

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
MacKenzie-Childs LLC		10/14/2009	LIMITED LIABILITY COMPANY: DELAWARE

**RECEIVING PARTY DATA**

Name:	Keybank National Association
Street Address:	1700 Bausch & Lomb Place
City:	Rochester
State/Country:	NEW YORK
Postal Code:	14604
Entity Type:	National Banking Association: UNITED STATES

**PROPERTY NUMBERS Total: 8**

Property Type	Number	Word Mark
Registration Number:	3630539	COURTLY CHECK
Registration Number:	2943642	
Registration Number:	2805087	EVEREVOLVING
Registration Number:	2726806	LOLLIPOP
Registration Number:	2195282	MACKENZIE-CHILDS, LTD. AURORA, NEW YORK MC 1983
Registration Number:	2258535	MACKENZIE-CHILDS, LTD. 1983 AURORA, NEW YORK
Serial Number:	77592504	
Serial Number:	78286054	MACKENZIE-CHILDS

**CORRESPONDENCE DATA**

Fax Number: (585)419-8813  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 585-419-8636  
 Email: mdipaolo@harrisbeach.com  
 Correspondent Name: Neal L. Slifkin - Harris Beach PLLC

CH \$215.00 3630539

Address Line 1: 99 Garnsey Road  
Address Line 4: Pittsford, NEW YORK 14534

ATTORNEY DOCKET NUMBER:	242631
NAME OF SUBMITTER:	Neal L. Slifkin
Signature:	/neal l. slifkin/
Date:	11/03/2009

Total Attachments: 35  
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## INTELLECTUAL PROPERTY SECURITY AGREEMENT SUPPLEMENT

**THIS INTELLECTUAL PROPERTY SECURITY AGREEMENT SUPPLEMENT** (an "*IP Security Agreement Supplement*"), dated as of October 14, 2009, is made by the Person listed on the signature page hereof (the "*Grantor*") in favor of **KEYBANK NATIONAL ASSOCIATION**, a national banking association (the "*Secured Party*")

A. MacKenzie-Childs LLC (f/k/a MC Acquisition 2008 LLC), a Delaware limited liability company, has entered into a certain First Amendment to Credit Agreement, dated as of October 14, 2009 (the "*Amendment*") to that certain Credit Agreement, dated as of May 7, 2008 (the "*Original Credit Agreement*") and together with the Amendment, as the same is amended, restated, supplemented or otherwise modified from time to time, collectively, the "*Credit Agreement*", with the Secured Party.

B. Pursuant to the Credit Agreement, the Grantor and certain other Persons have executed and delivered certain Security Agreements, each dated as of May 7, 2008, made by the Grantor and such other Persons to the Secured Party (as amended, restated, supplemented or otherwise modified from time to time, collectively the "*Security Agreements*" and each a "*Security Agreement*") and that certain Intellectual Property Security Agreement, dated as of May 7, 2008 (as amended, restated, supplemented or otherwise modified from time to time, the "*IP Security Agreement*").

C. Under the terms of the Security Agreement, the Grantor has granted to the Secured Party a security interest in the Additional Collateral (as defined in Section 1 below) of the Grantor and has agreed as a condition thereof to execute this IP Security Agreement Supplement for recording with the U.S. Patent and Trademark Office, the United States Copyright Office and other governmental authorities.

D. Terms defined in the Credit Agreement and not otherwise defined herein are used herein as defined in the Credit Agreement. In addition, terms defined in the Security Agreements and not otherwise defined herein are used herein as defined in the Security Agreements.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor agrees as follows:

**Section 1. Grant of Security.** Each Grantor hereby grants to the Secured Party a security interest in all of such Grantor's right, title and interest in and to the following (collectively, the "*Additional Collateral*"):

(i) the patents and patent applications set forth in Schedule A hereto (collectively, the "*Patents*");

(ii) the trademark and service mark registrations and applications set forth in Schedule B hereto (provided that no security interest shall be granted in United States intent-to-use trademark applications to the extent that, and solely during the period in which, the grant of a security interest therein would impair the validity or enforceability of such intent-to-use

trademark applications under applicable federal law), together with the goodwill symbolized thereby (collectively, the "**Trademarks**");

(iii) the copyright registrations and applications and exclusive copyright licenses set forth in Schedule C hereto (collectively, the "**Copyrights**");

(iv) all reissues, divisions, continuations, continuations-in-part, extensions, renewals and reexaminations of any of the foregoing, all rights in the foregoing provided by international treaties or conventions, all rights corresponding thereto throughout the world and all other rights of any kind whatsoever of such Grantor accruing thereunder or pertaining thereto;

(v) all any and all claims for damages and injunctive relief for past, present and future infringement, dilution, misappropriation, violation, misuse or breach with respect to any of the foregoing, with the right, but not the obligation, to sue for and collect, or otherwise recover, such damages; and

(vi) any and all proceeds of, collateral for, income, royalties and other payments now or hereafter due and payable with respect to, and supporting obligations relating to, any and all of the foregoing or arising from any of the foregoing.

**Section 2. Security for Obligations.** This IP Security Agreement Supplement secures, in the case of each Grantor, the payment of all Obligations now or hereafter existing under the Credit Agreement and/or the Loan Documents, and all other obligations of each Grantor under the Credit Agreement and/or the Loan Documents, whether direct or indirect, absolute or contingent, and whether for principal, reimbursement obligations, interest, fees, premiums, penalties, indemnifications, contract causes of action, costs, expenses or otherwise.

**Section 3. Supplement to Security Agreement.** Schedule III to the Security Agreement is, effective as of the date hereof, hereby supplemented to add to such Schedule the Additional Collateral.

**Section 4. Recordation.** The Grantor authorizes and requests that the Register of Copyrights, the Commissioner for Patents and the Commissioner for Trademarks and any other applicable government officer to record this IP Security Agreement Supplement.

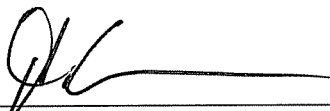
**Section 5. Grants, Rights and Remedies.** This IP Security Agreement Supplement has been entered into in conjunction with the provisions of the Security Agreement. The Grantor does hereby acknowledge and confirm that the grant of the security interest hereunder to, and the rights and remedies of, the Secured Party with respect to the Additional Collateral are more fully set forth in the Security Agreement, the terms and provisions of which are incorporated herein by reference as if fully set forth herein.

**Section 6. Governing Law.** This IP Security Agreement Supplement shall be governed by, and construed in accordance with, the laws of the State of New York without regard or reference to its conflict of laws principles.

IN WITNESS WHEREOF, the Grantor has caused this IP Security Agreement Supplement to be duly executed and delivered by its officer thereunto duly authorized as of the date first above written.

**NAME OF GRANTOR:**

**MACKENZIE-CHILDS AURORA LLC**

By:   
Howard Cohen  
Its: Manager

**ADDRESS FOR NOTICES:**

3260 State Route 90  
Aurora, New York 13026

**SCHEDULE A**

**PATENTS**

**None.**

**SCHEDULE B**

**TRADEMARKS**

**See attached.**

Strategy

Your Reference 48958/2 [2]  
 Selected Databases Trademark Databases U.S. Federal, U.S. State, Canada, Mexico, Brazil, Austria, Benelux, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Monaco, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, Community Trademarks, Australia, China, Japan, New Zealand, South Korea, International (IR) trademarks with protection in selected countries ONLY  
 Criteria Options: Active Only: off, Plurals: on, Cross References: on, Japanese Phonetics: on, Central European Phonetics: on  
 Q1 12 - Owner Name : mackenzle-childs  
 Q2 3440 - Owner Name : aurora  
 Q3 9 - Owner Name : mackenzle-childs aurora  
 Search Date 2009/08/27 17:37 GMT

