

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79150636
LAW OFFICE ASSIGNED	LAW OFFICE 115
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/79150636/large
LITERAL ELEMENT	CULLINAN
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_168986723-20150918174845214936_ Arguments.pdf
CONVERTED PDF FILE(S) (10 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0005.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0006.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0007.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0008.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0009.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0010.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0011.JPG
ORIGINAL PDF FILE	evi_168986723-20150918174845214936 . Second Bradley Decl and Exhibits.pdf
CONVERTED PDF FILE(S) (91 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0012.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0013.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0014.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0015.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0016.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0017.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0018.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0019.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0020.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0021.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0022.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0023.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0024.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0025.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0026.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0027.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0028.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0029.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0030.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0031.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0032.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0033.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0034.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0035.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0095.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0096.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0097.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0098.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0099.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0100.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0101.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\506\79150636\xml10\RFR0102.JPG

SIGNATURE SECTION

RESPONSE SIGNATURE	/Jessica D. Bradley/
SIGNATORY'S NAME	Jessica D. Bradley
SIGNATORY'S POSITION	Attorney of record, VA bar member
SIGNATORY'S PHONE NUMBER	202-879-3939
DATE SIGNED	09/18/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION

SUBMIT DATE	Fri Sep 18 17:56:20 EDT 2015
TEAS STAMP	USPTO/RFR-168.98.67.23-20 150918175620847592-791506 36-540cf625b44eba71268339 32ce1258cff228a5c7cacb4e 666cc4ea0d6ae653cf-N/A-N/ A-20150918174845214936

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **79150636** CULLINAN(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79150636/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Original PDF file:

[evi_168986723-20150918174845214936_._Arguments.pdf](#)

Converted PDF file(s) (10 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

Original PDF file:

[evi_168986723-20150918174845214936_._Second Bradley Decl and Exhibits.pdf](#)

Converted PDF file(s) (91 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

[Evidence-18](#)

[Evidence-19](#)

[Evidence-20](#)

[Evidence-21](#)
[Evidence-22](#)
[Evidence-23](#)
[Evidence-24](#)
[Evidence-25](#)
[Evidence-26](#)
[Evidence-27](#)
[Evidence-28](#)
[Evidence-29](#)
[Evidence-30](#)
[Evidence-31](#)
[Evidence-32](#)
[Evidence-33](#)
[Evidence-34](#)
[Evidence-35](#)
[Evidence-36](#)
[Evidence-37](#)
[Evidence-38](#)
[Evidence-39](#)
[Evidence-40](#)
[Evidence-41](#)
[Evidence-42](#)
[Evidence-43](#)
[Evidence-44](#)
[Evidence-45](#)
[Evidence-46](#)
[Evidence-47](#)
[Evidence-48](#)
[Evidence-49](#)
[Evidence-50](#)
[Evidence-51](#)
[Evidence-52](#)
[Evidence-53](#)
[Evidence-54](#)
[Evidence-55](#)
[Evidence-56](#)
[Evidence-57](#)
[Evidence-58](#)
[Evidence-59](#)
[Evidence-60](#)
[Evidence-61](#)
[Evidence-62](#)
[Evidence-63](#)
[Evidence-64](#)
[Evidence-65](#)
[Evidence-66](#)
[Evidence-67](#)

[Evidence-68](#)
[Evidence-69](#)
[Evidence-70](#)
[Evidence-71](#)
[Evidence-72](#)
[Evidence-73](#)
[Evidence-74](#)
[Evidence-75](#)
[Evidence-76](#)
[Evidence-77](#)
[Evidence-78](#)
[Evidence-79](#)
[Evidence-80](#)
[Evidence-81](#)
[Evidence-82](#)
[Evidence-83](#)
[Evidence-84](#)
[Evidence-85](#)
[Evidence-86](#)
[Evidence-87](#)
[Evidence-88](#)
[Evidence-89](#)
[Evidence-90](#)
[Evidence-91](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Jessica D. Bradley/ Date: 09/18/2015

Signatory's Name: Jessica D. Bradley

Signatory's Position: Attorney of record, VA bar member

Signatory's Phone Number: 202-879-3939

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79150636

Internet Transmission Date: Fri Sep 18 17:56:20 EDT 2015
TEAS Stamp: USPTO/RFR-168.98.67.23-20150918175620847
592-79150636-540cf625b44eba7126833932ce1
258cff228a5c7cacb4e666cc4ea0d6ae653cf-N
/A-N/A-20150918174845214936

Request for Reconsideration of Final Office Action for Serial No. 79/150,636

Applicant files this Request for Reconsideration of the Final Office Action mailed March 18, 2015.

In the Final Office Action, the Examining Attorney has maintained her refusal to register Applicant's mark CULLINAN for "motor vehicles, namely, automobiles, sports utility vehicles and light trucks; parts of aforesaid goods, namely, structural parts, engines and wheels" in International Class 12 on the grounds that the mark is primarily merely a surname.

Applicant respectfully requests the Examining Attorney reconsider and withdraw the refusal of registration because each of the relevant factors weighs in favor of registration, and the Examining Attorney's additional evidence does not meet the Patent and Trademark Office's burden to establish a prima facie case of primary surname significance. *See* TMEP § 1211.02(a) ("burden is initially on the examining attorney to establish a prima facie case that a mark is primarily merely a surname"). Additionally, the additional evidence provided by Applicant demonstrates widespread news coverage and other references in the United States (including a display at the Smithsonian Museum of Natural History) associating "Cullinan" with the largest diamond in the world, found in the Cullinan mine and well-known under the name "Cullinan".

Accordingly, the primary significance to the American public of "Cullinan" as proposed to be used in connection with Applicant's automobiles is of the "luxury" and "rarity" evoked by the Cullinan diamond and diamond mine. Further, where, as here, "there is any doubt as to whether a term is primarily merely a surname, the Board will resolve the doubt in favor of the applicant." TMEP § 1211.01.

I. Argument

As recognized by the Examining Attorney, The Trademark Trial and Appeal Board has identified five factors to be considered in determining whether a mark is primarily merely a surname:

- (1) whether the surname is rare;
- (2) whether the term is the surname of anyone connected with the applicant;
- (3) whether the term has any recognized meaning other than as a surname;
- (4) whether it has the "look and feel" of a surname; and
- (5) whether the stylization of lettering is distinctive enough to create a separate commercial impression.

TMEP § 1211.01.

An analysis of the Examining Attorney's evidence demonstrates that each of the first four factors weighs in favor of granting registration to Applicant's mark CULLINAN. With regard to

the fifth factor, “[w]here [as here] the mark is in standard characters, it is unnecessary to consider the fifth factor.” TMEP § 1211.01.

A. “Cullinan” Is An Extremely Rare Surname

Applicant respectfully submits that the evidence put forth by the Examining Attorney demonstrates that CULLINAN is an extremely rare surname, and accordingly this “important factor” weighs in favor of granting registration. *See* TMEP § 1211.01(a)(v); *In re Benthin Mgmt. GmbH*, 37 U.S.P.Q.2d 1332, 1333 (TTAB 1995) (fact that BENTHIN was a rare surname weighed against a finding that the term would be perceived as primarily merely a surname).

1. Newspaper Articles Demonstrate That “Cullinan” Is An Extremely Rare Surname

The TMEP instructs that “[a]n issue to be considered in determining how rarely a term is used is the media attention or publicity accorded to *public personalities* who have the surname.” TMEP § 1211.01(a)(v) (emphasis added); *See also In re Gregory*, 70 U.S.P.Q.2d 1792, 1795 (TTAB 2004) (same). Accordingly, it is not sufficient for an unknown individual to be mentioned in passing in an article published in a local publication; rather the articles must be in publications with widespread circulation and discuss well known public personalities in order to be probative of surname significance.

For example, in *In re Joint-Stock Co. “Baik,”* 84 U.S.P.Q.2d 1921, 1922-23 (TTAB 2007), the Board held the article evidence presented by the examining attorney there did not establish surname significance because it either came from publications that “are not as widely read as articles for general circulation” or “from trade papers . . . that similarly would appear to have limited readership.” Additionally, in the articles actually appearing in general circulation newspapers “the name Baik is buried in the text of the articles and would be likely to go unnoticed by most readers.” Similarly, in *In re Okamoto Corp.*, Serial No. 85739429, 2015 TTAB LEXIS 301, *7-*10 (TTAB February 6, 2015), the Board also found unpersuasive excerpts of articles from local newspapers, articles about local individuals, articles about an actress where it could not be determined “whether she is an actress of particular note,” and articles from sources where “it is unclear whether the readership for any of these excerpts is widespread, or more limited due to the subject matter.”

Almost all of the articles presented by the Examining Attorney are from local newspapers with limited readership, and only mention local individuals, often with the names buried in the text of the articles such that the articles do not demonstrate primary surname significance, and in fact support the rareness of “Cullinan” as a surname. Such articles include the following from various local news sources, with limited publication, and that do not concern any “public personalities”:

- “The Observer,” a student paper serving “Notre Dame & Saint Mary’s”: mentions in passing, halfway through the article, a student, Molly Cullinan, who helped plan a local fundraising race;
- “The Naugatuck Patch”: identifies a man who was arrested and charged with breach of peace as Joseph Cullinan;
- “The Salem News”: identifies Elizabeth Cullinan as a bride who was married in a blizzard;
- NJ.com Suburban News: identifies Mrs. Cullinan as a teacher of a sixth grade Social Studies class that dressed up as Greek and Roman gods and goddesses;
- The Tribune: in an article about “local art teachers” identifies in the middle a Council Board chairman, Francis Cullinan;
- NewJerseyHills.com: identifies Kiera Cullinan as an editor of a student literary magazine;
- The Fresno Bee: in an article regarding the local Valley Children’s Hospital kids day, identifies Tom Cullinan as the publisher of the local paper; and
- “The Spokesman Review”: identifies Eastern Washington University’s president as Mary Cullinan.

Of the two remaining articles, one is from a trade publication, Accounting Today, and accordingly appears to have limited readership, and the other addresses accountant Brian Cullinan’s participation in ballot counting for the Oscars. Like the actress in *In re Okamoto Corp.*, there does not appear to be evidence that the accountant was of particular note. Additionally, based on the articles submitted by the Examining Attorney the coverage of the accountant’s role appeared to be for a short period in time such that it does not establish widespread recognition.

The articles proffered by the Examining Attorney “fall far short of . . . supporting a finding that individuals having this surname have enjoyed broad exposure to the general public such that [“Cullinan”] is well recognized as a surname.” *In re Amlin plc*, Serial No. 79011475, 2008 TTAB LEXIS 473, *4-*5 (TTAB Sept. 30, 2008). Given the relative obscurity of the article references, the articles support a finding that “Cullinan” is an extremely rare surname.

2. Telephone and Census Data Demonstrates That “Cullinan” Is An Extremely Rare Surname

Applicant agrees with the Examining Attorney that there is no minimum number of telephone number listings needed to prove that a mark is primarily merely a surname. However, the burden is on the Examining Attorney to establish a “*significant*” number of listings. *In re Ciclo Tecnica Industrial, S.A.*, 194 U.S.P.Q. 547, 548 (TTAB 1977) (“burden is upon Examiner

of Trademarks in the first instance to present evidence, as for example a *significant* number of listings in telephone directories, sufficient to make out a prima facie showing in support of his contention that a particular mark is primarily merely a surname”) (emphasis in original). Applicant submits that the Examining Attorney has not met her burden here.

The Board has explained that an analysis of telephone listings requires an examination of the number of listings produced by the Examining Attorney in light of the overall size of the database. For example in *In re Sava Research Corp.*, 32 U.S.P.Q.2d 1380, 1381 (TTAB 1994), the Board explained that in considering the 100 listings there, “it must be remembered that this data base includes over 90,000,000 listings. Thus the uses of SAVA as a surname represent about only one ten-thousandth of one percent of the surnames in this data base.” *Id.* Based on the record there, the Board concluded that “SAVA is indeed a rare surname.” Additionally, in another case, the Board concluded that “Baik” was “an extremely rare surname” based “on the fact that only 456 examples of the Baik surname were located from a comprehensive directory of the entire United States.” *In re Joint-Stock Co. “Baik,”* 84 U.S.P.Q.2d 1921, 1922-23 (TTAB 2007). Finally, in *In re Amlin plc*, Serial No. 79011475, 2008 TTAB LEXIS 473, *4-*5 (TTAB Sept. 30, 2008), based on listings data showing the surname Amlin “for only one in every two million individuals in the U.S. population” the Board concluded that “‘Amlin’ is such an *extremely* rare surname that few prospective consumers are likely to perceive it as a surname, and substantially no one will be adversely affected by the registration of this term for the recited services.”

Following the Board’s guidance here, considering the 630 listings produced by the Examining Attorney in a database of over 93 million listings, and considered in light of the overall population of the United States of over 318 million, the showing is that “Cullinan” is an extremely rare surname. (Response to First Office Action, Bradley Decl. ¶¶ 3-4, Exs. B, C.) See *In re Okamoto Corp.*, Serial No. 85739429, 2015 TTAB LEXIS 301, *5 (TTAB February 6, 2015) (reversing refusal to register concluding that “evidence of 738 entries is not substantial evidence that the term ‘Okamoto’ is a common surname” and supports finding that it is a rare surname). Accordingly, no one will be adversely affected by the registration of “Cullinan” for automobiles.

Additionally, the Examining Attorney did not address the U.S. Census Bureau data provided by the Applicant with its first response demonstrating that “Cullinan” does not appear in the U.S. Census Bureau database of Top 1,000 surnames. (Response to First Office Action, Bradley Decl., ¶ 2, Ex. A.) As the TMEP instructs, “search results from this database may be more persuasive evidence of surname frequency than results from telephone directory listings.” TMEP § 1211.02(b)(iii). The absence of “Cullinan” from the U.S. Census Bureau database of Top 1,000 surnames further supports, and is persuasive evidence of the extreme rarity of “Cullinan” as a surname.

