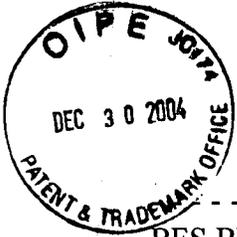


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



Atty. Ref. No.: 016756/0211

BFS BRANDS, LLC

and

BRIDGESTONE/FIRESTONE
NORTH AMERICAN TIRE, LLC,

Opposers,

v.

ORTECK INTERNATIONAL INC.,

Applicant.

Opposition No. 154,661

Application Serial No. 76/369,339

OPPOSERS' SECOND NOTICE OF RELIANCE

Opposers, BFS Brands, LLC and Bridgestone/Firestone North American Tire, LLC, hereby submit this Notice of Reliance pursuant to 37 C.F.R. § 2.122(e). Specifically, Opposer submit herewith the following printed publications available to the general public in libraries or of general circulation among members of the public or that segment of the public that is relevant under the issues in the above-captioned proceeding.

For ease of reference, the numbering in Opposers' First Notice of Reliance is continued herein, and these submissions begin with Number 16

16. Full page advertisement from page 7 of the April 25, 2004 edition of Parade Magazine. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE and BRIDGESTONE marks and names; the fame of the FIRESTONE and BRIDGESTONE



marks and names, and public recognition of FIRESTONE and BRIDGESTONE marks and names.

17. Excerpts from the October 10, 2004 edition of The Columbus Dispatch newspaper, comprised of the front page of Section E and an advertisement on page 11. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE and BRIDGESTONE marks and names; the fame of the FIRESTONE and BRIDGESTONE marks and names, and public recognition of FIRESTONE and BRIDGESTONE marks and names.

18. Excerpts from the July 23, 2004 edition of USA Today newspaper, comprised of the front page of Section C (Sports), a full two page advertisement on pages 6-7 and a full page advertisement on page 10. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

19. Excerpts from *IndyCar Series Magazine* (October/November 2004), comprised of the cover page and a full two page advertisement on pages 10 and 11. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

20. Excerpts from the June 11, 2004 edition of USA Today newspaper, comprised of a full two page advertisement in section A on pages 8 and 9. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

21. Excerpts from the May 28, 2004 edition of USA Today newspaper, containing the front page of Section F, a full page advertisement on page 5 and a full two page advertisement on pages 6 and 7. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

22. Excerpts from July 30, 2004 edition of USA Today newspaper, comprised of the front page of Section C, an advertisement on page 3 and a full page advertisement on page 11. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

23. Excerpts from the August 5, 2004 edition of USA Today newspaper, comprised of a full page advertisement in Section C on page 12. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

24. Excerpts from the November 3, 2004 edition of USA Today newspaper, comprised of a full page advertisement in § C on page 11. Submitted for purposes of demonstrating the use in commerce of the FIRESTONE mark and name; the prominent association of the FIRESTONE mark and name with IndyCar racing; the fame of the FIRESTONE mark and name; and public recognition of FIRESTONE mark and name.

25. Excerpts from *Modern Tire Dealer Magazine* (April 2004, Vol. 85, No. 4), comprised of the cover page, a two full page advertisement on pages 2 and 25, a half page advertisement on page 23 and an article of support from Tirenation.com representative on page 16. Submitted for purposes of demonstrating the use in commerce of the BRIDGESTONE mark and name; the use by the public of the FIRESTONE mark and name; and the fame and public recognition of the BRIDGESTONE and FIRESTONE marks and names.

26. Excerpts from the August 23, 2004 edition of USA Today newspaper, comprised of the front page of Section C, a full page advertisement on page 12. Submitted for purposes of demonstrating the use in commerce of the BRIDGESTONE mark and name; the fame of the BRIDGESTONE mark and name; and public recognition of BRIDGESTONE mark and name.

27. Excerpts from Spanish language edition of *People Magazine* (August 2004), comprised of the cover page, an advertisement on page 75 and a full page advertisement on page 89. Submitted for purposes of demonstrating the use in commerce of the BRIDGESTONE mark and name; the fame of the BRIDGESTONE mark and name; and the widespread public recognition of BRIDGESTONE mark and name.

