Document

BULKY [redacted]

Proceeding/Serial No: 91162330

Filed: 12-21-06

Title: Opposer's first Notice of Reliance Pursuant to Trademark Rules 2.122(d) And 2.122(e)

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

TTAB
78 320 850

---------- x

L.C. LICENSING, INC.,

Opposer,

v.

CARY BERMAN,

Applicant.

---------- x

Opposition No. 91/162,330

OPPOSER'S FIRST NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULES 2.122(d) and 2.122(e)

Pursuant to Trademark Rules 2.122(d) and 2.122(e), L.C. Licensing, Inc. hereby gives notice of its reliance upon the following trademark registrations owned by Opposer.

Mark	Reg./Serial No.	Reg./Date
ENYCE	2,093,751	September 2, 1997
ENYCE and Design	2,351,411	May 23, 2000
LADY ENYCE	2,338,404	April 4, 2000

A certified copy of each of the above-referenced registrations, which has been prepared and issued by the U.S. Patent and Trademark Office, showing both the current

[redacted]
12-21-2006
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "**Express Mail** Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on

December 21, 2006 (Date of Deposit)

Antoinette Jorge (Print name)

Antoinette Jorge (Signature)

status and title of the registration is attached hereto.

Dated: New York, New York

December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

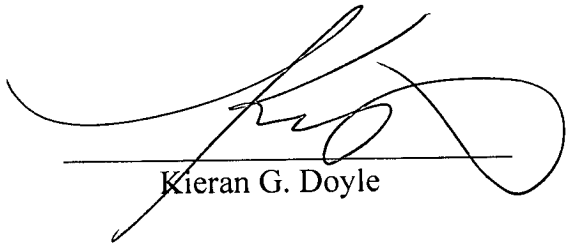
TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S FIRST NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(d) to be served on December 21, 2006 upon Applicant by first class mail, postage prepaid to Applicant at the following address:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305



Kieran G. Doyle

7039333

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

November 14, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION *2,351,411* IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF *10* YEARS FROM *May 23, 2000*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC.

A DE CORP

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

E. BORNETT
Certifying Officer

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,351,411

United States Patent and Trademark Office

Registered May 23, 2000

TRADEMARK
PRINCIPAL REGISTER

ENYCE, INC. (DELAWARE CORPORATION)
8 WEST 40TH STREET
THIRD FLOOR
NEW YORK, NY 10018

FOR: APPAREL AND HEADWEAR FOR MEN, WOMEN AND CHILDREN, NAMELY HATS, CAPS, VISORS, HEADBANDS, SHIRTS, JACKETS, JOGGING SUITS, PANTS, COATS, T-SHIRTS, SHORTS, TANK TOPS, SKIRTS, WARM-UP SUITS, SWEATSHIRTS AND SWEATPANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-0-1996; IN COMMERCE 8-0-1996.

SER. NO. 75-579,695, FILED 10-30-1998.

JANEL PERNELL, EXAMINING ATTORNEY

7039333

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

November 14, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION *2,093,751* IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF *10* YEARS FROM *September 02, 1997*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC.

A DE CORP

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

E. BORNETT
Certifying Officer

UNITED STATES PATENT AND TRADEMARK OFFICE
DEPARTMENT OF COMMERCE

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,093,751

United States Patent and Trademark Office

Registered Sep. 2, 1997

TRADEMARK
PRINCIPAL REGISTER

ENYCE

FILA U.S.A., INC. (DELAWARE CORPORATION)
11350 MCCORMICK ROAD
HUNT VALLEY, MD 21031

FOR: APPAREL AND HEADWEAR FOR MEN, WOMEN AND CHILDREN, NAMELY, HATS, CAPS, VISORS, HEADBANDS, SHIRTS, JACKETS, JOGGING SUITS, PANTS, COATS, T-SHIRTS, SHORTS, TANKTOPS, SKIRTS, WARM-UP SUITS, SWEATSHIRTS AND SWEATPANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 8-31-1996; IN COMMERCE 8-31-1996.

SN 75-976,355, FILED 6-24-1996.

CARYN HINES, EXAMINING ATTORNEY

7039333

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

November 14, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION *2,338,404* IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF *10* YEARS FROM *April 04, 2000*

SAID RECORDS SHOW TITLE TO BE IN:

L.C. LICENSING, INC.

A DE CORP

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

E. BORNETT
Certifying Officer

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,338,404

United States Patent and Trademark Office

Registered Apr. 4, 2000

TRADEMARK
PRINCIPAL REGISTER

LADY ENYCE

ENYCE, INC. (DELAWARE CORPORATION)
8 WEST 40TH STREET, THIRD FLOOR
NEW YORK, NY 10018

FOR: WOMEN'S CLOTHING, NAMELY, SHIRTS, TOPS, BOTTOMS, PANTS, JACKETS, COATS, JOGGING SUITS, WARM-UP SUITS, T-SHIRTS, POLO SHIRTS, TANK TOPS, SKIRTS, SHORTS, DENIM SHIRTS, DENIM PANTS, DENIM TOPS, DENIM BOTTOMS, DENIM SHORTS, DENIM SKIRTS, SWEAT SHIRTS, SWEAT PANTS, SWEAT SHORTS, HEADWEAR, CAPS, HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

OWNER OF U.S. REG. NO. 2,093,751.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LADY", APART FROM THE MARK AS SHOWN.

SER. NO. 75-694,719, FILED 4-30-1999.

JANEL PERNELL, EXAMINING ATTORNEY

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

OPPOSER'S SECOND NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULE 2.120(j)

Pursuant to Trademark Rule 2.120(j), Opposer L.C. Licensing, Inc. gives notice of its reliance upon (a) Applicant's February 4, 2005 Answers to Opposer's First Set of Interrogatories to Applicant Nos. 14, 16, 17, 18, 33, and 34; (b) Applicant's September 12, 2005 Answers to Opposer's First Set of Interrogatories to Applicant Nos. 14, 16, 17, and 18 and; (c) Opposer's Interrogatory Nos. 14, 15, 17, 18, 33 and 34, all attached hereto. Opposer is placing in evidence its own Interrogatories because Applicant, when preparing his

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "**Express Mail** Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on

December 21, 2006 Antoinette Jorge
(Date of Deposit) (Print name)

(Signature)

Responses and Interrogatories, failed to include Opposer's Interrogatories prior to each response.

Dated: New York, New York
December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S SECOND NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(e) to be served on December 21, 2006 upon Applicant by first class mail, postage prepaid to Applicant at the following address:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

Kieran G. Doyle

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

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600

L. C. Licensing, Inc.

Opposer,

v.

CARY B. BERMAN

Applicant

Opposition No. 91162330
Serial No. 78320850

ANSWER TO OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

In re Application Serial No.	: 78/320850
Mark	: ENYCE
International Class	: 12
Applicant	: Cary Berman
Filed	: October 30, 2003
Published	: August 24, 2004

Applicant, representing himself pro se submits this revised ANSWER to Opposer's FIRST SET OF INTERROGATORIES.

Answers to Opposer's FIRST SET OF INTERROGATORIES by numbered paragraph.

14. Applicant has not used and will not use it's Mark until the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board officially denies Opposer's opposition. Applicant has not decided on the intended use..

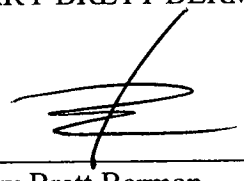
16.Applicant has not used and will not use it's Mark until the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board officially denies Opposer's opposition. Applicant has not decided on the intended use..

17. Applicant has not made any decisions about the issues asked in this question pending resolution of this matter in the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board.

18. Applicant has not used and will not use it's Mark until the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board officially denies Opposer's opposition. Applicant has not made any decisions about the future issues asked in this question pending resolution of this matter in the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board.

SUBMITTED this 12th day of September, 2005.

CARY BRETT BERMAN



Cary Brett Berman
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Phone-610-227-5600
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autocary@aol.com

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

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600

L. C. Licensing, Inc.

Opposer,

v.

CARY B. BERMAN

Applicant

Opposition No. 91162330
Serial No. 78320850

ANSWER TO OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

In re Application Serial No.	: 78/320850
Mark	: ENYCE
International Class	: 12
Applicant	: Cary Berman
Filed	: October 30, 2003
Published	: August 24, 2004

14. Applicant has not used and will not use it's Mark until the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board officially denies Opposer's opposition. Applicant does not feel that it's future plans with respect to it's Mark are relevant to the parties dispute.

16. Applicant has not used and will not use it's Mark until the United States Department of Commerce Patent and Trademark Office Trademark Trial and Appeal Board officially denies Opposer's opposition. Applicant does not feel that it's future plans with respect to it's Mark are relevant to the parties dispute.

17. Applicant does not feel that it's future plans with respect to it's Mark are relevant to the parties dispute.

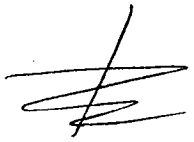
18. Applicant does not feel that it's future plans with respect to it's Mark are relevant to the parties dispute.

33. Applicant independently thought to use ENYCE on automobile products and was not aware that ENYCE was ever used on anything if it actually has been used. ENYCE is simply an abbreviation for New York City with the letter "E" on each side to represent electronic commerce. Applicant has a history in the automotive product industry. Specifically Applicant has utilized the internet to show a consumer what the automotive product will look like if installed on an automobile. Applicant respectfully asks that the parties review U. S. Patent Application 09/400.600 and U.S. Patent Application serial No. 09/625,950.

34. Opposer's council needs to walk out of her office and ask one hundred people if they have ever heard of Opposer's Mark. Perhaps then Opposer will apologize to Applicant and we can all move forward.

SUBMITTED this 3rd day of February, 2005.

CARY BRETT BERMAN



Cary Brett Berman
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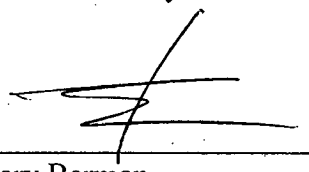
Fax- 610-667-9517
autocary@aol.com

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035
(610) 227-5600

CERTIFICATE OF SERVICE

I, Cary Berman, hereby certify that true and correct copies of the foregoing ANSWER TO OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS and ANSWER TO OPPOSER'S FIRST SET OF INTERROGATORIES were served on Opposer by priority mailing same (with delivery conformation) to Carole E. Klinger, Esq., 919 Third Ave., New York, NY. 10022 this 4th day of February 2005.



Cary Berman

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

----------X

L.C. Licensing, Inc.	:	
Opposer,	:	
v.	:	Opposition No. 91162330 Application Serial No. 78/320,850
Cary Berman,	:	
Applicant.	:	

----------X

OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

Opposer L.C. Licensing, Inc. ("L.C. Licensing" or "Opposer") pursuant to Rule 2.120 of the Trademark Rules of Practice and Rules 26 and 34 of the Federal Rules of Civil Procedure, hereby requests that Applicant Cary Berman ("Berman" or "Applicant"), produce for inspection and copying at the offices of Kramer Levin Naftalis & Frankel LLP, 919 Third Avenue, New York, New York 10022, or at such other place as agreed to by the parties, within thirty (30) days of the date of service of this request, the documents and things in its possession, custody or control set forth below. These requests are continuing and impose upon Applicant the obligations stated in the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

As used herein, the following definitions and instructions apply:

A. "Person" means any natural person, corporation, limited liability company, association, firm, partnership, or other business or legal entity.

B. "Applicant" means the above applicant, Cary Berman and/or the business through which Mr. Berman sells, has sold, or intends to sell products under Applicant's ENYCE mark.

C. "Opposer" means the above Opposer, L.C. Licensing, and any predecessor or successor corporation or entity, any licensee, parent, subsidiary or affiliated company, any entity in which L.C. Licensing or a subsidiary holds or has held any interest, and any attorney, officer, director, agent, representative or employee of L.C. Licensing or any of the other foregoing entities.

D. "Applicant's Mark" means the mark shown in Application Serial No. 78/320,850 for ENYCE.

E. "Opposer's ENYCE Marks" means each mark and/or registration which is relied upon by Opposer in the Notice of Opposition in this proceeding to challenge Applicant's Mark and/or Application Serial No. 78/320,850 directed thereto.

F. The term "Opposer's Goods" shall mean the goods identified in Reg. No. 2,093,751, namely, "apparel and headwear for men, women and children, namely, hats, caps, visors, headbands, shirts, jackets, jogging suits, pants, coats, T-shirts, shorts, tanktops, skirts, warm-up suits, sweatshirt and sweatpants", in International Class 25, and the goods identified in Reg. No. 2,351,411, namely, "apparel and headwear for men, women and children, namely, hats, caps, visors, headbands, shirts, jackets, jogging suits, pants, coats, T-shirts, shorts, tank tops, skirts, warm-up suits, sweatshirt and sweatpants", in International Class 25, and the goods identified in Reg. No. 2,338,404, namely, "women's clothing, namely, shirts, tops, bottoms, pants, jackets, coats, jogging suits, warm-up suits, T-shirts, polo shirts, tank tops, skirts, shorts,

denim shirts, denim pants, denim tops, denim bottoms, denim shorts, denim skirts, sweat shirts, sweat pants, sweat shorts, headwear, caps, hats", in International Class 25.

G. The term "concerning" shall mean relating to, referring to, describing, evidencing, or constituting.

H. The term "any" also means "each and every."

I. The term "refer to, relate to" shall mean comprise, refer to, relate to or in any way relevant to.

J. "Intermediary" means a company or person through which Applicant has provided its products or services to the ultimate customers therefor.

K. "Trade Show" means any trade show, convention, seminar or exhibition at which Applicant's products or services provided under Applicant's marks were sold, displayed, featured or presented.

L. "Classes of customers" means types or categories of customers which relate to the nature of the business of said customers, such as based upon SIC codes.

M. Use which "has not been constant" means use for which there has been a hiatus in use of one (1) month or longer.

N. The term "identify as used in connection with a communication (other than a document) shall mean to set forth the parties thereto, the date, the type of the communication, and the general subject matter.

O. "Document" shall include, without limitation, the following items, whether printed or reproduced or stored or recorded by any process, or written, or produced by hand, and whether or not claimed to be privileged or otherwise excludable from discovery: notes, letters, correspondence, books, periodicals, printed publications, communications, interoffice

communications, telexes, telegrams, memoranda, summaries and records of telephone conversations, summaries, and research reports and notebooks, charts, lists, schedules, plans, drawings, photographs, diaries, studies, evaluations, worksheets, minutes or records of meetings including directors' meetings, reports and/or summaries of interviews, reports and/or summaries of investigations, opinions or reports of consultants, reports or opinions regarding trademark, service mark, trade name, or corporate name registrations, consumer surveys, pilot studies, opinions of counsel, agreements, contracts, reports or summaries of negotiations, court papers, administrative agency papers, transcripts, brochures, pamphlets, advertisements, circulars, promotional material, trade letters, press releases, packaging, videotapes, audio tapes, CD-Roms, electronic messages and data, story boards, recordings, drafts of documents and revisions of drafts of documents and all other written or recorded material of whatever kind known to or in the possession or control of Applicant including copies or reproductions of all of the foregoing items upon which notations in writing have been made which do not appear on the original, and anything within the scope of Rules 26(b) and 34 of the Federal Rules of Civil Procedure, including things.

P. The words "and" and "and/or" shall each be deemed to refer to both their conjunctive and disjunctive meanings. The word "any" shall mean "each and every" as well as "any one." The masculine gender shall be deemed to include the feminine where appropriate, and the singular shall be deemed to include the plural, and vice versa.

Q. The following requests seek documents as of the date hereof, but shall be deemed to be continuing, and any additional information relating in any way to these requests which is acquired by or becomes known to Applicant up to and including the time of trial shall be furnished to Opposer promptly after such information is acquired or becomes known.

R. Those requests which call for the identification of documents will be deemed answered if Applicant provides copies of such documents to Opposer's attorneys within the period in which timely response can be made, including proper extensions of time, if any. Every document called for by these requests which Applicant does not make so available to Opposer's attorneys shall be properly identified in a timely response to the appropriate interrogatory.

S. Each request to produce refers to Applicant's ENYCE Mark and Applicant's business activities within the United States.

T. Only one copy of each document need be produced; however, any document that varies in any way so that it is not identical to one produced is to be considered a separate document and must be produced.

U. In the event that any requested document has been destroyed, lost, discarded, or otherwise disposed of, any such document is to be identified as completely as possible, including, without limitation, the following information: date of disposal, manner of disposal, reason for disposal, person authorizing the disposal, and person disposing of the document.

V. All documents that respond, in whole or in part, to any portion of any Request shall be produced in their entirety, including all attachments and enclosures.

W. These discovery requests cover all information and documents in the possess, custody, or control of Applicant, whether they are located in Applicant's offices or residences or any other place maintained by Applicant, or in the possession of its agents, accountants, attorneys, or of a trade association or other organization to whose documents Applicant has access.

X. If Applicant knows of the existence, past or present, or any documents and things described below, but is unable to produce such documents and things because they are not presently in its possession, custody or control, it shall so state and shall identify such documents and the name and address of the person who has possession, custody or control of the documents and things.

Y. As to the identification of any natural person, please give, to the extent known, the person's full name, present or last known address, and the present or last known place of employment.

Z. To the extent that Applicant is not willing to voluntarily produce documents requested herein, state, with respect to each document that Applicant is not willing to voluntarily produce, the basis on which the same is being withheld from voluntary production. If any document is deemed privileged or confidential, furnish a list identifying each document or thing for which privilege or confidentiality is claimed, together with the following information as to each such document or thing:

(1) a brief description of its nature and subject matter, including the title and type of document;

(2) its date;

(3) the name and title of the author(s);

(4) the name and title of the person(s) to whom the document is addressed including all persons who received copies;

(5) the name and title of the person(s) to whom the document or thing was sent;

(6) the number of pages;

(7) the request to which the document, thing or withheld information is otherwise responsive; and

(8) in the case of a document for which privilege is claimed, set forth the privilege claimed and the facts on which Applicant relies to support the claimed privilege.

Also state whether the document was marked with any restricted access language, such as "confidential" or "attorney client privilege", at the time it was prepared, and identify each actual recipient of each such document or of copies thereof and all persons who have seen or who have access to the same and the steps taken to prevent its communication to unauthorized persons.

REQUESTS

Request No. 14

Produce all documents and things that support the allegations contained in paragraph 9 of the Answer to Opposer's Notice of Opposition in this proceeding.

Request No. 16

Produce any trademark manual, trademark policy guide or other document which sets forth guidelines for trademark usage by Applicant and/or its views of trademark usage by others.

Request No. 17

Produce all documents and things sufficient to identify each kind of product on which, or service in connection with which, Applicant has used, currently uses or intends to use Applicant's Mark in interstate commerce.

Request No. 18

For each different product or service designated by Applicant under Applicant's Mark, provide representative samples of hang tags, labels, packaging, advertising and other items bearing Applicant's Mark.

Request No. 33

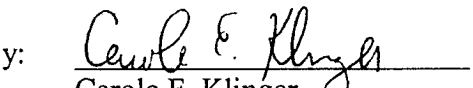
Produce all documents and things sufficient to identify all geographical areas, by city and state, in which Applicant has sold or distributed, is selling or distributing, and/or intends to sell or distribute Applicant's goods and/or services using Applicant's Mark.

Request No. 34

Produce all documents and things sufficient to identify the address and telephone number of each location at which Applicant has maintained or maintains an office or other place of business, and the functions carried out at such office(s) or other place of business.

KRAMER LEVIN NAFTALIS
& FRANKEL LLP

Dated: New York, New York
December 23, 2004

By: 

Carole E. Klinger
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, New York 10022
(212) 715-9100
Attorneys for Applicant
L.C. Licensing, Inc.

CERTIFICATE OF SERVICE

Opposition No. 91162330

I hereby certify that on December 23, 2004, I caused one true and correct copy of the foregoing OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS to be served by first class mail upon Applicant Cary Berman by causing a true and correct copy thereof to be deposited in the United States mail, postage prepaid, addressed to Applicant as follows:

Cary Brett Berman
1917 Lafayette Road
Gladwyne, PA 19035

Carole E. Klinger

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

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Dub	August/ September 2006	EN000385 - EN000386
Dub	June/ July 2006	EN000383 - EN000384
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Dated: New York, New York
December 21, 2006

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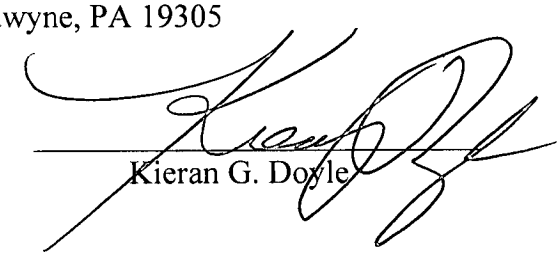

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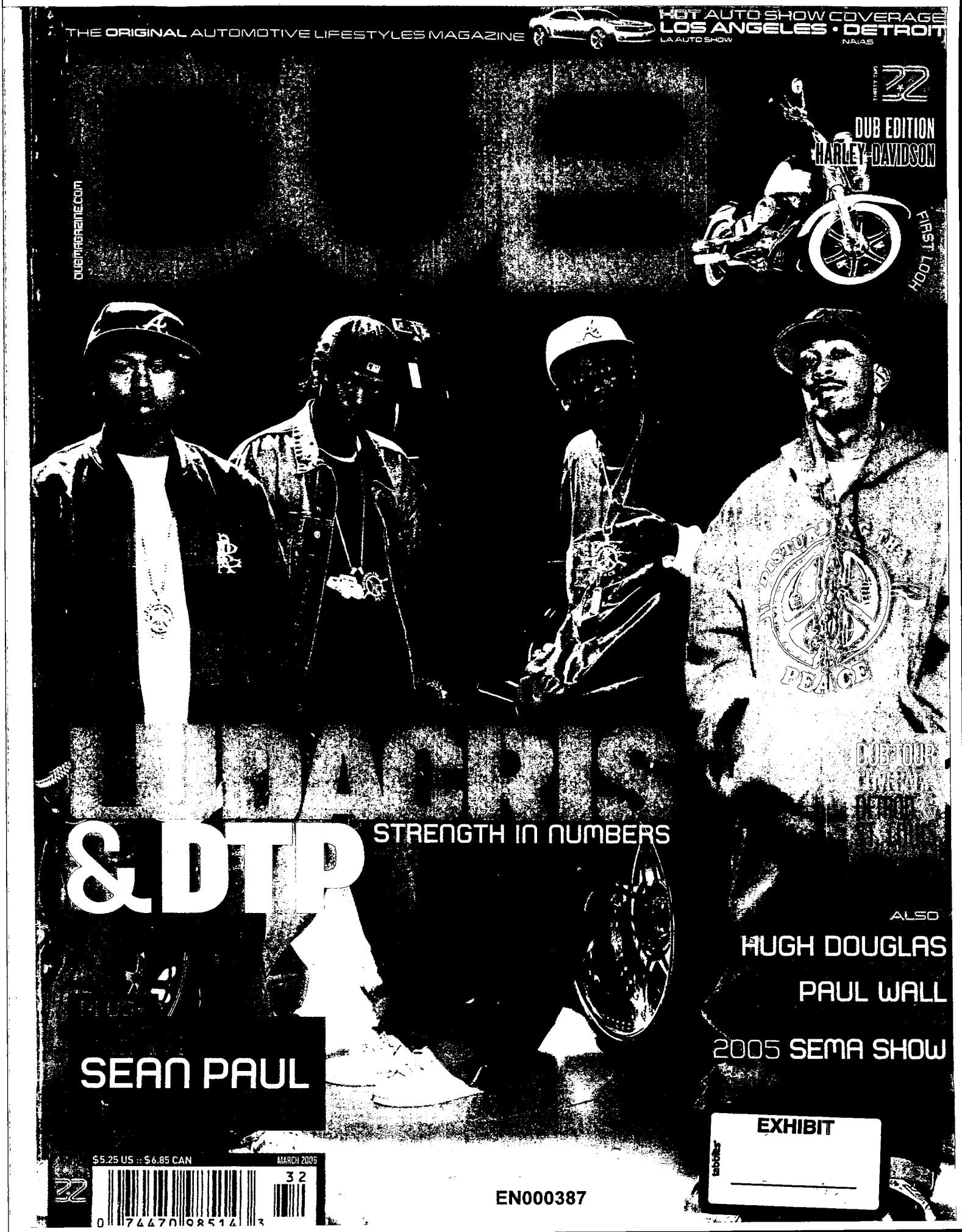
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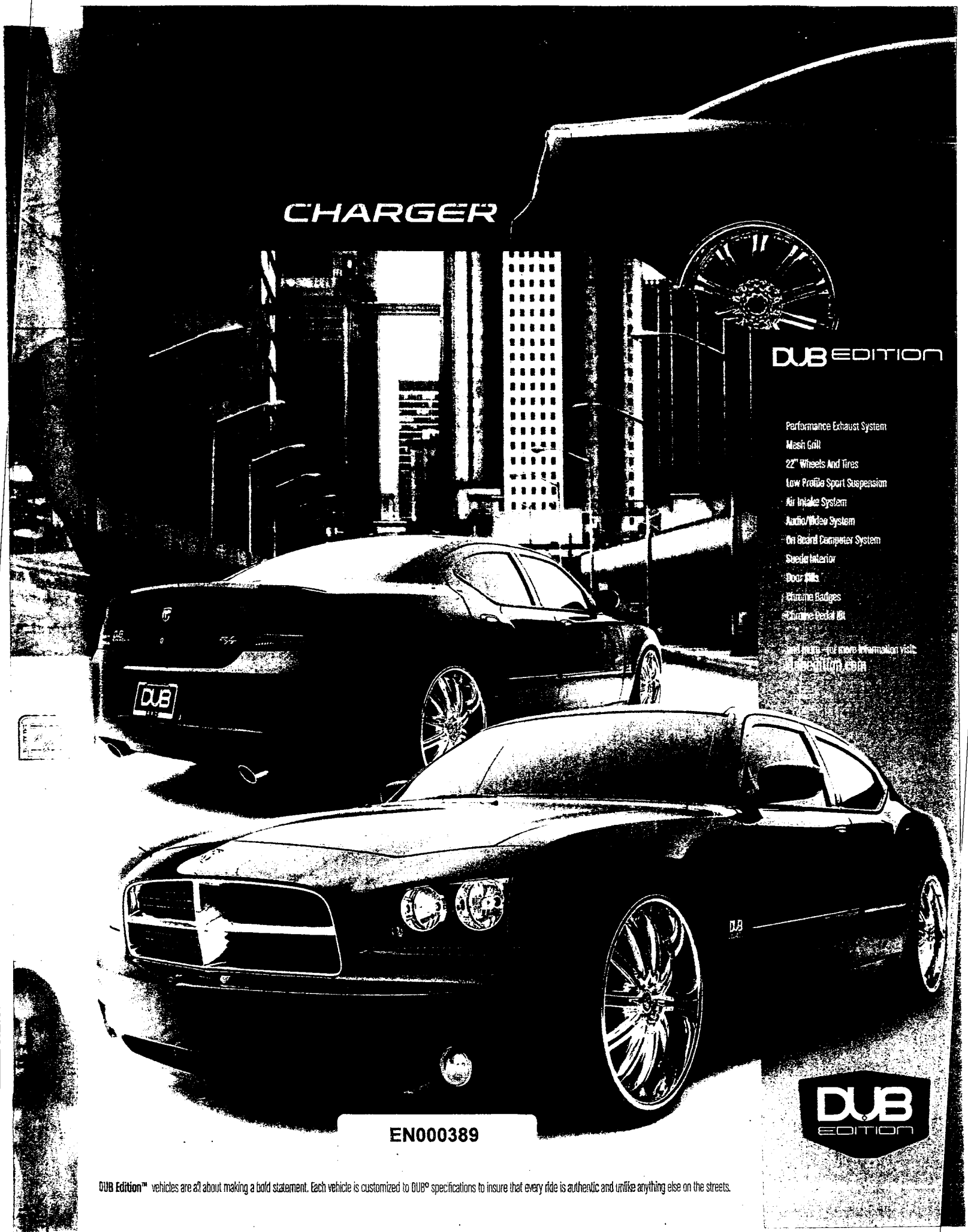

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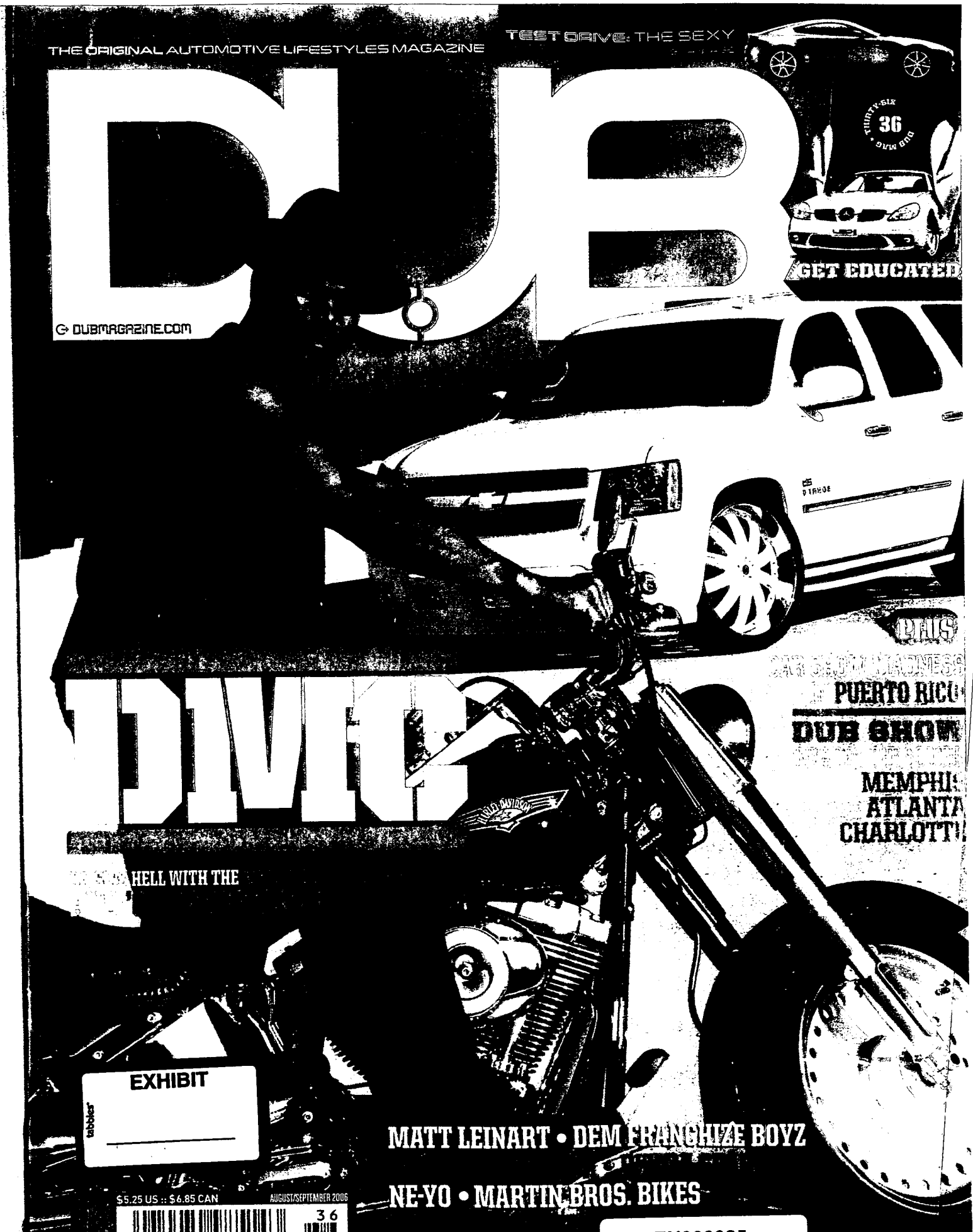

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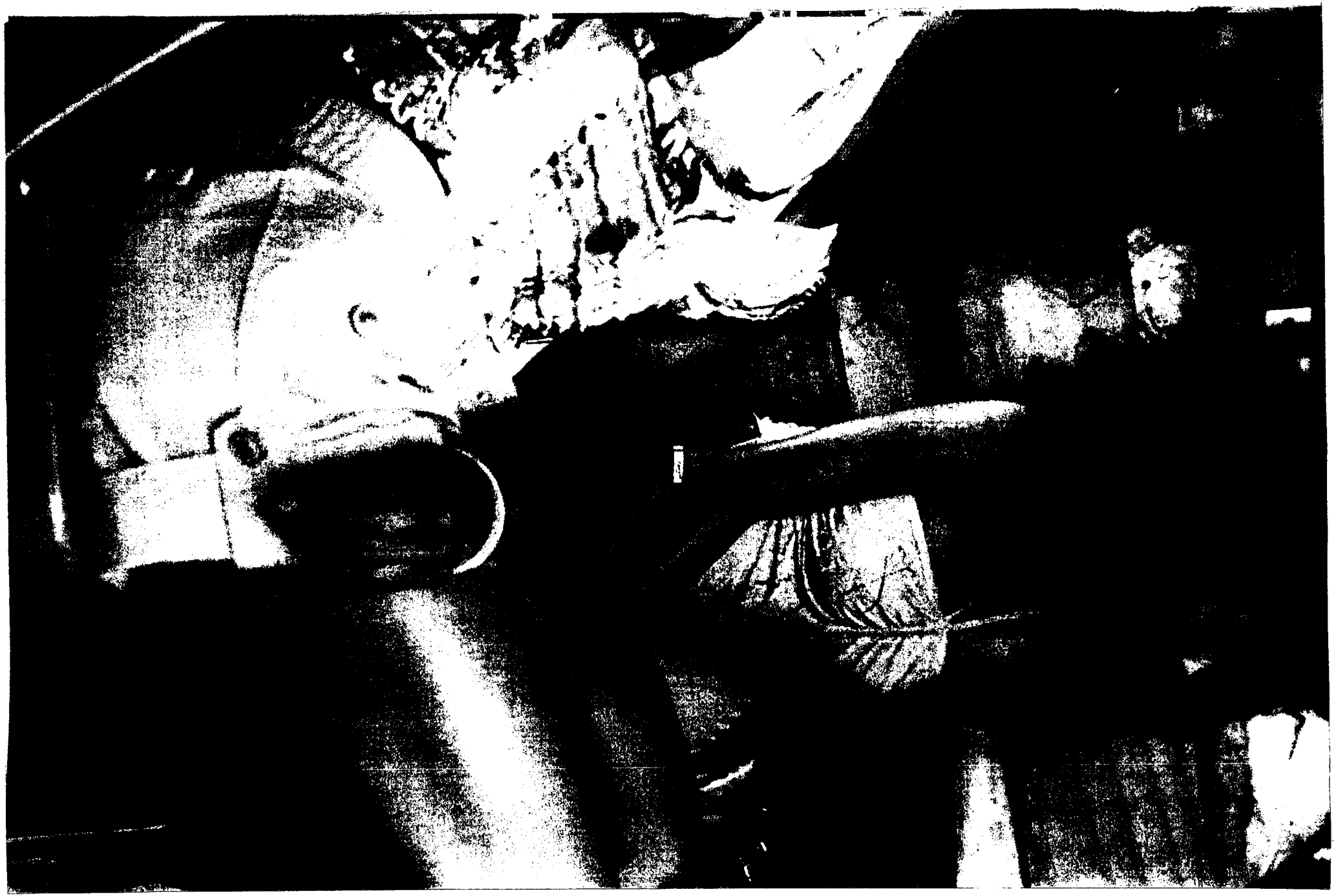

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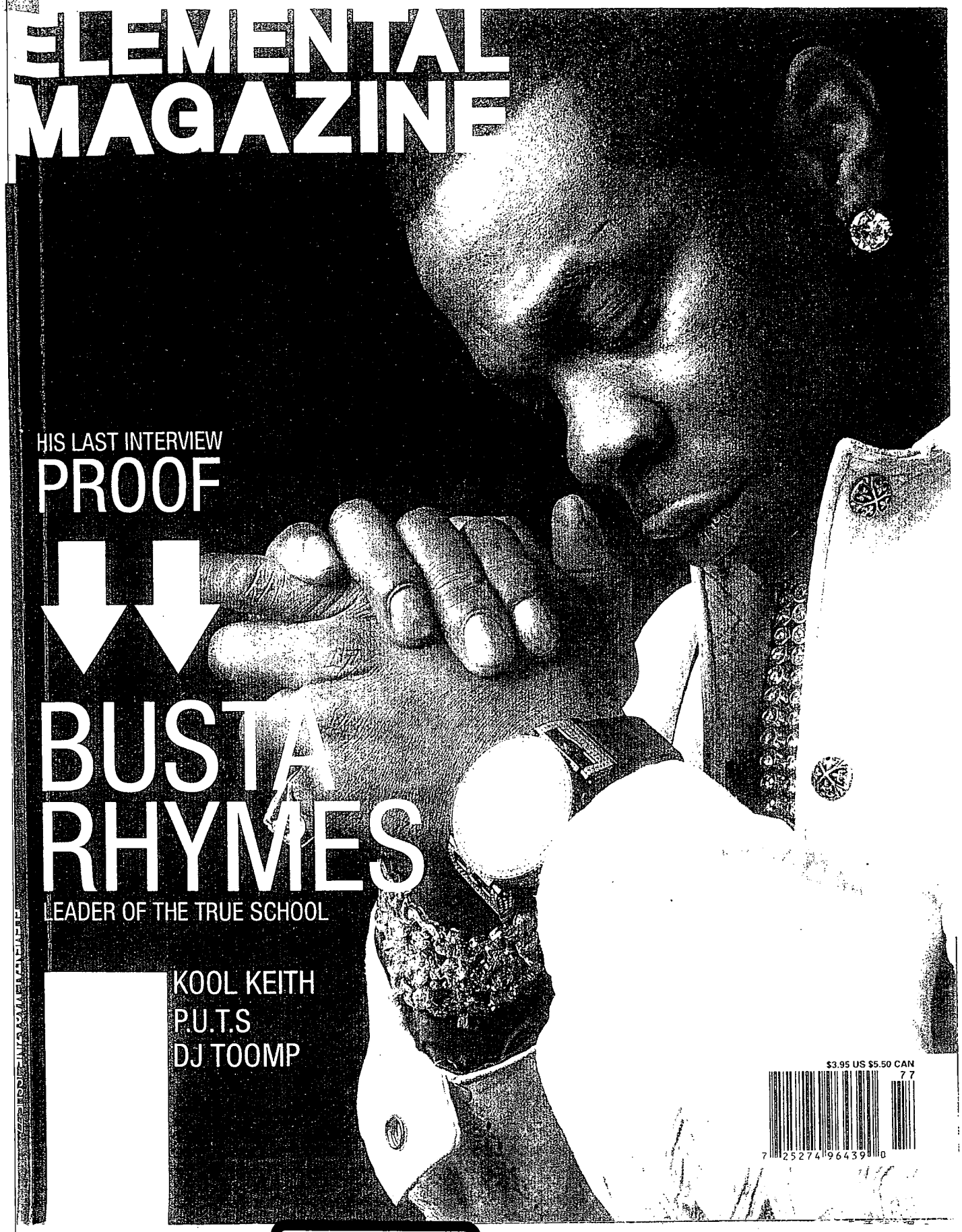

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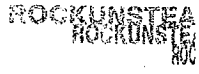

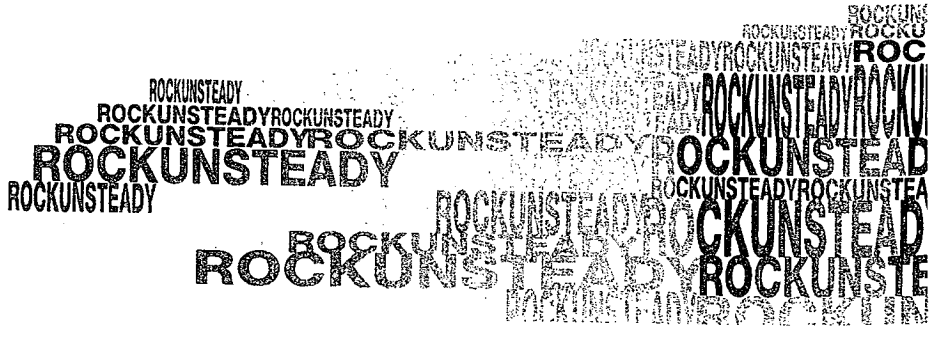

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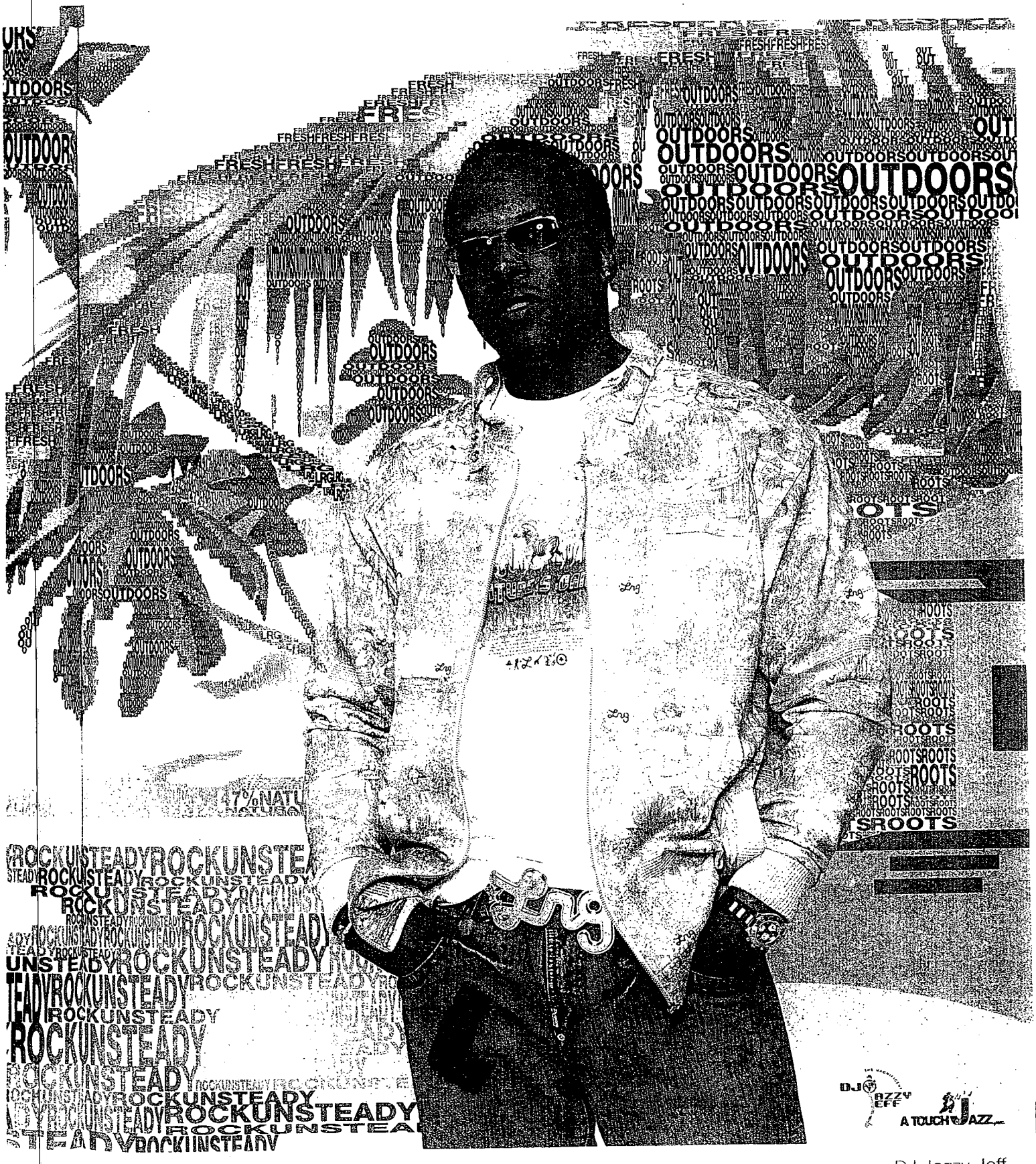

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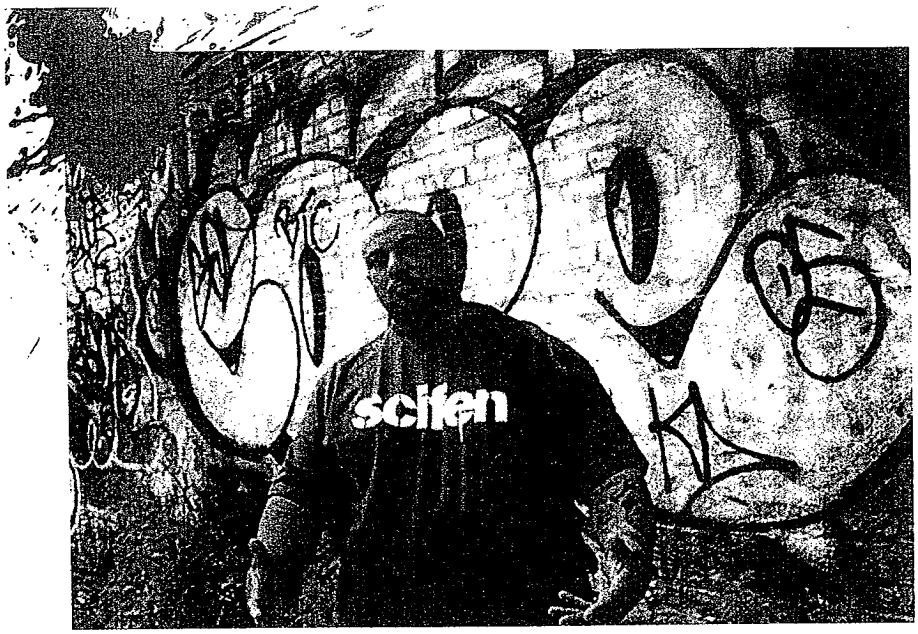

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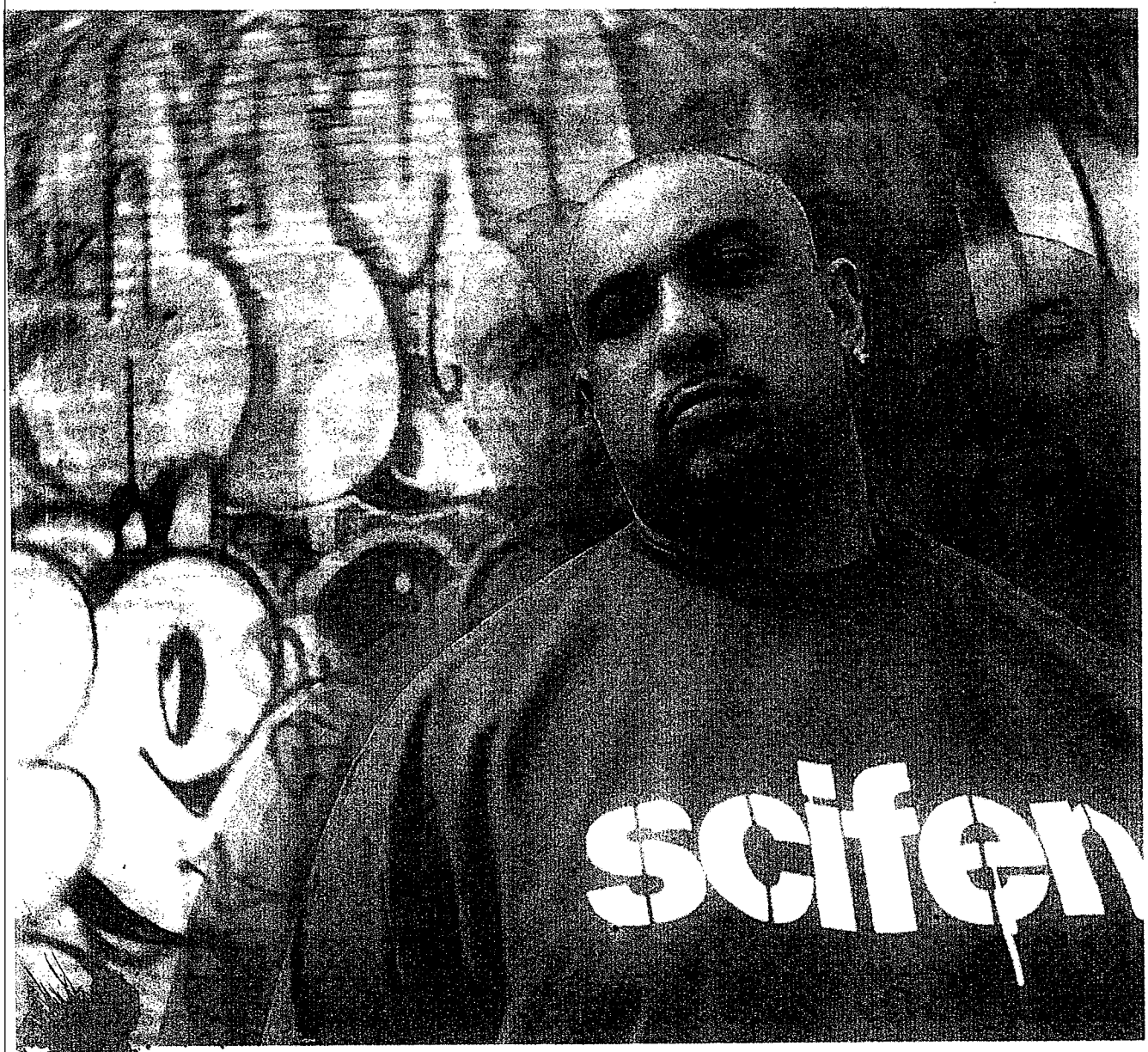

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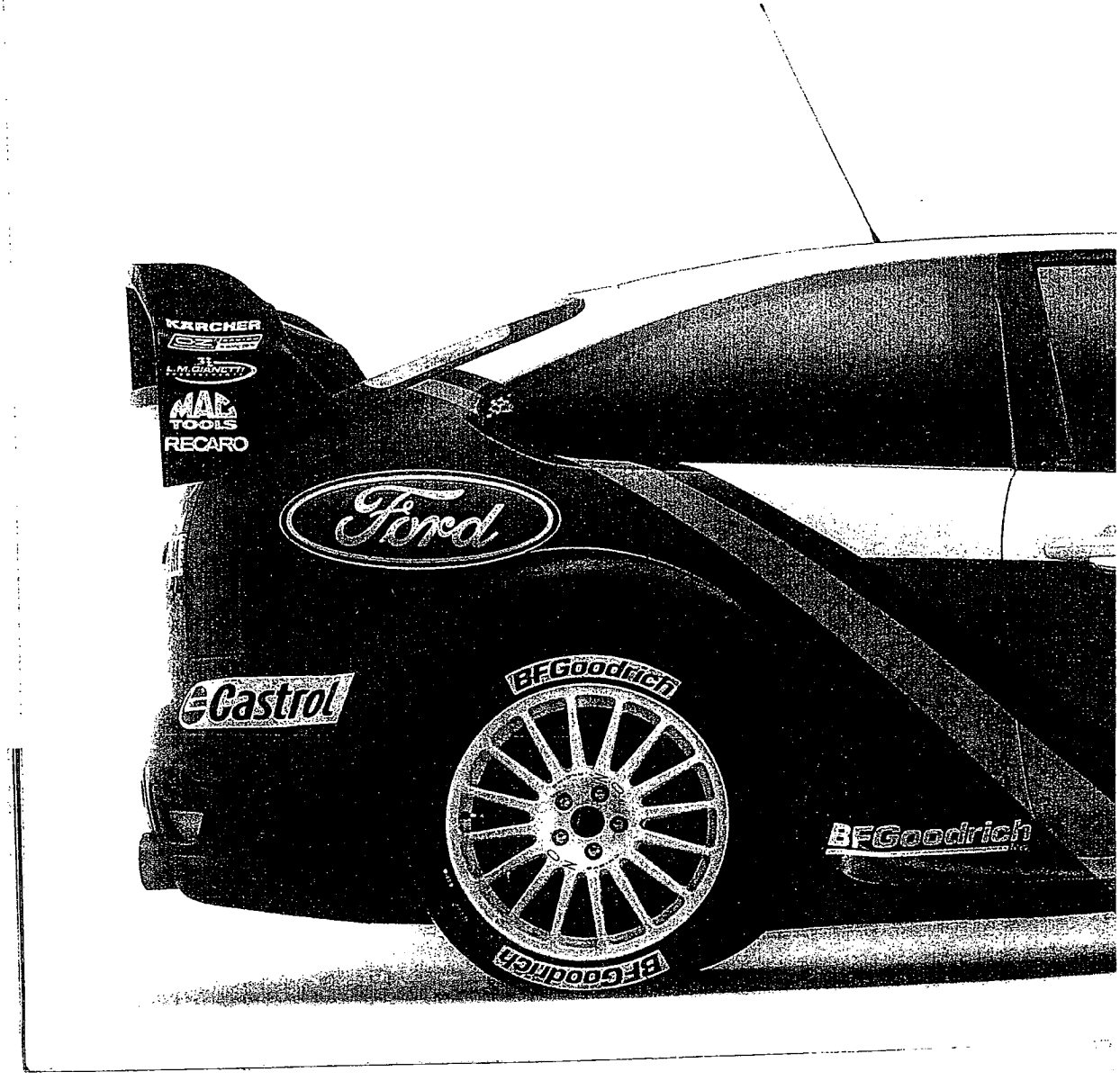
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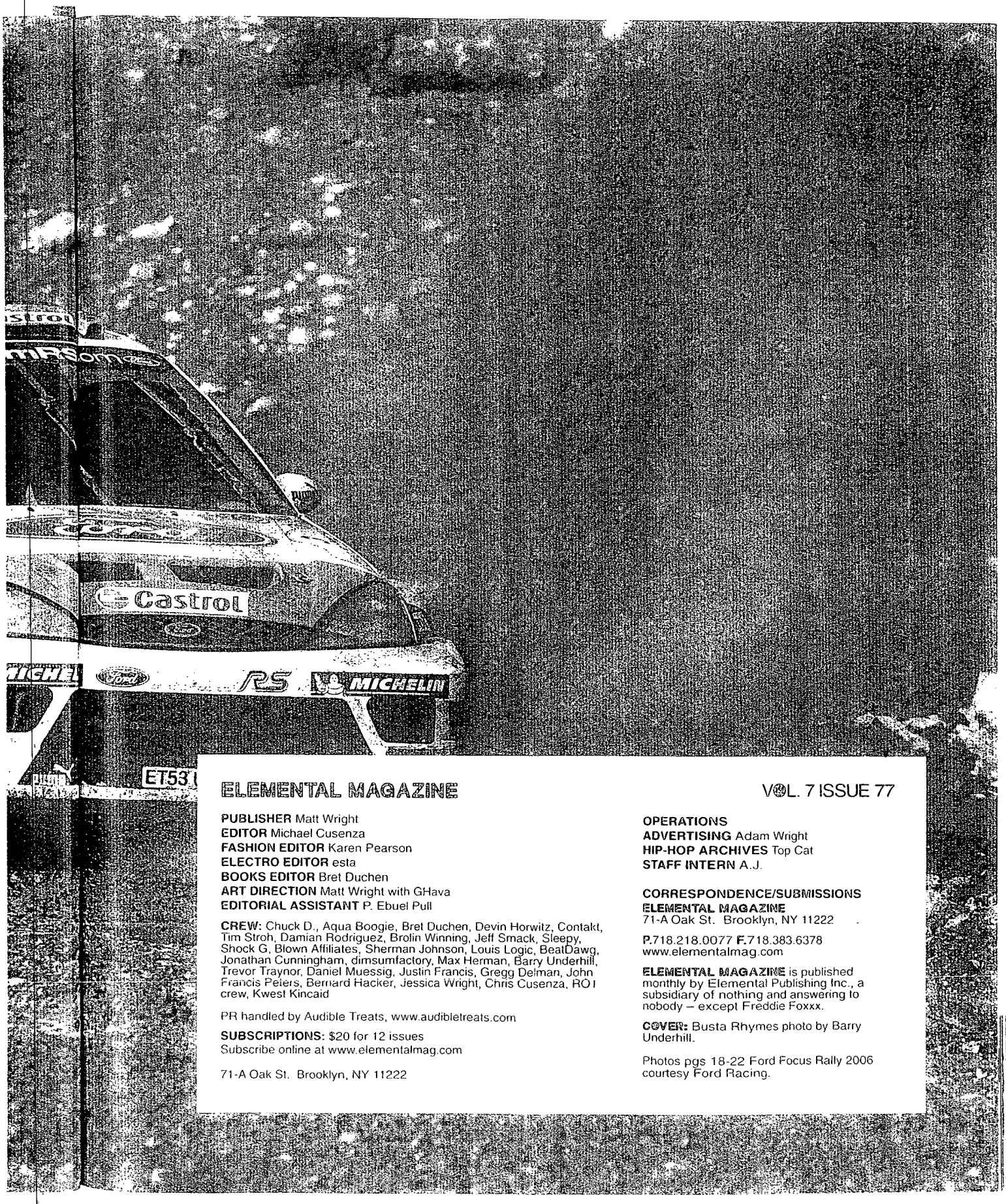

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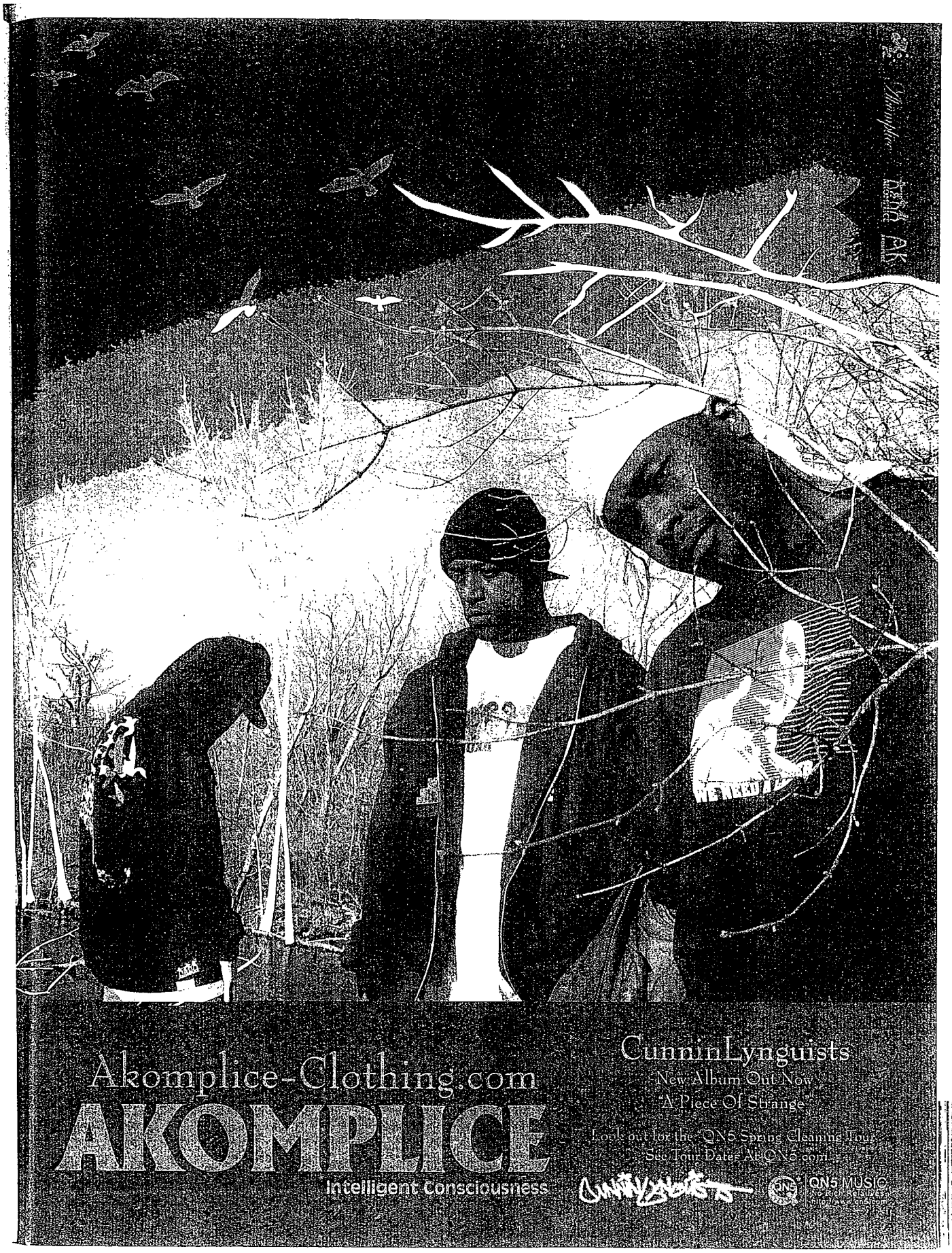
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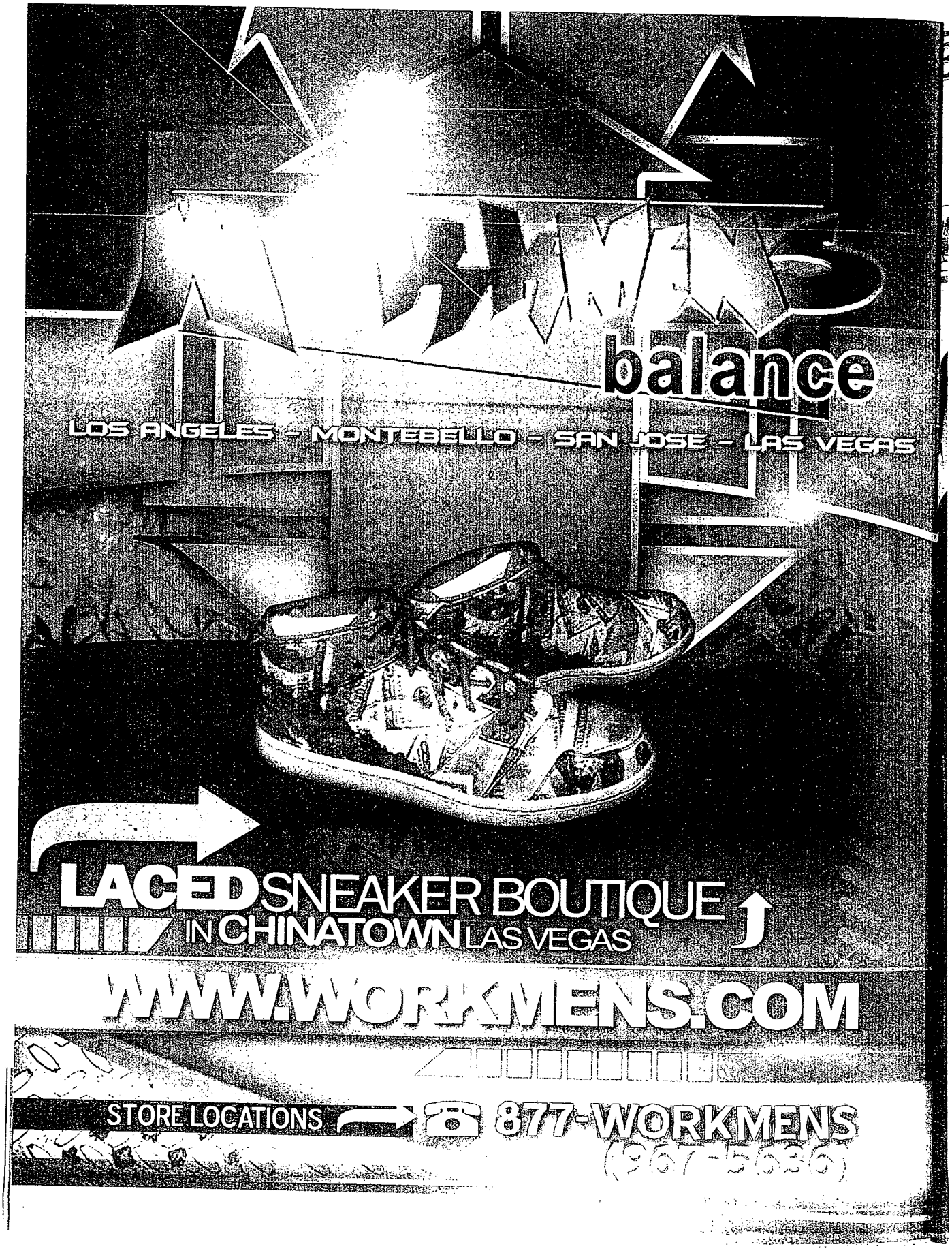
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FILMS BY E-40 & SAN QUINN

BIG MOMMA'S HOUSE 2: Directed by John Whitesell.