3. Other Evidence Supports That “Cullinan” Is An Extremely Rare Surname

The Examining Attorney also attached excerpts from www.ancestry.com containing a color-coded map showing the number of Cullinan families in the United States per state from 1920 census data. (Attachments 5 and 6 to Final Office Action.) The color-coded map shows that the majority of the states had only 1-12 families with the surname “Cullinan,” approximately 10 states had no families with the surname “Cullinan,” approximately 6 states had only 13-35 “Cullinan” families, and only about three states had 35-70 “Cullinan” families. Additionally, a search on www.ancestry.com for individuals with the surname “Cullinan” based on United States census and voter lists from 1980 (the most recent year available on the website) returned no results. (Second Bradley Decl. Ex. 1.)

This evidence further demonstrates the extreme rarity of “Cullinan” as a surname in the United States, and supports that the primary significance of “Cullinan” is not as a surname.

B. “Cullinan” Is Not The Surname Of Anyone Connected With Applicant

This factor was not addressed by the Examining Attorney. Applicant reiterates the evidence from its first response that “nobody within [Applicant] or any of its subsidiaries has the surname ‘Cullinan.’” (Response to First Office Action, Gessner Decl., ¶ 2.) The Examining Attorney has not offered any evidence to the contrary.

Accordingly, this factor weighs in favor of granting registration. *In re Sava Research Corp.*, 32 U.S.P.Q.2d 1380, 1381 (TTAB 1994) (“[o]ne factor that weighs in favor of finding that SAVA is not primarily a surname is that ‘there is no evidence that SAVA is in fact the surname of anyone connected with applicant’”) (citation omitted).

C. Primary Significance of “Cullinan” To American Public Is As A Reference To The Cullinan Diamonds and Diamond Mine

Applicant respectfully disagrees with the Examining Attorney and submits that both the evidence submitted with its first response, and the additional evidence submitted here shows that the American public is familiar with both the largest diamond in the world, referred to as the Cullinan diamond, and the Cullinan diamond mine. This evidence demonstrates that the primary significance to the American public of “Cullinan” is of the diamonds and diamond mine, and the luxurious and rare qualities evoked by the largest diamond in the world rather than as a surname.

First, the “Cullinan Blue Diamond Necklace” is a celebrated mineral science exhibition on display at the Smithsonian National Museum of Natural History in Washington, D.C. (Second Bradley Decl. Ex. 2.) The “Cullinan Blue Diamond Necklace” initially went on display in 2010 in the Harry Winston Gallery adjacent to the Hope Diamond. (*Id.*) In Spring 2011, the “Cullinan Blue Diamond Necklace” moved to the National Gem Gallery and is identified as one of the gallery’s “highlights.” (Second Bradley Decl. Ex. 3.)

Second, in September 2014, the discovery of a 232.08-carat diamond at the Cullinan mine received nationwide news coverage in the United States on the NBC News website. (Second Bradley Decl. Ex. 4.) The article reported that “[t]he stone was discovered at the Cullinan mine, famed for the largest rough gem diamond ever recovered, the 3,106 carat Cullinan Diamond found in 1905, which was cut into stones that are part of Britain’s Crown Jewels.” (*Id.*)

Third, in 2009 another large, and now publicized diamond, the Cullinan Heritage, was discovered at the Cullinan diamond mine. (Bradley Decl. Ex. 5, p. 3.) The creation of a lavish necklace from the Cullinan Heritage has received nationwide coverage in the United States on both [cnn.com](#) and [forbes.com](#). (Bradley Decl. Exs. 5-6.) CNN identifies the Cullinan mine as “[t]he mine where the majority of the world’s most famous diamonds have been discovered.” (Bradley Decl. Ex. 5, p. 3.) The CNN article uses a photo gallery to “[t]race the journey of one of the world’s rarest and largest diamonds” from its acquisition for \$35.3 million through the design and 47,000 hours of work taken to turn the Cullinan Heritage into a single necklace. (Bradley Decl. Ex. 5, pp. 1, 5, 11.) Forbes describes the Cullinan Heritage as “an exceptionally rare 507.55 carat Type IIa rough diamond.” (Bradley Decl. Ex. 6, p. 1.) Dr. Henry Cheng, chairman of the company that purchased the Cullinan Heritage described the creation of the necklace as “continuing the Cullinan legend.” (Bradley Decl. Ex. 6, p. 6.)

Fourth, as noted in the response to the first office action, the original Cullinan diamond is incorporated into the world famous Royal Crown Jewels. (Response to First Office Action, Bradley Decl. Ex. E.) London is a key tourist destination for Americans with approximately 2.97 million visits from U.S. citizens in 2014. (Second Bradley Decl. Exs. 7-8.) The Tower of London which displays the Royal Crown Jewels featuring the Cullinan diamonds is one of the top tourist destinations in London. (Second Bradley Decl. Ex. 9.) The Royal Crown Jewels have been covered in the U.S. press including in the celebrity e-magazine [People.com](#). (Second Bradley Decl. Exs. 10-11.) [People.com](#) identifies the “Cullinan II” as having a prominent position in Queen Elizabeth’s Imperial State Crown, and reports that the crown “is a centerpiece of the Crown Jewels exhibit popular with tourists.” (Second Bradley Decl. Ex. 10.) [Bloomberg Business](#) describes the Cullinan Stone as “[t]he largest mined diamond” and reports that it is set into “Britain’s Crown Jewels.” (Second Bradley Decl. Ex. 11, p. 3.)

Fifth, an article on ABC News’ website that uses a fictional theft of the Cullinan diamond from the New York Metropolitan Museum of Art to lead off an article about the growing security concerns presented by hackers demonstrates that the Cullinan diamond has achieved widespread recognition as a representation of luxury in the United States. (Second Bradley Decl. Ex. 12.) Specifically, the scenario in the lead paragraph states: “A monster storm is on a collision course with New York City and an evacuation is under way. . . . Within minutes, the world’s largest polished diamond, the Cullinan I, on loan to the Metropolitan Museum of Art from the collection of the British Crown Jewels, is whisked away by helicopter. While this may sound like the

elevator pitch for an action film, the possibility of such a scenario is more fact than fiction these days.” (Second Bradley Decl. Ex. 12, pp. 1-2.)

None of these publications or references mention Sir Thomas Cullinan, rather they only use “Cullinan” to refer to the diamonds or the mine. This supports that the primary significance to the American public is not as a surname, but instead is the diamonds, and the qualities and attributes associated with these luxurious gems.

Accordingly, the evidence of record establishes that to the American public “Cullinan” has the meaning of the diamond, and not the founder of the mine. There is no evidence in the record that Sir Thomas Cullinan was a famous figure or that the U.S. public is even aware of him. In contrast there is evidence of widespread recognition and exposure to the original Cullinan diamond and other diamonds named after the mine without any reference to Sir Thomas Cullinan, demonstrating that the primary significance of “Cullinan” to the American public is the diamonds and the qualities evoked by diamonds rather than as a surname.

The one article submitted by the Examining Attorney regarding Sir Thomas Cullinan appears to come from a foreign website titled South African History Online,¹ and therefore does not demonstrate recognition of the public in the United States. *See* TMEP § 1211.02(b)(i) (“It is the American public’s perception of a term that is determinative.”); *In re BDH Two, Inc.*, 26 U.S.P.Q.2d 1556 (TTAB 1993) (“it is the surname significance of the term in the United States which is determinative of the registrability issue” and noting with respect to foreign publications “we are unable to conclude. . .that there has been any meaningful exposure of ‘Grainger’ as a surname in the United States.”) Additionally, the article does not bear a url or date, and accordingly is not properly of record. TMEP § 710.01(b) (“When making Internet evidence part of the record, the examining attorney must . . . provide complete information as to the date the evidence was published or accessed from the Internet, and its source (e.g., the complete URL address of the website)”).

D. “Cullinan” Does Not Evoke The “Look” Or “Feel” Of A Surname

1. “Cullinan” Evokes Luxury In Relation To Motor Vehicles

The “look and feel” of Applicant’s mark CULLINAN is not determined in isolation, but must be considered in relation to the motor vehicle goods covered by Applicant’s application. “[T]he issue presented . . . is whether the term [“Cullinan”] is primarily merely a surname, in terms of what the word means to the relevant purchasers of applicant’s goods. A term is primarily merely a surname if, when applied to a particular product . . . its primary significance to the purchasing public is that of a surname.” *In re United Distillers plc*, 56 U.S.P.Q.2d 1220, 1221 (TTAB 2000) (reversing refusal to register).

¹ There is no url printed on the page so the source of the article is not immediately clear.

Here, the evidence indicates that the term “Cullinan” evokes luxury and prestige based on the diamond and mine. Accordingly, using “Cullinan” in connection with Applicant’s motor vehicles will lead purchasers to conclude that the motor vehicles are luxurious and prestigious. Additionally, the absence of any evidence of record connecting the use of surnames as trademarks for motor vehicles further supports that the public perception of the use of “Cullinan” in connection with automobiles will be as a trademark evoking luxury and prestige. *See In re Monotype Corp. PLC*, 14 U.S.P.Q.2d 1070, 1071 (TTAB 1989) (in reversing refusal to register Board noted that there was not “any evidence that surnames have been used as trademarks for typefonts (or related goods), such that the public would attribute a surname significance to CALISTO when it is applied to applicant’s goods”).

Additionally, as established in the response to the first office action, the manner in which Applicant uses its trademarks in connection with motor vehicles demonstrates that the “appearance and use” of “Cullinan” will not be “in a form akin to that of a surname.” *In re Garan Inc.*, 3 U.S.P.Q.2d 1537, 1540 (TTAB 1987). In particular, Applicant uses its marks as car names to identify its motor vehicles, and the usage of the marks are prominent and set-off from other text such that they have the appearance of trademarks. (Response to First Office Action, Bradley Decl. ¶ 7, Exs. F-G.)

2. Rarity of “Cullinan” Demonstrates Mark Does Not Look Or Feel Like A Surname

As established in Section A, “Cullinan” is an extremely rare surname. “[C]ertain surnames are so rare that they do not even have the appearance of surnames.” TMEP § 1211.01(a)(vi). Such is the case here where the rarity combined with the recognition of the “Cullinan” diamonds and mine support that consumers would not associate the “look” or “feel” of a surname with “Cullinan.” *See In re United Distillers plc*, 56 U.S.P.Q.2d 1220, 1222 (TTAB 2000) (“we find that this relatively rare surname will not be perceived as primarily merely a surname”).

3. Evidence Regarding Other Surnames Not Probative Of Surname Significance

Applicant also respectfully submits that telephone listings for other surnames cited by the Examining Attorney are irrelevant to the determination of the rareness of Cullinan as they are not evidence of the perception of the term “Cullinan.” *See e.g.* TMEP § 1211.02(b)(i) (telephone evidence relates to the surname significance of the mark at issue). Regardless, neither “Cullen” nor “Culligan” appear in the U.S. Census Bureau list of Top 1,000 surnames, and accordingly are themselves rare which supports granting registration to Applicant. (Response to First Office Action, Bradley Decl. Ex. A.) *See also In re Joint-Stock Co. “Baik,”* 84 U.S.P.Q.2d 1921, 1924 (TTAB 2007) (“we are not convinced that the similarity of Baik to other obscure surnames somehow results in Baik having the ‘look and feel’ of a surname”).

Additionally, Applicant submits that the Examining Attorney did not make this evidence of record in the manner directed by the TMEP. Specifically, TMEP § 1211.02(b)(ii) directs that:

An Office action that includes any evidence obtained from a research database should include a citation to the research service and a clear record of the specific search that was conducted, indicating the libraries or files that were searched and the date of the search (e.g., LexisNexis®, News and Business, All News, Aug. 5, 2007). The electronic record or printout summarizing the search should be made a part of the record.

There is no indication in the record of the library or files that were searched, the date of the search, or an electronic record or printout summarizing the search. Further, there is no indication that the search results were printed from the LexisNexis directory, as an incomplete list was merely included within the text of the Office Action.

Finally, there is no evidence of record demonstrating that the American public associates “Cullinan” with either “Cullen” or “Culligan.” The Board has previously held that “it is not sufficient” for an examining attorney to simply hold “that the term looks and sounds like a recognized surname.” *In re Champion International Corp.*, 184 U.S.P.Q. 362, 363 (TTAB 1974). As noted in a concurring opinion, “if the Office is not able to muster sufficient evidence to show that the mark is the surname of a reasonable number of people, and must instead resort to finding other surnames which rhyme with the mark or differ from the mark by one or two letters, I believe that it is not proper to refuse registration.” *In re Joint-Stock Co. “Baik,”* 84 U.S.P.Q.2d 1921, 1924 (TTAB 2007).

4. Public Interest Favors Allowing “Cullinan” To Register

Given the extreme rarity of “Cullinan” as a surname, the fact that nobody connected with Applicant has the surname, and the well-recognized meaning other than as a surname, allowing Applicant’s mark CULLINAN to register is in line with the policy behind the limitation of refusals to terms with a “primary” surname significance. As the Board has explained:

The purpose of the change made by the Act of 1946 was to liberalize the previously existing practice. Under the law surnames were considered unregistrable and any word which was in use as a surname would be refused registration even though the word had a common meaning and its use as a surname was minor. The addition of the word ‘primarily’ indicates that . . . if the word has ordinary meanings as a word and its use as a surname is relatively unimportant, it may be registered without regard to the fact that it might have been used as a surname.

In re Lesney Products and Co., 181 U.S.P.Q. 401, 402 (TTAB 1974) (reversing refusal to register).

“[T]he purpose behind Section 2(e)(4) is to keep surnames available for people who wish to use their own surnames in their businesses If a surname is extremely rare, it is also extremely unlikely that someone other than the applicant will want to use the surname for the same or related goods or services as that of the applicant.” *In re Joint-Stock Co. “Baik,”* 84 U.S.P.Q.2d 1921, 1924 (TTAB 2007) (concurring opinion). Given the extreme rarity of “Cullinan” as a surname, and the lack of any evidence associating the surname “Cullinan” with motor vehicles, allowing registration of the mark CULLINAN in connection with motor vehicles will not be injurious to the public.