Hits Overview

Hit No.	Query	Trademark	Database	Status	Class	Owner Name
US-1	Q3	COURTLY CHECK	U.S. Federal	REGISTERED	11 20 21 24 27	MACKENZIE-CHILDS AURORA LLC
US-2	Q3	Design Only	U.S. Federal	PENDING Section 2(F)	11 20 21 24 27	MACKENZIE-CHILDS AURORA LLC
US-3	Q3	MACKENZIE-CHILDS	U.S. Federal	PUBLISHED (PENDING)	4 11 19 20 21 27	MACKENZIE-CHILDS, LTD.
US-4	Q3	Design Only	U.S. Federal	REGISTERED	4 11 19 20 21 27	MACKENZIE-CHILDS AURORA LLC
US-5	Q3	EVERVOLVING	U.S. Federal	REGISTERED	21	MACKENZIE-CHILDS AURORA LLC
US-6	Q3	LOLLIPOP	U.S. Federal	REGISTERED	21	MACKENZIE-CHILDS AURORA LLC
US-7	Q3	MACKENZIE-CHILDS, LTD. AURORA, NEW YORK MC 1983	U.S. Federal	CANCELLED	21	MACKENZIE-CHILDS AURORA LLC
US-8	Q3	MACKENZIE-CHILDS, LTD. 1983 AURORA, NEW YORK	U.S. Federal	REGISTERED	20	MACKENZIE-CHILDS AURORA LLC
EM-1	Q3	MACKENZIE-CHILDS	Community Trademarks	REGISTRATION (REGISTERED)	20 21 27	MacKenzie-Chilids Aurora LLC

Full Text Record(s)

COURTLY CHECK U.S. Federal US-1:Q3

Image

COURTLY CHECK

Trademark COURTLY CHECK  
 Design Type BLOCK LETTERS  
 Database U.S. Federal  
 Application Number 77592501  
 Registration Number 3630539  
 Status REGISTERED  
 Status According to PTO (700) REGISTERED  
 USPTO Status Date 02-JUN-2009  
 Application Date 14-OCT-2008  
 Published 17-MAR-2009  
 Registration Date 02-JUN-2009  
 International Class(es) 11 (Environmental control apparatus)  
 20 (Furniture)  
 21 (Housewares and glass)  
 24 (Fabrics)



27 (Floor coverings)

**Goods and Services** (INT. CL. 11) LAMPS, LIGHTING FIXTURES  
(INT. CL. 20) FURNITURE; PICTURE FRAMES  
(INT. CL. 21) DINNERWARE, NAMELY, PLATES, BOWLS, SAUCERS, AND CUPS; SERVING DISHES; SERVING TRAYS; PITCHERS; VASES; TEA KETTLES; MUGS; CANISTERS FOR HOUSEHOLD USE; SALT AND PEPPER SHAKERS; CREAMERS; SUGAR BOWLS; PLANTERS FOR FLOWERS AND PLANTS; FLOWERPOTS; PET FEEDING DISHES; COASTERS NOT OF PAPER AND NOT BEING TABLE LINEN  
(INT. CL. 24) PLACE MATS NOT OF PAPER  
(INT. CL. 27) RUGS

**International Class** International Class: 11  
First Used: 2005  
In Commerce: 2005  
International Class: 20  
First Used: 2003  
In Commerce: 2003  
International Class: 21  
First Used: 1995  
In Commerce: 1995  
International Class: 24  
First Used: 2007  
In Commerce: 2007  
International Class: 27  
First Used: 2001  
In Commerce: 2001

**Registrant** MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY CO.  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Owner at Publication** MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY CO.  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Applicant** MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY CO.  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Filing Attorney** KRISTEN M. WALSH

**Reference Number** 48958/2

**Correspondent Info** KRISTEN M. WALSH  
NIXON PEABODY LLP  
1100 CLINTON SQ  
ROCHESTER, NY 14604-1792

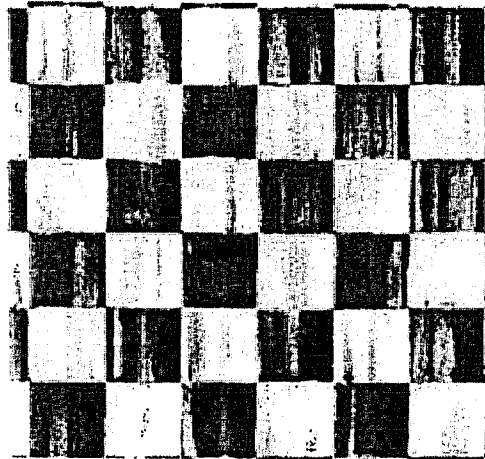
**Disclaims** "CHECK"

**History** 02-JUN-2009 REGISTERED-PRINCIPAL REGISTER  
17-MAR-2009 PUBLISHED FOR OPPOSITION  
25-FEB-2009 NOTICE OF PUBLICATION  
12-FEB-2009 LAW OFFICE PUBLICATION REVIEW COMPLETED  
11-FEB-2009 ASSIGNED TO LIE  
03-FEB-2009 APPROVED FOR PUB - PRINCIPAL REGISTER  
31-JAN-2009 TEAS/EMAIL CORRESPONDENCE ENTERED  
30-JAN-2009 CORRESPONDENCE RECEIVED IN LAW OFFICE  
30-JAN-2009 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
27-JAN-2009 NOTIFICATION OF NON-FINAL ACTION E-MAILED  
27-JAN-2009 NON-FINAL ACTION E-MAILED  
27-JAN-2009 NON-FINAL ACTION WRITTEN  
14-JAN-2009 ASSIGNED TO EXAMINER  
17-OCT-2008 NEW APPLICATION ENTERED IN TRAM

Design Only

U.S. Federal US-2:Q3

Image



**Trademark** Design Only  
**Design Type** DESIGN ONLY  
**Database** U.S. Federal  
**Application Number** 77592504  
**Status** PENDING  
 Section 2(F)  
**Status According to PTO** (661) RESPONSE AFTER NON-FINAL ACTION - ENTERED  
**USPTO Status Date** 25-JUL-2009  
**Application Date** 14-OCT-2008  
**International Class(es)** 11 (Environmental control apparatus)  
 20 (Furniture)  
 21 (Housewares and glass)  
 24 (Fabrics)  
 27 (Floor coverings)  
**Goods and Services** (INT. CL. 11) LAMPS, LIGHTING FIXTURES  
 (INT. CL. 20) FURNITURE; PICTURE FRAMES  
 (INT. CL. 21) DINNERWARE, NAMELY, PLATES, BOWLS, SAUCERS, AND CUPS; SERVING DISHES; SERVING TRAYS; PITCHERS; VASES; TEA KETTLES; MUGS; CANISTERS FOR HOUSEHOLD USE; SALT AND PEPPER SHAKERS; CREAMERS; SUGAR BOWLS; PLANTERS FOR FLOWERS AND PLANTS; FLOWERPOTS; PET FEEDING DISHES; COASTERS NOT OF PAPER AND NOT BEING TABLE LINEN  
 (INT. CL. 24) PLACE MATS NOT OF PAPER  
 (INT. CL. 27) RUGS  
**International Class** International Class: 11  
 First Used: 1992  
 In Commerce: 1992  
 International Class: 20  
 First Used: 1986  
 In Commerce: 1986  
 International Class: 21  
 First Used: 1990  
 In Commerce: 1990  
 International Class: 24  
 First Used: 1998  
 In Commerce: 1998  
 International Class: 27  
 First Used: 1990  
 In Commerce: 1990  
**Applicant** MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY CO.  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Filing Attorney** KRISTEN M. WALSH  
**Reference Number** 48958/2  
**Correspondent Info** KRISTEN M. WALSH

NIXON PEABODY LLP  
1100 CLINTON SQ  
ROCHESTER, NY 14604-1792

**Claims** THE COLOR(S) BLACK, WHITE, CREAM, BLUE, PURPLE, MAGENTA, GREEN, YELLOW, OCHRE, AND SHADES THEREOF IS/ARE CLAIMED AS A FEATURE OF THE MARK.

