

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

Opposer's Ref: 1438-3

In the Matter of Application Serial No. 78/258,347
Published in the Official Gazette on March 2, 2004
Mark: IKB

----- X
IKB Industries Nigeria Limited, :
: :
Opposer : Opposition No.
: :
-against- : :
: :
J. Farrow & Sons Ltd. , : :
: :
Applicant. : :
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05-24-2004
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

NOTICE OF OPPOSITION TRANSMITTAL

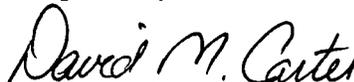
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Sir:

Transmitted herewith is a Notice of Opposition in duplicate. Also enclosed is a check in the amount of \$600.00 to cover charges for each class being opposed.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this opposition, or credit any overpayment of such fee(s) to Deposit Account No. 50-2140. Two copies of this sheet are enclosed.

Respectfully submitted,

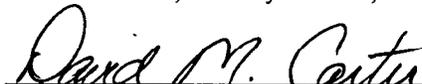

David M. Carter
Attorney for Applicant(s)

Carter, DeLuca, Farrell &+ Schmidt, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526
DMC/MJP/gm

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on May 21, 2004.

Dated: May 21, 2004


David M. Carter

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Respectfully submitted,

David M. Carter
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Attorney for Applicant(s)

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Dated:

May 21, 2004

David M. Carter
David M. Carter

Sons Ltd., (herein after "Applicant") a corporation organized under the laws of the United Kingdom, located at No. 17 Pagaxis House, 61 Victoria Road, Surrey, United Kingdom KT6 4JX.

This Notice of Opposition is submitted in duplicate and with the required fee. If additional fees are required, please charge our Deposit Account No. 50-2140.

IKB Industries Nigeria Limited ("Opposer") makes the following allegations as grounds for opposition:

1. Opposer is currently using, and, for a number of years prior to 2003, has used the mark IKB in commerce on or in connection with goods which include skin soaps and medicated skin soaps; skin lotions; and skin creams.

2. Opposer is the owner of record of U.S. Registration No. 1,989,807 (Exhibit A attached hereto) which issued on July 30, 1996 for the mark "IKB (& Design)" for use with skin soaps and medicated skin soaps; skin lotions; and skin creams in International Class 3. Opposer's registration was based on an application filed June 1, 1995, which is more than eight years prior to the constructive filing date of Applicant's Intent-to-Use trademark application for the mark IKB.

3. Although Opposer inadvertently failed to file a Section 8 affidavit on July 30, 2002 and the mark of Registration No. 1,989,807 was subsequently cancelled, Opposer has continued its exclusive and substantial use of the mark IKB from at least as

early as February 1988 to present. Opposer's date of first use is over fifteen years prior to the constructive filing date of Applicant's Intent-to-Use application.

4. Opposer is owner of record of U.S. Application Serial No. 76/580,836 (Exhibit B attached hereto) which was filed on March 15, 2004 for "IKB" for use with skin soaps and medicated skin soaps, medicated and non-medicated skin lotions and skin creams in International Class 3. Opposer's application stated a date of first use of at least as early as February 1998 which predates Applicant's constructive filing date. Opposer has since filed an amendment amending the date of first use to at least as early as February 1988 (Amendment filed April 15, 2004, Exhibit C attached hereto). Opposer's date of first use is over fifteen years prior to the filing of Applicant's Intent-to-Use application.

5. Opposer is the owner of record of several International Trademark Registrations (Exhibit D attached hereto) including Nigerian Registration No. 55978 issued August 12, 1999; United Kingdom Registration No. 1487991 issued October 31, 1994; and German Registration No. 395 13 569 issued March 14, 1996. At a minimum, all of Opposer's International Registrations issued at least four years prior to the constructive filing date of Applicant's Intent-to-Use trademark application.

6. As evidenced in the attached sales receipts (Exhibit E attached hereto), Opposer can demonstrate continuous use of the mark IKB on the above-identified goods from at least April 1998 to the present.

7. Applicant is allegedly the owner of U.S. Application Serial No. 78/258,347 (Exhibit F attached hereto) which was filed on June 4, 2003, and Published for Opposition on March 2, 2004 for "IKB" for use with skin soaps, medicated skin soaps, skin lotions, skin creams and skin cleansers in International Class 3 and for use with medicated skin lotions and medicated skin care preparations in International Class 5.

8. Opposer has standing to bring this NOTICE OF OPPOSITION because Opposer has been using a mark visually and phonetically similar to the mark in U.S. Application Serial No. 78/258,347 for at least fifteen years prior to Applicant's filing of its Application. Opposer has been using its mark on or in connection with goods that are essentially identical to the goods identified by Applicant and referenced in Exhibit F.