II. Conclusion

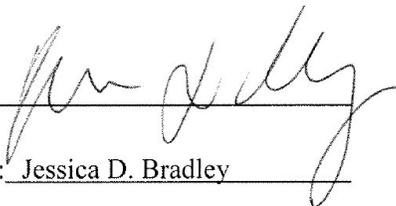
For the reasons set forth herein, Applicant respectfully submits that the subject mark CULLINAN is not primarily merely a surname. Applicant therefore respectfully requests that the refusal to register be withdrawn, and that Applicant’s mark CULLINAN be allowed to proceed to publication.

SECOND DECLARATION OF JESSICA D. BRADLEY

I, Jessica D. Bradley, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful and false statement may jeopardize the validity of the application or any resulting registration, declares as follows:

1. I am a partner in the law firm of Jones Day, and trademark counsel for Applicant Bayerische Motoren Werke (hereinafter “BMW AG”).
2. Attached hereto as **Exhibit 1** is a true and correct print-out from ancestry.com showing the results of a search for individuals with the surname “Cullinan” based on United States census and voter lists from 1980, which was the most recent year available on the website.
3. Attached hereto as **Exhibits 2 and 3** are true and correct print-outs from the website for the Smithsonian Museum of Natural History regarding the exhibition of the Cullinan Blue Diamond Necklace.
4. Attached hereto as **Exhibit 4** is a true and correct print-out from nbcnews.com regarding the 2014 discovery of 232.08 carat diamond at the Cullinan mine.
5. Attached hereto as **Exhibit 5** is a true and correct copy of an article from cnn.com regarding the creation of a necklace from the Cullinan Heritage diamond.
6. Attached hereto as **Exhibit 6** is a true and correct copy of an article from forbes.com regarding the creation of a necklace from the Cullinan Heritage diamond.
7. Attached hereto as **Exhibit 7** is a true and correct print-out from www.ons.gov.uk identifying the Office for National Statistics (“ONS”) as the “recognized national statistical institute for the U.K.” **Exhibit 8** contains a listing for and a copy of a reference table prepared by the ONS showing the number of overseas visits to the UK by country of residence.
8. Attached hereto as **Exhibit 9** is a true and correct print-out form Wikipedia.com regarding “Tourism in the United Kingdom.”
9. Attached hereto as **Exhibit 10** is a true and correct print-out from People.com regarding Queen Elizabeth’s crown featuring the Cullinan diamond.

10. Attached hereto as **Exhibit 11** is a true and correct copy of an article from Bloomberg Business describing the Cullinan Stone as “[t]he largest mined diamond” and reporting that it is set into “Britain’s Crown Jewels.”
11. Attached hereto as **Exhibit 12** is a true and correct copy of an article from abcnews.com using the Cullinan diamond in a fictional scenario to demonstrate security concerns caused by hackers.
12. Highlighting and page numbers have been added to the exhibits.

By: 
Name: Jessica D. Bradley
Title: Attorney

Date: September 18, 2015

EXHIBIT 1

All 1980s results for Cullinan

Search Filters Broad Exact

Cullinan

COLLECTION: United States

Edit Search | New Search |

All Categories

> [Census & Voter Lists](#)

1980s

Shortcut Keys ▶

Your family story is waiting to be found – Start today for FREE

Your Search for Cullinan returned zero good matches

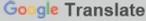
Why?

We couldn't find any results that exactly matched the information you marked as 'Exact'. [Learn more](#)

What should you do?

* Try un-checking one or more 'Exact' boxes to show close matches even when no exact matches are found.

EXHIBIT 2

Select Language Powered by 








Smithsonian
National Museum of Natural History

[Advanced Search](#)
Donate

[Plan Your Visit](#) | [Exhibitions](#) | [Education](#) | [Research & Collections](#) | [Explore A Topic](#) | [About Us](#) | [Get Involved](#) | [Calendar](#)

Department of
Mineral Sciences



- [Home](#)
- [Research »](#)
- [Collections »](#)
- [Exhibits](#)
- [News & Events »](#)
- [Facilities](#)
- [People](#)
- [Contact](#)

NMNH Home > Research & Collections > Mineral Sciences > Exhibitions >

Mineral Sciences Exhibitions

The Dynamic Earth

The Janet Annenberg Hooker Hall of Geology, Gems, and Minerals is located in the Smithsonian's National Museum of Natural History. The 20,000 square foot permanent exhibition is home to the Hope Diamond as well as 3,500 other specimens from the National Gem and Mineral Collections, the National Rock and Ore Collections, and the National Meteorite Collection. The specimens are augmented by two dozen interactive computer presentations and videos, large panels of stunning artwork, and a real-time display of global earthquake data. [The Dynamic Earth](#) is a web presentation featuring the collections, artwork, and interactives from the Geology, Gems and Minerals exhibit. It allows distant visitors to experience the wonder of the exhibit via the internet, and gives museum visitors a way to reinforce their time in the exhibition.

Cullinan Blue Diamond Necklace

On September 27, 2010 the Cullinan Blue Diamond Necklace went on exhibit in the Harry Winston Gallery, adjacent to the Hope Diamond at the National Museum of Natural History. The necklace will remain on public view in the Winston Gallery through the spring of 2011 before moving to its home in the National Gem Gallery.

Tiffany Diamond

The loan of the diamond celebrates a \$1.1 million gift from The Tiffany & Co. Foundation. Also on view for the first time are two rare gemstones that were purchased for the National Gem Collection through an endowment created by The Tiffany & Co. Foundation gift. Exhibit: until Sept. 23, 2007.

The Allure of Pearls

Twelve of the rarest pearls in the world were on public display together for the first time in "The Allure of Pearls" exhibition at the National Museum of Natural History, from March 18 through Sept. 5, 2005.

The exhibit in the museum's Harry Winston Gallery included the Hope Pearl, previously owned by Lord Henry Philip Hope, the same Englishman who gave his name to the Hope Diamond. It was the first time the Hope Pearl has been reunited with the Hope Diamond since they were together in Hope's collection – more than 150 years ago. Also on view was the La Peregrina, one of the largest and most famous pearls in the world, currently owned by Elizabeth Taylor and given to her by Richard Burton.

Other rare pearls in the exhibition include the Drexel Pearl, a large natural grey pearl from Polynesia in a Cartier setting from 1905; Black Beauty, a beautiful eggplant-colored natural black pearl from South America; the Pearl of Kuwait, a natural drop pearl from the Persian Gulf; the Queen Mary Brooch featuring two large natural pink conch pearls in a 100-year-old setting, owned by Queen Mary, wife of His Majesty King George V; South Sea Drops, rare matched pair of natural South Sea pearls; the Survival Pearl, reputed to be the world's largest pink snail formation pearl, a freshwater pearl found in the United States; the Pearl of Asia, reputed to be the largest natural pearl in the world and once owned by Shah Jahan (Builder of Taj Mahal); and the Paspaley Pearl, one of the largest and most beautiful cultured pearls in the world, on public display for the first time.

The exhibition was made possible by the support of its principal sponsor, Paspaley Pearls Pty. Ltd., Iridesce, and the Gemological Institute of America. A collection of South Sea pearls have been donated to the museum by Paspaley Pearls Pty. Ltd., several of which are on display in the

National Gem Collection Gallery.

The Carmen Lúcia Ruby

On October 16, 2004, the Carmen Lúcia Ruby—one of the world’s largest and finest ruby gemstones—went on view in the Museum’s National Gem Collection Gallery. The spectacular 23.1-carat Burmese ruby, set in a platinum ring with two trilliant-cut diamonds, was a gift from businessman and philanthropist Dr. Peter Buck in memory of his wife Carmen Lúcia. Mined from the fabled Mogok region of Burma in the 1930’s, the ruby possesses a richly saturated homogenous red color and an exceptional degree of transparency. While sapphire, emerald and diamond gems weighing hundreds of carats exist, high-quality Burmese rubies larger than 20 carats are exceedingly rare.

The Splendor of Diamonds

A dazzling array of the world’s seven rarest diamonds, all in brilliant hues, were brought together in “The Splendor of Diamonds” (June 27 – Sept. 15, 2003). The seven magnificent diamonds in this special exhibition are among the rarest and most valuable in the world. They are unique because of their size and color. Few people – including some of the world’s most experienced diamond experts – have ever had the opportunity to see a collection of such color, size, and beauty. The Smithsonian Institution, the Steinmetz Group, and the Gemological Institute of America (GIA) collaborated to bring this group of diamonds together for public view for the first and only time.

The diamonds include the [Steimetz Pink](#); the 203 ct. [Millennium Star](#); the [Moussaieff Red](#), discovered by a farmer in Brazil; the vivid yellow [Allnatt Diamond](#) from South Africa; the [Ocean Dream](#), a breathtaking blue-green diamond; the deep-blue [Heart of Eternity](#); and the [Pumpkin Diamond](#), worn by Halle Berry when she accepted her 2002 Oscar for Best Actress.

[▲ TOP]

EXHIBIT 3

NMNH Home > Research & Collections > Mineral Sciences > GeoGallery

Gem Gallery

ROCKS MINERALS GEMS METEORITES SPOTLIGHT SEARCH

Current View :: **Highlights**
Browse iconic gems and jewellery from the National Gem Collection.

search

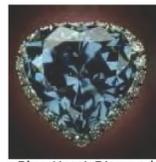
Current Category ::
Highlights



Amethyst Brooch



Bismarck Sapphire
Necklace



Blue Heart Diamond



Burmese Ruby
Bracelet



Carmen Lúcia Ruby



Chalk Emerald



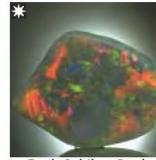
Clagett Bracelet



Conchita Sapphire
Butterfly



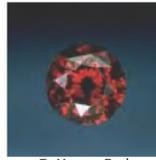
Cullinan Blue Diamond
Necklace



Dark Jubilee Opal



DeYoung Pink
Diamond



DeYoung Red
Diamond



Diamond and
Sapphire Ring



Diamond Bracelet



Diamond Bracelet

1 2 3 4 5 >

* denotes specimens currently on exhibit

[Contact](#) - [Site Map](#) - [Terms of Use](#)

[▲ TOP]

EXHIBIT 4



[HOME](#) ([/](#)) [TOP VIDEOS](#) (VIDEO)

[ONGOING: FIGHT FOR THE ARCTIC](#) (/STORYLINE/FIGHT-FOR-THE-ARCTIC)

([HTTP://WWW.NBCNEWS.COM/PAGES/SEARCH](http://www.nbcnews.com/PAGES/SEARCH))

[HISPANIC HERITAGE MONTH](#) (/STORYLINE/HISPANIC-HERITAGE-MONTH)

[U.S. \(NEWS/US-NEWS\)](#) [WORLD \(NEWS/WORLD\)](#) [LOCAL \(HTTP://NBCNEWYORK.COM\)](#) [POLITICS \(POLITICS\)](#) [HEALTH \(HEALTH\)](#) [TECH \(TECH\)](#) [SCIENCE \(SCIENCE\)](#)

[POP CULTURE \(POP-CULTURE\)](#) [BUSINESS \(BUSINESS\)](#) [INVESTIGATIONS \(NEWS/INVESTIGATIONS\)](#) [SPORTS \(HTTP://WWW.NBCSPORTS.COM\)](#) [MORE](#)

[NIGHTLY NEWS \(NIGHTLY-NEWS\)](#) [TODAY \(HTTP://TODAY.COM\)](#) [MEET THE PRESS \(MEET-THE-PRESS\)](#) [DATELINE \(DATELINE\)](#)

advertisement (<http://www.nbcnews.com/id/31066137/media-646>)

Connect

4 TELEVISIONS

4 SMARTPHONES

for \$200 per month.

[Offer details](#)

+ DIRECTV

Available in 12 markets only. Restrictions apply. See details for restrictions. Activation 24 hrs. 179¢/line. Price includes taxes. Additional charges apply.

[NEWS \(NEWS\)](#) [WORLD \(news/world\)](#) [INVESTIGATIONS \(NEWS/INVESTIGATIONS\)](#) [CRIME & COURTS \(NEWS/CRIME-COURTS\)](#) [WEIRD NEWS \(NEWS/WEIRD-NEWS\)](#)
[U.S. \(NEWS/US-NEWS\)](#) [LATINO \(NEWS/LATINO\)](#) [NBCBLK \(NEWS/NBCBLK\)](#)

232-Carat White Diamond Found at Cullinan Mine in South Africa

NEWS (NEWS)

[PHOTO](#)

SEP 9 2014, 10:03 AM ET

SHARE

Share

<https://www.facebook.com/sharer/sharer.php?u=http://nbcnews.to/YtL6C>

[Tweet \(https://twitter.com/share?text=232-Carat White Diamond Found at Cullinan Mine in South Africa&url=http://nbcnews.to/YtL6C&via=nbcnews\)](https://twitter.com/share?text=232-Carat%20White%20Diamond%20Found%20at%20Cullinan%20Mine%20in%20South%20Africa&url=http://nbcnews.to/YtL6C&via=nbcnews)

[Share \(https://plus.google.com/share?url=http://nbcnews.to/YtL6C\)](https://plus.google.com/share?url=http://nbcnews.to/YtL6C)

[Email \(mailto:?subject=232-Carat White Diamond Found at Cullinan Mine in South Africa on NBCNews.com&body=From NBCNews.com...%OD%OA%OD%232-Carat White Diamond Found at Cullinan Mine in South Africa%OD%OAhhttp://www.nbcnews.com/news/world/232-carat-white-diamond-found-cullinan-mine-south-africa-n199101\)](mailto:?subject=232-Carat%20White%20Diamond%20Found%20at%20Cullinan%20Mine%20in%20South%20Africa&body=From%20NBCNews.com...%20OD%20%20%20232-Carat%20White%20Diamond%20Found%20at%20Cullinan%20Mine%20in%20South%20Africa%20%20OD%20http://www.nbcnews.com/news/world/232-carat-white-diamond-found-cullinan-mine-south-africa-n199101)

Print

Comment

[http://www.newsvine.com/_api/discuss?u=http://www.nbcnews.com/news/world/232-carat-white-diamond-found-cullinan-mine-south-africa-n199101&h=232-Carat White Diamond Found at Cullinan Mine in South Africa&t=news&cid=](http://www.newsvine.com/_api/discuss?u=http://www.nbcnews.com/news/world/232-carat-white-diamond-found-cullinan-mine-south-africa-n199101&h=232-Carat%20White%20Diamond%20Found%20at%20Cullinan%20Mine%20in%20South%20Africa&t=news&cid=)

Diamond miners in South Africa have uncovered a 232.08-carat white diamond that is expected to fetch between \$10 million and \$16 million.

advertisement
(<http://www.nbcnews.com/id/31066137/media-646>)



A 232.08 carat white diamond found at the Cullinan mine in South Africa. Para Diamonds, which controls the mine, described the stone as a D colour Type II diamond of exceptional size and clarity. Philip Mostert / Para Diamonds Limited

The stone was discovered at the Cullinan mine, famed for the largest rough gem diamond ever recovered, the 3,106 carat Cullinan Diamond found in 1905, which was cut into stones that are part of Britain's Crown Jewels.

