

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85834316
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION (no change)	
ARGUMENT(S)	
<p>The final Office Action alleges that Applicant’s evidence of acquired distinctiveness is insufficient. Applicant maintains that the evidence is in full compliance with the statute and regulations, but in order to expedite the application, submits herewith additional evidence.</p> <p>The Declaration About Exclusive Use reflects the review of numerous websites that market refractory products shows that “Magnesita” is not used by others.</p> <p>The Declaration of Gross Sales in 2014 states that the gross sales of refractory products in association with trademark MAGNESITA were in excess of US\$220,000,000 in 2014.</p> <p>The date of first use is amended to October, 2008. This is reflected by the attached Exhibit A, which is an advertisement “Magnesita buys LWB” in the October, 2008, edition of Industrial Minerals.</p> <p>Applicant submits that the additional evidence of acquired distinctiveness is sufficient to approve the Section 101 claim.</p> <p>Applicant submits that the application should be approved for publication.</p>	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
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ORIGINAL PDF FILE	evi_5024695157-20150506123346685270 . 05-06 signed Declaration of Gross Sales in 2014.85834316.pdf

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	\\TICRS\EXPORT16\IMAGEOUT16\858\343\85834316\xml13\RFR0048.JPG
DESCRIPTION OF EVIDENCE FILE	Exhibit A and Declarations
GOODS AND/OR SERVICES SECTION (019)(current)	
INTERNATIONAL CLASS	019
DESCRIPTION	

refractory products not primarily of metal, namely, refractory bricks, refractory mixes for patching, lining of high temperature apparatus and repairing the lining for furnaces, refractory furnace patching and repair mixes, cast refractory shapes

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 10/01/2010

GOODS AND/OR SERVICES SECTION (019)(proposed)

INTERNATIONAL CLASS	019
----------------------------	-----

DESCRIPTION

refractory products not primarily of metal, namely, refractory bricks, refractory mixes for patching, lining of high temperature apparatus and repairing the lining for furnaces, refractory furnace patching and repair mixes, cast refractory shapes

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/00/2008
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2008

GOODS AND/OR SERVICES SECTION (037)(current)

INTERNATIONAL CLASS	037
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DESCRIPTION

providing information via a global computer network on the use of refractory products to construct, maintain and repair refractory apparatus using refractory products; and providing information via a global computer network on the use of mechanical equipment and computer models to construct, maintain and repair refractory installations

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 10/01/2010

GOODS AND/OR SERVICES SECTION (037)(proposed)

INTERNATIONAL CLASS	037
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DESCRIPTION	
providing information via a global computer network on the use of refractory products to construct, maintain and repair refractory apparatus using refractory products; and providing information via a global computer network use of mechanical equipment and computer models to construct, maintain and repair refractory installations	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/00/2008
FIRST USE IN COMMERCE DATE	At least as early as 10/00/2008
ADDITIONAL STATEMENTS SECTION	
SECTION 2(f) Claim of Acquired Distinctiveness, based on Use	The mark has become distinctive of the goods/services through the applicant's substantial exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate the five years immediately before the date of this statement.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Thomas J. Moore/
SIGNATORY'S NAME	Thomas J. Moore
SIGNATORY'S POSITION	Owner's Attorney, Va. Bar Member
SIGNATORY'S PHONE NUMBER	703-683-0500 x137
DATE SIGNED	05/06/2015
RESPONSE SIGNATURE	/Thomas J. Moore/
SIGNATORY'S NAME	Thomas J. Moore
SIGNATORY'S POSITION	Owner's Attorney, Va. Bar Member
SIGNATORY'S PHONE NUMBER	703-683-0500 x137
DATE SIGNED	05/06/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	

SUBMIT DATE	Wed May 06 12:53:29 EDT 2015
TEAS STAMP	USPTO/RFR-50.246.95.157-2 0150506125329822748-85834 316-53066b6729982f0ba21c9 962e6b5f9b1ce28bffd6ff524 f2c688eabd3dd391e37c-N/A- N/A-20150506123346685270

PTO Form 1960 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 07/31/2017)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **85834316** has been amended as follows:

ARGUMENT(S)

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

The final Office Action alleges that Applicant's evidence of acquired distinctiveness is insufficient. Applicant maintains that the evidence is in full compliance with the statute and regulations, but in order to expedite the application, submits herewith additional evidence.

The Declaration About Exclusive Use reflects the review of numerous websites that market refractory products, and shows that "Magnesita" is not used by others.

The Declaration of Gross Sales in 2014 states that the gross sales of refractory products in association with the trademark MAGNESITA were in excess of US\$220,000,000 in 2014.

The date of first use is amended to October, 2008. This is reflected by the attached Exhibit A, which is an article titled "Magnesita buys LWB" in the October, 2008, edition of Industrial Minerals.

Applicant submits that the additional evidence of acquired distinctiveness is sufficient to approve the Section 2(f) claim.

Applicant submits that the application should be approved for publication.

EVIDENCE

Evidence in the nature of Exhibit A and Declarations has been attached.

Original PDF file:

[evi_5024695157-20150506123346685270 . Oct. 2008 article Magnesita buys LWB in Industrial Minerals.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

Original PDF file:

[evi_5024695157-20150506123346685270 . 05-06 signed Declaration of Gross Sales in 2014.85834316.pdf](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

Original PDF file:

[evi_5024695157-20150506123346685270 . signed Declaration About Exclusive Use.part 1 of 3.85834316.pdf](#)

Converted PDF file(s) (20 pages)

[Evidence-1](#)

[Evidence-2](#)

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[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

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[Evidence-19](#)

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Original PDF file:

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Converted PDF file(s) (10 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

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[Evidence-7](#)

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[Evidence-9](#)

[Evidence-10](#)

Original PDF file:

[evi_5024695157-20150506123346685270 . signed Declaration About Exclusive Use.part 3 of 3.85834316.pdf](#)

Converted PDF file(s) (14 pages)

[Evidence-1](#)

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[Evidence-13](#)

[Evidence-14](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 019 for refractory products not primarily of metal, namely, refractory bricks, refractory mixes for patching, lining or repairing high temperature apparatus and repairing the lining for furnaces, refractory furnace patching and repair mixes; and pre-cast refractory shapes

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/01/2010 and first used in commerce at least as early as 10/01/2010 , and is now in use in such commerce.

Proposed: Class 019 for refractory products not primarily of metal, namely, refractory bricks, refractory mixes for patching, lining or repairing high temperature apparatus and repairing the lining for furnaces, refractory furnace patching and repair mixes; and pre-cast refractory shapes

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/00/2008 and first used in commerce at least as early as 10/00/2008 , and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 037 for providing information via a global computer network on the use of refractory products to construct, maintain and repair refractory apparatus using refractory products; and providing information via a global computer network on the use of mechanical equipment and computer models to construct, maintain and repair refractory installations

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/01/2010 and first used in commerce at least as early as 10/01/2010 , and is now in use in such commerce.

Proposed: Class 037 for providing information via a global computer network on the use of refractory products to construct, maintain and repair refractory apparatus using refractory products; and providing

information via a global computer network on the use of mechanical equipment and computer models to construct, maintain and repair refractory installations

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/00/2008 and first used in commerce at least as early as 10/00/2008 , and is now in use in such commerce.

ADDITIONAL STATEMENTS

Section 2(f) Claim of Acquired Distinctiveness, based on Use

The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /Thomas J. Moore/ Date: 05/06/2015

Signatory's Name: Thomas J. Moore
Signatory's Position: Owner's Attorney, Va. Bar Member
Signatory's Phone Number: 703-683-0500 x137

Request for Reconsideration Signature

Signature: /Thomas J. Moore/ Date: 05/06/2015
Signatory's Name: Thomas J. Moore
Signatory's Position: Owner's Attorney, Va. Bar Member

Signatory's Phone Number: 703-683-0500 x137

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 applicant'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 applicant in this matter: (1) the applicant 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 applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant'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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85834316
Internet Transmission Date: Wed May 06 12:53:29 EDT 2015
TEAS Stamp: USPTO/RFR-50.246.95.157-2015050612532982
2748-85834316-53066b6729982f0ba21c9962e6
b5f9b1ce28bffd6ff524f2c688eabd3dd391e37c
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LEADING BRAZILIAN MAGNESITE producer, Magnesita Refratários SA, has acquired Germany based refractory dolomite producer, LWB Refractories GmbH, creating the third largest refractories group (by revenue) in the world, after Vesuvius and RHI AG (see table).

Magnesita's deal with Rhone Capital LLC, a private equity group with majority shareholdings in LWB, includes \$392m. cash and Magnesita assuming a \$538m. debt.

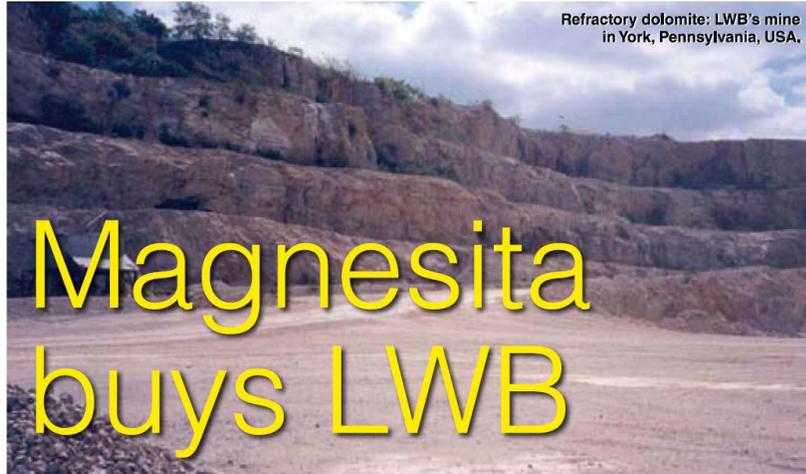
The move is seen as part of Magnesita's expansion plan to target customers outside its core market in South America to the global market, focusing on LWB's client base in China, Europe and the USA.

"This is a milestone in Magnesita's strategy to accelerate its international growth," said Ronaldo Labrudi, chief executive officer of Magnesita.

In Brazil, Magnesita controls 70% of the steel refractories market and 80% of the cement refractories market, while the majority of LWB's sales are in Europe and the USA. Magnesita expects the acquisition of LWB will result in a wider spread of customers across a broad geographical base in South America, Europe, and the USA (see chart).

LWB leads world refractory dolomite production with an estimated 260-280,000 tpa combined capacity in Europe, sourcing dolomite raw material from mines in Belgium and Germany, and a further 150,000 tpa refractory dolomite from its York, Pennsylvania operation in the USA. It also runs a 55,000 tpa refractory dolomite plant in Chizhou, Anhui province, China.

"The LWB expansion gives us the opportunity for considerable growth in China, where we plan to double capacity of the existing LWB refractories plants to 180,000 tpa," said Labrudi. Magnesita also intends to



Refractory dolomite: LWB's mine in York, Pennsylvania, USA.

Brazil's leading magnesite producer acquires German dolomite and refractories group, gaining a global customer base and raw material supply

by Kwok W Wan, *Assistant Editor*

increase magnesite production to meet demands in Asia.

Maurício Lustosa de Castro, chief financial officer of Magnesita, told **IM**: "To supply Asian clients with the amount of products they are demanding, we will have to make strong investments at Brumado mine [in north-east Brazil] in order to increase the production capacity currently at 320,000 tpa."

LWB has an overall refractory products manufacturing capacity of 700,000 tpa, with manufacturing facilities in China, France, Germany, and the USA. The total H1 2008 refractories output from both companies was 1.1 m. tonnes.

No.1 by 2012

Magnesita believes the deal will have nearly no overlaps in terms of sales, but plenty of scope for raw material and upstream integrations.

"[There will be] no other company like ours in the refractory industry," said Castro, in a conference call.

According to Castro, LWB consumes 80-100,000 tpa of sintered or electro fused magnesite and accounts for 18% of sales, which Magnesita could now supply. Magnesita also manufactures dolomite products, so could now exploit LWB's raw material reserves in Europe and the USA.

Magnesita's upstream synergy plans could involve combining LWB's magnesite operations into Magnesita's Brazilian plants, while LWB facilities focus solely on dolomite products. It estimates synergies could save \$35.5m. per annum.

The acquisition will also allow Magnesita to offer a range of magnesite and dolomite products to its combined customer base, including large clients currently supplied by LWB, but not by Magnesita and vice versa. These include LWB's long established relationships with stainless and carbon steel producers.

"[It's an] awesome opportunity for cross selling," said Castro.

Magnesita has set targets to be the largest refractories producer (by revenue) in the world by 2012. Domestic refractories demand is expected to be driven by the Brazilian steel industry, with steel demand predicted to grow by 13% this year according to the Brazilian Steel Institute.

Securing feedstock

The world's second largest refractories producer, Vienna based RHI, has also revealed intentions to expand via acquisitions, with focus on mineral producers.

"We have several projects under consideration," said Andreas Meier, RHI chief executive officer, adding: "A key area in this context is raw materials, not only magnesite and dolomite, but also bauxite and melting raw materials."

RHI and Tata Refractories Ltd have already announced magnesite projects in China, in an attempt to secure supplies (see p.8). Magnesita's acquisition of LWB is the

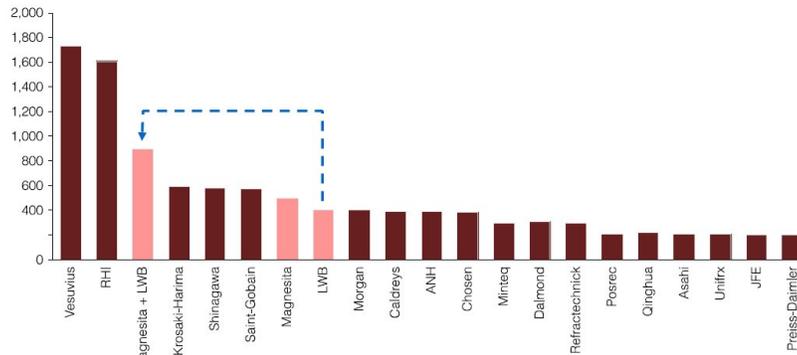
Brazilian's first foray into China in terms of raw materials.