**Design Phrase** THE MARK CONSISTS OF A REPEATING CHECK DESIGN APPLIED IN WHOLE OR IN PART ON THE GOODS. THE MARK CONSISTS OF A BLACK AND WHITE CHECK PATTERN IN WHICH STREAKS OF BLUE, PURPLE, MAGENTA, GREEN, YELLOW, OR OCHRE APPEAR.

**Design Codes** 250301 CHECKERBOARD PATTERN

**History** 25-JUL-2009 TEAS/EMAIL CORRESPONDENCE ENTERED  
24-JUL-2009 CORRESPONDENCE RECEIVED IN LAW OFFICE  
24-JUL-2009 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
24-FEB-2009 NOTIFICATION OF NON-FINAL ACTION E-MAILED  
24-FEB-2009 NON-FINAL ACTION E-MAILED  
24-FEB-2009 NON-FINAL ACTION WRITTEN  
14-JAN-2009 ASSIGNED TO EXAMINER  
18-OCT-2008 NOTICE OF DESIGN SEARCH CODE MAILED  
17-OCT-2008 NEW APPLICATION ENTERED IN TRAM

MACKENZIE-CHILDS

U.S. Federal US-3:Q3

**Trademark** MACKENZIE-CHILDS  
**Cross References** MACKENZIE CHILDS  
**Design Type** WORD ONLY  
**Database** U.S. Federal  
**Application Number** 78286054  
**Status** PUBLISHED (PENDING)  
**Status According to PTO** (774) OPPOSITION PENDING  
**USPTO Status Date** 21-FEB-2006  
**Application Date** 12-AUG-2003  
**Revived/Reinstated** 16-DEC-2004  
**Published** 24-JAN-2006  
**Withdrawn** 11-OCT-2005  
**Abandoned** 11-AUG-2004  
**International Class(es)** 4 (Lubricants and fuels)  
 11 (Environmental control apparatus)  
 19 (Non-metallic building materials)  
 20 (Furniture)  
 21 (Housewares and glass)  
 27 (Floor coverings)  
**Goods and Services** (INT. CL. 4) VOTIVES NAMELY, CANDLES  
 (INT. CL. 11) SCONCES, LIGHTING FIXTURES, LAMP BASES AND LAMPS  
 (INT. CL. 19) DECORATIVE WALL TILE  
 (INT. CL. 20) TABLE BASE BOTTOM AND TABLE BOTTOM, TABLE TOP, TABLE MIDDLE;  
 FURNITURE PARTS, NAMELY TABLE LEGS, ARMOIRE FOOT, FURNITURE FOOT; DRAPERY  
 HARDWARE, NAMELY FINIALS; NON-METAL OR PLASTIC CASTERS; AND PILLOWS  
 (INT. CL. 21) MAJOLICA, NAMELY, PLATES, BUTTER TRAYS, COOKIE JARS, SERVING  
 TRAYS NOT OF PRECIOUS METAL, TEAPOTS NOT OF PRECIOUS METAL, CHARGER  
 PLATES, TEACUPS, SOY DISHES, MUGS, DECORATIVE CERAMIC GLOBE FIGURINES,  
 CHINA AND CERAMIC ANIMAL FIGURINES, CERAMIC BASKETS, VASES, CREAMER  
 PITCHERS, PITCHERS, DRAWER PULLS OF CERAMIC, CERAMIC KNOBS, SAUCERS, AND  
 PASTRY AND CAKE STANDS; ENAMELWARE, NAMELY PLATES, CANISTERS, MUGS,  
 PLATTERS, AND BOWLS; BEVERAGE GLASSWARE; CERAMIC CUPS, MUGS, AND PLATES;  
 LUNCH BOXES; CANDLE STICKS NOT OF PRECIOUS METAL; NONMETAL DRAWER PULLS  
 (INT. CL. 27) RUGS  
**International Class** **International Class:** 04  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**International Class:** 11  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**International Class:** 19  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**International Class:** 20  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**International Class:** 21  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**International Class:** 27  
**First Used:** 08-JUN-2001  
**In Commerce:** 08-JUN-2001  
**Owner at Publication** MACKENZIE-CHILDS, LTD.  
 DELAWARE CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Applicant** MACKENZIE-CHILDS, LTD.  
 DELAWARE CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignment Information** **Assignee:**  
 MACKENZIE-CHILDS AURORA LLC

NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 ELLEN DEL VECCHIO  
 271 WHITNEY AVENUE  
 NEW HAVEN, CT 06511  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 02-JUN-2008  
**Reel/Frame:** 3786/0915

**Assignee:**  
 MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 KRISTEN M. WALSH, NIXON PEABODY LLP  
 1100 CLINTON SQUARE  
 ROCHESTER, NY 14604-1792  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 15-JUL-2008  
**Reel/Frame:** 3816/0097

**TTAB Information**

**Opposition Number:** 91169284  
**Date:** 21-FEB-2006  
**Outcome:** PENDING, 21-FEB-2006  
**Defendant:** MACKENZIE-CHILDS, LTD. AND MACKENZIE-CHILDS AURORA LLC (JOINED AS PARTY DEFENDANT)  
**Application Number:** 78286054  
**Registration Number:** 0000000  
**Mark:** MACKENZIE-CHILDS  
**Trademark Defendant Correspondent:**  
 KRISTEN M. WALSH  
 NIXON PEABODY LLP  
 1100 CLINTON SQUARE  
 ROCHESTER  
 NY  
 14604-1792  
**Plaintiff:** RICHARD MACKENZIE-CHILDS  
**Application Number:** 00000000  
**Registration Number:** 0000000  
**Correspondent:**  
 HOWARD LEIB  
 HOWARD D. LEIB, ESQ.  
 271 MADISON AVEUE, SUITE 200  
 NEW YORK  
 NY  
 10016  
**TTAB Entry:** #21 SUSPENDED PENDING DISP OF CIVIL ACTION, 27-APR-2009  
**TTAB Entry:** #20 RESPONSE TO ORDER, 27-FEB-2009

**Other U.S. Registrations**

**Filing Attorney** STEPHEN B. SALAI  
**Reference Number** 89167.000062  
**Correspondent Info** KRISTEN M. WALSH  
 NIXON PEABODY LLP  
 1100 CLINTON SQUARE  
 ROCHESTER, NY 14604-1792

**History**

16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
 04-JUN-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
 11-JAN-2008 ASSIGNED TO EXAMINER  
 23-MAR-2006 PAPER RECEIVED

21-FEB-2006 OPPOSITION INSTITUTED NO. 999999  
21-FEB-2006 OPPOSITION PAPERS RECEIVED AT TTAB  
24-JAN-2006 PUBLISHED FOR OPPOSITION  
04-JAN-2006 NOTICE OF PUBLICATION  
14-DEC-2005 LAW OFFICE PUBLICATION REVIEW COMPLETED  
14-DEC-2005 ASSIGNED TO LIE  
04-DEC-2005 APPROVED FOR PUB - PRINCIPAL REGISTER  
29-NOV-2005 EXAMINER'S AMENDMENT ENTERED  
29-NOV-2005 EXAMINERS AMENDMENT MAILED  
28-NOV-2005 EXAMINERS AMENDMENT -WRITTEN  
28-NOV-2005 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
28-NOV-2005 WITHDRAWN FROM PUB - EXAMINING ATTORNEY REQUEST  
29-OCT-2005 LAW OFFICE PUBLICATION REVIEW COMPLETED  
29-OCT-2005 ASSIGNED TO LIE  
25-OCT-2005 APPROVED FOR PUB - PRINCIPAL REGISTER  
25-OCT-2005 EXAMINER'S AMENDMENT ENTERED  
25-OCT-2005 CORRESPONDENCE MAILED  
25-OCT-2005 EXAMINERS AMENDMENT -WRITTEN  
21-OCT-2005 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
11-OCT-2005 WITHDRAWN FROM PUB - OG REVIEW QUERY  
09-SEP-2005 LAW OFFICE PUBLICATION REVIEW COMPLETED  
09-SEP-2005 ASSIGNED TO LIE  
29-AUG-2005 APPROVED FOR PUB - PRINCIPAL REGISTER  
25-AUG-2005 EXAMINER'S AMENDMENT ENTERED  
25-AUG-2005 DATA MODIFICATION COMPLETED  
24-AUG-2005 EXAMINERS AMENDMENT MAILED  
23-AUG-2005 EXAMINERS AMENDMENT -WRITTEN  
05-AUG-2005 ASSIGNED TO EXAMINER  
04-AUG-2005 AMENDMENT FROM APPLICANT ENTERED  
15-JUL-2005 CORRESPONDENCE RECEIVED IN LAW OFFICE  
15-JUL-2005 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
18-JAN-2005 NON-FINAL ACTION MAILED  
18-JAN-2005 NON-FINAL ACTION WRITTEN  
16-DEC-2004 PETITION TO REVIVE-GRANTED  
30-AUG-2004 PETITION TO REVIVE-RECEIVED  
30-AUG-2004 PAPER RECEIVED  
11-AUG-2004 ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE  
09-JAN-2004 NON-FINAL ACTION MAILED  
07-JAN-2004 ASSIGNED TO EXAMINER