— Reuters

TOPICS WORLD (NEWS/WORLD), AFRICA (NEWS/AFRICA), BUSINESS NEWS (NEWS/BUSINESS-NEWS/PHOTO), NEWS/PHOTO (NEWS/PHOTO)

FIRST PUBLISHED SEP 9 2014, 10:02 AM ET

NEXT STORY Saudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse <https://www.nbcnews.com/news/saudis-suspends-binladin-construction-group-over-deadly-mecca-crane-collapse-n427331>

Sponsored Links by Taboola

YOU MAY LIKE

Bad News Is Good News? Are Silver and Gold the Answer? [Lear Capital](#)

What Are These Chinese Battle Ships Doing In Alaska's Waters? [Money Morning Report Subscription](#)

Are You Ignoring This \$15k Social Security Bonus? [The Motley Fool](#)

FROM THE WEB

Bad News Is Good News? Are Silver and Gold the Answer? [Lear Capital](#)

Are You Ignoring This \$15k Social Security Bonus? [The Motley Fool](#)

The Fastest Way To Pay Off \$10,000 In Credit Card Debt [LendingTree](#)

Homeowners Are In For A Big Surprise In 2015 US Mortgage Support

What Are These Chinese Battle Ships Doing In A... [Money Morning Report Subscription](#)

Sofia Venara transforms into Pennv

MORE FROM NBC NEWS

Bad News Is Good News? Are Silver and Gold the Answer? [Lear Capital](#)

Are You Ignoring This \$15k Social Security Bonus? [The Motley Fool](#)

The Fastest Way To Pay Off \$10,000 In Credit Card Debt [LendingTree](#)

Homeowners Are In For A Big Surprise In 2015 US Mortgage Support

What Are These Chinese Battle Ships Doing In A... [Money Morning Report Subscription](#)

Sofia Venara transforms into Pennv



FROM THE WEB

New Trick To Save Money On Electricity In D.C. [Home Solar Rebates](#)

The Fastest Way To Pay Off \$10,000 In Credit Card Debt [LendingTree](#)

MORE FROM NBC NEWS [Murder Suspect Taunts Victim's Family](#)

by Taboola

A Massive Sinkhole Continues to Expand in Russia

by Taboola

NEWS (NEWS) SEP 15 2015, 5:44 PM ET

Saudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse

by REUTERS

SHARE

Share (<https://www.facebook.com/sharer/sharer.php?u=http://nbcnews.to/1M9THLQ>)

advertisement

(<http://www.nbcnews.com/id/1065137/medias4/>)

Feedback (<https://www.surveymonkey.com/r/ZPDB2TW>)

Tweet (<https://twitter.com/share?text=Saudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse&url=http://nbcnews.to/1M9ThLq&via=nbcnews>)

Share (<https://plus.google.com/share?url=http://nbcnews.to/1M9ThLq>)

Email (<mailto:?subject=Saudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse on NBCNews.com&body=From%20NBCNews.com...%20%0A%0D%0ASaudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse%0D%0Ahttp://www.nbcnews.com/news/world/saudi-suspends-binladin-construction-group-over-deadly-mecca-crane-collapse-n427931>)

Print

Comment (http://www.newsvine.com/_api/discuss?url=http://www.nbcnews.com/news/world/saudi-suspends-binladin-construction-group-over-deadly-mecca-crane-collapse-n427931&h=Saudis Suspend Binladin Construction Group Over Deadly Mecca Crane Collapse&f=news&cid=)



Crane collapses at Mecca's Grand Mosque kills at least 107
RIYADH — Saudi Arabia suspended construction giant Saudi Binladin Group from new contracts on Tuesday following Friday's collapse of a crane in Mecca's Grand Mosque which killed 107 people.

It also ordered the Finance Ministry to review existing projects by the firm, a titan of the Arab business world.

King Salman also ordered that the group's board members and senior executives be barred from travel abroad after an investigation into last week's incident showed the crane was not erected in accordance with the manufacturer's instructions.

The disaster was embarrassing for the Saudi ruling family, which defines itself as guardian of Islam's holiest places and has embarked on a series of enormous construction projects in Mecca aimed at expanding its pilgrimage sites.

Saudi Binladin Group has long been regarded in the conservative Islamic kingdom as the government's favorite contractor for important or sensitive work, including defense and security projects.

Explaining the action, an official statement referred without elaborating to the responsibility and "shortcomings" of the company following an investigation into the crane crash that also injured 238 other people.

The suspension, announced in a statement from the royal court, would remain in force until the investigation is complete and until all legal cases are settled, it said.

The crane toppled over at Mecca's Grand Mosque last Friday, less than two weeks before Islam's annual hajj pilgrimage.
Related: Winds Blamed for Crane Collapse at Mecca, At Least 107 Dead (<http://www.nbcnews.com/news/world/winds-blamed-crane-collapse-mecca-least-107-dead-n426291>)



FROM THE WEB
Sponsored Links
4x4 Dodge Ram vs Tree Stump - Watch What Happens Next!
Men-Break

Quiz your Basics on Preteen Vaccinations
VW&M

MORE FROM NBC NEWS
by Taloola
Bloodshed and Horror After Falling Crane Kills 107 at Mecca's Grand Mosque

Video Shows Moment of Mecca Crane Collapse
by Taloola

Feedback (<https://www.surveymonkey.com/r/PB27W>)

advertisement
(<http://www.nbcnews.com/id/3265137/media/4/>)
GEICO
Saving money brightens your day :)
Begin a Quote

The company, one of the largest contracting companies in the kingdom, had been carrying expansion work at the Grand Mosque. It was founded more than 80 years ago by the father of al Qaeda leader Osama bin Laden, and is run by Osama's brother Bakr.

Neither the company, nor the family, issued an immediate statement on the suspension. The company is believed to have attributed the collapse to a lightning strike breaking a cable that was used to secure the crane.

A statement by a spokesman for the administration of the mosques in Mecca and Medina said the crane smashed into the part of the Grand Mosque where worshippers circle the Kaaba - the black-cubed cube towards which the world's 1.6 billion Muslims face to pray.

"The state wants to show to both the corporate and the Islamic world that they will address any wrongdoing and that they are on top of things," said John Stakianakis, regional director at Ashmore Group.

The hajj, one of the largest religious gatherings in the world, has been prone to disasters in the past, mainly from stampedes as pilgrims rush to complete rituals and return home. Hundreds of pilgrims died in such a crush in 2006.

However, extensive development work on the main pilgrimage sites, expanding those where dense crowds had previously led to stampedes, have prevented such incidents, which were previously common, in recent years.



Muslim pilgrims walk around the Kaaba, the cubic building at the Grand Mosque in the Muslim holy city of Mecca, Saudi Arabia, Saturday, Sept. 12, 2015. Uncredited / AP

REUTERS

TOPICS WORLD
(/NEWS/WORLD),
MIDEAST
(/NEWS/MIDEAST)

FIRST PUBLISHED SEP
15 2015, 5:38 PM ET

NEXT STORY Jaguar Car Sets Guinness
World Record for 360 Loop
(<http://www.nbcnews.com/news/world/jaguar-car-sets-guinness-world-record-360-loop-n428031>)

Feedback (<https://www.surveymonkey.com/r/ZPDB2TW>)

- advertisement
(<http://www.nbcnews.com/id/31965137/mediaId/4/>)
- Next Big Thing in High-Tech Stocks to Watch VentureCapital News
 - The 10 Most Powerful Things You Can Say to Your Kids Parenting
 - The benefits of having a 0% APR interest payment for 21 months are un... NextAdvisor
 - What Did Vince Lombardi Say to Inspire the Packers to Victory? ThePostGame
 - See How Much The Kardashians Changed From Season 1 Zinebo

YOU MAY LIKE

Sponsored Links by Taboola

Drivers Surprised They Never Knew This Rule
Provide Savings

Meet The Man Who Is Disrupting a \$13 Billion Razor Industry
Dollar Shave Club

10 Child Stars We Barely Recognize Today
Answers

FROM THE WEB

Chrome v. Edge: Microsoft's Newest
Web Browser Puts U... The Verge | Microsoft
Are You Ignoring This \$15k Social
Security Bonus? The Motley Fool
Homeowners Are In For A Big Surprise
in 2015 US Mortgage Support

Greece Sheds Light On Shocking
State Of US ... Bonnet & Partners Subscription
Ingenuously Simple Way To Pay Off
Your Credit Cards. Landing | free
Video Shows Moment of Mecca Crane

MORE FROM NBC NEWS

Feedback (https://www.surveymonkey.com/r/ZPDB2TW)

ABOUT US (HTTP://WWW.NBCNEWS.COM/ABOUT-US) CAREERS (HTTP://WWW.NBCNEWS.COM/CAREERS) CONTACT (HTTP://WWW.NBCNEWS.COM/PAGES/CONTACT-US)
PRIVACY POLICY (HTTP://WWW.NBCUNIVERSAL.COM/PRIVACY/FULL-PRIVACY-POLICY) TERMS OF SERVICE (HTTP://WWW.NBCNEWS.COM/TERMS-CONDITIONS)
NBCNEWS.COM SITE MAP (HTTP://WWW.NBCNEWS.COM/SITEMAP) ADVERTISE (HTTP://WWW.NBCNEWS.COM/ID31068137/MEDIA-KIT)
AD CHOICES (HTTP://INFO.EVIDON.COM/PUB_INFO/118574/1) © 2015 NBCNEWS.COM

(HTTP://CNBC.COM/) (HTTP://MSNBC.COM/HTTP://NBCNEWS.COM/HTTP://WWW.TODAYSHOW.COM/INFINITY.COM/)

EXHIBIT 5

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

What do you do with one of the world's largest rough diamonds? — You chip away at it — for some 47,000 man hours, and then turn it into one lavish necklace, featuring 11,551 diamonds.

1 of 19

Hide Caption

The gallery above depicts a visual journey — from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer **Wallace Chan** and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Diamond in the rough – The rock, named the Cullinan Heritage, was discovered in 2009 at the Cullinan Diamond Mine in Gauteng Province, South Africa. The mine is where the majority of the world's most famous diamonds have been discovered. The stats? It's a 507.55-carat Type IIA rough diamond, coveted for its extreme clarity and flawless quality.

2 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of

jade and jadesite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, [Chow Tai Fook](#).

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

A cool \$35 million – In 2010, Hong Kong's largest jeweler, Chow Tai Fook, acquired the Cullinan Heritage. The company successfully bid \$35.3 million for the 507-carat rock. It's the highest sale price ever achieved for a rough diamond.

3 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,651 diamonds and hundreds of pieces of jade and jasper. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

A sparkly little family — Chow Tai Fook cut the Cullinan Heritage into a family of 24 smaller D color, internally flawless diamonds. The process of achieving a technically perfect cut and polish lasted three years.

4 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jasper. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Chow Tai Fook collaborated with master jewelry designer Wallace Chan – In 2014, Chow Tai Fook invited jewelry designer Wallace Chan to unite the diamonds into one single piece of jewelry. "It was a once-in-a-lifetime experience," Chan says of the collaboration.

5 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,651 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, Chow Tai Fook.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

It's all in the details — The design process took a team of 22 people and 47,000 hours to make.

6 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, [Chow Tai Fook](#).

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



COURTESY CHOW TAI FOOK

19 photos: When "dripping with diamonds" is an understatement

Many shapes and sizes -- "It was challenging -- all 24 of the small diamonds came in many different shapes. I had to find a way to achieve optical balance," Wallace recalls. "You'll notice I juxtaposed all the marquise-shaped diamonds on one side and all the pear-shaped diamonds on the other side."

7 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer **Wallace Chan** and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Trial and error – Chan says many experiments in design were required to create the final piece. One particular 104-carat diamond stood out: "It reminded me of a European church I had visited many years ago. I was attracted by the ceiling of the church because I felt its energy going upwards, almost pulling me up to the dome," recalls Chan. "I felt it again when I saw the petals of the light in the stone -- the infinite reflections of light. It bloomed in my heart like a flower of my dreams. And it inspired the necklace's design." The piece was later named "A Heritage in Bloom."

8 of 19

Hide Caption

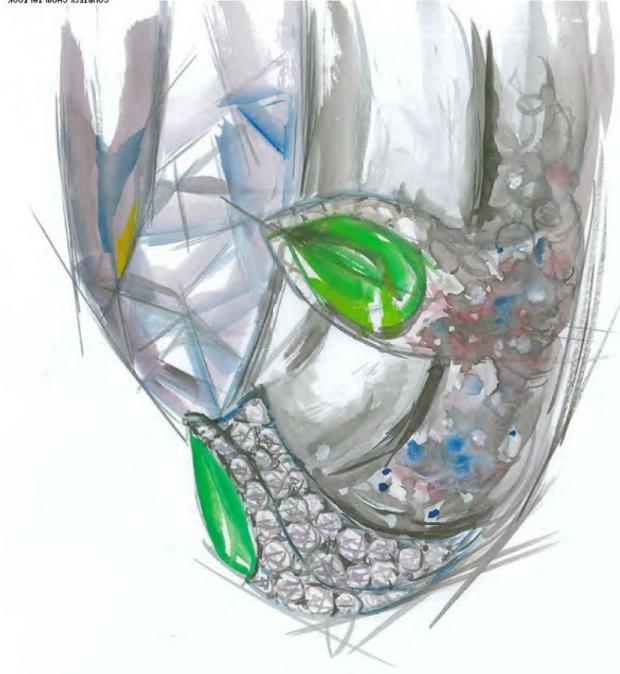
The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of

jade and jasper. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, [Chow Tai Fook](#).