Before this deal, Magnesita was recently secured by GP Investments Ltd (see *IM September '07, p.29*) and had announced plans to triple dead burned magnesita capacity (DBM; currently 320,000 tpa) and double refractories production (currently 590,000 tpa; see *IM September '08, p.28*).

DBM accounts for 10% of Magnesita's sales and the company believes demand is strong, representing a good opportunity. "Even if we see a slight slowdown in steel demand growth, refractories demand is still set for significant growth," said Iabrudi of Magnesita.

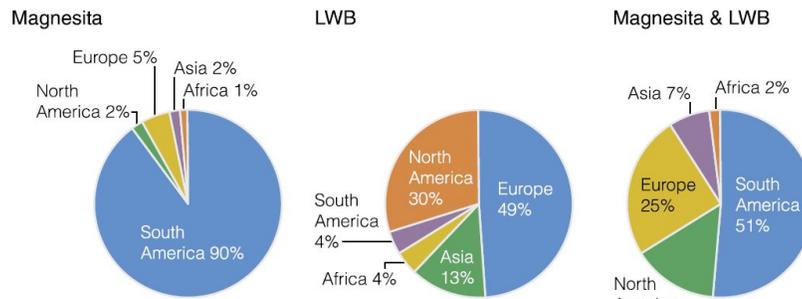
Supplies of magnesite have been tight as the world's leading producer, China, has used licences and quotas to reduce exports of the refractory mineral. This has led to a raft of producers outside China announcing capacity expansions to meet demand (see *IM September '08, p.28*).

Top refractories companies by revenues (million euros)



Courtesy Magnesita

Combined customer base of Magnesita and LWB



Courtesy Magnesita

Companies in the News

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China National Petroleum Corp.	34	Mountain Capital Inc.	13	Whitemud Resources	12
China Petroleum and Chemical Corp.	34	National Titanium Dioxide Co.	25	Wolkem	14
Consolidated Rutile Ltd	27	New World Resource	10	Xinyu Abrasives Co. Ltd	33
Derivados des Fluor	17	Nitro Quimica Brasileira	17	Zibo Nanhan Fluoride	17
DFD Chemical Co.	17				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.:	85834316
Application Filing Date:	January 28, 2013
Mark:	MAGNESITA
Applicant:	Magnesita Refractories Company
Attorney Ref:	MAGN6029/TJM

DECLARATION OF GROSS SALES IN 2014

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

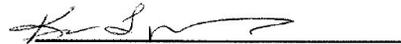
Madam:

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any registration resulting therefrom, declares that:

1. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.
2. The gross sales of refractory products associated with the trademark MAGNESITA from January 1 to December 31, 2014 were in excess of US\$220,000,000 for domestic production.

Respectfully signed,

Date: May 6, 2015



Kelly L. Myers
General Counsel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.:	85834316
Application Filing Date:	January 28, 2013
Mark:	MAGNESITA
Applicant:	Magnesita Refractories Company
Attorney Ref:	MAGN6029/TJM

DECLARATION ABOUT EXCLUSIVE USE

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

Madam:

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any registration resulting therefrom, declares that:

1. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.
2. I have conducted searches on the Internet for web pages that offer refractory products for sale in the United States.
3. The attached exhibits are based on these searches, and accurately reflect the web page at the address at the top, and at the date and time shown at the lower right of each exhibit.

DECLARATION ABOUT EXCLUSIVE USE

U.S. Application No. 85834316

4. The attached Exhibit A shows at least the top of a web page at the alliedmineral.com website. Allied Mineral Products appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms “castable refractories,” and “precast refractory shapes.” I did not observe any use of the term “magnesita” at this website.
5. The attached Exhibit B shows an image of a search for “magnesita” at the alliedmineral.com website.
6. The attached Exhibit C shows at least the top of a web page at the zircoa.com website. Zircoa appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "refractory brick." I did not observe any use of the term "magnesita" at this website.
7. The attached Exhibit D shows at least the top of a web page at the bnzmaterials.com website. BNZ Materials, Inc. appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "insulating firebrick." I did not observe any use of the term "magnesita" at this website.
8. The attached Exhibit E shows at least the top of a web page at the ssfbs.com website. Smith-Sharpe Fire Brick Supply appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "fire brick." I did not observe any use of the term "magnesita" at this website.
9. The attached Exhibit F shows at least the top of a web page at the alsey.com website. Alsey refractories co. appears to market refractory products. I reviewed at least a portion of the

DECLARATION ABOUT EXCLUSIVE USE

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website and observed use of the generic terms "firebrick," "mortar" and "castable." I did not observe any use of the term "magnesita" at this website.

10. The attached Exhibit G shows at least the top of a web page at the heatstoprefractorymortar.com website. Heat Stop appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "refractory mortar" and "firebrick." I did not observe any use of the term "magnesita" at this website.
11. The attached Exhibit H shows at least the top of a web page at the axner.com website. Axner appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "refractory brick" and "firebrick." I did not observe any use of the term "magnesita" at this website.
12. The attached Exhibit I shows at least the top of a web page at the firebrickengineers.com website. Fire Brick Engineers Company appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "refractory products" and "fire brick." I did not observe any use of the term "magnesita" at this website.
13. The attached Exhibit J shows at least the top of a web page at the morganthermalceramics.com website. Morgan Advanced Materials appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "fire brick," and "firebrick." I did not observe any use of the term "magnesita" at this website.

DECLARATION ABOUT EXCLUSIVE USE

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14. The attached Exhibit K shows an image of a search for “magnesita” at the morganothermalceramics.com website.
15. The attached Exhibit L shows at least the top of a web page at the ortonceramic.com website. Orton to market testing of refractory products. I reviewed at least a portion of the website and observed use of the generic terms “refractory shapes,” “refractory brick” and “refractory materials.” I did not observe any use of the term “magnesita” at this website.
16. The attached Exhibit M shows at least the top of a web page at the tflhouston.com website. TFL Incorporated appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms “firebrick,” and “refractories.” I did not observe any use of the term “magnesita” at this website.
17. The attached Exhibit N shows an image of a search for “magnesita” at the tflhouston.com website.
18. The attached Exhibit O shows at least the top of a web page at the hitempincusa.com website. Hi Temp Refractories to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms “firebrick,” and “castables.” I did not observe any use of the term “magnesita” at this website.
19. The attached Exhibit P shows at least the top of a web page at the louisvillefirebrick.com website. Louisville Firebrick appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms “firebrick,” and “refractory brick.” I did not observe any use of the term “magnesita” at this website.

DECLARATION ABOUT EXCLUSIVE USE

U.S. Application No. 85834316

20. The attached Exhibit Q shows at least the top of a web page at the kandg.net website. K&G Industrial Services appears to market the installation of refractory products. I reviewed at least a portion of the website and observed use of the generic term “refractory brick.” I did not observe any use of the term “magnesita” at this website.
21. The attached Exhibit R shows at least the top of a web page at the firebricks.com website. Firebricks appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “refractory bricks.” I did not observe any use of the term “magnesita” at this website.
22. The attached Exhibit S shows at least the top of a web page at the elginbutler.com website. Elgin Butler appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “fire brick.” I did not observe any use of the term “magnesita” at this website.
23. The attached Exhibit T shows at least the top of a web page at the larkinrefractory.com website. Larkin Refractory Solutions appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “fire brick.” I did not observe any use of the term “magnesita” at this website.
24. The attached Exhibit U shows at least the top of the Terminology page at the larkinrefractory.com website. I observed use of the generic term “fire brick.” I did not observe any use of the term “magnesita” at this website.
25. The attached Exhibit V shows at least the top of a web page at the vitcas.com website. Vitcas appears to market refractory products. I reviewed at least a portion of the website and

DECLARATION ABOUT EXCLUSIVE USE

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observed use of the generic terms “fire brick,” and “firebrick.” I did not observe any use of the term “magnesita” at this website.

26. The attached Exhibit W shows an image of a search for “magnesita” at the vitcas.com website.
27. The attached Exhibit X shows at least the top of a web page at the nockrefractories.com website. The Nock Refractories Company appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “fire brick.” I did not observe any use of the term “magnesita” at this website.
28. The attached Exhibit Y shows at least the top of a web page at the nwironworks.com website. The Northwest Iron Works appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “fire brick.” I did not observe any use of the term “magnesita” at this website.
29. The attached Exhibit Z shows at least the top of a web page at the miamistoneinstallers.com website. Miami Stone Installers.com appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms “firebrick” and “fire brick.” I did not observe any use of the term “magnesita” at this website.
30. The attached Exhibit AA shows at least the top of a page at the lowes.com website. Lowe’s appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term “firebrick.” I did not observe any use of the term “magnesita” at this website.

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31. The attached Exhibit AB shows at least the top of a page at the homedepot.com website. The Home Depot appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "fire bricks." I did not observe any use of the term "magnesita" at this website.
32. The attached Exhibit AC shows at least the top of a page at the walmart.com website. Walmart appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "fire brick" and "firebrick." I did not observe any use of the term "magnesita" at this website.
33. The attached Exhibit AD shows an image of a search for "magnesita" at the walmart.com website.
34. The attached Exhibit AE shows at least the top of a page at the amazon.com website. Amazon appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic terms "fire brick" and "firebrick." I did not observe any use of the term "magnesita" at this website.
35. The attached Exhibit AF shows at least the top of a page at the rescoproducts.com website. RESCO Products, Inc. appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "brick." I did not observe any use of the term "magnesita" at this website.
36. The attached Exhibit AG shows at least the top of a page at the vesuvius.com website. Vesuvius appears to market refractory products. I reviewed at least a portion of the website

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and observed use of the generic term "brick." I did not observe any use of the term "magnesita" at this website.

37. The attached Exhibit AH shows at least the top of a page at the rhi-ag.com website. RHI appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "brick." I did not observe any use of the term "magnesita" at this website.

38. The attached Exhibit AI shows at least the top of a page at the hwr.com website. ANH Refractories appears to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "brick." I did not observe any use of the term "magnesita" at this website.

39. The attached Exhibit AJ shows at least the top of a page at the mineralstech.com website. Minerals Technology to market refractory products. I reviewed at least a portion of the website and observed use of the generic term "brick." I did not observe any use of the term "magnesita" at this website.

Respectfully signed,

Date: May 6, 2015

/Thomas J. Moore/

Thomas J. Moore
Owner's Attorney, Va. Bar Member

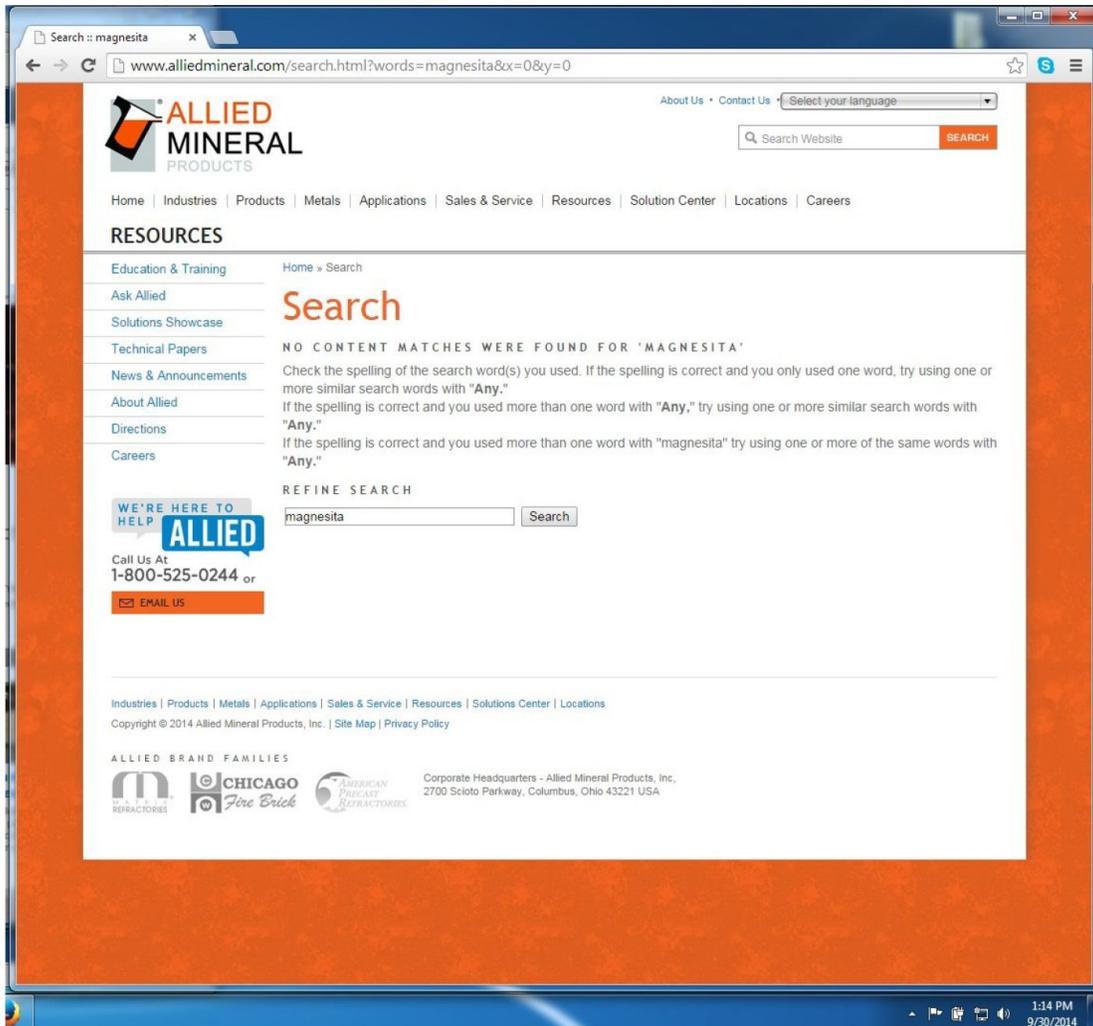
DECLARATION ABOUT EXCLUSIVE USE
U.S. Application No. 85834316

Exhibit A

The screenshot shows the Allied Mineral Products website. At the top, there is a navigation bar with the company logo, a search bar, and a language selection dropdown. Below the navigation bar is a horizontal menu with links for Home, Industries, Products, Metals, Applications, Sales & Service, Resources, Solution Center, Locations, and Careers. The main content area features a large banner with the text "producing SUCCESS" over a background image of molten metal. Below the banner is the heading "Refractory Products" and a sub-heading "Leading edge refractory technology drives Allied's product development." A paragraph of text follows, stating that new products with the latest technology are continually introduced and that Allied understands the need for value added, cost effective products. To the left of the main content is a vertical navigation menu listing various product categories: Castables, Dry Vibratables, Wet Rammables, Precast Shapes, Brick/Mortar, Gunning Materials, Plastics, Fiber, Mica, Installation Equipment, Minro Stir Pro Nozzles, and Minro Stir Pro Nozzle Kits. Below the navigation menu is a "Related Products" section. At the bottom left, there is a "WE'RE HERE TO HELP" call to action with the Allied logo, the phone number 1-800-525-0244, and an "EMAIL US" button. The bottom right of the page features a "PRODUCT SOLUTIONS" section with four columns, each containing an image and a brief description of a product type: Castable Refractories, Dry Vibratables, Wet Rammables, and Precast Refractory Shapes. The browser's address bar shows the URL www.alliedmineral.com/products.html, and the system tray at the bottom indicates the time is 1:12 PM on 9/30/2014.