9. Applicant's U.S. Application Serial No. 78/258,347 relates to skin soaps, medicated skin soaps, skin lotions, skin creams, skin cleansers and medicated skin lotions skin care preparations. Opposer sells the exact goods listed in Applicant's U.S. Application Serial No. 78/258,347 specifically, skin soaps and medicated skin soaps, skin lotions, and skin creams. Due to the identical marks being used on or in connection with virtually identical goods, both the mark in Applicant's application and Opposer's trademark are likely to travel through the same marketing channels and are likely to be exposed to the same group of consumers.

10. Opposer's use of "IKB" predates the filing of Applicant's Intent-to-Use application by at least fifteen years.

11. Applicant's registration would give Applicant the appearance of a prima facie exclusive right to use the mark shown in U.S. Application Serial No. 78/258,347 and would place the Applicant in a position to raise doubts as to the right of Opposer to use its trademark and trade name in connection with its goods, and Applicant would have the ostensible right to use the mark and to exclude others from using similar marks. Such registration would be a source of damage and injury to Opposer and a source of confusion to Opposer's customers.

12. Applicant's use and registration of a mark which is substantially similar to Opposer's trademark and trade name, in connection with goods which are substantially the same as Opposer's goods would likely cause injury to Opposer's business reputation and injure and impair Opposer's right in its trademark and trade name and is also likely to cause confusion, mistake and/or deception as to source or sponsorship and will inevitably suggest falsely a trade connection between Opposer and Applicant.

13. Applicant's use and registration of "IKB" so as to claim exclusive rights in the mark would lead or would be likely to lead members of the public familiar with Opposer and its identification by use of its said trademark and trade name to believe (and will be justified in so believing) that Applicant's goods originated from Opposer, or Applicant was an entity in some way associated with Opposer, or Opposer's mark was

licensed or Opposer authorized the use of Opposer's mark to Applicant with Opposer's approval. An objection or fault found with Applicant's goods would be likely to reflect upon and seriously injure the reputation which Opposer has established in connection with the goods sold by Opposer.

14. Applicant's alleged mark does not and cannot exclusively identify the goods in connection with which it is used as the goods of Applicant, nor can it distinguish those goods from goods of Opposer, nor can it serve as an indication of source of origin of such goods.

15. Opposer is unaware of any actual use of the mark "IKB" by Applicant in commerce or interstate commerce.

16. Opposer has conducted an entity search for the company name and address of Applicant and the results of this search (Exhibit G attached hereto) show no entity at such address as listed in U.S. Application Serial No. 78/258,347. Therefore, upon information and belief, U.S. Application Serial No. 78/258,347 is void since the Applicant either does not exist or provided fraudulent information in its application, see TMEP § 1201.02(b).

17. Applicant seeks to register the mark "IKB" which so resembles Opposer's trademark, as to be likely, when applied to the goods of Applicant, to cause confusion, mistake or deception as to the source or sponsorship of the goods, and will inevitably

falsely suggest a trade connection between Opposer and Applicant. For the reasons set forth above, Opposer will be damaged by the registration of the opposed trademark.

WHEREFORE, IKB Industries Nigeria Limited (Opposer), prays that this opposition be sustained and that registration of the mark "IKB" be denied to J. Farrow & Sons Ltd. (Applicant) as described and illustrated in its Application Serial No. 78/258,347 filed on June 4, 2003 for the goods described therein.

May 21, 2004
Date

David M. Carter
David M. Carter, Esq.
Reg. No. 30,949
Attorney for Opposer
IKB Industries Nigeria Limited

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
Tel. (631) 501-5700
Fax (631) 501-3526

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| Opposer | : | Opposition No. |
| | : | |
| -against- | : | |
| | : | |
| J. Farrow & Sons Ltd., | : |  |
| | : | |
| Applicant. | : | 05-24-2004 |
| | : | <small>U.S. Patent & TMOft/TM Mail Rcpt Dt. #66</small> |
| -----X | : | |

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

NOTICE OF OPPOSITION

IKB Industries Nigeria Limited (herein after "IKB Industries"), a corporation organized under the laws of Nigeria, and located at Plot 24, Jimoh Odutola Street, P.O. Box 1727, Ikeja, Lagos, Nigeria, believes that it is or will be damaged by the registration of the trademark shown in Application Serial No. 78/258,347 filed June 4, 2003, and hereby opposes same.

Based upon information submitted by Applicant to the U.S.P.T.O., the name and address of Applicant (the owner of Application Serial No. 78/258,347) is J. Farrow &

Sons Ltd., (herein after "Applicant") a corporation organized under the laws of the United Kingdom, located at No. 17 Pagaxis House, 61 Victoria Road, Surrey, United Kingdom KT6 4JX.

This Notice of Opposition is submitted in duplicate and with the required fee. If additional fees are required, please charge our Deposit Account No. 50-2140.

IKB Industries Nigeria Limited ("Opposer") makes the following allegations as grounds for opposition:

1. Opposer is currently using, and, for a number of years prior to 2003, has used the mark IKB in commerce on or in connection with goods which include skin soaps and medicated skin soaps; skin lotions; and skin creams.