28. Excerpts from *Ebony Magazine* (October/November 2004), comprised of the cover page and a full page advertisement on pages 55. Submitted for purposes of demonstrating the use in commerce of the BRIDGESTONE mark and name; the fame of the BRIDGESTONE mark and name; and the widespread public recognition of BRIDGESTONE mark and name.

29. Excerpts from the July 9, 2004 edition of USA Today newspaper, comprised of an advertisement in Section C on page 9. Submitted for purposes of demonstrating the use in commerce of the BRIDGESTONE mark and name; the prominent association of the

BRIDGESTONE mark and name with Formula 1 auto-racing; the fame of the BRIDGESTONE mark and name; and the widespread public recognition of BRIDGESTONE mark and name.

Dated: December 30, 2004

Respectfully submitted,

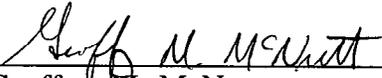


Peter G. Mack, Esq.
Geoffrey McNutt, Esq.
Counsel for Opposer
FOLEY & LARDNER LLP
Suite 500
3000 K Street, N.W.
Washington, D.C. 20007-5109
T: 202.672.5300
F: 202.672.5399

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of December 2004, served a true and complete copy of the foregoing OPPOSERS' SECOND NOTICE OF RELIANCE upon Applicant by mailing a true copy of the same via first-class U.S. Mail, postage prepaid, to Applicant's counsel, addressed as follows:

Deborah J. Westervelt, Esq.
The Law Offices of Royal J. Craig
10 North Calvert Street
Suite 153
Baltimore, Maryland 21202