**DECLARATION ABOUT EXCLUSIVE USE
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Exhibit B



DECLARATION ABOUT EXCLUSIVE USE

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Exhibit C

Zirconia Refractory Brick for High Temperature Insulation & Glass Contact

Contact a Product Specialist:

- USA Worldwide: [Tim Leitze](#) | (440)340-7216 | (440)240-0864 (Fax) | [Online Form](#)
- Europe, the Middle East, Africa: [Thomas Böhm](#) | +40-811-335497-22 | +40-811-335497-55 (Fax) | [Online Form](#)

Distributors:

- India, Sri Lanka, Bangladesh & Pakistan: [Dynatec Sales](#) | +91-22-28612404 | +91-22-28631652 (Fax)

Other Resources: [Ring Calculator](#)

Select Language: [English](#) | [Chinese](#) | Powered by Google Translate

Refractory Brick Engineered for Mortar-free and Self-supporting Structures in High Temperature Cycling Environments

Refractory Brick are engineered to satisfy your specific insulating or melting requirements and deliver long-term service. Calcia or yttria stabilized Zirconium Oxide pressed or tongue and groove bricks stand-up to temperatures of 2000°C and beyond. Compositions Markets served include: quartz and laser crystal growth, glass, refractory metals, carbon black and high temperature furnaces.

REFRACTORY BRICK – TONGUE AND GROOVE

Zirconia's tongue and groove bricks are designed for the building of self-supporting structures. Their design and calcia or yttria stabilized zirconia composition makes them ideal for high temperature cycling* environments.

Using Zirconia's tongue and groove brick eliminates line of sight radiation, and adds physical stability to the structure. Rings and circles, with an ID as small as 6" can be achieved. Applications include heat shields, furnace roofs and linings.

Ring Calculator - Our [online calculator](#) can help you determine the quantity of Zirconia 2" high arch and straight tongue and groove bricks required to construct 6" to 72" diameter rings.

* Controlled heat-up and cool-down are important for long life.

REFRACTORY BRICK – STANDARD

Standard refractory bricks (left) are used primarily for custom high-temperature furnace linings, supports and heat shields. Zirconia's standard bricks withstand operating temperatures greater than 2000°C (3630°F) with capacity to spare. Quartz melting and synthetic crystal growing are typical applications.

SPECIFICATIONS

MSDS for Refractory Brick

Follow the composition number links for the corresponding MSDS.

- [Composition 108](#)
- [Composition 0971](#)
- [Composition 0872](#)
- [Composition 0890](#)
- [Composition 0125](#)
- [Composition 1593](#)
- [Composition 1651](#)
- [Composition 1899](#)
- [Composition 1958](#)
- [Composition 2230](#)
- [Composition 3001](#)
- [Composition 3004](#)

Heat Transfer of Pressed Brick (Composition 1651)

Dense Brick – 4.45 g/cm³ (278 lbs./ft.³)
Hot Face – 5 hours exposure at 1980°C (3600°F)

51 mm (2") Thick Brick	Hot Face	Cold Face	Cold Face Grog
No grog backup	1980°C (3600°F)	704°C (1300°F)	—
26mm (1") grog backup	1980°C (3600°F)	1149°C (2109°F)	538°C (1009°F)
51mm (2")	1980°C (3600°F)	1333°C (2427°F)	620°C (1148°F)

DECLARATION ABOUT EXCLUSIVE USE

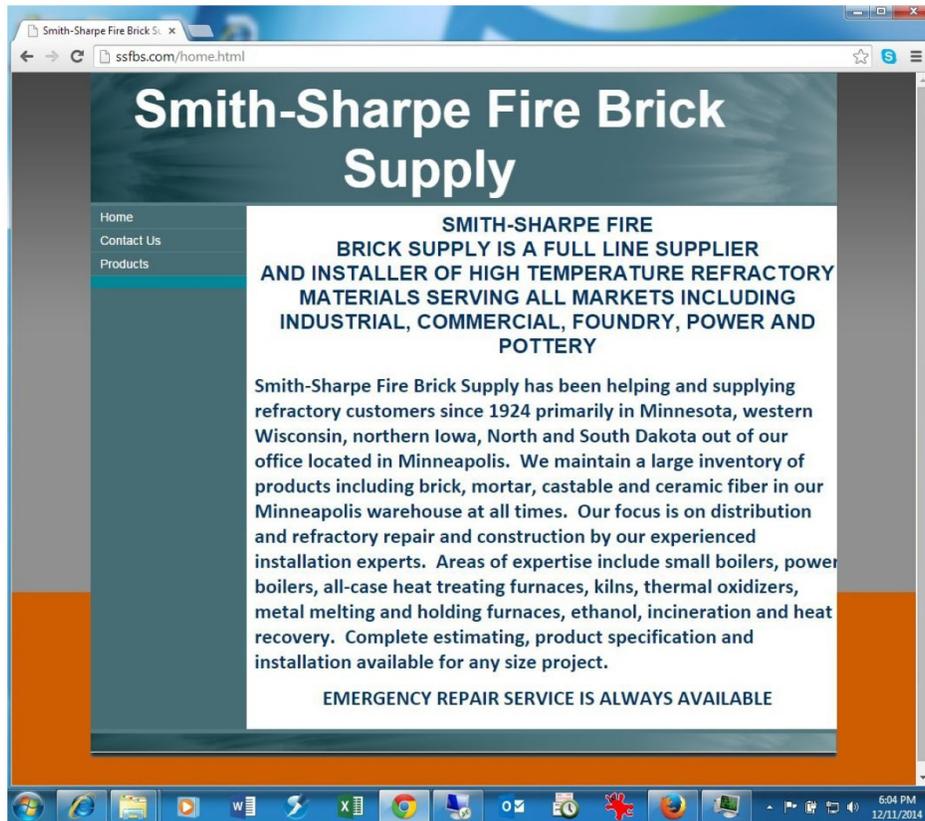
U.S. Application No. 85834316

Exhibit D

The screenshot displays the website for BNZ Insulating Firebrick. The page features a navigation menu with categories like HOME, INSULATING FIREBRICK, INSULATING AGGREGATES, MARINITE, TRANSITE, CASTABLES, CEMENT, and MORTARS. The main content area is titled 'Insulating Firebricks' and includes a sub-section 'Insulating Firebricks' with a description of the product and a link to download the IFB Summary Data Sheet. Below this, there are three columns of product information: 'BNZ Standard ASTM Grade', 'BNZ Specialty Grade', and 'Plemet France IFB Grades'. Each column lists various grades and provides links to their respective IFB DATA and MSDS documents. The 'Advantages of IFB' section is also visible, detailing benefits such as high insulating value, strength, low heat storage, high purity, and accurate dimensions. The website footer shows the date 12/21/2014 and the time 5:38 PM.

**DECLARATION ABOUT EXCLUSIVE USE
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Exhibit E



DECLARATION ABOUT EXCLUSIVE USE

U.S. Application No. 85834316

Exhibit F

High Duty Firebrick | Product

alsey.com/products/high-duty-firebrick/

VIEW FULL PRODUCT INVENTORY

Private Branding Industrial Products Residential Products Resources Contact Employment

Industrial Products

- Medium Duty Firebrick
- High Duty Firebrick
- Super Duty Firebrick
- Castable
- High Duty Grog
- Dry Milled Fireclay
- Super Duty Mortar
- High Alumina Mortar

Industrial MSDS & Product Data Sheet Downloads

Related Products:

- Super Duty Mortar
- Residential Mortar - Indoor
- Refractory Castable

Jet D.P. High Duty Firebrick

High duty dry press firebrick from Alsey Refractories Company.

Product Details

9 x 4 1/2 x 2 1/2" Series

Inventory Number	Size & Shape	Number Per Pallet	Piece Weight (lb.)
J1046	9x2 1/2x1 1/2" Soap Split	1776	2.03
J1000	9x2 1/2x2 1/2" Soap	912	3.85
J1041	9x3 1/2x1 1/2" Small Split	902	3.75
J1005	9x3 1/2x2 1/2" Small Straight	608	5.9
J1045	9x4 1/2x1" Split	1122	3.05
J1001	9x4 1/2x1 1/2" #1 Split	888	3.9
J1003	9x4 1/2x1 1/2" Split	744	4.55
J1004	9x4 1/2x2" #2 Split	552	6.2
J1042	9x(4 1/2-4)x2" #2 Split #1 Key	572	5.9
J1006	9x4 1/2x2 1/2" Straight	456	7.7
J1008	9x4 1/2x(2 1/2-2 3/4)" #1 Arch	486	7
J1009	9x4 1/2x(2 1/2-1 3/4)" #2 Arch	588	6.4
J1010	9x4 1/2x(2 1/2-1)" #3 Arch	630	5
J1012	9x(4 1/2-4)x2 1/2" #1 Key	484	7.1
J1013	9x(4 1/2-3 3/4)x2 1/2" #2 Key	516	6.7
J1043	9x(4 1/2-3 3/4)x2 1/2" #2-X Key	484	7.4
J1014	9x(4 1/2-3)x2 1/2" #3 Key	562	6.42
J1015	9x(4 1/2-2 1/4)x2 1/2" #4 Key	616	5.78
J1016	9x4 1/2x(2 1/2-2 1/4)" #1-X Wedge	486	7.2
J1017	9x4 1/2x(2 1/2-2 3/4)" #1 Wedge	516	6.6
J1018	9x4 1/2x(2 1/2-1 1/4)" #2 Wedge	546	6.3

6:38 PM 12/11/2014

DECLARATION ABOUT EXCLUSIVE USE
U.S. Application No. 85834316

Exhibit G

The screenshot shows a web browser window with the URL www.heatstoprefractorymortar.com/products.php. The website features a navigation menu with links for HOME, ARCHITECTS, CONTRACTORS, MASONS/DIY, PRODUCTS, FAQs, DEALERS, ABOUT US, CONTACT US, and ORDER. The main content area is titled "Products" and displays five product categories, each with a representative image and a brief description:

- HEAT STOP II & HEAT STOP 50**: For all fireplace, chimney, and bake oven mortar needs. Non water soluble.
- HEAT STOP PREMIXED**: For installing firebrick in fireplaces, boilers, incinerators, furnaces, kilns, etc. Also available in beige.
- HEATCAST 40**: For casting special shapes for woodstoves, hearths, sidewalls and other high temperature applications.
- INSUL STICK**: Combines insulation and strength. Apply over other brick, seal masonry wall penetrations, and more.
- INSUL CAST DELTA CRETE**: For backup insulating in any masonry application. Ideal for bread and pizza ovens.

Below the product list, there is a section titled "Ideal for Firebrick and Clay Flue Installation, Repairs and Restoration". The text states: "We have been actively involved for decades with leading industry organizations advocating building codes for quality, fire-safe construction of masonry fireplaces and chimneys. If you have any questions about the uses and requirements of refractory mortar, we can provide the expertise and support needed to ensure code compliance and deliver the most appropriate fire-safe, quality products possible." It also notes: "All Heat Stop products are tested very extensively. Heat Stop® resists temperatures well above 2000°F, assuring code compliance and a quality installation."

Heat Stop® products can be used anywhere refractory mortar is required in:

- Fireplaces
- Incinerators
- Crematories

The bottom of the screenshot shows a video player with the title "Heat Stop Premixed & Domestic Fireplace Mortar" and a play button icon. The system tray at the bottom right indicates the time is 6:11 PM on 12/13/2014.