Design Only

U.S. Federal US-4:Q3

Image



**Trademark** Design Only  
**Design Type** DESIGN ONLY  
**Database** U.S. Federal  
**Application Number** 78286106  
**Registration Number** 2943642  
**Status** REGISTERED  
**Status According to PTO** (700) REGISTERED  
**USPTO Status Date** 26-APR-2005  
**Application Date** 12-AUG-2003  
**Published** 01-FEB-2005  
**Registration Date** 26-APR-2005  
**International Class(es)** 4 (Lubricants and fuels)  
                                   11 (Environmental control apparatus)  
                                   19 (Non-metallic building materials)  
                                   20 (Furniture)  
                                   21 (Housewares and glass)  
                                   27 (Floor coverings)  
**Goods and Services** (INT. CL. 4) VOTIVES NAMELY CANDLES AND CANDLE STICKS  
                                   (INT. CL. 11) SCONCES, LIGHTING FIXTURES AND LAMPS  
                                   (INT. CL. 19) DECORATIVE WALL TILE  
                                   (INT. CL. 20) TABLE BASE BOTTOM, TABLE BOTTOM, TABLE TOP, TABLE MIDDLE,  
                                   FURNITURE PARTS, NAMELY TABLE LEGS, ARMOIRE FOOT, FURNITURE FOOT; DRAPERY  
                                   HARDWARE NAMELY, FINIALS, NON-METAL ORPLASTIC CASTERS, NON METAL DRAWER  
                                   PULLS AND PILLOW  
                                   (INT. CL. 21) MAJOLICA NAMELY-- PLATES, BUTTER TRAY, COOKIE JAR, SERVING TRAY  
                                   NOT OF PRECIOUS METAL, LAMP COLLAR, TEAPOT NOT OF PRECIOUS METAL, CHARGER  
                                   PLATE, TEACUP, SOY DISH, MUGS, GLOBE, ANIMAL FIGURINES, CERAMIC BASKET, VASE,  
                                   CREAMER PITCHER, PITCHER, DRAWER PULLS OF CERAMIC, CERAMIC KNOBS, SAUCER,  
                                   AND PASTRY STAND; ENAMELWARE, NAMELY PLATES, CANISTERS, MUGS, PLATTERS,  
                                   AND BOWLS; BEVERAGE GLASSWARE; CERAMICS CUP, MUG, AND PLATE; LUNCH BOX  
                                   (INT. CL. 27) RUGS  
**International Class** **International Class: 04**  
                                   **First Used: 19-MAY-2003**  
                                   **In Commerce: 19-MAY-2003**  
                                   **International Class: 11**  
                                   **First Used: 19-MAY-2003**  
                                   **In Commerce: 19-MAY-2003**  
                                   **International Class: 19**  
                                   **First Used: 19-MAY-2003**  
                                   **In Commerce: 19-MAY-2003**  
                                   **International Class: 20**  
                                   **First Used: 19-MAY-2003**  
                                   **In Commerce: 19-MAY-2003**  
                                   **International Class: 21**  
                                   **First Used: 19-MAY-2003**

**In Commerce:** 19-MAY-2003  
**International Class:** 27  
**First Used:** 19-MAY-2003  
**In Commerce:** 19-MAY-2003

**Post Registration Owner** MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY CO.  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026

**Registrant** MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026

**Owner at Publication** MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026

**Applicant** MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026

**Assignment Information** **Assignee:**  
 MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 ELLEN DEL VECCHIO  
 271 WHITNEY AVENUE  
 NEW HAVEN, CT 06511  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 02-JUN-2008  
**Reel/Frame:** 3786/0915

**Assignee:**  
 MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 KRISTEN M. WALSH, NIXON PEABODY LLP  
 1100 CLINTON SQUARE  
 ROCHESTER, NY 14604-1792  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 15-JUL-2008  
**Reel/Frame:** 3816/0097

**Filing Attorney** STEPHEN B. SALAI

**Reference Number** 89167.000061

**Correspondent Info** STEPHEN B. SALAI  
 EMERY LLP  
 1600 BAUSCH AND LOMB PLACE  
 ROCHESTER, NY 14604-2711

**Design Codes** 050909 PINEAPPLES  
 050325 OTHER LEAVES

**History** 16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
 04-JUN-2008 AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP  
 26-APR-2005 REGISTERED-PRINCIPAL REGISTER  
 01-FEB-2005 PUBLISHED FOR OPPOSITION  
 12-JAN-2005 NOTICE OF PUBLICATION  
 30-NOV-2004 LAW OFFICE PUBLICATION REVIEW COMPLETED  
 30-NOV-2004 ASSIGNED TO LIE



17-NOV-2004 APPROVED FOR PUB - PRINCIPAL REGISTER  
15-NOV-2004 AMENDMENT FROM APPLICANT ENTERED  
10-NOV-2004 CORRESPONDENCE RECEIVED IN LAW OFFICE  
10-NOV-2004 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
25-OCT-2004 FAX SENT  
21-OCT-2004 NON-FINAL ACTION MAILED  
20-OCT-2004 NON-FINAL ACTION WRITTEN  
20-OCT-2004 FINAL REFUSAL MAILED  
20-OCT-2004 FINAL REFUSAL WRITTEN  
04-SEP-2004 AMENDMENT FROM APPLICANT ENTERED  
13-AUG-2004 CORRESPONDENCE RECEIVED IN LAW OFFICE  
13-AUG-2004 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
28-JUL-2004 AMENDMENT FROM APPLICANT ENTERED  
09-JUL-2004 CORRESPONDENCE RECEIVED IN LAW OFFICE  
12-JUL-2004 PAPER RECEIVED  
09-JAN-2004 NON-FINAL ACTION MAILED  
07-JAN-2004 ASSIGNED TO EXAMINER

EVERVOLVING

U.S. Federal US-5:Q3

Trademark EVERVOLVING  
 Design Type WORD ONLY  
 Database U.S. Federal  
 Application Number 78231538  
 Registration Number 2805087  
 Status REGISTERED  
 Status According to PTO (700) REGISTERED  
 USPTO Status Date 13-JAN-2004  
 Application Date 28-MAR-2003  
 Published 21-OCT-2003  
 Registration Date 13-JAN-2004  
 International Class(es) 21 (Housewares and glass)  
 Goods and Services (INT. CL. 21) CERAMIC DINNERWARE AND VASES  
 International Class International Class: 21  
 First Used: JAN-2002  
 In Commerce: JAN-2002  
 Post Registration Owner MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY CO.  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
 Registrant MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
 Owner at Publication MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
 Applicant MACKENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
 Assignment Information **Assignee:**  
 MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 ELLEN DEL VECCHIO  
 271 WHITNEY AVENUE  
 NEW HAVEN, CT 06511  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 02-JUN-2008  
**Reel/Frame:** 3786/0915  
  