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3. Although Opposer inadvertently failed to file a Section 8 affidavit on July 30, 2002 and the mark of Registration No. 1,989,807 was subsequently cancelled, Opposer has continued its exclusive and substantial use of the mark IKB from at least as

early as February 1988 to present. Opposer's date of first use is over fifteen years prior to the constructive filing date of Applicant's Intent-to-Use application.

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May 21, 2004
Date

David M. Carter
David M. Carter, Esq.
Reg. No. 30,949
Attorney for Opposer
IKB Industries Nigeria Limited

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
Tel. (631) 501-5700
Fax (631) 501-3526

EXHIBIT A

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

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Trademark Electronic Search System(Tess)

TESS was last updated on Tue Apr 13 04:37:41 EDT 2004

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List At:

OR

to record:

Record 3 out of 9

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

IKB

Word Mark IKB

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: SKIN SOAPS AND MEDICATED SKIN SOAPS, MEDICATED AND NON-MEDICATED SKIN LOTIONS AND SKIN CREAMS. FIRST USE: 19980200. FIRST USE IN COMMERCE: 19980200

Mark

Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 76580836

Filing Date March 15, 2004

Current Filing Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) IKB Industries Nigeria Limited CORPORATION NIGERIA Plot 24, Jimoh Odutola Street P.O. Box 1727 Ikeja, Lagos NIGERIA

Attorney of Record Edward C. Meagher

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead

Indicator LIVE

| | | | | | | | | | |
|---------------------------|---------------------------|---------------------------|--------------------------|----------------------------|---------------------------|----------------------------|---------------------|----------------------|----------------------------|
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| CURR LIST | SEARCH | FIRST DOC | PREV DOC | NEXT DOC | LAST DOC | | | | |

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This page was generated by the TARR system on 2004-04-13 10:59:00 ET

Serial Number: 76580836

Registration Number: (NOT AVAILABLE)

Mark

IKB

(words only): IKB

Standard Character claim: No

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2004-03-17

Filing Date: 2004-03-15

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 011 -Initial Review/Serialization Branch(Mailroom)

Date In Location: 2004-03-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. IKB Industries Nigeria Limited

Address:

IKB Industries Nigeria Limited
Plot 24, Jimoh Odutola Street P.O. Box 1727
Ikeja, Lagos
Nigeria

Legal Entity Type: Corporation

State or Country of Incorporation: Nigeria

GOODS AND/OR SERVICES

SKIN SOAPS AND MEDICATED SKIN SOAPS, MEDICATED AND NON-MEDICATED SKIN LOTIONS AND SKIN CREAMS

International Class: 003

First Use Date: 1998-02-00

First Use in Commerce Date: 1998-02-00

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-26 - New Application Entered In Tram

CONTACT INFORMATION

Correspondent (Owner)

Edward C. Meagher (Attorney of record)

EDWARD C. MEAGHER
CARTER, DELUCA, FARRELL & SCHMIDT, LLP
445 BROAD HOLLOW ROAD - SUITE 225
MELVILLE, NEW YORK 11747

Phone Number: (631) 501-5700

Fax Number: (631) 501-3526

EXHIBIT C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: IKB Industries Nigeria Limited

Serial No.: 76/580,836

Examining Atty: TBA

Int. Class: 3

Law Office: 111

Filed: March 15, 2004

Dated: April 16, 2004

Mark: IKB

AMENDMENT TRANSMITTAL

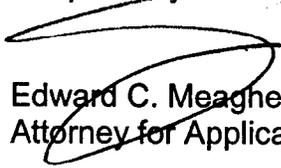
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

Transmitted herewith is Preliminary Amendment with Exhibit A, and a Declaration of Edward C. Meagher, Under 37 CFR 2.20.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. **50-2140**.

Respectfully submitted,

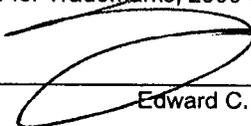

Edward C. Meagher
Attorney for Applicant(s)

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Dated: April 16, 2004


Edward C. Meagher

Examining Attorney: TBA
Law Office: 111
Attorney Docket No.: 1438-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: IKB Industries Nigeria Limited
SERIAL NO.: 76/580,836
FILED: March 15, 2004
MARK: IKB

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

PRELIMINARY AMENDMENT

Sir:

Preliminary to examination on the merits, please amend the above-identified application as follows:

Insert the following statement:

-- The mark is presented in standard character format without claim to any particular font style, size or color. --

Amend the dates of first use to read:

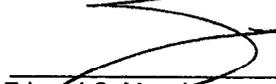
Date of First Use in Commerce: At least as early as February 1988

Date of First Use Anywhere: At least as early as February 1988

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Dated: April 16, 2004



Edward C. Meagher

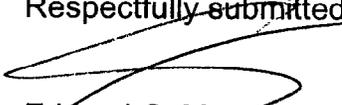
REMARKS

The above-identified application have been amended to include the following statement: The mark is presented in standard character format without claim to any particular font style, size or color. As evidenced by the drawing page originally filed with the application, all letters in the mark are depicted in upper-case, Latin characters as required for a Standard Character Drawing under 37 C.F.R. §2.52(a). Since the mark in not being altered in any way, it is believe no material alteration has occurred, and therefore, Applicant respectfully requests the drawing type of the above-identified application be amended to read: Standard Character Drawing.