Went to check out "Big Momma's House 2" over the weekend and it made me chuckle every now and again. It was a great family movie, but for a gangsta like myself it was a bit soft. Basically, the plot of the movie was the typical "heroine saves the day" so to speak. Nia Long was playing Martin's wife and she was supposedly nine-months pregnant. That was the fakest pregnant stomach I have ever seen. It was too big and it had the shape of a pillow. It was shifting while she was moving and at any moment I was waiting for it to fall out of her shirt. I couldn't figure out if that was supposed to be a joke, or did they really think they could pull that off? I was happy to see they used the original son Trent. It's good when the original cast returns to do a sequel.

Big Momma went undercover as a nanny. When she went on the interview, Big Momma was putting all the other applying nannies on blast. She looked at one nanny and pointed out her burnt fingertips, which indicated she was a habitual blunt smoker. Another one she put on blast for carrying a gun. It was really funny.

The family that she was taking care of had problems. They had a 3-year-old that didn't talk. He jumped off anything high and he hit the ground so hard you would think he would be retarded from head trauma. They had a daughter who was just looking for attention from the daddy who was a workaholic. Basically, this plot was typical but Martin made the movie funny.

The scene where he was on the beach dressed as Big Momma in a bathing suit with braids like Bo Derek was one that could have kept. The clumps of cellulite in her legs and butt looked too real. I actually see chicks like that on the beach thinking they're cute.

Overall I give this movie a B-. I went to see the movie because my boy Martin was in it. Looking at Martin for two hours in a dress kinda has me looking at him sideways. I'm gonna run out and buy "Bad Boys" 1 and 2 to get that manly image of Martin back. – **E-40**

WEDDING CRASHERS: Directed by David Dobkin.

This movie was a lot funnier than I thought it would be. Those two fools (Owen Wilson and Vince Vaughn) had playing with women down to an exact science. They would damn near gameplan as if they were in the Super Bowl. They definitely had their demonstration together. The way they would act like they knew who was getting married to sleep with the women at the wedding was funny as hell cause they never knew what they were talking about. When Vince Vaughn's character got caught up with that girl that wouldn't let him go, it reminded me of one of my boys, whose girl damn near wanted to marry his ass after their first date. Owen Wilson likes this crazy-ass girl's sister but she's engaged to this punk and he kind of knows that they like each other so he starts messing with him.

One of the funniest parts of the movie is when the two characters have a falling out over the girl that Vince Vaughn is gonna get married to. Owen Wilson goes to see the guy that got them started crashing weddings. When he gets to this house the guy's mom answers the door so Wilson goes inside and waits for him downstairs. After waiting for a little bit he sees someone coming down the stairs—and it's Will Ferrell. His crazy ass is wearing this robe with a shirt, some boxers and some house shoes and I couldn't stop laughing at this fool. He started lacing Owen Wilson with all sorts of game but tells him that he doesn't crash weddings anymore, but now, he's doing funerals. The two of them go out to do the whole funeral thing and Owen Wilson realizes that this ain't the thing for him and that he misses his boy who's about to get married and the girl's sister who has already gotten married to that little punk. He goes to Vince Vaughn's wedding and first handles his business and gets the girl back that *he* liked and then watches his best friend get married to her sister.

It was cool to see these dudes realize that their friendship was worth a whole lot more than all of the crazy-ass stunts that they were pulling off cause it eventually led to them finding the women that they got together with. Overall this was a movie that I would watch anytime I wanted to see something that I knew would make me laugh throughout the whole thing. – **San Quinn**

E-40's new album, My Ghetto Report Card, *on Warner/BME/Sic Wid It Records is in stores now. For more info, check out E-40.com.*

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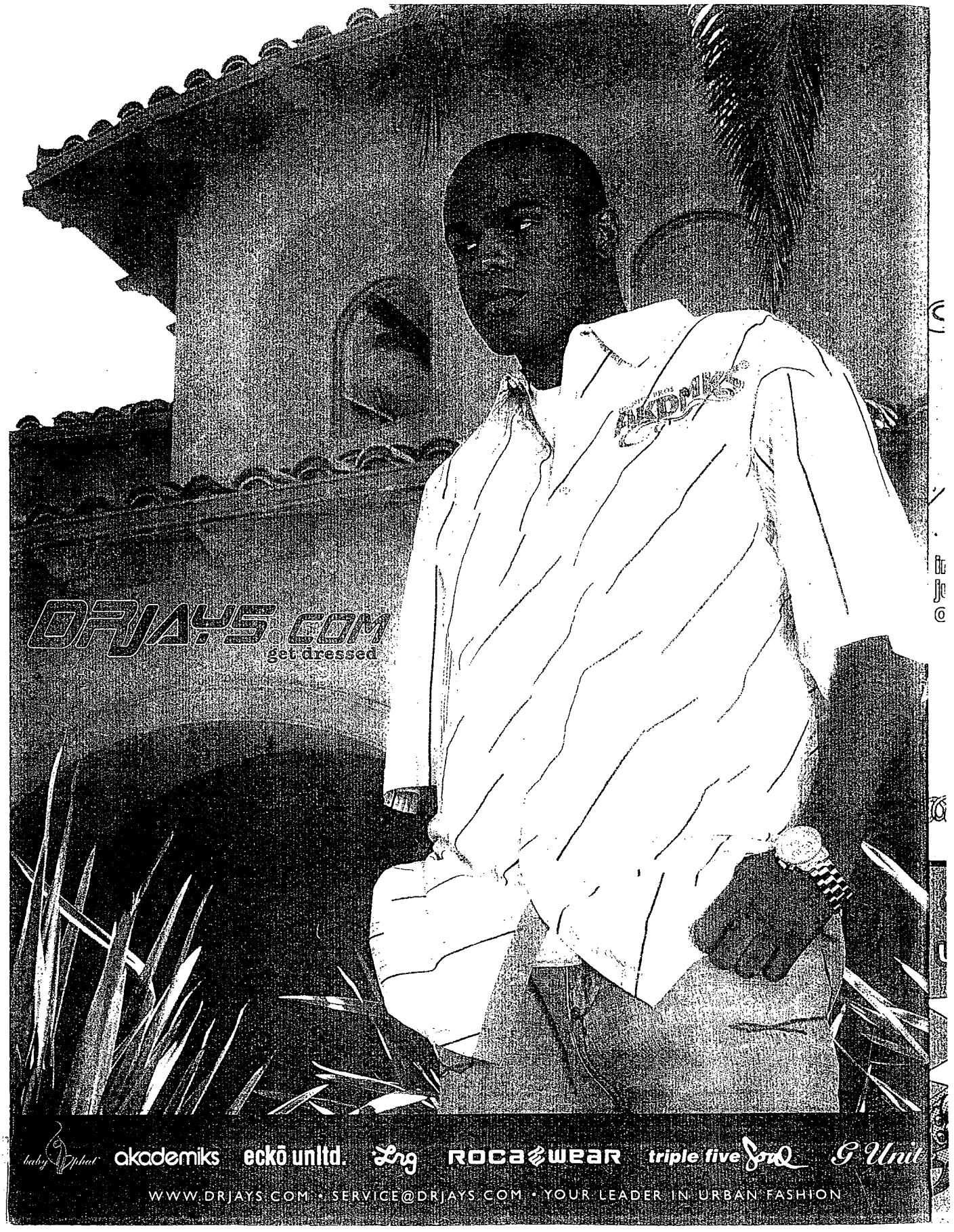
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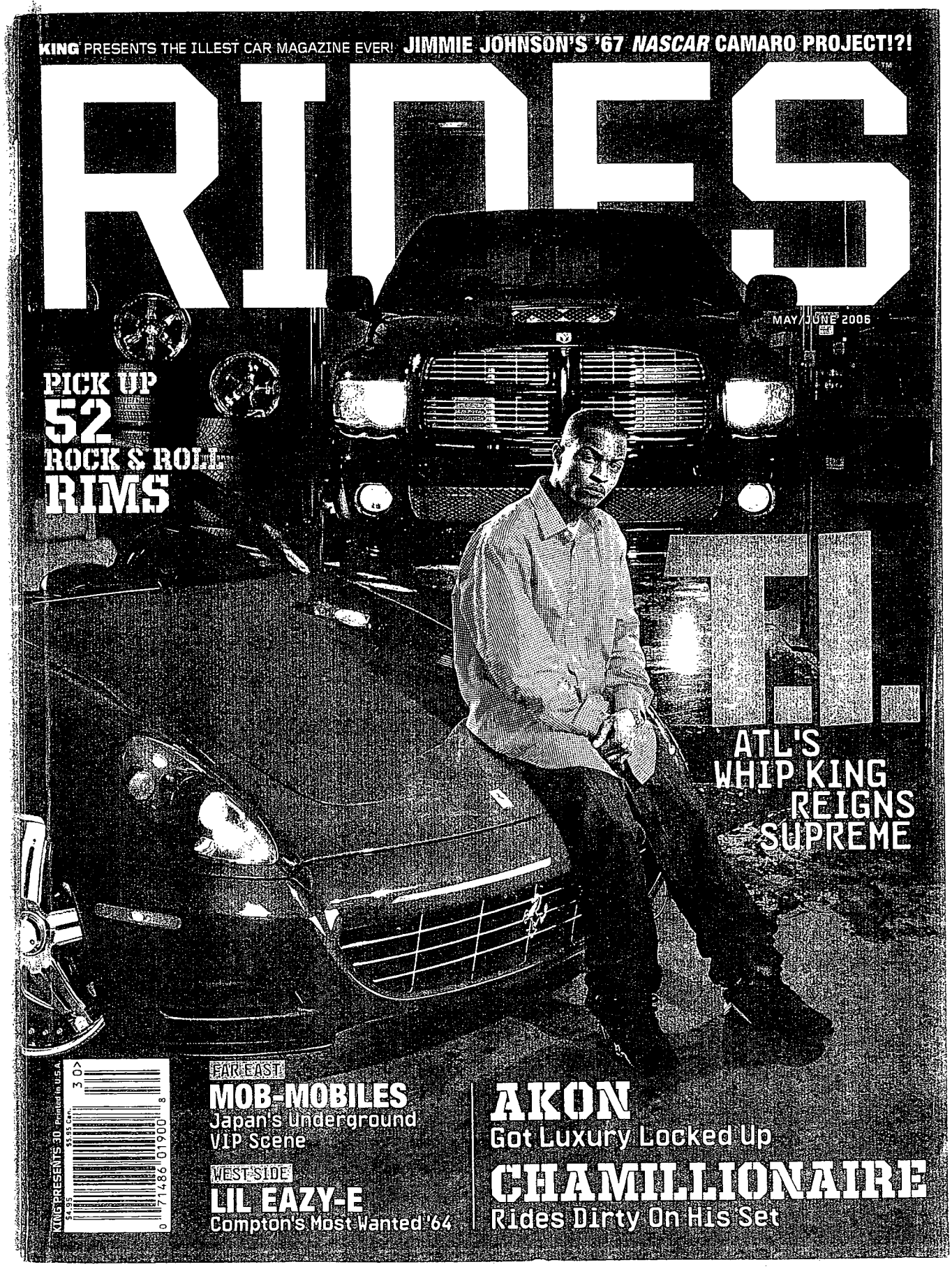
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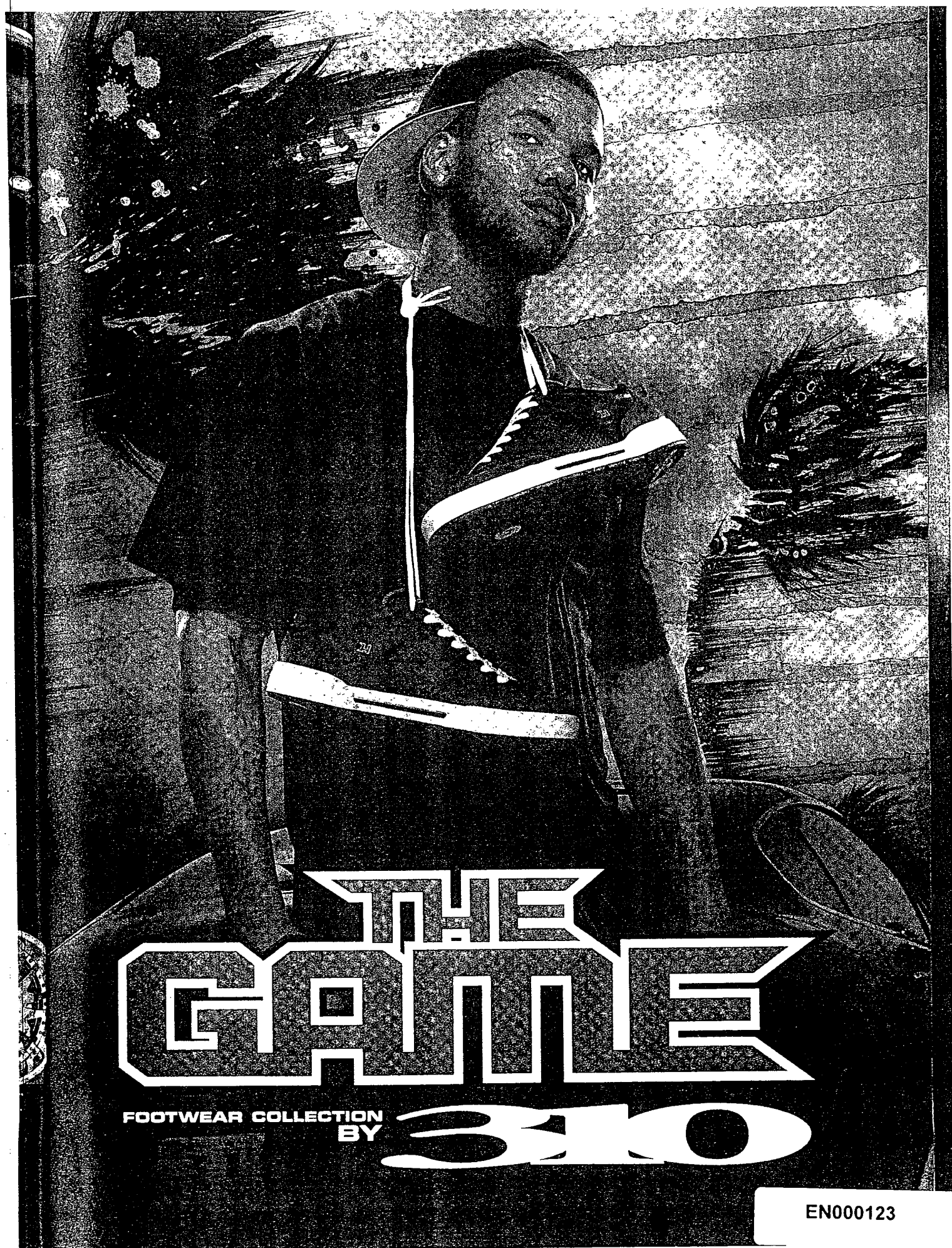

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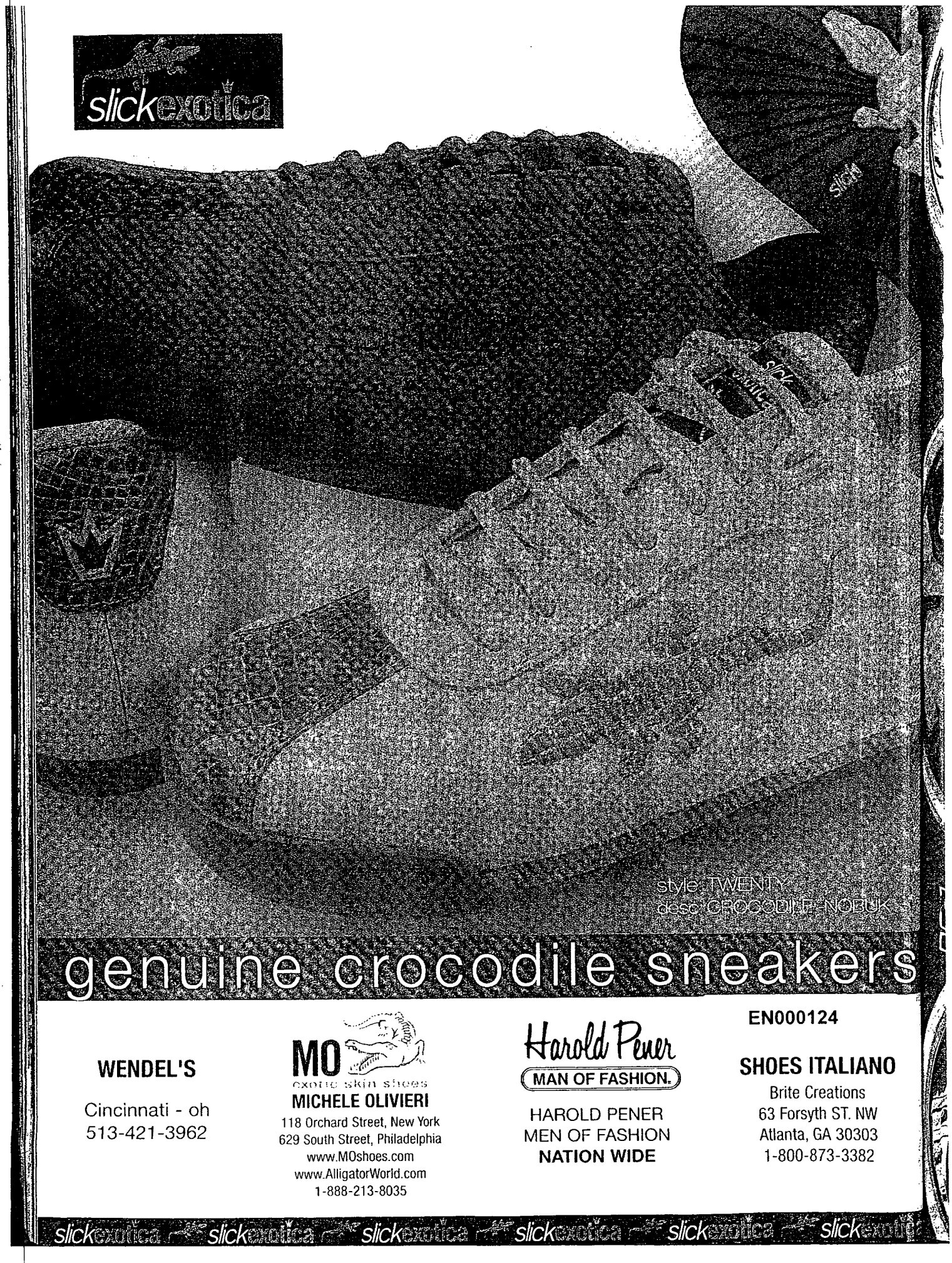

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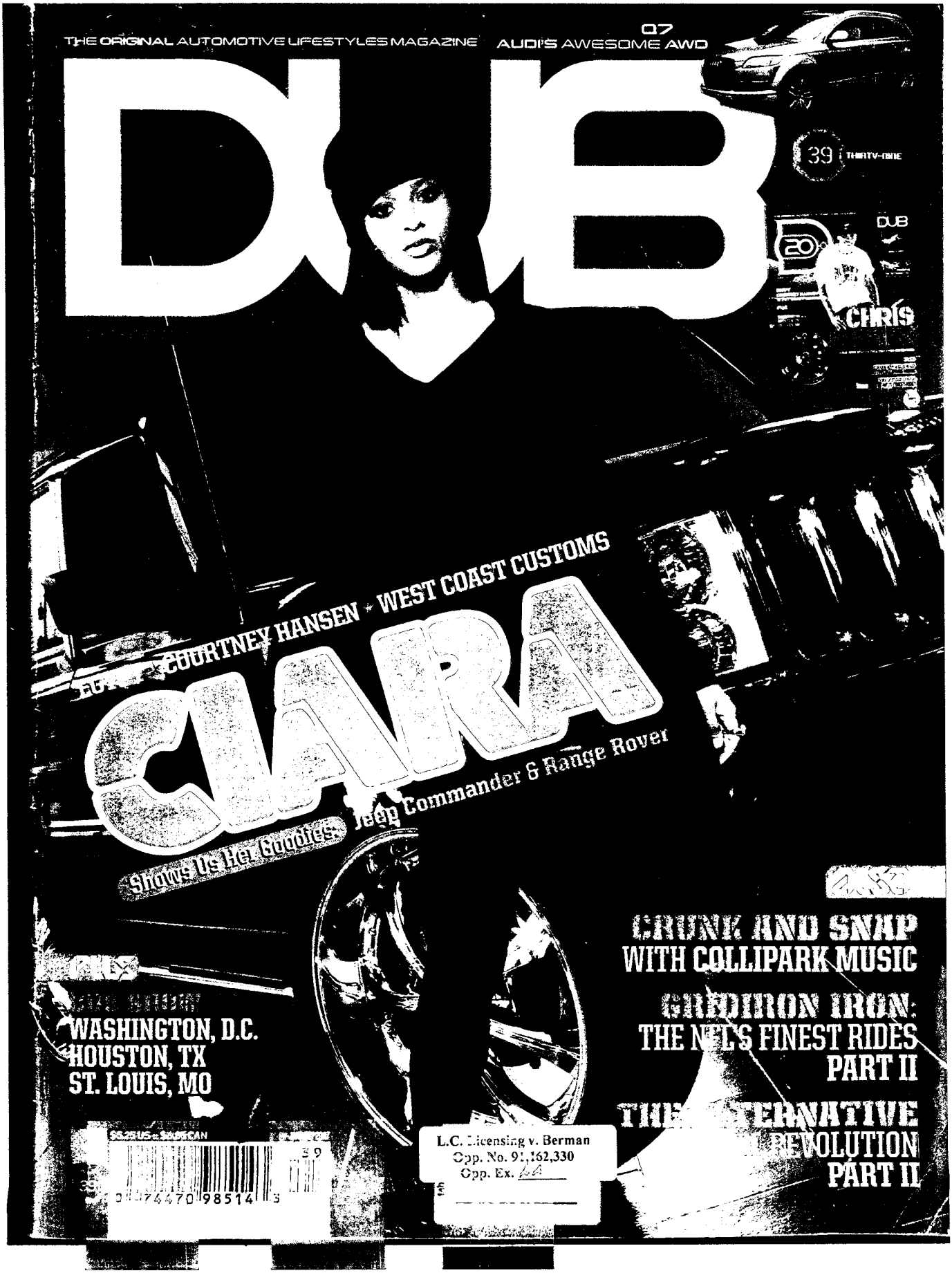

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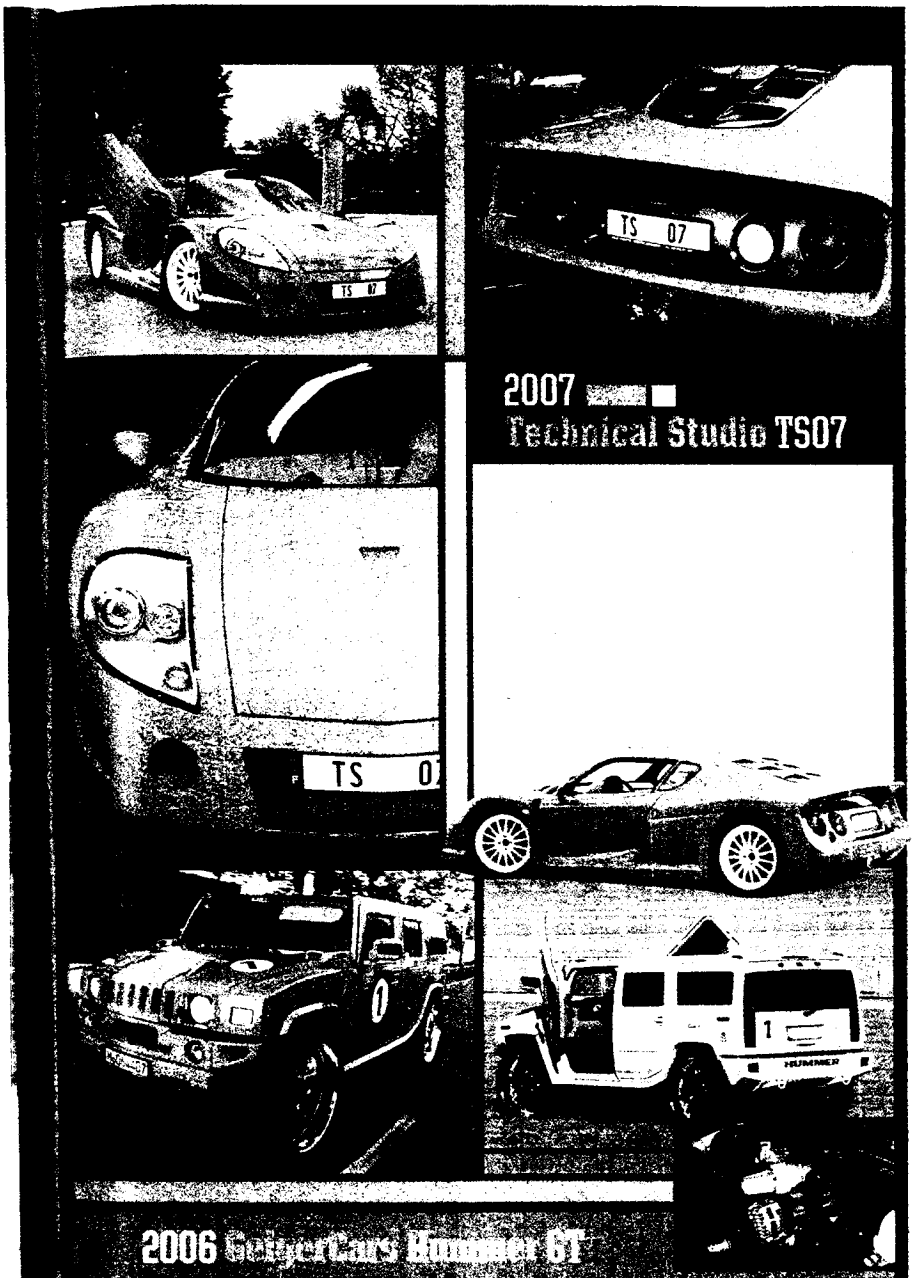

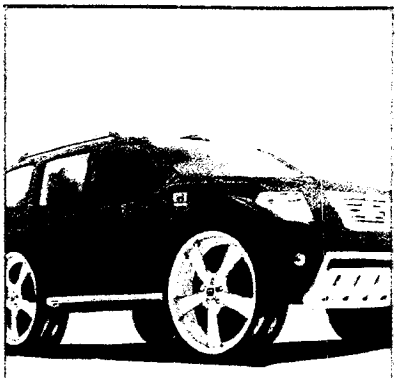
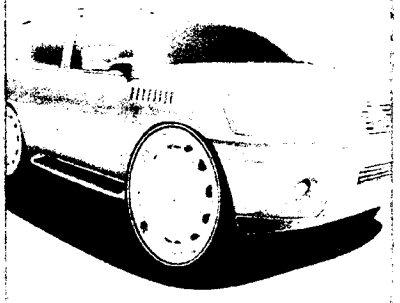
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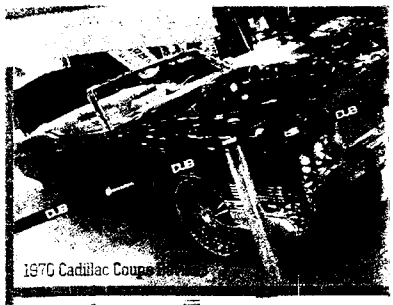

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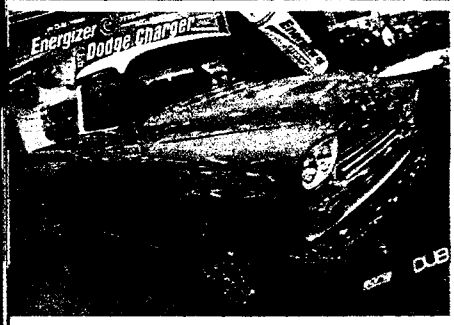

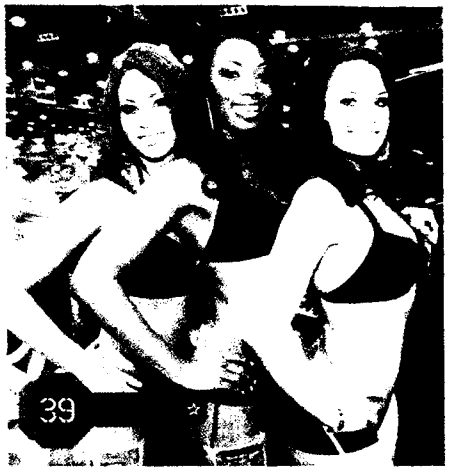

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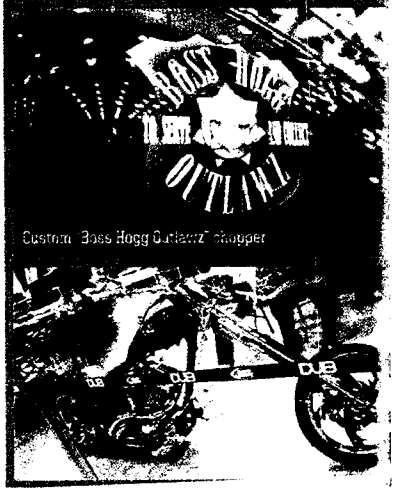

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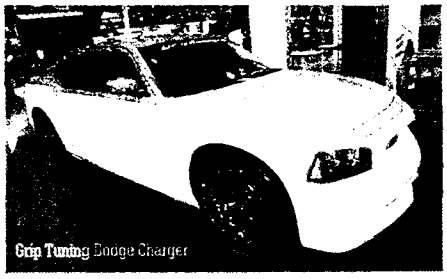

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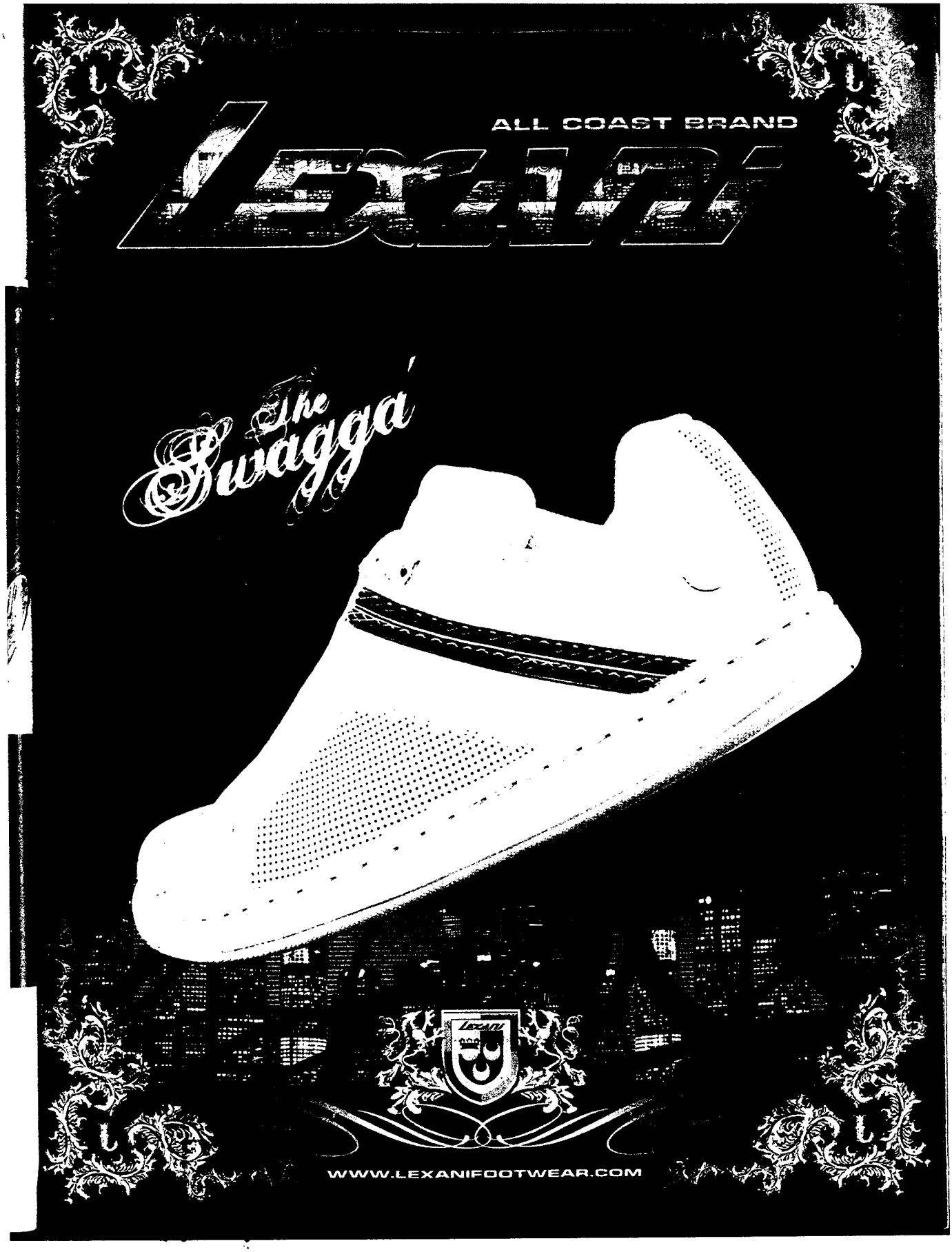
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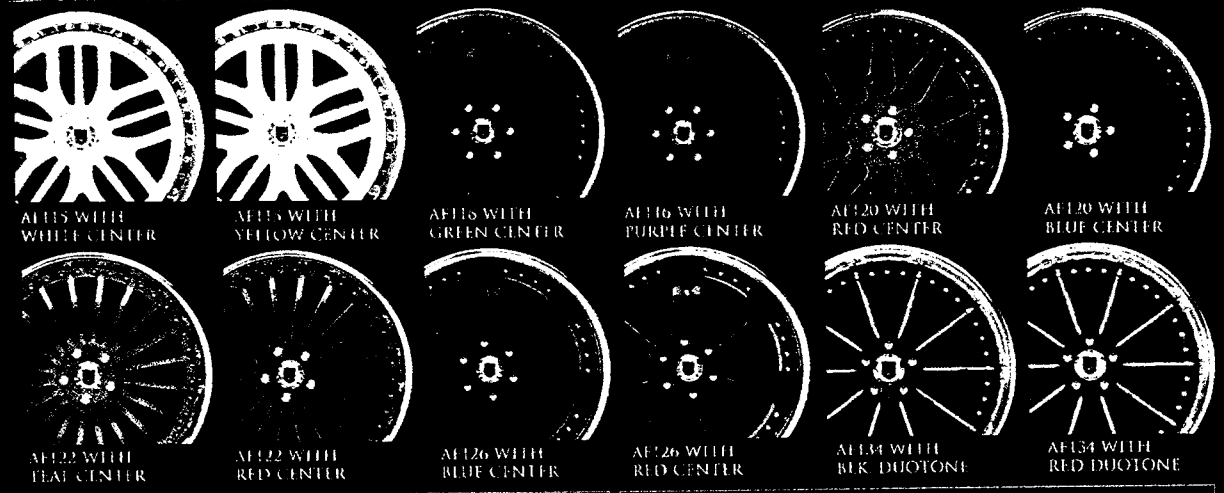
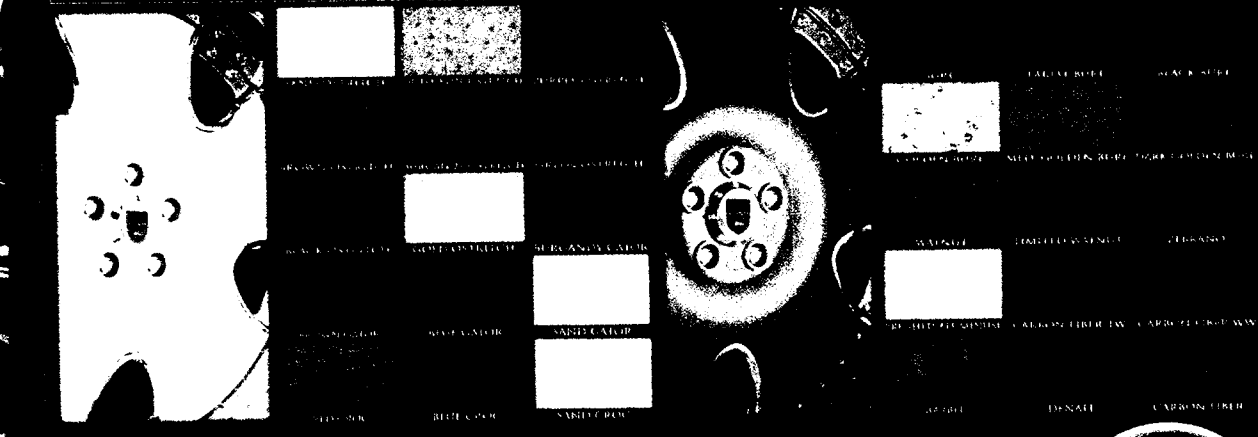


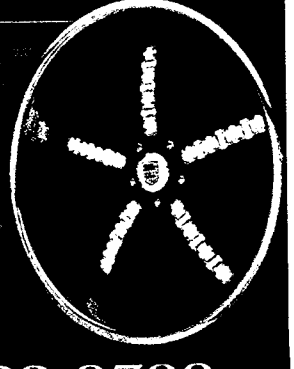
OVER 40 CUSTOM LEATHER COLOR FINISHES AVAILABLE

OVER 16 CUSTOM WOOD & CARBON FIBER FINISHES AVAILABLE



FROM 500 TO 63,000 TOTAL CARATS OF 150 CARAT PRINCESS CUT CZ STONES

DIAMONDS & PRECIOUS GEMS FROM 1-100,000 STONES



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20" • 22" • 24" • 26"

AF 142 Blk w/Chrom
19", 20" • 22" • 24

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AF 118 18"-24"

AF 120 18"-24"

AF 123 19"-24"

AF 132 19

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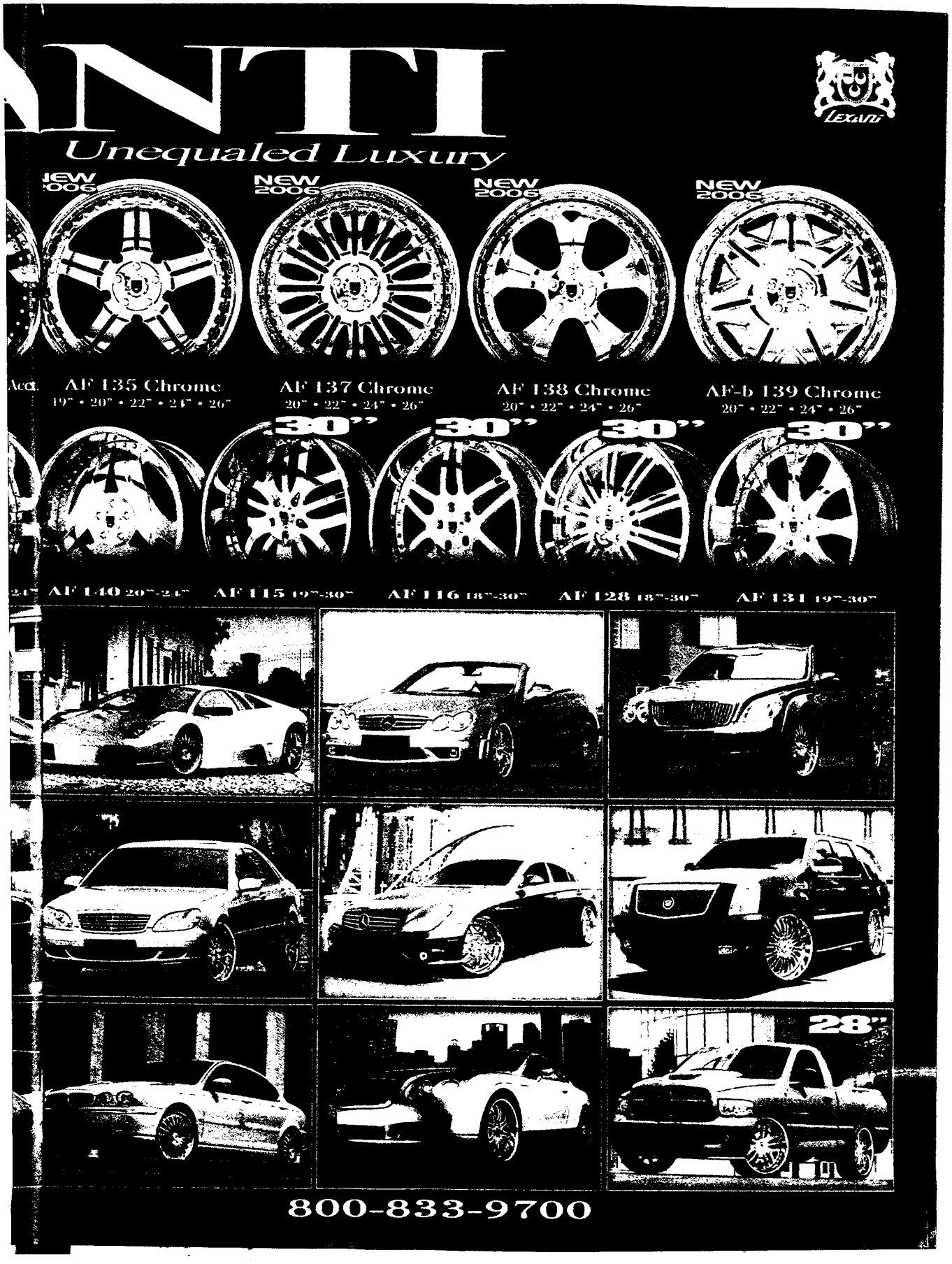
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AF 137 Chrome
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AF 138 Chrome
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20" • 22" • 24" • 26"
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30"
30"
24" AF 140 20"-24"
AF 115 19"-30"
AF 116 18"-30"
AF 128 18"-30"
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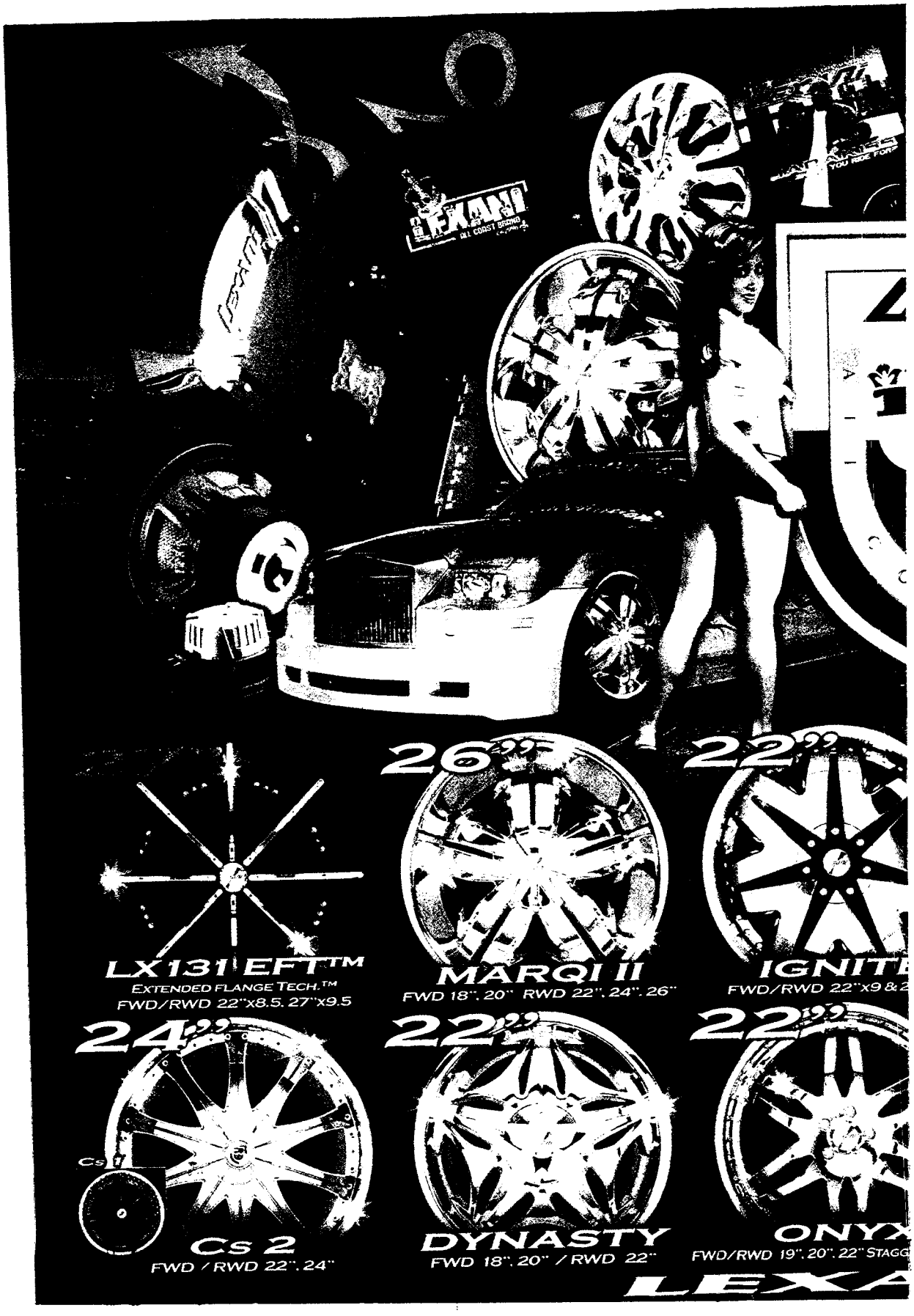
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22"
IGNIT
FWD/RWD 22"x9 &
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Cs 2
FWD / RWD 22", 24"
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DYNASTY
FWD 18", 20" / RWD 22"
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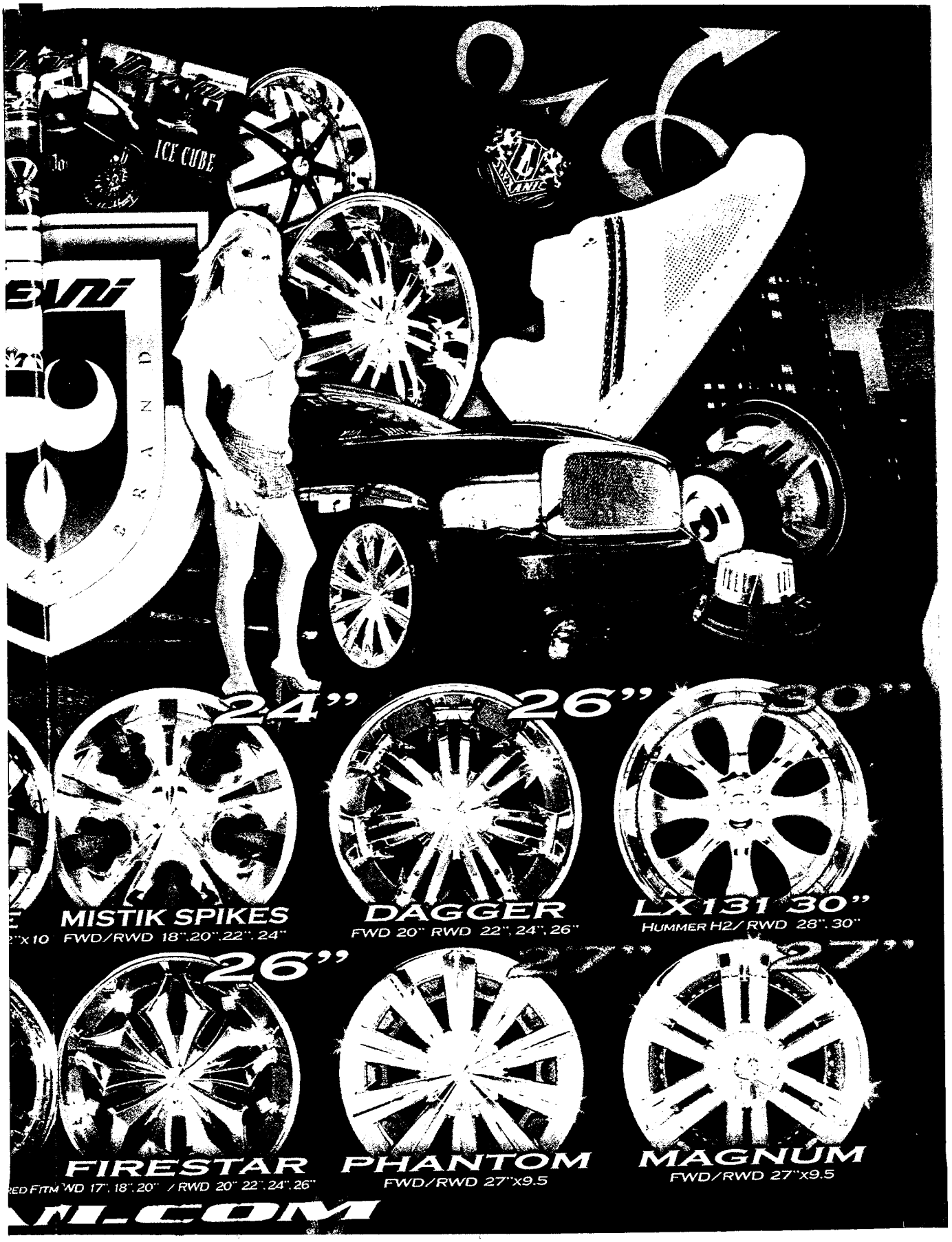
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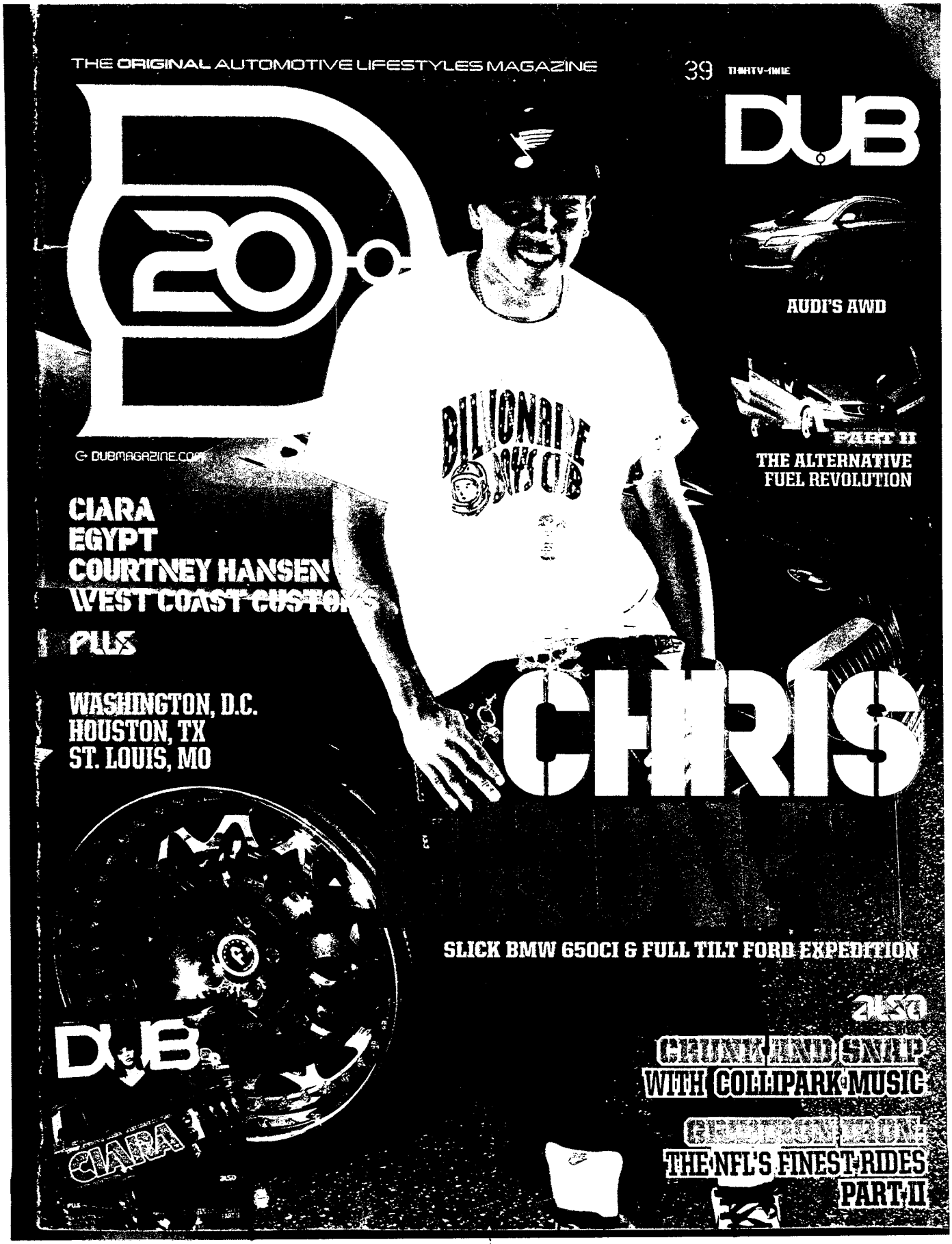
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THE NFL'S FINEST RIDES PART II

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

OPPOSER'S FIFTH NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULE 2.122(e)

Pursuant to Trademark Rule 2.122(e), Opposer L.C. Licensing, Inc. hereby gives notice of its reliance upon the printed publications listed below and attached hereto, consisting of advertisements and articles appearing in such publications. These publications are offered to show that clothing, automobiles, and automobile accessories bearing the same trademark are promoted and advertised in magazines that are geared toward what is called "Urban Culture" and/or "Hip Hop Culture" and that the owners of such marks and/or their

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December 21, 2006 (Date of Deposit) — Antoinette Jorge (Print name)

(Signature)

licensees use their marks both on clothing and on automobiles and/or automobile accessories.

Name of Publication	Date	Starting Page No.
Dub	January 2007	Opp. Ex AA (page range unknown; total number of pages, including oversize foldout pages, is 6)
Complex	Date and issue unknown	Opp. Ex BB (total number of pages is 2)

Dated: New York, New York
December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S FIFTH NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(e) to be served on December 21, 2006 upon Applicant by first class mail, postage prepaid to Applicant at the following address:

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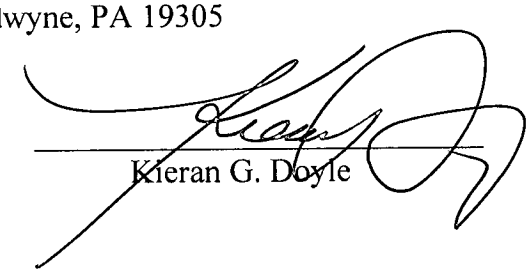
1917 Lafayette Road
Gladwyne, PA 19305



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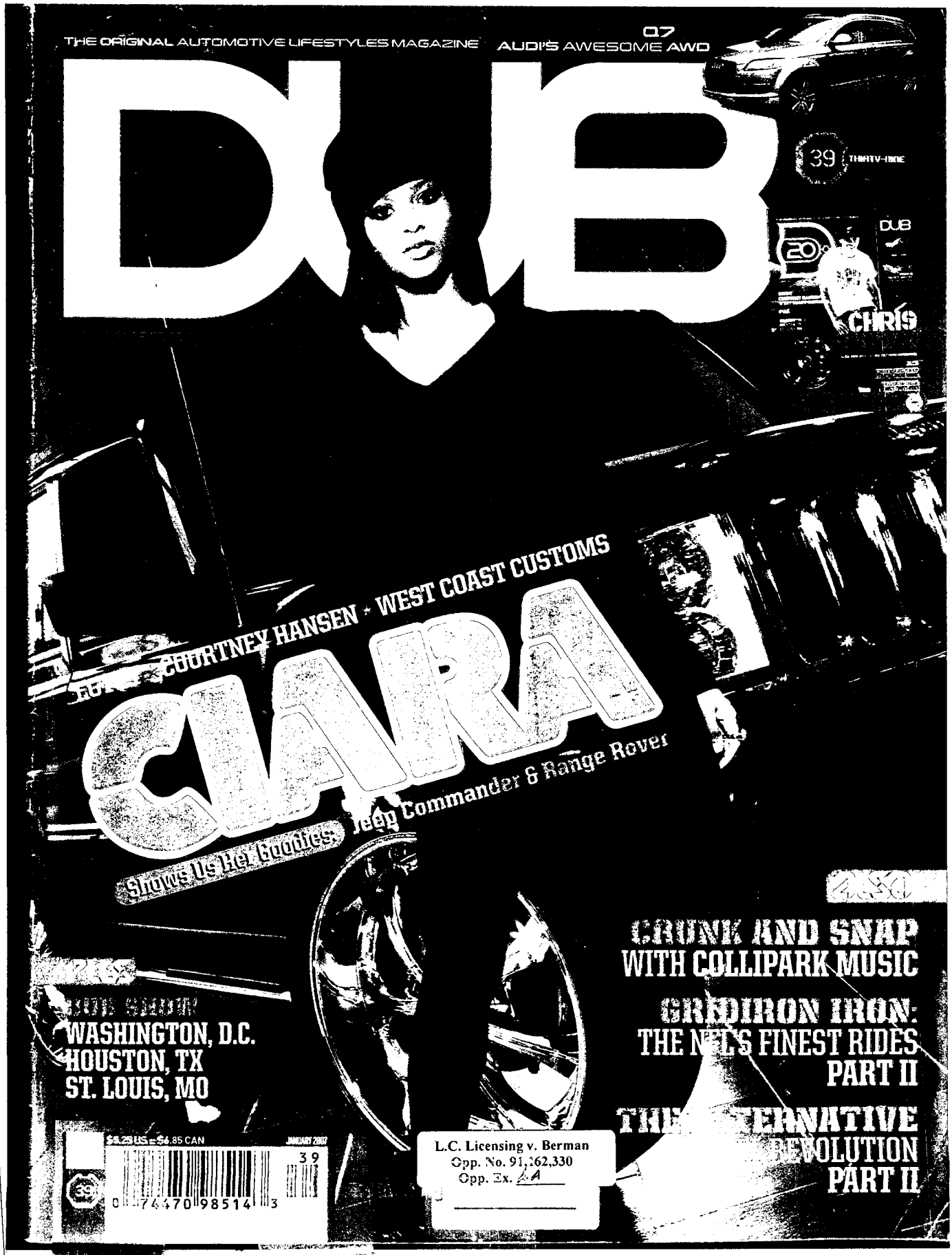

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Opp. No. 91,162,330
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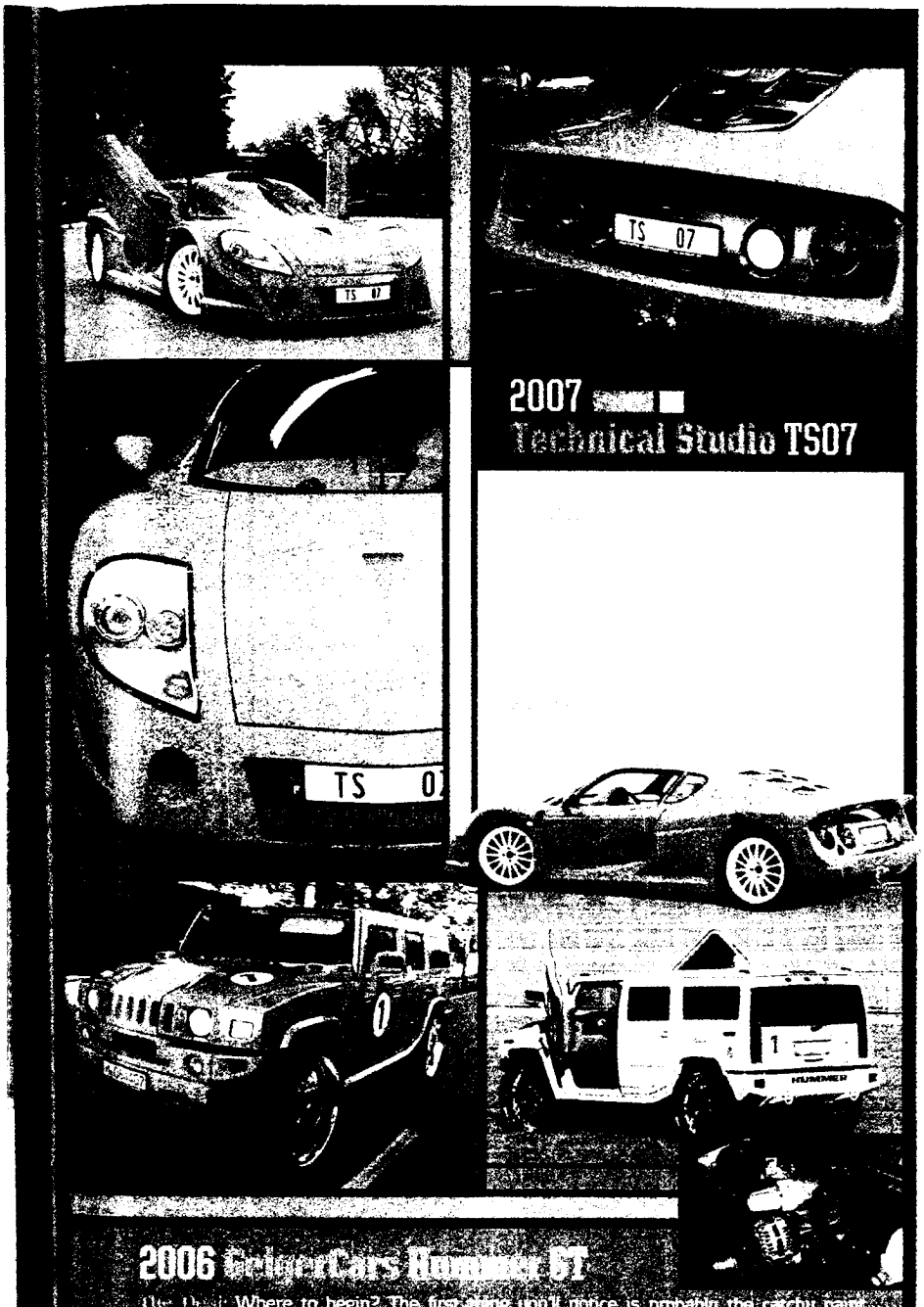

