDERWIRE STEALTH. See a true and correct copy of a page from Defendant's, FISHUSA, INC. web site, attached hereto and marked as EXHIBIT C.

11. Jurisdiction of this Court is invoked pursuant to title 15, United States Code, section 1121, and title 28, United States Code, sections 1331, 1332, 1338.

12. Venue is proper in this Court because this is a district in which all parties regularly engage in business.

13. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, have been and continue to be engaged in the business of marketing, promoting, licensing and selling in interstate commerce a broad range of goods listed on the attached lists of Federal Registrations and pending applications, under the mark STEALTH. (See attached EXHIBIT D).

14. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, license the *STEALTH* mark for a wide variety of collateral merchandise and expends substantial sums of money on policing the use of Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, popular and famous trademark on a broad range of goods and services. See true and correct copies of Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, STEALTH Licensing Program information, attached hereto and marked as EXHIBIT E, and Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, victories list, attached hereto and marked as EXHIBIT F.

15. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, have used the designation STEALTH as a trade name and trademark to identify its products and business continuously since as early as 1981.

16. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, engage in the promotion and licensing of its well known STEALTH brand through its web site, www.rentamark.com.

17. Plaintiffs, CENTRAL MFG. CO. and LEO STOLLER, hold rights to the following Registrations: See also true and correct copies of Certificates of Registration issued by the United States Patent and Trademark Office, showing Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, STEALTH Federal Trademark Registrations, attached hereto and marked as EXHIBIT G.)

**THE STEALTH FAMOUS BRAND
OUR FAMILY OF STEALTH FEDERAL TRADEMARK
REGISTRATIONS AND PENDING APPLICATIONS**

<u>TRADEMARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>INT. CLASS</u>	<u>FIRST USE</u>
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✓ STEALTH	1,332,378	04-23-85	28	01-15-81
✓ STEALTH	1,434,642	03-31-87	12	01-00-82
✓ STEALTH	1,717,010	09-15-92	2	05-26-92
✓ STEALTH	1,766,806	04-20-93	28	07-10-92
✓ STEALTH	1,846,182	07-19-94	12	12-21-93
✓ STEALTH	1,867,087	12-13-94	28	11-17-86
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✓ THE STEALTH	2,024,889	12-24-96	21	01-25-95
✓ STEALTH	2,025,156	12-24-96	6	04-01-88
✓ STEALTH	2,074,780	07-01-97	9	10-31-90
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✓ STEALTH ASSAULT	2,269,113	08-19-99	28	08-04-98
✓ STEALTH	2,272,891	08-24-99	14	10-31-98
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✓ STEALTH 9MM SHADOW	2,325,054	03-07-00	40	08-01-95
STEALTH	2,330,467	03-21-00	18	01-00-85
STEALTH	2,403,775	11-14-00	8	06-00-81
STEALTH	2,439,735	04-03-01	9	01-00-86
STEALTH	2,433,330	03-06-01	8&10	12-29-97
STEALTH	2,478,742	08-21-01	9	01-00-85
STEALTH SPRAY	2,497,857	10-16-01	28	02-01-99
STEALTH SOAP	2,497,858	10-16-01	28	02-01-99
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STEALTH	2,657,452	12-10-02	28	01-00-85
STEALTH BELT	2,737,991	07-15-03	28	02-15-03
STEALTH DUST	2,744,536	07-29-03	28	01-01-03
STEALTH POD	2,761,682	09-09-03	09	07-00-01
STEALTH LITERACY	2,784,049	11-18-03	16	10-10-02
BP STEALTH	2,859,897	07-06-04	12	01-01-99
STEALTH	2,892,249	10-12-04	28	01-03-01

APPLICATIONS

<u>TRADEMARK</u>	<u>SERIAL NO.</u>	<u>FILING DATE</u>	<u>INT. CLASS</u>	<u>FIRST USE</u>
STEALTH	74-327,774	11-02-92	16	Jan. 1986
STEALTH	75-019,143	11-13-95	09	Jan. 1985
STEALTH	75-016,560	11-08-95	11	Jan. 1885
STEALTH	75-036,382	12-08-95	07	Oct. 1993
STEALTH	75-185,379	10-22-96	09	Jan. 1994
STEALTH	76-071,233	06-05-00	11	Jan. 1986
STEALTH	76-215,703	02-09-01	28	Jan. 2001
STEALTH	75-565,743	10-07-98	12	Aug. 1992
STEALTH	75-829,875	10-22-99	09	Sep. 1999
STEALTH VISOR	76-053,720	10-14-99	21	Oct. 1999
IGLOO STEALTH	78-070,511	06-22-01	09	Jan. 1986
STEALTH ANTENNAS	78-276-411	07-19-03	42	Jul. 2003
NET-STEALTH	78-286,127	08-12-03	41	Aug. 2003
STEALTH	78-427,427	05-29-04	28	May. 2004
STEALTH BLINDS	78-427,432	05-29-04	20	May. 2004
STEALTH FEEDERS				

18. On April 20, 1993, Registration No: 1,766,806, for the trademark **STEALTH**, for *fishing products*, was registered, pursuant to title 15, United States Code, section 1065.

The Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**, use and license its well known **STEALTH** mark to **LINDY-LITTLE JOE, INC.**, for use on fishing equipment, including lures.

19. All of the registrations described above were at all times hereto and are presently in good standing, in full force and effect, and in use by Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**. All registrations are in bold, black, block letters and have not been canceled or abandoned by Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**.

20. Plaintiffs', **CENTRAL MFG. CO.** and **LEO STOLLER**, **STEALTH** trademark has become famous and created a distinctive designation of the origin of the products offered. As a result, Plaintiffs', **CENTRAL MFG. CO.** and **LEO STOLLER**, **STEALTH** mark has gained widespread public recognition and good will and the public has come to associate this mark with the Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**. The Plaintiffs assert that the Defendants' unauthorized use the **STEALTH** mark causes dilution of the Plaintiffs', **CENTRAL MFG. CO.** and **LEO STOLLER**, famous **STEALTH** mark under section 43(c) of the Lanham Act.

21. Notwithstanding Plaintiffs', **CENTRAL MFG. CO.** and **LEO STOLLER**, well known and prior established rights to the mark **STEALTH**, the Defendants have recently commenced use in commerce a reproduction, copy, or colorable imitation of Plaintiffs', **CENTRAL MFG. CO.** and **LEO STOLLER**, said registered trademark in connection with fishing tackle. (See Exhibits A and C.)

22. The Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**, hold rights to **STEALTH** Federal Registration No: 1,776,806. The goods cover **fishing tackle**.

23. The Plaintiffs, **CENTRAL MFG. CO.** and **LEO STOLLER**, license **LINDY LITTLE JOE, INC.**, one of the largest fishing lures manufacturers in the United States, to use its well-known **STEALTH** trademark on fishing lures. See a true and correct copy of **LINDY LITTLE JOE, INC.**'s catalog sheets, attached hereto and marked as **EXHIBIT H**.

24. Such use of Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, STEALTH trademark by Defendants was not and is not authorized by Plaintiffs.

25. Such use of Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, STEALTH trademark by Defendants is causing and is likely to continue causing public confusion and public mistake as to the source of Defendants' products and, thereby, has deceived and will continue to deceive the public.

26. Such use by the Defendants of Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, STEALTH trademark in conjunction with the word STEALTH without the consent of Plaintiffs infringes on Plaintiffs', CENTRAL MFG. CO. and LEO STOLLER, well known STEALTH trademark, thereby subjecting Defendants to civil liability as described in title 15, United States Code, section 1114(1)(a).

27. Plaintiffs have learned of Defendants' infringing behavior on or about November 23, 2004.

28. Plaintiffs have attempted to resolve the controversy amicably with the Defendants, but has been unsuccessful. (See attached group EXHIBIT D).

29. As a result of the aforesaid behavior on the part of Defendants, Plaintiffs have suffered and will continue to suffer severe and irreparable injuries for which no adequate remedy at law exists.

WHEREFORE, Plaintiffs pray as follows:

a.) For the entry of preliminary and permanent injunctions preventing the violations of Plaintiffs' trademark rights described herein in accordance with the provisions for injunctive relief contained in title 15, United States Code, section 1116;

b.) For a judgment in Plaintiffs' favor against Defendants in an amount equal to Defendants' profits attributable to the said illegal conduct, triple the amount of actual damages suffered by the Plaintiffs, plus costs and reasonable attorney fees, as provided in title 15, United States Code, section 1117;

c.) For an order requiring that all infringing material be delivered up to the court and destroyed at Defendants' costs in accordance with title 15, United States Code, section 1117; and;

d.) For any and further relief as this Court may deem just and proper herein.

COUNT II

1-29. Plaintiffs repeat and reallege herein by reference paragraphs 1 through 24 of Count I as and for paragraphs 1 through 24 of Count II.

30. Defendants, in violation of title 15, United States Code, section 1125(a), affixed, applied, annexed, or used, in connection with Defendants, FISHING TACKLE, as aforesaid, and the container and packaging thereof, a false designation of origin for said FISHING TACKLE, which indicated that the origin of said FISHING TACKLE was Plaintiffs.

31. Said falsely designated FISHING TACKLE were placed into commerce by Defendants, some of which falsely designated items being sent to and advertised on the internet and in this district for retail sale.