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



COURTESY CHOW TAI FOOK

19 photos: When "dripping with diamonds" is an understatement

Defying gravity — "Gravity was one of the challenges I faced designing the necklace," Chan says. "The necklace would get pulled by the weight of the stones and the structure. I had to fight gravity and find the perfect proportion for each style. It took repeated experiments."

9 of 19

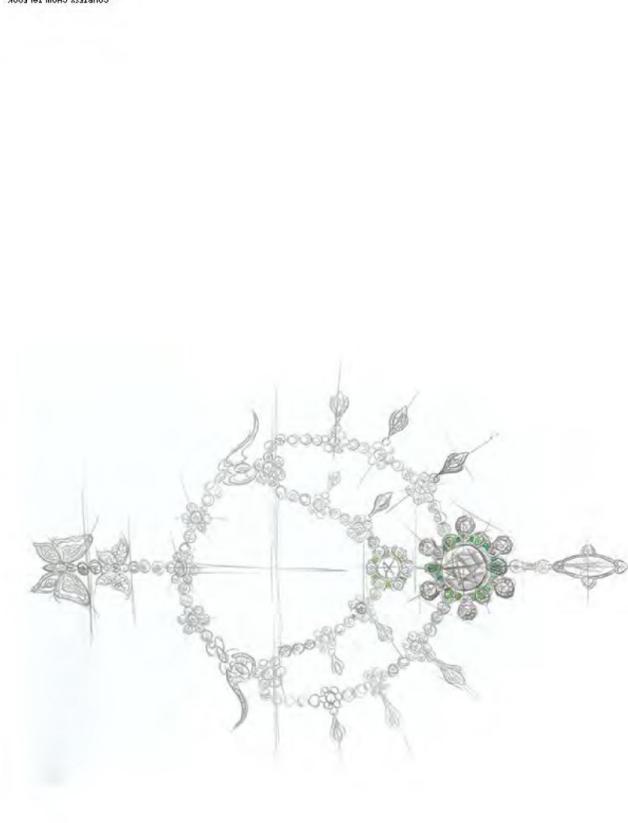
Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jaspere. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



COURTESY CHOW TAI FOOK

19 photos: When "dripping with diamonds" is an understatement

Bling bling bling – Chan also incorporated hundreds of mutton fat white jade beads and green jadeite, 598 pink diamonds and 10,953 white diamonds, in addition to the 24 main diamonds from the Cullinan Heritage, in the final piece.

10 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer **Wallace Chan** and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Shades of jade — "The mutton fat white jade beads are like the shape of prayer beads," Chan says. "I think of prayer beads as something that transcends cultures and religions."

11 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,651 diamonds and hundreds of pieces of jade and jadelite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Invisible connection – "I polished the mutton fat white jade beads to perfect roundness, hollowed them out, and placed titanium parts so they could be connected throughout the piece invisibly," Chan explains.

12 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

When East meets West — "I set a diamond inside each bead so the humility and the smoothness of jade - a symbol of the East, embraces the power and sparkles of the diamond - a long celebrated love of the West," Chan says.

13 of 19

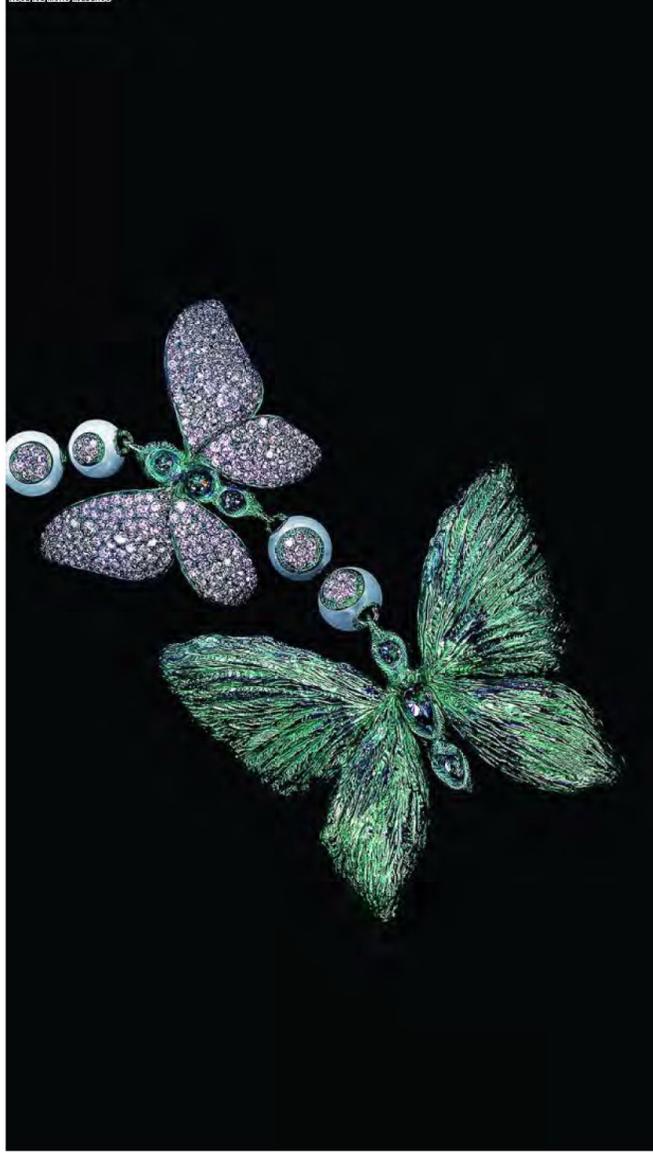
Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jaspé. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, Chow Tai Fook.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Fluttery symbolism — Chan felt it was important to have strong symbolism running throughout the piece. "I placed butterflies and bats on the necklace. Butterflies stand for everlasting love in Chinese culture, and bats symbolize happiness."

14 of 19

Hide Caption

The gallery above depicts a visual journey — from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jaspé. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

The perfect color combination – "The green jadeite and pink diamonds are used to bring the piece to life. It took a long time to hand pick the right color and quality of jadeite," Chan recalls.

15 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

"A Heritage in Bloom" – The final piece is uniquely modular and can be worn in 27 different ways. The number is significantly rooted in the Chinese concept of eternity. 27 is the cube of 3, which represents infinity in Chinese culture.

16 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

An easy wear – This is another way to wear the necklace. Chan says the necklace feels almost weightless.

17 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jadeite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, [Chow Tai Fook](#).

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Transforming a masterpiece – When Chan first began to design the necklace, he didn't think about it being worn 27 different ways. "I had just wanted it to be worn in 5 ways but got carried away. I am happy with the result."

18 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jaspere. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, **Chow Tai Fook**.

Trace the journey of one of the world's rarest and largest diamonds

By **Stephy Chung**, CNN

Updated 5:29 AM ET, Fri September 4, 2015



19 photos: When "dripping with diamonds" is an understatement

Chow Tai Fook estimates that the market would conservatively value all the finished materials united in "A Heritage in Bloom" at \$200 million. The jeweler says it has no immediate plans to sell it.

19 of 19

Hide Caption

The gallery above depicts a visual journey -- from the origins of where one of the world's rarest and largest diamonds was unearthed, to how it formed the core of an absurdly lavish necklace, made of 11,551 diamonds and hundreds of pieces of jade and jaelite. The piece was designed as a collaboration between jewelry designer Wallace Chan and Hong Kong's largest jewelry retailer, [Chow Tai Fook](#).

EXHIBIT 6



LIFESTYLE 9.3.2015 @ 4:48PM | 7,040 views

Wallace Chan Creates Magnificent Necklace From 507-Carat Diamond



By Anthony DeMarco
Contributor

I'm on the luxury jewelry beat.
FULL BIO >

+FOLLOW

Hong Kong-based jewelry retailer, Chow Tai Fook, unveiled "A Heritage in Bloom" Thursday by world-renowned jewelry artist Wallace Chan. The piece was created with 24 D-color internally flawless diamonds cut from the Cullinan Heritage, an exceptionally rare 507.55 carat Type IIA rough diamond (Type IIA means almost or entirely devoid of impurities).



FOLLOW

Comment Now

The centerpiece of the necklace is the largest diamond in the suite: a 104-carat, D color, internally flawless, brilliant round diamond with the highest possible cut grade of "3-Excellent" (excellent cut, polish and symmetry), according to the Chow Tai Fook, making it one of the largest diamonds ever with these characteristics. It is a Forevermark diamond, a De Beers diamond brand.

Chow Tai Fook, one of the world's largest retail jewelers by market capitalization, said it paid \$35.3 million for the 507-carat rough diamond in 2010. The company then spent three years cutting and polishing the diamond.



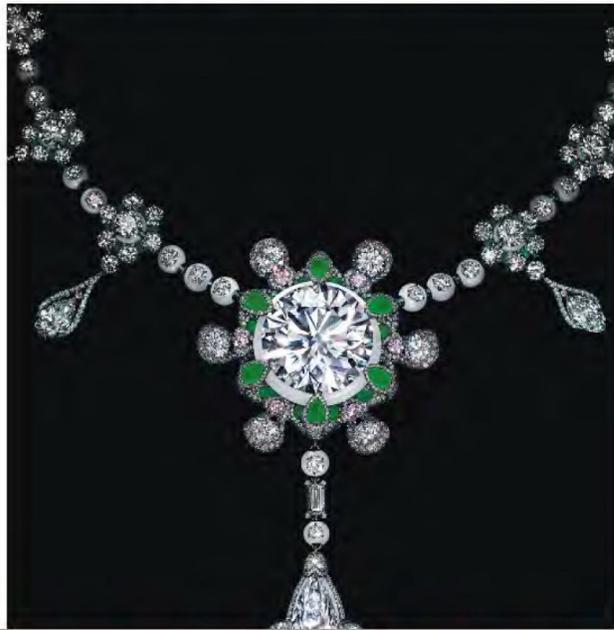
diamond in 2010. The company then spent three years cutting and polishing the diamond.



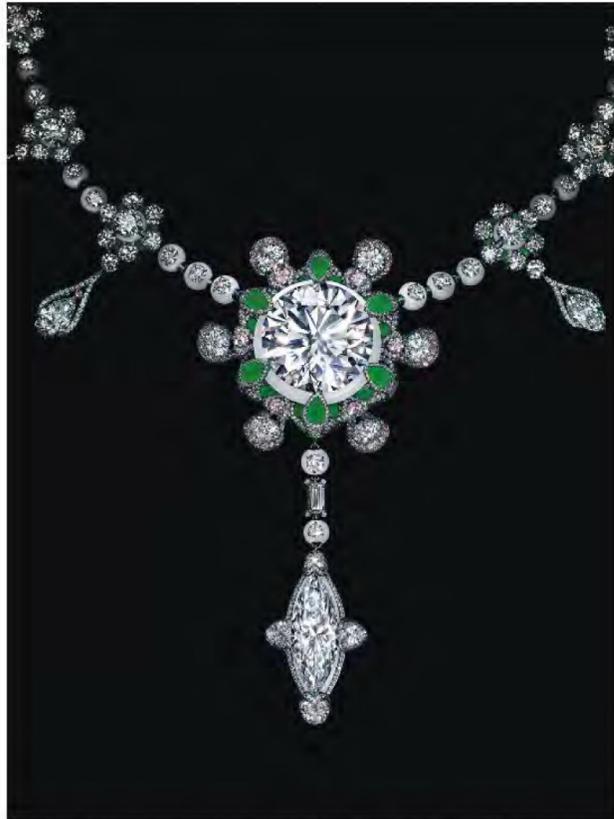
"A Heritage in Bloom" necklace

Gulfstream | FLEXJET
TOUR THE G450. >
YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED.

The diamond necklace unites an entire family of diamonds cut from the same rough stone within a single piece of jewelry, "an artistic decision unheard of in a contemporary piece," according to the company. It also brings together thousands of white diamonds and hundreds of pink diamonds, totaling 383.4 carat, as well as more than one hundred pieces of green jadeite and mutton fat white jade. The ornate necklace includes figures of a bat (for good luck) and butterflies (for eternal love).



Gulfstream | FLEXJET
TOUR THE G450. >
YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED.



Integration of jade and diamonds—including the centerpiece of the necklace: the 104-carat, D color, internally flawless, brilliant round Forevermark diamond

Gulfstream | FLEXJET

TOUR THE G450. >

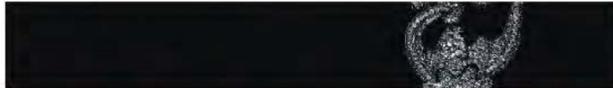
YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED.

The necklace represents craftsmen working more than 47,000 hours. It is a modular design that can be worn in 27 different ways. The company says this showcases the sophistication of Chan's "design and exquisite composition" for the necklace.



The bat represents good fortune

"Today we complete a journey we began five years ago, and we could not be more proud of the exceptional and historic creation that has emerged. Continuing the Cullinan legend, the world-renowned master jewelry artist Wallace Chan has brought the Cullinan diamonds to life," said Dr. Henry Cheng, chairman of [Chow Tai Fook Jewellery Group Limited](#).



Advertisement for Gulfstream FlexJet G450 aircraft. The ad features the Gulfstream and FlexJet logos at the top. Below the logos, the text reads "TOUR THE G450." followed by a right-pointing arrow icon. Underneath that, the text says "YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED." The background is a dark, textured surface with a subtle circular pattern.



Butterflies represent eternal love

Chan is recognized by many as the greatest living Asian jewelry artist. He founded his own gemstone carving workshop when he was 17 and in 1987 he invented the "Wallace Cut," an illusionary carving

An advertisement for Gulfstream and FlexJet. The background is a dark, textured image of the Gulfstream G450 aircraft. The text "Gulfstream" and "FlexJet" is positioned at the top. Below that, the text "TOUR THE G450." is followed by a right-pointing arrow icon. At the bottom, the slogan "YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED." is displayed.