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U.S. Application No. 85834316

Exhibit H

The screenshot displays the Axner Pottery Supply website interface. The browser address bar shows the URL www.axner.com/refractory-brick-and-blanket.aspx. The website header includes the Axner Pottery Supply logo, a search bar, and navigation links for Account, Tracking, and CART/CHECKOUT. A navigation menu at the top lists categories such as PRODUCT SUPPORT, ABOUT AXNER, POLICIES, SHOWROOM/CONTACT INFO, EQUIPMENT LEASING, LINKS, and CLOSEOUT SPECIALS. The main content area is titled "Refractory brick, blanket" and displays a list of products with their respective images, descriptions, and prices. The left sidebar contains a "PRODUCT CATEGORIES" menu with sub-sections for Clays, Glazes, Slips, Raw Materials, Plaster and Mold Making, Equipment, Pugmills, Clay Mixers, Potter's Wheels, and Potters Wheel by Brand.

www.axner.com
pottery supply
a member of Laguna Clay Company

Welcome! Sign in to access your account.

\$10 Minimum Order Amount on all Axner.com orders.

Account Tracking CART/CHECKOUT

PRODUCT SUPPORT ABOUT AXNER POLICIES SHOWROOM/CONTACT INFO EQUIPMENT LEASING LINKS CLOSEOUT SPECIALS

Home > Refractories & Firing > Refractory brick, blanket

Refractory brick, blanket

Displaying products 1 - 7 of 7 results

Show: 25 Sort: Default

Soft Straight K-23 Firebrick
Quantity Discounts Available
Soft insulating bricks are used for general kiln construction because they are lightweight and easy to cut without the use of special saws or tools. Each brick measures 9.0"x4.5"x2.5". Rated to 2300°F
Axner Price: \$4.60
ADD TO CART VIEW

Soft Straight K-26 Firebrick
Quantity Discounts Available
Soft insulating bricks are used for general kiln construction because they are lightweight and easy to cut without the use of special saws or tools. Each brick measures 9.0"x4.5"x2.5". Rated to 2600°F
Axner Price: \$5.80
ADD TO CART VIEW

Hard Straight Firebrick
Quantity Discounts Available
Hard refractory bricks are used where the most demanding applications are anticipated. Each brick measures 9.0"x4.5"x2.5". Rated to 3000°F
Axner Price: \$7.05
ADD TO CART VIEW

Porcelain Prop
A flexible ceramic fiber product. It may be used to support pieces in firing - simply pack the Porcelain Prop tightly under appendages or areas which may collapse or warp. Can be fired to Cone 10 and is re-usable. 12"x12"x1".
Axner Price: \$3.50
ADD TO CART VIEW

Clays...
Earthenware
Mid-Range - Stoneware/Porcelain
Highfire - Stoneware/Porcelain
Slip
Paper Clay
Air Dry Clay
Colored Porcelain

Glazes...
Laguna Prepared Glaze
Laguna Underglazes
Laguna Dry Glaze
Overglaze Pens
Underglaze Pens
Underglaze Pencils
AMACO Velvets
Spectrum Glaze
Opulence Glaze
Stains
Metallic Lustres

Slips...
Porcelain Slip
Earthenware Low Fire Slip
Stoneware Slip
Slip Tools

Raw Materials...
Oxides, Stains and Dyes
Liquid Materials
Dry Raw Materials
Material Storage Solutions

Plaster and Mold Making...
Pottery Plaster
Body Molding Kits
Mold Release Materials
Liquid Latex
Alginate
Plaster Bandages

Equipment...
Pugmills, Clay Mixers

Potter's Wheels...
Electric Potters Wheels
Table Top Potters Wheels
Potters Kickwheels

Potters Wheel by Brand...
Axner Potters Wheels
Pacifica Potters Wheels
Brent Potters Wheels
Lockerbie Pottery Kick Wheels
Laguna Pottery Kick Wheels
Shimpo Potters Wheels
Skutt/Thomas Stuart Potters

6:16 PM
12/13/2014

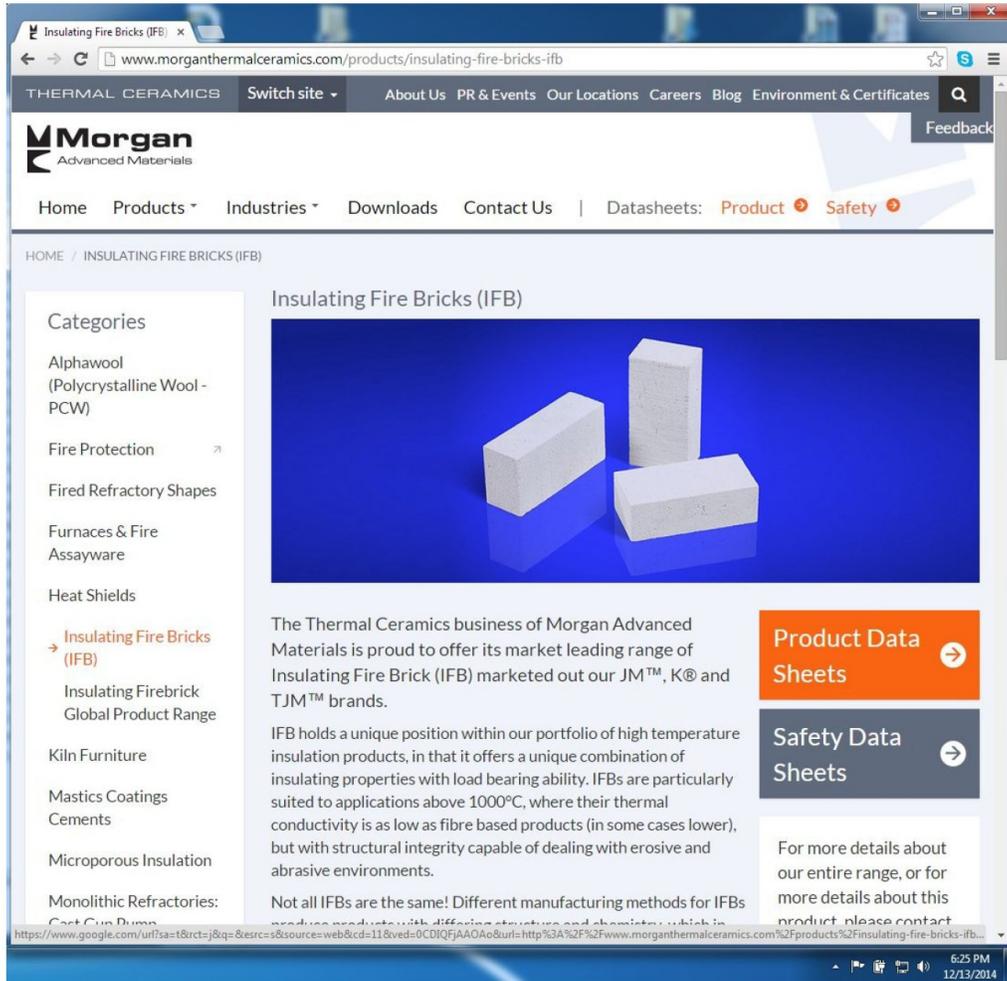
DECLARATION ABOUT EXCLUSIVE USE
U.S. Application No. 85834316

Exhibit I



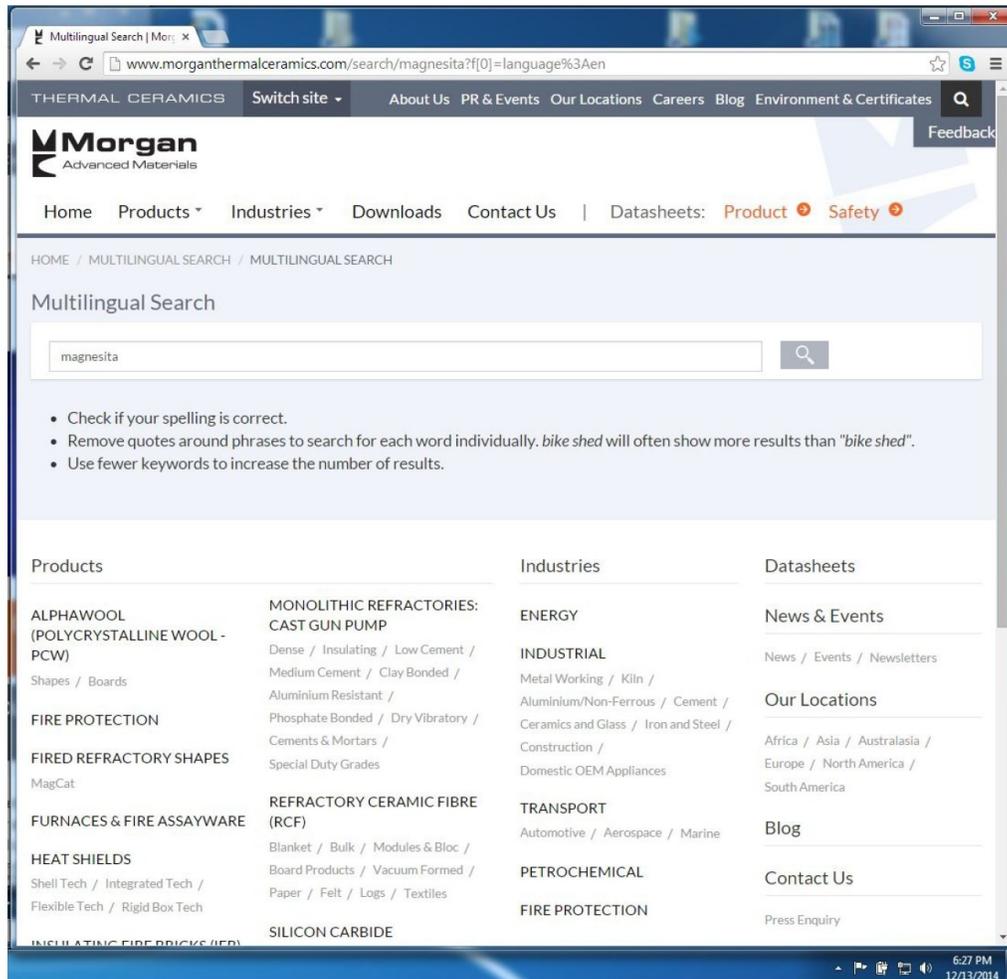
DECLARATION ABOUT EXCLUSIVE USE
U.S. Application No. 85834316

Exhibit J



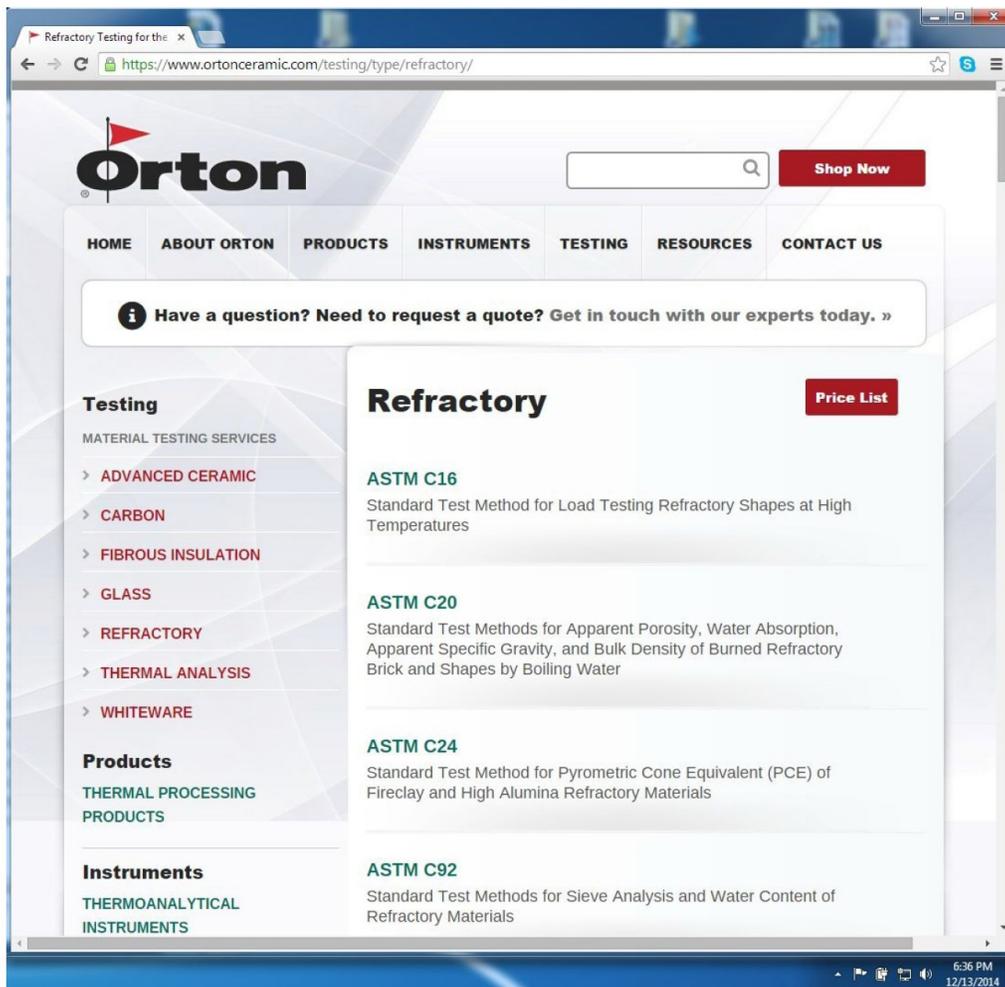
DECLARATION ABOUT EXCLUSIVE USE U.S. Application No. 85834316

Exhibit K



DECLARATION ABOUT EXCLUSIVE USE
U.S. Application No. 85834316

Exhibit L



DECLARATION ABOUT EXCLUSIVE USE U.S. Application No. 85834316

Exhibit M

www.tflhouston.com/refractories/insulating-firebrick.php?gclid=CJSY4dKYxMICFaFr7AodnwMALQ

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Precast Shapes Refractories Anchors Convey-it System® Services

Pli-Bric Insulating Firebrick

As a complement to our line of Plibrico monolithic refractories, TFL now offers Pli-Bric insulating firebrick. When your refractory lining calls for both a dense hot-face lining, along with a lightweight insulating backup lining, we can easily fulfill your needs for both.