By: 
Geoffrey M. McNutt
FOLEY & LARDNER, LLP

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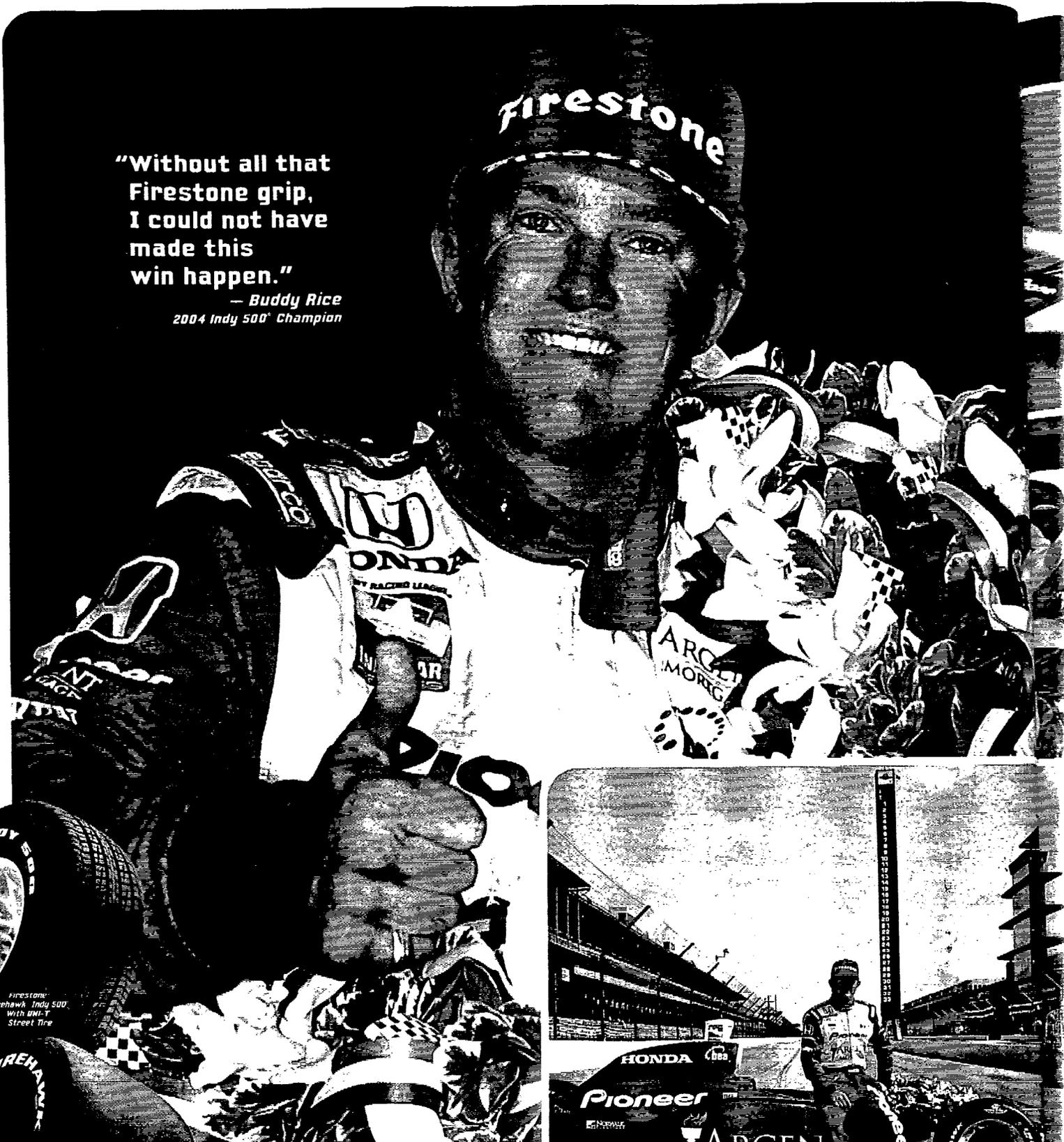
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— Buddy Rice
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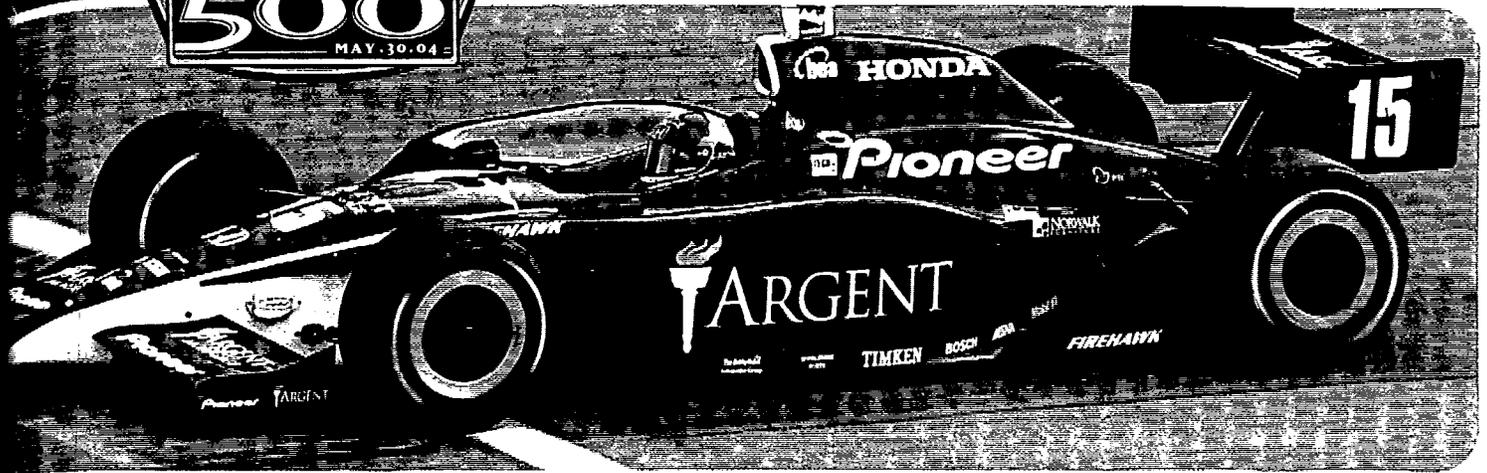
tiresafety.com



Firestone
Firehawk
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INDIANAPOLIS 500[®] MILE RACE WINNER:

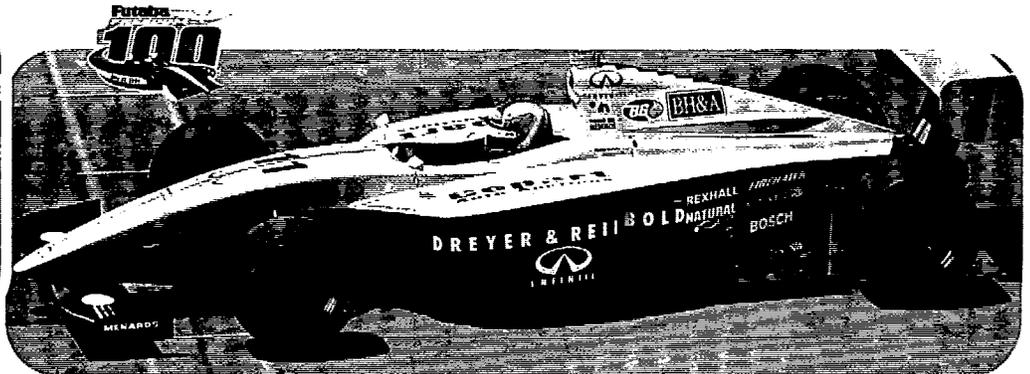
#15 **BUDDY RICE**, Rahal-Letterman Racing
POWERED BY HONDA

Second Place

#11 **TONY KANAAN**, Andretti Green Racing
POWERED BY HONDA

Third Place

#26 **DAN WHELDON**, Andretti Green Racing
POWERED BY HONDA



INDIANAPOLIS MOTOR SPEEDWAY WINNER:

#11 **THIAGO MEDEIROS**, Sam Schmidt Motorsports

Second Place:

#14 **JEFF SIMMONS**, A.J. Foyt Racing

Third Place:

#5 **ARIE LUVENDYK JR.**, Sam Schmidt Motorsports

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APRIL 2004 • VOL. 85, NO. 4 • TEN DOLLARS • A BOBIT PUBLICATION

MTD

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"As one of the Bridgestone killer "B"s taking care of my customers comes first. Because at Bridgestone I can offer them the first rate retail support programs they need."

"Hi, I'm John Baratta. I've been taking care of my customers for over 20 years. I take care of them by providing some of the strongest tire retailing programs available. You know that all tires are not the same and so do I. And just as tire manufacturers and their products are different, so are their support programs. So here's my straight pitch, if you're a retailer who's not happy with your current tire supplier or their support programs, give me a call. And by the way, if you're a distributor looking for answers, give Rudy Beach, my Killer "B" partner a call at 1-800-543-7522 x3439."

John Baratta

J. R. Baratta

Director, Consumer Tire Sales, Retail

1-800-543-7522 x3587

BRIDGESTONE SUPPORT:

- NEW PRODUCTS
BRIDGESTONE INSIGNIA SE200
BRIDGESTONE POTENZA G009
FUZION ZRi
- RETAIL EDUCATION
- TURNKEY FLYER
- GROUP DISCOUNT CARD
- DISPLAY PROGRAM
- ON-LINE CLIP-KIT
- BILLBOARDS
- PROMOTIONAL RADIO
- INTERNET DEVELOPMENT
- AFFILIATED DEALER PROGRAM



PASSION
for EXCELLENCE

Circle 101 on card

I support Firestone, now more than ever

Dear Editor:

After reading your editorial in the February *Modern Tire Dealer*, I would like to say thanks for a well-written article.

I have been a supporter of Firestone since before the recall and especially *after* the recall. Ford did one hell of a smear job on Firestone and I am glad to see them pulling through it quite well.

I even put a set of Firestone SS20s on my best friend's mother's car *during* the recall. This was a small way to show my faith in the company. They were great tires and I had no doubts about them or the company.

I have defended Firestone on various

car-related Web sites and debate forums. I am glad to see that I am not alone.