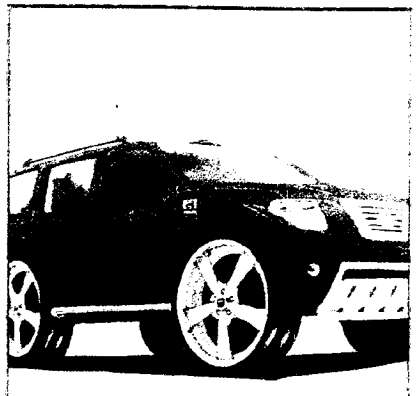
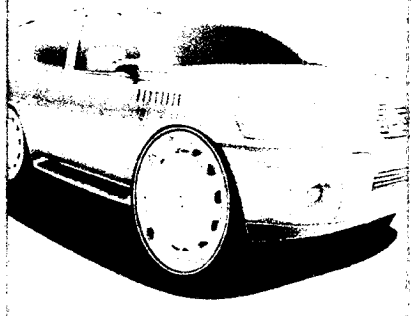
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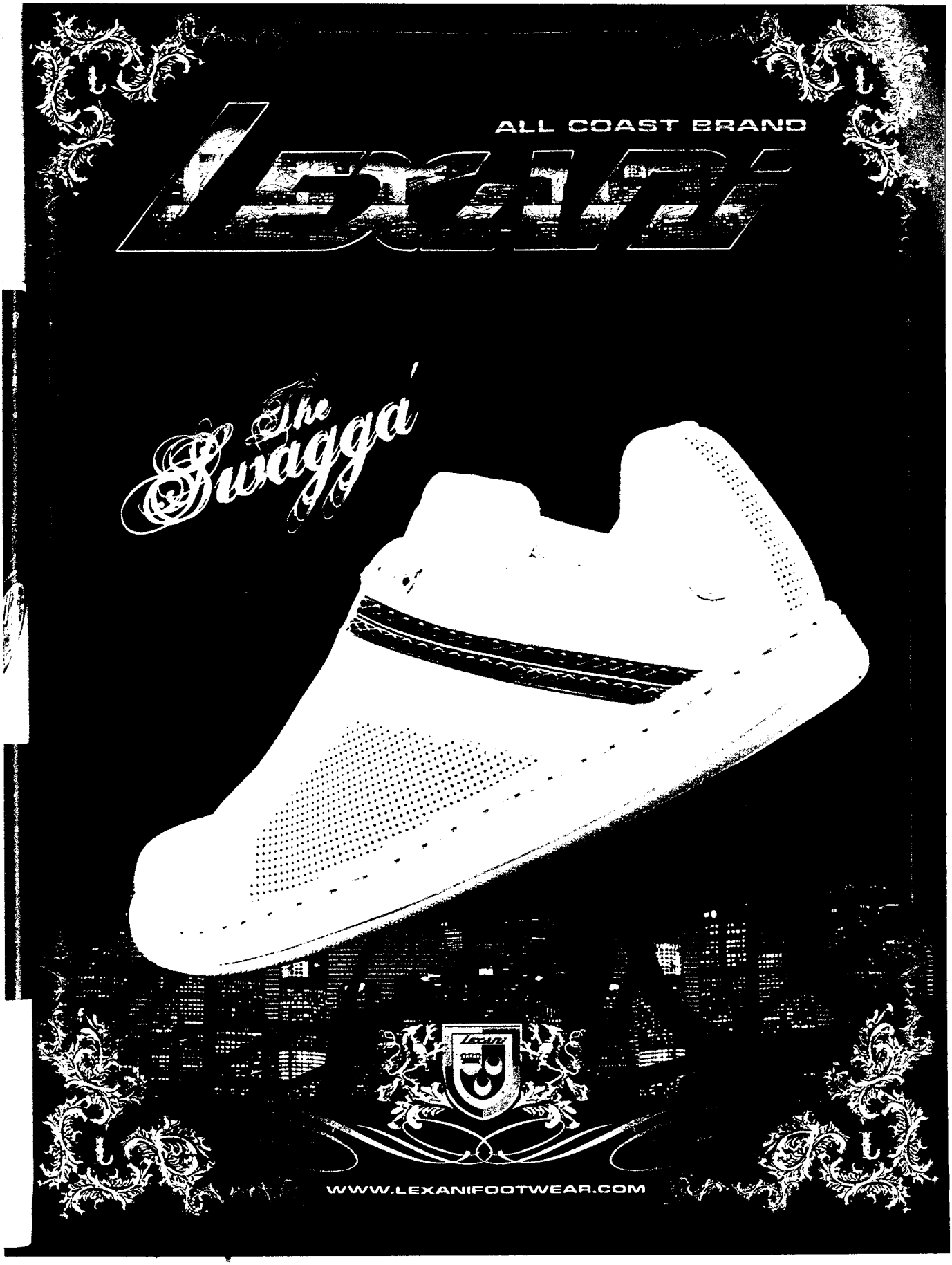
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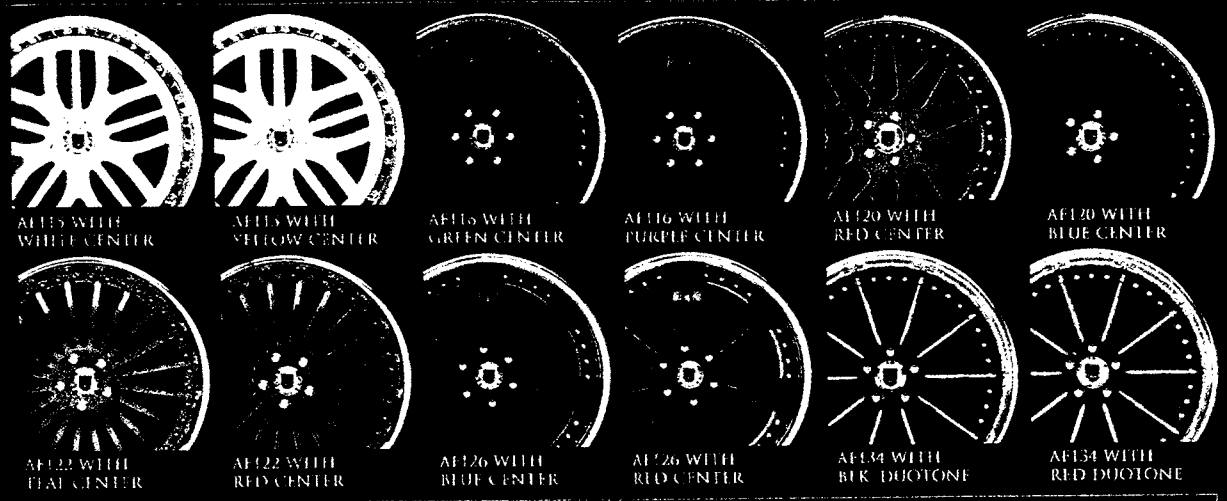

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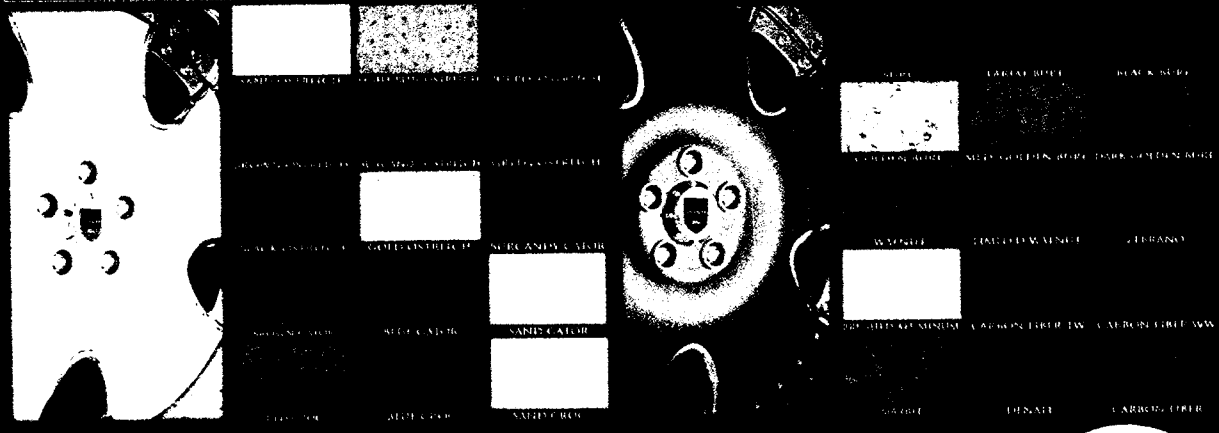

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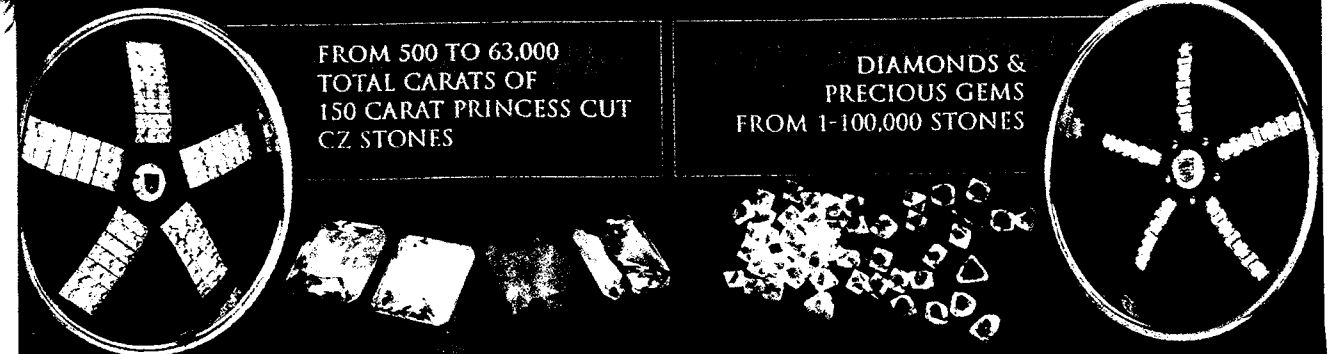

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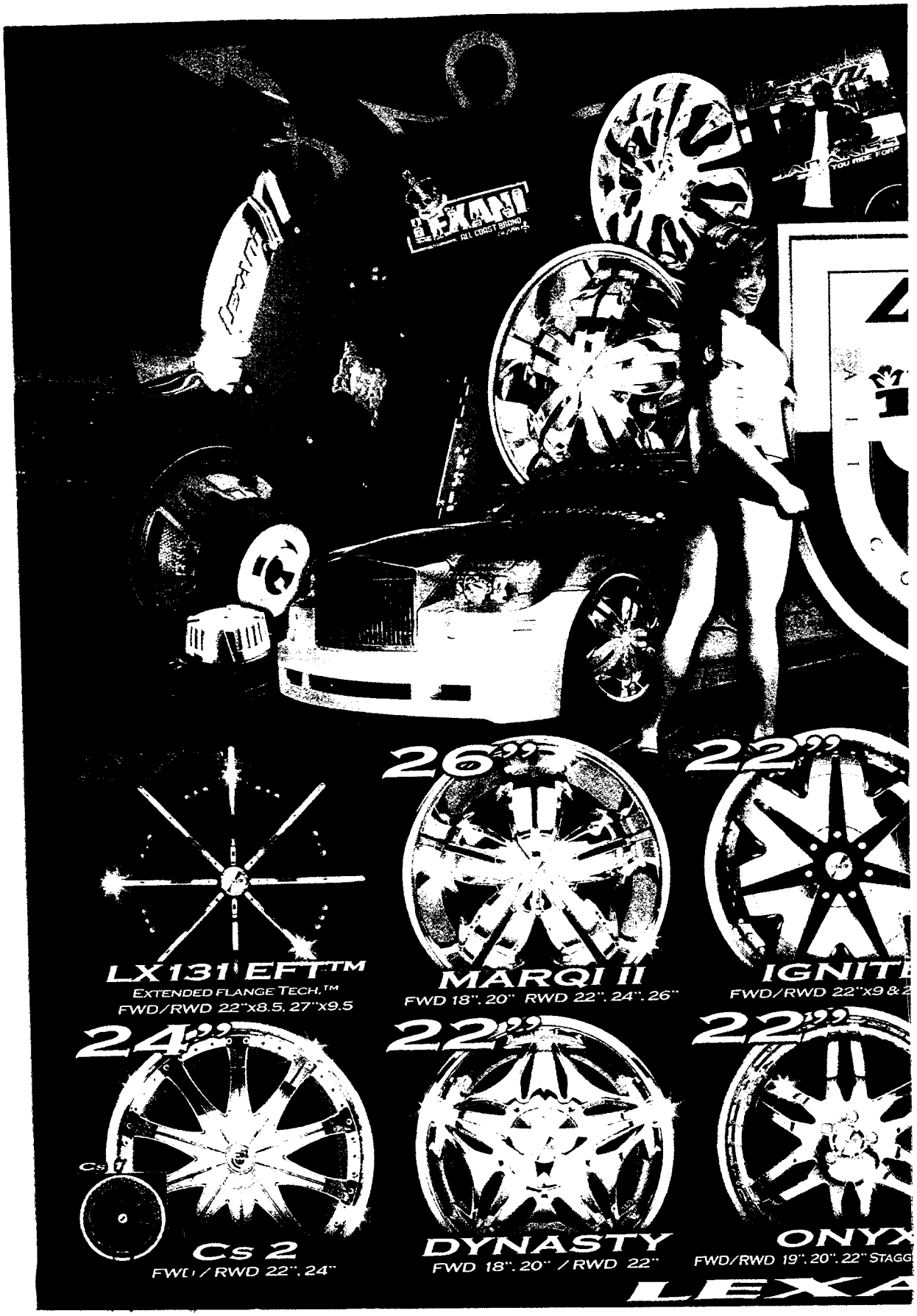
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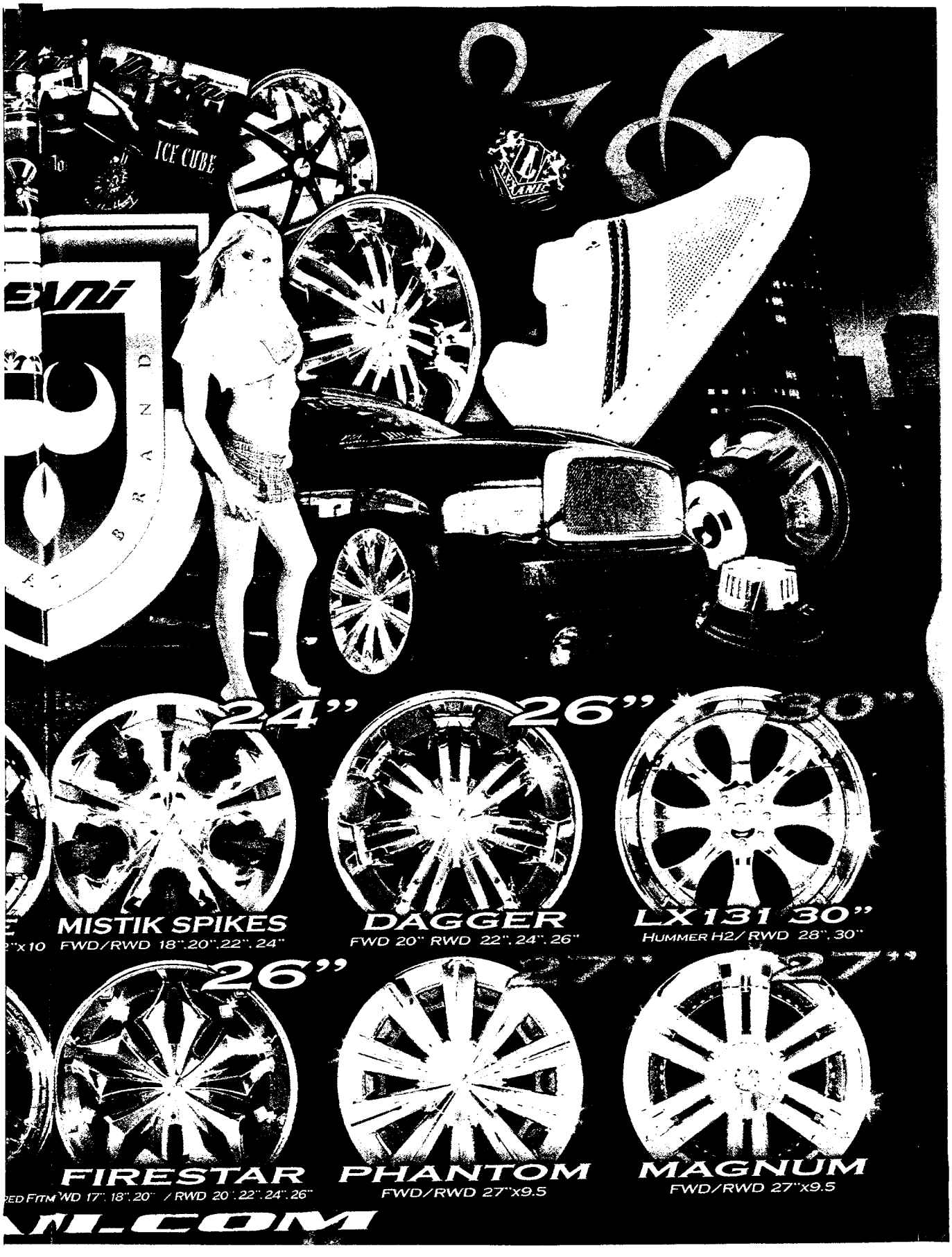
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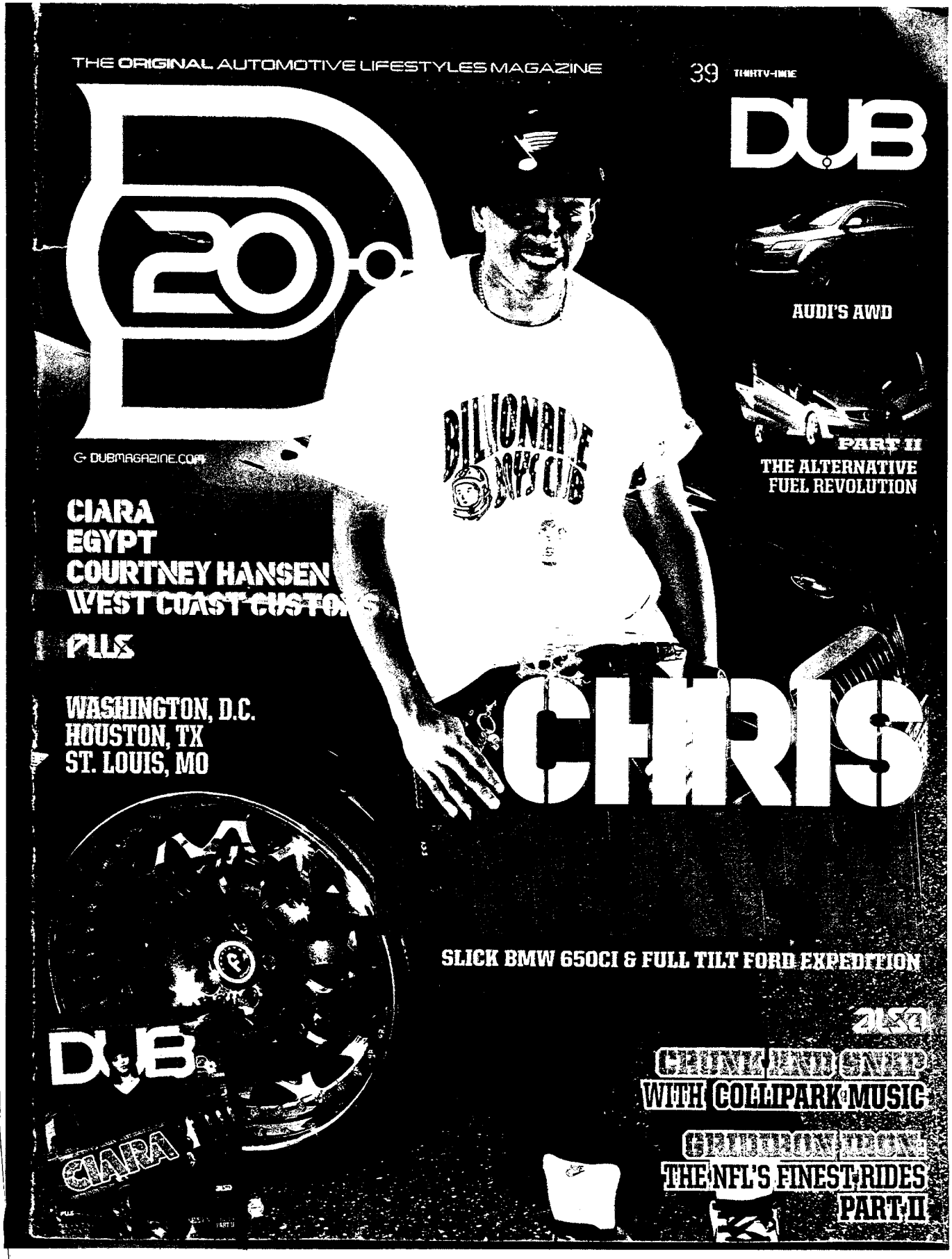
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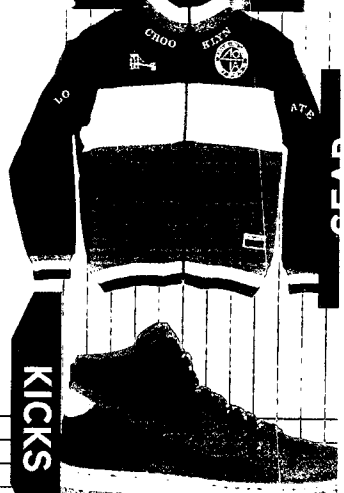

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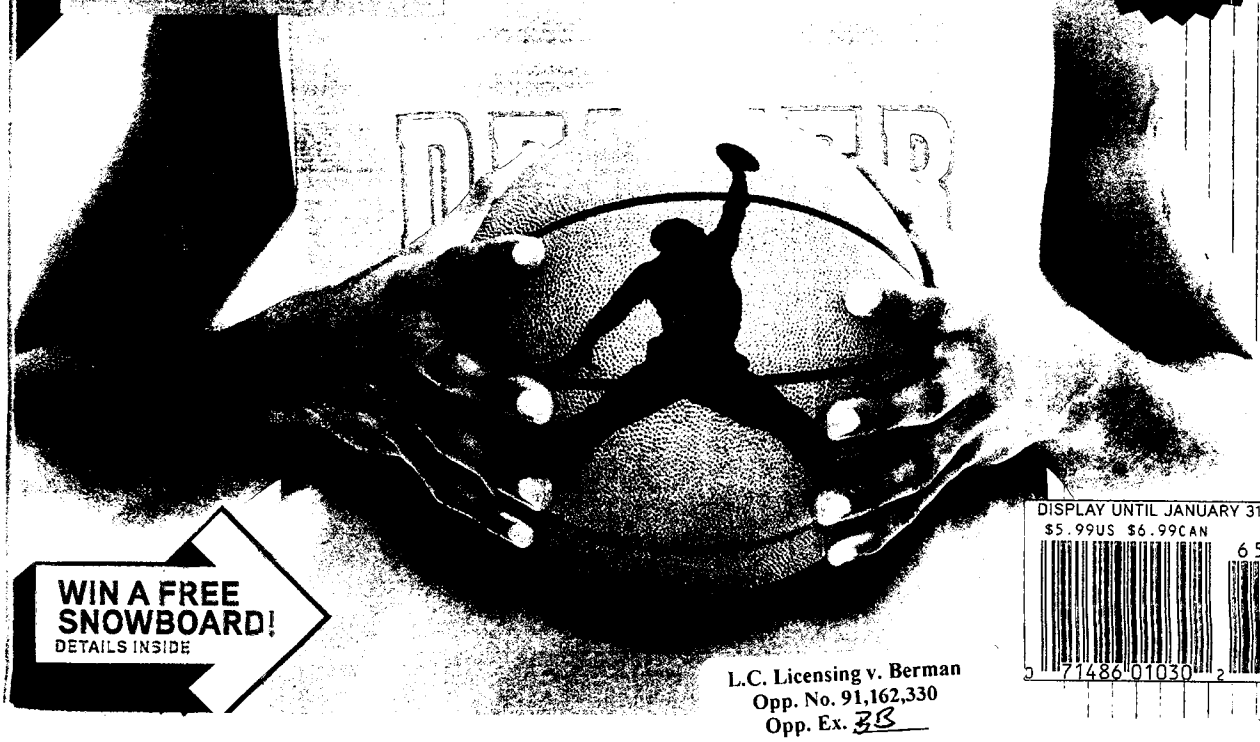

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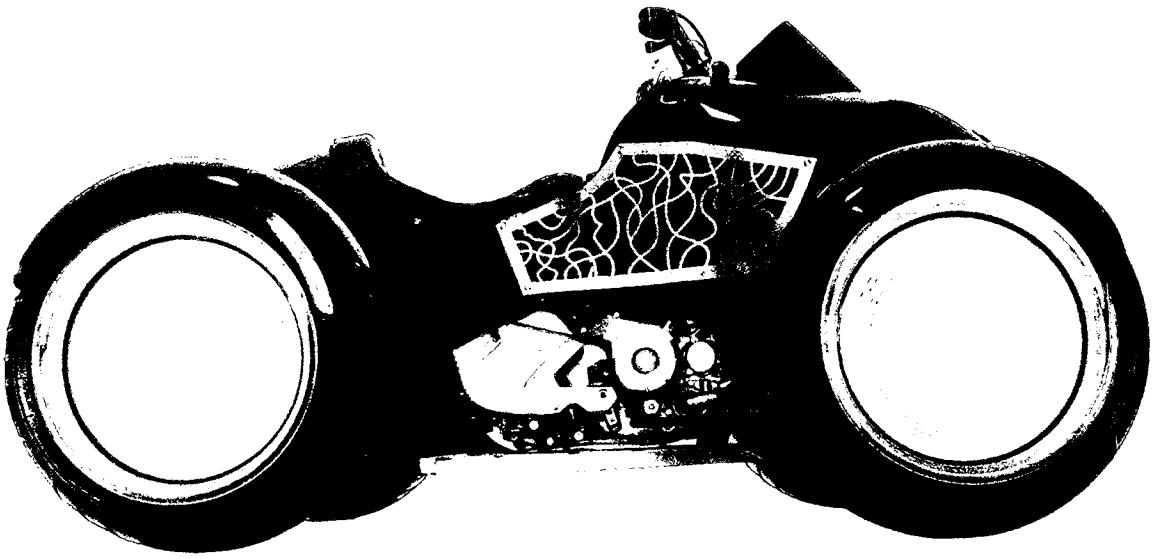

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

OPPOSER'S SIXTH NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULE 2.122(e)

Pursuant to Trademark Rules 2.122(e), Opposer L.C. Licensing, Inc. hereby gives notice of its reliance upon the following United States trademark registrations:

Mark	Registration No.
MECCA	2,197,071
MECCA USA	2,197,072
MECCA USA BY INTERNATIONAL NEWS	2,169,959
MECCA USA & Design	2,281,254
13 MECCA USA & Design	2,281,252
MECCA & Design	2,334,578
MECCA GOLD	3,017,081
MECCA FEMME	2,894,549

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(Signature)

TEAM MECCA USA UNIVERSAL SPORTS APPAREL	2,521,673
MECCALOHA	2,531,219
MECCATHON	2,531,218
DNMECCA PREMIUM SLVG GOODS	2,401,746

Printouts of the registrations from the electronic records of the U.S Patent and Trademark Office are attached hereto. The registrations are offered to show the MECCA formative marks owned by International News, Inc. are registered in Class 25.

Dated: New York, New York
December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S SIXTH NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.122(e) to be served on December 21, 2006 upon Applicant by first class mail, postage prepaid to Applicant at the following address:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

Kieran G. Doyle

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,197,071

Registered Oct. 20, 1998

TRADEMARK
PRINCIPAL REGISTER

MECCA

INTERNATIONAL NEWS, INC. (WASHINGTON CORPORATION)
19226 SEVENTIETH AVENUE SOUTH
KENT, WA 98032

FOR: APPAREL, NAMELY, TOPS, BOTTOMS, COATS, JACKETS, HATS, SWEAT SUITS, FOOTWEAR, BELTS, SHIRTS, PANTS, SHORTS AND GLOVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 10-1-1994; IN COMMERCE 10-1-1994.

OWNER OF U.S. REG. NO. 1,843,705.

SER. NO. 75-217,925, FILED 12-24-1996.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,197,072

Registered Oct. 20, 1998

TRADEMARK
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MECCA USA

INTERNATIONAL NEWS, INC. (WASHINGTON CORPORATION)
19226 SEVENTIETH AVENUE SOUTH
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FIRST USE 10-1-1994; IN COMMERCE 10-1-1994.

OWNER OF U.S. REG. NO. 1,843,705.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", APART FROM THE MARK AS SHOWN.

SER. NO. 75-217,926, FILED 12-24-1996.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY

Int. Cl.: 25

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Reg. No. 2,169,959

United States Patent and Trademark Office

Registered June 30, 1998

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FIRST USE 2-12-1996; IN COMMERCE 2-12-1996.

OWNER OF U.S. REG. NOS. 1,281,644, 1,843,705, AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "USA", APART FROM THE MARK AS SHOWN.

SN 75-048,748, FILED 1-26-1996.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY

Int. Cl.: 25

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Registered Sep. 28, 1999

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FIRST USE 2-17-1998; IN COMMERCE 2-17-1998.

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SER. NO. 75-514,618, FILED 7-7-1998.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

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FIRST USE 2-17-1998; IN COMMERCE 2-17-1998.

OWNER OF U.S. REG. NOS. 2,197,071, 2,197,072 AND OTHERS.

SER. NO. 75-514,612, FILED 7-7-1998.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,334,578

United States Patent and Trademark Office

Registered Mar. 28, 2000

TRADEMARK
PRINCIPAL REGISTER

INTERNATIONAL NEWS, INC. (WASHINGTON CORPORATION)
19226 SEVENTIETH AVENUE SOUTH
KENT, WA 98032

FOR: APPAREL, NAMELY PANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-17-1998; IN COMMERCE 2-17-1998.

SER. NO. 75-514,619, FILED 7-7-1998.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,017,081

Registered Nov. 22, 2005

TRADEMARK
PRINCIPAL REGISTER

MECCA GOLD

INTERNATIONAL NEWS, INC. (WASHINGTON CORPORATION)
19226 SEVENTIETH AVENUE SOUTH
KENT, WA 98032

FOR: MEN'S, WOMEN'S AND CHILDREN'S APPAREL, NAMELY TOPS, BOTTOMS, COATS, JACKETS, SHIRTS, T SHIRTS, TANK TOPS, PANTS, OVERALLS, VESTS, SWEATERS, SHORTS, SWEAT SUITS, SWIMSUITS, SKIRTS, DRESSES, BLOUSES, UNDERWEAR, BELTS, HATS, BANDANNAS, FOOTWEAR AND GLOVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-1-2004; IN COMMERCE 7-1-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,197,071, 2,894,549 AND OTHERS.

SER. NO. 76-612,633, FILED 9-17-2004.

PAULA MAHONEY, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,894,549

Registered Oct. 19, 2004

TRADEMARK
PRINCIPAL REGISTER

MECCA FEMME

INTERNATIONAL NEWS, INC. (WASHINGTON CORPORATION)
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KENT, WA 98032

FOR: APPAREL, NAMELY TOPS, BOTTOMS, COATS, JACKETS, HATS, SWEAT SUITS, SHIRTS, PANTS, SHORTS, SKIRTS, DRESSES, BLOUSES, BELTS, HATS, FOOTWEAR AND GLOVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-15-2000; IN COMMERCE 2-15-2000.

OWNER OF U.S. REG. NO. 2,197,071.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FEMME", APART FROM THE MARK AS SHOWN.

THE WORD "FEMME" IS TRANSLATED AS WOMAN.

SER. NO. 76-511,934, FILED 4-21-2003.

DAVID C. REIHNER, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,521,673

Registered Dec. 25, 2001

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TEAM MECCA USA UNIVERSAL SPORTS APPAREL

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FOR: APPAREL, NAMELY TOPS, BOTTOMS, COATS, JACKETS, HATS, SWEAT SUITS, FOOTWEAR, BELTS, SHIRTS, PANTS, SHORTS AND GLOVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-1-1999; IN COMMERCE 9-1-1999.

OWNER OF U.S. REG. NOS. 2,169,959, 2,197,072 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEAM", "USA", & "SPORTS APPAREL", APART FROM THE MARK AS SHOWN.

SER. NO. 75-823,103, FILED 10-15-1999.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,531,219

Registered Jan. 22, 2002

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FIRST USE 8-30-1999; IN COMMERCE 8-30-1999.

OWNER OF U.S. REG. NOS. 2,169,959, 2,197,071, AND 2,197,072.

SER. NO. 75-823,104, FILED 10-15-1999.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,531,218

Registered Jan. 22, 2002

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FIRST USE 8-30-1999; IN COMMERCE 8-30-1999.

OWNER OF U.S. REG. NOS. 2,169,959, 2,197,071, AND 2,197,072.

SER. NO. 75-823,101, FILED 10-15-1999.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,401,746

United States Patent and Trademark Office

Registered Nov. 7, 2000

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PRINCIPAL REGISTER

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KENT, WA 98032

FOR: CLOTHING, NAMELY TOPS, BOTTOMS, COATS, JACKETS, HATS, SWEAT SUITS, FOOTWEAR, BELTS, SHIRTS, PANTS, SHORTS AND GLOVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-31-1999; IN COMMERCE 3-31-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PREMIUM" AND "GOODS", APART FROM THE MARK AS SHOWN.

SER. NO. 75-747,178, FILED 7-9-1999.

AMOS T. MATTHEWS, JR., EXAMINING ATTORNEY

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

OPPOSER'S FOURTH NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULE 2.122(e)

Pursuant to Trademark Rule 2.122(e), Opposer L.C. Licensing, Inc. hereby gives notice of its reliance upon the printed publications listed below and attached hereto, consisting of advertisements and articles appearing in such publications. These publications are offered to show that magazines that are geared towards what is known as "Urban Culture" and/or "Hip Hop Culture" carry advertisements and features promoting clothing

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fashion, automobiles, and automobile accessories, such as after-market enhancements to automobiles.

Name of Publication	Date	Starting Page No.
King	July/ August 2006	EN000051 - EN000106
Scratch	July/ August 2006	EN000125 - EN000132
XXL	July 2006	EN000133 - EN000149
Owners Illustrated	Date unknown for Issue IV	EN000020 - EN000037
Owners Illustrated	Date unknown for Issue V	EN000107 - EN000121
Dub	January 2007	Opp. Ex AA (page range unknown; total number of pages is 10)

Dated: New York, New York
December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

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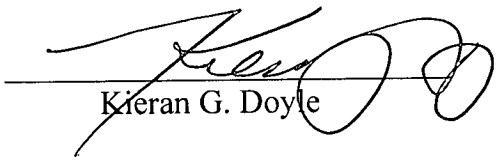

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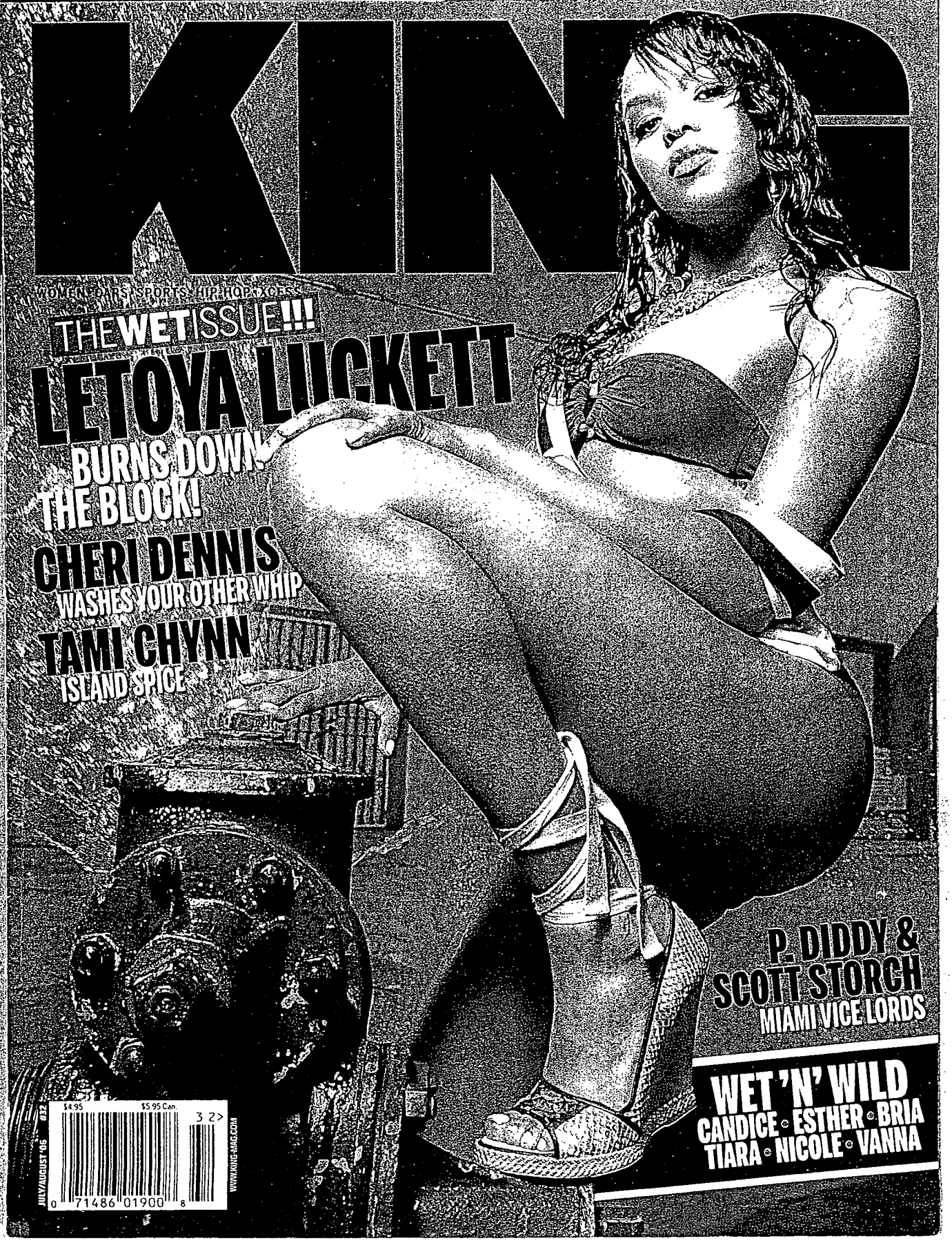

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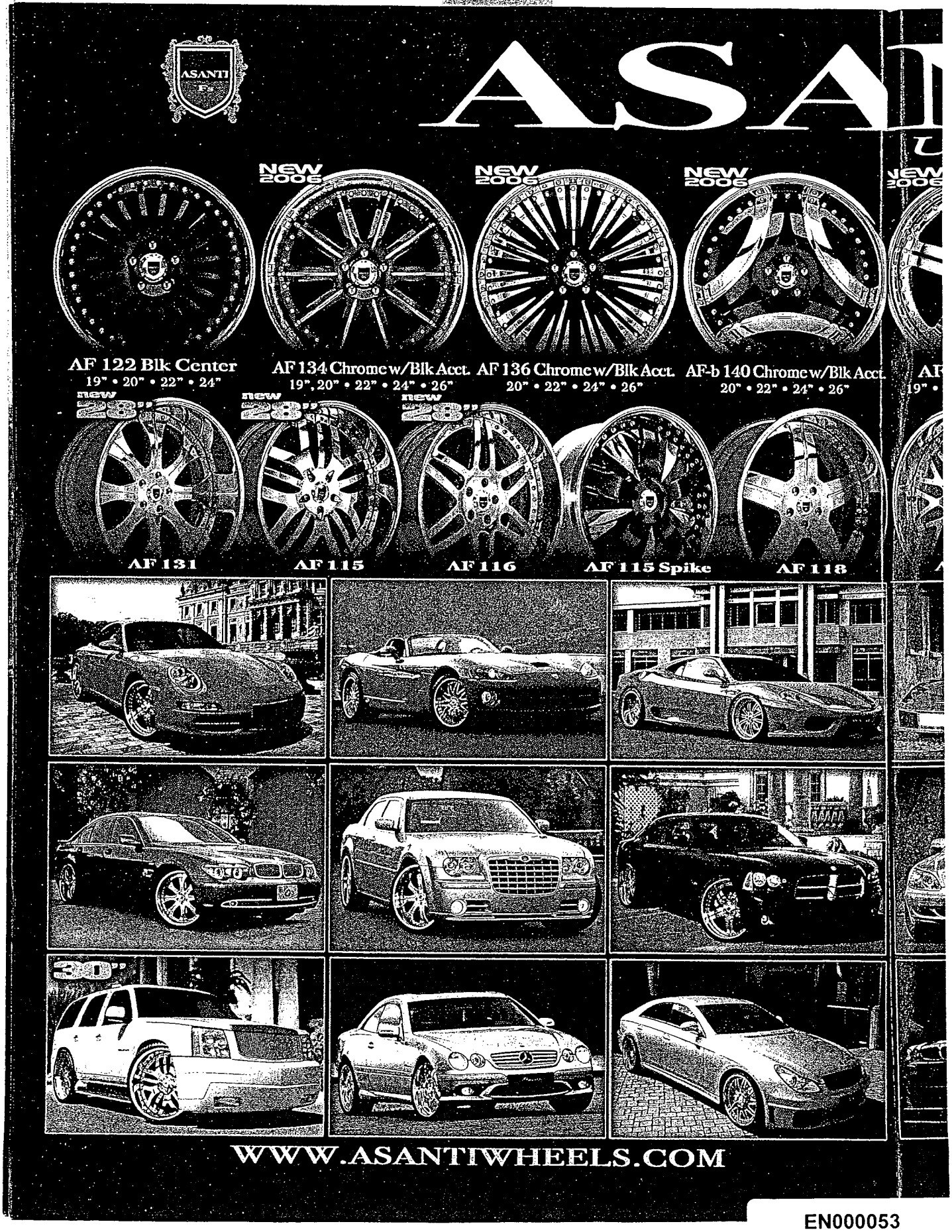
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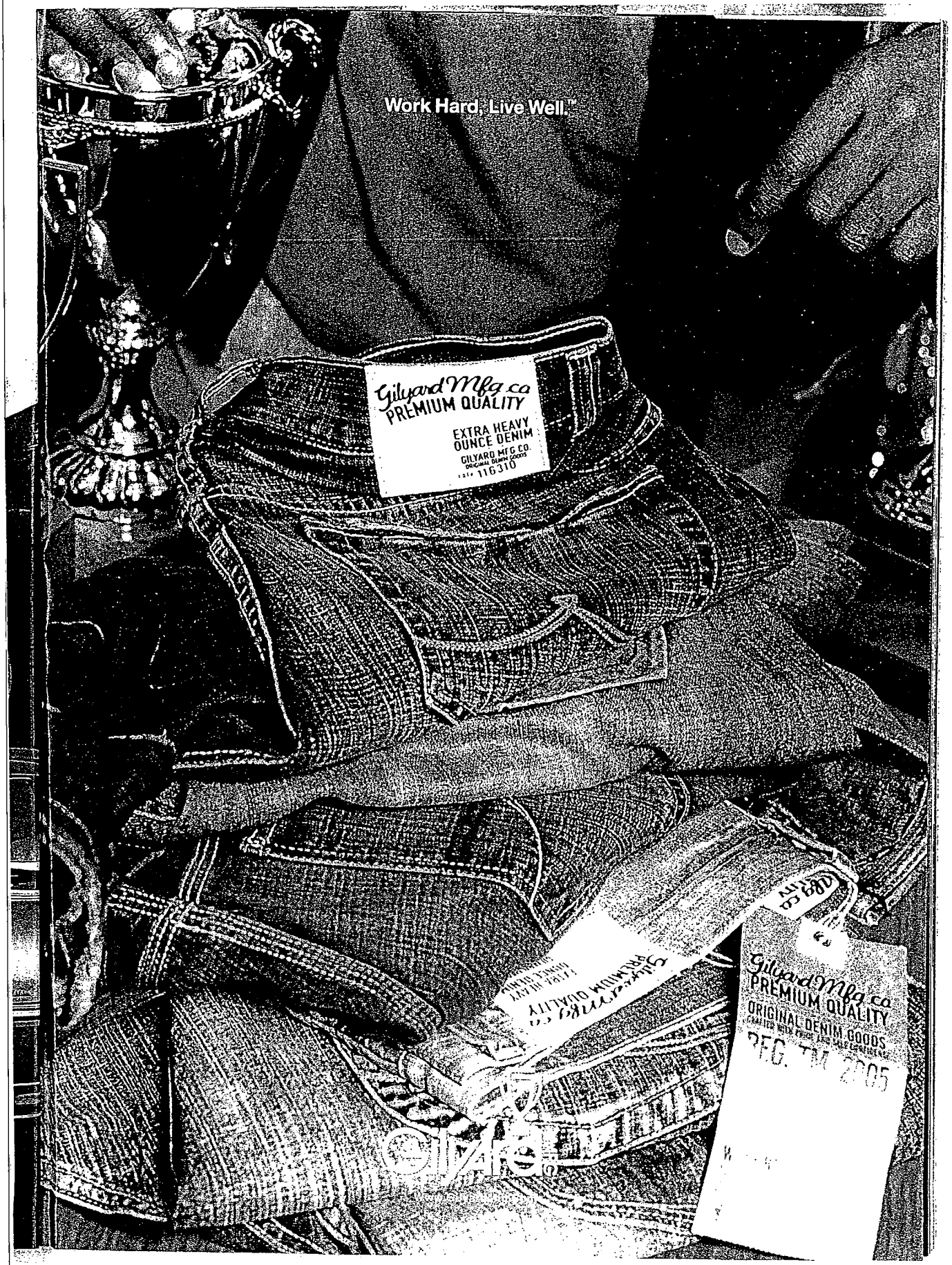
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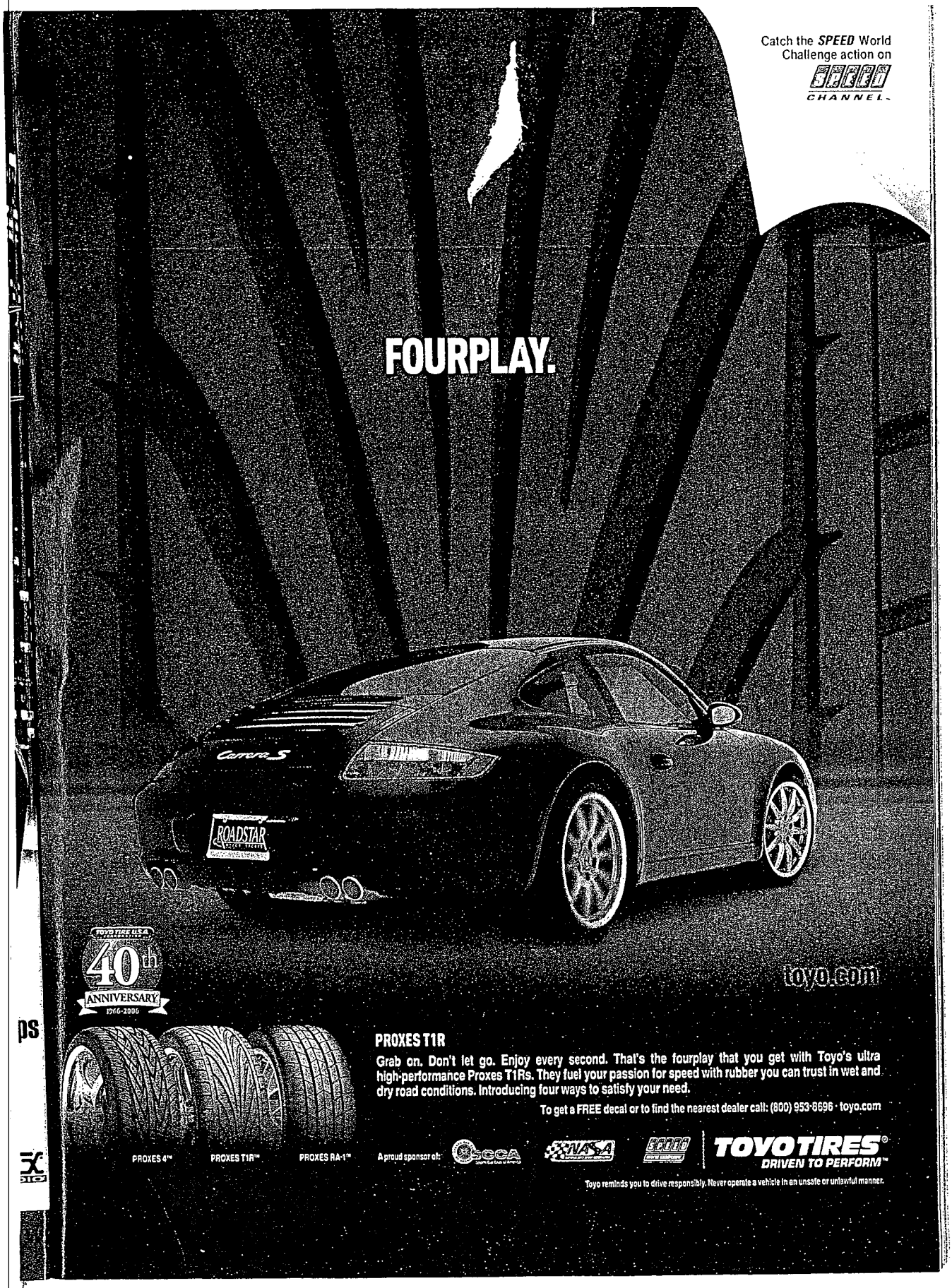
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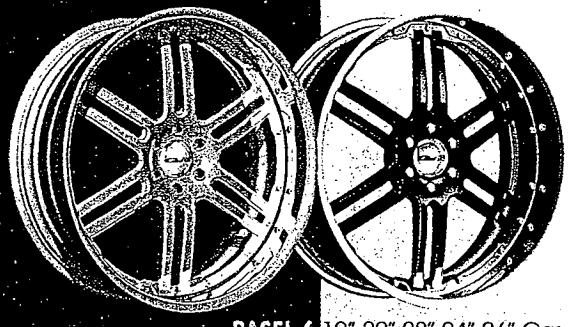
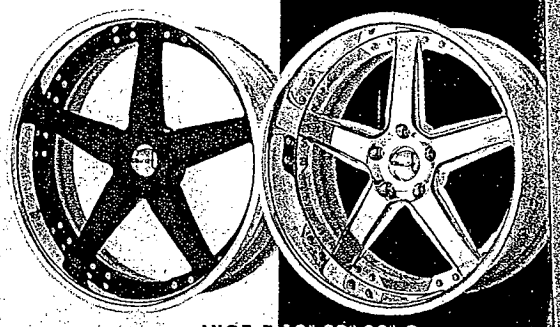


BASEL-6 19" 20" 22" 24" 26" Car & Suv



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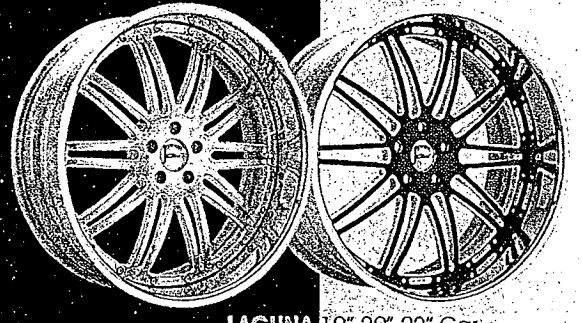
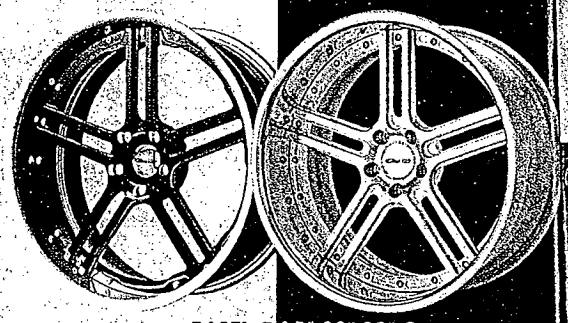
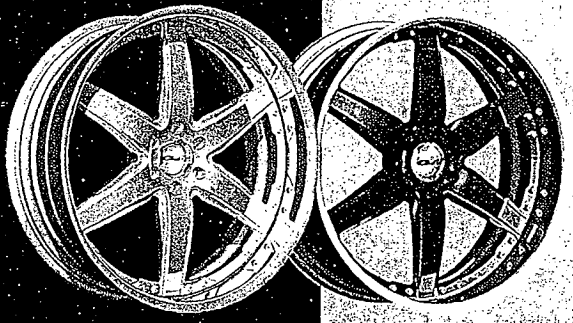


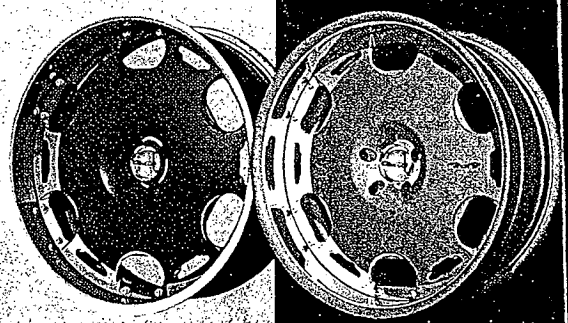
LAGUNA 19" 20" 22" Car



BASEL-5 19" 20" 22" Car



NICE-6 22" 24" 26" Car & Suv



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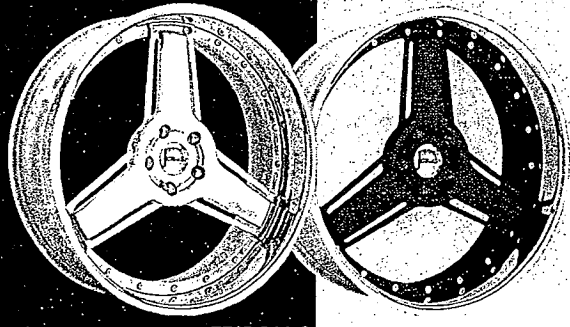
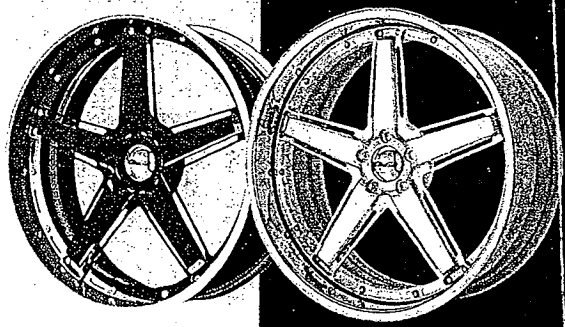


TRIPOLI-3 19" 20" 22" Car



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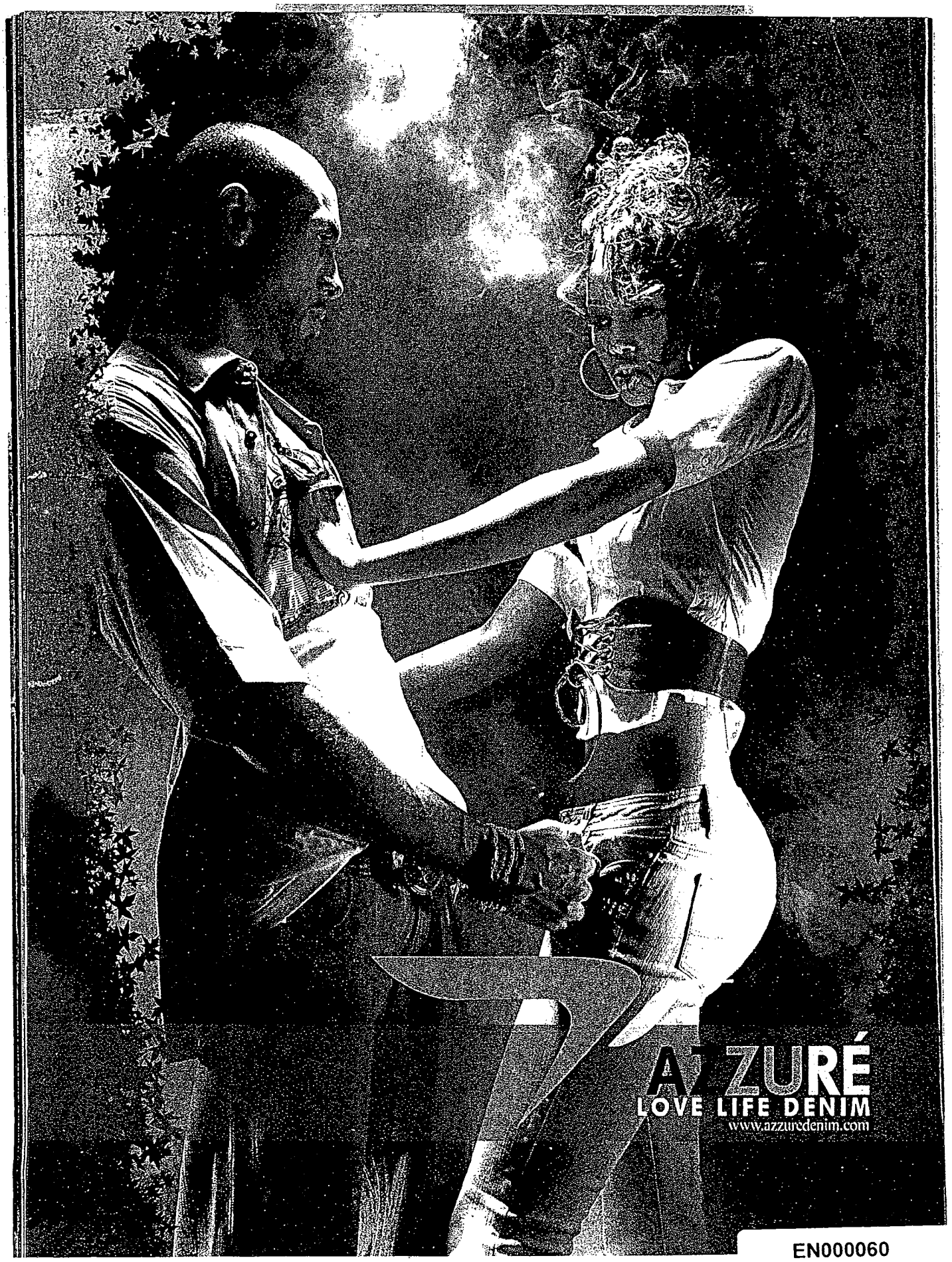

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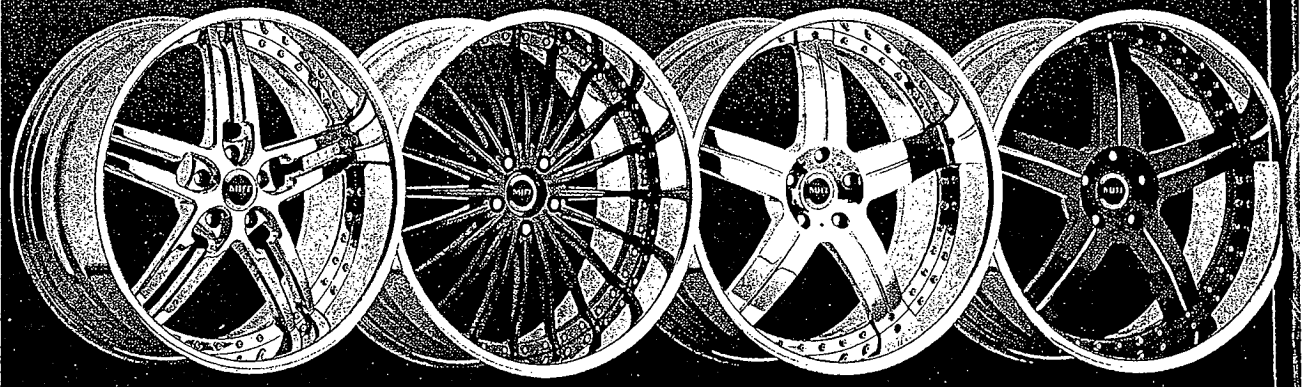
PARAGON