**Assignee:**  
 MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY COMPANY  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Assignor:**  
 MACKENZIE-CHILDS LTD.  
 DELAWARE CORPORATION  
**Correspondent:**  
 KRISTEN M. WALSH, NIXON PEABODY LLP  
 1100 CLINTON SQUARE  
 ROCHESTER, NY 14604-1792  
**Brief:** ASSIGNS THE ENTIRE INTEREST

Signed: 07-MAY-2008  
Recorded: 15-JUL-2008  
Reel/Frame: 3816/0097

Filing Attorney STEPHEN B. SALAI  
Reference Number 28332.000051  
Correspondent Info STEPHEN B. SALAI  
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1600 BAUSCH & LOMB PLACE  
ROCHESTER NY USA 14604-2711

History 16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
04-JUN-2008 AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP  
13-JAN-2004 REGISTERED-PRINCIPAL REGISTER  
21-OCT-2003 PUBLISHED FOR OPPOSITION  
01-OCT-2003 NOTICE OF PUBLICATION  
27-AUG-2003 APPROVED FOR PUB - PRINCIPAL REGISTER  
26-AUG-2003 ASSIGNED TO EXAMINER

LOLLIPOP

U.S. Federal US-6:Q3

**Trademark** LOLLIPOP  
**Design Type** WORD ONLY  
**Database** U.S. Federal  
**Application Number** 76407799  
**Registration Number** 2726806  
**Status** REGISTERED  
**Status According to PTO** (700) REGISTERED  
**USPTO Status Date** 17-JUN-2003  
**Application Date** 14-MAY-2002  
**Published** 25-MAR-2003  
**Registration Date** 17-JUN-2003  
**International Class(es)** 21 (Housewares and glass)  
**Goods and Services** (INT. CL. 21) DINNERWARE  
**International Class** **International Class:** 21  
**First Used:** APR-2002  
**In Commerce:** APR-2002  
**Post Registration Owner** MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY CO.  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Registrant** MACKENZIE-CHILDS, LTD.  
DELAWARE CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Owner at Publication** MACKENZIE-CHILDS, LTD.  
DELAWARE CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Applicant** MACKENZIE-CHILDS, LTD.  
DELAWARE CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Assignment Information** **Assignee:**  
MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Assignor:**  
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DELAWARE CORPORATION  
**Correspondent:**  
ELLEN DEL VECCHIO  
271 WHITNEY AVENUE  
NEW HAVEN, CT 06511  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 07-MAY-2008  
**Recorded:** 02-JUN-2008  
**Reel/Frame:** 3786/0915  
  
**Assignee:**  
MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026  
**Assignor:**  
MACKENZIE-CHILDS LTD.  
DELAWARE CORPORATION  
**Correspondent:**  
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ROCHESTER, NY 14604-1792  
**Brief:** ASSIGNS THE ENTIRE INTEREST

Signed: 07-MAY-2008  
Recorded: 15-JUL-2008  
Reel/Frame: 3816/0097

Filing Attorney STEPHEN B. SALAI  
Reference Number 89167.000024  
Correspondent Info STEPHEN B. SALAI  
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1600 BAUSCH & LOMB PLACE  
ROCHESTER NY 14604-2711

History 17-FEB-2009 CASE FILE IN TIGRS  
16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
04-JUN-2008 AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP  
17-JUN-2003 REGISTERED-PRINCIPAL REGISTER  
25-MAR-2003 PUBLISHED FOR OPPOSITION  
05-MAR-2003 NOTICE OF PUBLICATION  
24-JAN-2003 APPROVED FOR PUB - PRINCIPAL REGISTER  
21-OCT-2002 ASSIGNED TO EXAMINER  
26-SEP-2002 CORRESPONDENCE RECEIVED IN LAW OFFICE  
26-SEP-2002 PAPER RECEIVED  
09-SEP-2002 NON-FINAL ACTION MAILED  
26-AUG-2002 ASSIGNED TO EXAMINER

MACKENZIE-CHILDS, LTD. AURORA, NEW YORK MC 1983

U.S. Federal US-7:Q3

Image



**Trademark** MACKENZIE-CHILDS, LTD. AURORA, NEW YORK MC 1983  
**Design Type** WORD AND DESIGN  
**Database** U.S. Federal  
**Application Number** 75318200  
**Registration Number** 2195282  
**Status** CANCELLED  
**Affidavit Section** REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
**Affidavit Date** 15-MAY-2004  
**Status According to PTO** (710) CANCELLED - SECTION 8  
**USPTO Status Date** 16-MAY-2009  
**Application Date** 02-JUL-1997  
**Published** 21-JUL-1998  
**Registration Date** 13-OCT-1998  
**Cancellation Recorded** 16-MAY-2009  
**OG Cancellation** 23-JUN-2009  
**Cancellation Section** 8  
**International Class(es)** 21 (Housewares and glass)  
**Goods and Services** (INT. CL. 21) POTTERY SETTINGS, NAMELY, POTTERY DISHES, BOWLS, CUPS AND SAUCERS, CREAMER AND SUGAR SETS, TEAPOTS, CAKE STANDS, TUREENS, PITCHERS, PLATTERS, COMPOTES, VASES, CANISTERS, SALT AND PEPPER SHAKERS, SUGAR CASTORS, EGG CUPS, PLACE CARD HOLDERS, KNIFE RESTS, CANDLESTICKS, CHEESE DOMES, BUTTER DISHES, AND TRIVETS; POTTERY UTENSILS, NAMELY, SUGAR SPOONS; AND GLASSWARE  
**International Class** International Class: 21  
**First Used:** 28-APR-1997  
**In Commerce:** 28-APR-1997  
**Post Registration Owner** MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY CO.  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Registrant** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Owner at Publication** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 AURORA, NEW YORK 13026  
**Applicant** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 AURORA, NEW YORK 13026  
**Assignment Information** **Assignee:**  
 BSB BANK & TRUST COMPANY  
 NEW YORK CORPORATION  
 58-68 EXCHANGE STREET  
 BINGHAMTON, NEW YORK 13902  
**Assignor:**  
 RICHARD AND VICTORIA MACKENZIE-CHILDS, INC.  
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**Correspondent:**

MENTER, RUBIN & TRIVELPIECE, P.C.  
F. PAUL VELLANO, JR.  
500 SOUTH SALINA STREET, SUITE 500  
SYRACUSE, NY 13202  
**Brief:** SECURITY INTEREST  
**Signed:** 04-MAY-2000  
**Recorded:** 17-MAY-2000  
**Reel/Frame:** 2084/0563

**Assignee:**  
MCNY ACQUISITION CORP.  
DELAWARE CORPORATION  
C/O VOGEL CONSULTING GROUP, S.C.  
3415 GATEWAY ROAD  
BROOKFIELD, WISCONSIN 53045

**Assignor:**  
VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
NEW YORK CORPORATION

**Correspondent:**  
MICHAEL BEST & FRIEDRICH LLP  
MICHAEL S. GREEN  
ONE SOUTH PINCKNEY STREET  
P.O. BOX 1806

MADISON, WI 53701-1806  
**Brief:** ASSIGNS THE ENTIRE INTEREST  
**Signed:** 26-APR-2001  
**Recorded:** 01-NOV-2001  
**Reel/Frame:** 2402/0374

**Assignee:**  
MACKENZIE-CHILDS LTD.  
CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**  
MCL ACQUISITION CORP.  
CORPORATION

**Correspondent:**  
STEPHEN B. SALAI  
1600 BAUSCH & LOMB PLACE  
ROCHESTER, NY 14604

**Brief:** CHANGE OF NAME  
**Signed:** 30-JUL-2001  
**Recorded:** 15-DEC-2005  
**Reel/Frame:** 3210/0800

**Assignee:**  
RICHARD AND VICTORIA MACKENZIE-CHILDS, LTD.  
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3260 STATE ROUTE 90  
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**Assignor:**  
BSB BANK & TRUST COMPANY  
NEW YORK CORPORATION