Upon filing of the above-identified application, the date of first use anywhere and date of first use in interstate commerce were inadvertently entered as February 1998. The date of first use anywhere and the date of first use in interstate commerce should read February 1988 as evidenced by U.S. Trademark Registration No. 1, 989,807 (Exhibit A hereto), now cancelled. A Declaration Under 37 C.F.R. 2.20 supporting the amendment of the dates of first use is attached hereto in accordance with 37 C.F.R. 2.71(c).

The Examining Attorney is urged to contact Applicant's attorney at the number below if there are any remaining issues to be resolved.

Respectfully submitted,


Edward C. Meagher
Attorney for Applicant

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
Tel: (631) 501-5700
Fax: (631) 501-3526

ECM/MJP:gm

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | | | | |
|----------------------|-----------------------|------------------------|-------------------------------|----------------------------------|------------------------------------|----------------------------|
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Trademark Electronic Search System(Tess)

TESS was last updated on Thu Apr 15 04:35:00 EDT 2004

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|-------------------------|---------------------------|----------------------------|--------------------------|--------------------------|-------------------------|----------------------|
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| Current | First Doc | Prev Doc | Next Doc | Last Doc | | |



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List At: OR  to record: **Record 8 out of 9**

Check Status

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Word Mark IKB

Goods and Services (CANCELLED) IC 003. US 001 004 006 050 051 052. G & S: skin soaps and medicated skin soaps; skin lotions; and skin creams. FIRST USE: 19880200. FIRST USE IN COMMERCE: 19880200

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 261313 261321

Serial Number 74683020

Filing Date June 1, 1995

Current Filing Basis 1A

Original Filing Basis 1A
Published for Opposition May 7, 1996
Registration Number 1989807
Registration Date July 30, 1996
Owner (REGISTRANT) IKB Industries Nigeria Limited CORPORATION
 NIGERIA 1A Eric Moore Close Surulere, Ikeja, Lagos NIGERIA
Attorney of Record Elizabeth Atkins
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date May 3, 2003

| Event | Date | Applicant | Attorney | Agent | Class | Code |
|-------|------|-----------|----------|-------|-------|------|
| | | | | | | |

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Examining Attorney: TBA
Law Office: 111
Attorney Docket No.: 1438-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: IKB Industries Nigeria Limited
SERIAL NO.: 76/580,836
FILED: March 15, 2004
MARK: IKB

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

DECLARATION UNDER 37 C.F.R. 2.20

Sir:

Pursuant to 37 C.F.R. § 2.71(c), I, Edward C. Meagher, hereby
declare:

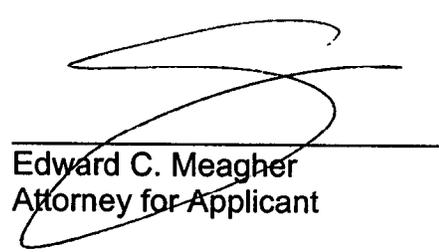
1. I am the attorney of record of the above-identified U.S. Trademark
Application Serial No. 76/580,836.

2. Upon filing of the above-identified application, the date of first use
anywhere and date of first use in interstate commerce were inadvertently entered
as February 1998. The date of first use anywhere and the date of first use in
interstate commerce should read February 1988 as evidenced by U.S. Trademark
Registration No. 1, 989,807 (Exhibit A hereto), now cancelled.

3. Upon information and belief, Applicant has been using the mark
"IKB" in various forms since at least as early as February 1988.

4. The undersigned, 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 false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the Applicant; he/she believes the Applicant to be the owner of the trademark/services mark sought to be registered, or if the application is being filed under 15 U.S.C. §1051(b), he/she believes Applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such person, to cause confusion, or cause mistake, or to deceive; and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Date:



Edward C. Meagher
Attorney for Applicant

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
Tel: (631) 501-5700
Fax: (631) 501-3526

ECM/MJP:gm

EXHIBIT D

9

BUNDESREPUBLIK DEUTSCHLAND



URKUNDE

über die Eintragung der Marke

Nr. 395 13 569

Akt.: 395 13 569.9



Markeninhaber:

IKB Industries Nigeria Ltd., Lagos, NG

Tag der Anmeldung: 28.03.1995

Tag der Eintragung: 14.03.1996

Der Präsident des Deutschen Patentamts

N. Haug

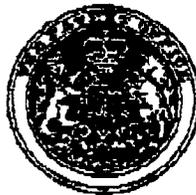
N. Haug



5

Original Registration

TRADE MARKS
REGISTRY



REGISTRATION
CERTIFICATE

Trade Marks Act 1994 of Great

Britain and Northern Ireland

The mark shown below has been registered under No. 1487991 as of the date 31 October 1994.