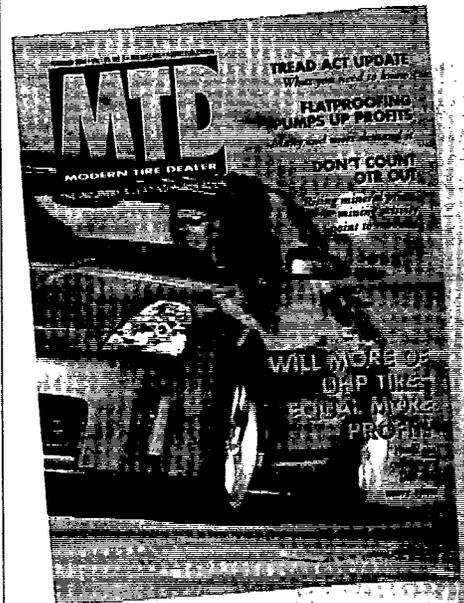
I also noted that you quoted "consultants" who were predicting doom and gloom for Firestone. Has a consultant ever been right about anything? I certainly have never met one, if they exist!

Thanks for the article. Keep them coming!

**Frank Stephens, Customer Service Representative
TireNation.com
McDonough, Ga.**

FYI — TireNation.com is a tire wholesaler that services independent dealers and automotive dealerships. The company's McDonough headquarters is

located about 25 miles south of Atlanta.-Ed.



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Dear Editor:

Your free magazine has been one of the greatest tools we have. It has helped us make the right choice as far as what equipment to purchase, and it has helped us recognize what our customers want as well as forecast future needs.

We recently changed locations, and with your help and excellent information, I know we made the right move.

Thank you.

**Harold Shepard, President
ShepCo. Car Care Inc.
Lawrence, Kan.**

ShepCo. Car Care Inc. has been in business for 13 years, the company told us. It sells Cooper tires as its main line, and performs auto maintenance "to keep our customers up and running."-Ed.

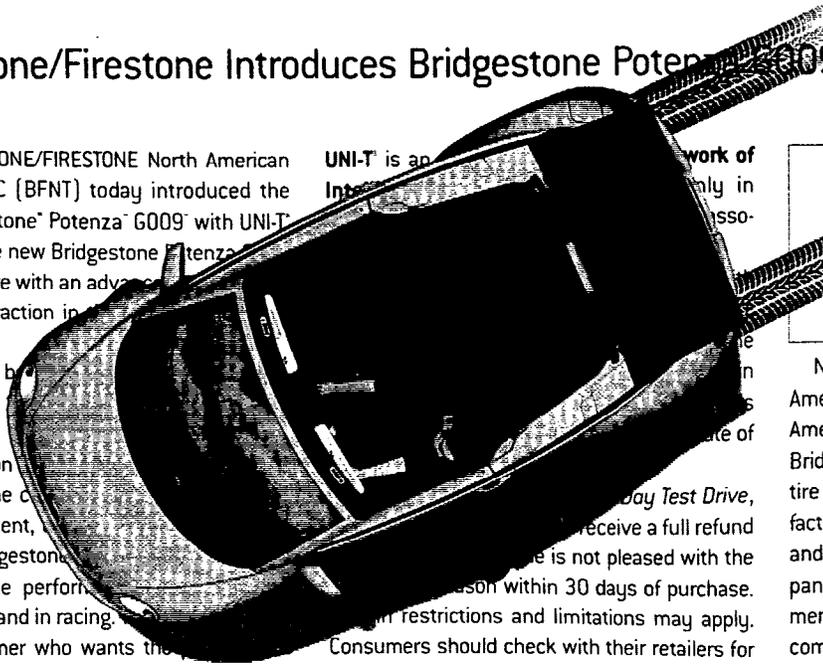
Bridgestone/Firestone Introduces Bridgestone Potenza G009 With UNI-T® Technology

BRIDGESTONE/FIRESTONE North American Tire, LLC (BFNT) today introduced the Bridgestone® Potenza® G009 with UNI-T® technology. The new Bridgestone Potenza G009 is an H-rated tire with an advanced tread pattern for improved traction in all weather conditions.

The tire will be available in 15-, 16-, and 17-inch sizes to 40 series.