**Correspondent:**  
JODI A. REYNOLDS  
HARTER SECREST & EMERY LLP  
1600 BAUSCH AND LOMB PLACE  
ROCHESTER, NY 14604-2711

**Brief:** RELEASE BY SECURED PARTY  
**Signed:** 07-JUN-2001  
**Recorded:** 05-MAY-2008  
**Reel/Frame:** 3771/0895

**Assignee:**  
MCL ACQUISITION CORPORATION  
NEW YORK CORPORATION  
C/O VOGEL CONSULTING GROUP, S.C.  
3415 GATEWAY ROAD  
BROOKFIELD, WISCONSIN 53045

**Assignor:**

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**Correspondent:**

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1600 BAUSCH AND LOMB PLACE  
ROCHESTER, NY 14604-2711

**Brief:** ASSIGNS THE ENTIRE INTEREST**Signed:** 08-JUN-2001**Recorded:** 05-MAY-2008**Reel/Frame:** 3771/0947**Assignee:**

MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**

MACKENZIE-CHILDS LTD.  
DELAWARE CORPORATION

**Correspondent:**

ELLEN DEL VECCHIO  
271 WHITNEY AVENUE  
NEW HAVEN, CT 06511

**Brief:** ASSIGNS THE ENTIRE INTEREST**Signed:** 07-MAY-2008**Recorded:** 02-JUN-2008**Reel/Frame:** 3786/0915**Assignee:**

MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**

MACKENZIE-CHILDS LTD.  
DELAWARE CORPORATION

**Correspondent:**

KRISTEN M. WALSH, NIXON PEABODY LLP  
1100 CLINTON SQUARE  
ROCHESTER, NY 14604-1792

**Brief:** ASSIGNS THE ENTIRE INTEREST**Signed:** 07-MAY-2008**Recorded:** 15-JUL-2008**Reel/Frame:** 3816/0097

**Filing Attorney** STEPHEN B SALAI  
**Reference Number** 10400.60005  
**Correspondent Info** STEPHEN B SALAI  
HARTER SECREST & EMERY LLP  
1600 BAUSCH & LOMB PLACE  
ROCHESTER NY 14604  
**Disclaims** "LTD.", "1983" AND "AURORA, NEW YORK"  
**Design Phrase** THE DESIGN IN THE CENTER OF THE MARK BETWEEN THE NUMBERS "19" AND "83"  
CONSISTS OF STYLIZED "M" AND "C", THE FORMER SEEMINGLY PLACED OVER THE  
LATTER.  
**Design Codes** 260137 CIRCLES THAT ARE COMPLETELY OR PARTIALLY SHADED  
260151 MORE THAN ONE CIRCLE  
260305 OVALS WITH DECORATIVE BORDERS  
300113 M  
300103 C  
050504 TULIPS  
050525 OTHER FLOWERS  
**History** 16-MAY-2009 CANCELLED SEC. 8 (10-YR)/EXPIRED SECTION 9  
16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
04-JUN-2008 AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP  
07-MAY-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
06-AUG-2007 CASE FILE IN TICRS  
15-MAY-2004 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
08-APR-2004 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED



08-APR-2004 TEAS SECTION 8 & 15 RECEIVED  
13-OCT-1998 REGISTERED-PRINCIPAL REGISTER  
21-JUL-1998 PUBLISHED FOR OPPOSITION  
19-JUN-1998 NOTICE OF PUBLICATION  
20-APR-1998 APPROVED FOR PUB - PRINCIPAL REGISTER  
26-MAR-1998 CORRESPONDENCE RECEIVED IN LAW OFFICE  
26-FEB-1998 NON-FINAL ACTION MAILED  
22-FEB-1998 ASSIGNED TO EXAMINER

MACKENZIE-CHILDS, LTD. 1983 AURORA, NEW YORK

U.S. Federal US-8:Q3

Image



**Trademark** MACKENZIE-CHILDS, LTD. 1983 AURORA, NEW YORK  
**Cross References** MACKENZIE CHILDS, LTD. AURORA, NEW YORK MC 1983  
**Design Type** WORD AND DESIGN  
**Database** U.S. Federal  
**Application Number** 75317279  
**Registration Number** 2258535  
**Status** REGISTERED  
**Affidavit Section** REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
**Affidavit Date** 12-JUL-2006  
**Status According to PTO** (702) SECTION 8 & 15 - ACCEPTED AND ACKNOWLEDGED  
**USPTO Status Date** 12-JUL-2006  
**Application Date** 30-JUN-1997  
**Published** 13-APR-1999  
**Registration Date** 06-JUL-1999  
**International Class(es)** 20 (Furniture)  
**Goods and Services** (INT. CL. 20) FURNITURE, NAMELY, TABLES, CHAIRS, BEDS, OCCASIONAL TABLES, STOOLS, DRESSERS, MIRRORS, BOOKSHELVES, LAMPS, BUFFETS, ARMOIRES, DESKS  
**International Class** International Class: 20  
**First Used:** 01-JUL-1997  
**In Commerce:** 01-JUL-1997  
**Post Registration Owner** MACKENZIE-CHILDS AURORA LLC  
 NEW YORK LIMITED LIABILITY CO.  
 3260 STATE ROUTE 90  
 AURORA, NEW YORK 13026  
**Registrant** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 AURORA, NEW YORK 13026  
**Owner at Publication** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 AURORA, NEW YORK 13026  
**Applicant** VICTORIA & RICHARD MAC KENZIE-CHILDS, LTD.  
 NEW YORK CORPORATION  
 AURORA, NEW YORK 13026  
**Assignment Information** **Assignee:**  
 BSB BANK & TRUST COMPANY  
 NEW YORK CORPORATION  
 58-68 EXCHANGE STREET  
 BINGHAMTON, NEW YORK 13902  
**Assignor:**  
 RICHARD AND VICTORIA MACKENZIE-CHILDS, INC.  
 NEW YORK CORPORATION  
**Correspondent:**  
 MENTER, RUBIN & TRIVELPIECE, P.C.  
 F. PAUL VELLANO, JR.  
 500 SOUTH SALINA STREET, SUITE 500  
 SYRACUSE, NY 13202  
**Brief:** SECURITY INTEREST  
**Signed:** 04-MAY-2000  
**Recorded:** 17-MAY-2000  
**Reel/Frame:** 2084/0563

**Assignee:**  
GENERAL ELECTRIC CAPITAL CORPORATION  
NEW YORK CORPORATION  
40 OLD WESTBURY ROAD  
DANBURY, CONNECTICUT 06810

**Assignor:**  
FLEXPAQ CORPORATION  
NEW JERSEY CORPORATION

**Correspondent:**  
OTTERBOURG, STEINDLER, HOUSTON ET AL  
CRAIG D. ZLOTNICK, ESQ.  
230 PARK  
NEW YORK, NY 10169

**Brief:** SECURITY INTEREST  
**Signed:** 25-MAY-2000  
**Recorded:** 23-AUG-2000  
**Reel/Frame:** 2136/0272

**Assignee:**  
MCL ACQUISITION CORP.  
DELAWARE CORPORATION  
GATEWAY ROAD  
C/O VOGEL CONSULTING GROUP, SC 3415  
BROOKFIELD, WISCONSIN 53045

**Assignor:**  
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NEW YORK CORPORATION

**Correspondent:**  
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MICHAEL S. GREEN  
ONE SOUTH PINCKNEY STREET  
POBOX 1806  
MADISON, WI 53701-1806  
**Brief:** ASSIGNMENT OF AN UNDIVIDED PART OF ASSIGNORS INTEREST  
**Signed:** 26-APR-2001  
**Recorded:** 01-NOV-2001  
**Reel/Frame:** 2404/0129

**Assignee:**  
MACKENZIE-CHILDS LTD.  
CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**  
MCL ACQUISITION CORP.  
CORPORATION  
**Correspondent:**  
STEPHEN B. SALAI  
1600 BAUSCH & LOMB PLACE  
ROCHESTER, NY 14604