The mark has been registered in respect of:

Class 03:

Non-medicated toilet preparations; cosmetics; perfumes; essential oils; toilet water; eau de cologne; after-shave lotions; shaving preparations; anti-perspirants; personal deodorants; disinfectants; preparations for the hair; shampoos; soaps.

In the name of IKB Industries Nigeria Limited
Incorporated in Nigeria

Sealed this day at my direction

P. R. S. HARTNACK, REGISTRAR
DATE 28 July 1995

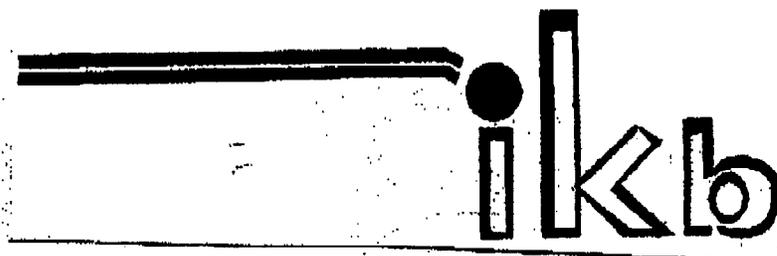


Form 11

NIGERIA

(Cap. 436 Laws Of The Federation Of Nigeria 1990)

CERTIFICATE OF REGISTRATION SECTION 22 (3) REGULATION 65)



The Trade Mark shown above has been registered in Part A (or B) of the Register in the name of IKB INDUSTRIES NIGERIA LIMITED, of 1A Eric Moore Close, Surulere Lagos. Manufacturers and Distributors.

In Class 5 under No. 55978 as of the date 25th October, of 19.89 in respect of ALL THE ITEMS IN THE CLASS.

Sealed at my direction, this 12th day of AUGUST 1999

The Trade Marks Registry, Federal Ministry of Commerce & Tourism Abuja, Nigeria.

S. ALIYU.

Registrar

[Signature]

Registration is for 7 years from the date first above-mentioned, and may than be renewed, and also at the expiration of each

EXHIBIT E

THERAMED LIMITED

THERAPEUTIC & MEDICAL DEVICES

3 Churchwood
Lodge Road
Holton
Halesworth
Suffolk IP19 8PD
Tel 01986 875153
Fax 01986 875153

Mobile 0860 730 333

Customer
Mabs Merchandise Inc.
49 North Franklin Street
Hempstead
New York
NY 11550
USA

INVOICE

221/98

Your Ref.

Date: 28th April 1998

| Item | Code No. | Description | Qty | Unit Price | £ | P |
|------|----------|-------------------------|-----------|----------------|------|----|
| 1 | | Tura Soap (1x144) | 50 cases | 30.00 per case | 1500 | 00 |
| 2 | | Tura Cream (1x144) | 50 cases | 50.00 per case | 2500 | 00 |
| 3 | | Crusader Cream (1x144) | 50 cases | 42.00 per case | 2100 | 00 |
| 4 | | Zarina Soap (1x144) | 50 cases | 24.15 per case | 1207 | 50 |
| 5 | | Zarina Cream (1x144) | 50 cases | 41.00 per case | 2050 | 00 |
| 6 | | IKB Lotion 250ml (1x24) | 90 cases | 9.60 per case | 864 | 00 |
| 7 | | IKB Lotion 500ml (1x12) | 50 cases | 6.95 per case | 347 | 50 |
| 8 | | IKB Soap (1x144) | 359 cases | 16.75 per case | 6013 | 25 |
| 9 | | Symba Cream (1x144) | 100 cases | 50.00 per case | 5000 | 00 |
| 10 | | Symba Soap (1x144) | 100 cases | 30.00 per case | 3000 | 00 |

Consigned to: Mabs Merchandise

Shipped per MSC INSA, sailing 29.4.98
ETA New York 8.5.98

| | | |
|---------------------|-------|----|
| TOTAL | 24582 | 25 |
| INLAND HAULAGE | | |
| FREIGHT & INSURANCE | 1650 | 00 |
| CIF NEW YORK | 26232 | 25 |

Ikb / Mabs Merchandise

Invoice No.