Pli-Bric
Insulating Firebrick

Product Name	%Al ₂ O ₃	Service Limit	SDS
Pli-Bric IFB 23	42%	2300F / 1260C	
Pli-Bric IFB 26	40%	2600F / 1430C	
Pli-Bric IFB 28	67%	2800F / 1540C	
Pli-Bric IFB 30	70%	3000F / 1650C	

Contact us to request our Product Data Sheets.
Learn more about Plibrico Company LLC.

Refractories
Plibrico Refractories
Monolithic Refractories
Insulating Firebrick
Technical Data
MAFTEC High-Temp Insulation
STELBOLT
TFL Refractories

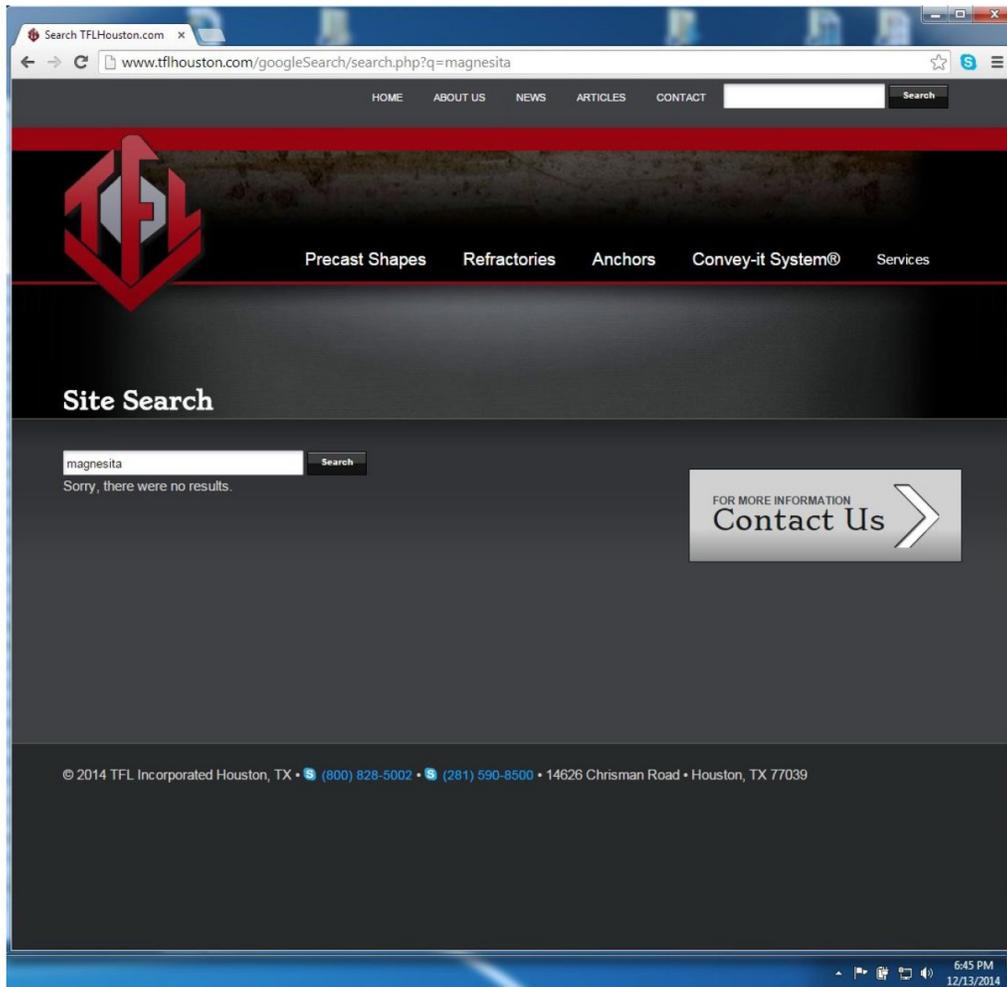
FOR MORE INFORMATION
Contact Us

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6:41 PM
12/13/2014

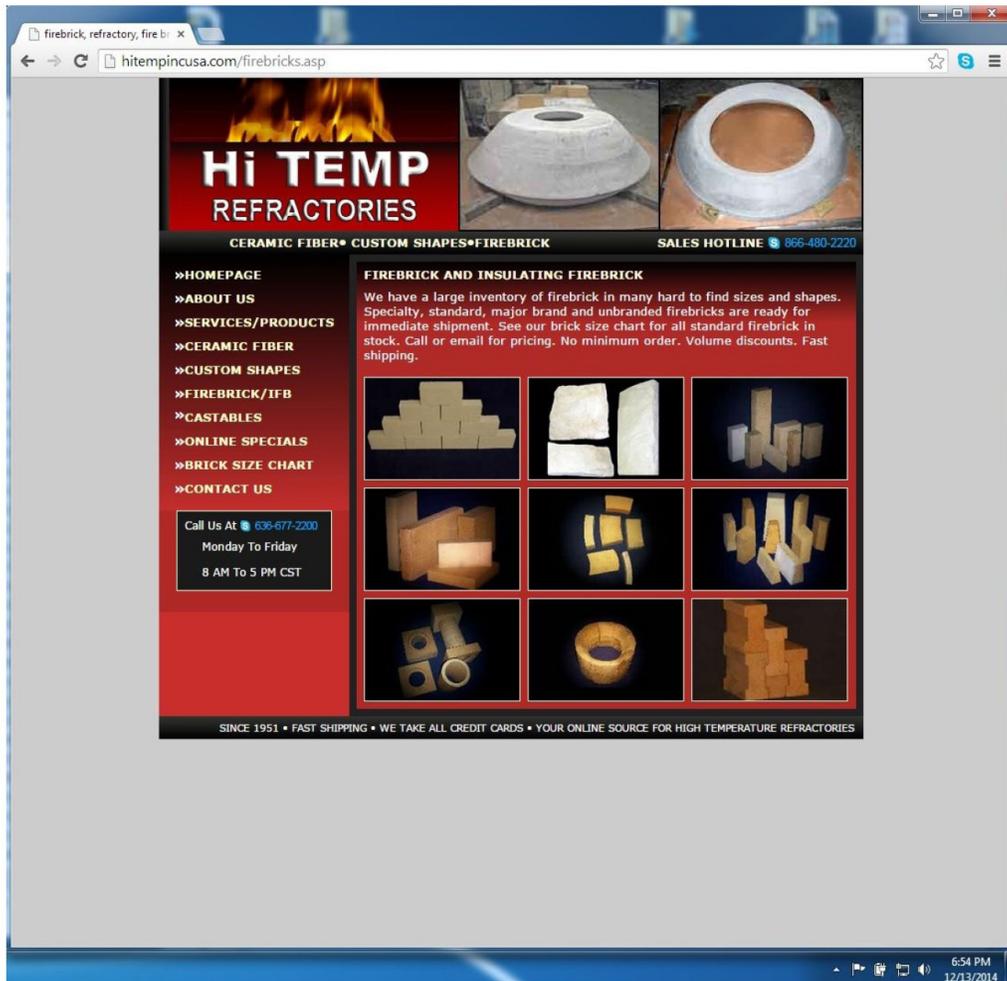
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Exhibit N



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Exhibit O



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Exhibit P

The screenshot shows a web browser window with the URL www.louisvillefirebrick.com/manufacturing.htm. The page features the Louisville Firebrick logo at the top, which includes the text "Louisville Firebrick" and "Manufactures all types of High Duty and Super Duty Refractory Bricks, Tiles and Difficult Shapes". Below the logo is a section titled "MANUFACTURING CAPABILITIES".

Fire Brick

- High Duty (Louisville)
- Super Duty (Derby)
- Medium Duty (Grahn)
- 70% Alumina
- 80% Alumina
- Acid
- Phos Bonded
- Slag Resistant
- Low Porosity
- Arches
- Wedges
- Keys
- Splits
- Circle Brick
- RKB
- Acid
- Anchor Tile
- Square Edge Tile
- Ship Lap Tile
- And many more....

Boiler Shapes

- Throat Tile
- Liners
- Burner Tiles
- Tube Tiles
- Ship Lap Tile
- Anchor Tile
- Various shapes and sizes of all types

Boiler Shapes

- Burner Blocks
- Boiler Tile
- Pier Blocks
- Deltas
- Tundish
- Pre-Heat Ladle
- Lances
- Impact Pads

Miscellaneous

- Crucible
- Heating Elements
- Thermo Couple

Louisville Fire Brick is proud To be a distributor for the Following:

- Thermal Ceramics

The page also includes several images of various firebrick products, such as a collection of different shapes and sizes, and a close-up of a specific brick shape.

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Exhibit Q

The screenshot displays a web browser window with the URL www.kandg.net/products-services/refractory-brick-installation/. The page features a yellow header with the K&G logo, a search bar, and a phone number: call 251-964-7440. A red navigation bar contains links for Home, About Us, Products & Services, Customers, Industries, and Contact. The main content area includes a grey box with the heading "K&G Industrial Services" and a welcome message. To the right is a photograph of a large industrial tunnel lined with refractory bricks. Below this is a section titled "Refractory Brick Installation" with descriptive text. The footer is red and contains navigation links and a copyright notice: © 2014 K&G Industrial Services, LLC. The system tray at the bottom right shows the time as 7:04 PM on 12/13/2014.

Refractory Brick Installation

SEARCH call 251-964-7440

K&G Industrial Services

Welcome to K&G, your best resource for Robotic Demolition Equipment, Refractory Brick Installation, Blastcrete Shotcrete & Gunite or Refractory Installation. Customers agree that the knowledgeable experts of K&G will get the job done right.

Refractory Brick Installation

Refractory brick installation is an area of specialty for K & G and we are prepared to lay brick in a range of rotary kilns. We use [brick types and specialty] for a variety of jobs. Further, our average installation rate is approximately 2 feet per hour on projects over 100 feet.

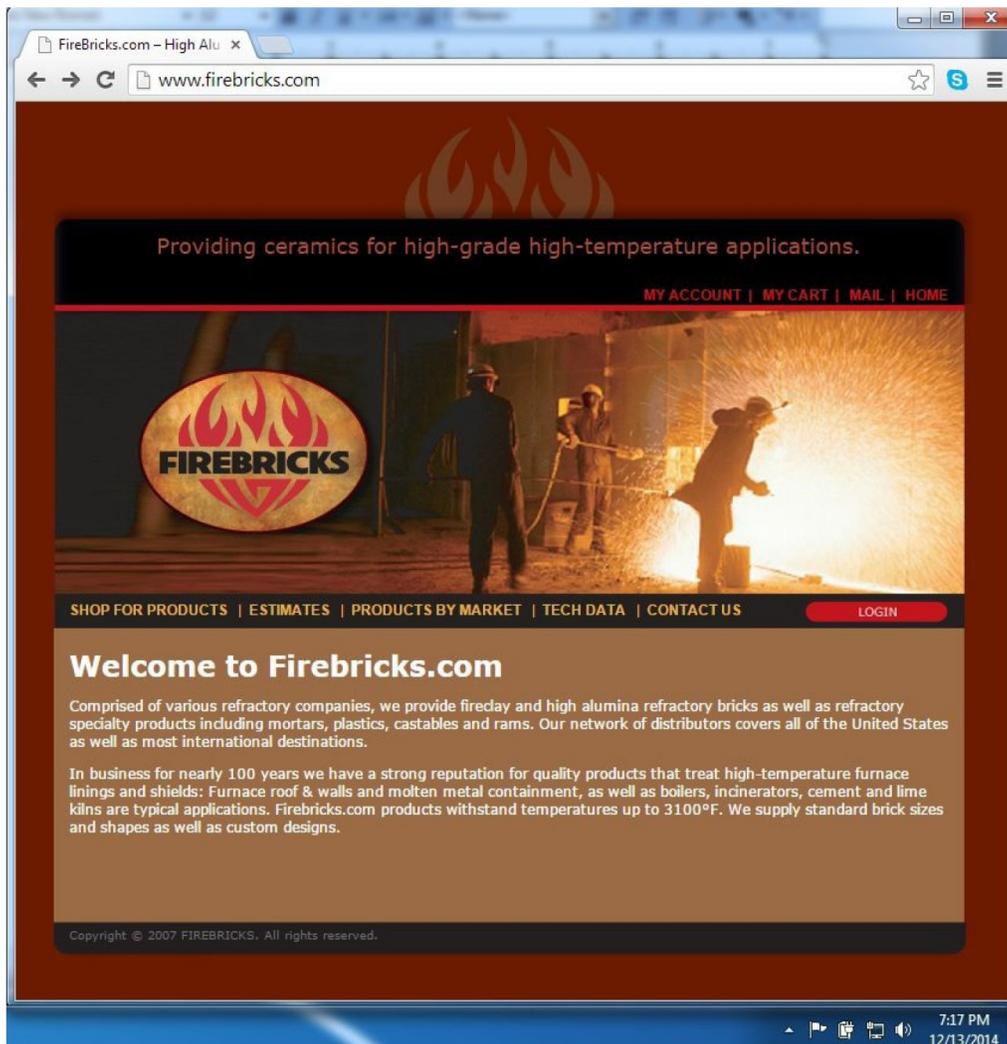
It is a priority for K & G to get customers in emergency projects back up and running as quickly as possible and our refractory brick installation and other services are fine tuned for maximum quality and efficiency.