Chan is recognized by many as the greatest living Asian jewelry artist. He founded his own gemstone carving workshop when he was 17 and in 1987 he invented the "Wallace Cut," an illusionary carving technique that transcends dimensions. After a decade immersed in Buddhist art, he created the Great Stupa for Fo Guang Shan, Taiwan. He was the first Chinese jewelry artist ever invited to exhibit and deliver speeches at the Gemological Institute of America headquarters. In 2012 and 2014, he was the first and only Asian artist ever invited to exhibit at the prestigious Biennale des Antiquaires in Paris.

Gulfstream | FLEXJET
TOUR THE G450
YOU WON'T JUST BE FLOWN, YOU'LL BE MOVED.



The back of the necklace's centerpiece

Chow Tai Fook operates approximately 2,260 Chow Tai Fook and Hearts On Fire standalone shops spanning 500 cities in Greater China, Singapore, Malaysia, South Korea and the United States.

Please join me on the [Jewelry News Network blog](#), the [Jewelry News Network Facebook Page](#), and on [Twitter @JewelryNewsNet](#).

Share this article: [Social Media Icons]

Comment Now FOLLOW COMMENTS



Apple Introduces the Apple Watch Hermès Collection



Harness the Force with the Devon 'Star Wars' Watch



50-Carat 'Hope Spinel' Up for Auction with \$310,000 Estimate



MB&F Spins Out a Wondrous Spider Clock





Hide and Chic: The Mysteries of Secret Watches



Omega: Official Timekeeper of the Summer Olympic Games



James Bond Dons the Omega Seamaster 300 'Spectre'

[+MORE STORIES]

TRENDING NOW



1
3 Reasons To Visit The Yucatan This Fall



2
A Dress That Changes Shape Points To The Futu...



3
Jaguar's New F-Pace SUV Will Kick Your SUV's ...



4
Cru Bourgeois: A Contentious History, But A R...



5
Ralph Lauren's Futuristic Fashion: The PoloTe...



6
The World's Highest-Paid TV Actresses 2015: K...

FORBESLIFE VIDEO



EXHIBIT 7



CAREERS AT ONS

Accessibility **A A A**

 Search

Home
Browse by theme
Publications
Data
Release calendar
Guidance and methodology
Media centre
About ONS

You are here: [Home](#) > [About ONS](#) [Print friendly](#)

About ONS

- [Who we are](#)
- [Products and Services](#)
- [Careers at ONS](#)
- [Get involved](#)
- [Business transparency](#)

About ONS

The Office for National Statistics (ONS) is the UK's largest independent producer of official statistics and is the recognised national statistical institute for the UK. It is responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels. It also conducts the census in England and Wales every ten years. ONS plays a leading role in national and international good practice in the production of official statistics. It is the executive office of the UK Statistics Authority and although they are separate, they are still closely related.

Find out more



Who we are
An overview of ONS and its role and responsibility as the UK's largest producer of statistics. Includes information about ONS's programmes and projects, its leadership team and the different office locations.



Products and Services
An overview of the services ONS provides alongside its main functions. Includes information about our statistics, training offered by ONS and our Omnibus Service.



Careers at ONS
Find out more about jobs and careers at ONS. The section outlines details of our current vacancies, the benefits of working for ONS and the eligibility criteria.



Get involved
Whatever your level of interest in statistics, there are many ways to get involved directly with ONS and help to shape the future of our outputs. Here you'll find information about past and upcoming events and how ONS handles international relationships.



Business transparency
Find out more information about ONS with regards to government and information transparency

More information

Diversity at ONS
Information about the importance of diversity to ONS and how it is supported

Office locations
Details about ONS offices in Newport, Titchfield and London

Leadership Team
An overview of the ONS leadership team and their roles and responsibilities

Our statistics
Details of the responsibilities of ONS and the creation of statistics

Freedom of Information
Find out how to make a freedom of information request

Organisation declarations
In the interests of government transparency, ONS publishes related data based on its organisation structure.

[View the UK Statistics Authority Business Plan](#)

[Download the UK Statistics Authority Business Plan \(PDF\)](#)

[Canllawiau](#) [Contact Us](#) [Copyright](#) [Privacy](#) [Sitemap](#) [Terms and Conditions](#)

Facebook  LinkedIn  Storify  Twitter  Sign up for email alerts 

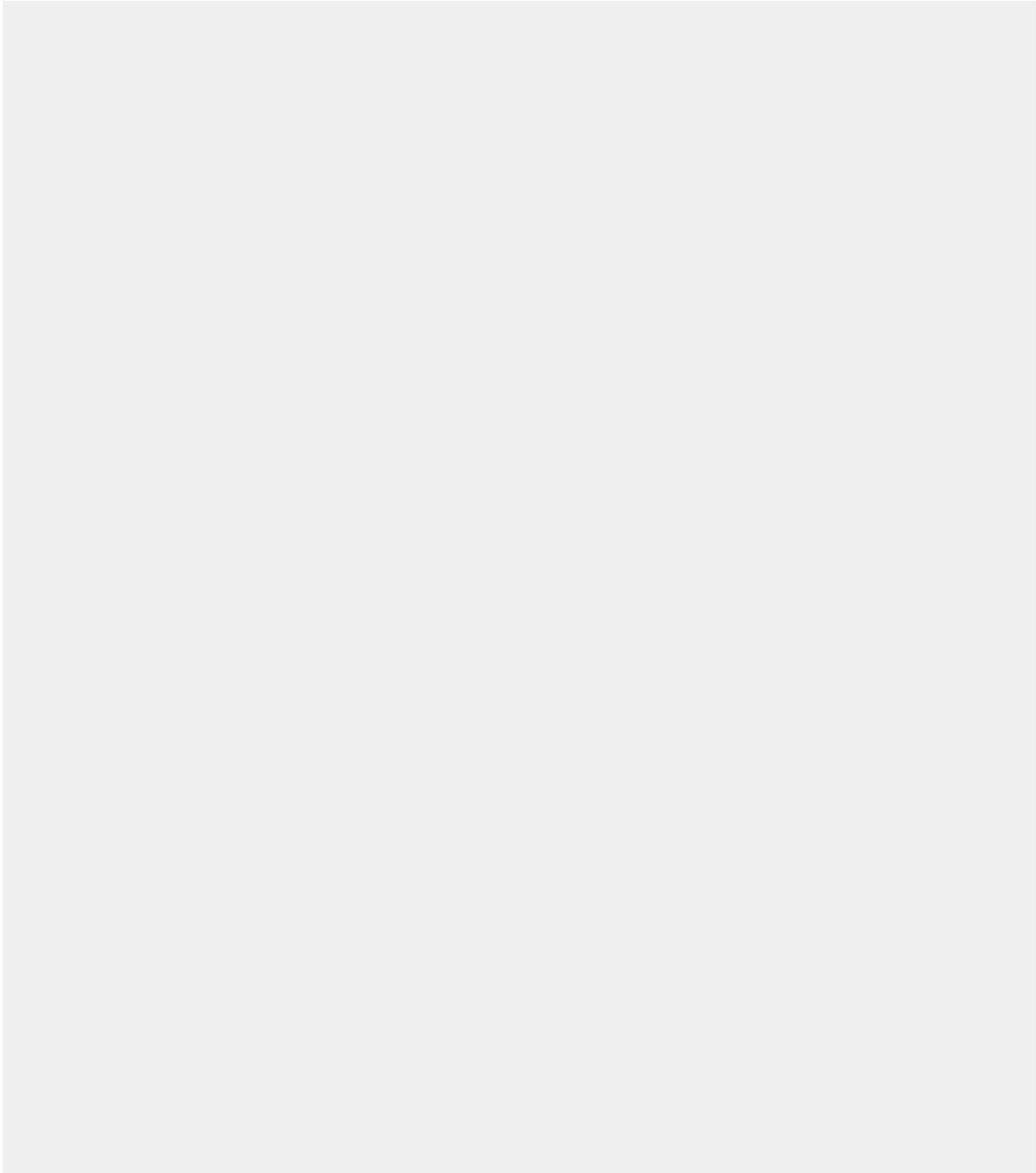


EXHIBIT 8



CAREERS AT ONS

Accessibility **A A A**

 Search

Home
Browse by theme
Publications
Data
Release calendar

Guidance and methodology
Media centre
About ONS

You are here: [Home](#) > [Browse By Theme](#) > [Travel and Transport](#)

Print friendly

- [+ Agriculture and Environment](#)
- [+ Business and Energy](#)
- [+ Children, Education and Skills](#)
- [+ Crime and Justice](#)
- [+ Economy](#)
- [+ Government](#)
- [+ Health and Social Care](#)
- [+ Labour Market](#)
- [+ People and Places](#)
- [+ Population](#)
- Travel and Transport**
 - [+ Other Modes of Transport](#)
 - [+ Roads](#)

Theme: Travel and Transport

[Overview](#) | [Summaries and Publications](#)

Data tables

Key Data

- Reference table: [Travelpac - Quarter 1 \(Jan to Mar\) 2015 \(ZIP 1051Kb\)](#)** 16-Jul-2015
 Travelpac consists of a series of data files derived from the International Passenger Survey (IPS), giving access to data in a form suitable for use by small businesses and students.
- Reference table: [Overseas Travel And Tourism, Quarter 1 \(Jan to Mar\) 2015 \(Excel sheet 953Kb\)](#)** 16-Jul-2015
 Seasonally adjusted and non-seasonally adjusted estimates of completed international visits to and from the UK and earnings and expenditure associated with these visits.
- Reference table: [Monthly Overseas Travel and Tourism, April 2015 \(Excel sheet 179Kb\)](#)** 11-Jun-2015
 Seasonally and non-seasonally adjusted estimates of completed international visits to and from the UK.
- Reference table: [Travel Trends - Section 1 Travel and Tourism, 1980 to 2014 \(Excel sheet 155Kb\)](#)** 20-May-2015
 International visits, nights and spending by UK and Overseas residents, 1980 to 2013

Latest Data

[Hide detail](#)

[Monthly Overseas Travel and Tourism, June 2015 \(Excel sheet 189Kb\)](#) 21-Aug-2015

Seasonally and non-seasonally adjusted estimates of completed international visits to and from the UK.

[Revisions Triangles, June 2015 \(Excel sheet 1198Kb\)](#) 21-Aug-2015

Revisions triangles of estimates for the period illustrated in the table in note 5 of the Background notes of Monthly Overseas Travel and Tourism Provisional Results for June 2015.

[Time series data for Monthly Overseas Travel and Tourism, Provisional Results for June 2015](#) 21-Aug-2015

Time series data for the International Passenger Survey

[Monthly Overseas Travel and Tourism, May 2015 \(Excel sheet 180Kb\)](#) 24-Jul-2015

Seasonally and non-seasonally adjusted estimates of completed international visits to and from the UK.

[Revisions Triangles, May 2015 \(Excel sheet 180Kb\)](#) 24-Jul-2015

Revisions triangles of estimates for the period illustrated in the table in note 5 of the Background notes of Monthly Overseas Travel and Tourism Provisional Results for May 2015

[Time series data for Monthly Overseas Travel and Tourism, Provisional Results for May 2015](#) 24-Jul-2015

Time series data for the International Passenger Survey

[View all Data for Travel and Transport \(240\)](#)

[Canllawiau](#)

[Contact Us](#)

[Copyright](#)

[Privacy](#)

[Sitemap](#)

[Terms and Conditions](#)

Facebook



LinkedIn



Storify



Twitter



Sign up for email alerts



Table 15

Number of overseas visits to the UK by country of residence

thousands

	2012	2013	2014	2014				2015P
				q1	q2	q3	q4	q1
Canada	704	731	649	91	191	222	145	102
USA	2,840	2,778	2,976	470	911	1,025	571	482
North America	3,544	3,509	3,625	561	1,102	1,247	715	584
Austria	268	275	263	45	73	88	57	40
Belgium	1,113	1,174	1,122	208	339	292	282	190
Bulgaria	138	125	184	31	40	45	67	37
Czech Republic	325	356	352	89	106	80	76	70
Cyprus	111	123	119	25	29	32	32	37
Denmark	636	696	662	151	160	191	160	126
Finland	208	212	255	37	68	77	74	48
France	3,787	3,974	4,114	1,077	1,201	907	929	981
Germany	2,967	3,048	3,220	500	1,023	1,016	681	478
Greece	159	181	238	57	41	64	75	63
Hungary	262	276	323	65	88	79	92	92
Irish Republic	2,453	2,350	2,486	563	616	719	589	589
Italy	1,521	1,636	1,757	302	481	539	436	368
Lithuania	171	202	198	42	44	43	69	50
Luxembourg	83	90	97	23	39	10	25	21
Malta	65	85	100	36	19	19	26	21
Netherlands	1,735	1,891	1,972	350	552	555	516	311
Norway	771	838	874	186	215	228	245	176
Poland	1,222	1,339	1,494	344	351	389	411	391
Portugal	292	285	395	86	100	84	125	95
Romania	267	377	471	116	96	95	164	157
Russia	227	214	249	48	63	81	57	36
Slovakia	120	146	132	28	42	27	35	29
Spain	1,716	1,746	1,986	421	517	549	499	486
Sweden	777	784	869	176	268	220	205	149
Switzerland	832	807	864	168	278	222	195	160
Turkey	145	154	196	35	61	58	42	38
Rest of Europe	423	480	449	99	121	94	136	107
Europe	22,796	23,866	25,442	5,311	7,033	6,800	6,298	5,345
- of which EU	20,553	21,596	23,009	4,824	6,348	6,155	5,682	4,886
- of which EU15	17,714	18,343	19,436	3,996	5,479	5,309	4,652	3,945
- of which EU0th	2,839	3,252	3,573	828	869	846	1,030	942
Egypt	50	54	59	10	17	20	12	10
Morocco	26	31	35	15	5	7	7	1
Tunisia	9	10	9	2	2	4	1	3
Other North Africa	14	33	36	6	6	16	7	5
South Africa	211	225	217	35	56	80	45	38
Nigeria	154	157	134	22	32	46	35	27
Other Africa	160	148	132	26	32	40	34	20
Israel	138	179	185	51	36	55	43	49
United Arab Emirates	256	304	260	51	67	89	52	66
Other Middle East	338	441	424	101	91	147	85	86
Hong Kong (China)	135	163	159	29	37	66	28	31
Other China	215	237	233	41	48	108	35	49
India	339	373	390	54	119	128	88	47
Japan	243	225	222	51	44	77	50	45
Pakistan	73	63	75	15	15	30	15	9
Sri Lanka	20	24	17	2	5	5	4	2
Thailand	75	74	76	13	30	20	13	8
Other Asia	527	635	674	115	189	225	145	122
Australia	993	1,058	1,057	145	275	452	185	141
New Zealand	175	165	196	27	49	94	26	23
Barbados	6	10	9	1	0	2	6	2
Jamaica	7	10	10	3	1	6	0	2
Other Caribbean	45	69	67	14	14	26	13	13
Brazil	260	258	293	54	80	114	44	73
Mexico	84	109	92	12	28	33	19	14
Other Central & Sth. America	188	255	245	40	75	88	42	60
Rest of the World	2	11	7	2	1	2	2	1
Fly/cruise (stay onboard)	0	0	0
Other Countries	4,744	5,318	5,310	938	1,354	1,982	1,037	947
Total World	31,084	32,692	34,377	6,810	9,489	10,029	8,050	6,875