80599

160-19 Rockaway Blvd
 Jamaica, NY 11434
 Tel: (718)712-5234 fax Fax:(718)712-5172

INVOICE

Customer

Name Sohho
 Address 20-22 College point Blvd
 City Queens State _____ ZIP _____
 Phone 718-886-1446

Date 7/28/00
 Order No. _____
 Rep _____
 FOB _____

| Qty | Description | Unit Price | TOTAL |
|-----|----------------|------------|------------|
| 70 | IKB CREAM | \$90.00 | \$6,300.00 |
| 100 | IKB SOAP | \$50.00 | \$5,000.00 |
| 70 | SYMBA SOAP | \$60.00 | \$4,200.00 |
| 10 | CRUSADER CREAM | \$95.00 | \$950.00 |

Payment Details

- Cash
- Check
- Credit Card

Name _____
 CC # _____
 Expires _____

| | |
|---------------------|--------------------|
| SubTotal | \$16,450.00 |
| Shipping & Handling | |
| Taxes State | |
| TOTAL | \$16,450.00 |

1% discount
 Deduct 1% from \$19,435.00
 Balance = \$19,240.65 paid as Cash

Thank You

\$6285.50
 Paid full *to bank*

Always make it iKb

CS.
293013.
lowa.
CS

08/10/00

Ikb / Mabs Merchandise

160-19 Rockaway Blvd
 Jamaica, NY 11434
 Tel: (718)712-5234 fax Fax:(718)712-5172

Invoice No. 1182000

INVOICE

Customer

Name AFRICAN MARKET
 Address BRONX TERMINAL MARKET
 City BRONX State NY ZIP _____
 Phone 718 665 6524

Date 8/29/00
 Order No. _____
 Rep _____
 FOB _____

| Qty | Description | Unit Price | TOTAL |
|-----|----------------|------------|------------|
| 75 | CRUSADER CREAM | \$100.00 | \$7,500.00 |
| 75 | CRUSADER SOAP | \$70.00 | \$5,250.00 |
| 90 | IKB CREAM | \$92.00 | \$8,280.00 |
| 30 | ZARINA CREAM | \$97.00 | \$2,910.00 |
| 30 | ZARINA SOAP | \$67.00 | \$2,010.00 |
| 65 | SYMBA CREAM | \$97.00 | \$6,305.00 |
| 40 | MIC CREAM | \$100.00 | \$4,000.00 |

9,200

Payment Details

Cash
 Check
 Credit Card

Name _____
 CC # _____
 Expires _____

| | |
|---------------------|--------------------|
| SubTotal | \$36,255.00 |
| Shipping & Handling | |
| Taxes State | |
| TOTAL | \$36,255.00 |

37175.00

50% PAYMENT ONE WEEK AFTER
 DELIVERY AND BALANCE ONE
 WEEK LATER.

Thank You

Always make it iKb

AMED LTD

FAX NO. :01986 875153

14 Mar. 2004 12:12PM P2

THERAMED LIMITED

THERAPEUTIC & MEDICAL DEVICES

3 Churchwood
Lodge Road
Holton
Halesworth
Suffolk IP19 8PD
Tel 01986 875153
Fax 01986 875153

Mobile 07860 730 333

Customer

International Beauty Exchange Inc
1592 NW 159 Street
Miami
Florida 33169
USA

INVOICE

291/04

Your Ref:

Date: 5th March 2004

| Item | Code No. | Description | Qty | Unit Price | £ | £ |
|------|----------|----------------------------------|-----------|----------------|------------|------------|
| | | | | | US DOLLARS | US DOLLARS |
| 1 | | IKB Soap 12x12x80g | 700 cases | 35.00 per case | 24500 | 00 |
| 2 | | Morgans Antiseptic Soap 6x12x85g | 150 cases | 25.58 per case | 3837 | 00 |

Shipped per ORANJE
ETD 7th March 2004
ETA 19th March 2004
Container No GSTU362227
Seal No 0057329

Consigned to:

| | | |
|-----------------------|-------|----|
| Total \$ | 28337 | 00 |
| Freight & Ins. \$ | 2215 | 00 |
| Total CIF New York \$ | 30552 | 00 |

11

I K B BEAUTY SUPPLY
 49 NORTH FRANKLIN STREET
 HEMPSTEAD, NY 11550
 (516) 483-0000

\$7.00

Invoice

No. 000130

| DATE | SALESPERSON |
|----------|-------------|
| 10/21/98 | mark |

SOLD TO

BEN
 MAMA TROPICAL Inc
 10 CORNELIA STR
 NEW - NJ

SHIP TO

Customer P/c

| YOUR ORDER NO. | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS |
|----------------|--------------|--|--------------|--------|
| | | | | |
| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL |
| 10 | | SYMBA SOAP | \$65 | 650.00 |
| 1 | | IKB Cream | \$97 | 97.00 |
| 11 PACKS | | IKB, Stamps Tanning + tanning | | 50.00 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | 827.00 |

Payment due on
 the 4th November 1998

[Signature]

ORIGINAL

THANK YOU

Invoice

No. 000126

I K B BEAUTY SUPPLY
 49 NORTH FRANKLIN STREET
 HEMPSTEAD, NY 11550
 (516) 483-0000

| DATE | SALESPERSON |
|----------|----------------|
| 10-14-98 | Chin Chin Chen |