R: 22x11 F: 22x9.5

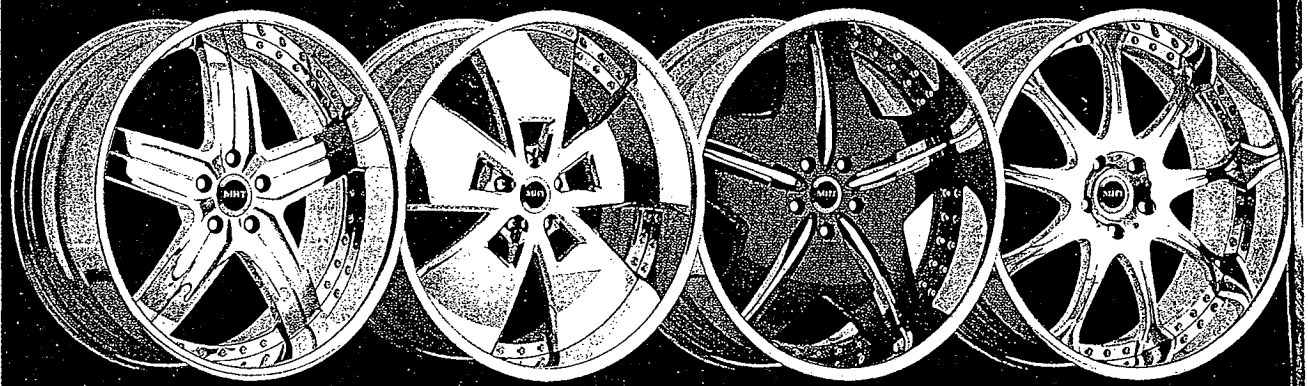


PARAGON
19 • 20 • 22

STOKE BLACK
20 • 22

LLC CHROME
20 • 22

LLC BLACK
20 • 22



MANTRA
20 • 22

GRILLZ
20 • 22

EXCESS BLACK
19 • 20 • 22
CHROME INSERTS

M10
19 • 20 • 22

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LINEA
F: 20x9 R: 20x11
G-NOTE
20 • 22
SHIFTER
19 • 20 • 22
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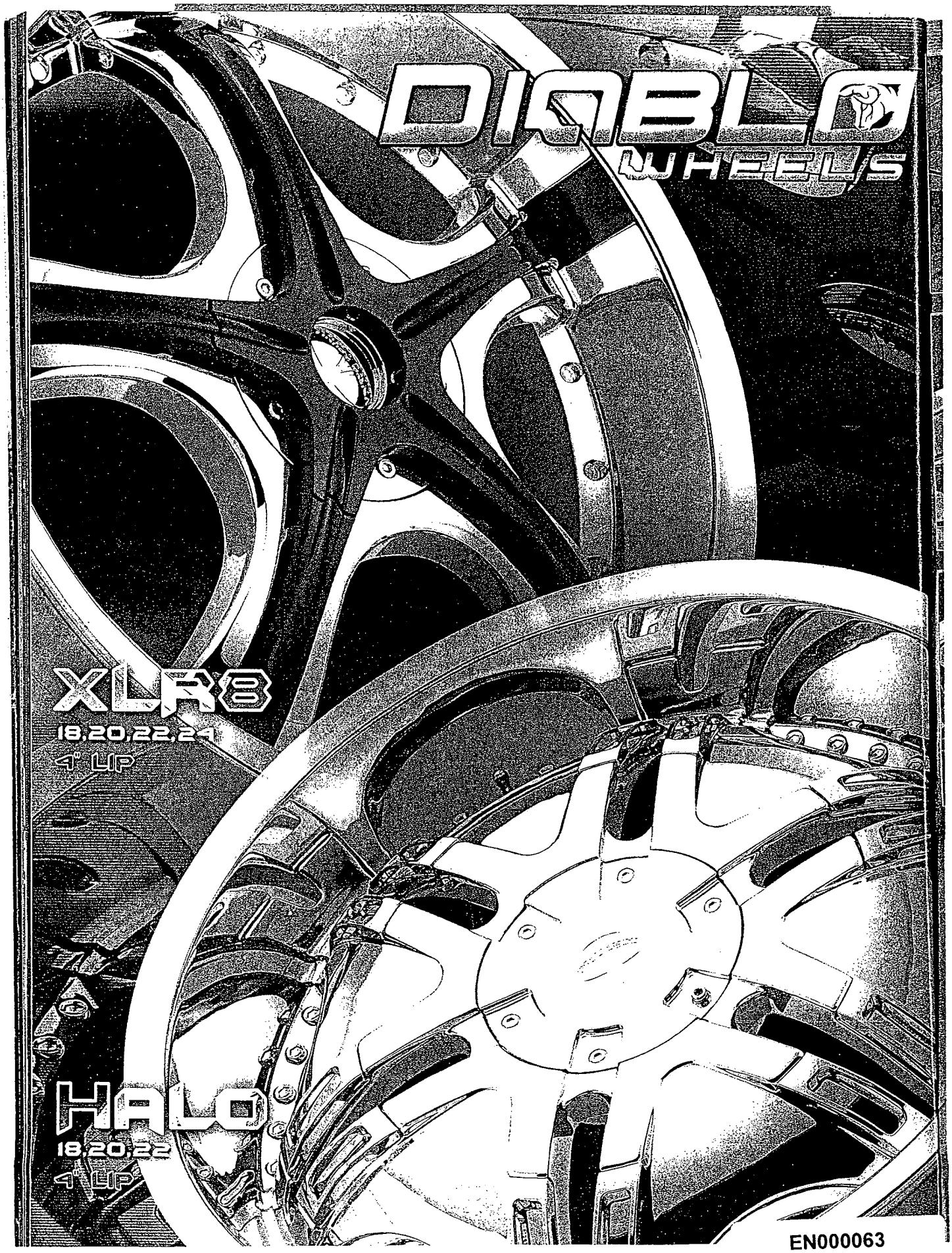
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HALO
18,20,22
4" LIP
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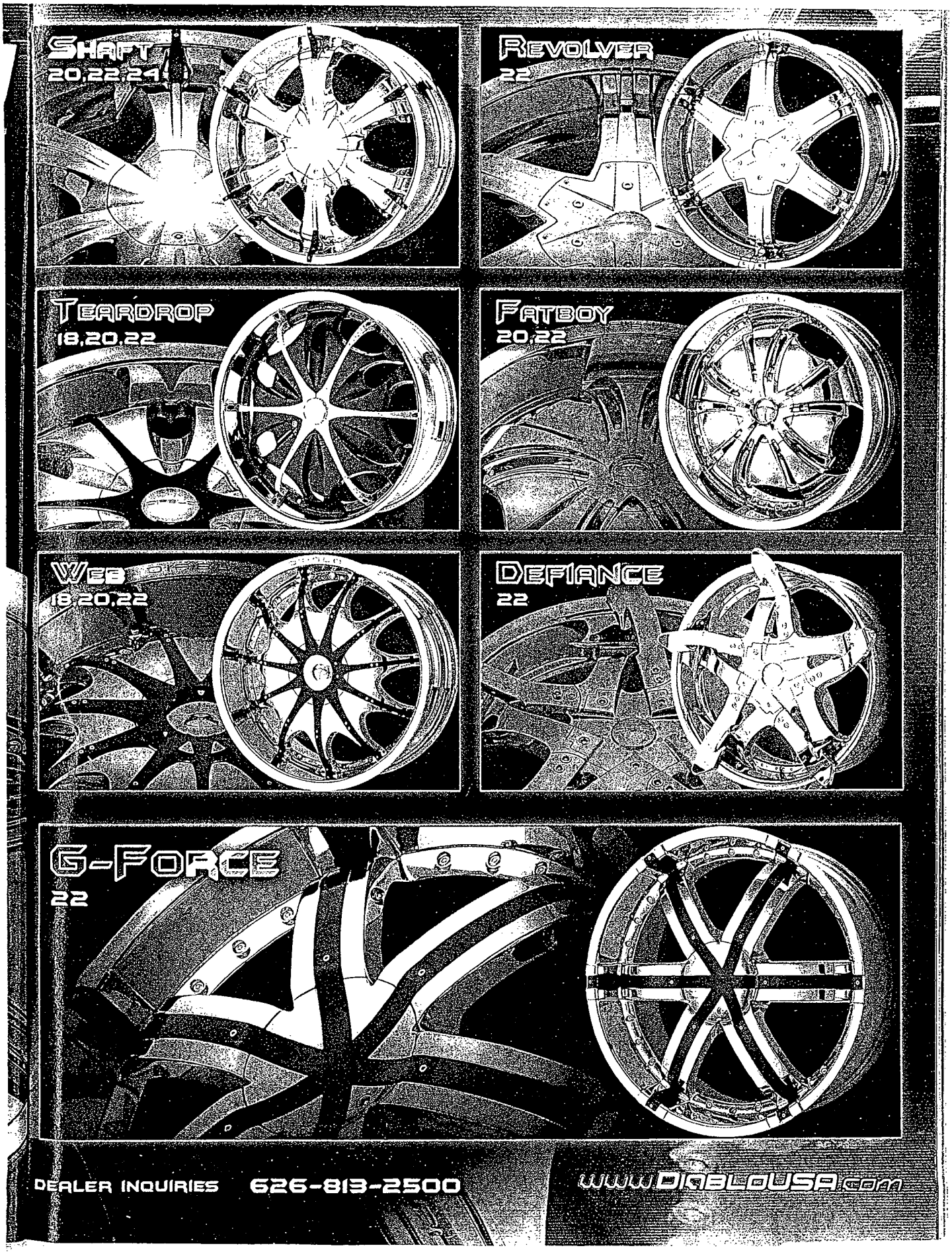
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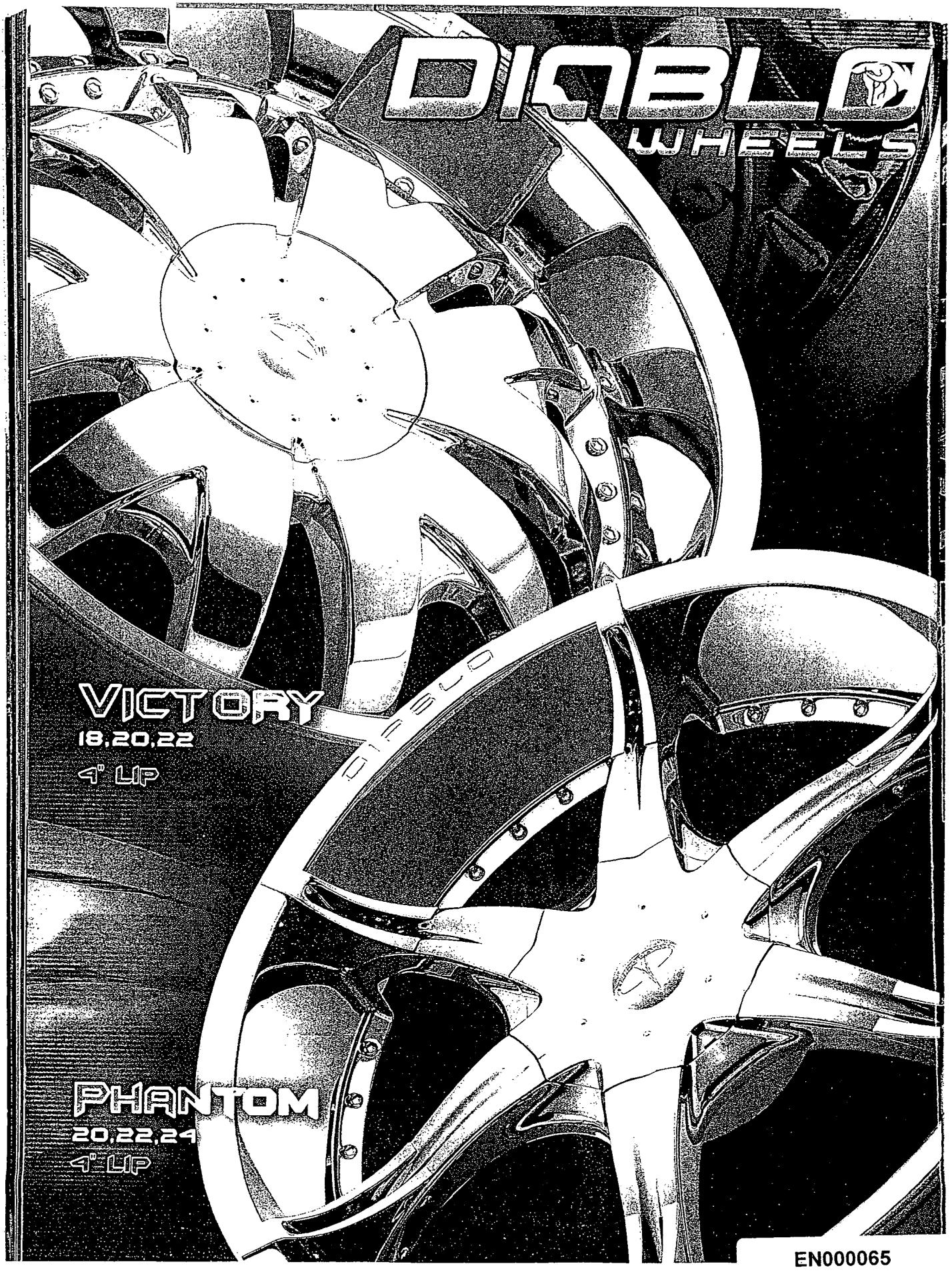

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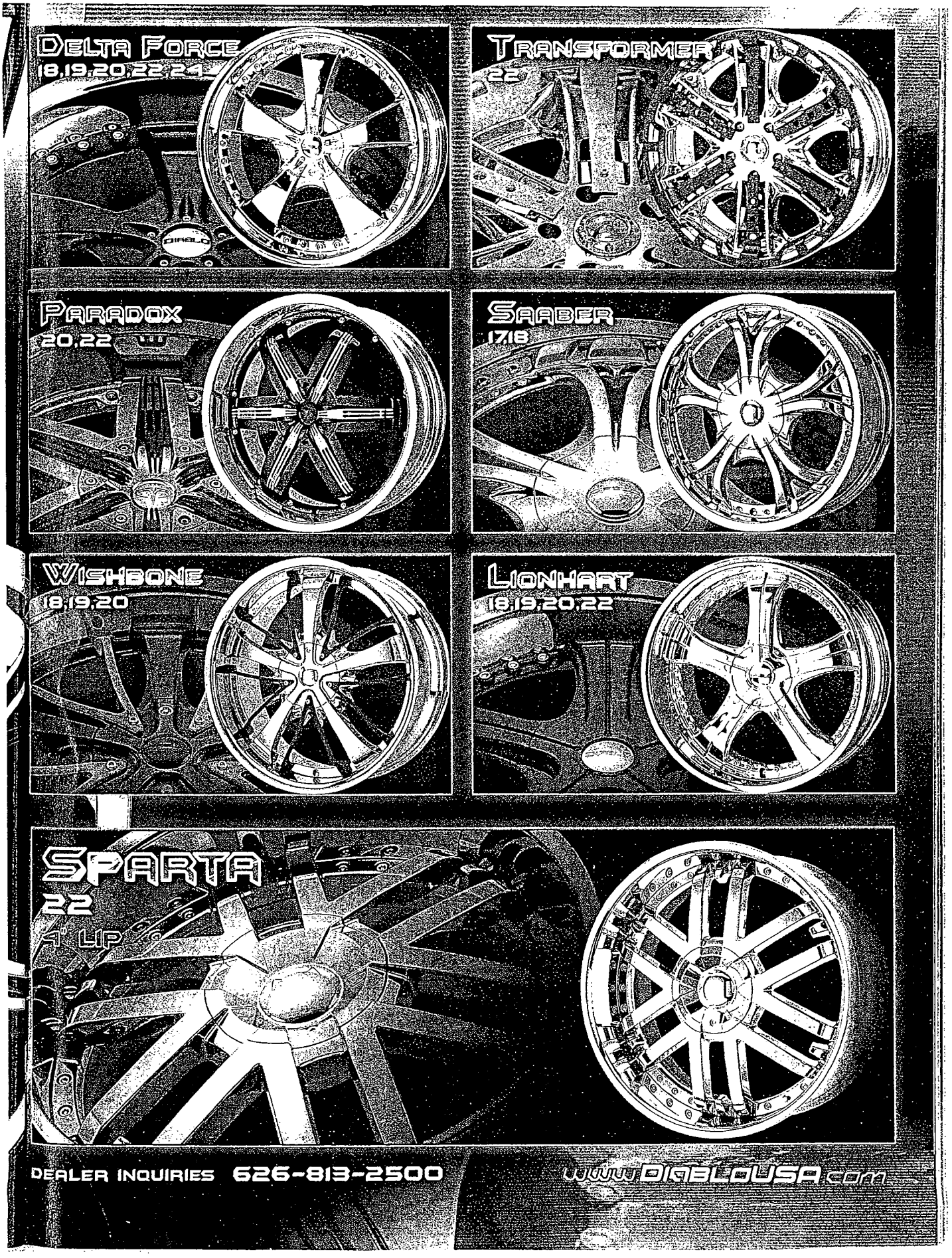
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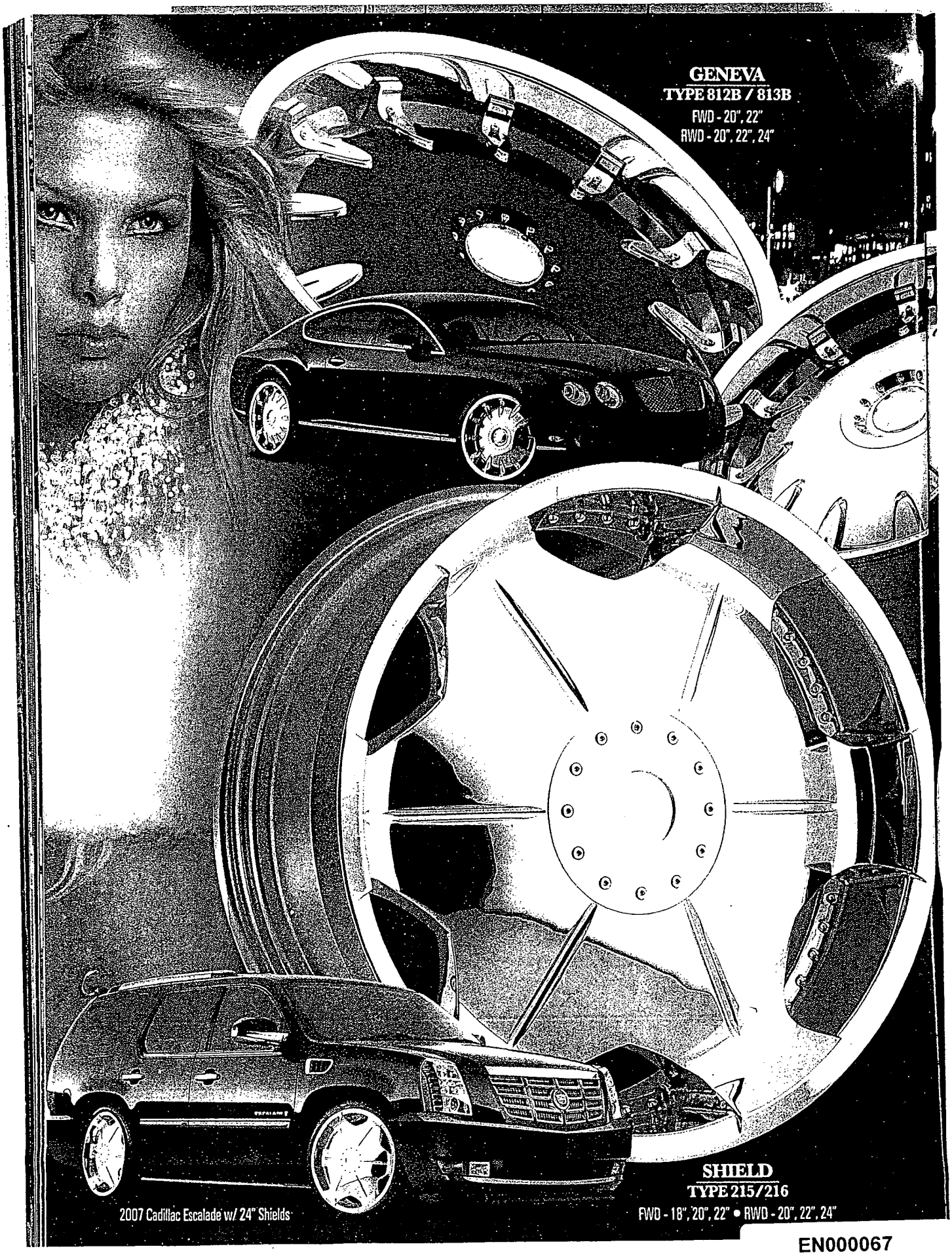
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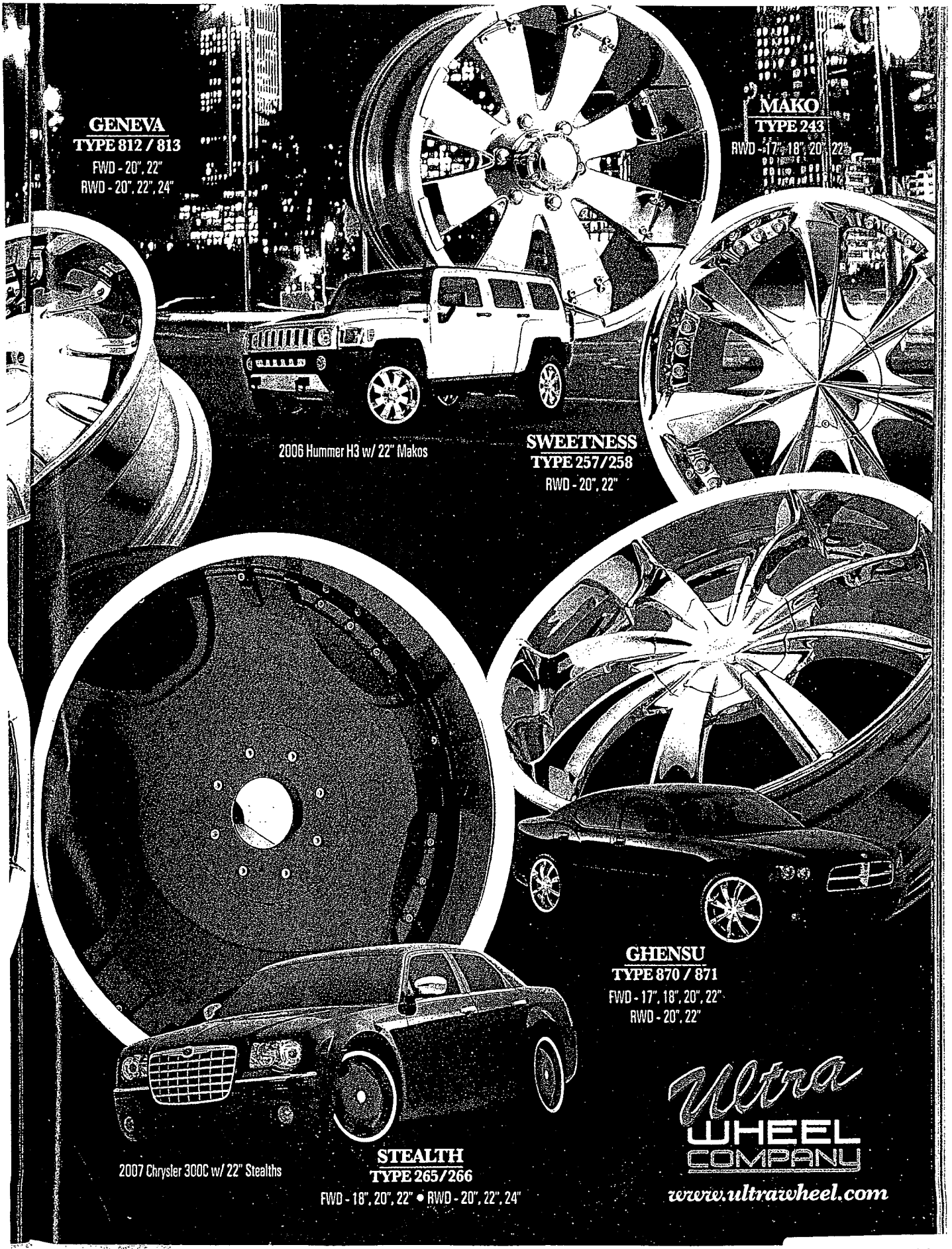
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RWD - 20", 22", 24"
MAKO
TYPE 243
RWD - 17", 18", 20", 22"
2006 Hummer H3 w/ 22" Makos
SWEETNESS
TYPE 257/258
RWD - 20", 22"
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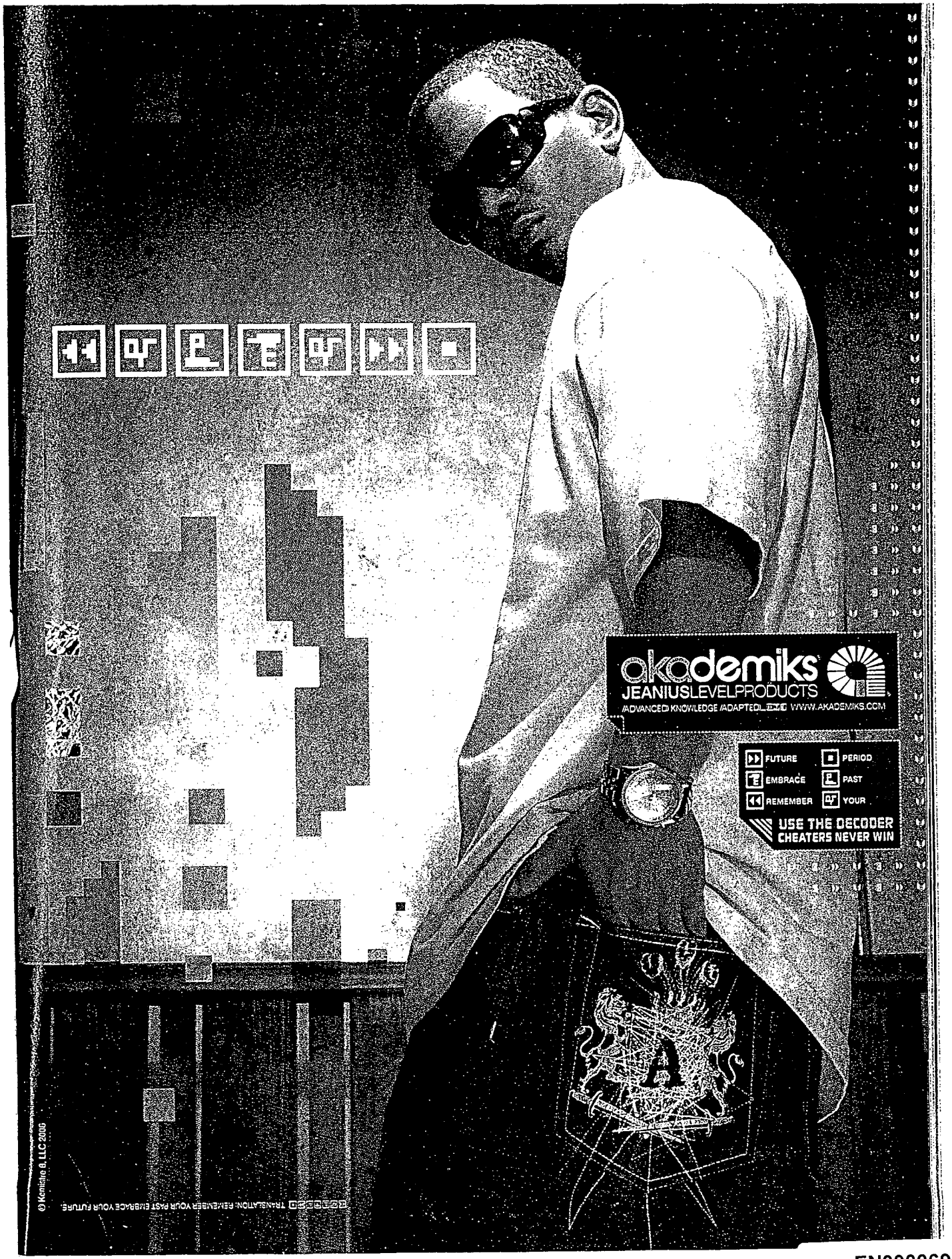
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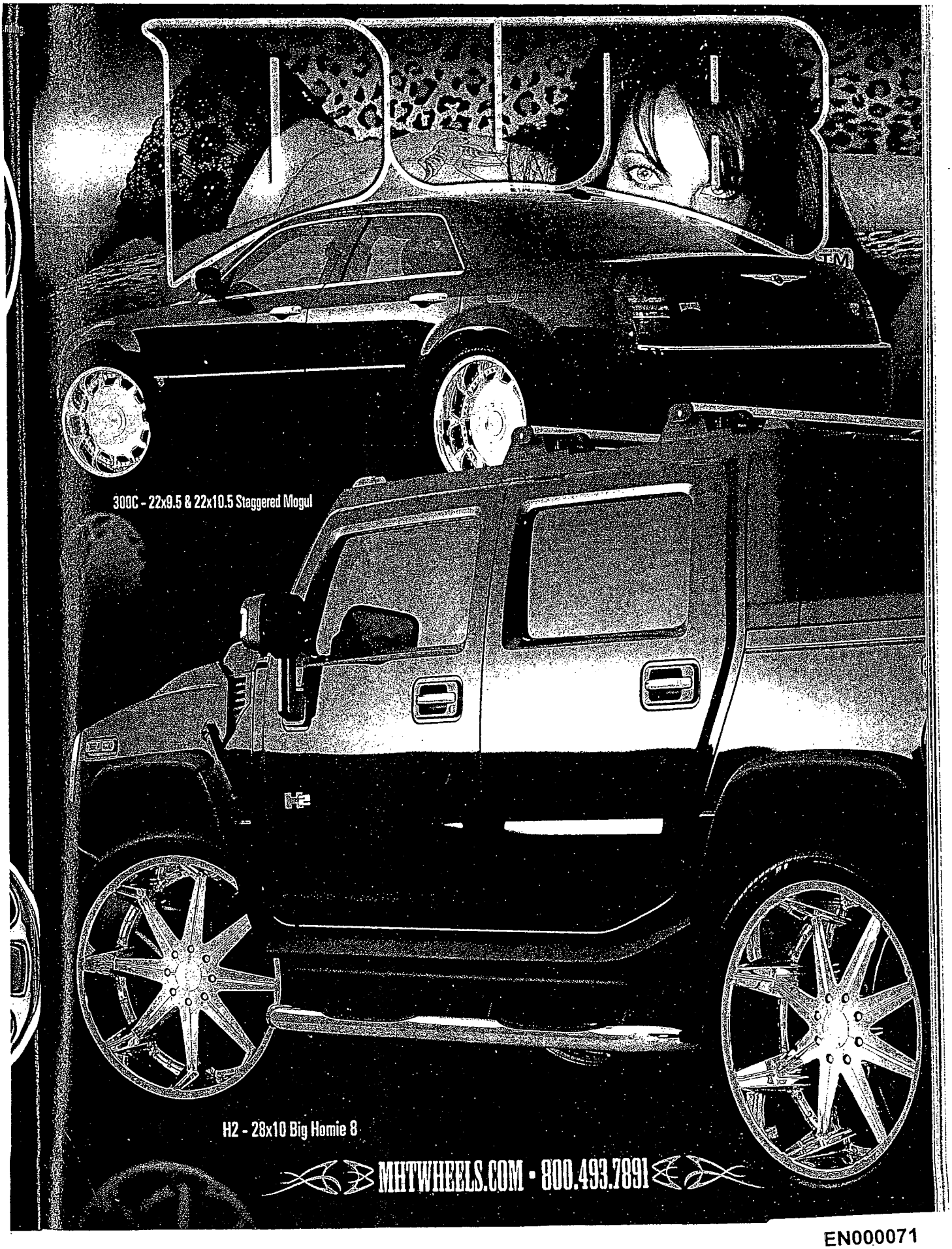
22,24 (Staggered)

EN000070


300C - 22x9.5 & 22x10.5 Staggered Mogul
H2 - 28x10 Big Homie 8
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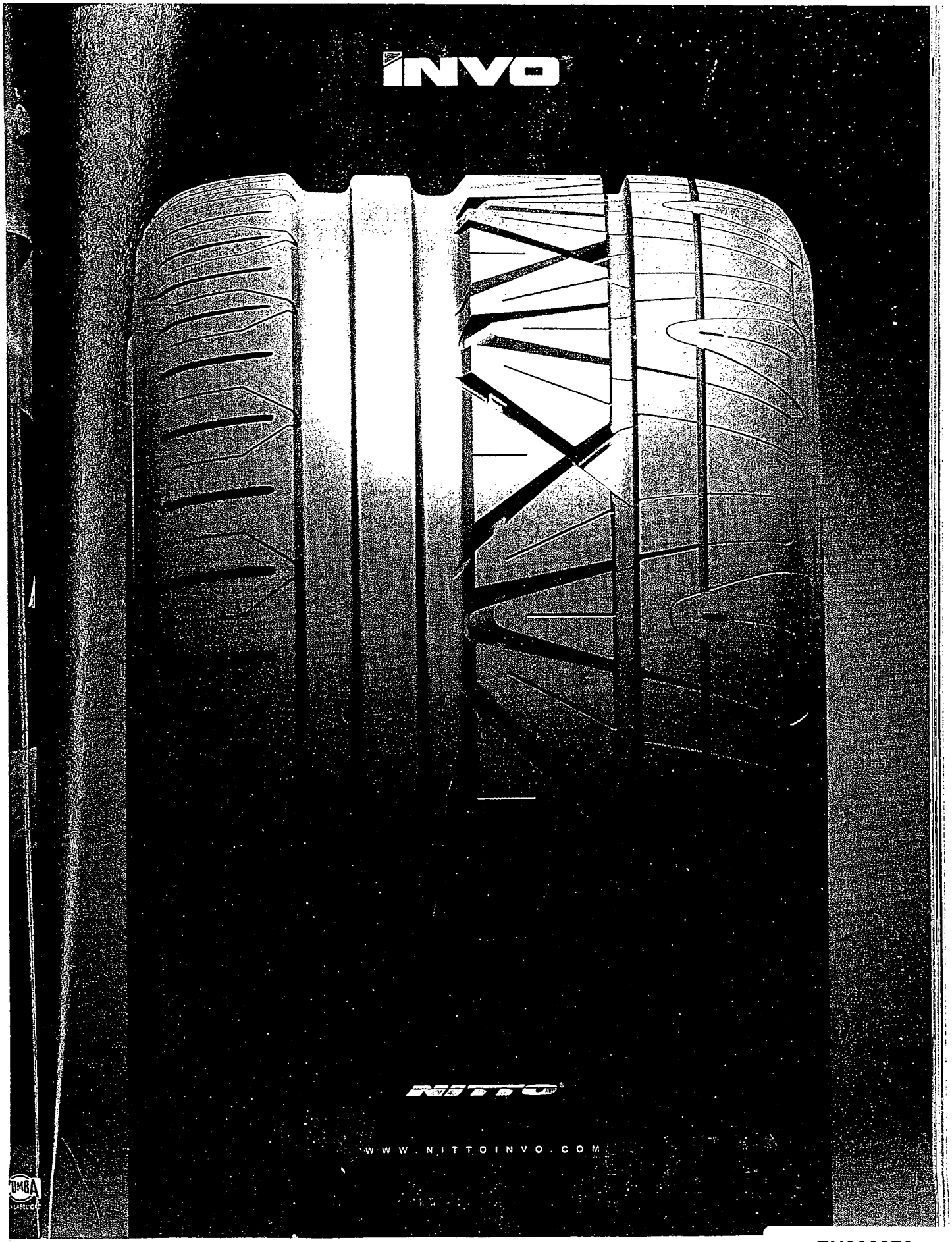
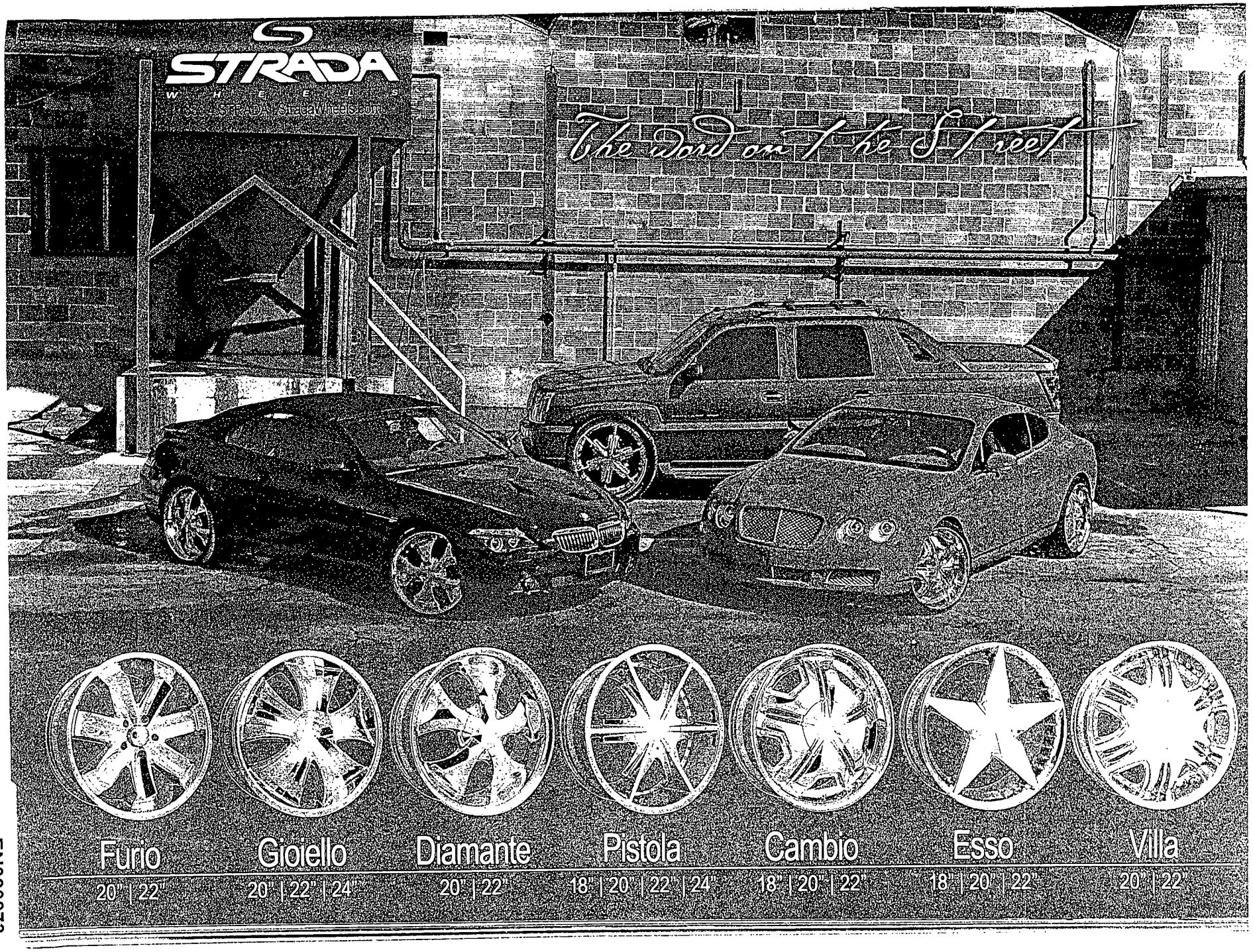
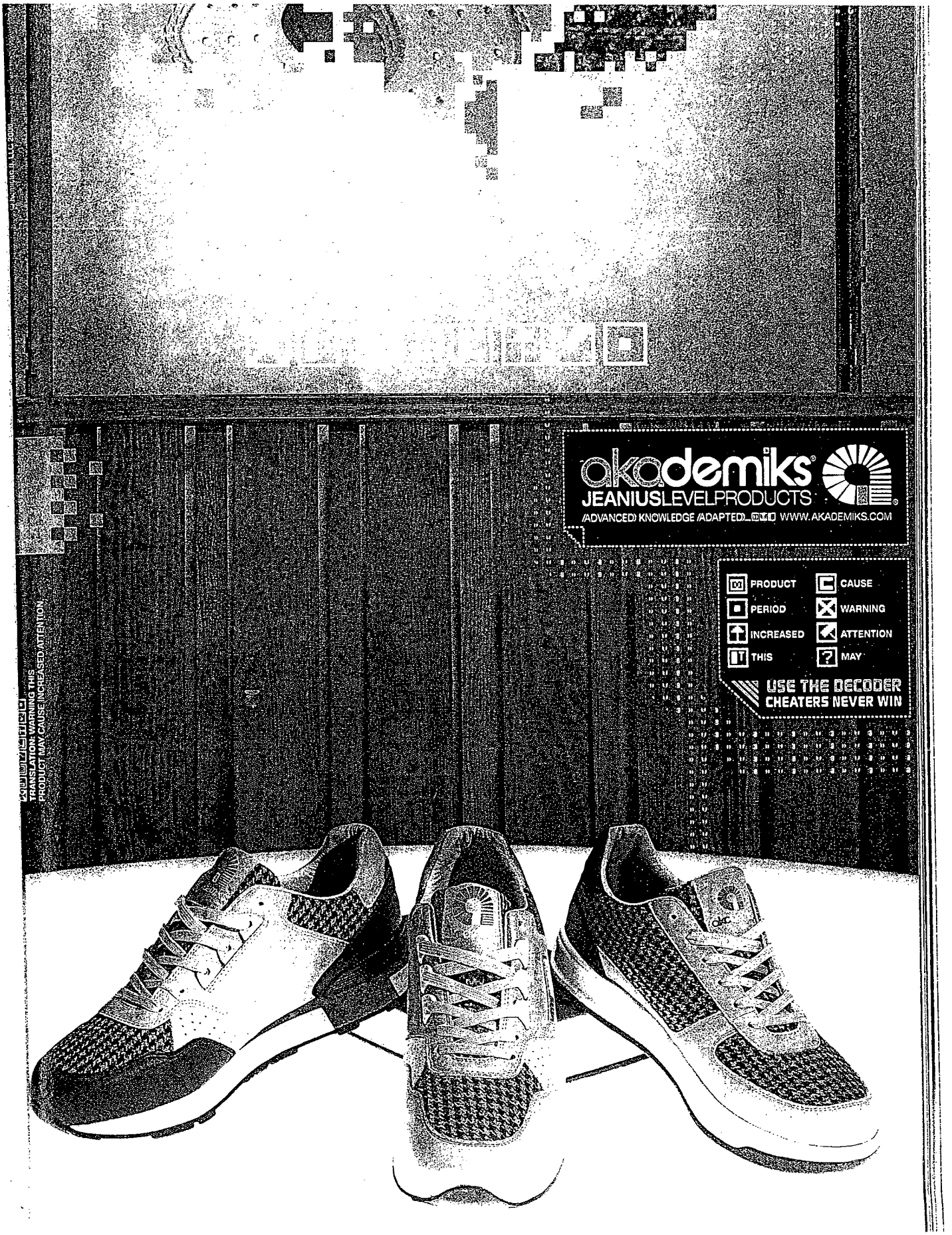
EN000071



EN000072


STRADA
WHEELS
The Word on the Street
Furio
20" | 22"
Gioiello
20" | 22" | 24"
Diamante
20" | 22"
Pistola
18" | 20" | 22" | 24"
Cambio
18" | 20" | 22"
Esso
18" | 20" | 22"
Villa
20" | 22"

EN000073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PRODUCT
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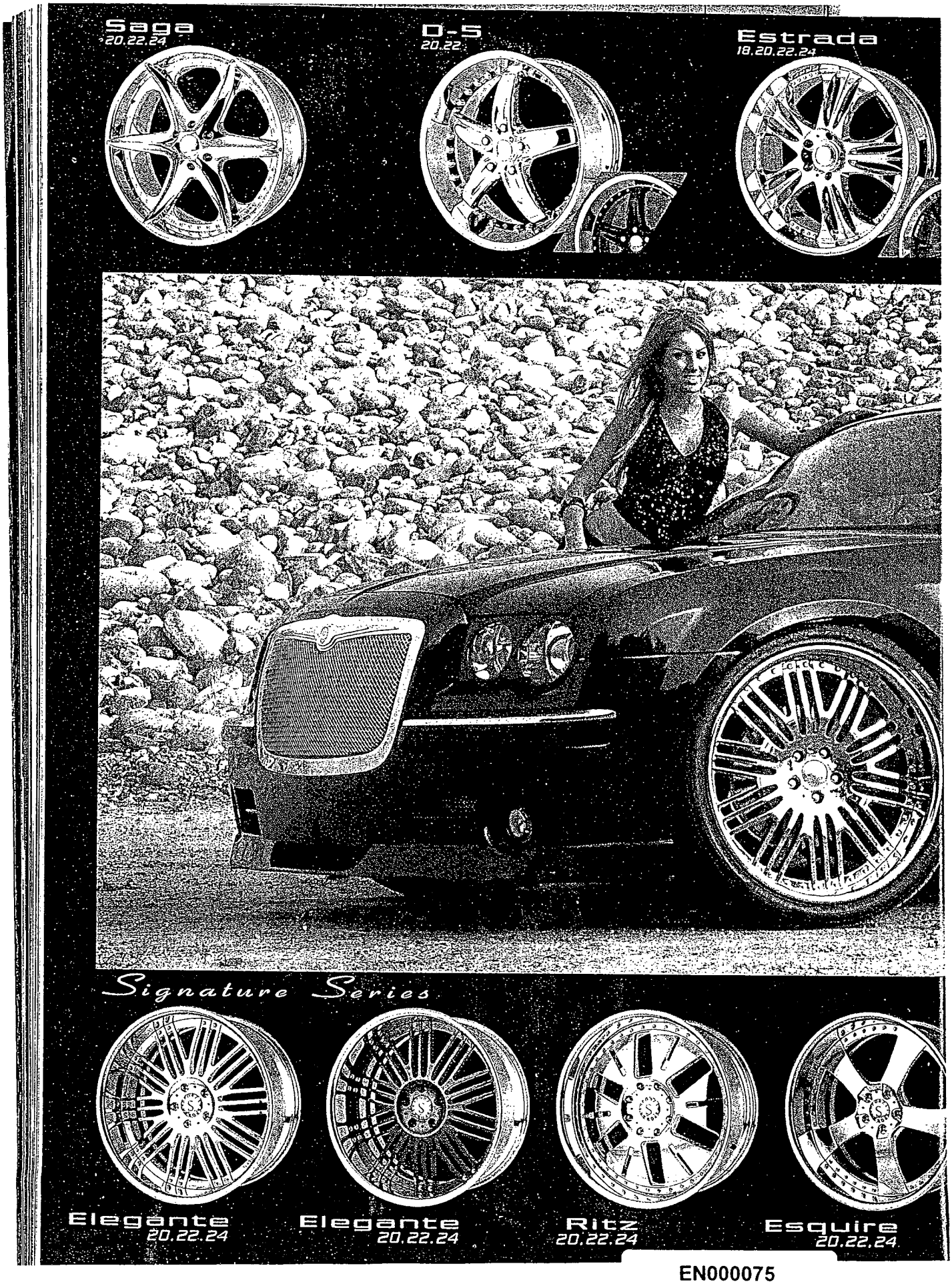
WARNING
INCREASED
ATTENTION
THIS
MAY
USE THE DECODER
CHEATERS NEVER WIN
TRANSLATION: WARNING THIS PRODUCT MAY CAUSE INCREASED ATTENTION

EN000074


Saga
20.22.24
D-5
20.22
Estrada
18.20.22.24
Signature Series
Elegante
20.22.24
Elegante
20.22.24
Ritz
20.22.24
Esquire
20.22.24

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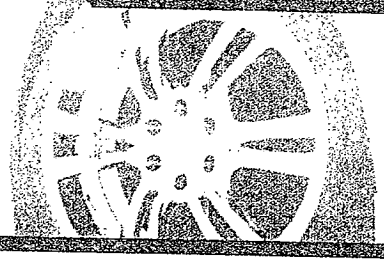
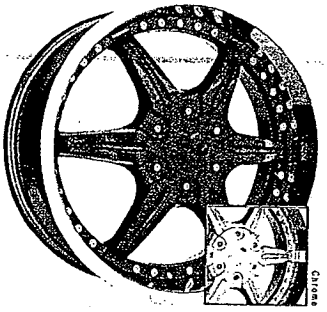
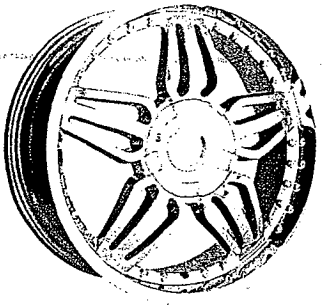


STELLA
Black w/Chrome Lip



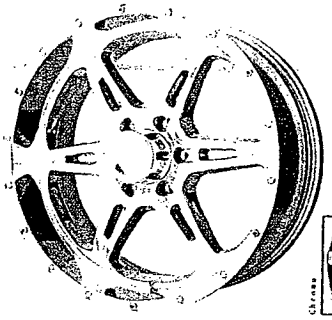
20"
Car / Truck

FRAME
Chrome



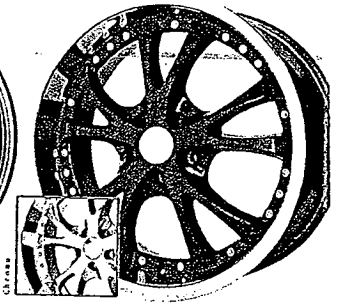
20"
Car / Truck

FURIA
Chrome



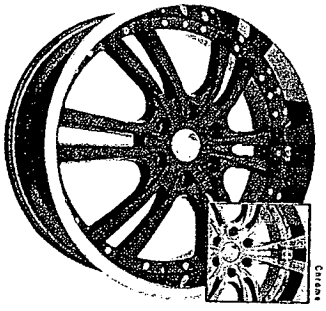
20"
Truck

MIRAGE
Black w/Chrome Lip



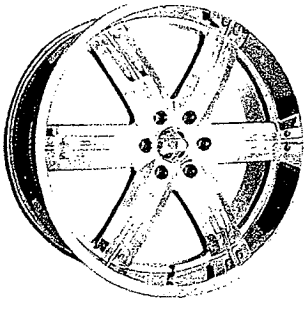
20"
Car

SPLIT SIX
Black w/Chrome Lip



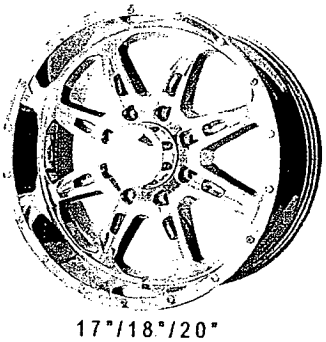
20"
Car / Truck

SHAW
Chrome



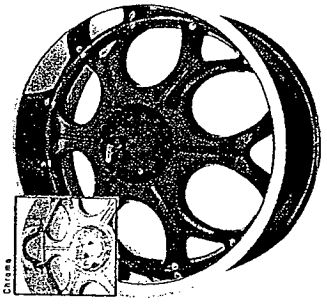
22"/24"
Truck

FURIA
Chrome

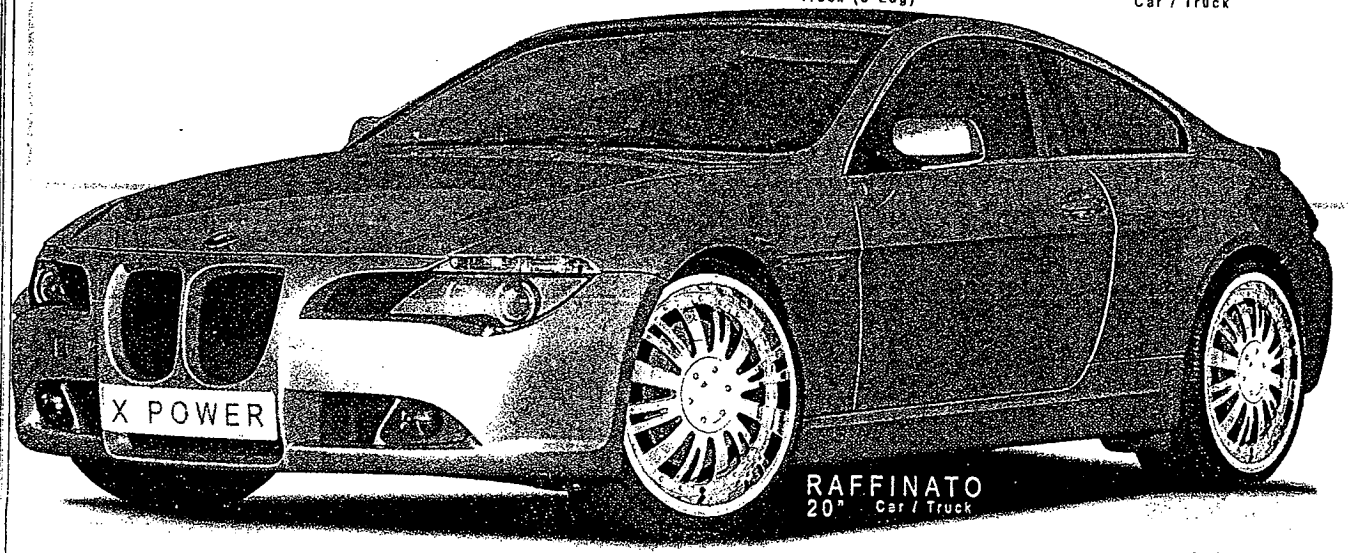


17"/18"/20"
Truck (8-Lug)

SLAUSON
Black w/Chrome Lip



20"/22"
Car / Truck



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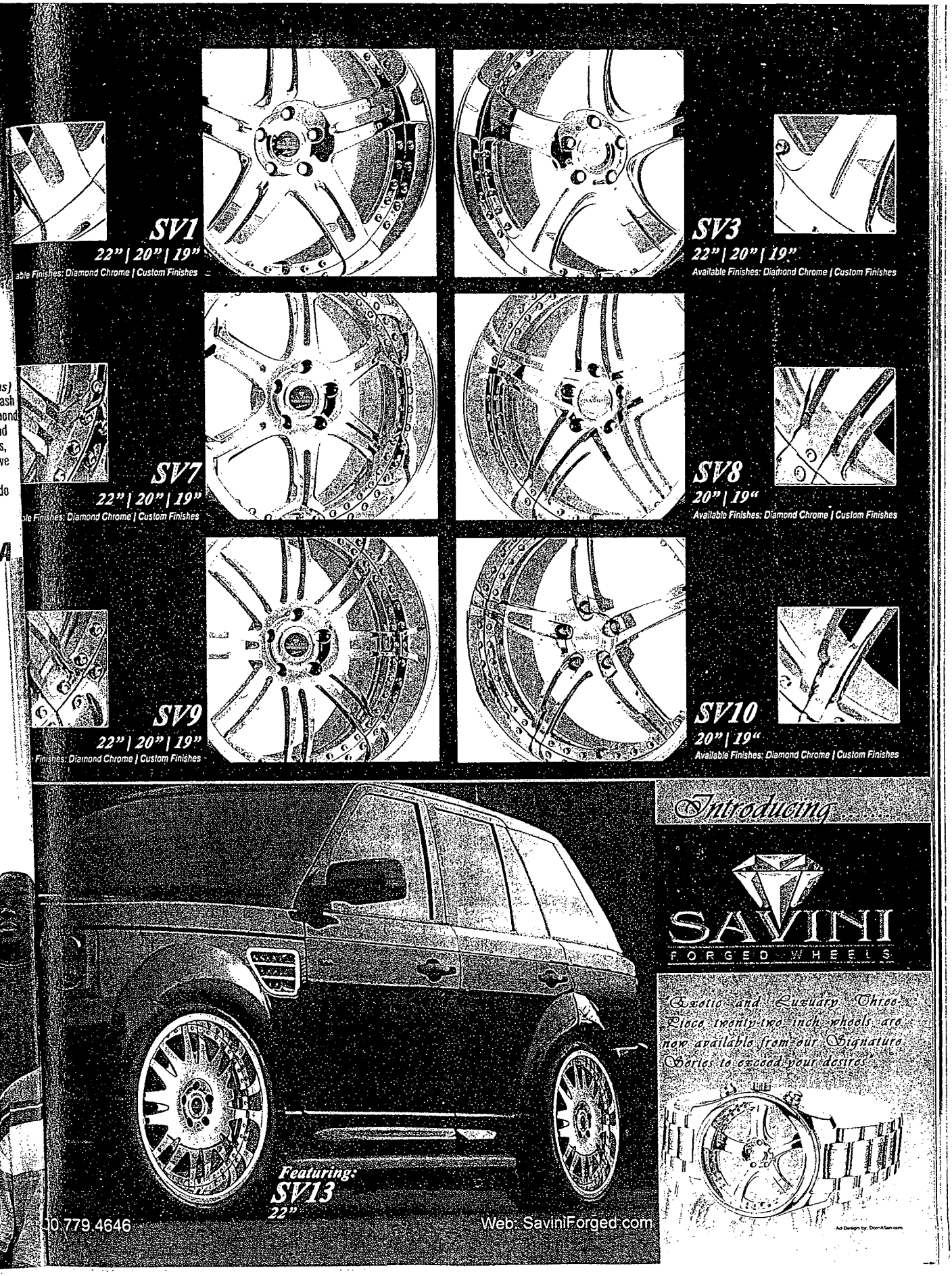
SV1
22" | 20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
SV3
22" | 20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
SV7
22" | 20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
SV8
20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
SV9
22" | 20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
SV10
20" | 19"
Available Finishes: Diamond Chrome | Custom Finishes
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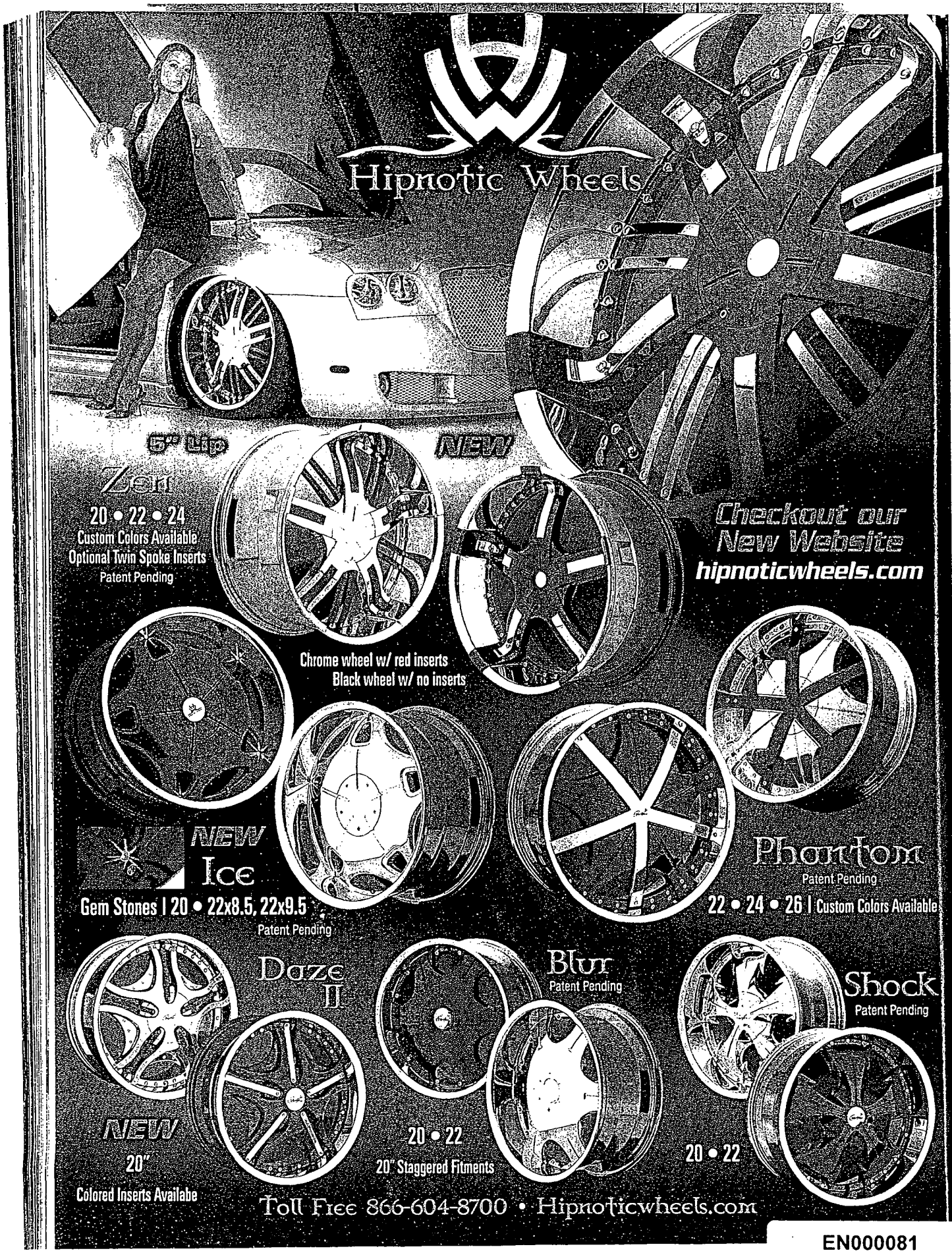
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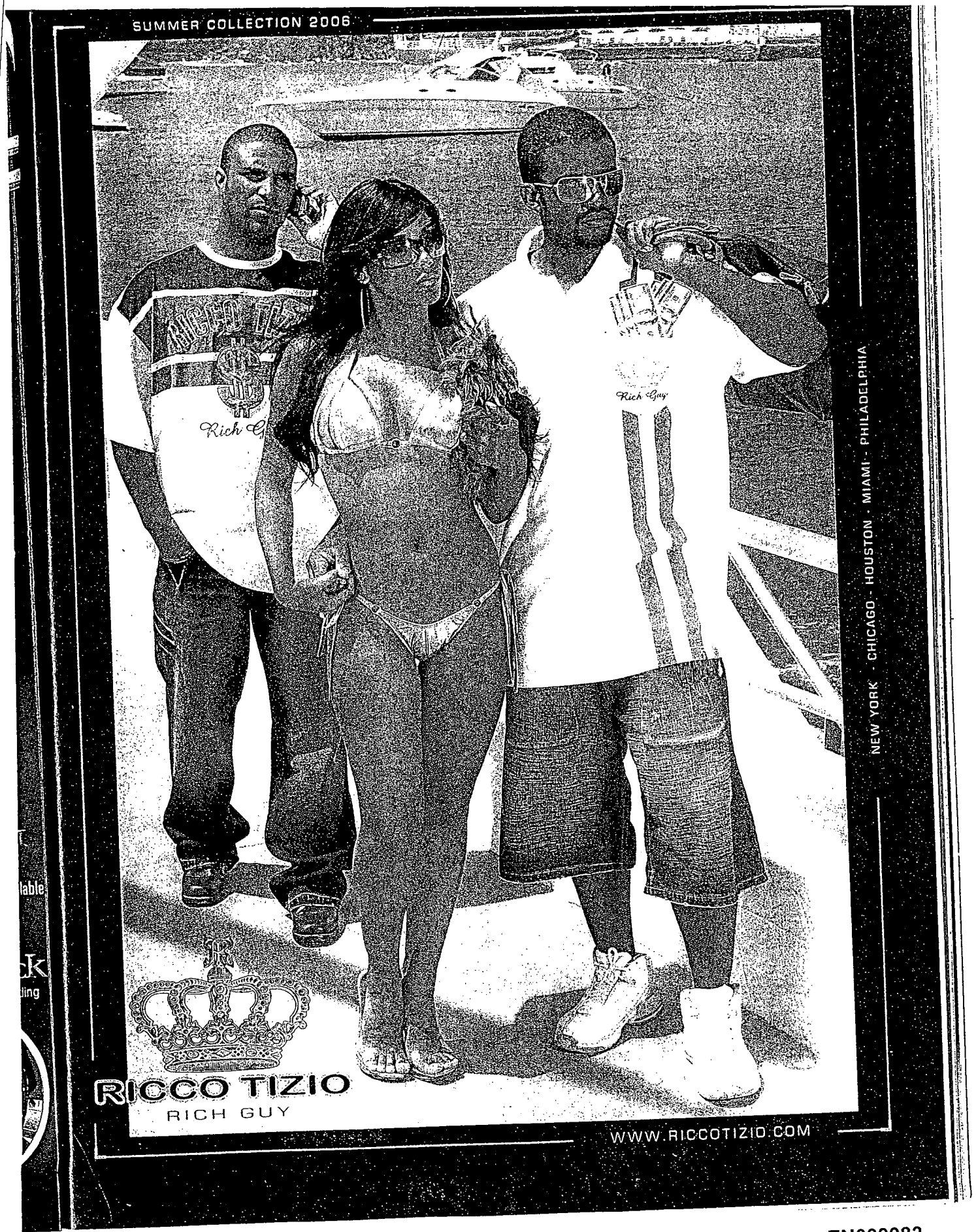
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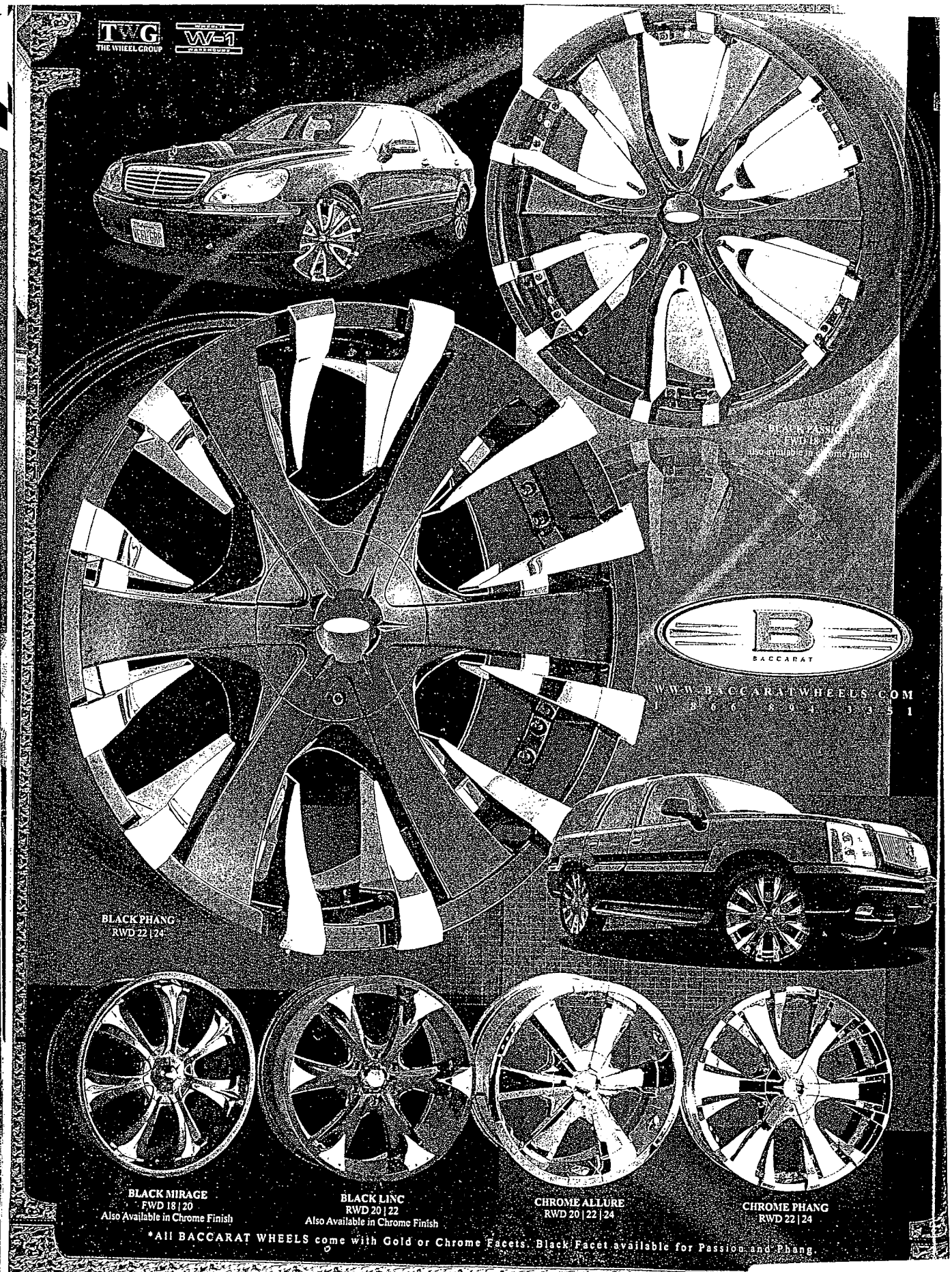
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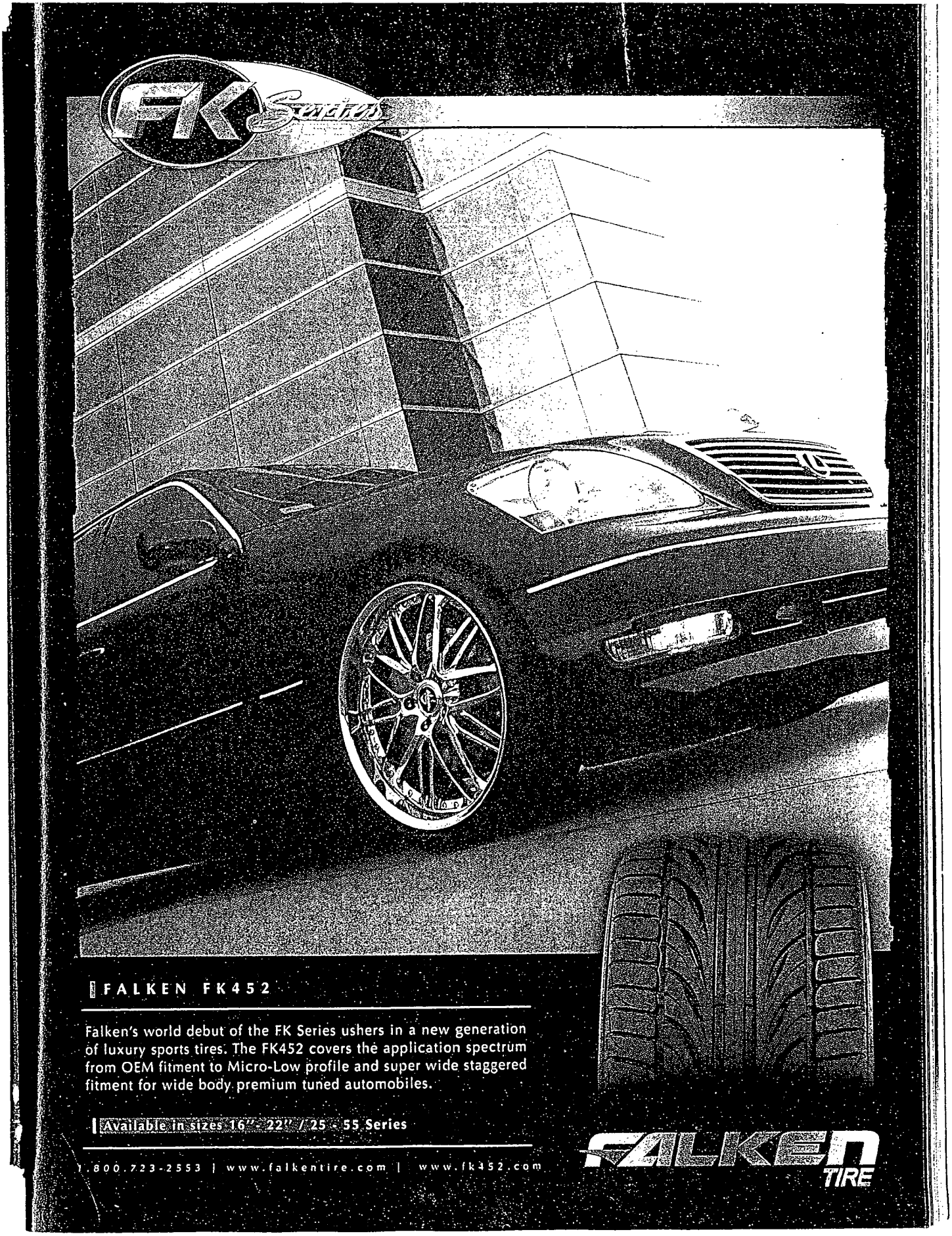
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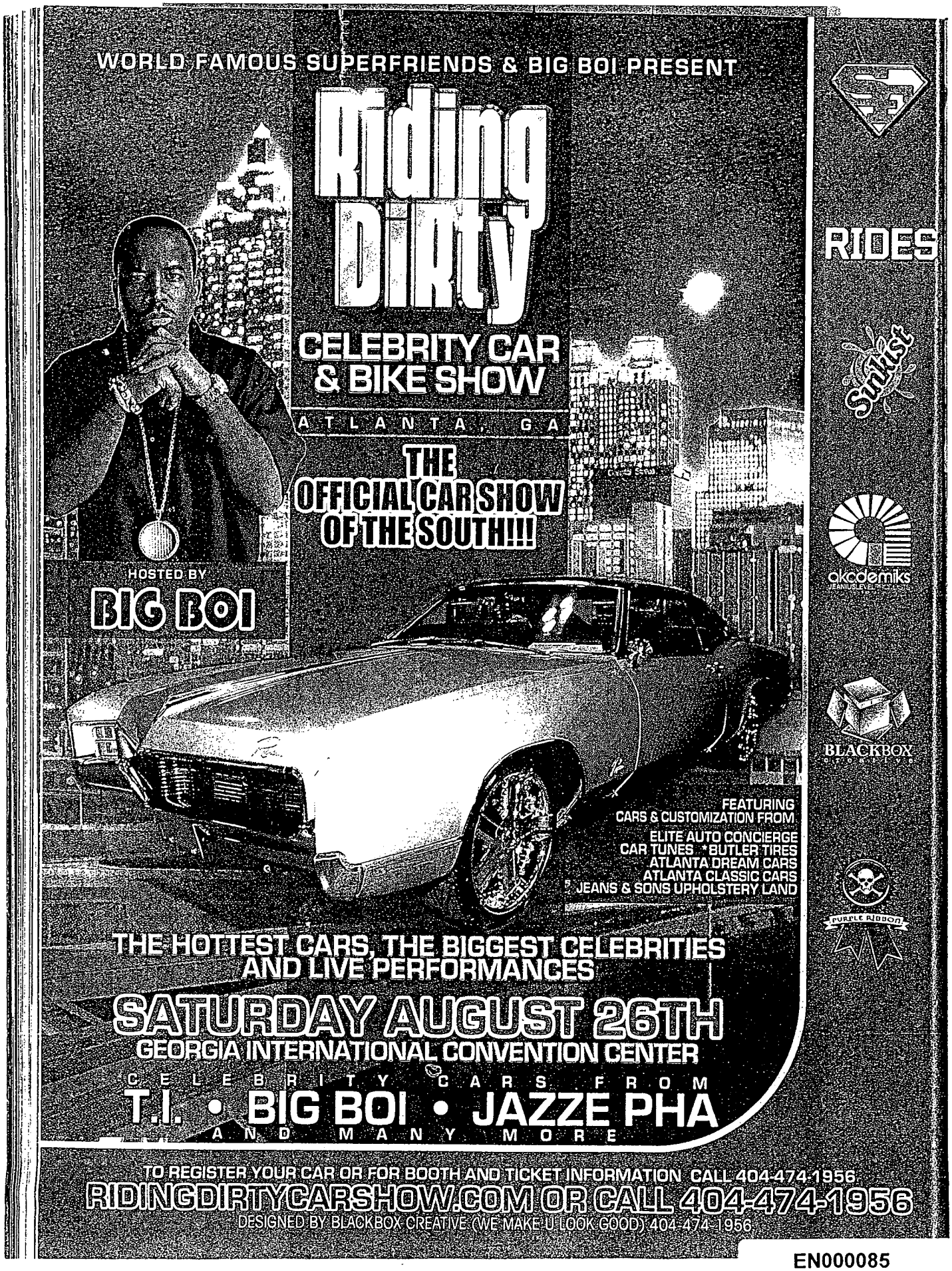
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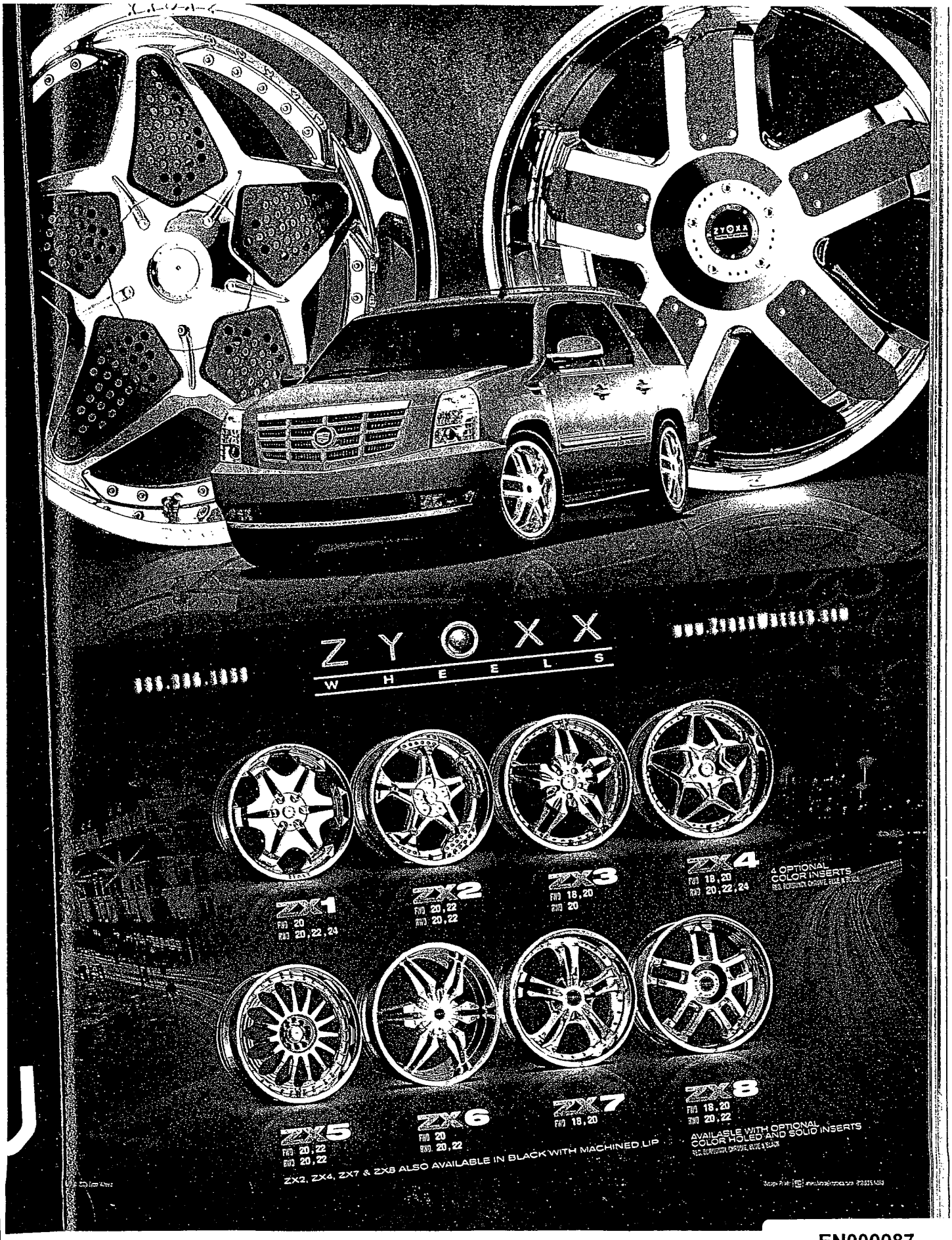
ZYOXX
WHEELS
ZX1
FWD 20
RWD 20,22,24
ZX2
FWD 20,22
RWD 20,22
ZX3
FWD 18,20
RWD 20
ZX4
FWD 18,20
RWD 20,22,24
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RWD 20,22
ZX6
FWD 20
RWD 20,22
ZX7
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RWD 20,22
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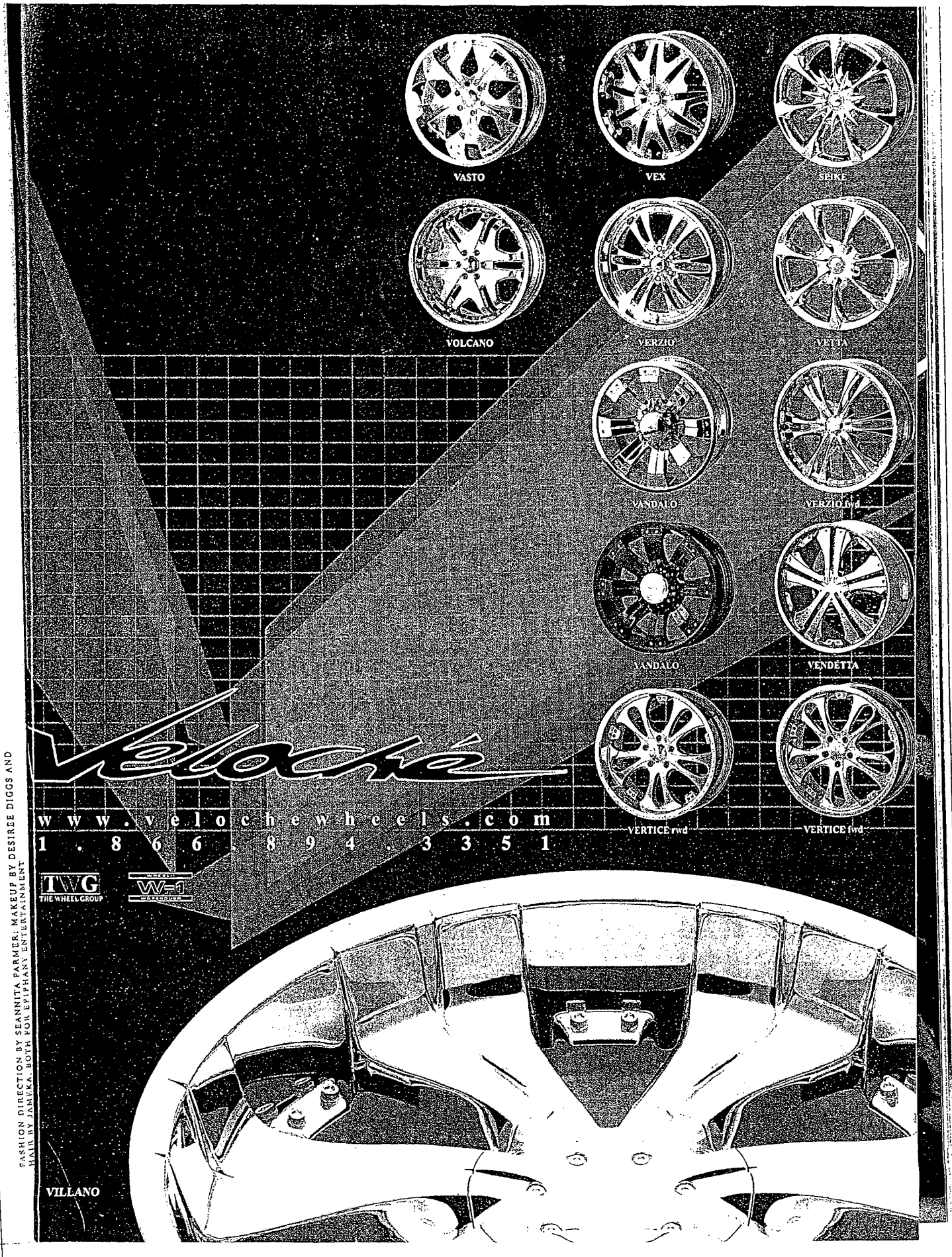