Home Customers © 2014 K&G Industrial Services, LLC.
About Us Industries
Products & Services Contact Us

7:04 PM
12/13/2014

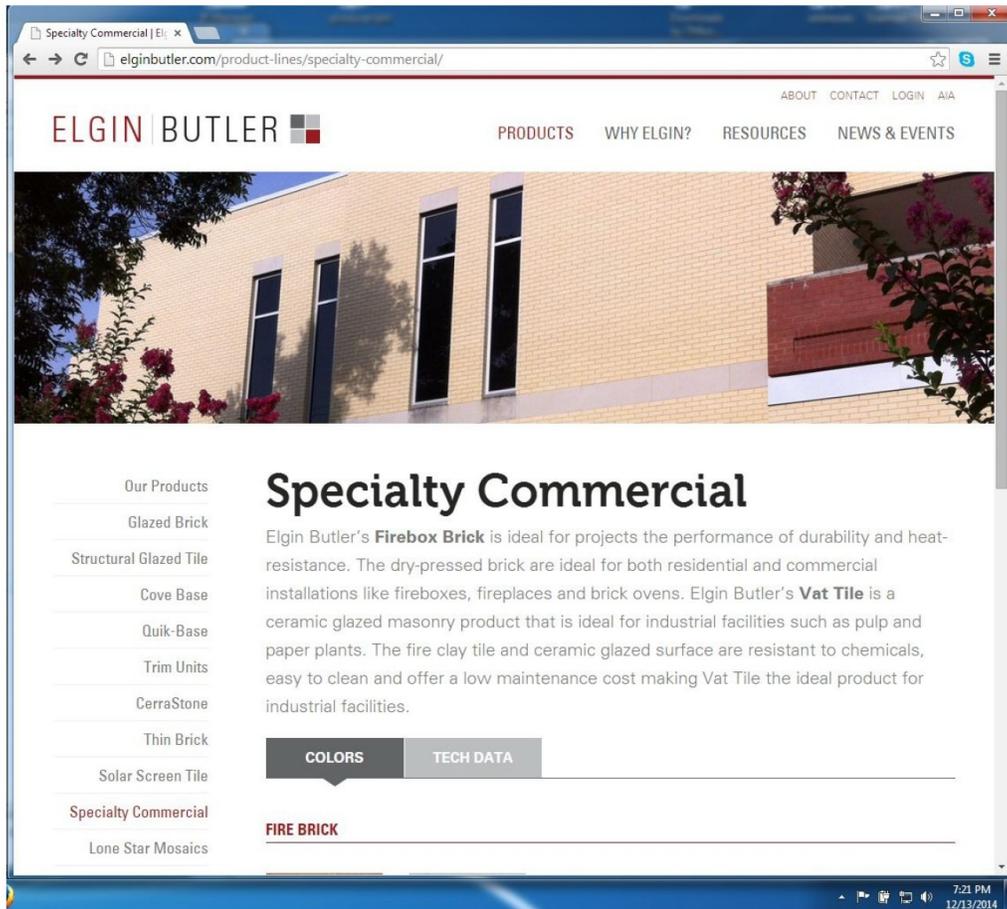
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Exhibit R



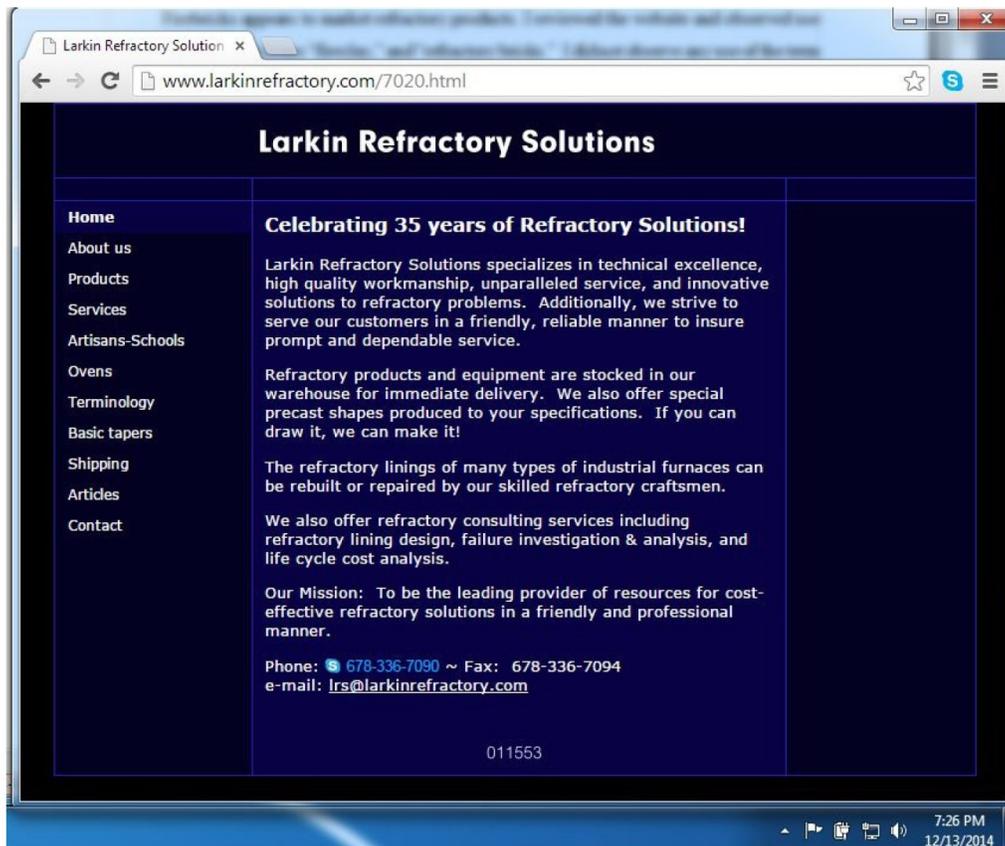
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Exhibit S



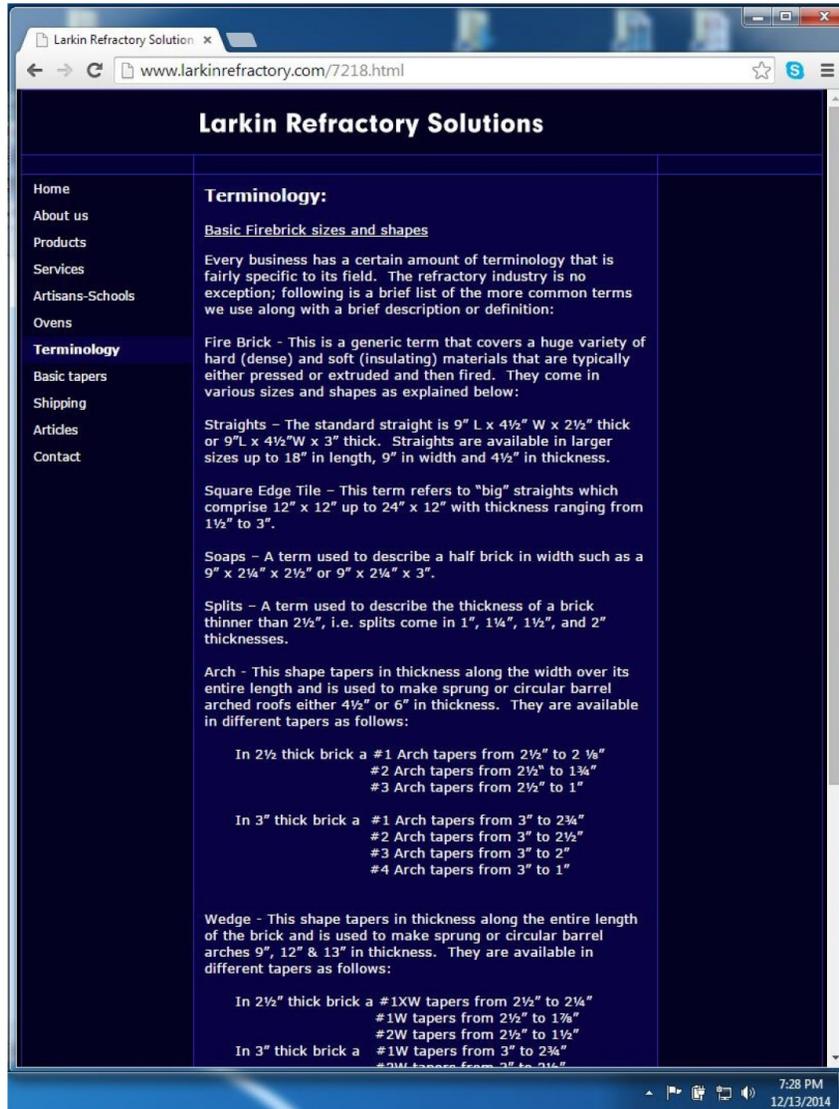
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Exhibit T



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Exhibit U



DECLARATION ABOUT EXCLUSIVE USE

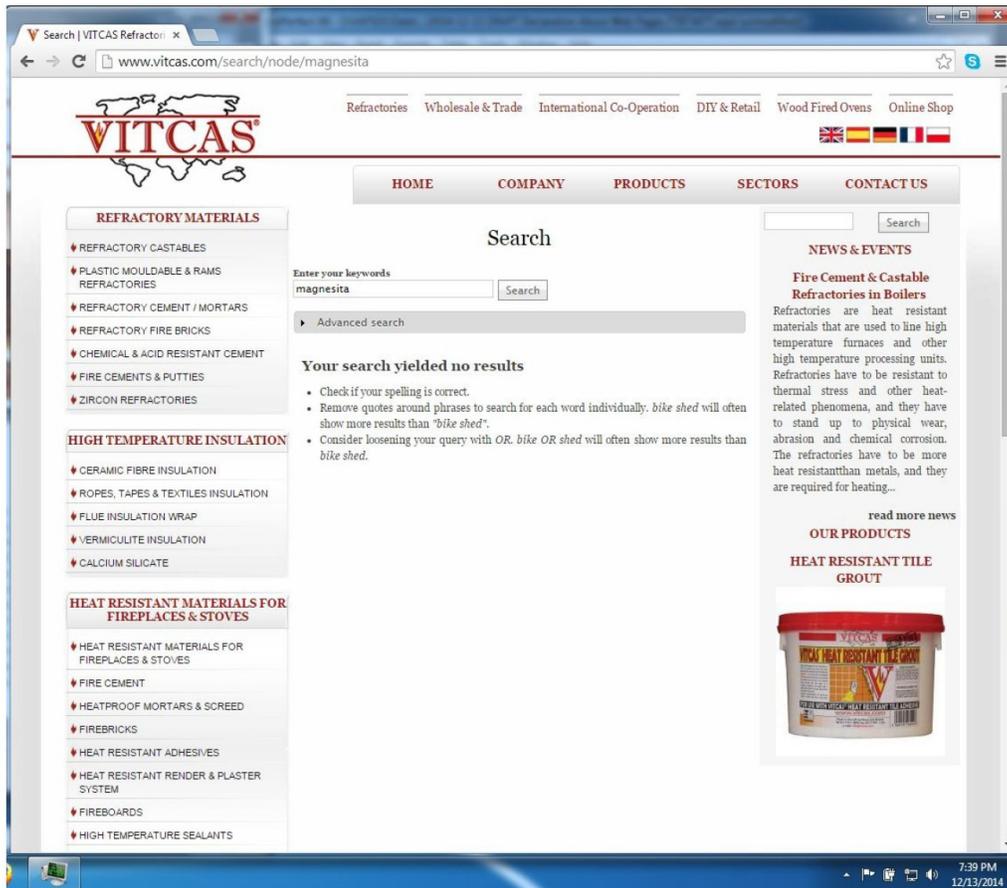
U.S. Application No. 85834316

Exhibit V

The screenshot shows a web browser window displaying the website www.vitcas.com/refractory-fire-bricks. The page layout includes a top navigation bar with links for Refractories, Wholesale & Trade, International Co-Operation, DIY & Retail, Wood Fired Ovens, and Online Shop. Below this is the Vitcas logo and a secondary navigation menu with links for HOME, COMPANY, PRODUCTS, SECTORS, and CONTACT US. The main content area features a large banner image of molten metal being poured, with the text "MANUFACTURER OF REFRACTORIES & HEAT RESISTANT MATERIALS" overlaid. To the left of the main text is a sidebar menu with categories: REFRACTORY MATERIALS (listing Refractory Castables, Plastic Mouldable & Rams Refractories, Refractory Cement / Mortars, Refractory Fire Bricks, Chemical & Acid Resistant Cement, Fire Cements & Putties, and Zircon Refractories) and HIGH TEMPERATURE INSULATION (listing Ceramic Fibre Insulation, Ropes, Tapes & Textiles Insulation, Flue Insulation Wrap, Vermiculite Insulation, and Calcium Silicate). The central text is titled "REFRACTORY FIRE BRICKS" and provides a detailed definition of a firebrick, its uses in furnaces and kilns, and its composition (30-40% alumina). Below the text is a small image of a person working with bricks. To the right, there is a "NEWS & EVENTS" section titled "Range of Adhesives for Fireboards" and a "OUR PRODUCTS" section titled "OUTDOOR OVEN CEMENT". The browser's taskbar at the bottom shows the time as 7:37 PM on 12/13/2014.