SOLD TO

FRANCOIS
 VICTORIA WHOLESALE
 3360 N. W. 37 ST. MIAMI,
 FL 33142

SHIP TO

VICTORIA WHOLESALE
 7900 FLATLANDS AVENUE
 BROOKLYN NY 11236

| YOUR ORDER NO. | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS |
|----------------|--------------|-------------|--------------|-------|
| | | | | |

| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL |
|-----------|------|---------------------------|------------|-----------|
| 150 CASES | 144 | IKB SKIN LIGHTENING CREAM | 90 00 | 13500 00 |
| 10 CASES | 144 | SIMBA CREAM | 93 00 | 930 00 |
| 31 " | 144 | TURA CREAM | 93 00 | 2883 00 |
| 29 " | 144 | TURA SOAP | 65 00 | 1885 00 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | 19,198 00 |

PAID
 2 weeks credit
 Payment date:
 10/28/98
 [Signature]
 of IKB Corp

DUPLICATE

THANK YOU

Invoice

No. 000147

I K B BEAUTY SUPPLY
 49 NORTH FRANKLIN STREET
 HEMPSTEAD, NY 11550
 (516) 483-0000



| DATE | SALESPERSON |
|----------|-------------|
| 10-09-98 | Chi Chi |

SOLD TO

UGO OKERE
 ATLANTA, GEORGIA

SHIP TO

ATLANTA, GEORGIA

| YOUR ORDER NO. | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS |
|----------------|--------------|-------------|--------------|-------|
| | | | | |

| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL |
|----------|------|------------------|------------|---------|
| 10 CASES | | TURA CREAM | 95 00 | 950 00 |
| 10 CASES | | TURA SOAP | 65 00 | 650 00 |
| 3 CASES | | SYMBA CREAM | 95 00 | 285 00 |
| 3 CASES | | SYMBA SOAP | 65 00 | 195 00 |
| 12 CASES | | IKB SKIN LITENER | 90 00 | 1080 00 |
| 1 CASE | | SEPTOL | 65 00 | 65 00 |
| 12 CASES | | IKB SOAP | 60 00 | 720 00 |
| | | | | |
| | | | | 3945 00 |

ORIGINAL

THANK YOU

Invoice

No. 000134

I K B BEAUTY SUPPLY
 49 NORTH FRANKLIN STREET
 HEMPSTEAD, NY 11550
 (516) 483-0000

| DATE | SALESPERSON |
|----------|-------------|
| 10/22/98 | obi |

SOLD TO

Joe's market

SHIP TO

20193 Main Street
 Oranjes NJ

| YOUR ORDER NO. | | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS | |
|----------------|------|--------------|-------------|--------------|-------|---------|
| QUANTITY | UNIT | DESCRIPTION | | UNIT PRICE | | TOTAL |
| 10 Cases | 144 | IKB Soap | | 63 | 00 | 630 00 |
| 10 Cases | 144 | Snyder Soap | | 65 | 00 | 650 00 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | 1280 00 |

*paid check
 10/22/98*

DUPLICATE

THANK YOU

Invoice

No. 000130

I K B BEAUTY SUPPLY
 49 NORTH FRANKLIN STREET
 HEMPSTEAD, NY 11550
 (516) 483-0000

| DATE | SALESPERSON |
|----------|-------------|
| 10/21/98 | Mark |

SOLD TO

BEN
 MAMA TROPICAL Inc
 10 CORNELIA STR
 NEW YORK - N.Y.

SHIP TO

Customer P/le

| YOUR ORDER NO. | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS |
|----------------|--------------|-------------|--------------|-------|
| | | | | |

| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL |
|----------|---------|------------------------------------|------------|--------|
| 10 | | SYNBA SOAP | \$65 | 650 00 |
| 1 | | IKB Cream | \$97 | 97 00 |
| 11 | PACKETS | IKB, Synba Zaira + tura | ? | 90 00 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | 827 00 |

Payment due on
 11/4/98
 4th November 1998
 POK

FILE COPY

THANK YOU

Invoice

No. 000352

I K B BEAUTY SUPPLY
49 NORTH FRANKLIN STREET
HEMPSTEAD, NY 11550
(516) 483-0000

| DATE | SALESPERSON |
|----------|-------------|
| 02-10-99 | Chellu |

SOLD TO

Solo

SHIP TO

Solo College Point
Queens NY

| YOUR ORDER NO. | DATE SHIPPED | SHIPPED VIA | F.O.B. POINT | TERMS |
|----------------|--------------|-------------|--------------|-------|
| | | | | |

| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL |
|--------------------|----------------|-------------------------|------------------|-------------------|
| 25 CASES | 144 | IKB ANTISEPTIC SOAP | 50 00 | 1250 00 |
| 2 CASES | 144 | Synther Soap | 65 00 | 130 00 |
| | | | | - 12 50 |
| | | | | 1237 50 |
| | | | | - 12 50 |
| | | | | 1380 00 |

one thousand, three hundred and eighty dollars
Paid Cash
10% discount = \$1237.50