FASHION DIRECTION BY SEANNITA PARMER; MAKEUP BY DESIREE DIGGS AND HAIR BY JAMEKA, BOTH FOR EPIPHANY ENTERTAINMENT

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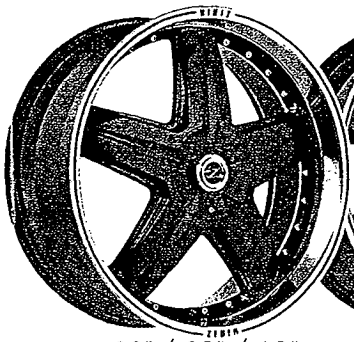
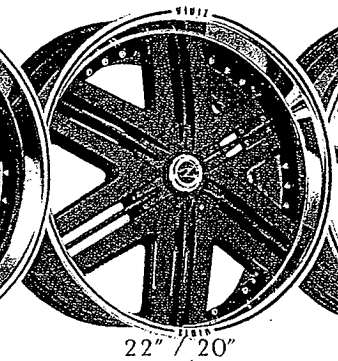
Z20 VIOLI



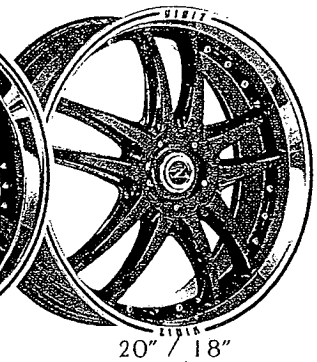
22" / 20" / 18"
Car / Truck / SUV

Z19 MONZA



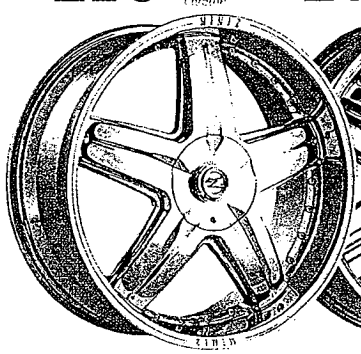
22" / 20"
Car / Truck / SUV

Z18 MINARDI



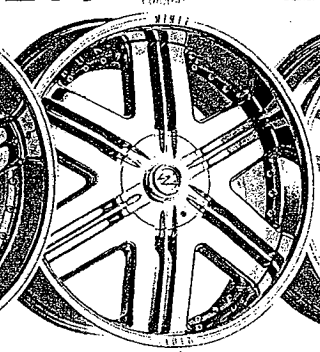
20" / 18"
Car / Truck / SUV

Z20 VIOLI Chrome



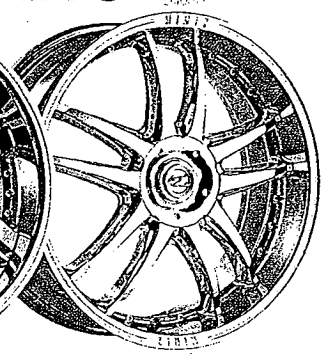
22" / 20" / 18"
Car / Truck / SUV

Z19 MONZA Chrome

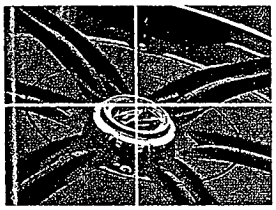


22" / 20"
Car / Truck / SUV

Z18 MINARDI Chrome

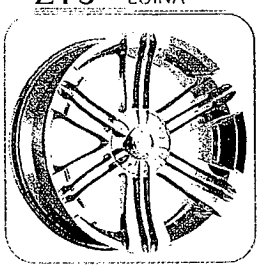


20" / 18"
Car / Truck / SUV



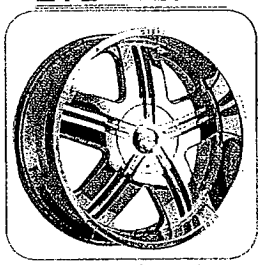
ZINIK
LUXURY ALLOY WHEELS

Z13 LUINA



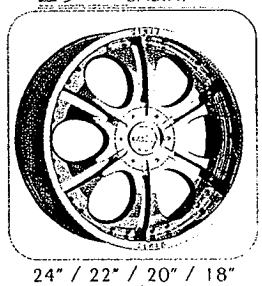
22" / 20"
Truck / SUV
Chrome

Z12 MAZOTTI



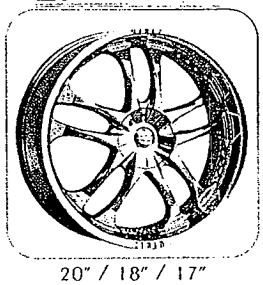
24" / 22" / 20" / 18"
Truck / SUV
Chrome / Black (MU) / Black (Chrome Lip)

Z9 SABINI



24" / 22" / 20" / 18"
Car / Truck / SUV
Chrome / Black (MU) / Black (Chrome Lip)

Z7 ADRIAN



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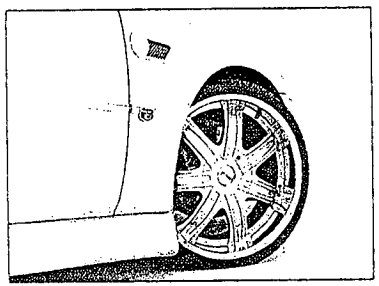
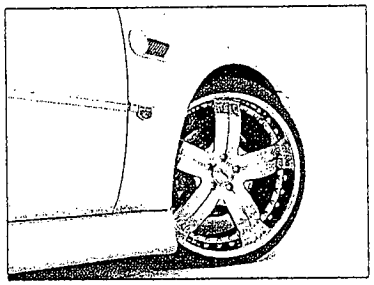
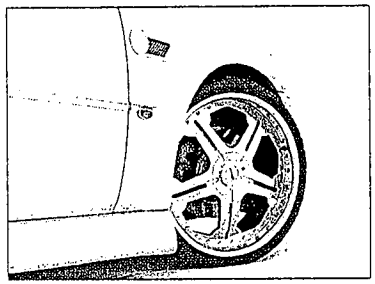


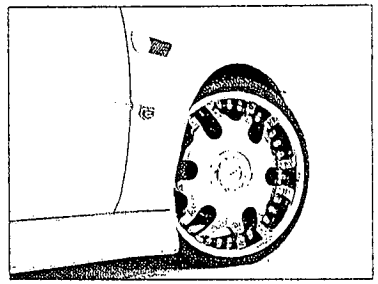
VOLORE



HAVOC XL



DV-50



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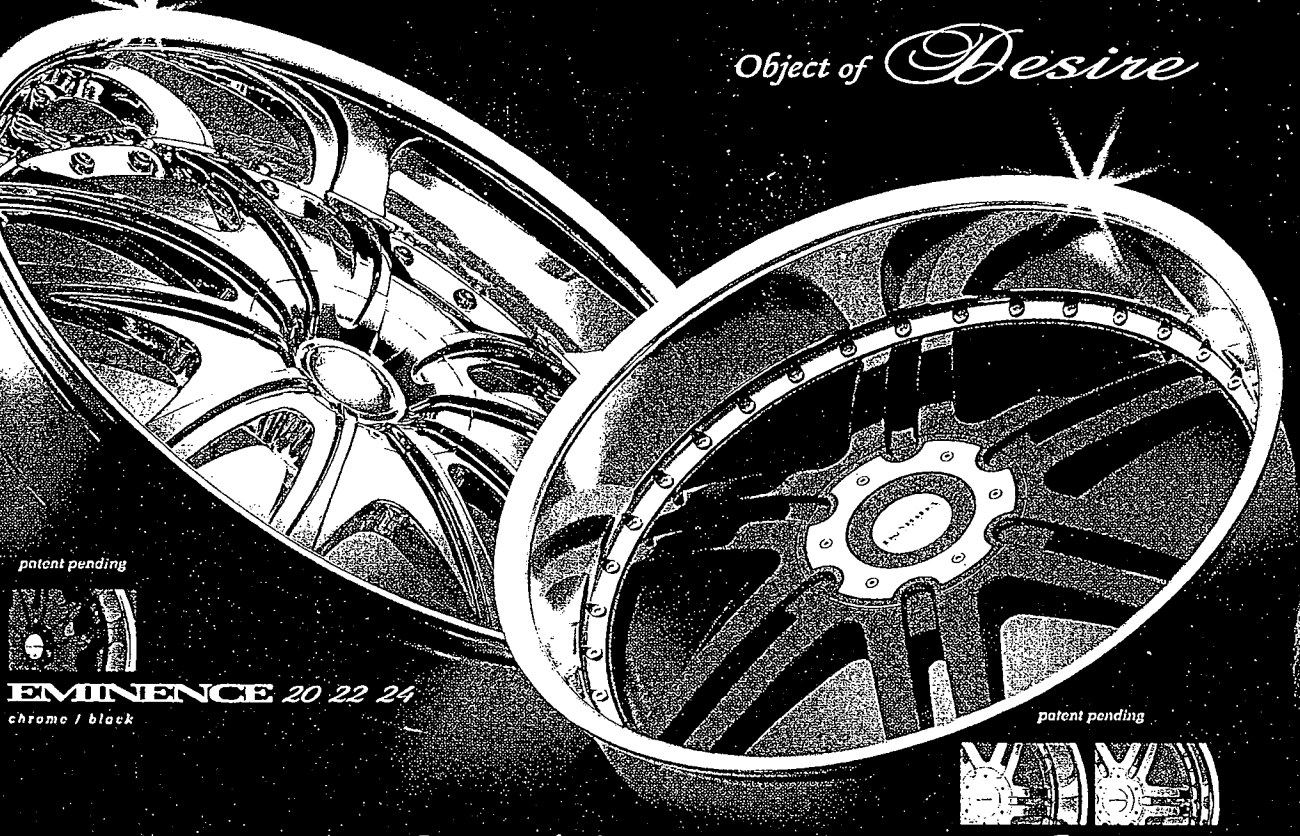
Object of **Desire**



patent pending

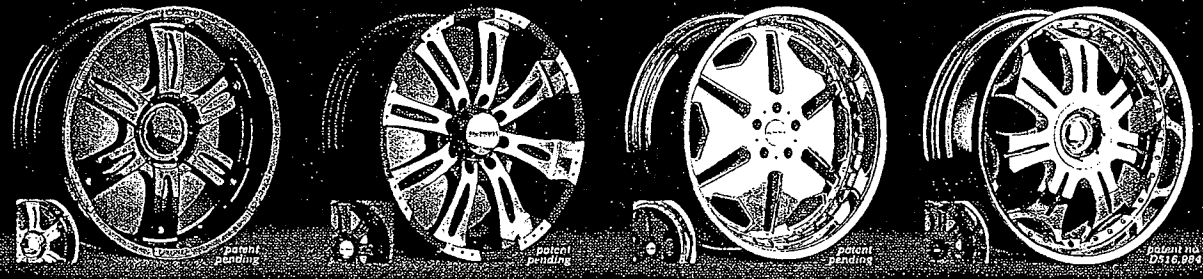
EMINENCE *20 22 24*
chrome / black

patent pending

DF1 *20 22 24*
silver / black / chrome

Staggered Fitments

2006 LUXURY COLLECTION

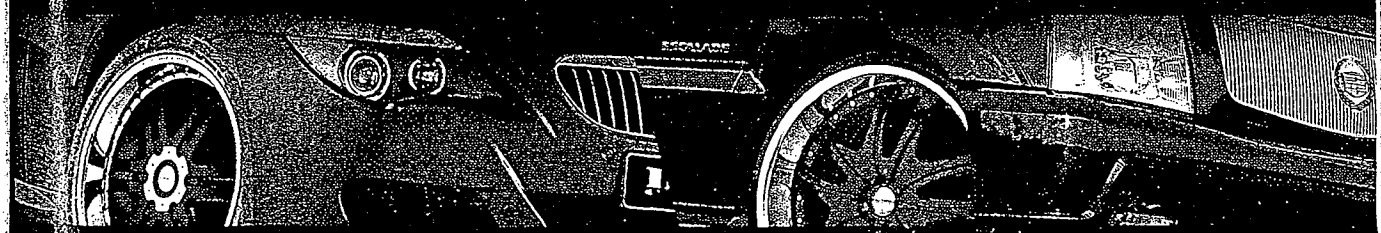


Intimidator *20,22*
chrome / black

Intimidator 2 *20,22*
machined face / black

DF2 *20,22*
silver / black / chrome / machined face

Authority *20,22,24*
chrome / black



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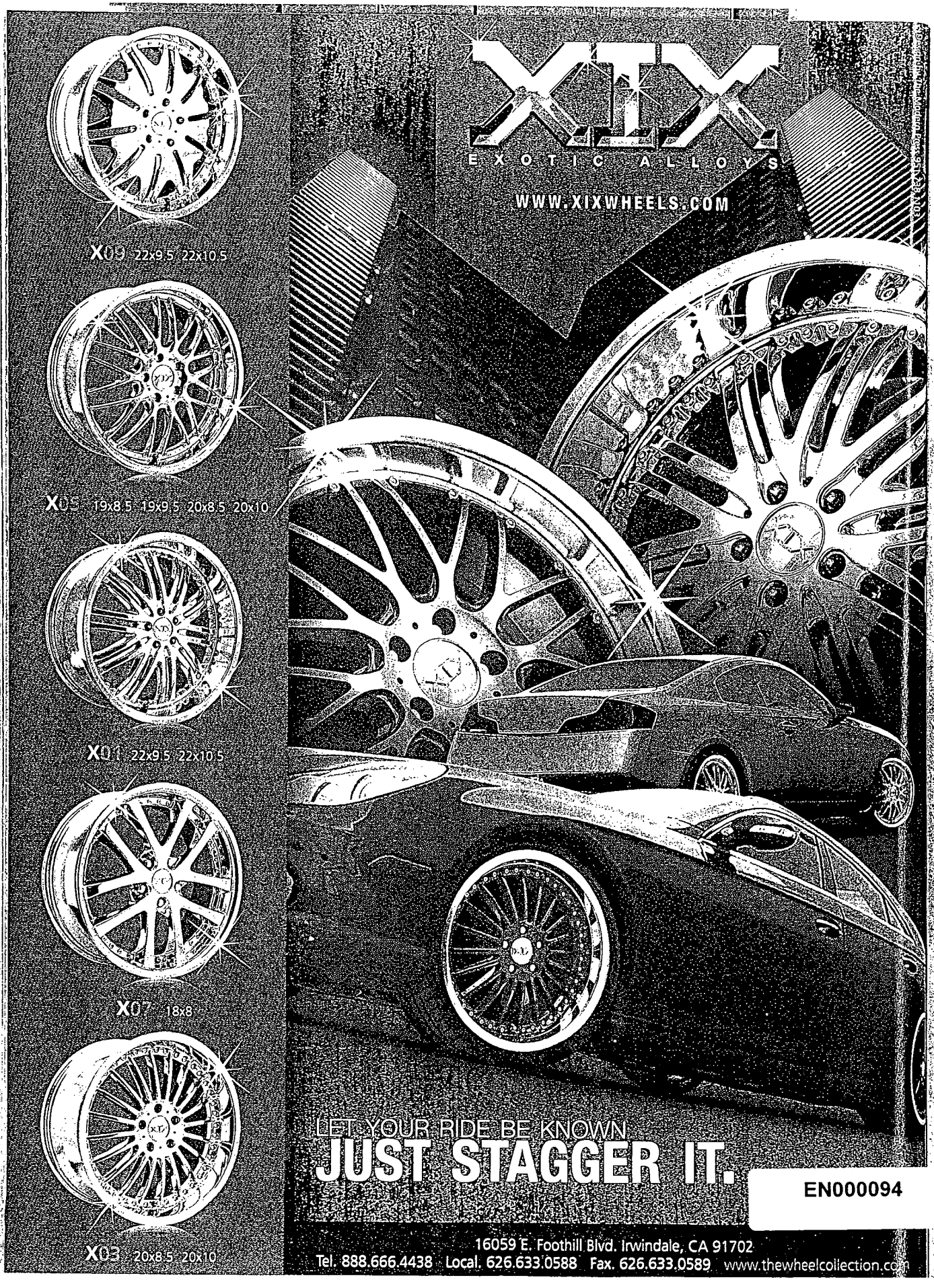
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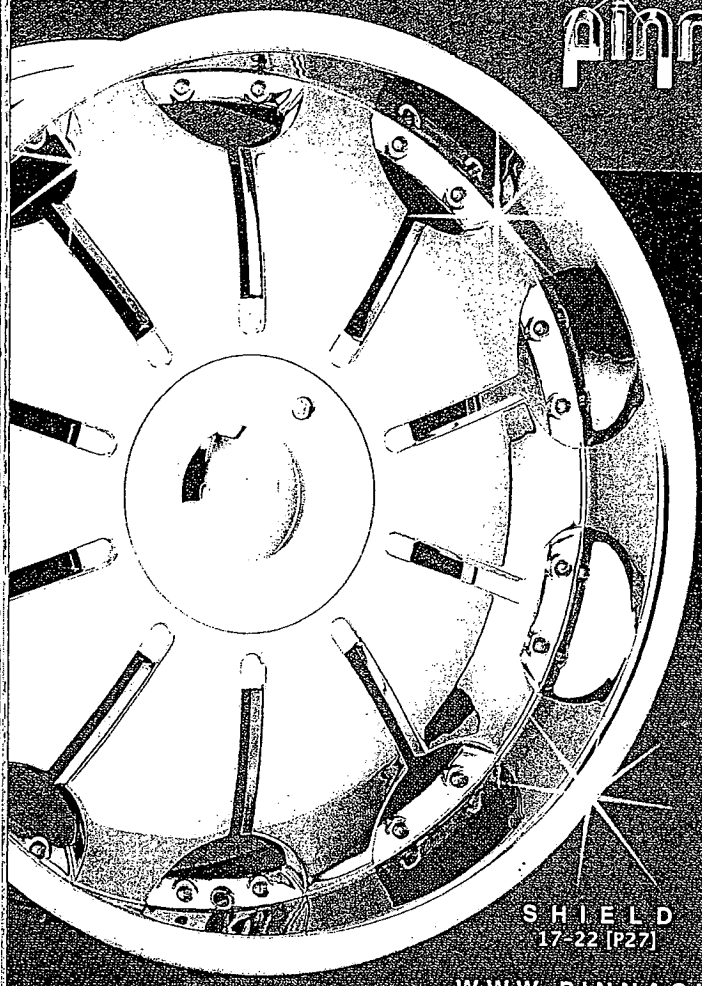
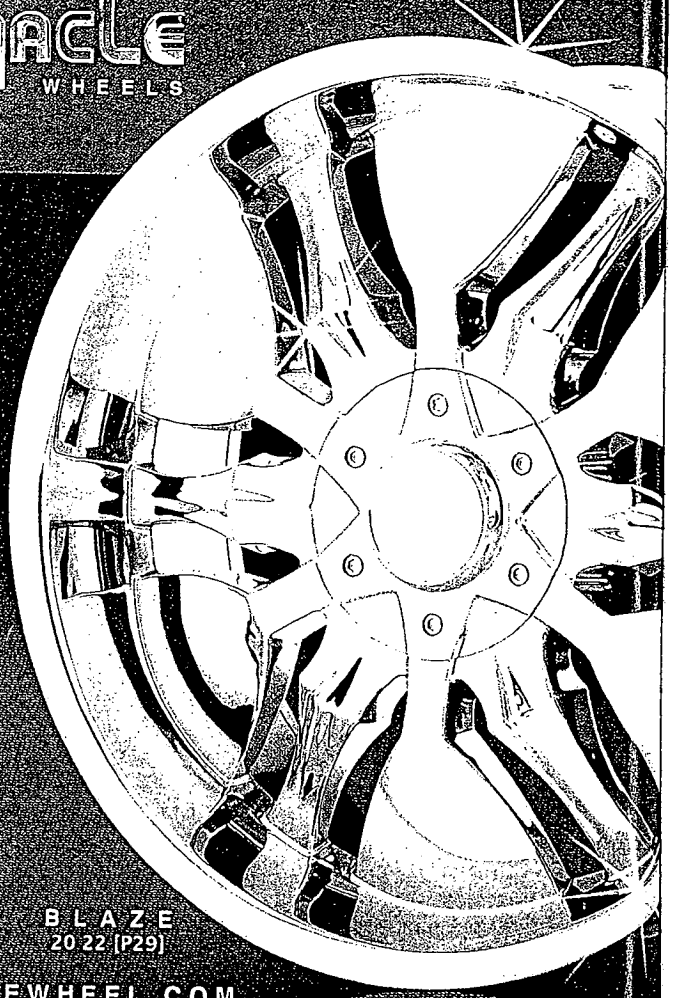


SHIELD
17-22 [P27]



BLAZE
20 22 [P29]

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SHIFT 17-22 [P23]

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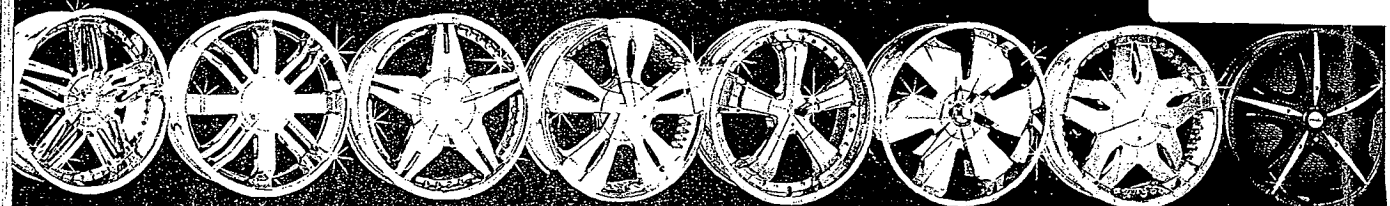

GITANA
17-24 [P23]

VERTIGO
17 18 20 [P19]

XTREYA
17 18 20 [P15]

ELUSIVE
17 18 20 [P18]

BLITZ
20 [P16]

MESSIAH
22 24 [P20]

LUSIR
20 22 [P24]

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20 22 [P31]

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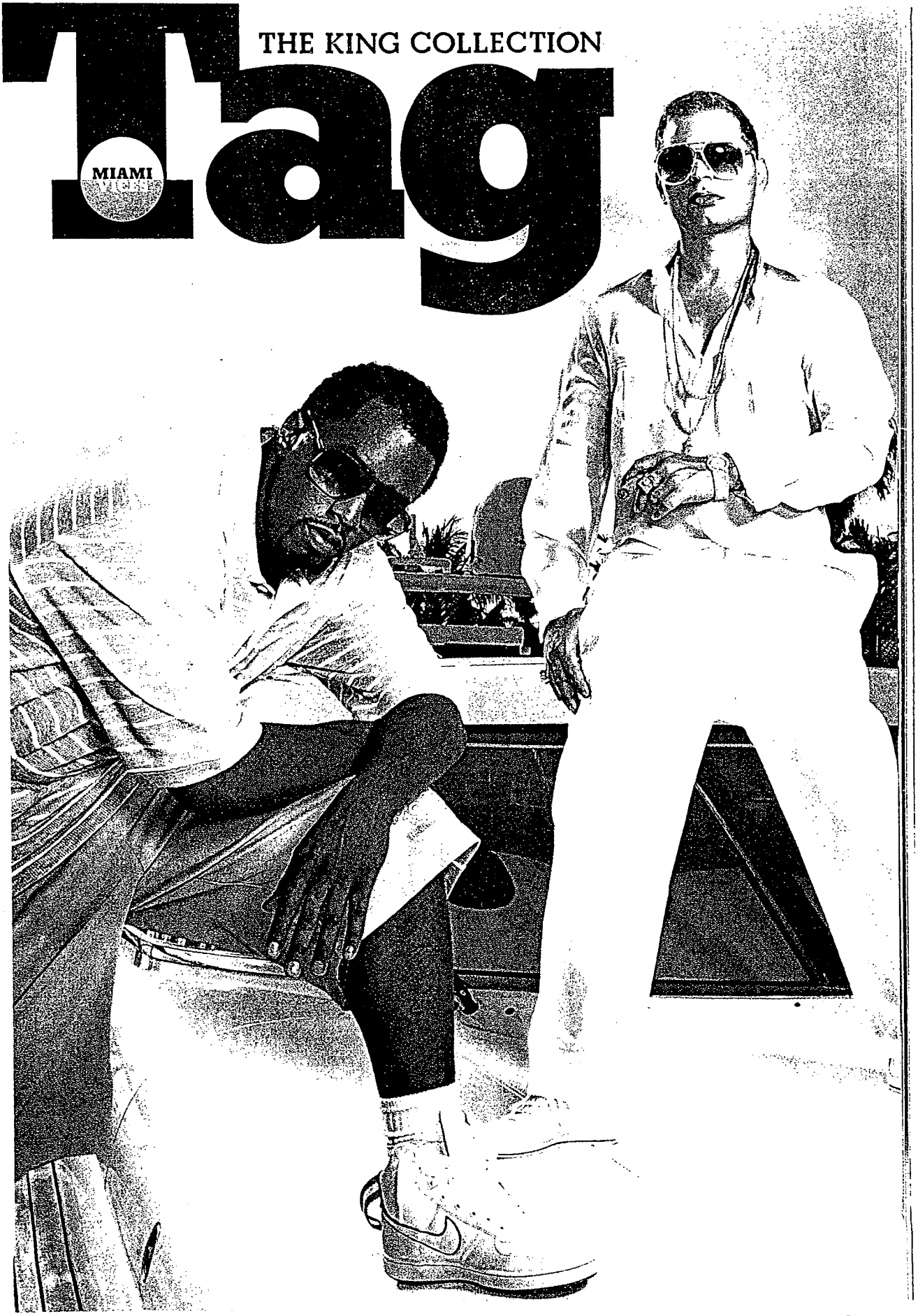
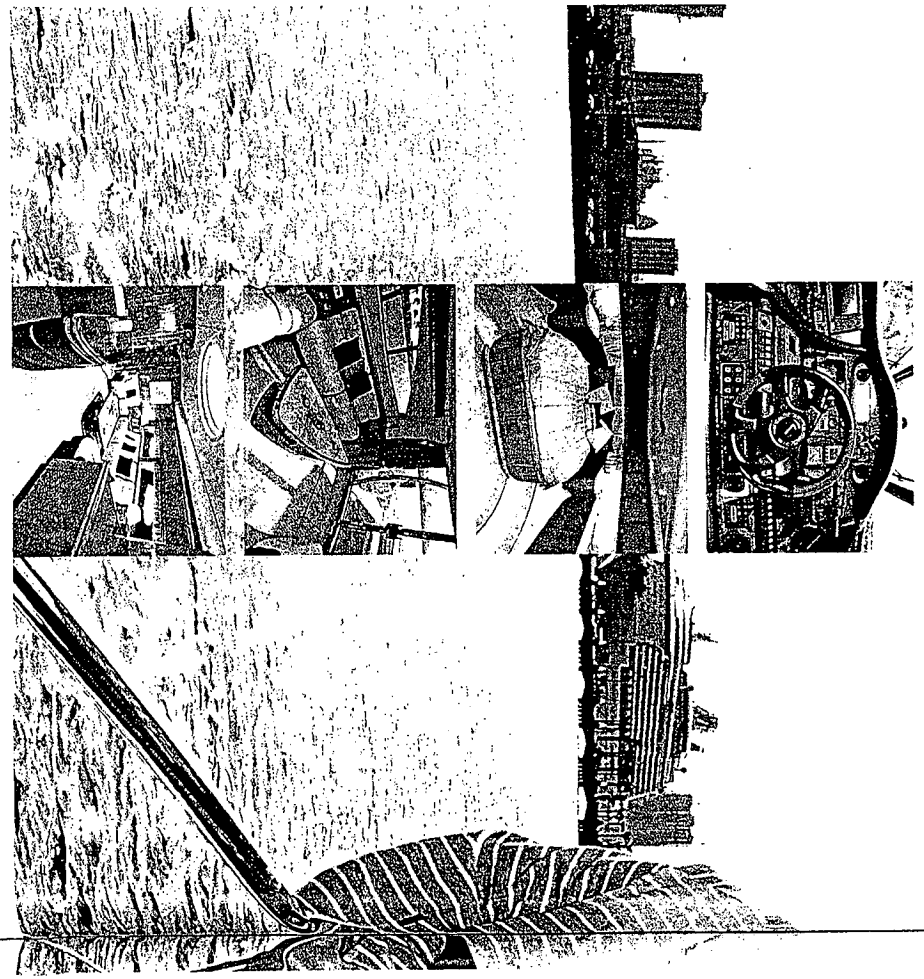


EN000096

[ON STORCH] Button-up, linen pants and sneakers, all by Louis Vuitton; shades by Alpina; canary diamond jewelry, his own. [ON DIDDY] Grey cotton polo and shorts by Sean Jean; sneakers by Nike.



Great Yacht

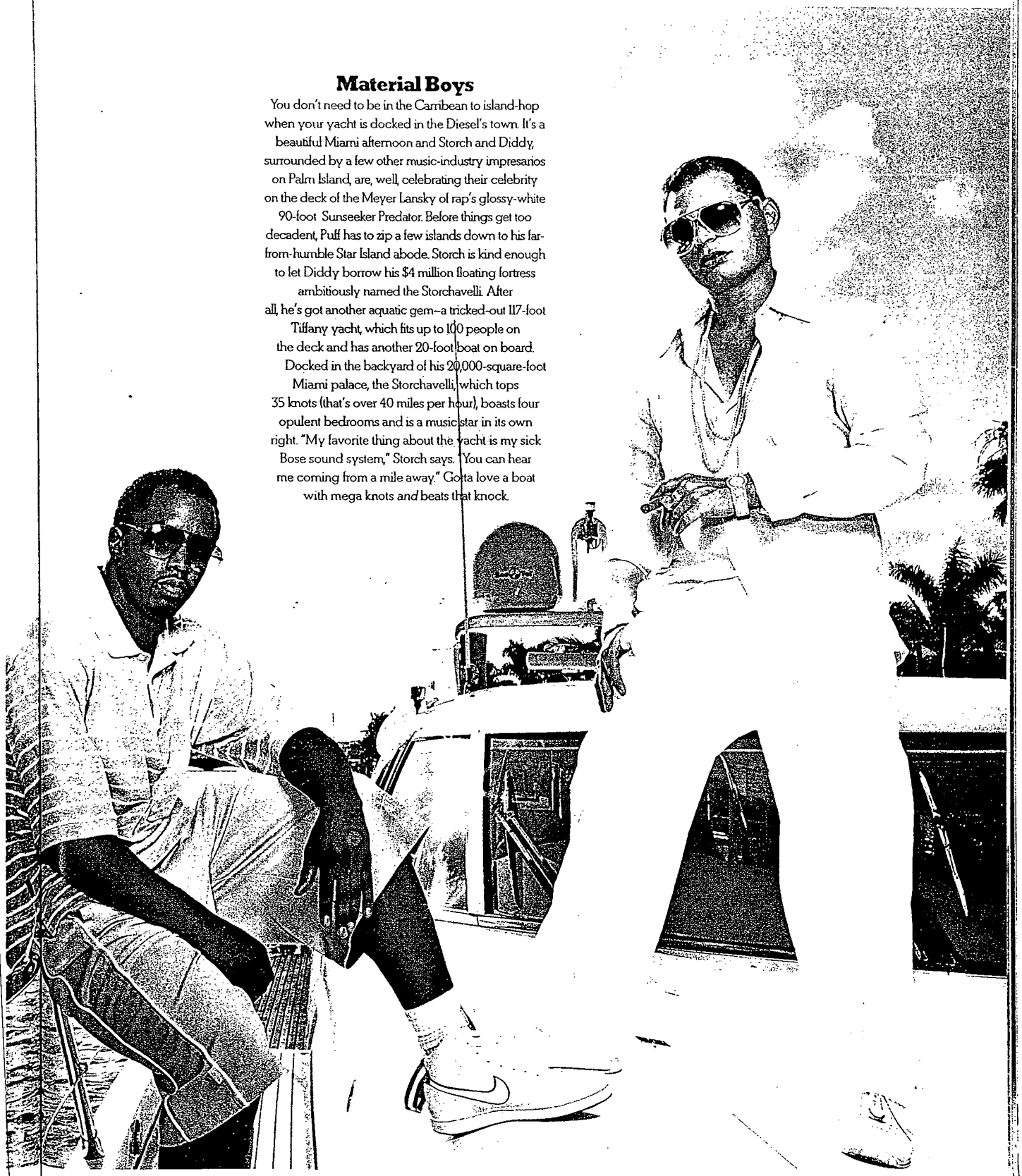
[STORY] Datwon Thomas
[PHOTOGRAPHY] Jeffery Salter
[FASHION DIRECTION] Seannita Parmer

Producer Scott Storch knows how to rock a boat–just ask Diddy

EN000097

Material Boys

You don't need to be in the Carribean to island-hop when your yacht is docked in the Diesel's town. It's a beautiful Miami afternoon and Storch and Diddy, surrounded by a few other music-industry impresarios on Palm Island, are, well, celebrating their celebrity on the deck of the Meyer Lansky of rap's glossy-white 90-foot Sunseeker Predator. Before things get too decadent, Puff has to zip a few islands down to his far-from-humble Star Island abode. Storch is kind enough to let Diddy borrow his $4 million floating fortress ambitiously named the Storchavelli. After all, he's got another aquatic gem—a tricked-out 117-foot Tiffany yacht, which fits up to 100 people on the deck and has another 20-foot boat on board. Docked in the backyard of his 20,000-square-foot Miami palace, the Storchavelli, which tops 35 knots (that's over 40 miles per hour), boasts four opulent bedrooms and is a music star in its own right. "My favorite thing about the yacht is my sick Bose sound system," Storch says. "You can hear me coming from a mile away." Gotta love a boat with mega knots *and* beats that knock.



EN000098

DESTINATION
SOUTH BEACH, MIAMI

FISHERMAN HAT Polo Ralph Lauren, $40, Polo.com; FLORAL RACK JACKET Dolce & Gabbana, $725, Dolce & Gabbana stores; T-SHIRT Materialist, $55, at Shopintuition.com; JEANS J&Co., $160, Jandcompany.com; SNEAKERS PF Flyers, price by request, DDC Lab NYC; PEACH JACKET Ralph Lauren, $125, at Bloomingdale's; VINTAGE T-SHIRT Materialist, $65; KHAKI CARGO SHORTS Phat Farm, $52, at Phat Farm stores; SUNGLASSES Dolce & Gabbana, $310

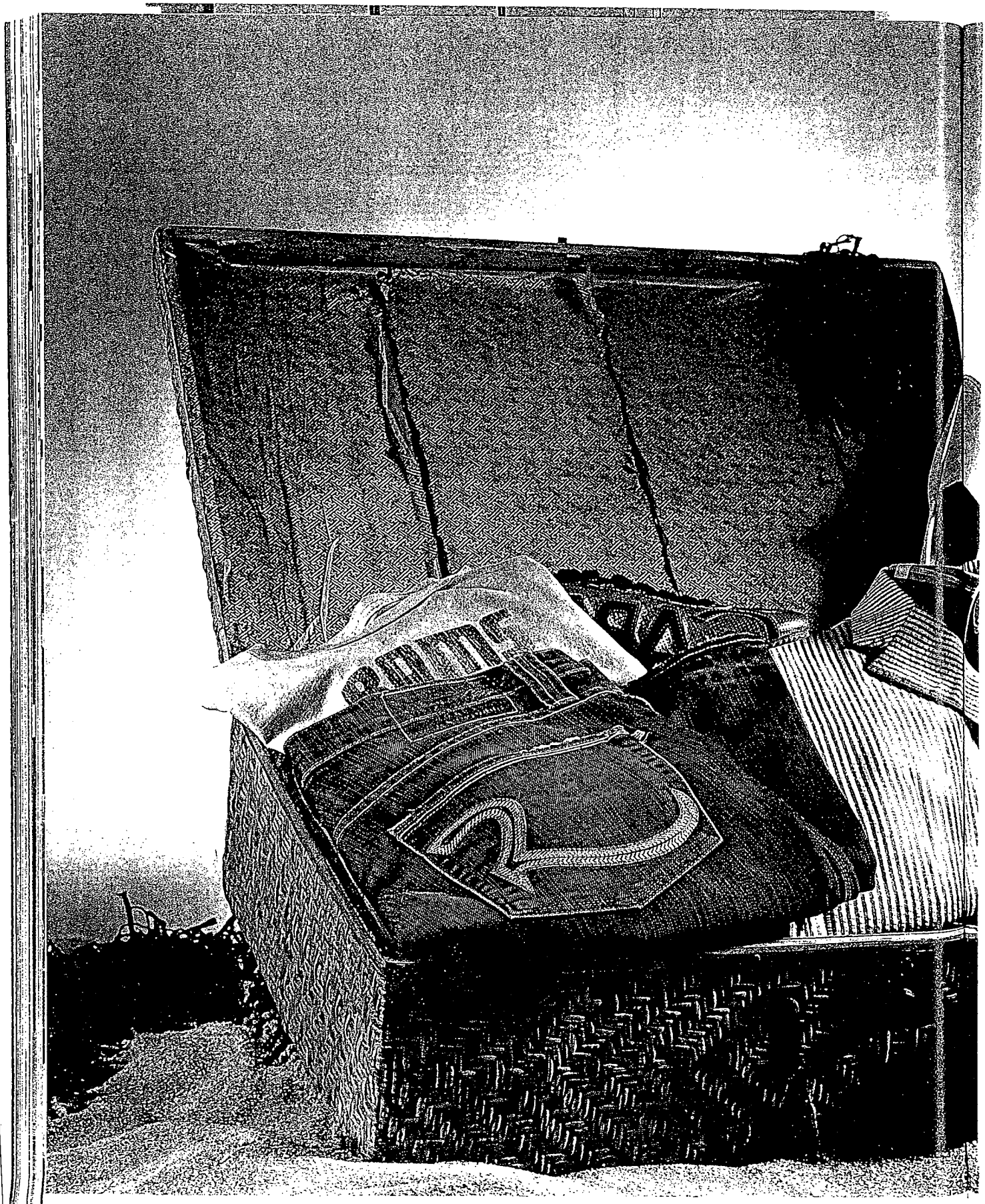
Fashion Police

[PHOTOGRAPHY] Massimo Gammacurta
[FASHION DIRECTION] Seannita Parmer
[STYLING] Daniel Williams

EN000099

If Universal Studios' *Miami Vice* big-screen adaptation has you feeling nostalgic, don't reference your box set for clothing cues. These duds will give you an updated South Beach look and feel. Holster not included

EN000100



EN000101

EN000102

DESTINATION

SOUTH BEACH, MIAMI

DISTRESSED T-SHIRT: Retrosport, $48; Retrosportapparel.com. JEANS: Rock and Republic, $231; Bloomingdale's. STRIPED BUTTON-DOWN: Hickey Freeman, $165; at Hickeyfreeman.com. IVORY TWILL PANTS AND BLAZER: both by Hickey Freeman; prices by request. PYTHON LOAFERS: Dolce & Gabbana, $700; at Dolce & Gabbana stores.

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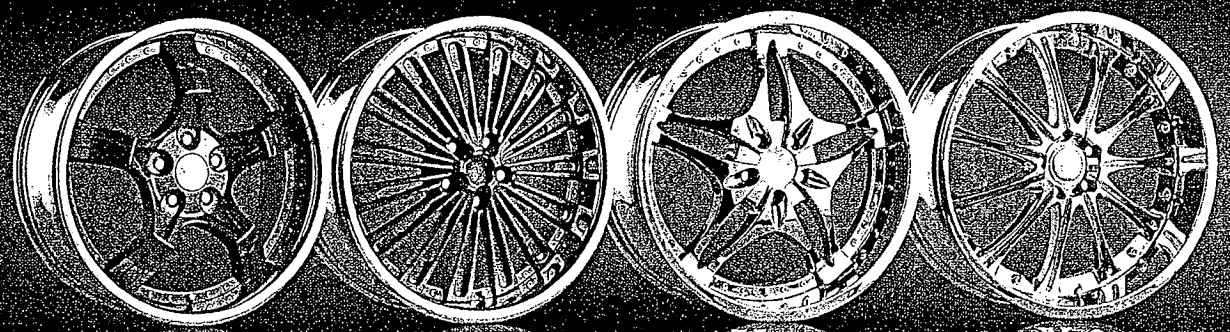

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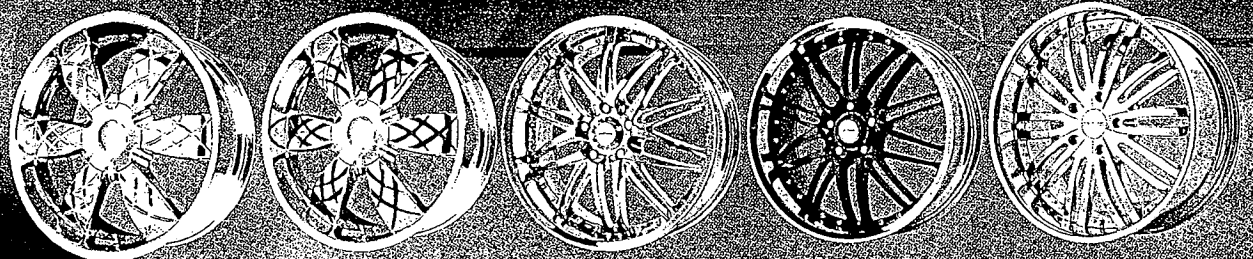
VERDE



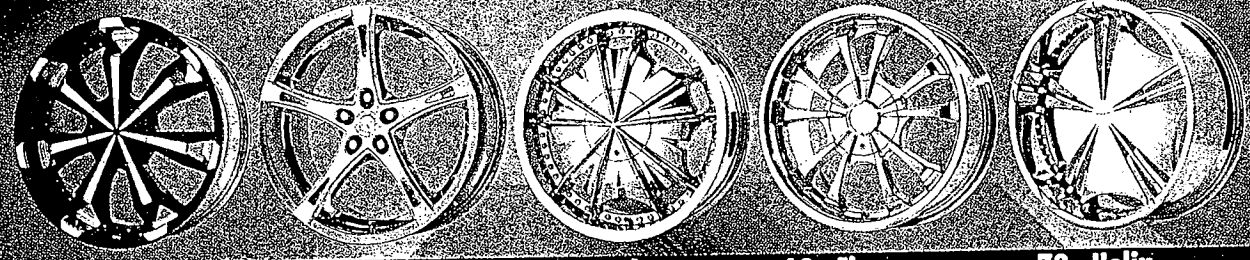
54 - Poison (Chrome Accents)
20x9, 22x9.5

54 - Poison (Black Accents)
20x9, 22x9.5

55 - Kaos (Chrome)
18x8, 20x8.5

55 - Kaos (Black/Chrome)
18x8, 20x8.5
*Kaos available in Hyper Silver Dark with Machined Lip

56 - Madonna
20x8.5, 22x9.5



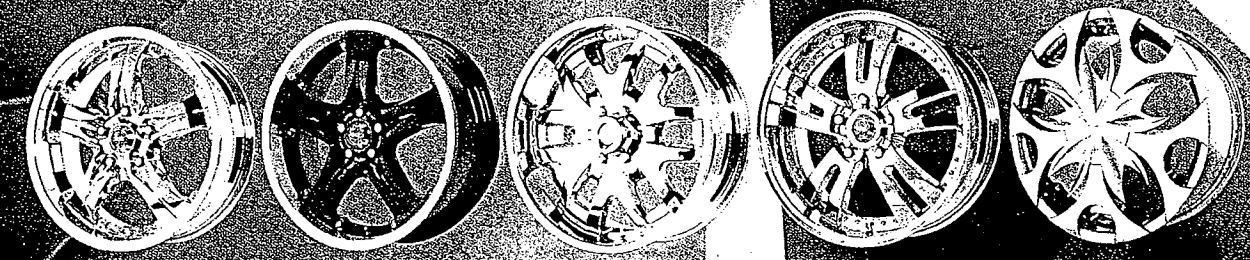
57 - Black Ice
17x7.5, 18x7.5, 20x8.5

58 - 5ive
17x8, 18x8, 20x8.5

59 - Ethos
15x7, 16x7.5, 17x7.5, 18x7.5, 20x7.5

60 - Fingers
15x7, 16x7, 17x7.5

78 - Helix
18x8, 20x
20x9, 22x9.5



66 / 67 - Exodus (Chrome)
18x7.5, 20x8.5

66 / 67 - Exodus (Black)
18x7.5, 20x8.5

72 - Fusion
18x9, 20x9.5

61 / 62 / 63 - Splice
18x8.5, 20x8.5

102 - Scorpion (Chrome Accents)
17x7.5, 18x8
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EN000104

Rimshot

WATCH OUT NOW

STAY ON TIME WITH AUTO COUTURE'S UNIQUE NEW RIM AND WATCH SET

KING Matching your watch with your wheels is taking coordination to dope-yet-disturbing levels. What was the inspiration?
DANNY WARD (*President, Auto Couture*) Everybody has seen the iced-out watches and big chrome rims, but put the two together and people freak out. People will gather around your car at the gas station and ask you to pose next to the wheel with your hand in the air. I've never seen anything like it. I just can't explain the reaction that you get when people see these wheels and the watch together. **You just did.** But it's my belief that our clientele is always looking for ways to set themselves apart. Look, spinning wheels were the most expensive wheels on the market because people had a reason to pay more. That trend is over now, but the same pool of consumers still exists and they're not only willing, but want to pay more for products going onto their Rolls-Royces, Bentleys, Maybachs etc. **Must be nice to have money to burn . . .** These same customers typically own many expensive watches that exceed $100K. We took the quality of a Swiss-made watch and applied it to our wheels. We used the exact same stainless-steel links from the watchband. **But how does it work? Can you buy them separately?** It's going to run you $25,000 for a set, which includes the watch and two-row diamond bezel. The watch alone is $5,000. Our watchbands are made at the same factory as Gucci watches and the watch dials are made from mother of pearl—they come in white or black. The sky's the limit for both, because diamonds can be set anywhere. **And what sizes do the rims come in?** They come in 20, 22, 24 and 26 inches. The run is [limited] so you probably won't see anyone else rolling these in your neighborhood, and that's how we want it. —SEAN A. MALCOLM

EN000105

PHOTOGRAPHY *Massimo Gammaeurta*

RIDES
PRESENTS...