EXHIBIT 9

Tourism in the United Kingdom

From Wikipedia, the free encyclopedia

The United Kingdom is the world's 8th biggest tourist destination, with 32 million visiting in 2013. US\$17.2 billion was spent in the UK by foreign tourists. VisitBritain data shows that the US remains the most-valuable inbound market, with American visitors spending £2.1bn in 2010.^[2] Nevertheless, the number of travellers originating from Europe is larger than those travelling from North America - 21.5 million compared to 3.5 million American/Canadian visitors.^[3]

The country's principal tourist destinations are in London, with the Tower of London being the single most visited attraction in the country.^[4]

Contents

- 1 Domestic tourism
- 2 See also
- 3 References
- 4 See also
- 5 References
- 6 External links

Top 10 countries whose residents provided the most visits to the UK (2010)^[1]

Country	Number
 France	3.6 million
 Germany	3.0 million
 United States	2.7 million
 Republic of Ireland	2.6 million
 Spain	1.8 million
 Netherlands	1.8 million
 Italy	1.5 million
 Belgium	1.1 million
 New Zealand	1.1 million
 Australia	1.0 million

Domestic tourism

Domestic tourism remains the biggest component of tourist spending in the UK, with 2009 expenditures totalling £21,881 million, according to VisitBritain.^[5] The national statistical agency also estimates that there were 126 million trips made in 2009.^[5] The busiest period for domestic travel in the UK is during bank holidays and the summer months, with August being the busiest. There is a longstanding history in the UK of travel to coastal resorts such as Blackpool, Lancashire and Swansea, Wales, with many families staying at accommodation called holiday camps. This tradition has faded significantly due to competition from overseas package holiday operators, rising operational costs, and rapidly changing demand which forced many holiday camps to close in the 1980s and 1990s.

See also

For more information on **tourism in the United Kingdom** please see the articles for the constituent parts of the UK:

- Tourism in England
- Tourism in Northern Ireland
- Tourism in Scotland
- Tourism in Wales

References

- "Countries whose residents provided the most visits to the UK" (<http://www.statistics.gov.uk/pdfdir/ttds0711.pdf>) (PDF). Office for National Statistics. 2010. Retrieved 2011-08-14.
- "Fears US Debt Crisis Will Hit UK Tourism" (<http://news.sky.com/home/world-news/article/16044975>). Sky News. 2011. Retrieved 2011-08-06.
- "Office for National Statistics - Overseas residents' visits to the UK" (<http://www.statistics.gov.uk/cci/nugget.asp?id=352>). Office for National Statistics. 2010. Retrieved 2011-08-14.
- "Visits Made in 2009 to Visitor Attractions in Mmembership with ALVA" (http://www.alva.org.uk/visitor_statistics/). Association of Leading Visitor Attractions. Retrieved 21 May 2010.
- UK Tourist 2009* (http://www.visitbritain.org/Images/UK%20Tourist%202009_tcm139-191452.pdf), VisitBritain, June 2010

See also

- Visa policy of the United Kingdom



The World Heritage Sites of the United Kingdom: cultural sites marked red, natural sites marked green, mixed site (St Kilda) marked blue. Names are abridged to fit on the map. Greater London is home to the cultural sites of Maritime Greenwich, Royal Botanical Gardens, Kew, Tower of London, and Palace of Westminster and Westminster Abbey including Saint Margaret's Church.

References

External links

Official tourist guide to Britain (<http://www.visitbritain.com/en/EN/>)
 BBC News: *UK Lonely Planet winners and losers* (http://news.bbc.co.uk/2/hi/uk_news/4575537.stm)



Wikivoyage has a travel guide for ***United Kingdom***.

Retrieved from "https://en.wikipedia.org/w/index.php?title=Tourism_in_the_United_Kingdom&oldid=670069993"

Categories: Tourism in the United Kingdom | United Kingdom stubs | Tourism stubs

This page was last modified on 5 July 2015, at 16:39. Text is available under the Creative Commons Attribution-ShareAlike License; additional terms may apply. By using this site, you agree to the Terms of Use and Privacy Policy. Wikipedia® is a registered trademark of the Wikimedia Foundation, Inc., a non-profit organization.

EXHIBIT 10



HOME NEWS VIDEO PHOTOS STYLE BABIES ROYALS PREMIUM MORE [SUBSCRIBE](#) 1



Surprise! It's Another Monaco Wedding



Prince William 'Made Sure Everyone Was Okay' During Prison Rescue Mission



Pippa Middleton \$276 String Bikini Is Her Sexiest Yet (and It Can Be Yours!)



How to Love the You Look By M. McCarthy

[GET 4 FREE ISSUES!](#)

The Royals

5 Things to Know About Queen Elizabeth's 3-lb. Crown (and Its 317-Carat Diamond!)

256 SHARES

[Share on Facebook](#) [Tweet](#) [Pin](#) [+](#)



SUZANNE PLUNKETT/WPAIPA PHOTOS/ABACA

BY SIMON PERRY [@SPerryPeoplemag](#) 05/27/2015 AT 10:00 AM EDT

[Queen Elizabeth](#) doesn't do understated accessories.

When the 89-year-old monarch put on her weighty 3-lb. [Imperial State Crown](#) for the Opening of Parliament Ceremony in London on Wednesday – she [had been practicing!](#) – the world got its annual look at a formidable piece of royal hardware.



You Know, Just a Casual Conversation with Neil Patrick Harris About Body Shaving



Why the Duggars Are Shocked over How Much Josh's Scandal Has Cost Them All



VIDEO: Ben Affleck and Jennifer Garner All Smiles as They Step Out Together in L.A.

Recommended by

[SEE MORE VIDEOS](#)

1. It is 177 years old.

Probably the Queen's best known crown, it was originally made for Queen Victoria's coronation in 1838 by Rundell, Bridge & Co., then the crown jewelers. An earlier version of the crown – weighing a whopping 7 lbs., 6 oz. – was destroyed under Oliver Cromwell in the mid-17th century, who ordered the abolition of the monarchy and the sale of the crown jewels.

Keep up with your favorite celebs in the pages of *PEOPLE* Magazine [by subscribing now.](#)

2. It is kept under lock and key at the Tower of London.

The crown is normally kept under ultra-monitored guard at the Tower of London, where it is a centerpiece of the Crown Jewels exhibit popular with tourists. When it heads to the palace to be worn by the Queen at the opening of the parliamentary session once a year, keepers leave a note to visitors saying it is in use.

3. It contains the world's fourth-largest polished diamond.

Nestled in the "brow" of the crown – just below the breathtaking Black Prince's Ruby set in the central panel – is the huge Cullinan Diamond, which was found in Africa in 1905, weighing 3,601 carats. (Yes, you read that right.) The stone was later cut into several pieces, with the "Cullinan II" earning a spot in the Imperial State Crown. (At 317.4 carats, it's the fourth-largest polished diamond in the world.) For extra sparkle, the crown is also decorated with four rubies, 11 emeralds, 17 sapphires, 277 pearls and more than 3,000 smaller diamonds.

Queen Elizabeth's Changing Looks



Will & Kate (& Birthday Boy George)'s Cutest Family Photos – So Far!



SPONSORED BY ST. JUDE
Meet Mabry



SPONSORED BY MACYS.COM
Every Woman Should Have These 10 Pieces of Jewelry





The Queen You've Never Seen 🔑

Share on Facebook
Share on Twitter

4. It weighs as much as two Chipotle burritos.

The Queen's biographer, Robert Lacey, confirms that the monarch finds it heavy – despite the fact that it is less than half the weight of the St. Edward's crown. The latter is the "true" coronation crown, but at more than 4 lbs., it is so heavy that she only wore it for a short time during her 1953 coronation. Instead, she slipped on the Imperial State Crown for her departure from Westminster Abbey and the journey back to the palace.

5. It got a makeover.

To make it more comfortable for the then-27-year-old monarch's coronation, the crown underwent a redesign: The arches were lowered, making it lighter and "feminizing" it, as an insider tells PEOPLE.

Want to keep up with the latest royals coverage? [Click here](#) to subscribe to the Royals Newsletter.

AROUND THE WEB



ANSWERS.COM
9 Bizarre Pregnancy Stories That Are Difficult To Stomach



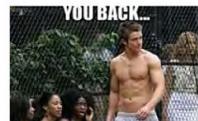
STANGTV
Ford Racing Creates Small Block Monster With New Z460



TRAZEE TRAVEL
Top 5: Italian Restaurants in New York City



GREEN BLENDER
The Easiest Breakfast You Didn't Know About



BRAINJET
32 Painfully Awkward Photos That Are Guaranteed To Make You Laugh



PETBREEDS
Why Are These Super Cute Dog Breeds So Unpopular!?

FROM OUR PARTNERS



HOLLYWOODLIFE.COM
Brody Jenner Slams Kim Kardashian and Sisters



BILLBOARD.COM
What Ariana Grande Learned From The Infamous Donut Incident



HOLLYWOODLIFE.COM
Why Caitlyn Jenner Cried Over Kylie's Decision To Marry Tyga



BILLBOARD.COM
Ariana Grande Nails Her Britney Spears Impression



TODAY.COM
Princess Diana's Will Reveals What She Left to William and Harry



TODAY.COM
Family Talk Brings Jennifer Garner To Tears



William & Kate: In Love ... with Children!



From Red Carpet to Afterparties: Proof That TIFF Is All About Glitz & Glamour

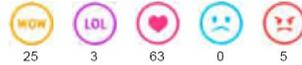
CHALLENGE EVERYTHING YOU'D EXPECT FROM A SAVINGS ACCOUNT.
 Earn up to a **\$500 BONUS**
LEARN MORE
 Member FDIC

THE ROYALS [SEE MORE](#)

Share this story:



96 VOTES



THE LATEST



VIDEO: 'I Was Waiting for Him to Shoot Me in the Head': Sole Survivor of Virginia TV Shooting Recalls Horrific Attack



Loki the Wolf Dog Answers the Call of the Wild, Posts Stunning Adventures on Instagram



Whole Foods Is Selling Coffee for Just 25 Cents



Prince Harry 'Feels Like a Proud Dad' During Historic Flypast with WWII Veterans

THIS WEEK'S ISSUE



- How to Love the Way You Look, By Melissa McCarthy
- Best Dressed Stars of 2015
- From Olympic Star to Call Girl

Pick up your copy on newsstands

Get instant access to the Digital Magazine

[SUBSCRIBE](#)

Shia & Kate, Ariana Grande, Haylie & Hilary and More!

They Just Can't Get Enough! What the Stars Are Obsessively Watching Before the Emmys

Exclusive: See Kate, Drew, Toni & More Take Over PEOPLE's TIFF Portrait Studio

Johnny Depp and Amber Heard Have Been on a Matchy-Matchy Style Streak at the Toronto Film Festival (Cute, Right?)

Look Inside Caitlyn Jenner's 'Soft and Feminine' Malibu Home (PHOTOS)

VIDEO: Family of *Can't Buy Me Love* Star Amanda Peterson Reveals She Was Raped at Age 15, Says 'Sparkle Was Gone' After Assault

FOLLOW People





special offers



FROM OUR PARTNERS



[Paul Bettany Has Best Comeback to Jason Statham's 'Avengers' Insults](#)

[The 16 Best True-Crime Movies, Ranked](#)

[Best of Late Night TV: Ariana Grande's Musical Impressions, Jake Gyllenhaal's Cake Revenge on Amy Schumer](#)



[Ariana Grande Breaks Out Christina & Britney Impressions](#)

[Amber Rose Rocks A Long Brown Wig For Night On The Town](#)

[Mel B Explains Where The Nickname Scary Spice Came From](#)



SUBSCRIBE

[Print Magazine](#)

[All Access](#)

[Digital Plus](#)

[V.I.P.](#)

[Buy a Gift Box](#)

[Give a Gift](#)

[Buy Current Issue](#)

[Customer Service](#)

ADVERTISE WITH US

[Online and Magazine](#)

LEARN MORE

[Sweepstakes](#)

[Mobile Apps](#)

[People Premium](#)

[RSS](#)

[Sitemap](#)

[Contact Us](#)

[Privacy Policy](#)
[Your California Privacy Rights](#)

[Terms of Service](#)

[Ad Choices](#)

[Celebrities](#)

CONNECT

[Facebook](#)

[Twitter](#)

[Google Plus](#)

[Instagram](#)

[Pinterest](#)

[Tumblr](#)

[Foursquare](#)

Sign up for our newsletter and other special offers

People News

Red Carpet

StyleWatch

Moms & Babies

The Royals

TV Watch

Great Ideas

True Crime

Country

Pets

Giveaways

All

[SEE ALL NEWSLETTERS](#)

EXHIBIT 11

BloombergBusiness

The Worth of Rubies

Thomas Biesheuvel
April 16, 2015 — 7:01 PM EDT



Ruby

Ian Harebottle, who's made his career from mining colored gemstones, has an emerald the size of a pineapple locked away in a safe. He's not sold the unique bright-green rock because it's so rare nobody really knows what it's worth.