DUPLICATE

THANK YOU

1380 00

EXHIBIT F



UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | | | | |
|------|-------|--------|---------------|------------------|----------------|------------|
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| | | | | | | | | | |
|-----------|-----------|-----------|----------|------------|-----------|------------|--------|------|--|
| PTO HOME | TRADEMARK | TESS HOME | NEW USER | STRUCTURED | FREE FORM | BROWSE DOC | BOTTOM | HELP | |
| CURR LIST | | FIRST DOC | PREV DOC | NEXT DOC | LAST DOC | | | | |

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List At: OR to record: **Record 2 out of 9**

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

| | |
|---------------------------------|---|
| Word Mark | IKB |
| Goods and Services | IC 003. US 001 004 006 050 051 052. G & S: Skin soaps, medicated skin soaps, skin lotions, skin creams, and skin cleansers |
| | IC 005. US 006 018 044 046 051 052. G & S: Medicated skin lotions, medicated skin care preparations |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 78258347 |
| Filing Date | June 4, 2003 |
| Current Filing Basis | 1B |
| Original Filing Basis | 1B |
| Published for Opposition | March 2, 2004 |
| Owner | (APPLICANT) J. Farrow & Sons Ltd. CORPORATION UNITED KINGDOM No. 17 Pagaxis House 61 Victoria Road Surbiton Surrey UNITED KINGDOM KT6 4JX |
| Attorney of Record | David M. Rogero |
| Type of Mark | TRADEMARK |
| Register | PRINCIPAL |
| Live/Dead Indicator | LIVE |

| | | | | | | | | | |
|---------------------------|---------------------------|---------------------------|--------------------------|----------------------------|---------------------------|----------------------------|---------------------|----------------------|---------------------|
| PTO HOME | TRADEMARK | TESS HOME | NEW USES | STRUCTURED | FREE FORM | BROWSE DOC | TOP | HELP | ... |
| CURR LIST | ... | FIRST DOC | PREV DOC | NEXT DOC | LAST DOC | | | | |

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This page was generated by the TARR system on 2004-04-13 10:59:29 ET

Serial Number: 78258347

Registration Number: (NOT AVAILABLE)

Mark (words only): IKB

Standard Character claim: No

Current Status: A request for an extension of time to file an opposition has been filed at the Trademark Trial and Appeal Board.

Date of Status: 2004-03-24

Filing Date: 2003-06-04

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
CLARK GLENN G Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-01-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. J. Farrow & Sons Ltd.

Address:

J. Farrow & Sons Ltd.
No. 17 Pagaxis House 61 Victoria Road
Surbiton Surrey KT6 4JX
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

Skin soaps, medicated skin soaps, skin lotions, skin creams, and skin cleansers

International Class: 003

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

Medicated skin lotions, medicated skin care preparations

International Class: 005

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-24 - Extension of time to oppose - Filed

2004-03-02 - Published for opposition

2004-02-11 - Notice of publication

2004-01-05 - Approved for Pub - Principal Register (Initial exam)

2003-12-03 - Communication received from applicant

2003-12-03 - TEAS Response to Office Action Received

2003-11-19 - Non-final action mailed

2003-11-18 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

David M. Rogero (Attorney of record)

David M. Rogero

DAVID M ROGERO P A

2600 S DOUGLAS RD STE 600

CORAL GABLES FL 33134-6100

Phone Number: 305-441-0200

EXHIBIT G

Juniper Search Results

014706875153

Page 1 of 1

Search Results



Hits 1 to 3 of 3.

- Select All on Page
- Deselect All on Page
- Add to Monitoring
- Export List

J. FARROW & SONS

Unincorporated Business Number: UC1893225 Status: Unincorporated Address: ORCHARD CLOSE, FINEDON, NORTHANTS

J. FARROW & SONS

Unincorporated Business Number: UC1810170 Status: Unincorporated Address: 1 ORCHARD CLOSE, FINEDON, NORTHANTS

J. FARROW & SONS (BATTERIES) LIMITED

Registered Number: 01301273 Status: Dormant Registered Address: REGENT HOUSE, 316 BEULAH HILL, LONDON, SE19 3HF

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May 05, 2004

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L. Edelen

**L. EDELEN
Certifying Officer**

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 1,989,807

Registered July 30, 1996

TRADEMARK
PRINCIPAL REGISTER



IKB INDUSTRIES NIGERIA LIMITED (NIGERIA CORPORATION)
1A ERIC MOORE CLOSE
SURULERE, IKEJA, LAGOS, NIGERIA

FIRST USE 2-0-1988; IN COMMERCE
2-0-1988.

SER. NO. 74-683,020, FILED 6-1-1995.

FOR: SKIN SOAPS AND MEDICATED SKIN
SOAPS; SKIN LOTIONS; AND SKIN CREAMS,
IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

STEVEN R. FOSTER, EXAMINING ATTORNEY