Miami's Monster Machines

the MIAMI ISSUE

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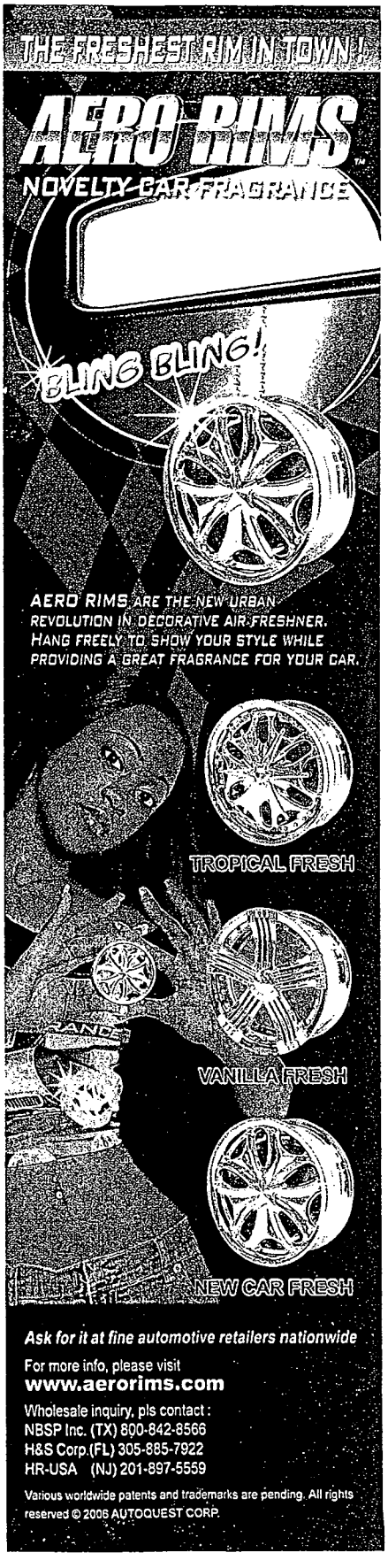

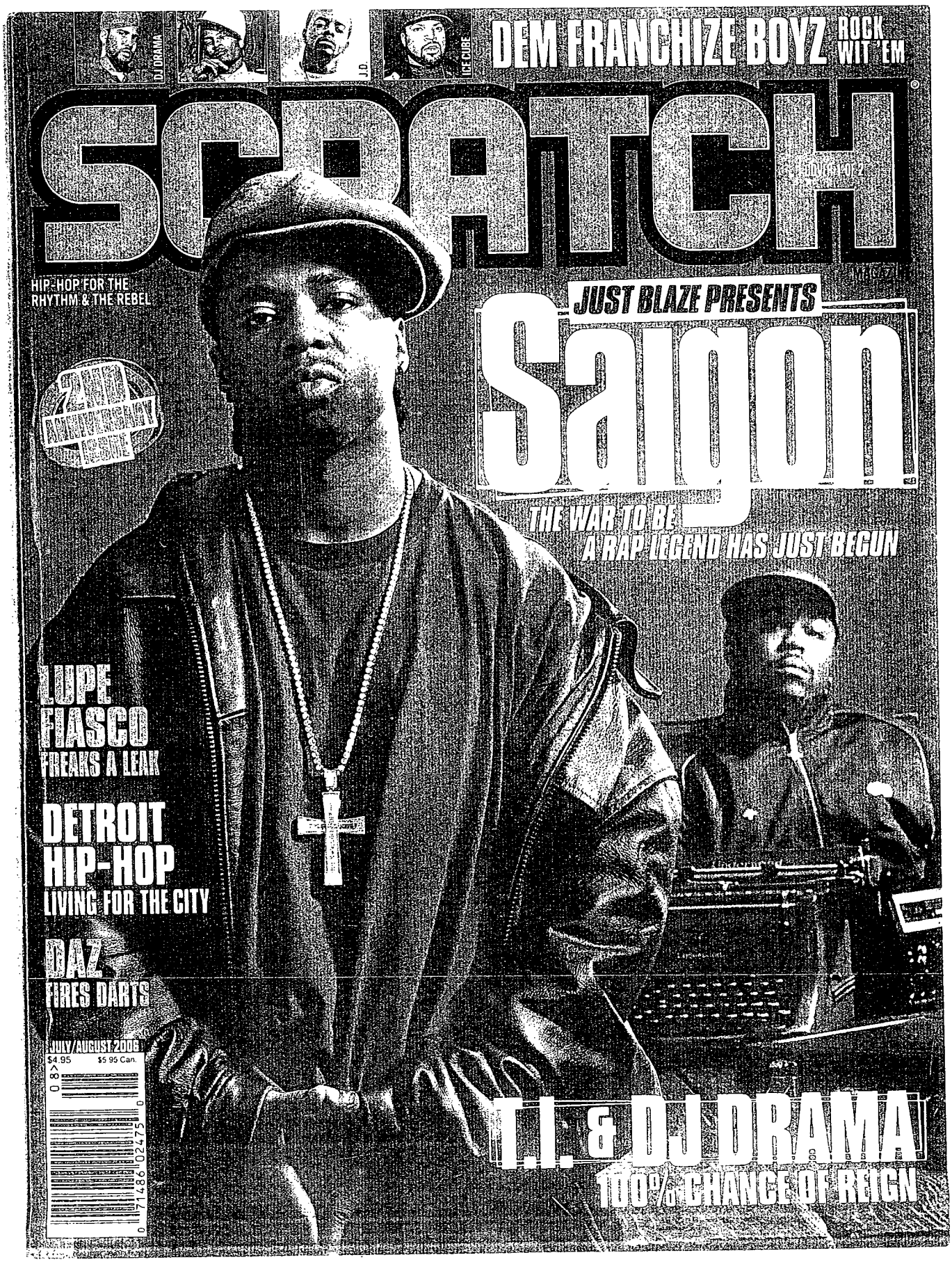
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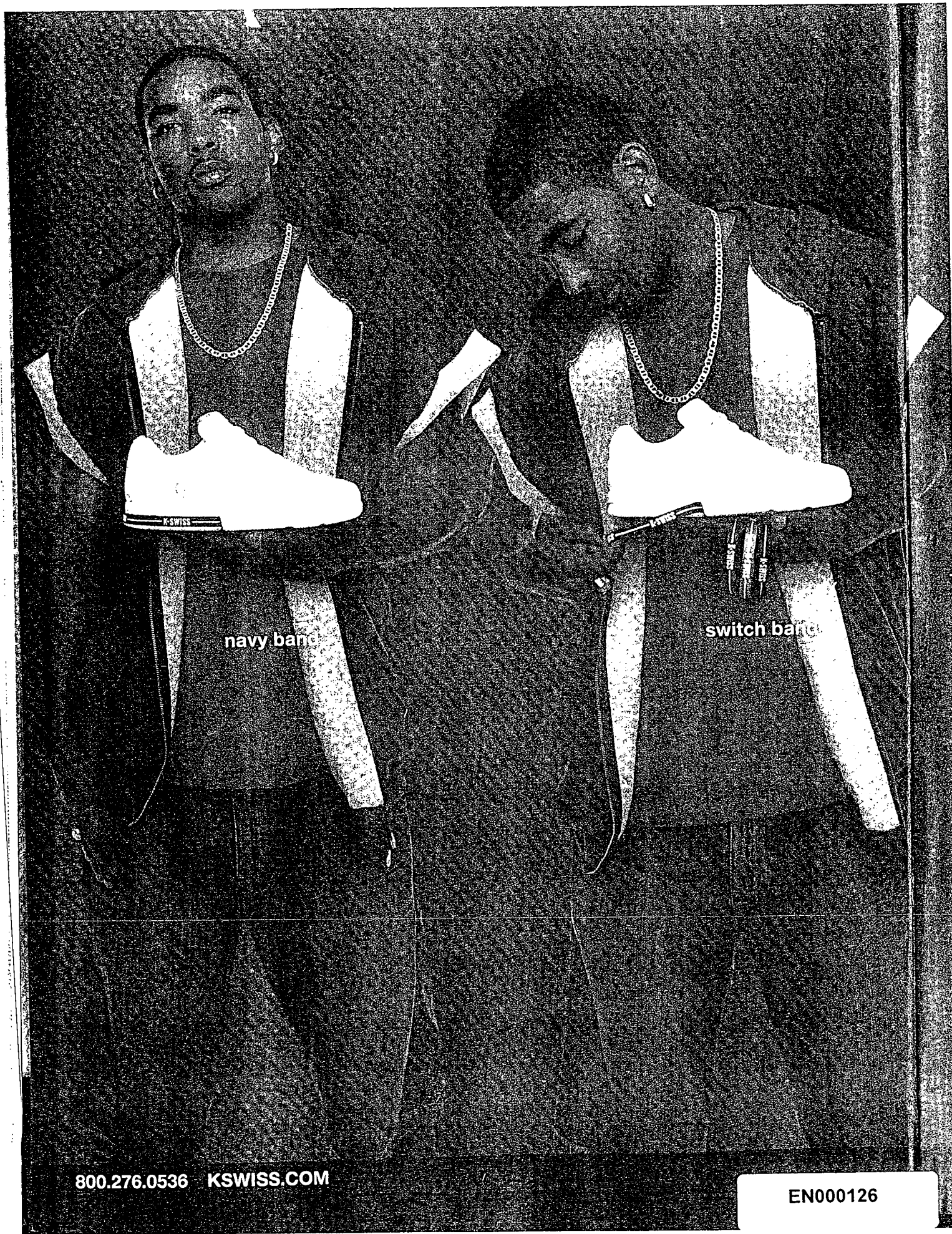

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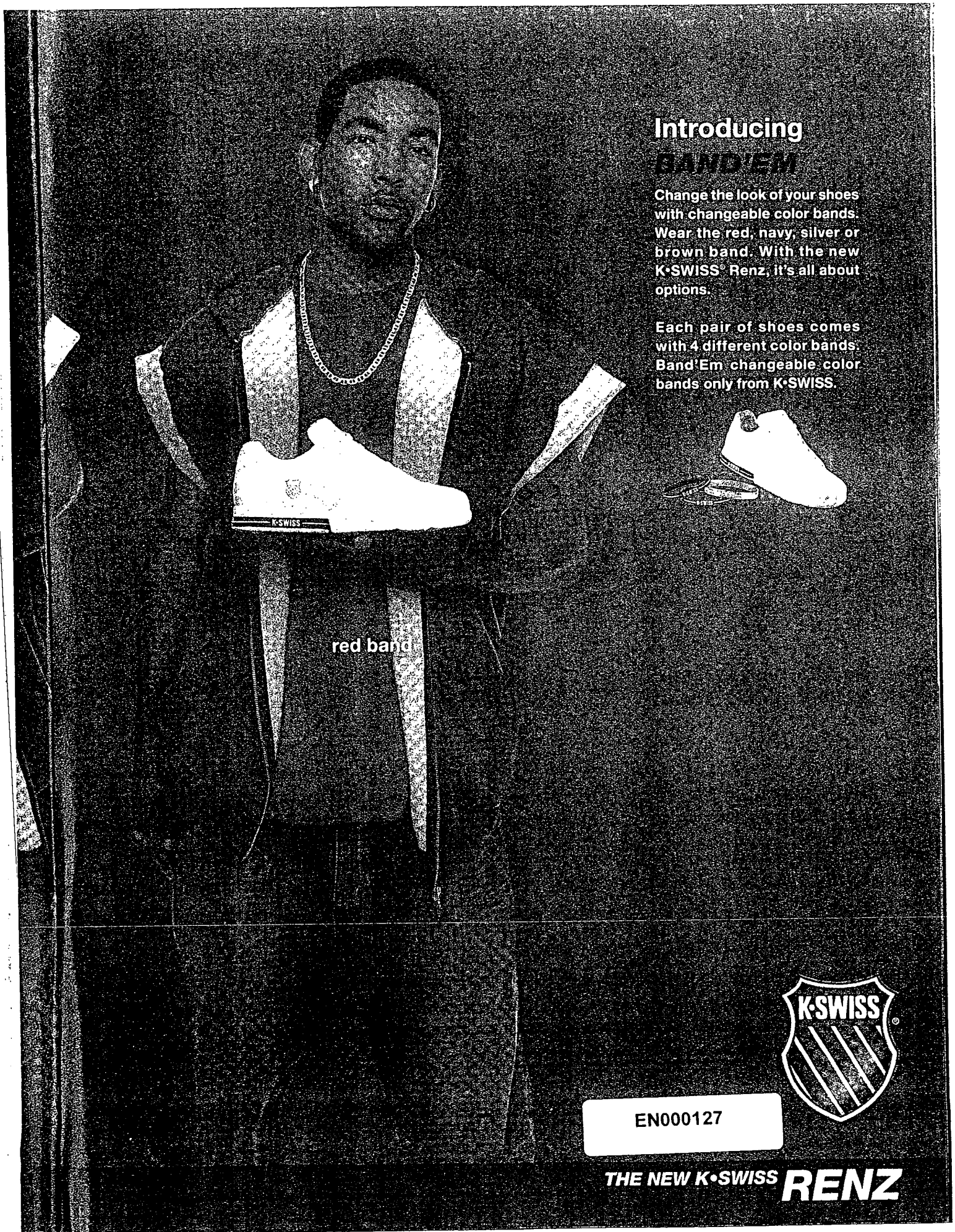
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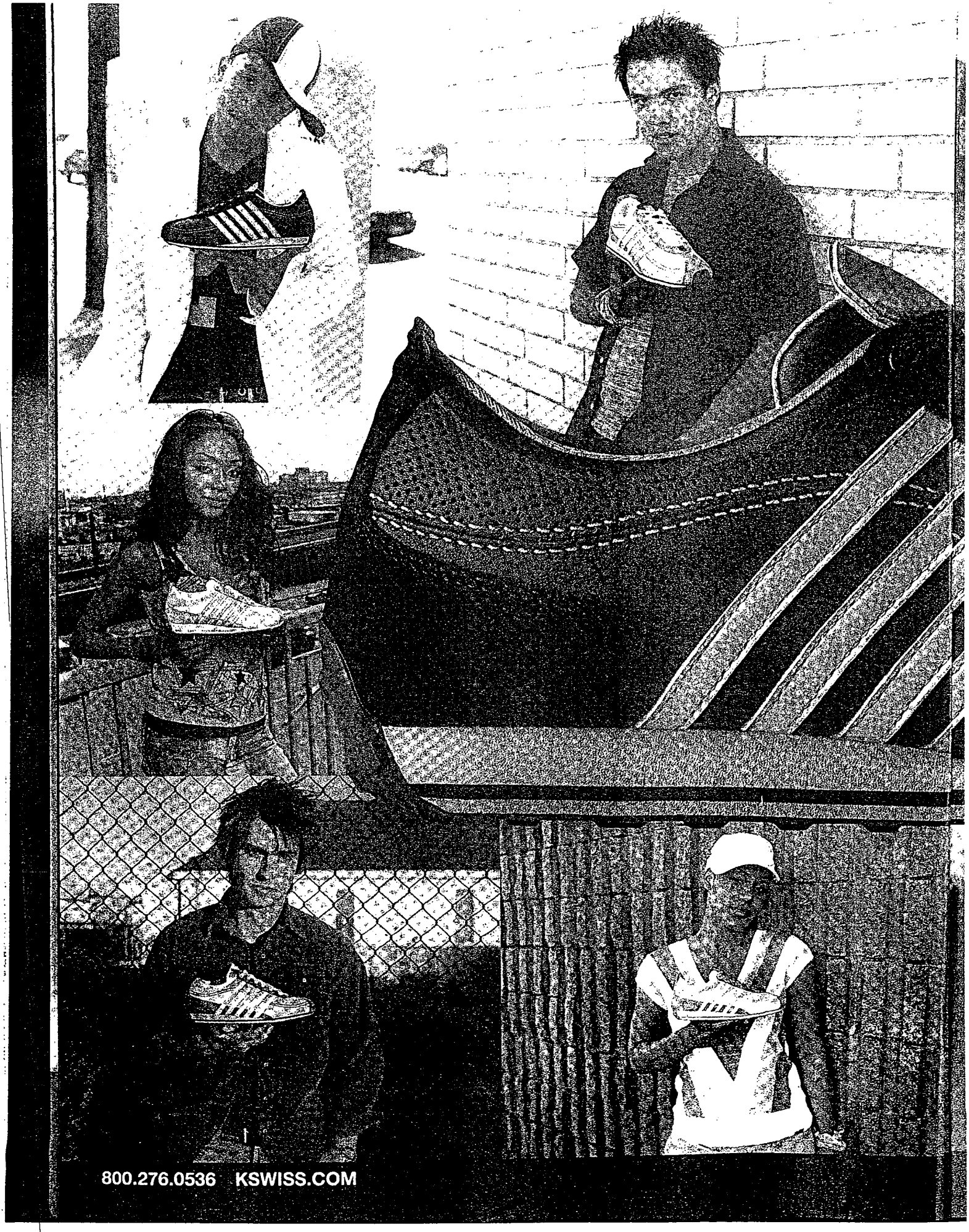
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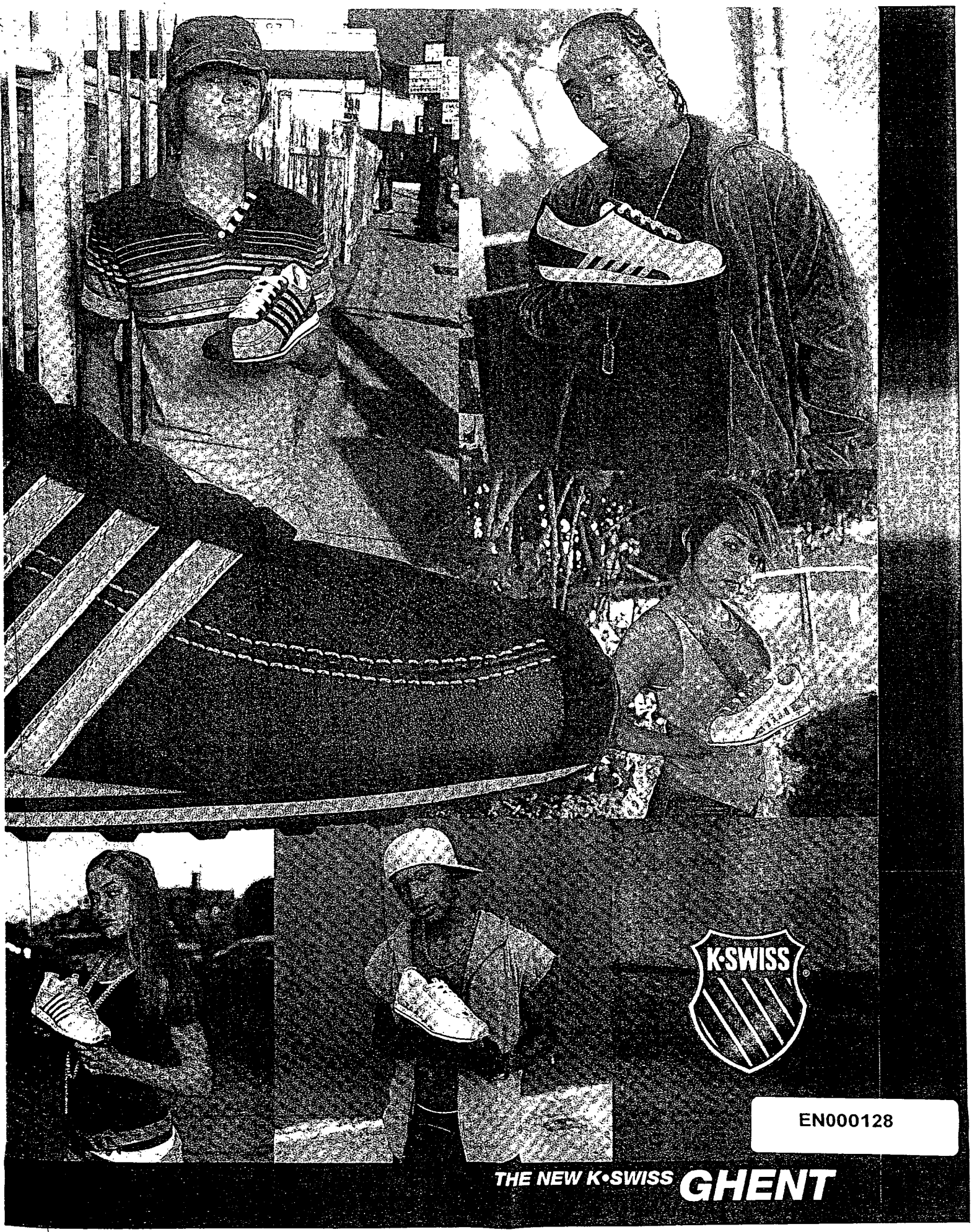
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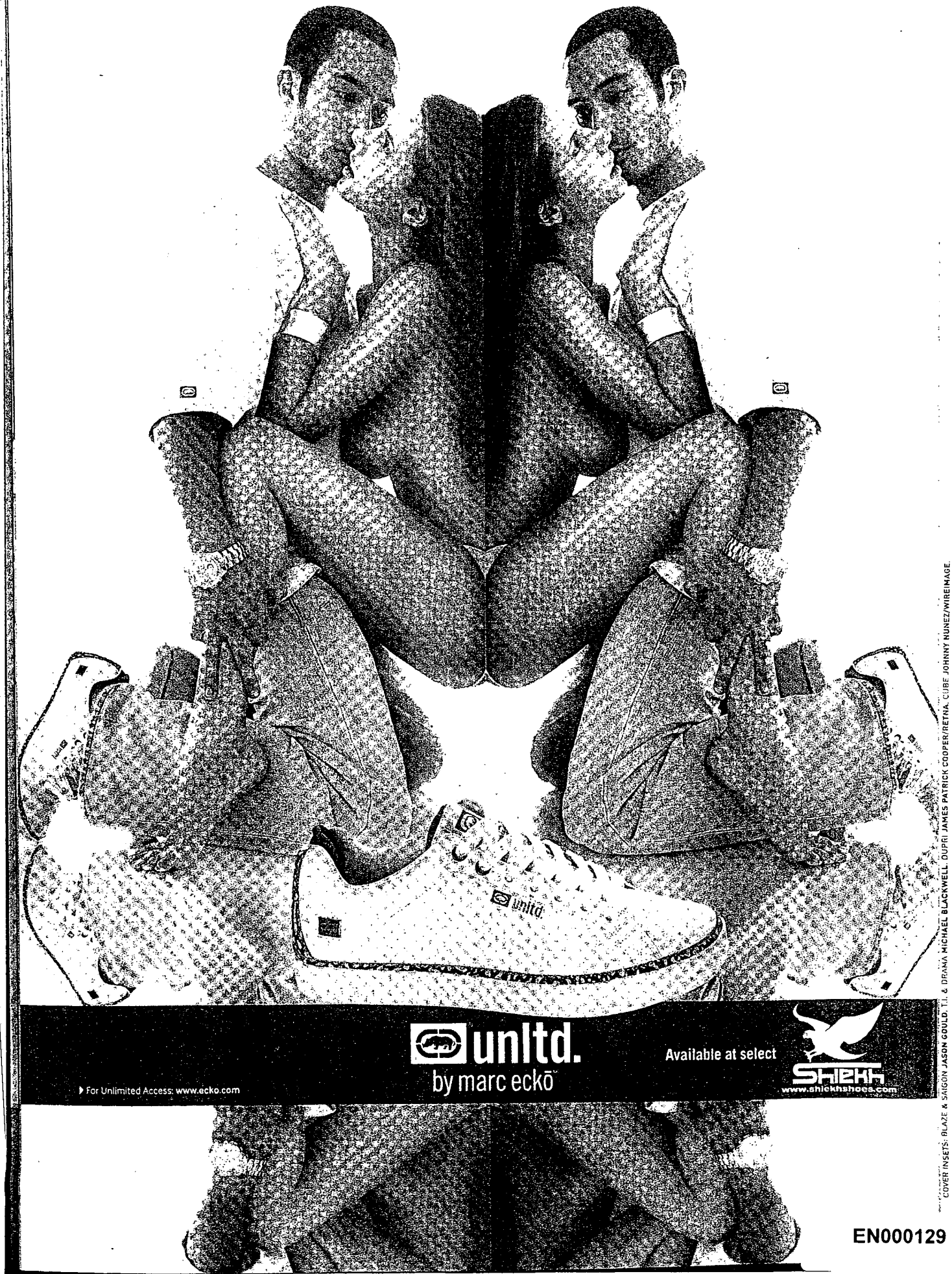
THE NEW K·SWISS GHENT



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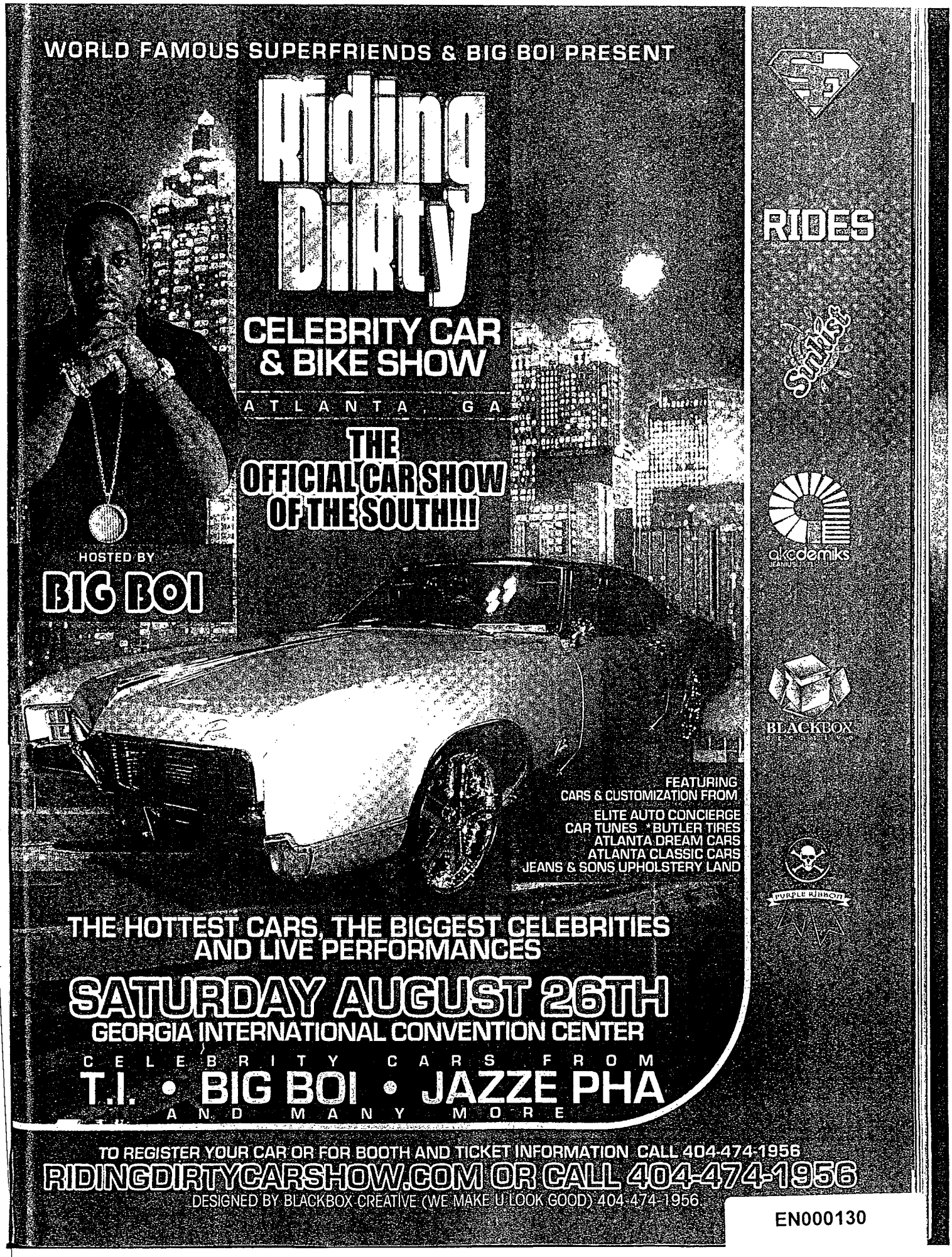
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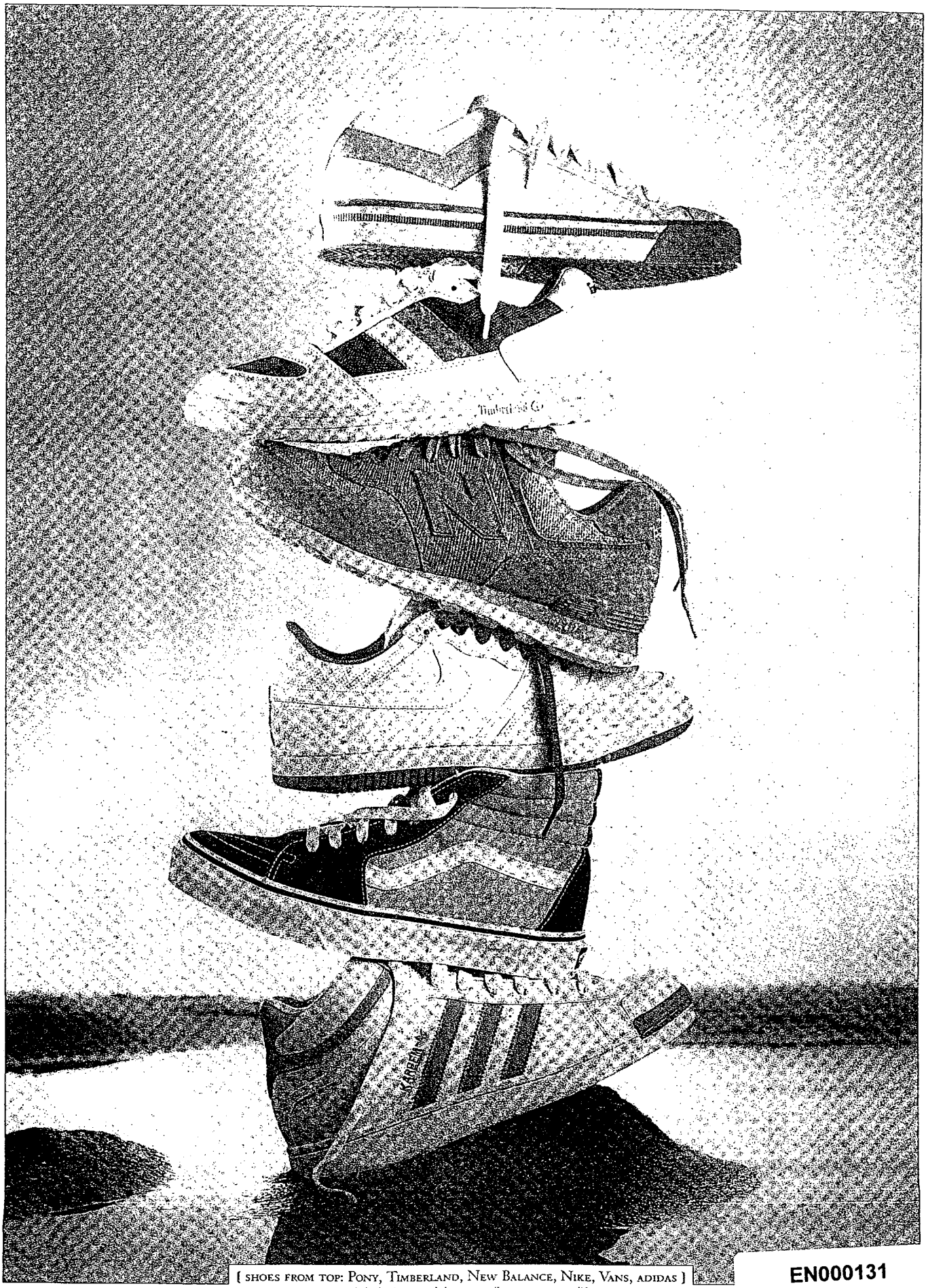

[SHOES FROM TOP: PONY, TIMBERLAND, NEW BALANCE, NIKE, VANS, ADIDAS]

pony.com, timberland.com, newbalance.com, nike.com, vans.com, adidas.com

EN000131

[BOARDSHORTS CLOCKWISE FROM TOP: TIMBERLAND, ANALOG, ELEMENT, LRG]
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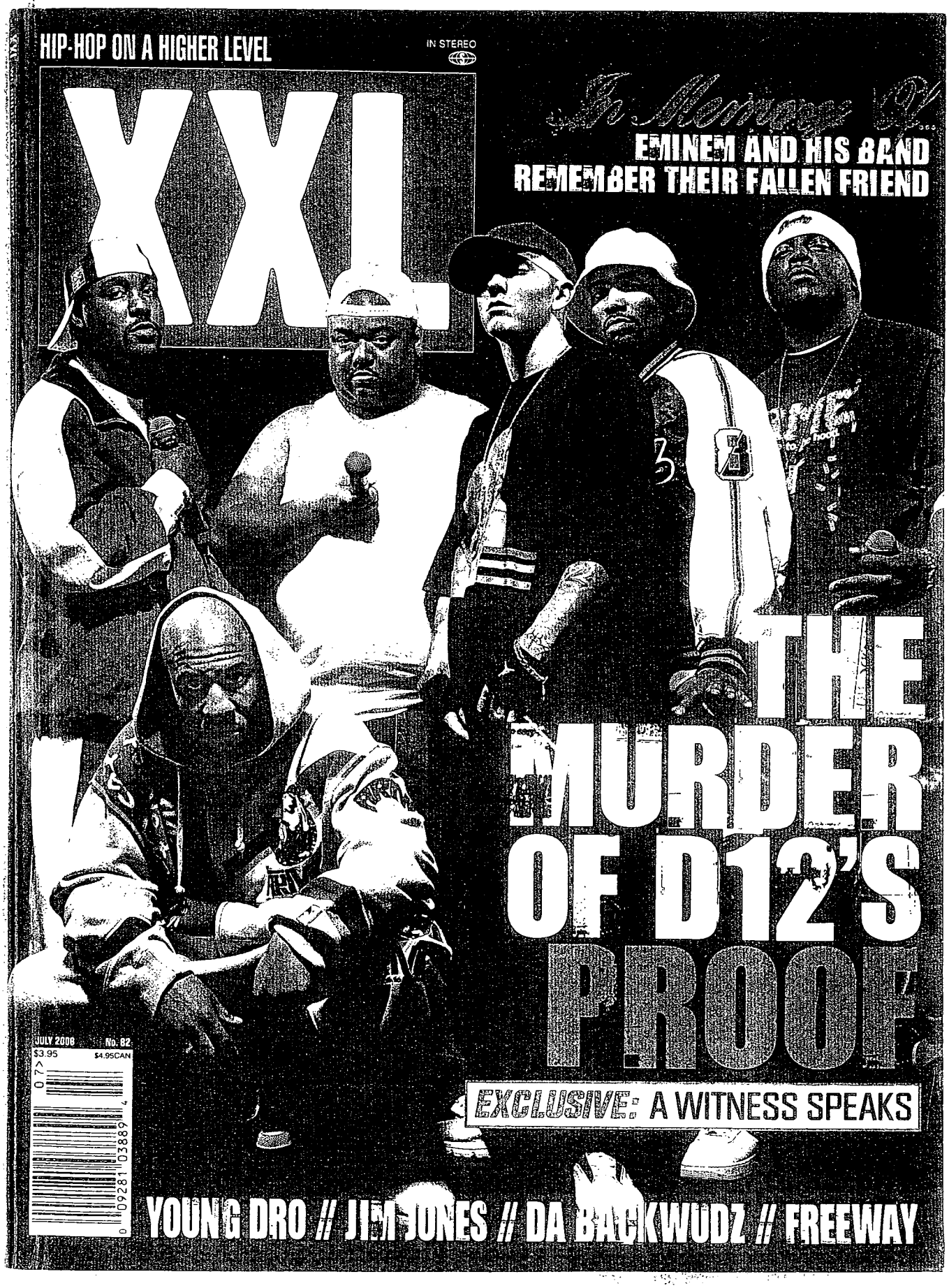
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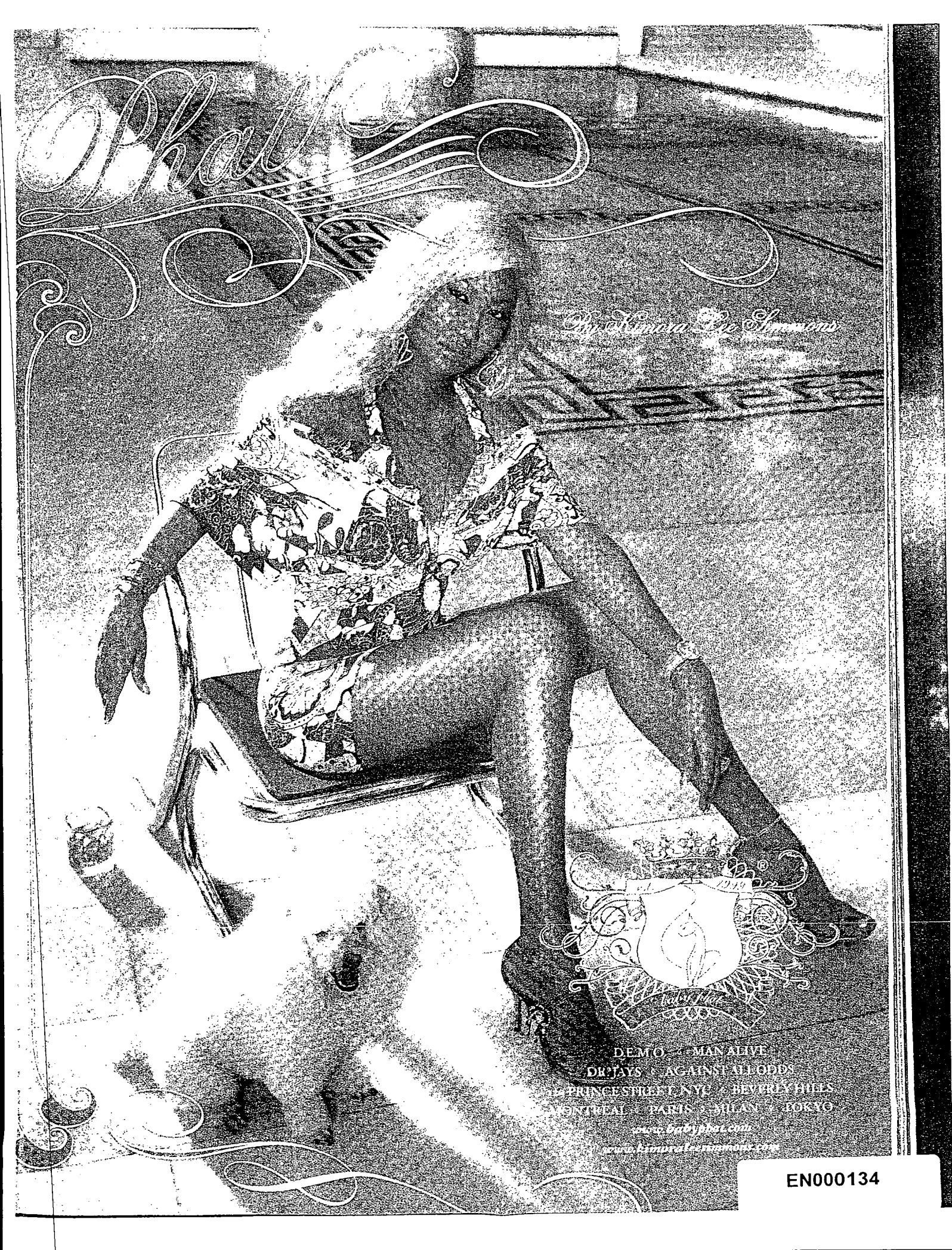
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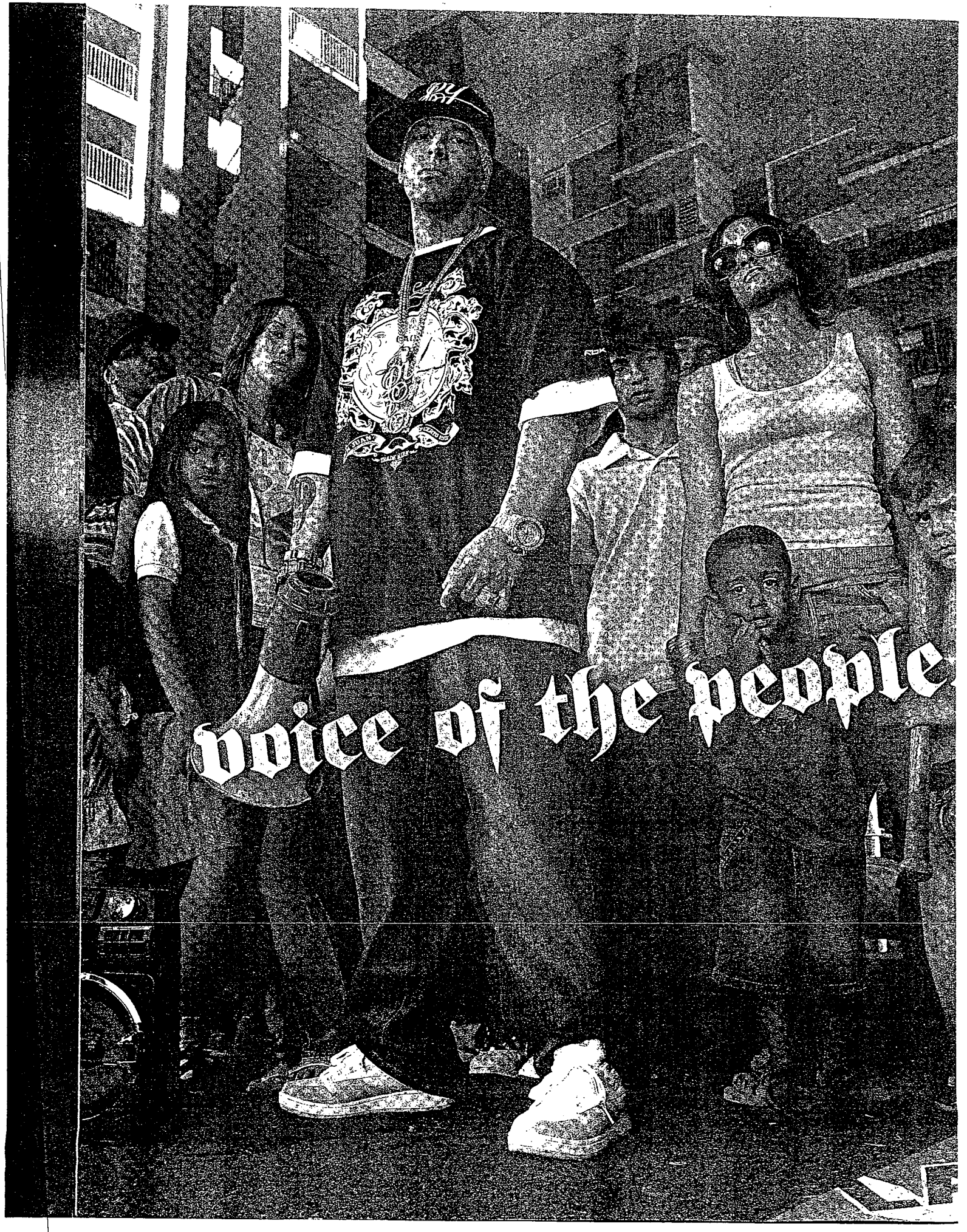
voice of the people

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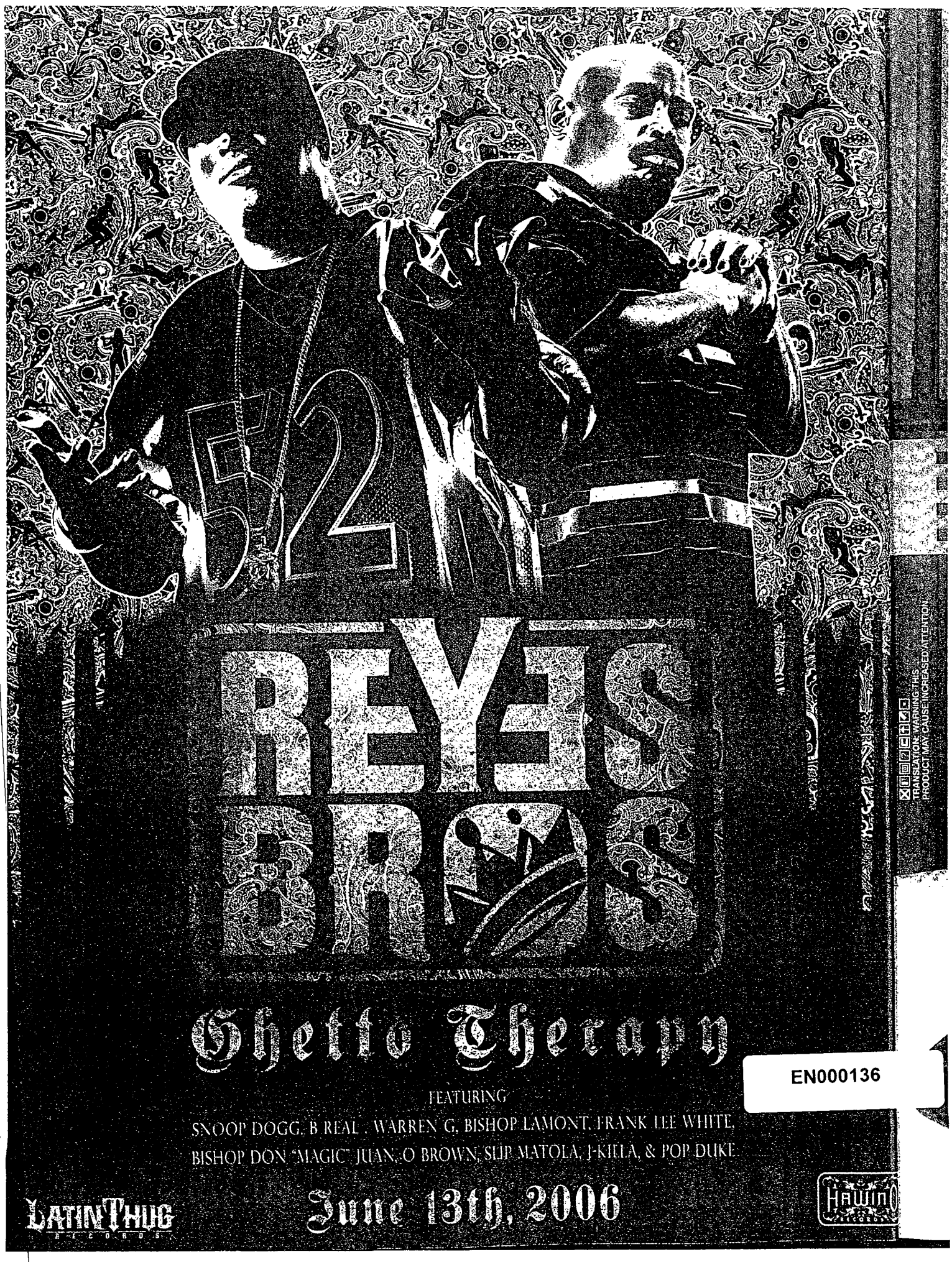
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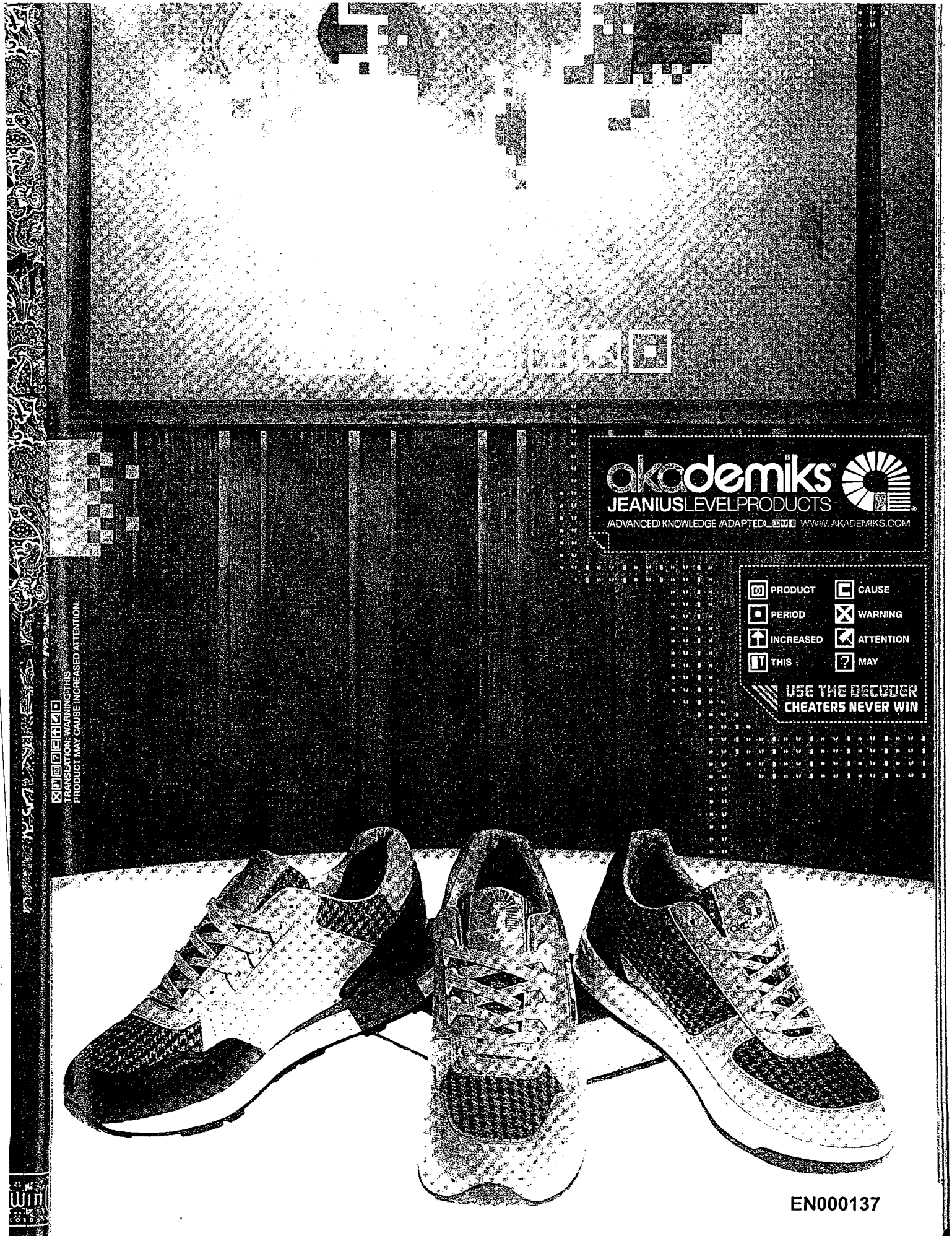
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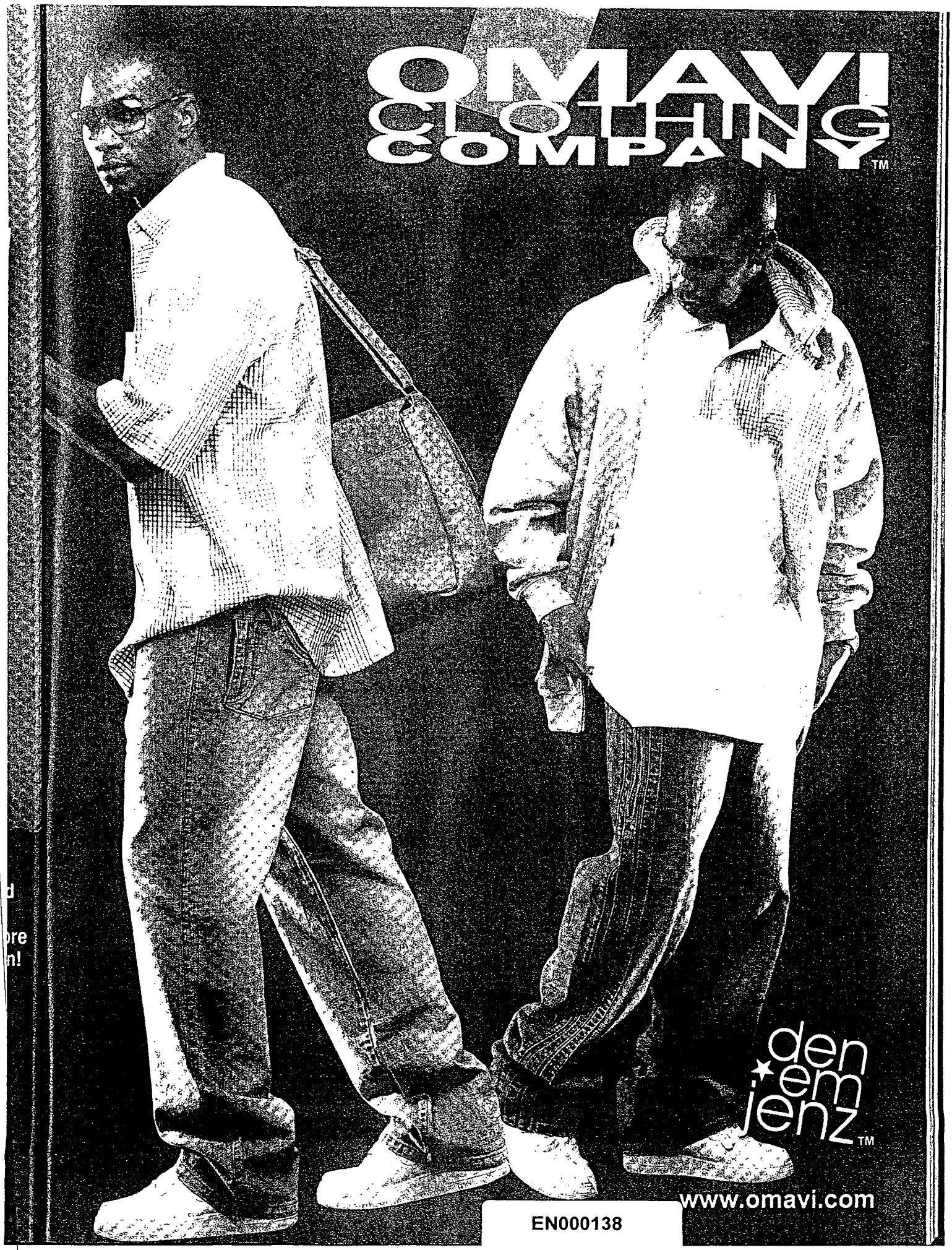

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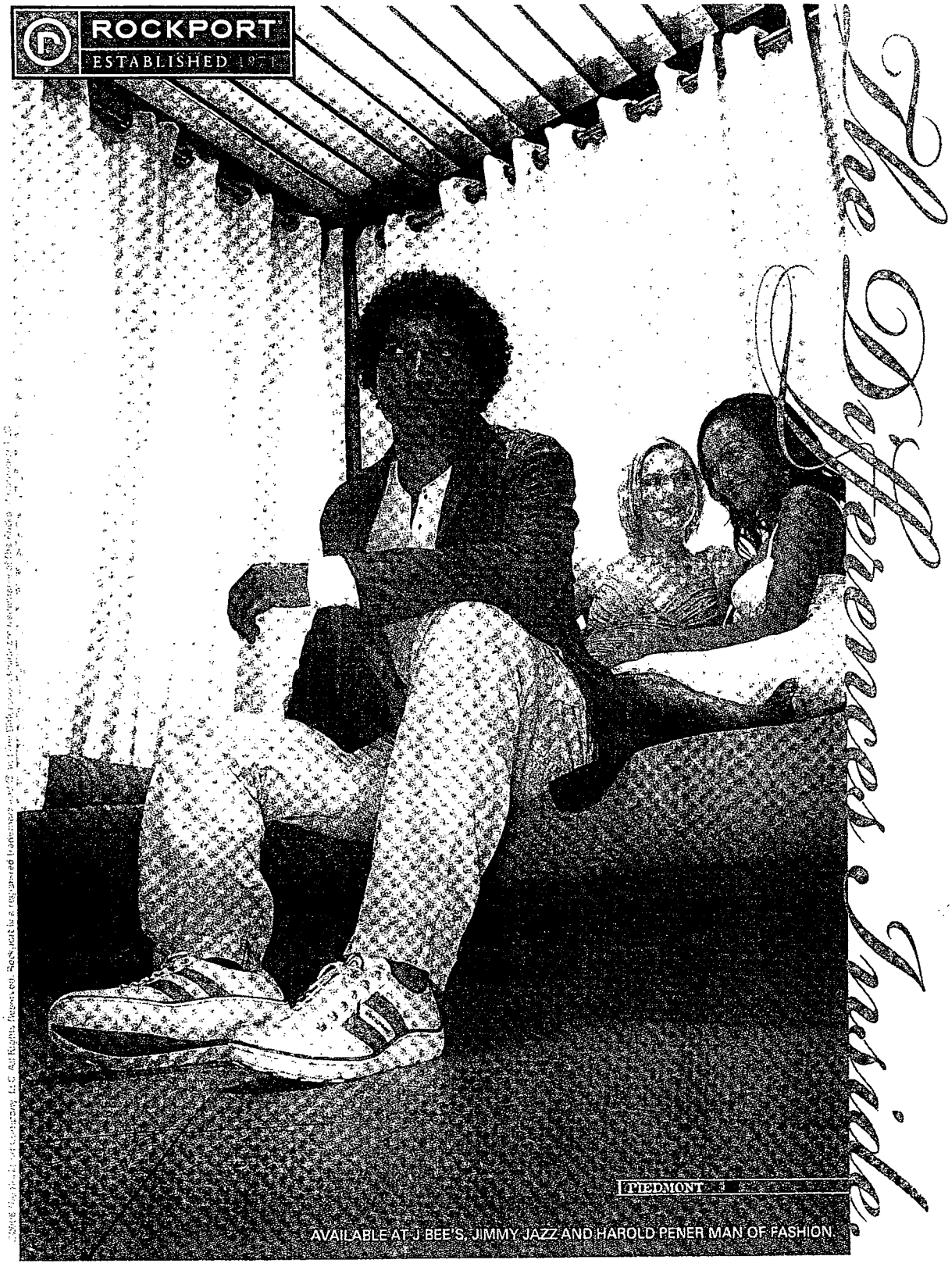
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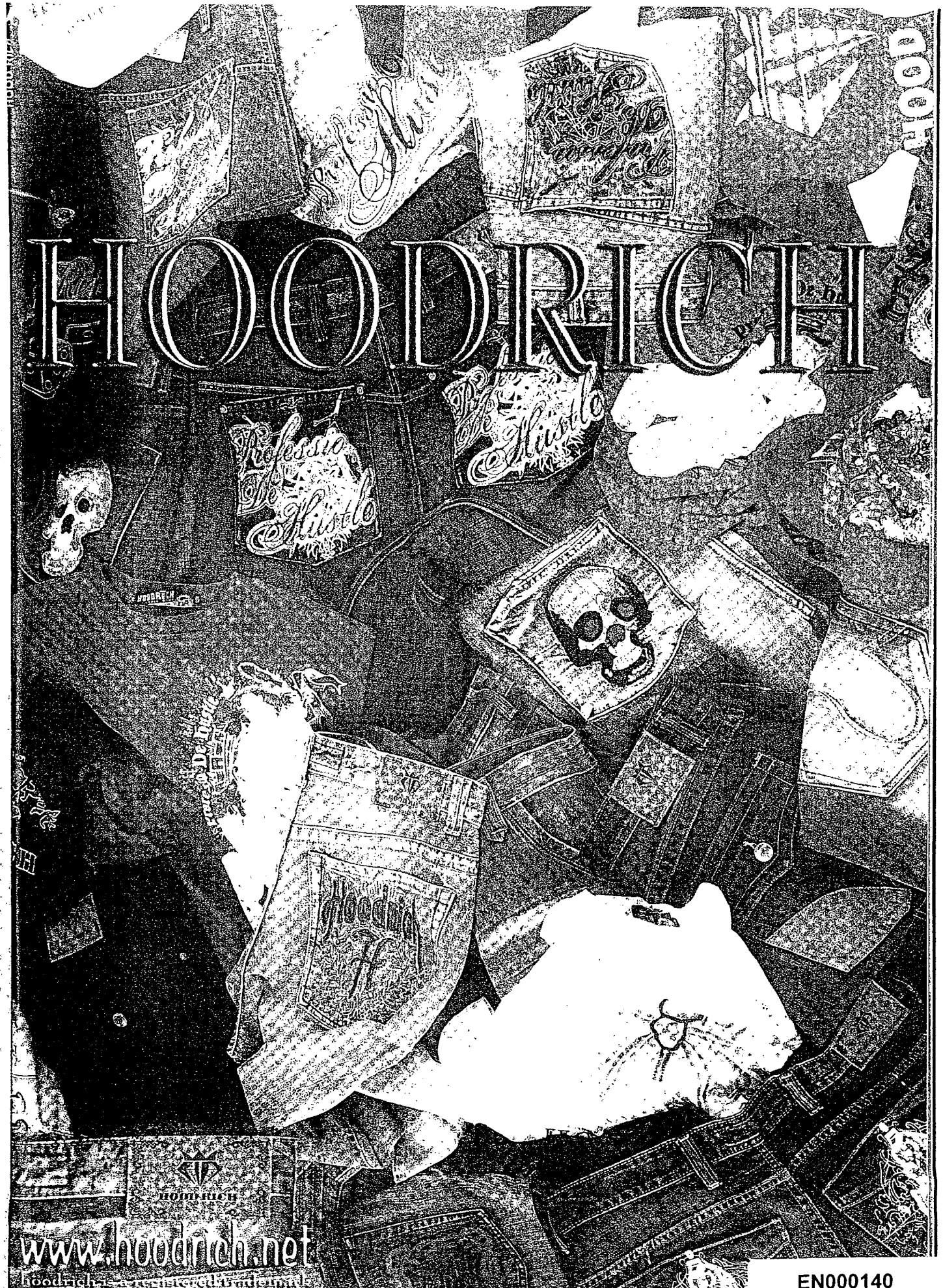

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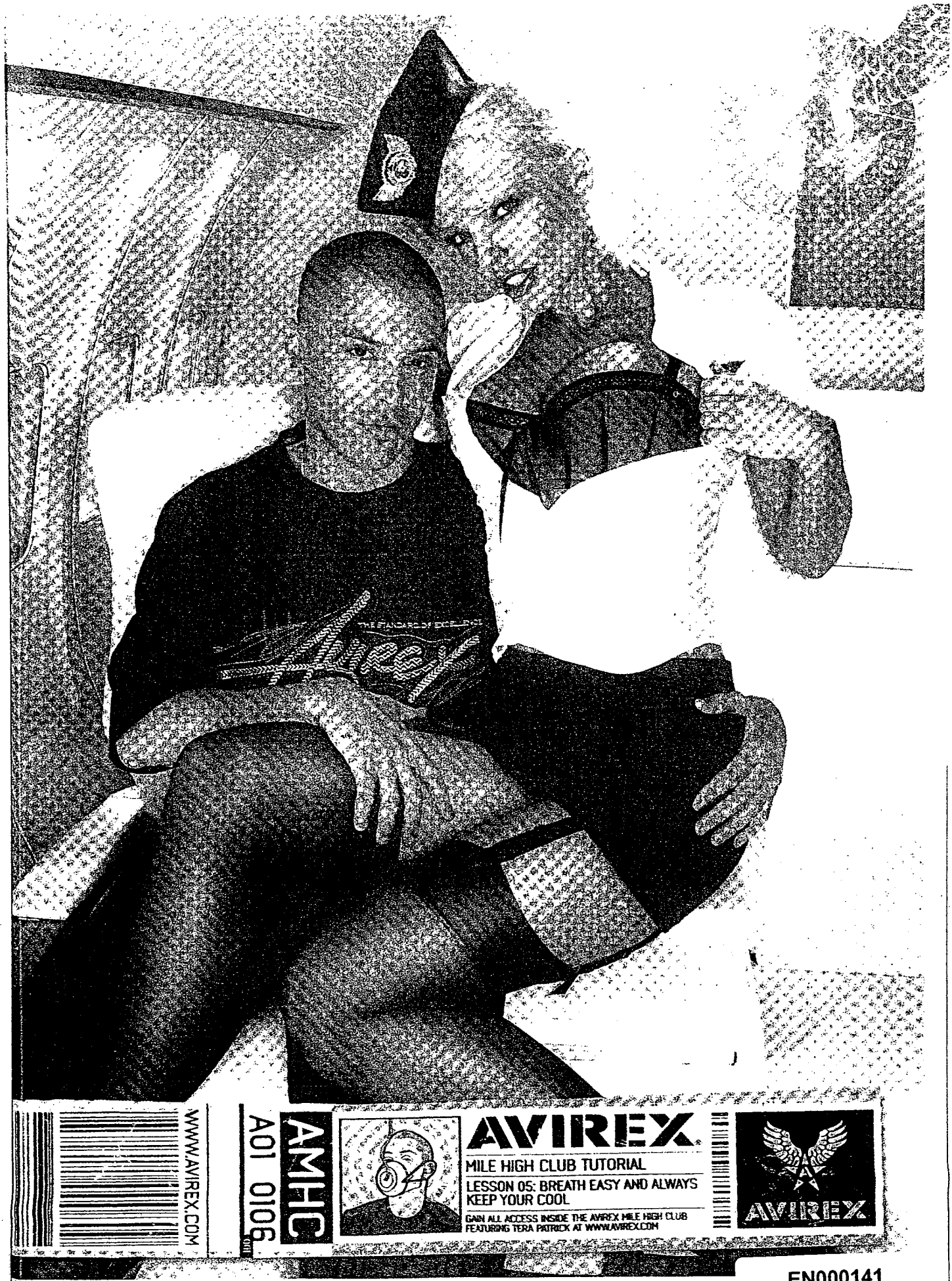
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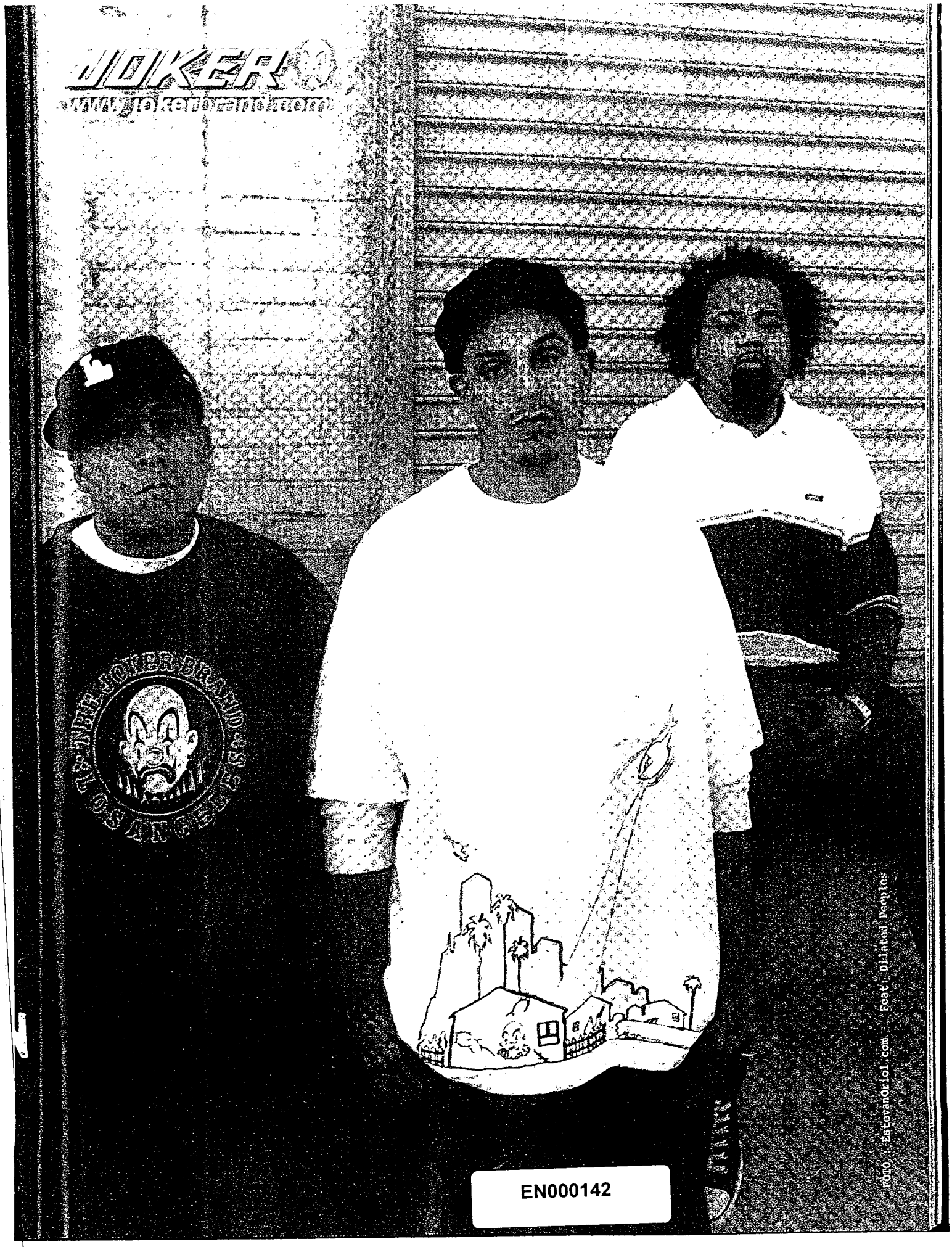
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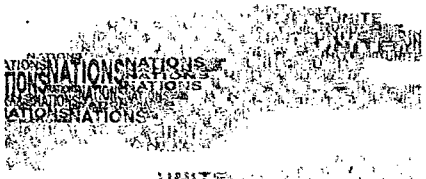

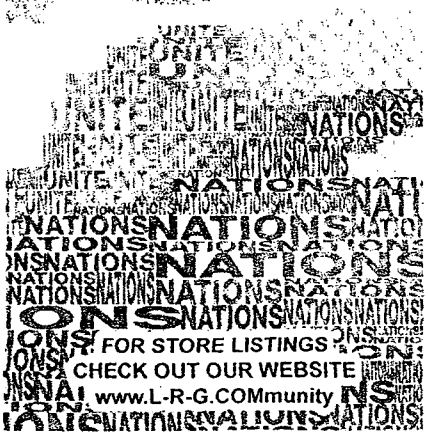

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"Try being yourself, **Kim.** Prison's gonna help you find that person. You're not a boss, mommy... I hate the way brothers and sisters like you front the game off with your manufactured posturing. You're a short timer, Kim. Stop whining and woman up!"

would save her butt, and it backfired. Don't get mad at Cease. Why should he lie and be convicted for someone like Kim, who before all this crap went down hated his guts? She could get on BET and cry forever, but the real deal has always been that Lil' Kim is very arrogant and surrounded by a bunch of freaks. She is responsible for herself going to prison.

ldfp2202@yahoo.com

I read Lil' Kimberly Jones' article and peeped her countdown show. I'm trying to figure out what the Queen Phony was "snibbling" about. She claims she was street raised. Take your perp walk like a real G. You ain't no martyr, especially outside of New York. We all see your ghetto Donatella act, sista, really. Try being yourself, Kim. Prison's gonna help you find that person. You're not a boss, mommy. I know you'll say I'm a hater. Yes, I am. I hate the way brothers and sisters like you front the game off with your manufactured posturing. You're a short timer, Kim. Stop whining and woman up!

kingshelomo@hotmail.com

The article on Lil' Kim was on point. I got mad love for the Queen Bee being a stand-up girl. The interview was hot. I'm incarcerated at Big Mac in Oklahoma. I'm feeling the eye-opener the Queen Bee received. But Kim, remember, karma's a bitch. Them niggas was artificial, and they'll have their day. Hold on to that word God gave you, and let the haters and spectators do their job. Shake that shit off, and keep ya head to the sky.