**Brief:** CHANGE OF NAME  
**Signed:** 30-JUL-2001  
**Recorded:** 15-DEC-2005  
**Reel/Frame:** 3210/0800

**Assignee:**  
RICHARD AND VICTORIA MACKENZIE-CHILDS, LTD.  
NEW YORK CORPORATION  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**  
BSB BANK & TRUST COMPANY  
NEW YORK CORPORATION

**Correspondent:**  
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**Brief:** RELEASE BY SECURED PARTY  
**Signed:** 07-JUN-2001

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Reel/Frame: 3771/0895

**Assignee:**  
MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

**Assignor:**  
MACKENZIE-CHILDS LTD.  
DELAWARE CORPORATION

**Correspondent:**  
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**Brief:** ASSIGNS THE ENTIRE INTEREST

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**Assignee:**  
MACKENZIE-CHILDS AURORA LLC  
NEW YORK LIMITED LIABILITY COMPANY  
3260 STATE ROUTE 90  
AURORA, NEW YORK 13026

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**Brief:** ASSIGNS THE ENTIRE INTEREST

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**Filing Attorney** STEPHEN B SALAI  
**Reference Number** 28332.000054  
**Correspondent Info** STEPHEN B SALAI  
HARTER SECREST & EMERY LLP  
1600 BAUSCH & LOMB PLACE  
ROCHESTER NY 14604

**Disclaims** "LTD.", "1983" AND "AURORA, NEW YORK"

**Design Phrase** THE DESIGN IN THE CENTER OF THE MARK BETWEEN THE NUMBERS "19" AND "83" CONSIST OF A STYLIZED "M" AND "C", THE FORMER SEEMINGLY PLACED OVER THE LATTER.

**Design Codes** 260305 OVALS WITH DECORATIVE BORDERS  
050525 OTHER FLOWERS  
300113 M  
300103 C  
300502 LETTERS (NOT NUMERALS) AS PART OF SMALL INITIAL STRINGS  
260308 LETTERS FORMING/BORDERING AN OVAL  
260339 GEOMETRIC FIGURES COMPRISING AN OVAL  
260140 CIRCLES COMPRISING A GEOMETRIC FIGURE

**History** 16-JUL-2008 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  
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10-JUL-2007 CASE FILE IN TICRS  
12-JUL-2006 REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.  
15-DEC-2005 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED  
15-DEC-2005 TEAS SECTION 8 & 15 RECEIVED  
13-SEP-2005 POST REGISTRATION ACTION MAILED - SEC. 8 & 15  
13-SEP-2005 ASSIGNED TO PARALEGAL  
05-JUL-2005 REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED  
05-JUL-2005 TEAS SECTION 8 & 15 RECEIVED  
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13-APR-1999 PUBLISHED FOR OPPOSITION  
12-MAR-1999 NOTICE OF PUBLICATION  
14-JAN-1999 APPROVED FOR PUB - PRINCIPAL REGISTER  
14-JAN-1999 USE AMENDMENT ACCEPTED

14-JAN-1999 AMENDMENT TO USE PROCESSING COMPLETE  
23-MAR-1998 USE AMENDMENT FILED  
14-JAN-1999 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
11-DEC-1998 APPROVED FOR PUB - PRINCIPAL REGISTER  
21-OCT-1998 CORRESPONDENCE RECEIVED IN LAW OFFICE  
21-APR-1998 FINAL REFUSAL MAILED  
26-MAR-1998 CORRESPONDENCE RECEIVED IN LAW OFFICE  
26-FEB-1998 NON-FINAL ACTION MAILED  
18-FEB-1998 ASSIGNED TO EXAMINER

MACKENZIE-CHILDS

Community Trademarks EM-1:Q3

Image

**MACKENZIE-CHILDS**

**Trademark** MACKENZIE-CHILDS  
**Design Type** WORD AND DESIGN  
**Database** Community Trademarks  
**Application Number** 3657343  
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**Registration Date** 04-JUL-2005  
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**Status** REGISTRATION (REGISTERED)  
**Status According to PTO** CTM REGISTERED  
**Owner** MacKenzie-Childs Aurora LLC  
 3260 State Route 90,Aurora, NY, 13026  
 US (UNITED STATES OF AMERICA)  
**Agent** CARPMAELS & RANSFORD  
 43 - 45 Bloomsbury Square,London, WC1A 2RA  
 GB (UNITED KINGDOM)  
**Languages** English (Language of the Application)  
 French (Second Language)  
**International Class(es)** 20 (Furniture)  
 21 (Housewares and glass)  
 27 (Floor coverings)  
**Goods and Services** (Danish) 20 Skabsfod;møbelfod; møbler; hovedpuder. 21 Majolika, inklusive: fad, kakler, terrin, smørskål, kagedåser, salt- og peberbakke, fad, serveringsgryde, skåle, asiet, kagestander, servietringe, lampemanchet, understel til bord, underdel til bord, bordben, gyldenlak, tekandeudsmykning, fad, tekop, sojaskål, krus, bordplade, bordmidte, globus, dyr, kurv, motiver, lysstager, vase, lampe, knop, flødekande, sukkerskål, krukke, skuffegreb, kugledørgreb, underskål, kagestander, lysstage og lyseholder,emaljevarer, glasvarer, keramikvarer, inklusive kop, krus, tallerken, madkasse og fad;emaljedåser. 27 Måtter, nemlig dørmåtter, gulvtæpper og vægtæpper.  
 (Dutch) 20 Voetstukken voor grote kleerkasten;voetstukken voor meubelen; meubelen; hoofdkussens. 21 Majolika, waaronder borden, tegels, kommen, boterschalen, koekjestrommels, zout- en peperstellen, platte schalen, ovenschalen, schalen, schotels, schalen met verschillende lagen, servetringen, lampkragen, onderstellen voor tafels, onderstukken van tafels, tafelpoten, muurbloemen, theepotversieringen, laadapparaat, theekopjes, soyaschalen, bekers, tafelbladen, middenstukken van tafels, wereldbollen, dleren, manden, votiefartikelen kandelaars, vazen, lampen, pinakels, strooiers, roompotjes, kannen, handvaten voor laden, knoppen, schoteltes, rekken voor banketbakkerswaren, compotekommen en muurkandelaars;emailgoed; glaswerk; keramiek, waaronder koppen, bekers, borden, broodtrommeltes en onderborden;bussen van email. 27 Tapijten, te weten deurmatten, vloerkleden en wandtapijten.  
 (English) 20 Armoire foot; furniture foot; furniture; pillows. 21 Majolika including: plates, tile, boulderole, butter tray, cookie jar, salt and pepper tray, platter, casserole, bowl, dish, tower tray, napkin ring, lamp collar, table base bottom, table bottom, table leg, wallflower, teapot ornament, charger, teacup, soy dish, mugs, table top, table middle, globe, animals, basket, votives, candle stick, vase, lamp, finial, caster, creamer, pitcher, drawer pull, knobs, saucer, pastry stand, compote, and sconce; enamelware; glassware; ceramics including cup, mug, plate, lunch box, and platter; enamel canisters. 27 Rugs, namely door rugs, floor rugs and wall rugs.  
 (Finnish) 20 Kaappien jalat;huonekalujen jalat; kalusteet; tyyny. 21 Majolika, mukaan lukien lautaset, tillet, kannelliset astiat, volastiat, hillopurkit, suola- ja pippurisirottimet, tarjoiluvadit, kattilat, kulhot, vadit, kerrostarjottimet, lautasliinarenkaat, lampun istukat, pöytien pilarijalan jalustat, pöytien pilarijalat, pöydänjalat, seinäkoristekukat, teepannukoristeet, täyttöastiat, teekupit, soija-astiat, mukit, pöytälevyt, pöytien jatko-osat, maapallot, eläimet, korit, valetut kynttilät, kynttilänjalat, maljakot, lamput, verhotankojen päät, huonekalujen pyörät, kermakannut, kannut, vetolaatikoiden vetimet, nupit, teevadit, telineet leivonnaisia, hedelmähillockeita ja teeleipiä varten;emaliastiat; lasitavara; keramiikka, mukaan lukien kupit, mukit, lautaset, eväsrasiat, ja tarjoiluvadit;emallkansterit. 27 Matot, nimittäin ovimatot, lattiamatot ja seinävaatteet.  
 (French) 20 Pieds d'armoires;Pieds de meubles; pièces d'ameublement; oreillers. 21 Majolique, y