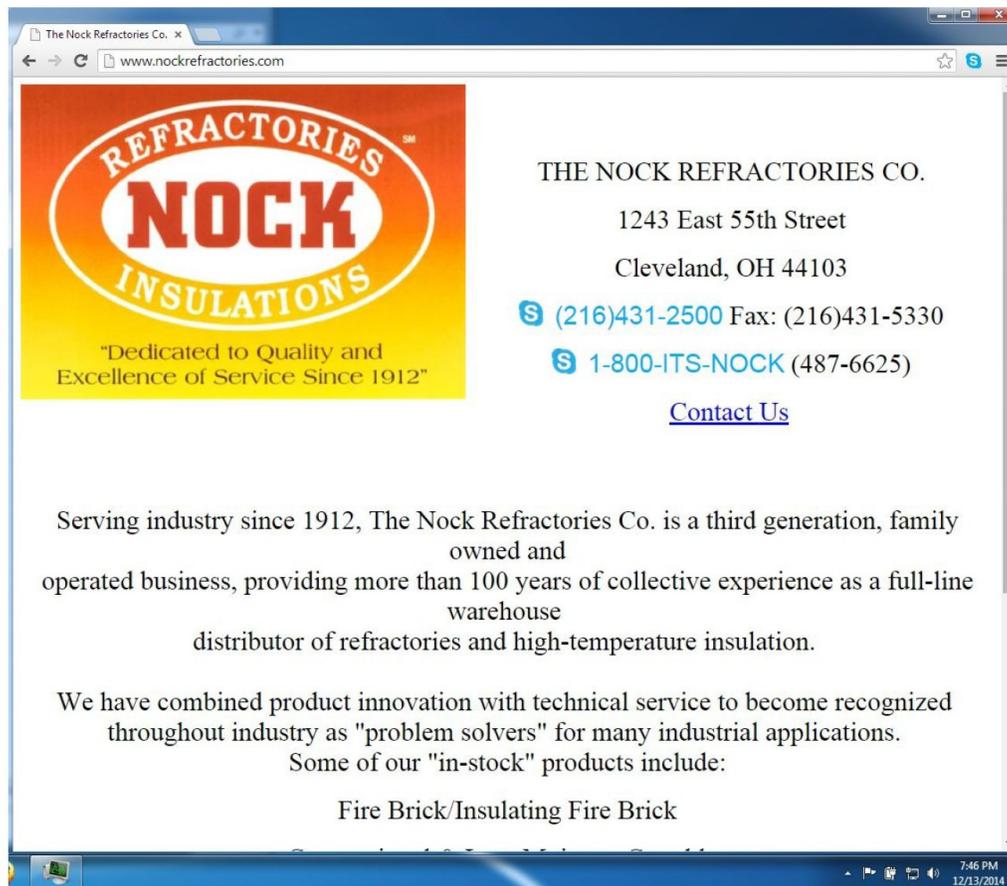
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Exhibit W



DECLARATION ABOUT EXCLUSIVE USE
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Exhibit X



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Exhibit Y

Refractory Supplies

www.nwironworks.com/refractory_supplies.htm#kiln_gasket_flat

Home Contact View Cart

Northwest Iron Works

Refractory Supplies

Northwest Iron Works offers the highest quality refractory supplies on the market today. The materials you see here are the same materials we use to build glassblowing equipment for our customers around the world. Listed below are the most commonly used products in the industry. Please don't hesitate to call us if you don't see what you need -- we have distributors worldwide and can get any type of high temp refractory you require.

Equipment

- Annealers - Front Loading
- Annealers - Top Loading
- Benches
- Control Panels
- Crack-off Barrels
- Furnaces
- Fusing Kilns
- Garages
- Glass Crack Off Machine
- Glory Holes
- Heat Shields
- Kiln Stands
- Marvering Tables
- Pipe Coolers
- Pipe Warmers
- Yoke Rollers
- Used Equipment

Tools

- Diamond Tooling
- Frameworking Tools
- Glass Safety Gear
- Glass/Metal Stamps
- Heat Resistant Clothing
- Cherrywood Blocks and Cork Tools

Parts and Supplies

- Blowers, Hardware and Accessories
- Burners
- Combustion Safety Systems
- Crucibles
- Elements
- Refractory Supplies
- Temperature Control

Services

- Custom Refractory Molds
- Refractory Repair
- Service

Insulating Fire Brick

- 2.5in x 4.5in x 9in
- 12 pieces per case
- Available in 4 different degree ratings
- Custom cutting service available. Call for details

Click below to view types/prices

[View Details](#)

Hard Brick

- Use around furnace openings and other areas that are subject to abrasion
- More durable than insulated fire brick
- Available in 3 sizes
- Custom cutting service available. Call for details

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Exhibit Z

The screenshot shows a web browser window displaying the website for Miami Stone Installers. The browser's address bar shows the URL www.miamistoneinstallers.com/fire_resistant_bricks.htm. The website header features the logo "MIAMI STONE Installers.com" and the text "FIREPLACES, BRICK WALLS & STONE VENEERS." To the right of the header, contact information is provided: "Tel: 786 355 3554" and "Showroom: 2800'S Flamingo Road, Davie FL, 33330". A navigation menu includes links for "Home", "What We Do", "Work Samples", "Contact Us", "Products", and "Locations".

The main content area is titled "Fire resistant bricks, Fire bricks and Refractory bricks for sale." Below this title, a paragraph states: "Fire resistant or refractory bricks are most commonly installed inside of fireplaces, fire pits, furnaces, boilers or other high temperature equipment to protect adjacent walls from the extreme heat." To the left of this text is an image of stacks of red fire bricks. To the right, a paragraph explains: "The firebrick you will find on this page is specifically formulated and processed to withstand the heating temperatures in a fireplace, pizza oven or a fire pit. They meet the requirements for ASTM C 1261." Below this is a highlighted yellow box containing the text: "We have the best price on refractory bricks in the Miami Dade-Broward area. Free delivery available!"

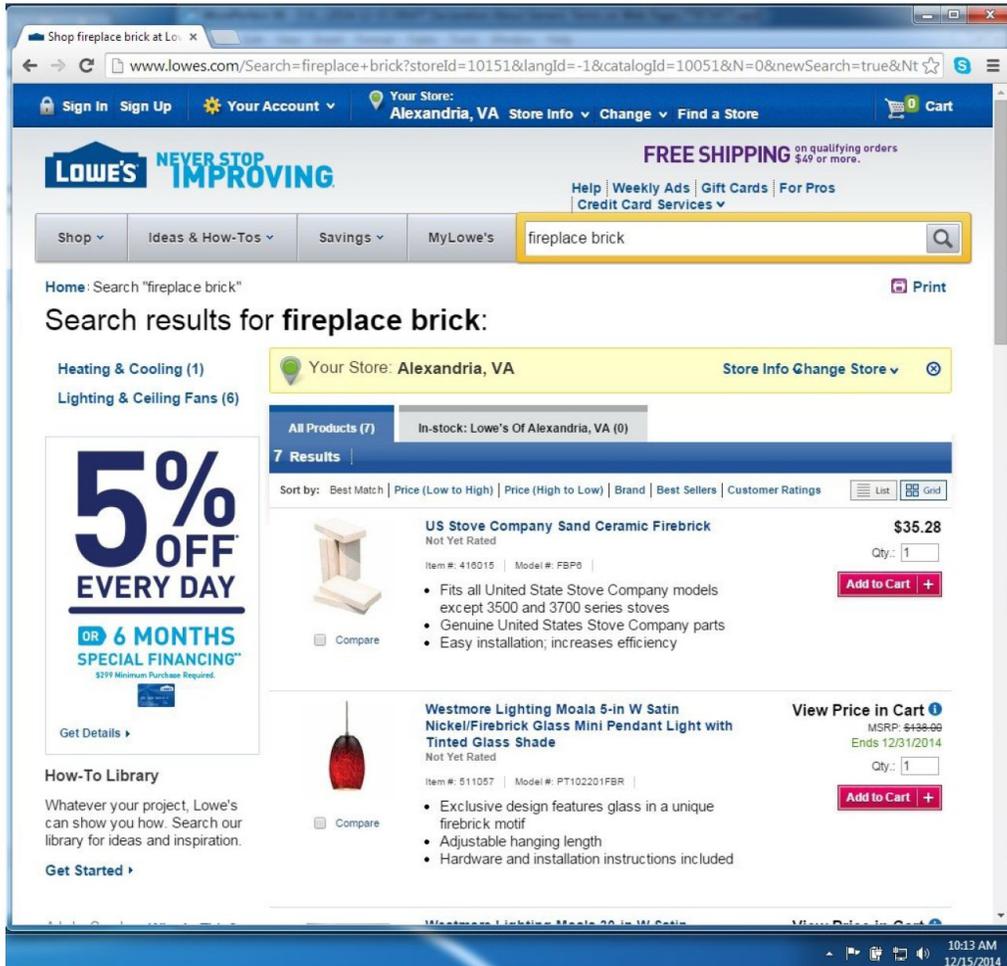
Further down, the text reads: "Our Miami based company has firebricks in two different colors and sizes. The following are the available fire bricks:" followed by "Kiln fire brick fireplace inserts:". Below this, four individual brick images are shown, each with its color and dimensions listed above it:

- Fire Brick White, 9" x 4" x 2 1/4"
- Fire Brick Red, 9" x 4" x 2 1/4"
- Fire Brick White, 9" x 4" x 1 1/4"
- Fire Brick Red, 9" x 4" x 1 1/4"

The bottom of the screenshot shows a Windows taskbar with the system clock indicating 7:59 PM on 12/13/2014.

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Exhibit AA



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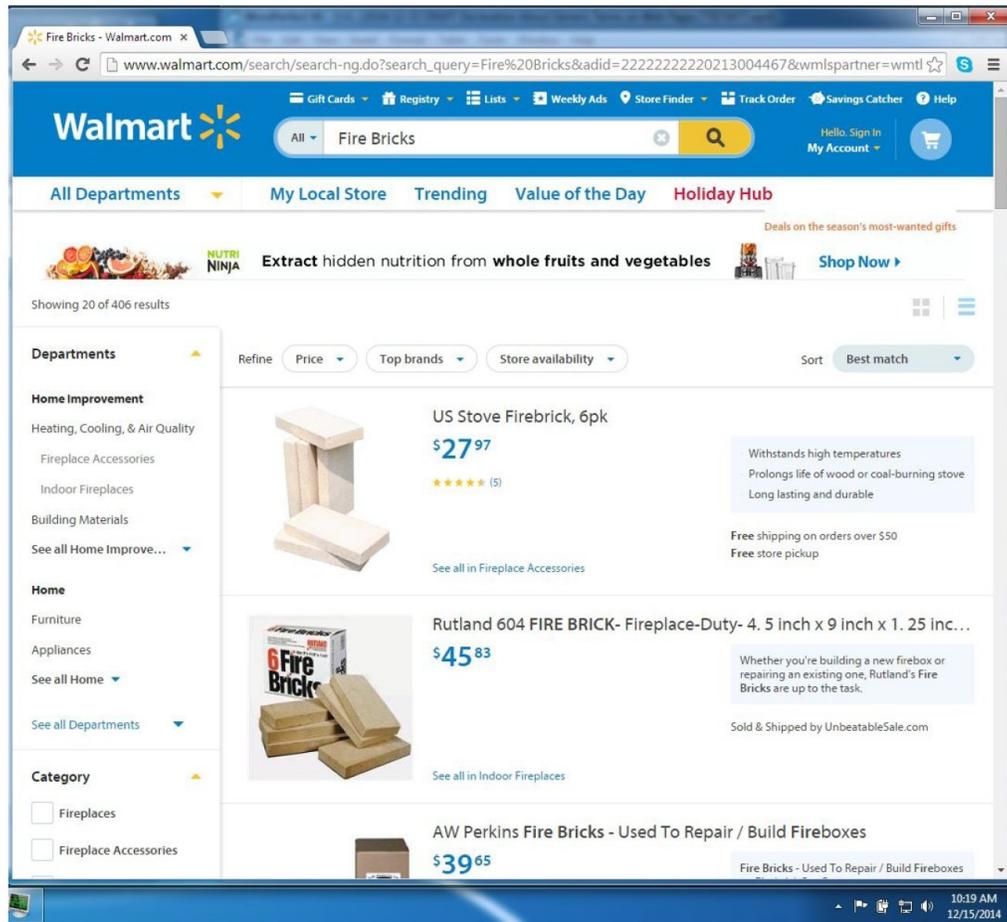
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Exhibit AB

The screenshot displays a web browser window showing the Home Depot product page for "US Stove Fire Bricks (6-Pack)". The browser's address bar shows the URL: www.homedepot.com/p/US-Stove-Fire-Bricks-6-Pack-FBP6/202516623?cm_mmc=Shopping%7cBase&gclid=COnwy9SryMICFS. The page features the Home Depot logo and navigation links such as "Tool & Truck Rental", "Installation Services and Repair", "Gift Cards", and "Help". A search bar is present with the text "What can we help you find?". The product is listed under the breadcrumb "Home > Heating, Venting & Cooling > Fireplace & Hearth > Fireplace Accessories". The product name is "US Stove | Model # FBP6 | Internet # 202516623 Fire Bricks (6-Pack)" with a 4.5-star rating and 54 reviews. The price is "\$27.97 / each". Shipping options include "Ship to Home FREE with \$45 Order" (Estimated Arrival: DEC 23 - DEC 25) and "Ship to Store FREE" (Available for Pick Up: DEC 24 - DEC 29). An "ADD TO CART" button is visible, along with a "SAVE TO MY LIST" button. A note states "Item cannot be shipped to the following state(s): AK, GU, HI, PR, VI" and "PRODUCT SOLD ONLINE ONLY". The page also includes social media sharing options (Print, Share, Email, Print) and a "Feedback" button. The bottom of the page shows navigation links for "RELATED ITEMS", "PRODUCT OVERVIEW", "SPECIFICATIONS", "RECOMMENDED ITEMS", "CUSTOMER REVIEWS", and "SHIPPING & DELIVERY". The system clock at the bottom right indicates the time is 10:17 AM on 12/15/2014.