Welcome to the topsy-turvy world of colored gems, where abundance can mean higher prices and scarcity makes spectacular stones untradable. It's a very different business from diamonds, the world's most popular precious stone, traded in a liquid global market that makes pricing relatively transparent.

For colored stones, prices often increase with supply as jewelers acquire enough stock to justify marketing the gems to customers. Take regular emeralds: their value has appreciated 1,000 percent in five years as Harebottle's Gemfields Plc and peers expanded mines, while marketing campaigns fronted by Hollywood star Mila Kunis gave demand a boost.

Now Harebottle wants to bring the same game to rubies. Gemfields' Montepuez in Mozambique, estimated to contain as much as 40 percent of the world's known supply of the deep-red stones, could triple output from the 8 million carats targeted for this year, according to the executive.

The potential rewards are compelling. At its first Singapore auction last December, Gemfields sold high-quality rubies for an average \$689 a carat, dwarfing the \$66 a carat for comparable emeralds. Production growth is underpinned by rising demand in China, where the color red symbolizes prosperity, health and wealth, making rubies an auspicious investment.

Double Prices

“With rubies there is a fairly healthy uplift potential,” said Harebottle, who has been chief executive officer of London-based Gemfields since 2009 and presided over an 11-fold jump in its shares in the period. “Over the next couple of years we should be able to double” prices.

His company, which has amassed 20 percent of the emerald market to become the biggest producer, plans to replicate that share in rubies. The December auction generated revenue of \$43.3 million after Gemfields’ rubies fetched the highest price at any of its sales. That boost for the fragmented industry, still largely supplied by individual miners from Colombia to Burma, shows the impact of increasing output.

“We expect Gemfields to repeat with rubies the success it achieved by imposing order on emerald prices,” Investec Plc said. “The Montepuez ruby mine will rank among the best discoveries in Africa in decades.”

Biggest Ruby

Gemfields sold an “exceptional” 40.2-carat stone from the mine at the auction for an undisclosed price. While that’s a tiddler compared with the 6,200-carat pineapple emerald, there’s potential for heavy finds: the biggest certified ruby, known as the 125West, tipped the scales at 18,696 carats.

Harebottle, who previously produced the blue gem tanzanite at mining company Tanzanite One, now oversees amethyst and sapphire projects at Gemfields as well as its emerald and ruby operations.

The 52-year-old CEO, who led Gemfields’ acquisition of Faberge Ltd. in 2013, hopes to offer an alternative to diamonds as production of the more common stones dwindles. Most of the diamonds near the Earth’s surface have already been dug up and few new mines are on the horizon, a situation that’s left some producers grappling for buyers.

“We can’t have new customers if we haven’t got new stock,” said Clifford Elphick, CEO of Gem Diamonds Ltd., which mines some of the world’s biggest diamonds. “If you can’t supply them, customers will go somewhere else.”

Cullinan Stone

The largest mined diamond is the 3,106-carat Cullinan stone, found in South Africa in 1905 and set into Britain’s Crown Jewels.

Global diamond production -- at about 146 million carats in 2013 -- still easily outstrips rubies. If Gemfields reaches its 8 million-carat target for this year with 10 percent of the market, worldwide output would be about 80 million carats.

Harebottle says the 1.2-kilogram (2.6-pound) emerald in his safe might have fetched \$1 million five years ago and possibly \$10 million today. The longer he goes without finding another comparable stone, the more valuable it may be.

“We called it ‘baby elephant,’ hoping we would find mummy elephant and daddy elephant down the line,” Harebottle said. “If I haven’t mined another one in the last six years, then maybe it’s another Cullinan.”

EXHIBIT 12

Start today, be ready tomorrow VOYA FINANCIAL GET ORGANIZED NOW

Can Wired Cities Outsmart Hackers?

By ADAM LEVIN · May 3, 2015, 3:40 AM ET

Share with Facebook Share with Twitter



The view from the 63rd floor of One World Trade Center is seen on Nov. 3, 2014 in New York City.

Andrew Burton/Getty Images

56 SHARES

Editor's note: A response to this column from Sensys Networks has been added below.

A monster storm is on a collision course with New York City and an evacuation is under way. The streets are clogged, and then it happens. Every traffic light turns red. Within minutes, the world's largest polished diamond, the Cullinan I, on loan to the Metropolitan Museum of Art from the collection of the British Crown Jewels, is whisked away by helicopter.

- Can Wired Cities Outsmart Hackers?
- + The New Grave Robbers: Identity Thieves
- + What We Could Have Done With the \$5.8B Government Lost to Tax ID Theft

Start today, be ready tomorrow VOYA FINANCIAL GET ORGANIZED NOW

- Riot Police Use Tear Gas Water Cannons Against Refugees
- 5 Things To Watch in the Second GOP Presidential Debate
- The Fight to Save Syria Antiquities From ISIS

56 SHARES

from the collection of the British Crown Jewels, is whisked away by helicopter.

While this may sound like the elevator pitch for an action film, the possibility of such a scenario is more fact than fiction these days.

Cesar Cerrudo is the chief technology officer at IOActive Labs, a global security firm that assesses hardware, software and wetware (that is, the human factor) for enterprises and municipalities. A year ago, Cerrudo made waves when he demonstrated how 200,000 traffic sensors located in major cities around the United States—including New York, Seattle, Washington, and San Francisco—as well as in the UK, France and Australia, could be disabled or reprogrammed because the Sensys Networks sensors system that regulated them was not secure. According to ThreatPost, these sensors "accepted software modifications without double-checking the code's integrity." Translation: there was a vulnerability that made it possible for hackers to reprogram traffic lights and smart traffic.

A widely reported discovery, first discussed last year at a black hat hacker convention in Amsterdam, highlighted a more alarming scenario than the attack of the zombie traffic lights. Researchers Javier Vazquez Vidal and Alberto Garcia Illera found that it was possible, through a simple reverse engineering approach to smart meters, for a hacker to order a citywide blackout.

The vast array of attacks made possible by the introduction of smart systems are many. With every innovation, a city's attackable surface grows. The boon of smart systems brings with it the need for responsibility. It is critical for municipalities to ensure that these systems are secure. Unfortunately, there are signs out there of a responsibility gap.

According to the New York Times, Cerrudo successfully hacked the same traffic sensors that made news last year, this time in San Francisco, despite reports that the vulnerabilities had been addressed after the initial flurry of coverage when he revealed the problem a year ago. It bears saying the obvious here: Cerrudo's findings are alarming. With the information of how to hack the Sensys sensors out there, was San Francisco's security protocol nothing more than dumb luck? How could it be that the same issue was imperiling the safety of San Franciscans?

The integration of smart technology into municipalities is a new thing. The same Times article notes that the market for smart city technology is expected to reach \$1 trillion by 2020. As with all new technology, compromises are not only possible, but perhaps even likely, in the beginning. The problem here is that we're talking about large, populous cities. As they

- Can Wired Cities Outsmart Hackers?
- + The New Grave Robbers: Identity Thieves
- + What We Could Have Done With the \$5.8B Government Lost to Tax ID Theft

Start today, be ready tomorrow

VOYA FINANCIAL GET ORGANIZED NOW

- Riot Police Use Tear Gas, Water Cannons Against Refugees
- 5 Things To Watch in the Second GOP Presidential Debate
- The Fight to Save Syrian Antiquities From ISIS
- Father's Fight to Win Back Daughter Put Up for Adoption
- Survivor Recounts

It bears saying the obvious here: Cerrudo's findings are alarming. With the information of how to hack the Sensys sensors out there, was San Francisco's security protocol nothing more than dumb luck? How could it be that the same issue was imperiling the safety of San Franciscans?

The integration of smart technology into municipalities is a new thing. The same Times article notes that the market for smart city technology is expected to reach \$1 trillion by 2020. As with all new technology, compromises are not only possible, but perhaps even likely, in the beginning. The problem here is that we're talking about large, populous cities. As they become ever more wired, they become more vulnerable.

The issue is not dissimilar from the one facing private sector leaders. Organizations must constantly defend against a barrage of advanced and persistent attacks from an ever-growing phalanx of highly sophisticated hackers. Some of them work alone. Still others are organized into squadrons recruited or sponsored by foreign powers—as we have seen with the North Korean attack on Sony Pictures and the mega-breach of Anthem suspected to be at the hand of Chinese hackers—for a variety of purposes, none of them good.

More From Credit.com: [How the Sony Hack Is Changing the Way I Work](#)

The vulnerabilities are numerous, ranging from the power grid to the water supply to the ability to transport food and other necessities to where they are needed. As Cerrudo told the Times, "The current attack surface for cities is huge and wide open to attack. This is a real and immediate danger."

The solution, however, may not be out of reach. As with the geometric expansion of the Internet of Things market, there is a simple problem here: lack of familiarity at the user level—where human error is always a factor—with proper security protocols. Those protocols are no secret: encryption, long and strong password protection, and multi-factor authentication for users with security clearance.

More From Credit.com: [Millions of Anthem Customers Exposed: What It Means for You](#)

More From Credit.com: [How to Protect Yourself From Identity Theft](#)

While the above-noted protocols are not a panacea for the problems that face our incipiently smart cities, they will go a long way towards addressing security hazards and pitfalls.

Cerrudo has also advocated the creation of computer emergency response teams "to



Can Wired Cities Outsmart Hackers?

- + The New Grave Robbers: Identity Thieves
- + What We Could Have Done With the \$5.8B Government Lost to Tax ID Theft

Start today, be ready tomorrow

GET ORGANIZED NOW



Riot Police Use Tear Gas Water Cannons Against Refugees



5 Things To Watch in the Second GOP Presidential Debate



The Fight to Save Syrian Antiquities From ISIS



Father's Fight to Win Back Daughter Put Up for Adoption



Survivor Recounts

Smart cities, they will go a long way toward addressing security hazards and pitfalls.

Cerrudo has also advocated the creation of computer emergency response teams "to address security incidents, coordinate responses and share threat information with other cities." While CERTs are crucial, the creation of a chief information security officer role in municipal government to quarterback security initiatives and direct defense in a coordinated way may be even more crucial to the problem-sets that arise from our new smart cities. In the pioneering days of the smart city, there are steps that municipalities can take to keep their cities running like clockwork.

It starts with a proactive approach to security.

Any opinions expressed in this column are solely those of the author.

Adam Levin is chairman and co-founder of Credit.com and Identity Theft 911. His experience as former director of the New Jersey Division of Consumer Affairs gives him unique insight into consumer privacy, legislation and financial advocacy. He is a nationally recognized expert on identity theft and credit.

The following is a statement by Sensys Networks in response to Mr. Levin's column:

Our equipment does not control traffic signals. Our equipment provides an input to third party traffic controllers who are responsible for the safe operation of traffic signals. It is impossible to manipulate our systems, or data, to cause conflicting movements or phases to be displayed (as depicted in the type of "action film" Mr. Levin fantasizes). Both the controller software and conflict monitor prevent the possibility of this scenario.

One cannot use our wireless protocol to access data or send information to a customer network or the Internet. Our systems do not use Wi-Fi or any other wireless Internet protocol; we use a proprietary wireless protocol that does not contain or control any Internet protocol information. We developed our technology this way so that unauthorized users who attempt to access our wireless signal could not hack into our customer's private networks or the public Internet. This is the central security concern of our customers, and is the reason we developed our technology with these protections in place.

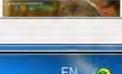
Our systems were not "hacked." Mr. Cerrudo has not "hacked" San Francisco's, or any other, operational system. A "hack" occurs when existing security protocols are breached or circumvented to gain access to restricted information or intellectual property. No such access has been demonstrated by IOActive. It is impossible to gain such access via the wireless

-  Can Wired Cities Outsmart Hackers?
- + The New Grave Robbers: Identity Thieves
- + What We Could Have Done With the \$5.8B t Government Lost to Tax ID Theft

Start today, be ready tomorrow



GET ORGANIZED NOW

-  Riot Police Use Tear Gas Water Cannons Against Refugees
-  5 Things To Watch in the Second GOP President Debate
-  The Fight to Save Syria Antiquities From ISIS
-  Father's Fight to Win Back Daughter Put Up Adoption
-  Survivor Recounts

users who attempt to access our wireless signal could not hack into our customer's private networks or the public Internet. This is the central security concern of our customers, and is the reason we developed our technology with these protections in place.

Our systems were not "hacked." Mr. Cerrudo has not "hacked" San Francisco's, or any other, operational system. A "hack" occurs when existing security protocols are breached or circumvented to gain access to restricted information or intellectual property. No such access has been demonstrated by IOActive. It is impossible to gain such access via the wireless interface. It's worth noting, too, that any act of hacking an operational traffic system is illegal.

Enhanced anti-vandalism features are available for our customers. All vehicle detection equipment is subject to interference and other acts of vandalism. To minimize any potential inconvenience of such acts, Sensys Networks developed software features that incorporate several advanced anti-vandalism capabilities that provide 1) protection against attempts to download unofficial code; 2) protection against attempts to insert false detection data; and 3) notification of customers in the event of an unauthorized data manipulation attempt. These software features are available to all our customers.

Promoted Stories



Having Any 1 Of These 7 Credit Cards Means You Have Excellent Credit
NextAdvisor



Why The "Cadillac Tax" On Healthcare Could Crash
Forbes



These Photos Are Hilarious
Inside Grind

Recommended by Outbrain

Comments



Can Wired Cities Outsmart Hackers?

- + The New Grave Robbers: Identity Thieves
- + What We Could Have Done With the \$5.8B Government Lost to Tax ID Theft

Start today, be ready tomorrow



Riot Police Use Tear Gas Water Cannons Against Refugees



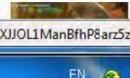
5 Things To Watch in the Second GOP President Debate



The Fight to Save Syria Antiquities From ISIS



Father's Fight to Win Back Daughter Put Up Adoption



Survivor Recounts