compris: assiettes, carreaux, rouleaux, beurriers, jarres à biscuits, plateaux avec salière et poivrière, planches, casseroles, bols, plats, plateaux verticaux, ronds de serviette, bagues de lampes, bases de tables, bas de tables, pieds de table, giroflées, décorations de théières, chargeurs, tasses à thé, plats à soja, chopes, plateaux de tables, parties médianes de tables, globes, animaux, paniers, décorations, chandeliers, vases, lampes, faïteaux, roulettes, pots à lait, cruches, poignées de tiroirs, boutons, soucoupes, plateaux à pâtisseries, compotiers et bras de lumière; articles en métal émaillé; verrerie; céramique, y compris tasses, gobelets, assiettes, boîtes à casse-croûte et planches; boîtes à épices émaillées. 27 Carpettes, à savoir carpettes de portes, tapis de sol et tapis muraux.

(German) 20 SchrankfüÙe; MöbelfüÙe; Möbel; Kopfkissen. 21 Majolika einschließlic: Teller, Zangen, Bowlderole, Butterplatten, Keksdosen, Salz- und Pfefferständer, Platten, Kasserollen, Schüsseln, Geschirr, Etagentablets, Serviettenringe, Lampenringe, Tischgrundplatten, Tischplatten, Tischbeine, Mauerblümchen, Teekannenverzierungen, Ladegeräte, Teetassen, Sojagerichte, Becher, Tischplatten, Tischmitteleile, Globen, Tiere, Körbe, Votivartikel, Kerzenleuchter, Vasen, Lampen, Giebelteile, Saucieren, Sahnkekännchen, Krüge, Schubfachgriffe, Knöpfe, Untertassen, Gebäckständer, Kompott und Wandleuchter; Emailleware; Glaswaren; Keramikwaren einschließlic Tassen, Becher, Platten, Frischhalteboxen und -platten; Emaillebehälter. 27 Läufer, nämlich Abtreter, Läufer für Fußböden und Wandläufer.

(Greek) 20 NO GREEK SUPPORTED 21 NO GREEK SUPPORTED 27 NO GREEK SUPPORTED (Italian) 20 Piedini per amadi; piedini per mobili; mobili; guanciali. 21 Maiolica, compresi: piastre, piastrelle, ciotole, vaschette per il burro, barattoli per biscotti, portasale e portapepe, piatti da portata, casseruole, piatti, vaschette a torre, portatovaglioli ad anelli, fascette per lampade, basi per tavoli, fondi di tavoli, gambe di tavoli, fiori per arredo di pareti, ornamenti per teiere, caricatori, tazze da tè, piatti da soia, boccali, piani di tavoli, centri-tavola, lampadine, animali, cestini, articoli votivi, candelabri, vasi, lampade, ornamenti terminali per mobili (pigne), rotelle girevoli, bricchetti per il latte, brocche, tiranti per cassette, pomelli, piattini, porta-pasticceria, coppe e candelieri; articoli smaltati; vetreria; ceramica, comprese tazze, boccali, piastre, contenitori per vivande e piatti da portata; barattoli smaltati. 27 Zerbini, ovvero zerbini per soglie di porte, tappeti per pavimenti e tappeti murali.

(Portuguese) 20 Pés para armários; pés para mobiliário; móveis; almofadas. 21 Majólica, incluindo: tabuleiros, ladrilhos, alguidares, taças para manteiga, recipientes para bolachas, conjuntos de saleiro e pimenteiro, bandejas, caçarolas, tijelas, prato, tabuleiros empilháveis, argolas de guardanapo, argolas para candeieiros, bases de tampos de mesa, bases de mesas, pernas de mesa, decorações de parede, ornamentos para bules, carregador, chávenas de chá, pratos para soja, canecas, tampo de mesa, centros de mesa, globos, animais, cestos, votivos, castiçais, jarras, lâmpada, remates, rodízios, potes para natas, jarros, puxadores para gavetas, maçanetas, pires, suportes para pastelaria, compotas e castiçais; baixela de esmalte; vidraria; chávenas de cerâmica, canecas, pratos, lancheiras e bandejas; latas em esmalte. 27 Capachos, nomeadamente tapetes de entrada, tapetes para soalhos e tapetes de parede.

(Spanish) 20 Patas para armarios; patas para muebles; piezas de mobiliario [muebles]; almohadas. 21 Mayólica incluyendo: platos, losas, recipientes, bandejas para mantequilla, galleteros, bandejas para saleros y pimenteros, fuentes, cacerolas, cuencos, platos de servir, toalleros, servilleteros, collares de lámparas, fondos de bases de mesa, fondos de mesa, patas de mesa, flores para la pared, adornos para teleras, cargadores, tazas de té, fuentes de soja, tazones, encimeras de mesa, centros de mesa, globos, animales, cestas, votivos, candelabros, jarrones, lámparas, remates, ruedas, jarritas para nata, cántaros, tiradores de cajón, pomos, platillos, soportes de pastelería, compota y sujetavelas; esmaltados; cristalería; piezas de cerámica, incluyendo tazas, tazones, platos, fiambreras y fuentes; latas esmaltadas. 27 Alfombras, en concreto felpudos de entrada, alfombras para suelos y alfombras para paredes.

(Swedish) 20 Skåpsfot; möbelfot; möbler; huvudkuddar. 21 Majolika inklusive tallrikar, kakel, skål, smörbytta, kakburk, salt och pepparbricka, serveringsfat, gryta, skål, maträtt, tombricka, servettering, lampkrage, bordsbotten, bordsfot, bordsben, väggblomma, tekannensmyckningar, laddare, tekopp, sojafat, muggar, bordsskiva, bordsmitt, glob, djur, korg, votiv, ljusstakar, vas, lampa, korsblommor, kastare, mjölk-/gräddset, kanna, handtag för lådor, knoppar, såskopp, smördegssällning, kompott, och lampett; emailjvaror; glasvaror; keramiska koppar, muggar, fat, lunchboxar, och serveringsfat; emailjvaror. 27 Mattor, nämligen dörmattor, golvmattor och väggmattor.

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 CTMB Volume 34 Dated 25-AUG-2008  
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## Owner Index

MACKENZIE-CHILDS	MACKENZIE-CHILDS, LTD. <u>Ref.US-3:Q3</u>
MACKENZIE-CHILDS	Mackenzie-Childs Aurora LLC <u>Ref.EM-1:Q3</u>
COURTLY CHECK	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-1:Q3</u>
Design Only	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-2:Q3</u>
Design Only	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-4:Q3</u>
EVERVOLVING	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-5:Q3</u>
LOLLIPOP	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-6:Q3</u>
MACKENZIE-CHILDS, LTD. AURORA, NEW YORK MC 1983	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-7:Q3</u>
MACKENZIE-CHILDS, LTD. 1983 AURORA, NEW YORK	MACKENZIE-CHILDS AURORA LLC <u>Ref.US-8:Q3</u>

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 ALASKA:17-FEB-09  
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**Mexico** Date Last Updated:06-AUG-2009  
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**Brazil** Date Last Updated:20-AUG-2009  
 MARCAS Revista de propriedade industrial N° 2014, dated 11-AUG-2009

**Austria** Date Last Updated:26-AUG-2009  
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**Benelux** Date Last Updated:26-AUG-2009  
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**Denmark** Date Last Updated:26-AUG-2009  
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**Estonia** Date Last Updated:14-AUG-2009  
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**Finland** Date Last Updated:23-AUG-2009  
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**France** Date Last Updated:26-AUG-2009  
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REGGIO EMILIA 2009-06-26 2009-293-RE  
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