A-1

McAlester, OK

THE FRIENDLY GHOST

In an industry flooded with egos, Ghostface's honesty is refreshing. How many other rappers would actually admit to having writer's block, questioning if they're falling off, or say that past group efforts have been totally wack? Despite his recent "Laffy Taffy" clowning, Ghost is not afraid to speak out against the lack of unity on his own turf. He's humble enough to work under a rapper who came in the game years after *36 Chambers*. Ghost's album is insane. Thanks for giving him a platform. Although, he should've gotten the cover.

hotbox_thebluntboy@hotmail.com

I would like to big y'all up on an excellent article on my son Ghostface. From the emergence of the Wu, I foresaw Ghost was going to be that dude. With the unique flow and charisma that was outlandishly ahead of his time. He has put out timeless material thus far. He just hasn't had the proper push from

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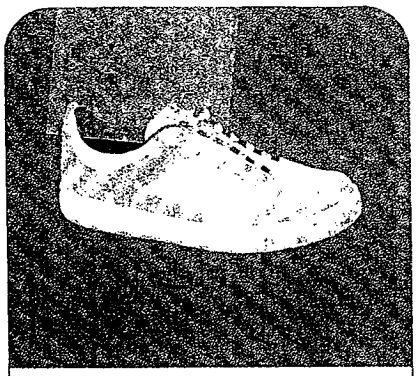

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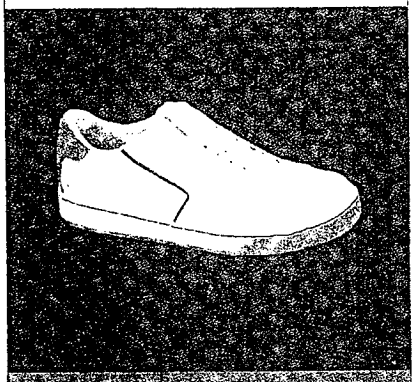

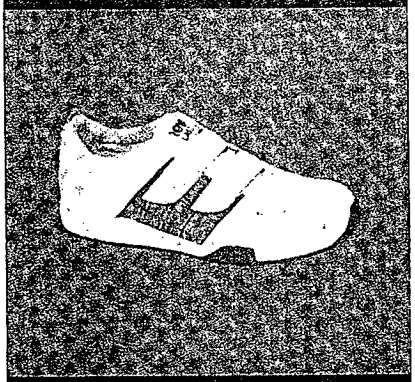

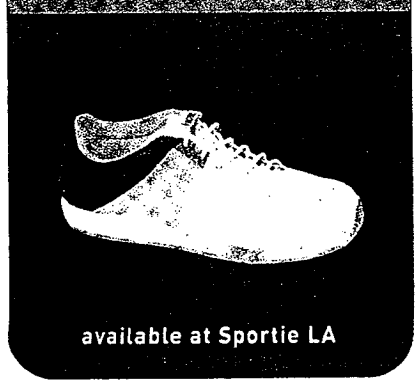

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LETTERS

"Ghost's albums are filled with tons of '70s samples that alienate kids who look up to T.I. and Jeezy. Grow up, Ghost and the whole of New York. You guys don't run hip-hop anymore."

labels. I have faith that he'll do his numbers with the boy Young Vito behind the business aspect. Ghost, continue to drop that heartfelt shit that keeps the true heads motivated.

Mikal "Lionheart" Lumpkins
Pine City, NY

I was reading the Ghostface interview; he was talking some real struggle shit. *Fishscale* is a modern-era classic. Muthafuckas need to stop talkin' about the cake they spend, the whips they rent and the coke they flip. I know all these niggas ain't cooking the white like a chef. Everybody, put the mic stand in the middle of the boroughs, and let's record some original shit. I can't relate to the wack shit niggas is droppin'.

Juan Monge
Houston, TX

Ghostface is my favorite MC. But I need to highlight this important point him and others fail to comprehend: Kids, move on. It's a whole different era. Snap, crunk and hyphy rule the airwaves. Ghostface must understand that the reason why thirtysomething MCs like Snoop, Nas, Fat Joe and LL Cool J are still relevant is that they don't waste time criticizing the South's domination. They roll with the South, and they make the music that kids could jam to. Ghost's albums are filled with tons of '70s samples that alienate kids who look up to T.I. and Jeezy. Grow up, Ghost and the whole of New York. You guys don't run hip-hop anymore.

ldfp2002@yahoo.com

Big-up to *XXL* for your article on Ghostface. Even with writer's block, he's still lyrically sharper than any rapper in the game. *Fishscale,* like all the rest of his albums, is a classic! Ghost, it's not your fault that these smart-dumb niggas can't have witty, unpredictable talent and natural game. Many props to Ghost and the rest of the Wu for never selling your souls and sticking to your roots. I have been a loyal Wu-Tang fan ever since the early '90s, and will continue to support Ghost and the Wu family forever. Hopefully y'all will come together for one more album. R.I.P. ODB.

Gabriel Givler
Vineland, NJ

WHO YOU TELLIN'?

Project Pat is a real Three 6 dummy. I'm sittin' in federal prison doing 15 years. He did a skid bid, and the first interview he gets he starts snitching, telling the world the number one drug in Beaumont Prison is heroin! What is wrong with this jigga boo? If the Feds didn't know what the number one drug was in Beaumont, they know now! Thanks, Police Pat. You's a real buffoon.

The God Shinaya
Petersburg, VA

***XXL*, did y'all** read my mind by shining some light on my nigga Project Pat? That nigga is da business when it comes to layin' the smack down on a track. He spits the truth, and he talks about it in his article. Folk need to take heed to what he was saying 'bout the feds, 'cause shit is real in the field in here. It's good to see real niggas speak on real situations and make it back home to pick up where they left off. Now we just need Lord Infamous, La Chat and Gangsta Boo to come back and become the supergroup they should've been a long time ago.

Eric Able
Otisville, NY

Get the fuck out of here, *XXL*. I just got finished reading your Project Pat article, and have to say I was very displeased about the lack of articulate journalism your writer displayed. Come on now, Project Pat is one of the hardest rappers to come up from the South, and your writers are writing about him eating sushi and how much weight he's lost? Nobody wants to read that shit. Write more about his time when he was caged up, or how many White boys he punched in the face. Stop wasting my time by writing wack-ass material. Write about real shit that people want to hear.

brandonsavitski@yahoo.com

CHRIS BUCK

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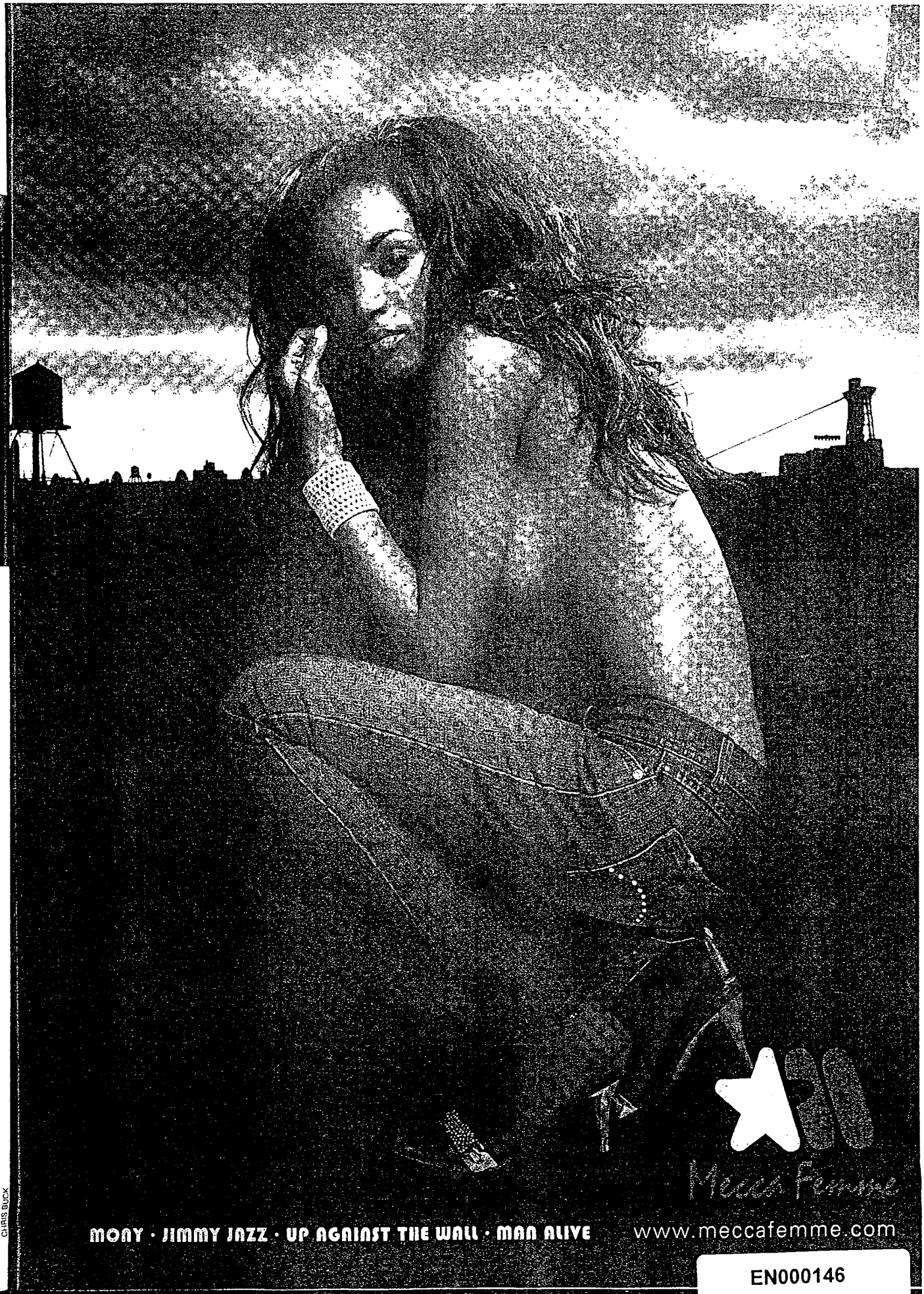

CHRIS BUCK

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Ride Wit Me

CUSTOM CAR KING'S INVESTED IN HIP-HOP—LITERALLY.

Howard Zwang puts in work at Best Tire and Car Audio.

Bumpin' your music never grows old. Even before LL Cool J shouted out boomin' systems nationwide, amplified speaker boxes in cars were already a key aspect of hip-hop culture. Howard Zwang, a lifelong rap aficionado and owner of Best Tire and Car Audio in Great Neck, Long Island, knows all about such on-road double threats. In the last 16 years, Zwang has upgraded rims and sound systems for clients such as Nas, Missy Elliott, Fabolous, LL and Funkmaster Flex, to name a few. Now Zwang's car and hip-hop connections have put him in business with a rap veteran and fellow gearhead.

Automotive work runs in Zwang's blood. His father, Chanin, founded Best Tire in 1963 as a family-run business. After graduating from Northeastern University in 1990, Howie, who as a fifth grader got his feet wet doing odd jobs around the shop, became a manager. "When I took over, our shop really didn't have much competition," informs the Brooklyn-born, Long Island–raised 39-year-old. "Back then, 16-inch rims were what 28s are today, and we had a full inventory of 16s. Once we started offering audio work, too, business really boomed." Soon, hip-hop elite from neighboring Queens, including DJ Clue and Ja Rule, began calling Zwang. Today, Best Tire's customizations vary in style and expense, from pimping the speaker box of Timbaland's drop-top Impala to giving Russell Simmons' Escalade limousine a powered sunroof and big-screen TV with satellite.

Recently, one of Zwang's clients, DJ Skribble, graduated to coworker status; the radio and MTV veteran and outspoken car enthusiast was named a Best Tire partner. With years of know-how (the turntablist runs his own shop in Queens) already under his belt, Skribble should have no trouble helping expand Best Tire's customer list. "Back in 1999, Howie actually hooked up my first system," says Skribble. "We became friends after that. Howie is that guy."

Truth be told, though, Zwang's famous friends rank second in priority. Open every day to the public, Best Tire's real driving force is giving their regular Joe patrons the same treatment their supreme clientele receive. "Sure, it's fun when LL Cool J performs at Radio City and gives me the 'Fuck you' pass to walk around backstage," says Zwang. "But that's not what brings true success. I love when people say, 'I only spent $2,500 here, but you made me feel like I spent 25 grand.' To me, that's the most gratifying thing."

Looks like the East Coast has a People's Champ now. —MATT BARONE

Negro Please

Cassidy

"The lesson is to see how the judicial system tries to target entertainers without the proper evidence, without the proper investigation. Back in the day, there were Columbo and Matlock that go out there and find out what's really going on." —**Cassidy**, allhiphop.com, 4/13/06

"It's definitely pornographic, orgasmic, gangsta, to the point where your soul feels good. It's like a spiritual revolution, it's like being sanctified." —**Diddy**, on his new album, mtv.com, 4/20/06

"We use our voices as instruments." —**D-Roc** of the Ying Yang Twins, on the name of his new group, Da Musicianz, *Rap-Up*, Spring 2006

"We shouldn't separate our music by city or state. I think it's got a lot to do with keeping Black folk segregated." —**Scarface**, *Vibe*, June 2006

"We lean and rock, Korn pops and rocks ... we're gonna make ya snap and pop and lean and rock!" —**Jazzal Man** of Dem Franchize Boyz, on his group collaborating with Korn, *Rolling Stone*, May 4, 2006

STEADY MOBBIN' >>>

Hip-hop has long had an obsession with gangster names. Capone, Escobar and Siegel are all legendary mobsters whose names have been appropriated by MCs looking for criminal cache. Now, there's an aspiring rapper with yet another mobbed-up moniker, but this one didn't even have to change his government name.

For three months, Carmine Gotti Agnello, the grandson of John Gotti, the godfather of the Gambino crime family, has been at work on his debut rap single, due this summer. The eldest of the three Gotti boys of *Growing Up Gotti* fame, Carmine, 20, made his stage debut last fall on VH1's *But Can They Sing?* an experience that led the aspiring MC to pursue his musical ambitions in earnest. "I never thought I'd have the balls to go onstage," he says. "So once I did it, I was like, 'Fuck it, why not just do it?'"

Despite Gotti's relative newcomer status, his hip-hop credentials extend beyond simply being a scion of the real Teflon Don. "I've always been into music," says Gotti. "I listened to Biggie growing up, and I loved Bad Boy." Last year, Carmine and his brother John appeared in the video for Cassidy's "I'm a Hustla," and Carmine's graced mixtapes by DJ Whoo Kid and, you guessed it, Cash Money affiliate Gotti. This spring, Carmine went into the studio with veteran producer Punch, the beatsmith behind Tony Yayo's "So Seductive." Working around Punch's busy production schedule and Carmine's schoolwork at Long Island University, the two have developed an unexpected chemistry. "He learns very fast," says Punch, of his new pupil. "And I'm surprised that he's basically a seasoned rapper. People have been speaking about him so much, I think it's time for him to come out."

Carmine has a star-studded wish list of producers he'd like to collaborate with, including Swizz Beatz, Kanye West and Dr. Dre, and he and Punch hope to have an album completed this summer, which will be released on Carmine's own label, Mobstar Records. And while the critics are probably lining up to slam his microphone stylings, Carmine already has a response. "Let them keep hatin'," he says. "It gives me motivation to do better."

The jury's still out on this Gotti.

—PAUL W. ARNOLD

BEST TIRE: STEVEN BRAHMS; CASSIDY: JOHN RICARD/RETNA; GOTTI: KEVIN PARRY/WIREIMAGE.COM

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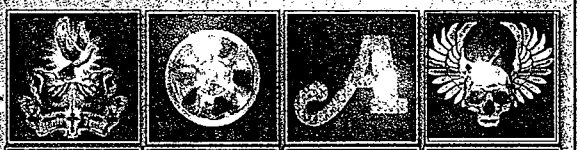

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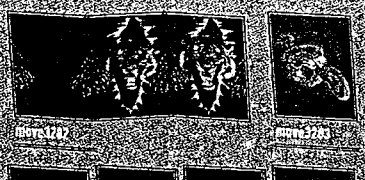

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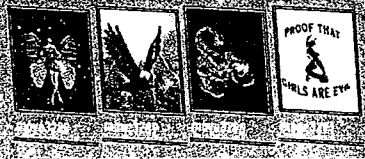

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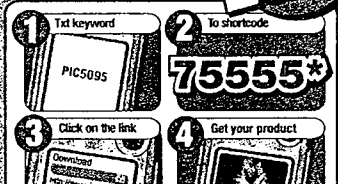

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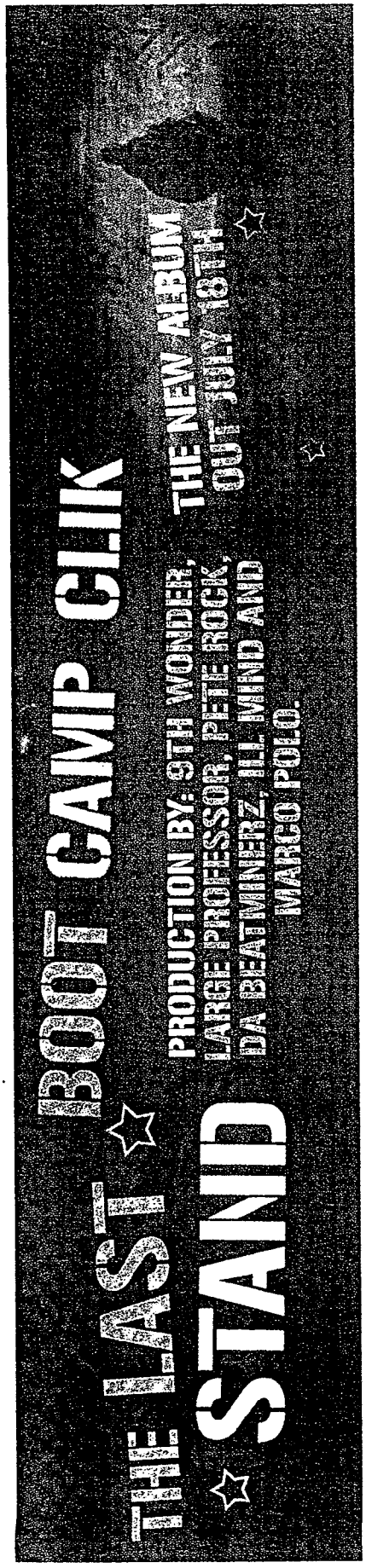

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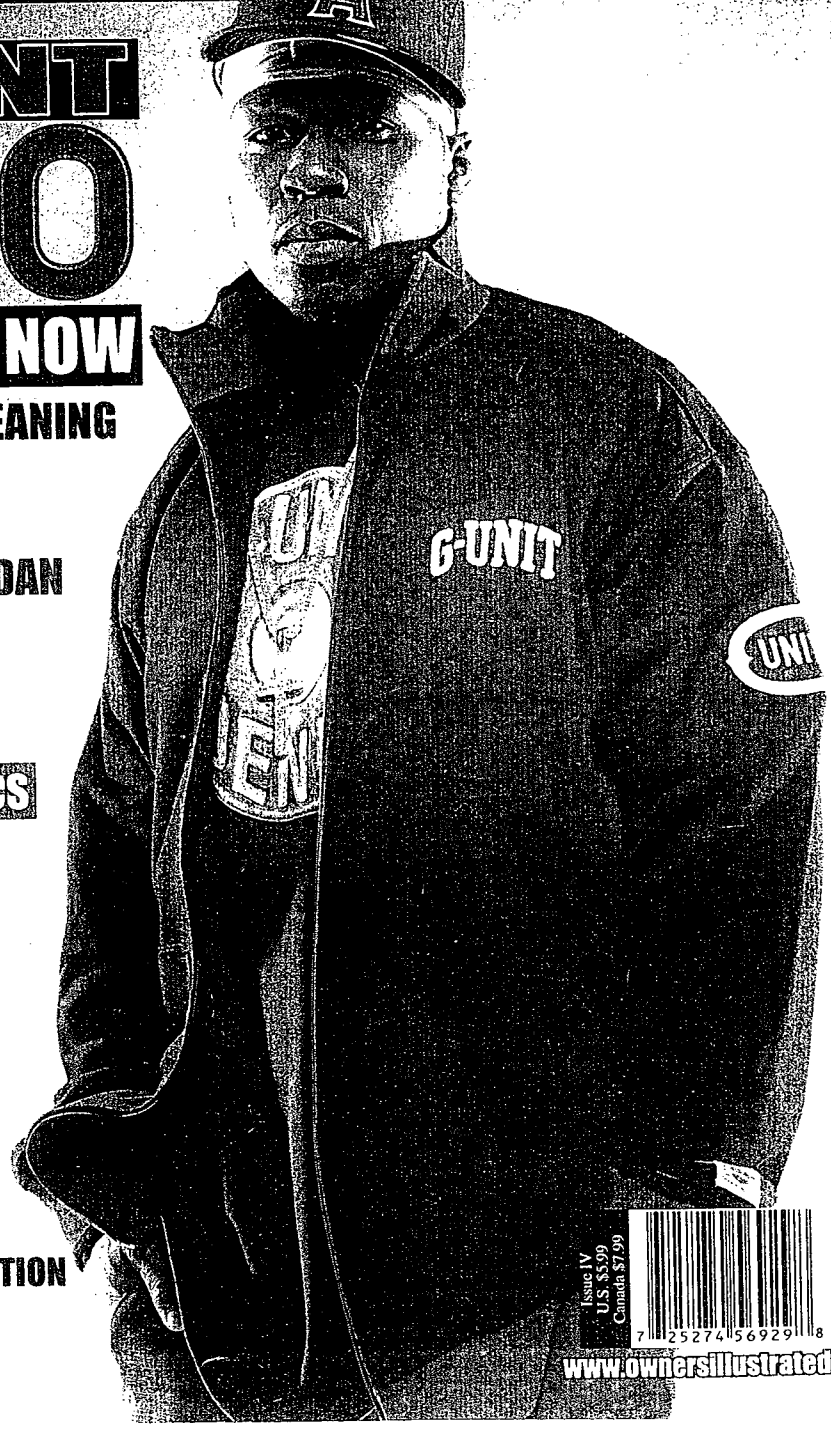

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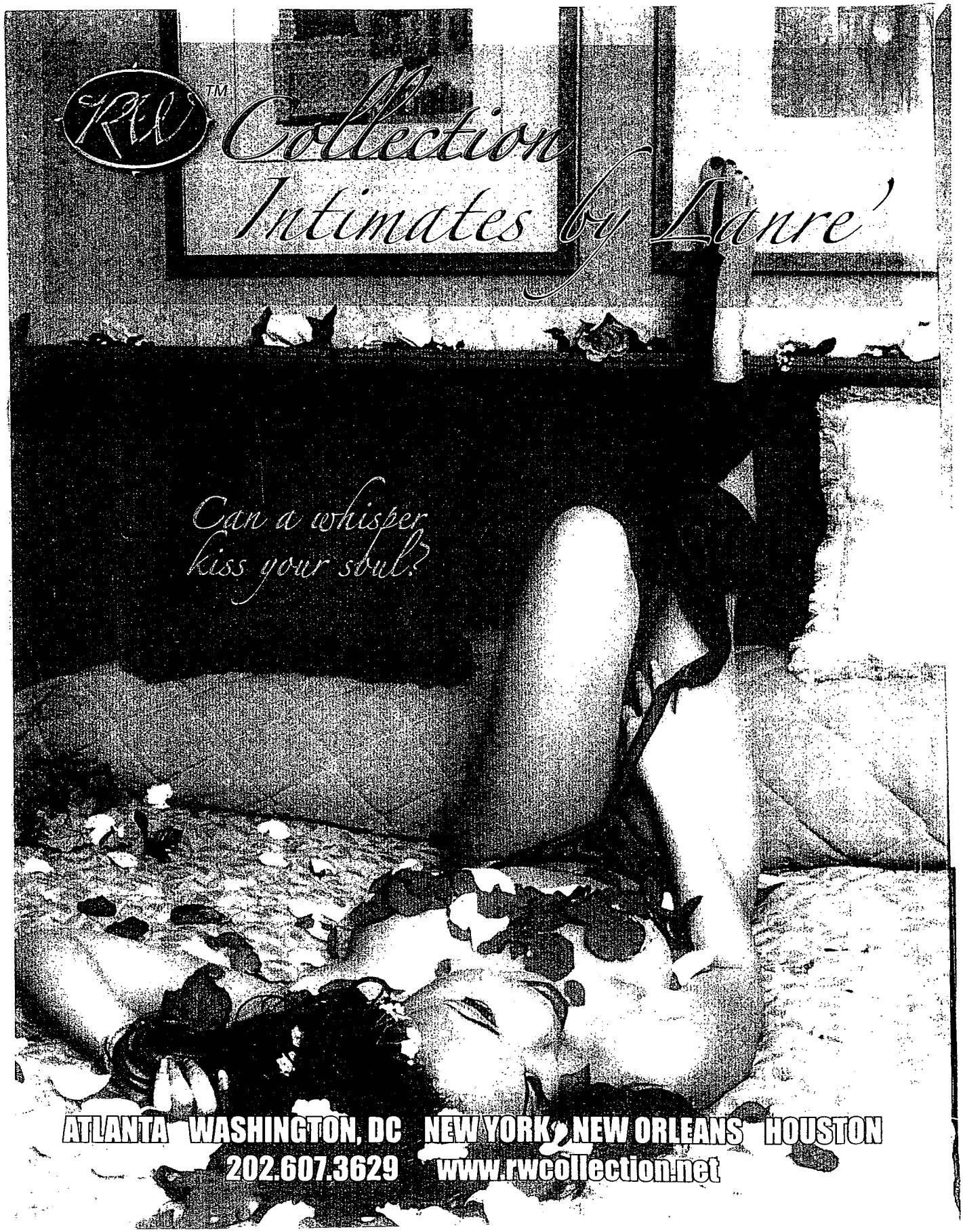
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FASHION

Like Magic: The Fashion Industry Invades Las Vegas

STORY: Damola **PHOTOGRAPHY:** RichardFlood.com

The first leg of the biannual Magic International Conference was held in Las Vegas, NV this past February. The Las Vegas Convention center hosted the Mens; Children; Urban Wear; the Edge expos; and the Womens, which was previously held at the Sands. Held every August and February, the Magic Show is a four-day expo, which features nearly every aspect of the fashion industry — buyers, designers, manufacturers, licensing companies, retailers, wholesalers and, of course, celebrities who were on hand to promote their own clothing line.

The February Magic Conference gives attendees a chance to see the latest trends and experience the newest fashions. Owners Illustrated Magazine was on hand to cover the event and document the impact of urban fashion on the fashion industry. The "Designer" exhibits featured industry giants such as Guess, Ralph Lauren and Perry Ellis, each presenting collections assured to fly off the rack this summer. Shoe designers, Sergio Brutini and Stacy Adams had exotic colors and quality material combinations that players worldwide are going to love and that aspiring players will crave for their wardrobe.

This year, we had the pleasure of interviewing Larry Miller, President of Brand Jordan, who was at the Jordan booth that featured all 20 editions of the Jordan sneaker. Several celebrities were on hand, including, Jay-Z and Beyonce' who were at the Rocawear booth with Dame Dash and Biggs — The Roc was in the building! Nelly was also present with much fanfare at the Vokal Apple Bottom Booth. Lil Flip was there to introduce his Clover G line and Karl Kani was present to show that there can be longevity in the clothing business. One party we attended was the LRG party at Club RA inside the Luxor. Legendary De La Soul were in the building along with cast members from the ***Wire***. We also caught up with Russell Simmons who had his brother Rev Run on hand with him to promote their Phat Farm affiliated brands.

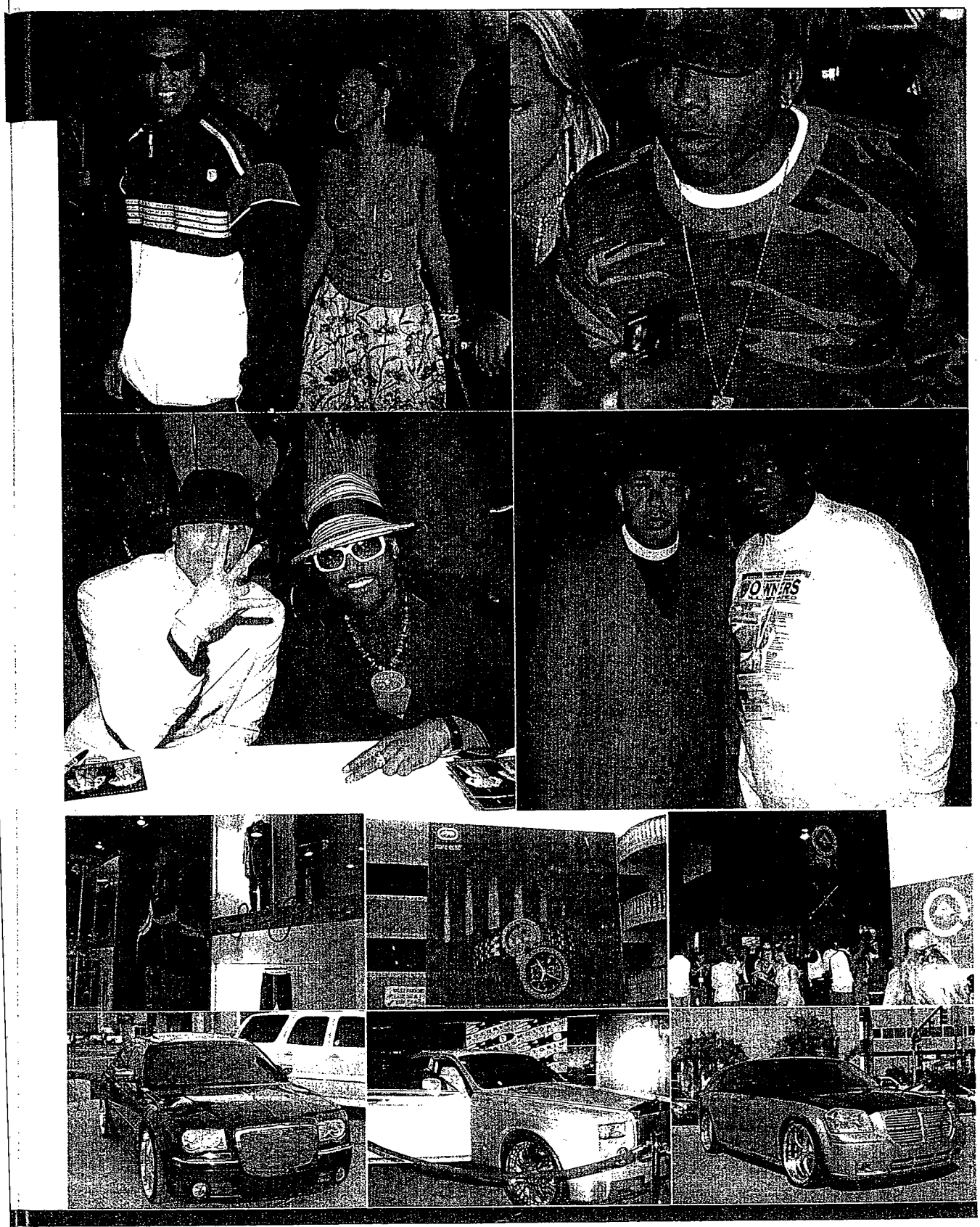
P. Diddy featured his Sean John line in the "Designer" section with the high quality display that has become par for the course. The Sean John set was constructed to resemble a high-end retail outlet, complete with two levels and garment displays visible through glass windows. Ecko had a separate outdoor exhibit in a tent surrounded by a DUB Magnum and 300C.

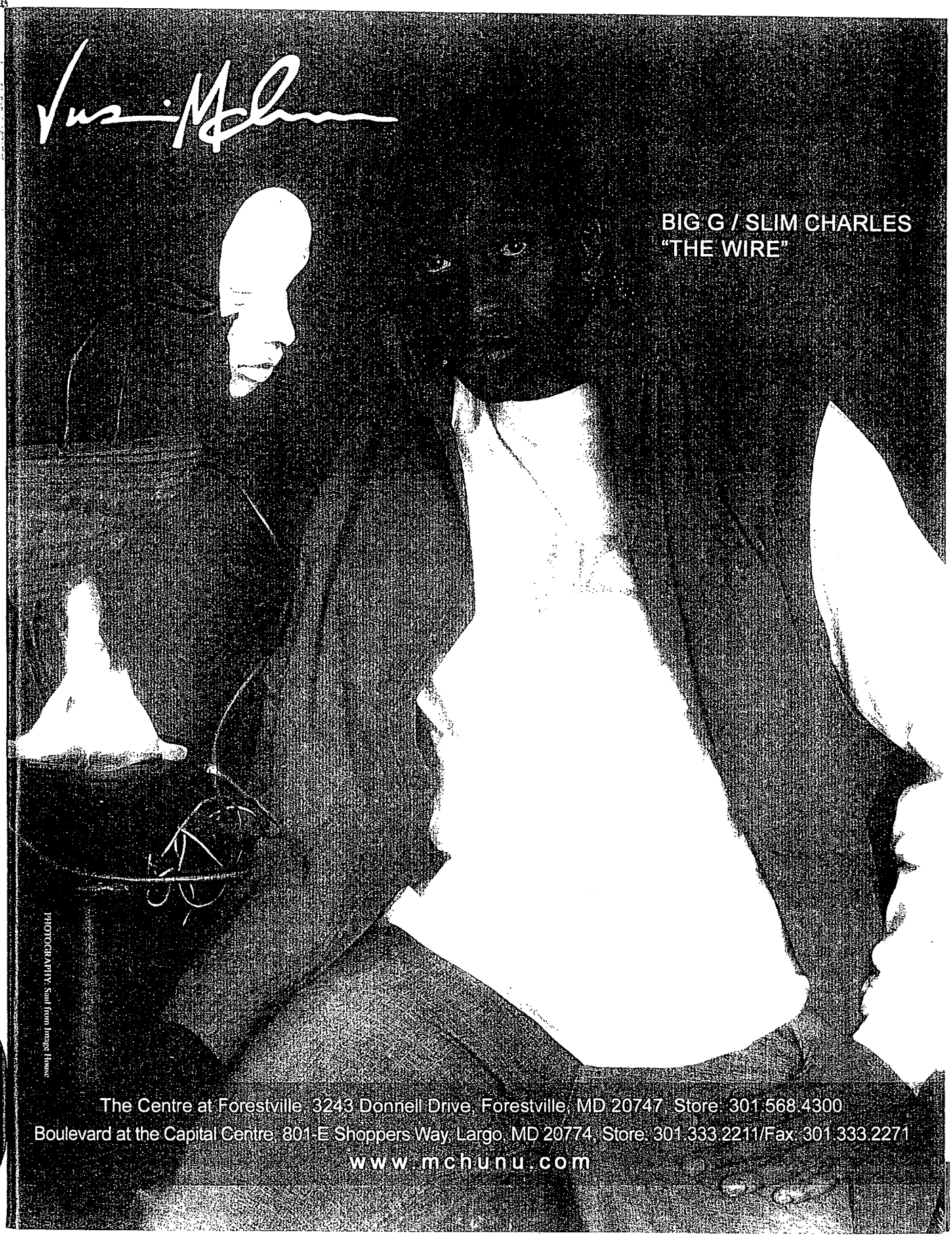
Overall, it was the usual, wonderful experience and a great conference for any aspiring urban designer to attend, network and gain valuable information on the fashion industry. I can't wait until August! For more info visit www.magiconline.com. ∞

Larry Miller (left) – Brand Jordan

Karl Kani – Karl Kani Infinity, Inc.

Russell Simmons – Phat Fashions




BIG G / SLIM CHARLES
"THE WIRE"
PHOTOGRAPHY: Saul from Image House
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Boulevard at the Capital Centre, 801-E Shoppers Way, Largo, MD 20774, Store: 301.333.2211/Fax: 301.333.2271
www.mchunu.com

EN000024

G-Unit Watches

When it's all said and done we will all look upon this time period and marvel at how fast 50 Cent has grasped the lucrative potential of branding. The G-Unit name has extended from everything; to clothing, music, video games, movies, vitamin water, and now high-end fashion watches. 50 Cent stated to us "The success of ***Get Rich or Die Trying*** has allowed me to do the things I had planned to do in 5 years, in 6 months" Part of his plan is executed in his new partnership with the long respected and Jeweler Du Jour, among A-list celebrities, Jacob Arabo. 50 Cent has united with Jacob & Co to create the G-Unit Watch Company. In an interview with Hot 97's Miss Info this past January, 50 Cent stated, "they should be expecting G-unit watches from me and Jacob....We got a full watch line coming... they are all different designs but they should be expecting it to go from the lower end stuff and (beyond) .. probably the cheapest ones will be around $200" At that price point everyone could be able to afford the watches and still get the great quality product Jacob& Co has been known for. The watches are made from stainless steel and have 1.75 ct of diamonds for a total of 75 carats. There is also a spinning bezel with the G-Unit logo on the face of the watch. This fine piece of jewelry also features Swiss and chronograph movements. The watch's bracelet is also made of stainless steel. As 50 Cent told us "G-Unit is a lifestyle brand" as such he is catering to the lifestyle of his consumers with the style and pricing of the watch. Jacob & Co was founded in 1981 and got the big break into the celebrity market when singer Faith Evans, the wife of the Late Great Notorious B.I.G., stumbled upon the shop and eventually introduced her husband to the jeweler. As a result of B.I.G's introduction, P.Diddy became a client. Over the years everyone from Angela Basset to Karl Lagerfeld; to Madonna; to Ozzy Osborne; to Jennifer Lopez; to Beyonce'; to Jessica Simpson; to David Beckham; to a never ending list of who's who. With this stellar reputation and 50 Cents' knack for marketing, we expect the watch line to prosper and become a leader in the industry. ∞ — Deity Dah

EN000025

North American International Auto Show

STORY: Damola PHOTOGRAPHY: RichardFlood.com

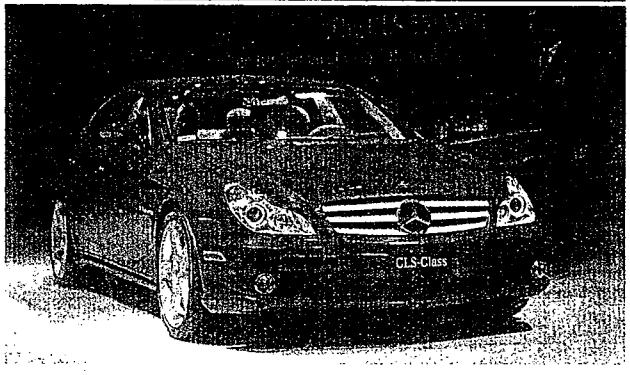
The North American International Auto Show (NAIAS) was held in Detroit at the Cobo Center and featured some amazing metal from all the automotive manufacturers of the world. NAIAS is renowned as the first show of the year and the premier show in North America because it is based in Detroit, the home of America's automotive industry. The show featured the debut of several great pieces of metal.

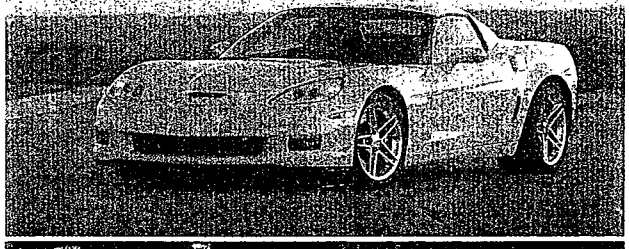
I loved the CLS and the new Mercedes M-Class. Of course, the Maybach has some new refinements such as a new polished wood table in the 62. The SLR was also on hand and you can never marvel enough at this super sports car. It is totally gorgeous and with Mc Claren and Mercedes ending their partnership it gave rise to the SLR, a true collector piece. We ventured across the isle and saw what I felt was a true jaw dropper. The popular and powerful Chrysler Magnum. This car now has an SRT-8 version with a 6.1 L Engine that makes 425hp and features 20in alloy wheels and a body kit. I'm placing my order.

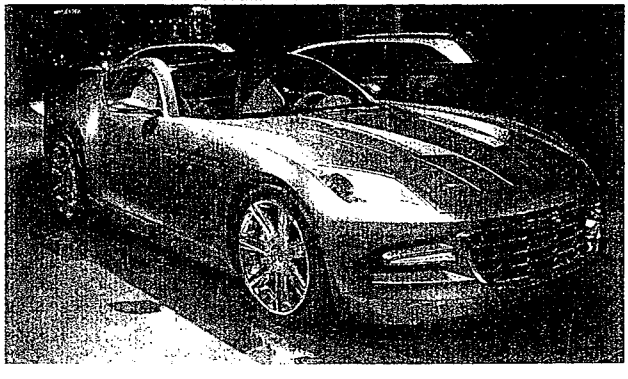
A few paces away was the show stealer, the long awaited Dodge Charger Hemi. Even 50 Cent has this ride on his must have list. Another one to watch out for is the Firepower prototype. Based on the Viper chassis, this Chrysler prototype was outfitted with the same 6.1 L V8 engine found in the SRT-8. You have to commend Ralph Giles and his team at Daimler/Chrysler. They are really coming out with a great line of products.

Next, I ventured to the Ford booth and spoke with my buddy, Mitch Johnson, who showed me the SYN concept car that features a turbo diesel engine and, get this, a Bat mobile-like vault that seals the vehicle and a 42 inch plasma TV. With that type of privacy, you can ... Well, I won't give anyone ideas, but I will say the SYN is like the Scion XB and Honda Element, only more practical. You can "sleep" fully protected and watch your 42 inch TV. Jaguar also featured the super lightweight coupe, which is production ready and will probably debut as the next XK8. We also saw the new Range Rover Sport and the Super Charged Range Rover. WOW! They both had TV's in the headrest and featured the finest of luxury appointments. The super charged Range Rover, now delivers 400hp with a Jag engine. Looks like everyone is going to have to switch their Range's up. The new Super Charged Jag engine and the new entertainment package takes the World's finest SUV to unseen heights. It's like when Jay-Z said to switch your 4.0 to the 4.6. Now OIM is the first to tell you to switch your 4.4 to the 4.2 supercharged!

Corvette debuted the 500 hp ZO6 and I finally got a chance to see the production version of the SAAB 97x. What a hot truck. I also stopped by the Porsche booth and spoke to my good friend, Martin Peters, who informed me that the Cayenne Turbo will now have 500hp. Start your engines. We also stopped by the Rolls Royce booth and spoke with Paul Faletti and Matthew Lynch about the 100EX, which is due for production with delivery next Spring. The show version of the 100EX features a 16 Valve engine and suicide doors. Daimler/Chrysler also had a reception across the street at the firehouse where they donated $25,000 to the Local fire department. We had the pleasure of sharing drinks and food with Dr. Deiter, Judy, Colleen, Angela, Ernest, and so many other great people from Daimler/Chrysler. (You guys truly know the way to a publisher's heart.) Overall, it was a great open to the 2005 Auto Show season. I can't wait 'till next year. ∞







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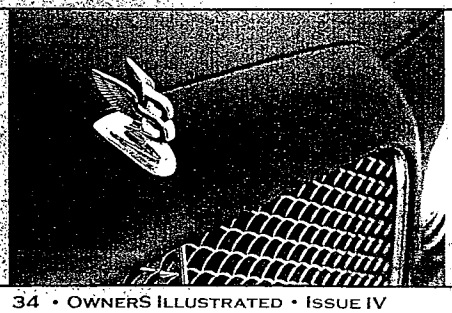
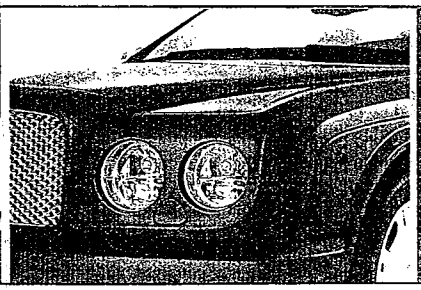
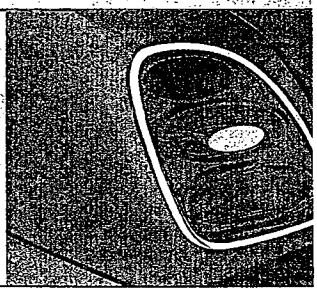
BENTLEY ARNAG

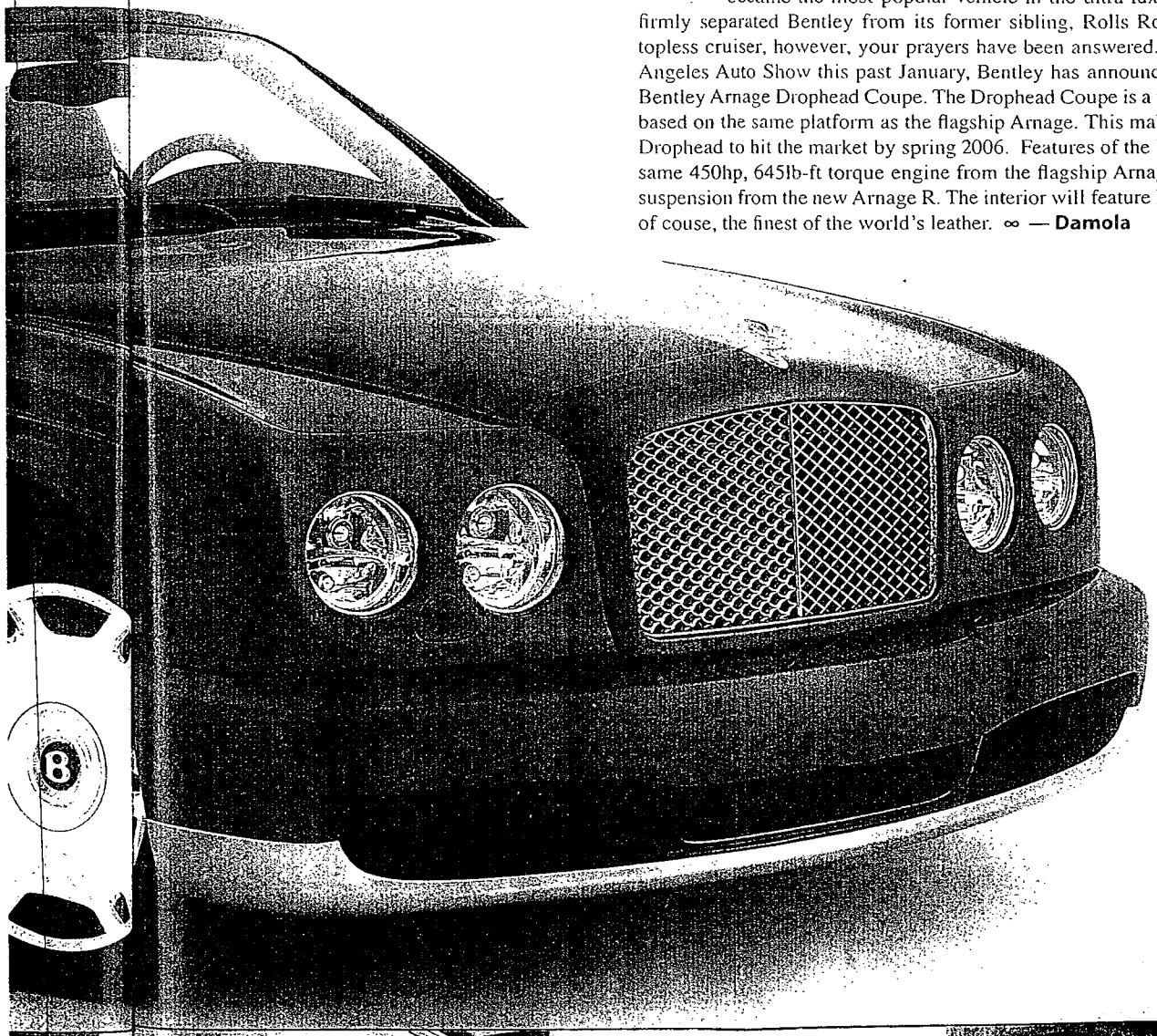


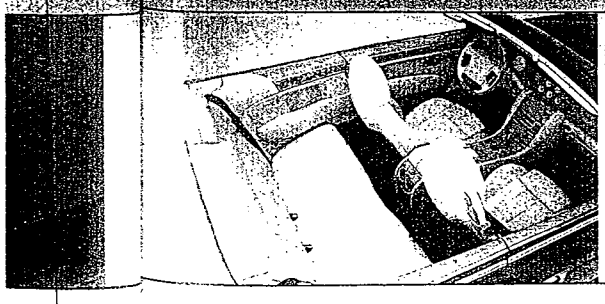


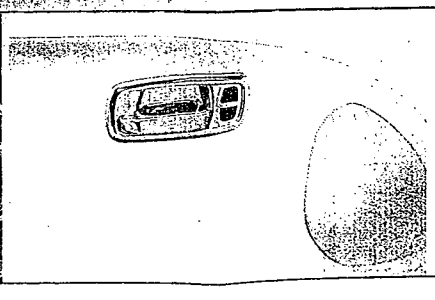


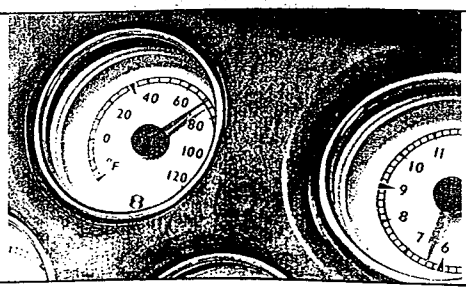
DROPHEAD COUPE

he drop top Bentley Azure was the standard for the ultra luxurious automotive segment until it was discontinued in 2003, after VW AG took over control of the auto maker. In 2004, the Bentley Continental GT became the most popular vehicle in the ultra-luxury segment and has firmly separated Bentley from its former sibling, Rolls Royce. For fans of the topless cruiser, however, your prayers have been answered. Debuting at the Los Angeles Auto Show this past January, Bentley has announced plans to build the Bentley Arnage Drophead Coupe. The Drophead Coupe is a true four seater that is based on the same platform as the flagship Arnage. This makes it possible for the Drophead to hit the market by spring 2006. Features of the Drophead include the same 450hp, 645lb-ft torque engine from the flagship Arnage. It will also share suspension from the new Arnage R. The interior will feature Burr Oak veneers and of couse, the finest of the world's leather. ∞ — **Damola**



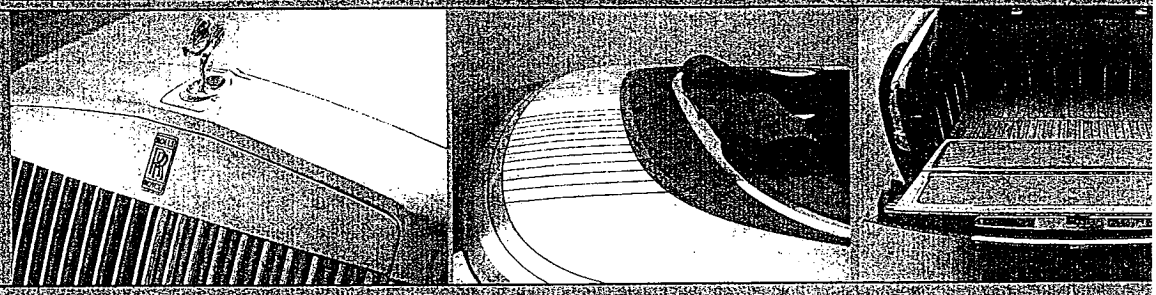






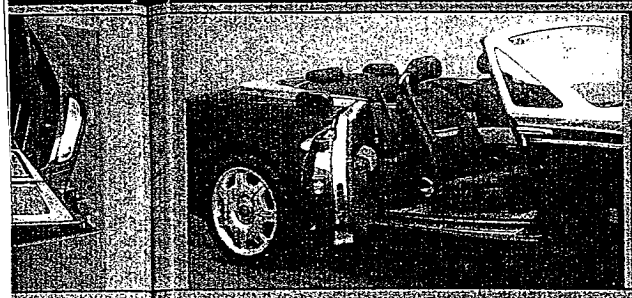
LIFESTYLE —

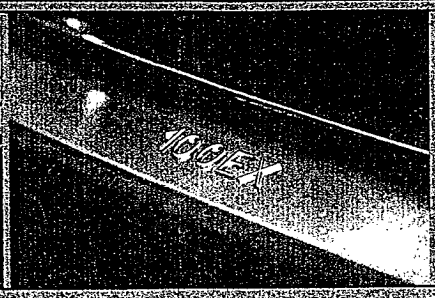
ROLLS-ROYCE —

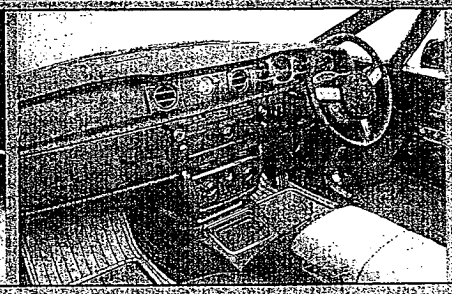


imply put Rolls Royce is the finest assembled motor car. The name in itself carries such prestige and dignity. The
has been the standard for over a century. Since 2003 however, the premier manufacturer has not had a convertib
continued the Corniche. Now under the stewardship of BMW, it is long overdue a convertible with sister compan
is also under the care of new management by VW AG. The 100EX was designed to mark the 100th anniversary
last May. The 100EX is based on the same platform as the Phantom but is shorter by 6.5 inches. The design theme is yacht
overall impression is intended to be of an elegant motor yacht at speed," stated exterior designer Marek Djordjevic. The
a solid silver Spirit of Ecstasy, that automatically retracts beneath the massive aluminum grille. The 100EX also features
Standard in the fully operational prototype is a set of 21-inch wheels. Underneath the hood lies a monstrous 9-liter V16
valves, all mated to a six-speed gearbox. The 100EX is due to hit show rooms next spring depending on buyer interest. Bu
at the perfectly sculpted machinery, who can resist? — **Damola**

100EX







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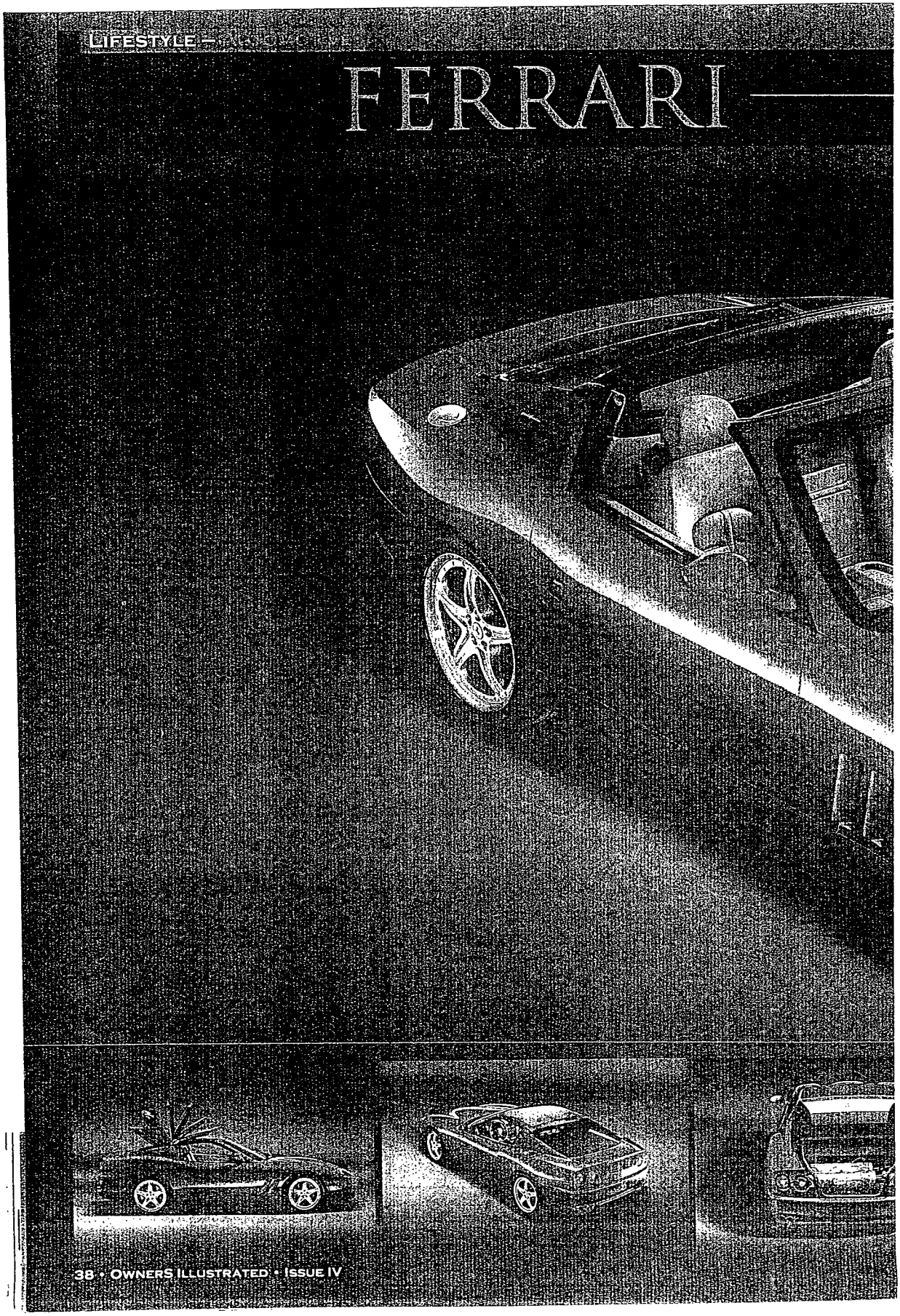
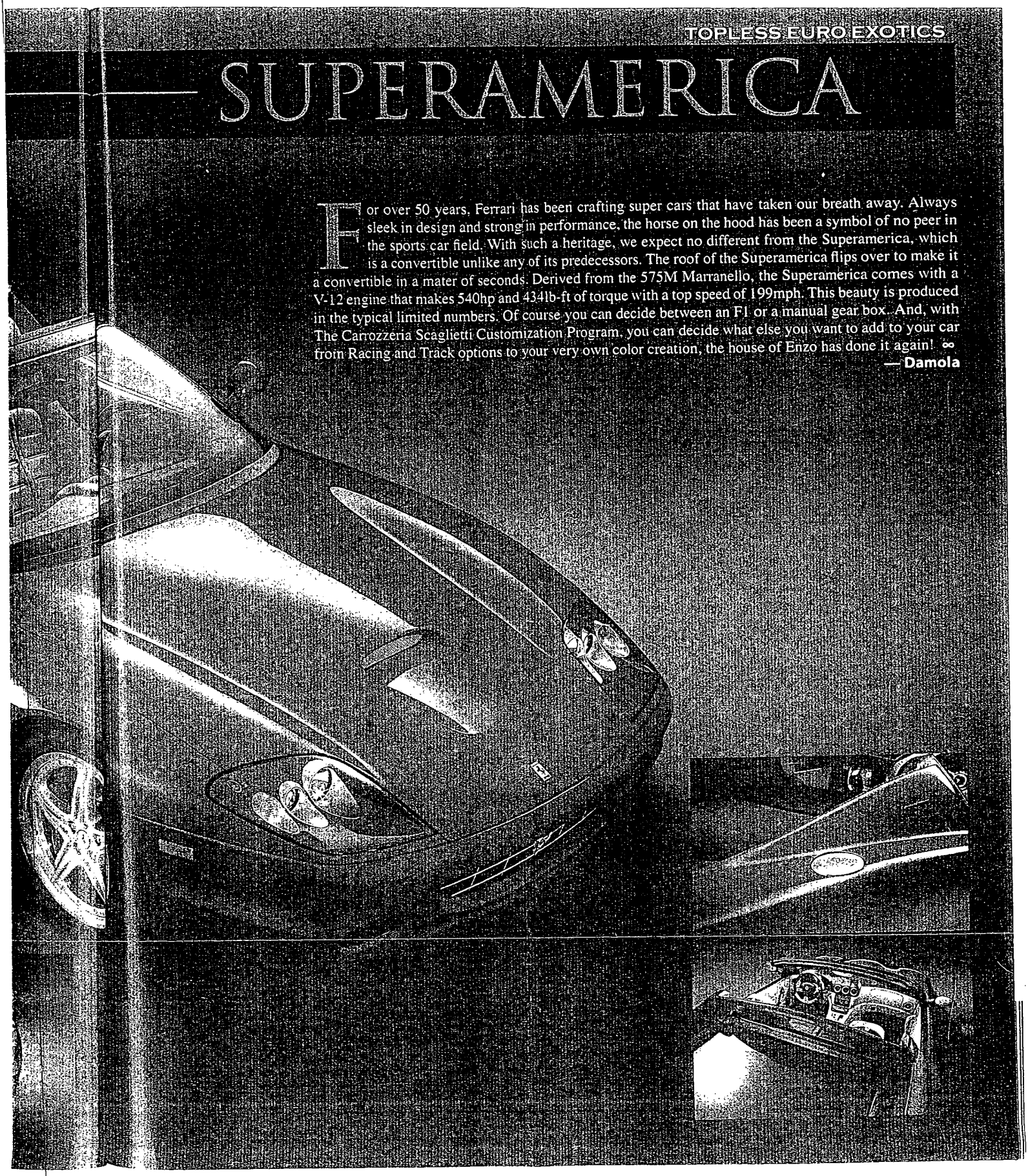


SUPERAMERICA

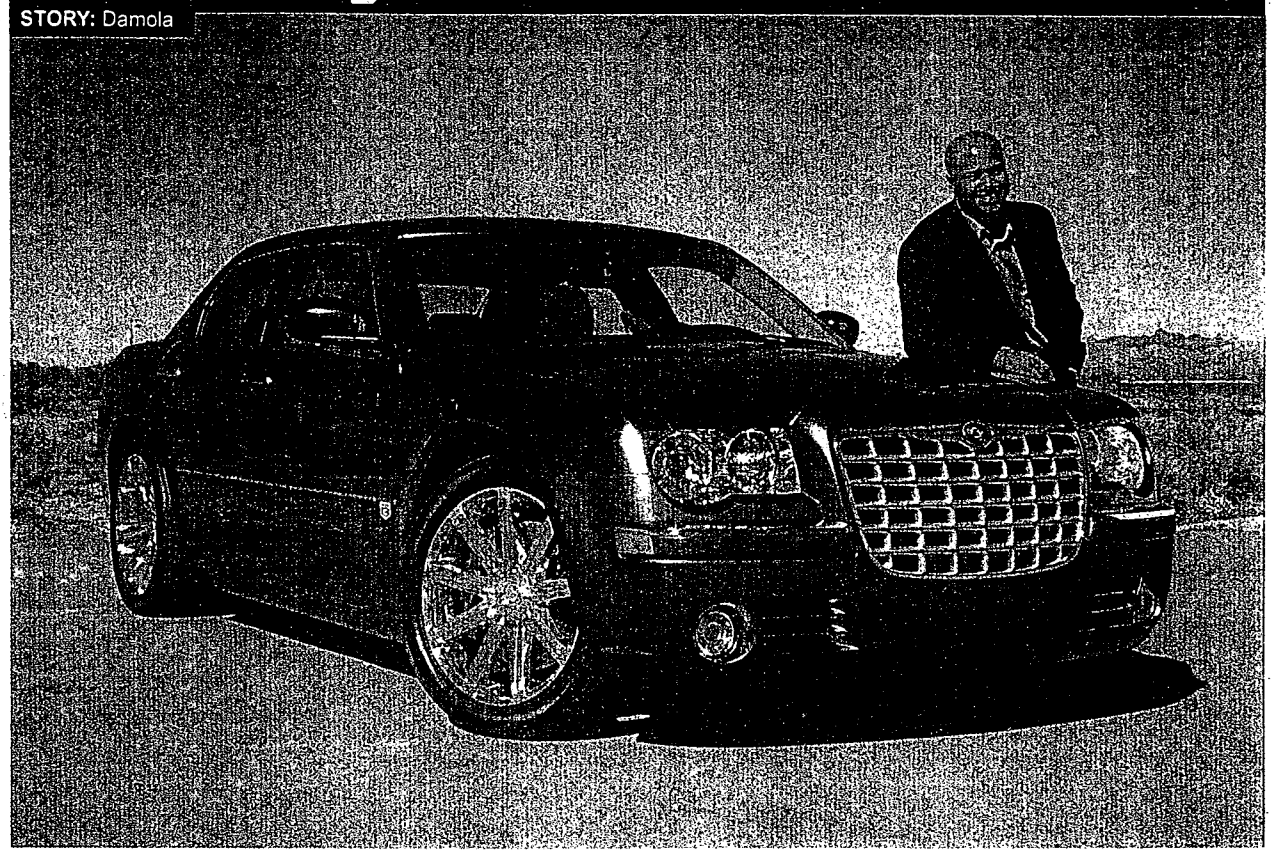
For over 50 years, Ferrari has been crafting super cars that have taken our breath away. Always sleek in design and strong in performance, the horse on the hood has been a symbol of no peer in the sports car field. With such a heritage, we expect no different from the Superamerica, which is a convertible unlike any of its predecessors. The roof of the Superamerica flips over to make it a convertible in a mater of seconds. Derived from the 575M Marranello, the Superamerica comes with a V-12 engine that makes 540hp and 434lb-ft of torque with a top speed of 199mph. This beauty is produced in the typical limited numbers. Of course you can decide between an F1 or a manual gear box. And, with The Carrozzeria Scaglietti Customization Program, you can decide what else you want to add to your car from Racing and Track options to your very own color creation, the house of Enzo has done it again! ∞

—Damola



Ralph Giles: DaimlerChrysler's SECRET WEAPON

STORY: Damola



By now, everyone has seen the all new Chrysler 300 and the Dodge Magnum. And there is no denying they have radically changed the views on American automotive design. Everyone from multi-millionaire athletes and entertainers like 50 Cent have owned these vehicles. The question, however, is how did these vehicles come about? OIM demystifies the 300, the Magnum, and the new Charger, by talking one-on-one with the designer who set it all in motion. Ralph Giles, a Canadian native, has been working with DaimlerChrysler for 13 years. Had had a lot to share on these cars and the overall process of automotive design to manufacture. If you are like myself who had dreams of designing cars someday, or you like to customize vehicles, there are some interesting things Ralph spoke to us about. Here is our exclusive interview.