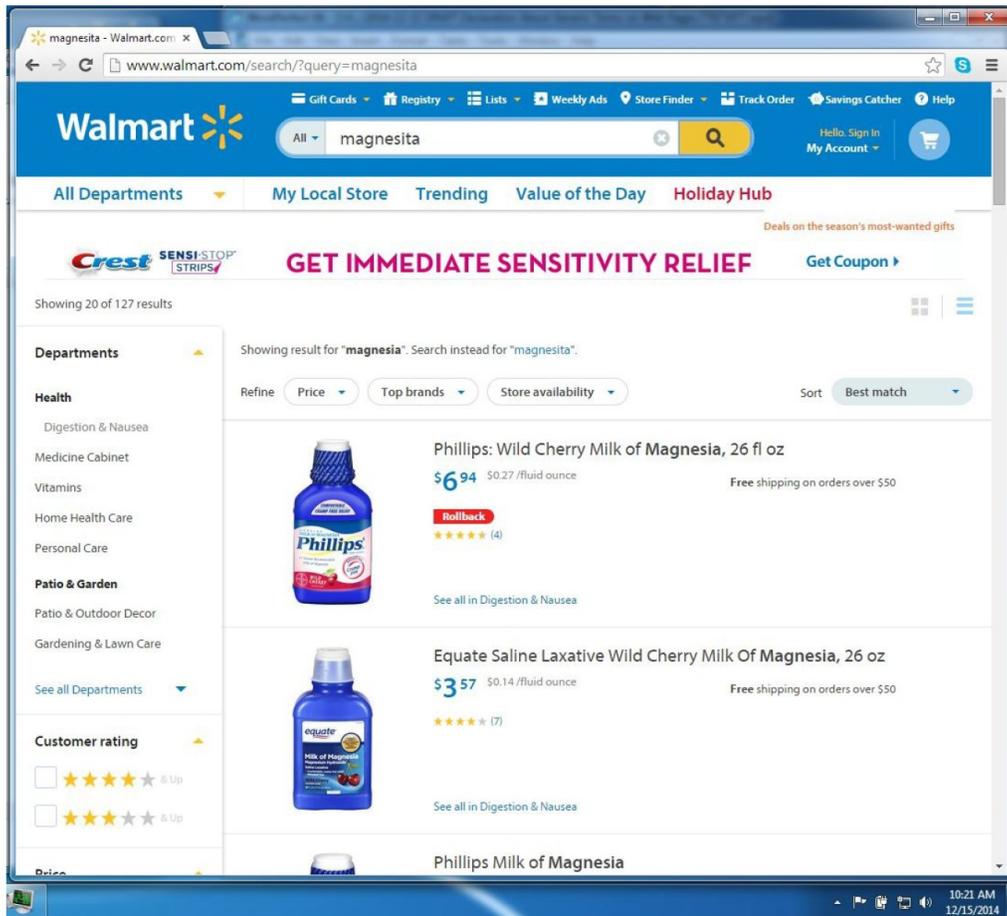
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Exhibit AC



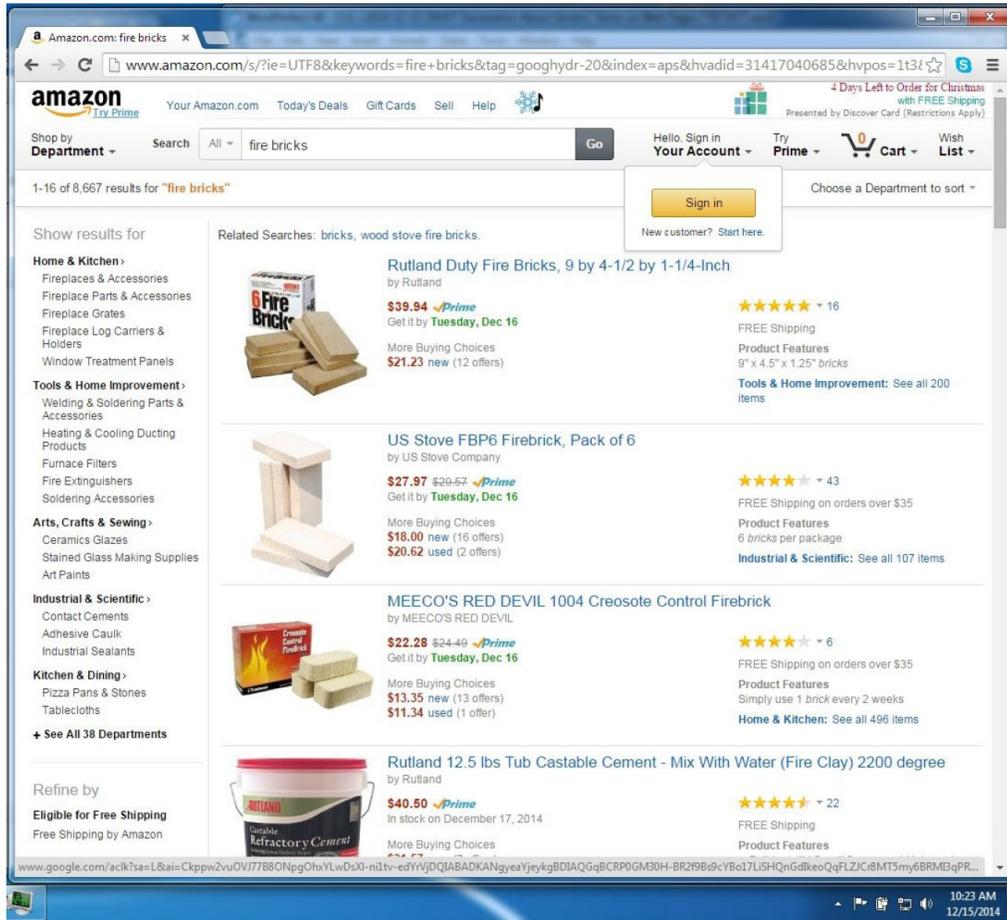
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Exhibit AD



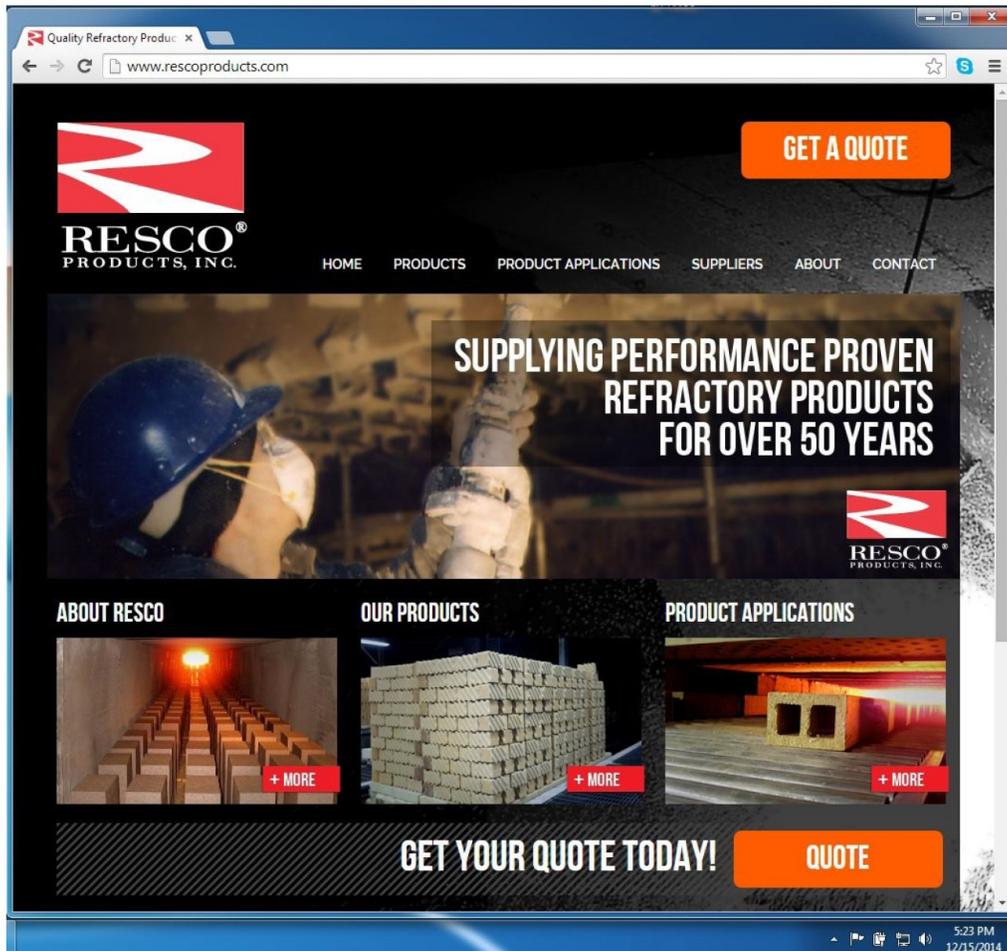
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Exhibit AE



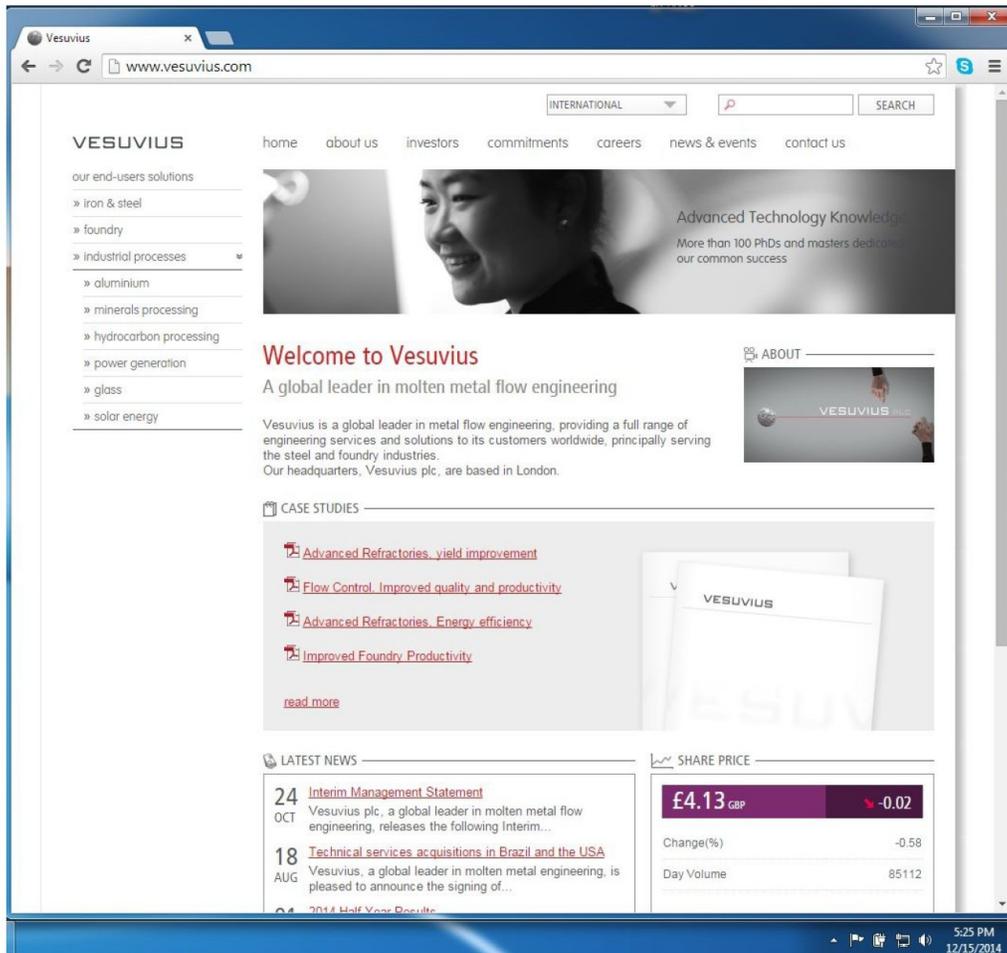
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Exhibit AF



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Exhibit AG



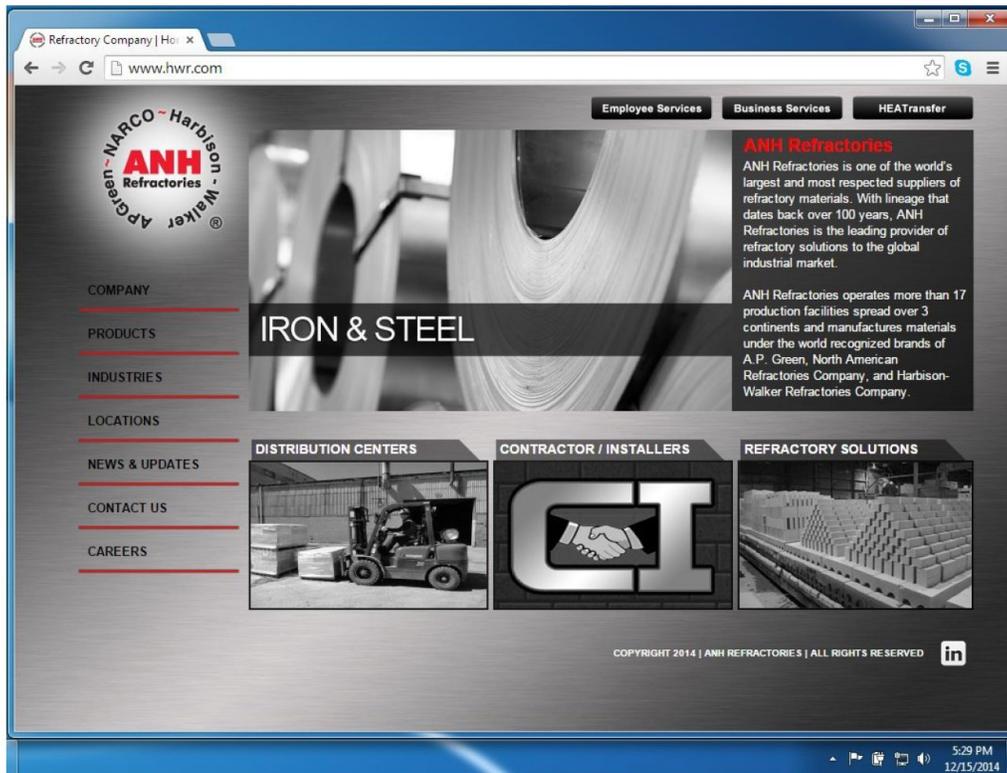
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Exhibit AH



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Exhibit AI



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Exhibit AJ