"The evolution of tire design and technologies is done with the consumer in mind," says John Gamauf, president, BFNT. "The Bridgestone Potenza G009 is not pleased with the status quo. It is designed to build on the performance of the Bridgestone brand in racing and for the consumer who wants the image and a comfortable ride."

UNI-T® is an intelligent network of technologies primarily in the tread pattern.



"The evolution of tire design and technologies is done with the consumer in mind."

— JOHN GAMAUF, PRESIDENT, CONSUMER REPLACEMENT TIRE, BFNT

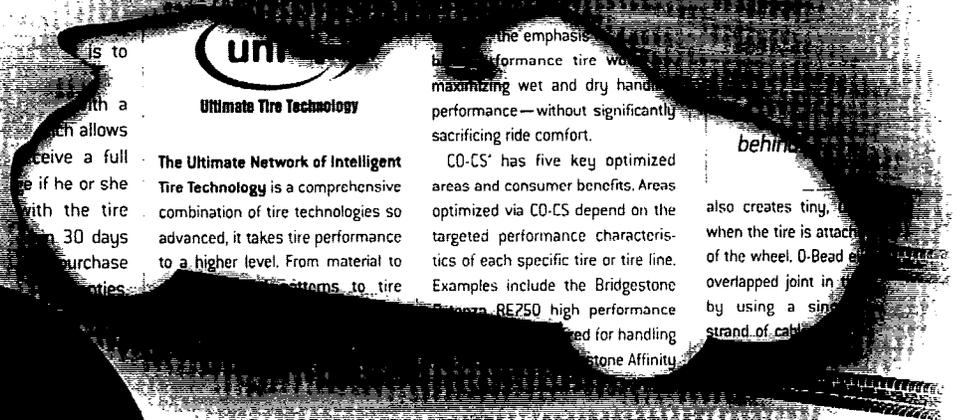
Nashville-based Bridgestone/Firestone North American Tire, LLC is a subsidiary of Bridgestone Americas Holding, Inc., whose parent company, Bridgestone Corporation, is the world's largest tire and rubber company. BFNT develops, manufactures, and markets Bridgestone, Firestone and associate and private brand tires. The company is focused on wholesale and original equipment markets, supplying passenger, light truck, commercial vehicle, off-road, agricultural and other tires to its customers in North America.

BRIDGESTONE

POTENZA™ G009™

Get that urge to just take off.

Introducing Potenza G009 with UNI-T®. For people who like to venture outside the lines. A high performance, high-tech tire inspired by the Potenza Racing Rain Tire. No boring here. Sporty style. Super traction even on wet. Plain fun to drive.



uni-t
Ultimate Tire Technology

The Ultimate Network of Intelligent Tire Technology is a comprehensive combination of tire technologies so advanced, it takes tire performance to a higher level. From material to tread patterns, to tire

the emphasis is on maximizing wet and dry handling performance—without significantly sacrificing ride comfort.

CO-CS® has five key optimized areas and consumer benefits. Areas optimized via CO-CS depend on the targeted performance characteristics of each specific tire or tire line. Examples include the Bridgestone Potenza RE750 high performance tire designed for handling and ride comfort. Stone Affinity

behind

also creates tiny, when the tire is attached to the wheel. O-Bead also creates an overlapped joint in the tread by using a single strand of cable.



uni-t
Ultimate Tire Technology

POTENZA

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Technology inspired by nature.

Introducing Insignia™ SE 200 with UNI-T.®
What nature invented, Bridgestone applied —
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Wet traction. Wet cornering. Wet braking.

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"El es el padre de
mis hijos y siempre
le voy a desear bien
y mucha suerte".
-Dayanara Torres

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El Potenza RE750 con UNI-T es un neumático de alto rendimiento, creado para reducir el ruido de la carretera, especialmente cuando está gastado. Con el característico diseño unidireccional de su banda de rodamiento, el Potenza RE750 proporciona una respuesta rápida y una excelente tracción y maniobrabilidad, tanto en pavimento seco como mojado, elevando al máximo su desempeño.



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- New York – Agosto 28
- Los Angeles – Agosto 29

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