32. Plaintiffs are likely to be damaged by such false representation of origin as Plaintiffs' valuable, registered STEALTH trademark is thereby subjected to commercial disparagement and misuse by Defendants' inferior products, over which Plaintiffs have no control over quantity or quality.

WHEREFORE, Plaintiffs pray as follows:

a) For the entry of preliminary and permanent injunctions preventing the continued false designations of origin by Defendant as aforesaid;

b) For a judgment in Plaintiffs' favor against Defendant in an amount equal to Defendant's profits attributable to the said illegal conduct, the amount of actual damages suffered by the Plaintiff, plus costs and reasonable attorney fees;

c) For an order requiring that all aforesaid deceptive material be delivered up to the Court and destroyed at Defendants' cost; and

d) For such other and further relief as this Court deems just and proper.

COUNT III

1-29. Plaintiffs repeat and reallege herein by reference paragraphs 1 through 24 of Count III as and for paragraphs 1 through 24 of Count III.

30. Jurisdiction of this Court for this count is invoked pursuant to the Court's supplementary jurisdiction.

31. Defendants' aforesaid actions were and are in violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS 510/1, *et seq.*, particularly (but not limited to) subsections 510/2(1), (2), (3), and (12) of said Act.

WHEREFORE, Plaintiffs pray as follows:

a) For the entry of preliminary and permanent injunctions preventing the continued deceptive trade practices by Defendants as provided in 815 ILCS 510/3;

b) For an order requiring the Defendants to account to Plaintiffs for all sales of the aforesaid FISHING TACKLE containing Plaintiffs' registered STEALTH trademark and trade dress;

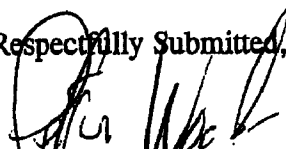
c) For a judgment in Plaintiffs' favor against Defendants in an amount equal to Defendants' profits attributable to the said deceptive trade practices, the amount of actual damages suffered by the Plaintiff, plus costs and reasonable attorney fees as provided in 815 ILCS 510/3;

d) For an order requiring that all aforesaid deceptive material be delivered up to the Court and destroyed at Defendant's cost;

e) For an order cancelling trademark Application SN: 78-546,457, and;

d) For such other and further relief as this Court deems just and proper.

Respectfully Submitted,



Peter Woods, Esq.
c/o Barry Ketter, Esq.
111 W. Washington
Chicago, Illinois 60602
(773) 988-8833

Date: February 4, 2005

Certificate of Mailing

The undersigned hereby certifies that he caused 2 copies of the foregoing to be hand-delivered in an envelope to the address below:

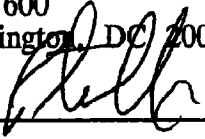
United States District Court
Northern District of Illinois
210 N. Dearborn
Chicago, IL 60607

Date: February 4, 2005

Certificate of Service

The undersigned hereby certifies that he caused a copy of the foregoing to be mailed by Certified Mail No: 7004 2510 0003 1444 6540 in an envelope addressed to:

Lance G. Johnson
Attorneys for PURE FISHING and
FISHING SPIRIT, INC.
Roylance, Abrams, Berdo & Goodman, L.L.P.
1300 19th Street N.W.
Suite 600
Washington, DC 20036



Date: 02-10-05

Certificate of Service

The undersigned hereby certifies that he caused a copy of the foregoing to be mailed by Certified Mail No: 7004 2510 0003 1444 6557 in an envelope addressed to:

President
FISHUSA, INC.
901 W. 12th Street
Erie, Pennsylvania 16501

Date: _____

D:\MARKS35\PURE\FUSD

Certificate of Service

The undersigned hereby certifies that he caused a copy of the foregoing to be mailed by Certified Mail No: 7001 2510 0006 8329 2994 in an envelope addressed to:

President
PURE FISHING, INC.
FISHING SPIRIT, INC.
1900 18th Street
Spirit Lake, IA 51360

Lo Toll

Date: 02-10-05

D:\MARKS35\PURE\FUSD



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

MEMORANDUM

DATE: May 10, 2007

TO: Joyce Johnson

FROM: Dawn Sanok

SUBJECT: Recordation of Lien pursuant to a Court Order

Pursuant to our telephone conversations, attached please find a Court Order requesting that we record a lien against 35 trademark registrations previously owned by Central Manufacturing Co. Included in the packet is the completed cover sheet, the underlying court order, a list of the 35 trademark registrations and a separate page identifying a second receiving party.

Could you please record these against all 35 trademark registrations listed on the sheet attached to the cover sheet. I think I have filled out the cover sheet completely. However, if you need any further information please do not hesitate to contact me. As the court has ordered us to record this lien, there are no fees being submitted for the recordation.