So, how did you get started?
Well, it's, pretty simple. There's about four design schools in the country. I went to the one that happens to be in Detroit, called, College of Art and Design in downtown Detroit. To get into that school you actually have to have some inclination already or you have to be an artist of sorts. I was always into sketching cars since I was a young man...literally. I never knew at the time that it was such a career as car designing....I always thought it was more of an engineering degree, but it's a much more artistic career than I thought. So it's kinda cool because I don't do too much math everyday. There's a lot of industrial design schools, but there's only a really, really limited amount of automotive design schools. And those are more like vocational schools, where you're pretty much – I mean they are credit colleges, but the minute you're in, you're in car design. It's very concentrated.

So how long have you been with Chrysler?
Since 1992, so approximately 13 years now.

So, what was the first car you were involved with?
The first car I was involved with was a concept car, actually a few concepts, called the Dodge Intrepid ESX. It was a hybrid electric. It was actually a precursor to the last generation of Intrepids. So it was kind of a fun project. I did mostly interiors at that time.

So when was the decision made, design wise, to try to combine, I guess the LHS, the Intrepid, 300M, and Concorde, to all be under the 300 design?
Well, we don't think that way, actually. We don't combine ideas. We like to call it more heritage. We have our own heritage that comes from 50 years ago and obviously every time you make a car, it's part of history. Some people want to try to tie it in. You know, we don't really mix it all together. That's a misconception I think got out there. But the decision was made to do this kind of car several years ago. If you've been paying attention to our concept cars, you can do some research, you can find that we've been doing kind of

EN000030

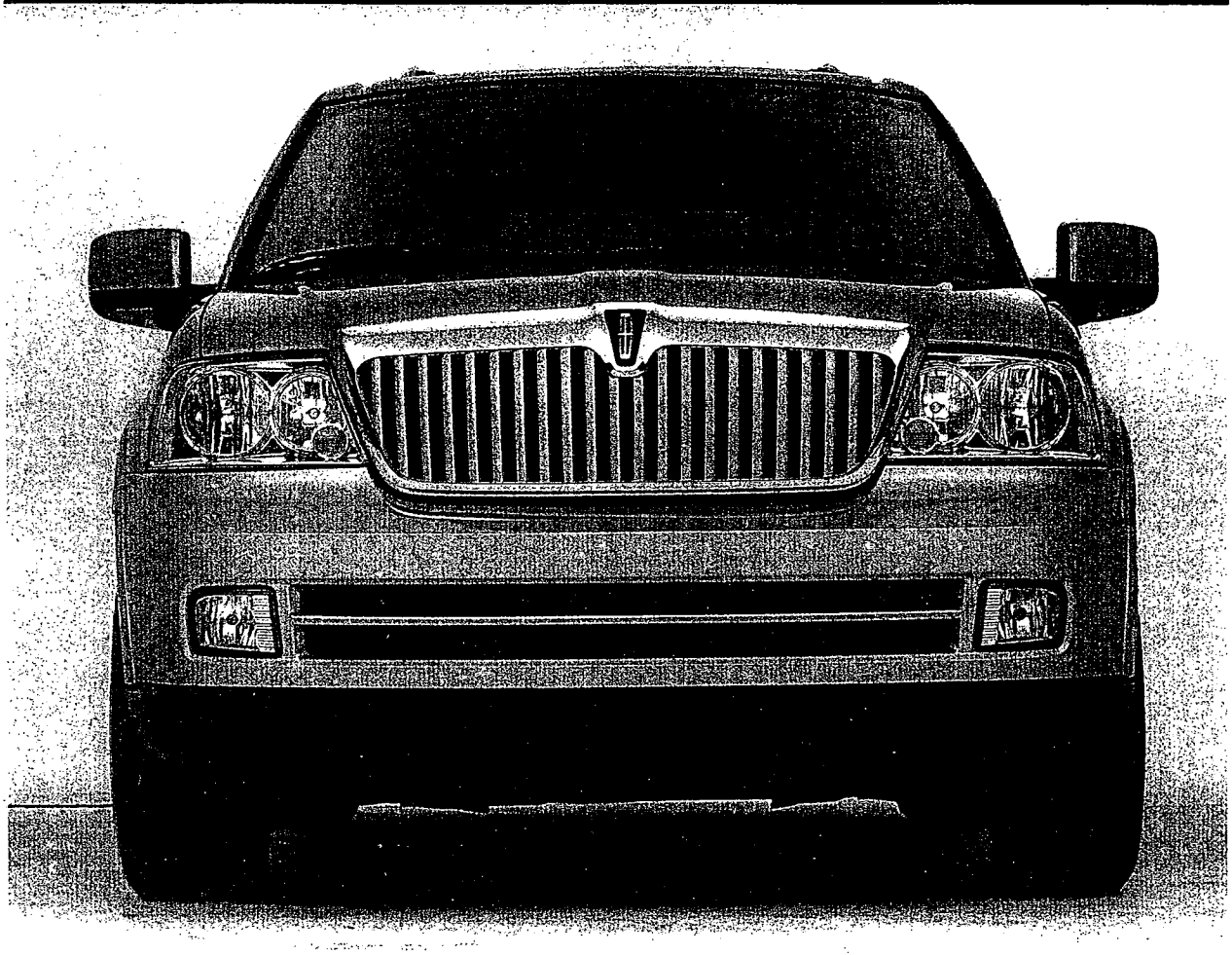
— Automotive Review —
2005 Dodge Magnum SXT

I remember when I first laid my eyes on one. It was in Detroit at the Auto Show in 2004. Even though most of the attention was focused on the new 300, I followed Dr. Detier to the Dodge booth and laid my eyes on the future of all touring models, the Magnum. A car's name says a lot and the Magnum looks as aggressive as it sounds. It was hard to hide the excitement I felt about the Magnum. The styling of the vehicle draws attention and has made the vehicle popular among many young urban entrepreneurs and professionals. The SXT model I drove wasn't the Hemi version that rapper Fabolous had at the studio, but looking at his all white Magnum outfitted in 22in wheels with a kit, gave me ideas. The Magnum SXT comes with the 3.5 liter, V6 rated, 250hp courtesy of a four speed transmission. The SXT is also a hauler. The 24 valve engine produces 250lb-ft of torque. The Magnum is a multi-purpose thing of beauty that has styling cues which allow for customization. Talking with the man responsible for the design, Ralph Giles, he spoke of the Magnum being a cool car to drive that also has functionality to haul family and things. Riding on a full tank of the recommended mid grade fuel that gets you 19 mpg in the city and 27 on the highway, I took a trip in the SXT to New York to the premier party of the Speed Channel show, "Unique Whips," featuring Wil Castro of Unique Autosport. What I loved about the SXT was how fun it was to drive. The standard SIRIUS satellite radio is truly the future of radio programming. Shade 45 was my favorite channel, but with 120 channels the options are endless. Stations included range from folk music to talk radio, sports, comedy and everything in between. With 276 watts of power coming through the Boston acoustic speakers channel surfing never sounded better. The 41.8 inches of legroom in the front made my 6ft frame feel comfortable; and with 40.2 inches there was still great leg room for rear seat passengers. There is also an available 71.6 cu ft. of cargo room, making for more room than some standard SUV's. Beyond anything, the car has such a great energy about it and is definitely an attention grabber. When I stopped at traffic lights, people kept asking how I liked the car. "Is it the hemi? It must be fun." I have driven cars several times the price and have never had the same level of excitement I got from the Magnum. Starting at $21,870, the Magnum is affordable and, with available all wheel drive, a great alternative to an SUV. The SXT has traction control and antilock brakes. So, if you aren't off-roading, it will get you through most weather conditions. Overall, the SXT, the high output version of the V6, is a functional yet sporty hauler that is very cool to drive and will turn heads everywhere you go.

— **Damola**

EN000031

— Automotive Review —
2005 Lincoln Navigator



Long before there was Cadillac Escalade, the Lincoln Navigator was the standard for the full-size luxury SUV. Everyone wanted one, undoubtedly. It was a 300 horse-powered behemoth with three rows of luxury accommodations. These explicit features made the Navigator a favorite among athletes, actors, and entertainers. Entertainer P Diddy liked it so much he began negotiations for a Sean John edition.

Attention given to the Navigator died down after some time however, but, with the new re-designed version that debuted in 2003, the Navigator is back as the King of full-size SUV's.

I was impressed from the moment I opened the Navigator door. It has a one-of-a kind retractable running board with a new cockpit and the interior oozes luxury with Heavy Walnut Burl touches and Satin Nickel finishes. There is also a touch screen interface with a DVD based (voice-activated) navigation system that conceals a 6-disc in dash CD changer. The audio system, an optional Lincoln Soundmark THX-Certified system, produced excellent cabin acoustics. Even rear seat passengers are able to enjoy great music because the makers included a 7-inch rear entertainment system, with a built in DVD player and jacks to plug in other entertainment systems.

As I sat behind the wheel, the seats made of premium leather hugged my frame. The wood-grain steering wheel felt smooth to the touch, which made it easier to grip. Instantly, I knew I was going to enjoy this test drive.

The 2004 model I drove had a 5.4 liter, 300 power engine, sourced from the new F-150. This engine delivers 355 lb-ft of torque mounted to a four-speed automatic, requiring premium fuel.

The 2005 edition features the new six-speed automatic, sourced from the new XJ Jaguar. This engine requires regular octane fuel and saves a bundle on gas. Though the Navigator rides smoothly; for the rough outdoorsman; it is also a hauler and can tow up to 8,600 pounds. Loading cargo was a breeze with the one-touch power lift gate and the power folding third row seats.

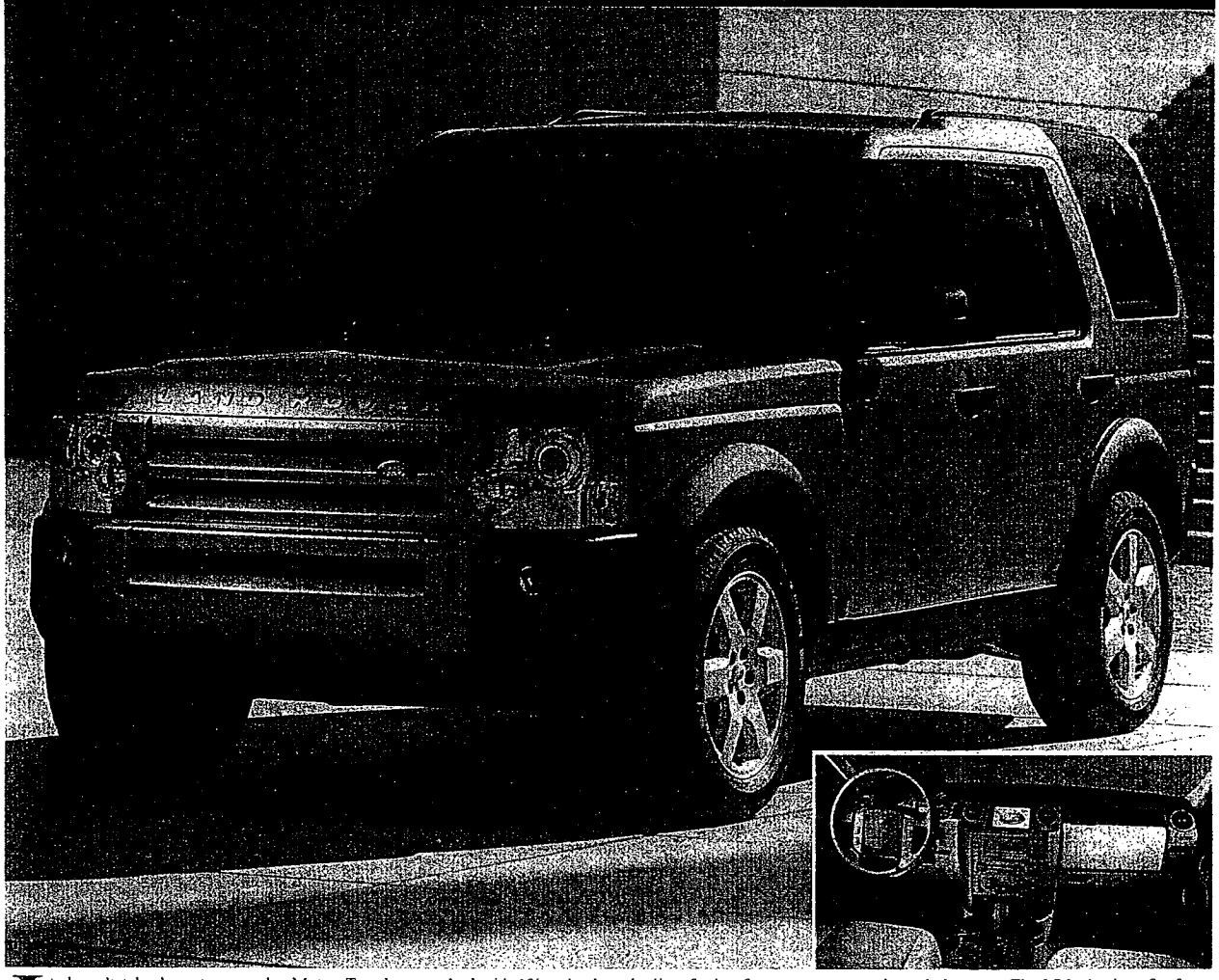
Standards for the Navigator 2005 model are HID headlamps and a chrome grille. The front fog lights and front fascia have been re-designed with a monochrome package lending to the aggressive appeal of the smooth beast. This model also caters to the safe-driver, including tire pressure monitoring and AdvanceTrac, a feature that exercises Roll Stability and smooth driving.

The Navigator is the only vehicle of its class to receive the 5-star crash rating four years in a row. With an endless list of available options and superior finish, it is easy to see why the Lincoln Navigator is simply the best full size luxury SUV today.

— **Damola**

EN000032

— Automotive Review —
2005 Land Rover LR3

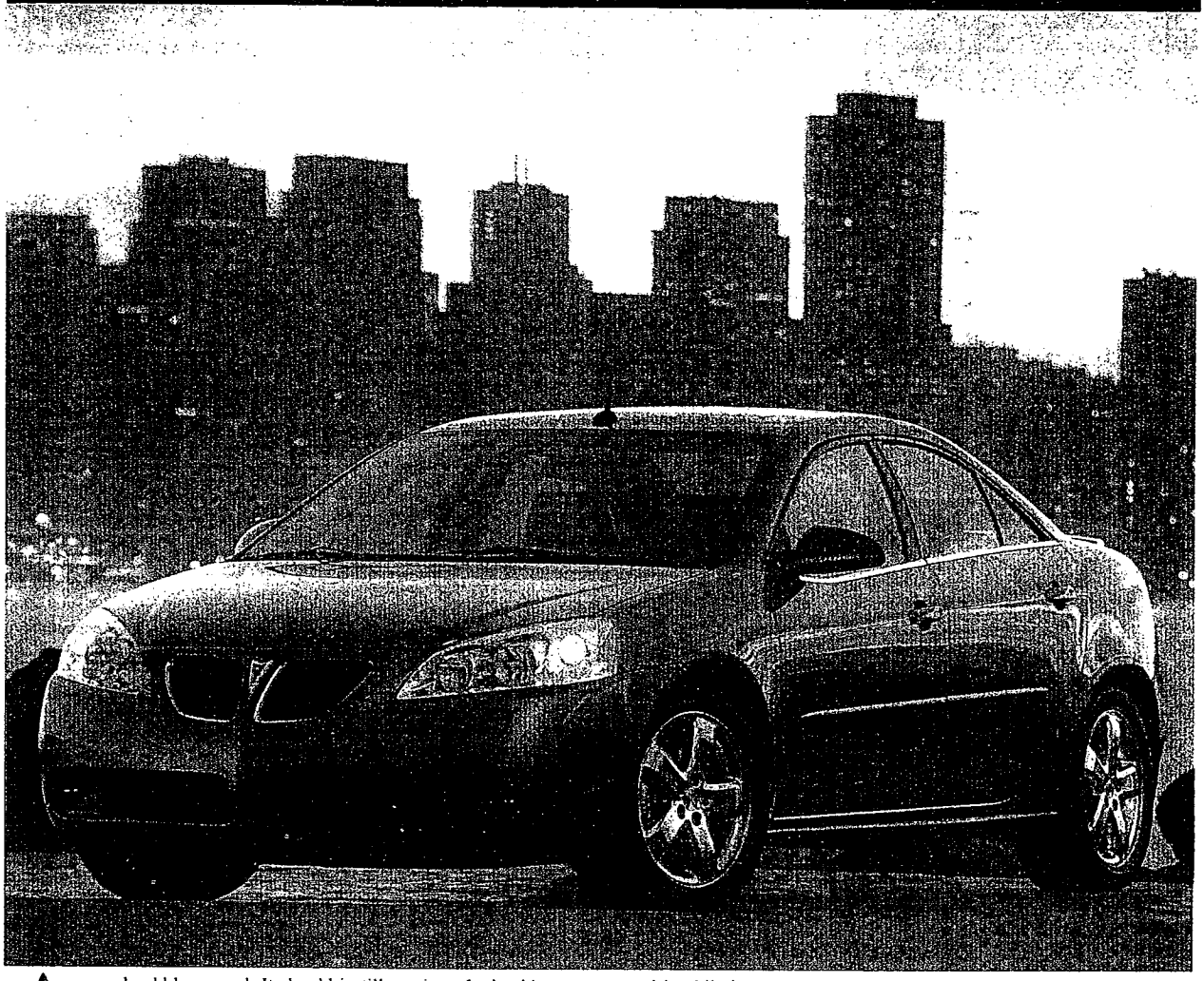


It doesn't take long to see why Motor Trend awarded their coveted SUV of the year award to the LR3. A totally new redesign of the Series II Discovery, the LR3 is a fine luxury SUV. The LR3 is the first vehicle wholly developed by the management team that took over Land Rover after Ford Motor Company purchased it from BMW/AG in 2000. The LR3 is a fine blend of class, leading in off road capabilities and excellent on road manner, which is a vast departure from the Discovery it replaces. I was awed by the styling which borrows from the flagship Range Rover and arrives in a somewhat compact package. The LR3, however, offers three rows of seating which the Range doesn't. Two standout features are the Bi Xenon headlamps and the classic grille in the front end. Side by side Foxy Brown's Range Rover, I can really see the design influence. In the redesign, engineers made great use of existing space without vastly increasing the size of the outgoing model. The HSE model that I drove comes standard with 19in wheels and a list of other features too long to list here, but can be viewed on the website www.landrover.com. I loved the acoustics of the 550 watt Harman Kardon digital surround AM/FM stereo audio system that has a 6 disc, in-dash CD changer and features 13 speakers! There are cup holders for all 7 passengers in addition to three sunroofs!!! There is a touch screen, DVD-based navigation system that also has a 4X4 info center to guide you on your off-road expeditions. The LR3 has full-time all wheel drive with Terrain Response that gives you choices of five different road surfaces: general driving, grass/gravel/snow, mud and ruts, sand, and rock crawl. Each surface choice automatically adjusts the height and suspension of the vehicle. Hill Descent Control is also standard. Thid feature allows the driver to control the rate of down hill descent. The amenities and the technology were helpful because during the test drive, there was a fair amount of snow in the area. By simply turning a knob, I was able to adjust my traction to maneuver through the snow. The LR3 also benefits from the excellent 4.4 L V8, 300hp, 315lb-ft tourque engine sourced from Jaguar. The truck has a very refined ride and I was able to accelerate smoothly with the six speed transmission, which allows you the ability to manually shift gears. The LR3 gets 14 mpg in the city and 18mpg on the highway and has a 22.8 gallon tank. For $49,330 the LR3 competes with the Escalade in the full size luxury SUV segment. But with it's proven off road prowess the LR3 has no peers. The only options on my tested model was the rear seat package, along with rear climate control and the cold climate package which adds a heated front windshield, heated front and second row seats, and heated washer jets. Simply put, with room for 7 adults, a powerful V8 and its award winning off-road capabilities, the LR3 is the best luxury SUV on the market.

— **Damola**

EN000033

— Automotive Review —
2005 Pontiac G6 GT

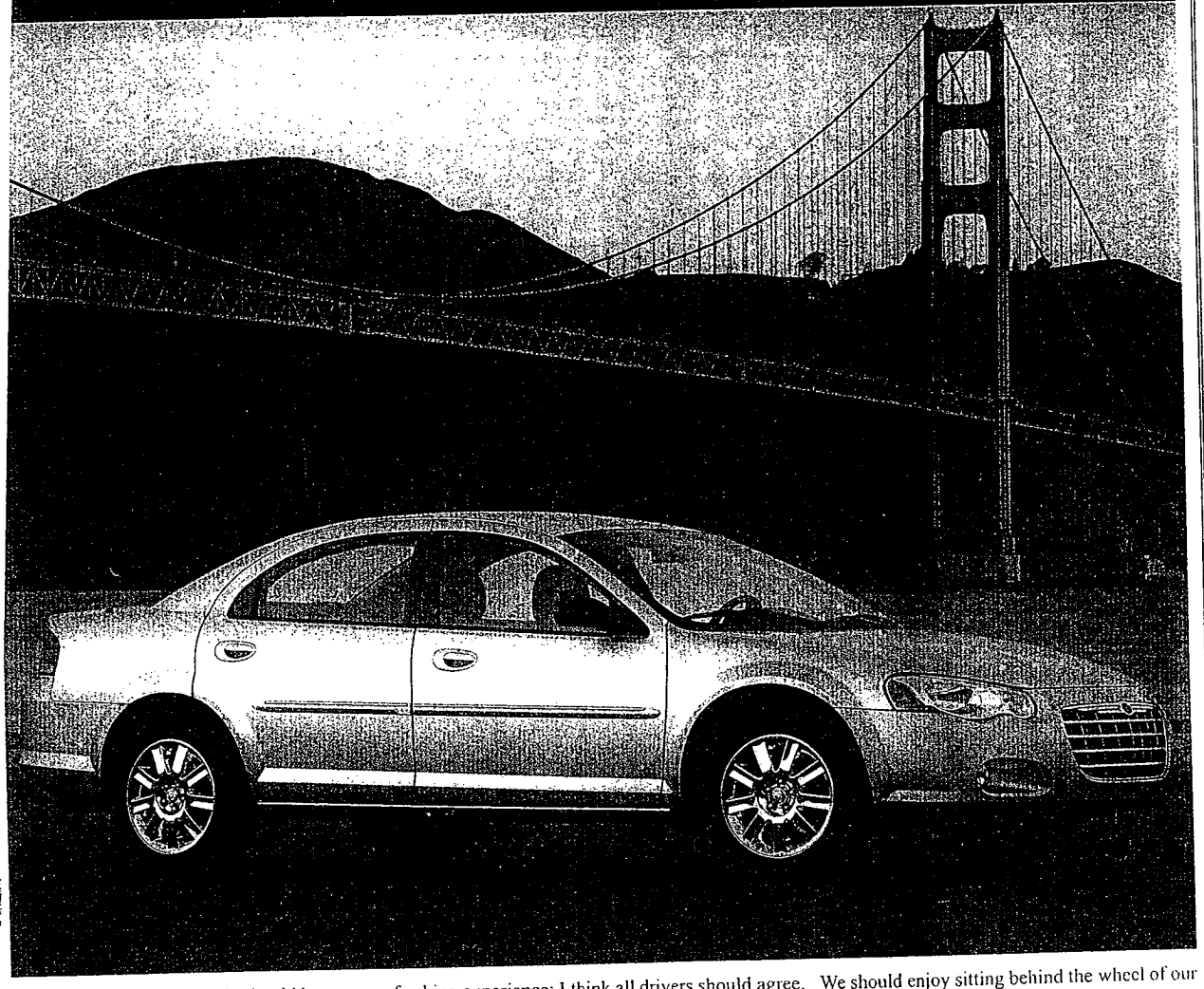


A car should have soul. It should instill passion. It should move your spirit while it moves your body from point A to point B. The all new Pontiac G6 is true to the tradition of fuel for the soul. Built on an all new chassis with a standard 4 speed automatic 3.5 L V6, which makes 220 lb-ft of torque, this car moves. I loved the styling. It came with a spoiler, fog lamps and 17 inch chrome wheels on a low-slung stance. The remote starter is a great feature that comes in handy in the cold of winter. I drove the GT model which comes standard with a long list of options including, 4-way adjustable seats, chrome exhaust tips and a rear spoiler. With the premium package, you can add a (6) disk CD changer, sunroof and Onstar. You get all this for roughly $2,300 more than the $23,300 base price. For an additional $1,365, you can also get the leather package, which adds heated 6-way power front seats and leather-wrapped steering wheel, shift knob and park brake handle. I really enjoyed the available XM Satellite radio with over 120 channels to choose from. I can tell satellite radio is the future. In such a sporty car, safety is important and though five star testing results aren't available because this is the first model year, the G6 comes standard with airbags for front driver and passenger and also has available side impact and head curtain air bags. I really loved the G6 and can't wait to see the new coupe and retractable hardtop convertible, which will be joining the line up later this year.

— **Damola**

EN000034

— Automotive Review —
2005 Chrysler Sebring Limited



Driving a vehicle should be a very refreshing experience; I think all drivers should agree. We should enjoy sitting behind the wheel of our own automobile, journeying across the town, state or country feeling as though we own the road. Unfortunately, most people become distracted while driving, resulting in an unmemorable experience. So easily, a pleasant drive, between man/woman and car, can lead to frustrated drivers, road rage and unpleasant commutes.

The makers of Chrysler took all this into consideration when making the mid-size Sebring Limited. The limited edition Sebring is a breath of fresh air and a wonderful daily transporter. It leads the ranks with a 200 horsepower, 2.7L, 24 valve-V6 engine. This Limited edition vehicle also comes equipped with lots of comforts, including: a standard leather wrapped steering wheel and knob shifter, a (6) disc in-dash changer is available along with a navigation radio system, an interior dash with easy to see, white dials outlined in metal, power (8)-way leather seating with preferred suede, (being a tall driver, I found this feature aided in finding a good driving position) and audio controls strategically positioned on the steering wheel to help keep the driver focused on the road ahead.

It measures up to any vehicle in its class with the basic comfort features of a sunroof, Anti-Lock Brake System(ABS) with low speed traction control and heated seats. The Sebring, which slots just below the Chrysler 300 in the line-up, is a very safe car receiving a five star frontal crash rating in 2003.

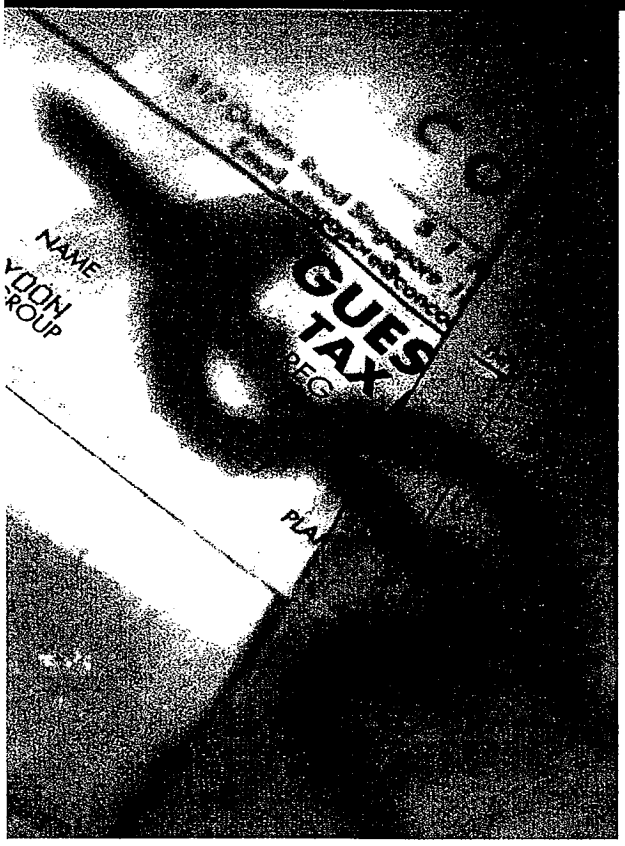
Overall, the Sebring Limited is a smooth drive and an excellent vehicle for the daily commute. It is a practical vehicle for any family and comfortable in performing all its duties.

— Damola

EN000035

SMALL BUSINESS

Tax Tips For Small Businesses



It's tax season. And for most normal working individuals this can be a joyous time, but for the business owner, this time of year can be a nightmare.

As a small business owner, I'm here to pass on some good news to the small entrepreneurs, and to dispel some myths.

Did you know that if your business grossed more then $400 in one year, you are required by the federal government to claim that money as income and file your taxes? But don't dismay, this is a good thing. Filing your taxes helps establish your business income. This is needed to accumulate credit and apply for bank loans. The government has lots of loopholes and benefits for the small business owner. Here are some suggestions:

• GET A TAX ID NUMBER.
Sure your social security number can be used, but obtaining a Tax ID is a simple process that can lead to the separation of your business income from your personal finances.

• KEEP CLEAR AND ACCURATE RECORDS.
You don't need to be an expert bookkeeper, but a simple hand written ledger will suffice. Record all the money you bring in and all the bills you pay out. It's not hard at all.

• SAVE YOUR RECEIPTS.
This is a blessing if you ever get audited. Get a box for storage. A shoebox or small photo box is good for starters. Next step...Store and categorize your receipts, popular catagories are, i.e.; supplies, expenses, gas. food, etc....You will find this small organizational technique will save your lots of time and unwarranted headaches.

• GET A SEPARATE BANK ACCOUNT.
If you have a Tax ID number, you can open up a bank account in your business name. Separation and organization are keys to a successful business.

• ASK FOR ADVICE.
Both the IRS and a lot of tax services offer free advice and help. Don't be afraid to ask questions, it's your money...

• DON'T BE CHEAP.
Go to a professional, or buy tax software. Turbo Tax is very user friendly and costs around $35. If you try to do your taxes yourself, you can sell yourself short.

• BE HONEST.
Some folks think that what Uncle Sam doesn't know won't hurt him. But actually, you're hurting yourself in the long run. No one wants to get audited.

Let's get started...

If you work full-time or part-time and have a side business, you will have to file a separate schedule to claim your business on your taxes. If your side business is just starting out, most likely it will be a total loss. That's okay. A loss deducts from your earned income and could mean a bigger refund. On the flip side, a gain doesn't necessarily mean less of a refund. Ask your tax preparer.

Also, if you work out of your home, or your apartment, then you can deduct part of your rent, or mortgage as expenses. The IRS determines the amount by the percentage of your home that you use for business. You can also deduct part of your Gas & Electric, Phone Bill, Internet use (if it's business related), and gas mileage. And if your business is anything like mine, you spend a ton. So take your time and write down all your business related-expenses. If you don't have actual figures, estimate within reason. Don't forget; write all your expenses, including supplies.

If your business is your sole source of income, you are entitled to deductions just like people who work 9 to 5. You are eligible for child tax credits, daycare expenses, etc; especially, if you are head of household. But remember, unlike people who work 9 to 5, you didn't pay taxes during the year, so the refund rules are a little different. Instead of receiving a refund, most likely you will receive a tax credit. That means you can earn up to a certain amount the next year without paying taxes. Your tax preparer can go more in depth with you on this subject. Also, your tax returns are legitimate sources to prove your income; keep them clear and precise.

Hopefully we have motivated you to file your taxes this year. Big businesses have always started out as small businesses. If you treat your small business as a small business, it will never grow. However, that doesn't mean you shouldn't take advantage of the opportunities that are out there. Until next time, think positive and watch that money! — **Jerri Wood**

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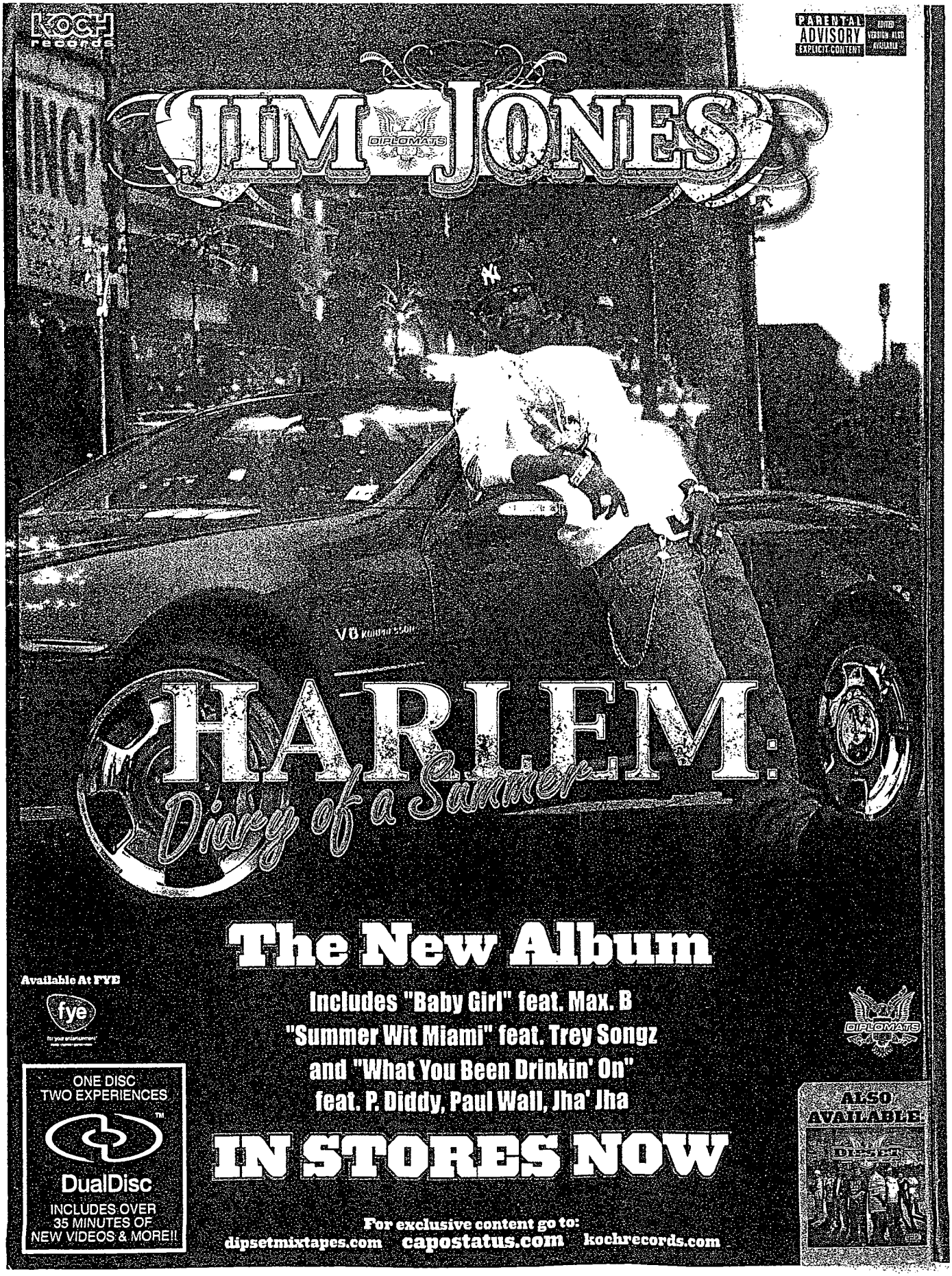
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EN000108

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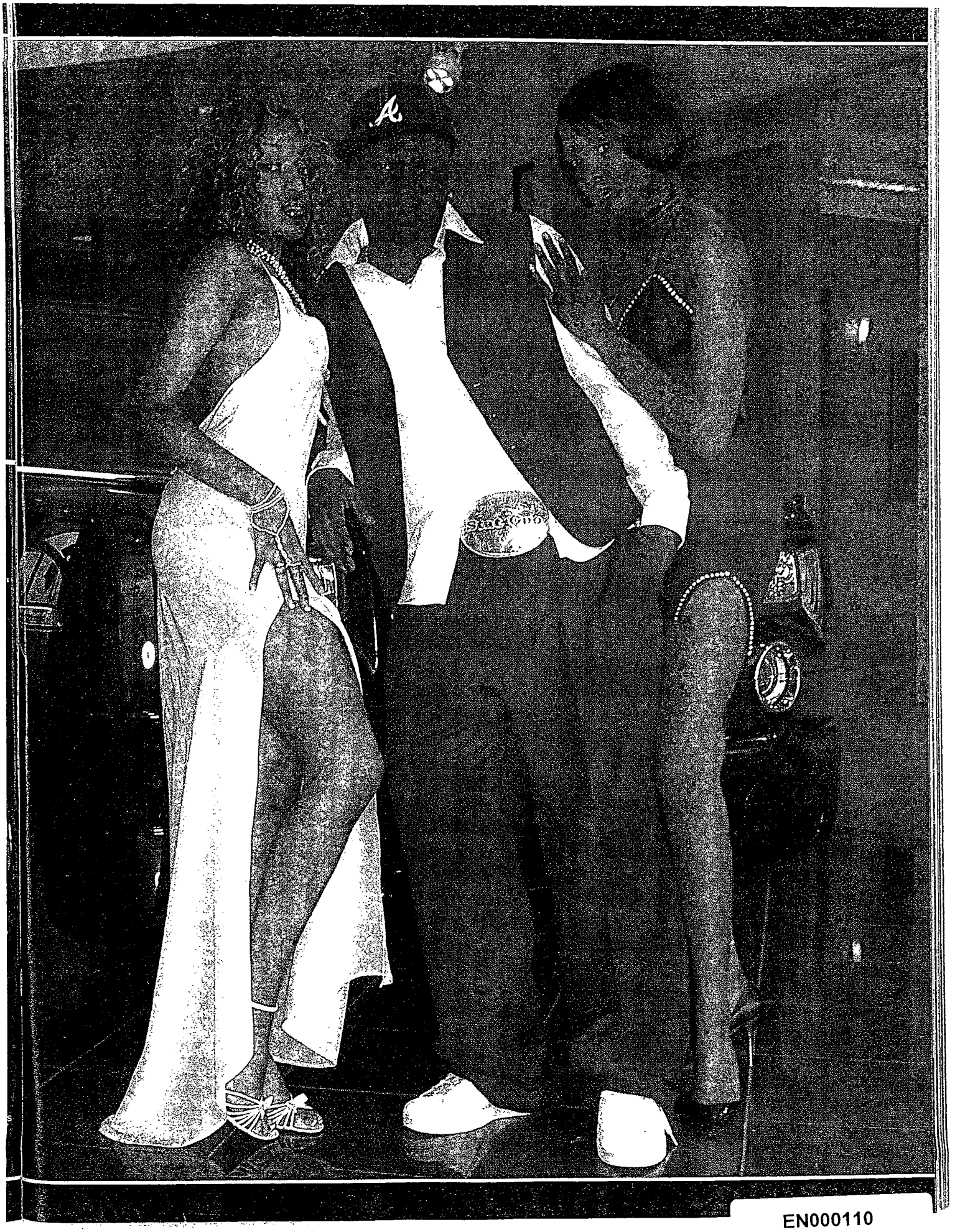


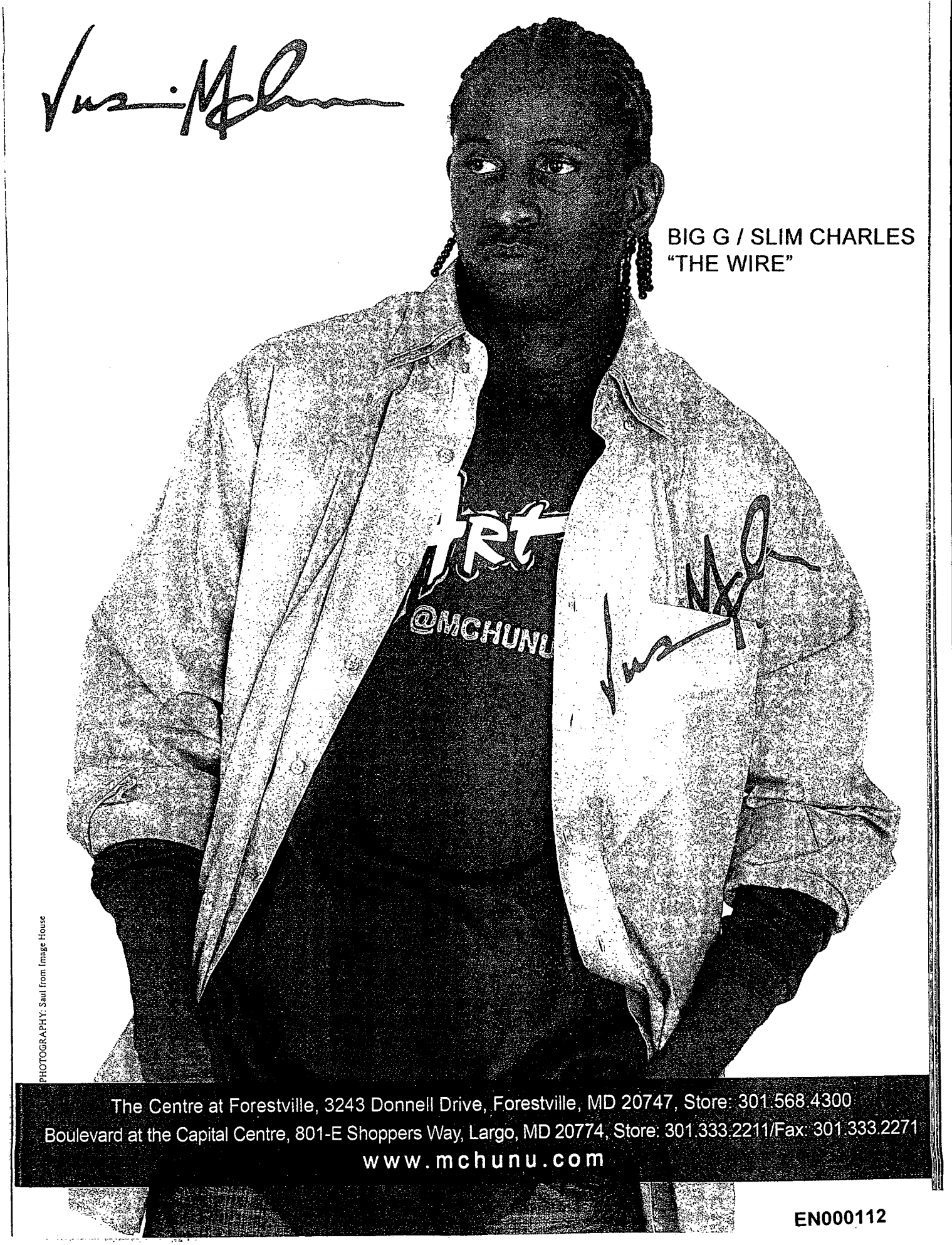
EN000110

"I'M VERY ACTIVE IN [STOCK] TRADING. I'M DEFINITELY FLIPPING THE HOUSES."

The money Stat received as an advance was invested because he already had purchased certain luxuries, such as a home and automobiles. "I'm very active in trading," states Stat. "I will suggest to anyone trying to get into the market to start out small, maybe with some annuities or mutual funds... 'cause you are investing in a whole industry, like electronics. It is a group of stocks. So, as the industry goes up so does the stocks." Wise indeed. But, what about the music he just got an advance for and what are his plans in the entertainment industry? Stat believes, "At the end of the day, you got to develop a brand. Like Rockafella is a brand, Jay-Z is a brand. G-Unit is a brand. So, Stat Quo and GMM (Grown Man Music) is going to be a brand." "You have to put that in people's head, then you can pretty much come out with anything once people are used to hearing about it." His brand surely is beginning to flourish around Atlanta. He has established several entities of GMM: Grown Man Movies is working on a movie right now, Grown Man Marketing does marketing campaigns for different artists around Atlanta, Grown Man Management, manages the careers of various artists. "It's just a big conglomerate," says Stat.

He is beginning to set up his unit for artists he is trying to bring into the game. Lt. Moe, a part of GMM, has four or five cuts done already on the future album. For the rest of the album, Eminem did a few and Dre produced a few. You will hear artists such as, DJ Toomp, Scott Storch, Three Six Mafia, Young Buck, Devin the Dude, Scarface, 50 Cent and Eminem on the anticipated album. It is apparent that Stat Quo is, "just trying to make history, especially with me being from the South."

Well, with the powerhouse team he has backing him, his business sense and his product, we have a strong feeling Stat Quo is going to be a name we remember for a long time.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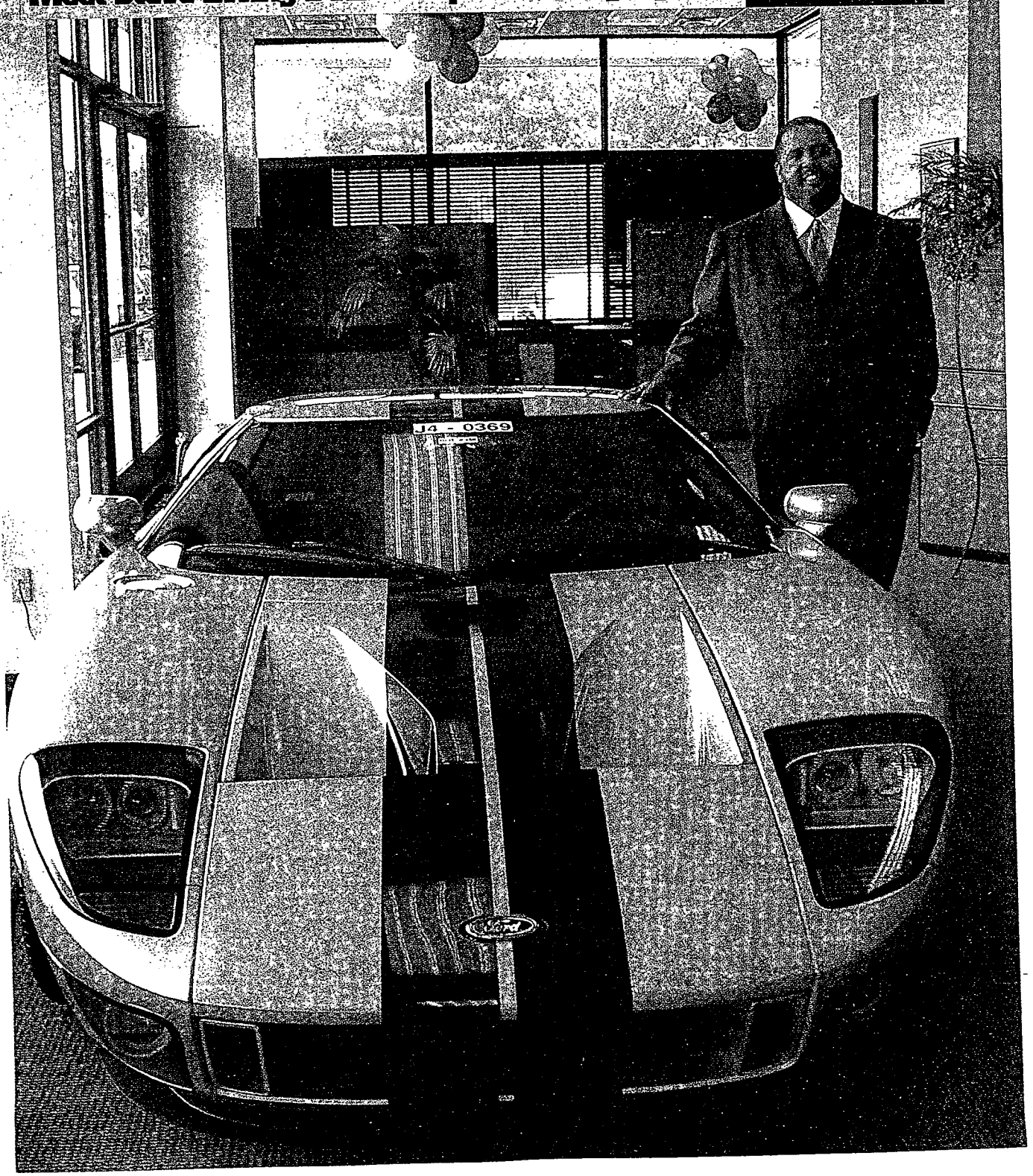
EN000112

Why Buy The Car When You Can Own The Dealership?

Meet Steve Ewing Dealership Owner By Age 29

INTERVIEW&PHOTO: Damola



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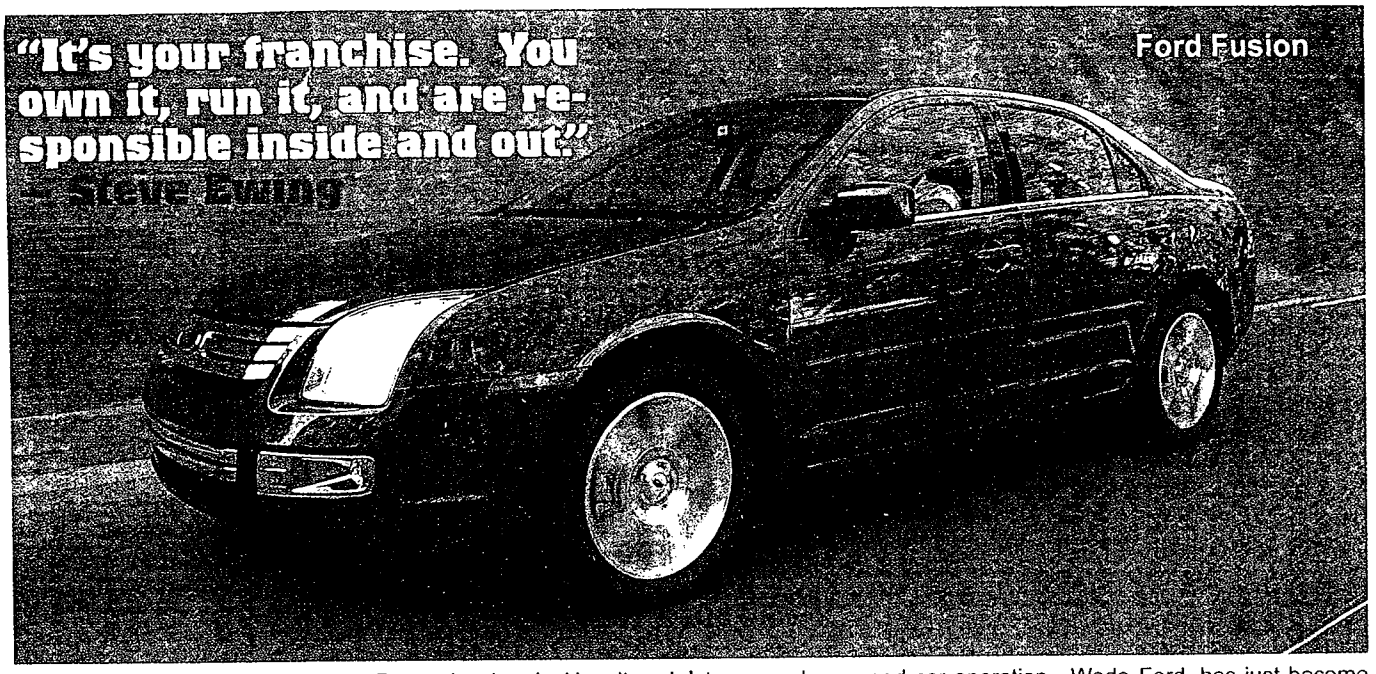


me another franchise in Hazelton, Pennsylvania. In Hazelton, I operated a Ford and Lincoln Mercury franchise. Soon after, Nissan began inquiring about me and offered me an opportunity to open up a chain with Nissan. We were growing and our business was growing. We were taking care of our customers and were being recognized by different manufacturers as an organization that could get the job done. I'm very proud of what we did.

How did you come to Atlanta?
One day, I was riding to work and my phone rings. A gentleman called me from Ford Motor Company and said, "Steve, you ever think about Atlanta?" He was not someone I knew very well. I became acquainted with him over the years. However, when I got the call, I got very excited. Shortly after, I traveled to Atlanta to talk to the gentleman who owned the franchise here in Atlanta. He and I were able to come to terms that this would be an opportunity for me to go into Ford Motor Company and express to them that I wanted to buy this dealership. This dealership had been in Atlanta since 1933. It had never been owned and operated by an African-American and it was around the area where I wanted to move and raise my family. So I was able to come down to Atlanta.

It's different than being in the mountains of Pennsylvania?
Yes, I sold all my franchises up in Pennsylvania. At the time, the only ones I had left were Nissan and Ford. We sold one in Hazelton, so I went back home and I had to figure out how I was going to pay for this one down here. One good thing was that I ran a good business that was worth a lot of money. Another good thing was that I had some people at Ford Motor Company who really respected the job I did and assisted me with making a smooth transition to acquire this franchise.

I guess this was a lot more money – a totally different league.
This one was much more pricier being in a metro area. The quality of life was a little greater. So I came home one day and asked my wife, "What do you think about Atlanta?" She was like, "Why, do we have to go there?" Then everybody else said, "I'm not really happy in Pennsylvania." I didn't necessarily like the environment that my children were going to be raised in because of certain values we have. So, we took a trip down to Atlanta. All it took was one trip, one good weekend down here together and it was over.
So, we built a brand new home and we expanded across the street to expand our used car operation. Wade Ford, has just become the second largest national distributor in the history of Enterprise Rent-A-Car. Enterprise would buy a high percentage of their automobiles for the nation through my franchise. Enterprise chose specifically my operation. One factor they liked most was the way our fleet department operated. The other factor was that they saw the value in having a diverse dealer. They had never had a national distributor that was an African-American. They saw that I ran a great business and wanted to be a part of the reinforcement. I was really excited because that's a brand new opportunity that has come into our lives. So, I was excited about what that is going to bring to us.

When Ford helps to put up the rest of the money, are you able to acquire that other part of the money?
Yes. What happens is, Ford basically lends you the money in a similar way that you would go to a bank. The only difference is that Ford knows their franchise and understands the franchise business. Where as an independent bank or a national bank may, specifically for start-up businesses, make it very difficult to lend money without having you go through enormous requirements to close a loan. Ford understands its their products and their services. They understand how to finance and capitalize the dealership. So, what has happened is under this program on an annual basis, you're buying down the debt. Which is the same as if you're paying off a loan. The difference is you are buying it through stock. So, every year you do the profit distribution, which allows you to buy down the amount of ownership that Ford owns via the stock. But it's your franchise. You own it, run it, and are responsible inside and out.

That's very interesting. With your background in the Communications field, such as journalism, English and Arts, how did you obtain your smart business sense. What goes into the operation of the dealership? How did you learn these different steps?
First of all, I gained experience by working. I worked for some guys who took the time to teach me. I came out of college and started working for the Chevrolet dealer. And these gentlemen had franchised before and were really good teachers. Importantly, they took the time. If I wanted to work hard they were prepared to teach me. I acquired a strong work ethic from my parents. I was working so hard, at that time, I really don't remember my 20s. I worked

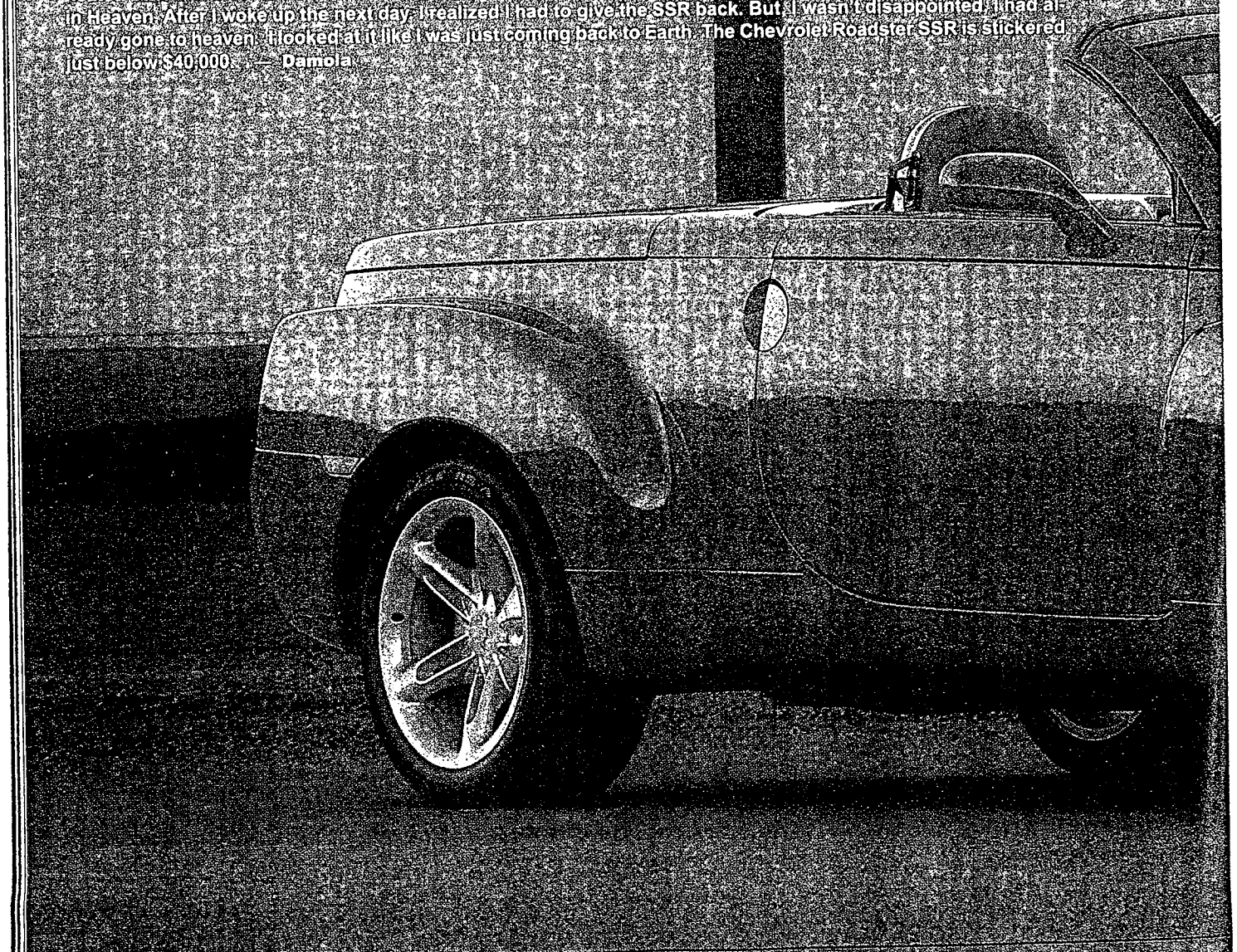
EN000114

MAYBACH EXELERO

CHEVROLET SSR

P [illegible] in the [illegible] horsepower was [illegible] considerable given the 400lb ft of [illegible] sound the chrome finished dual [illegible] is actually a truck. So, in es- [illegible] That's decent enough to tow a [illegible] sound nice? Well, it would have [illegible] to a celebrity event in New York City. Driving [illegible] Canary Yellow roadster.

[illegible] the SSR was all the rave! I quickly made company of two gorgeous [illegible] to be photographed next to the SSR. I let the automatic, retractable hardtop roof down. A [illegible] people, including the doorman just stood in awe. [illegible] I made a lot of friends that night and received all sorts of questions about the SSR. I had a great night. As I hit the highway going back home, reclined in that heated bucket leather seat with the stain finish staring at me and the top down and wind blowing, I felt as if I was in Heaven. After I woke up the next day, I realized I had to give the SSR back. But, I wasn't disappointed, I had already gone to heaven. I looked at it like I was just coming back to Earth. The Chevrolet Roadster SSR is stickered just below $40,000. — Damola



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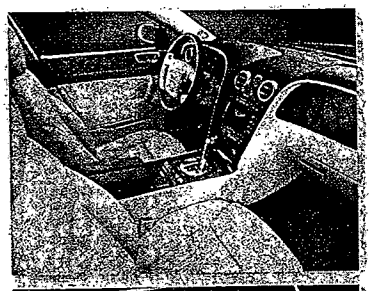
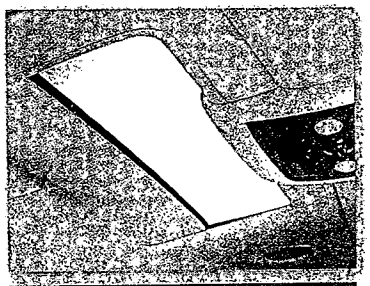
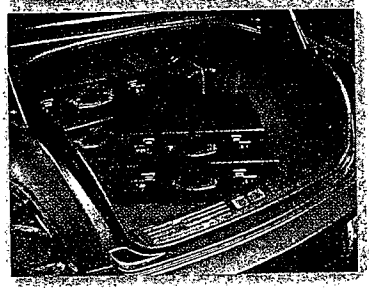
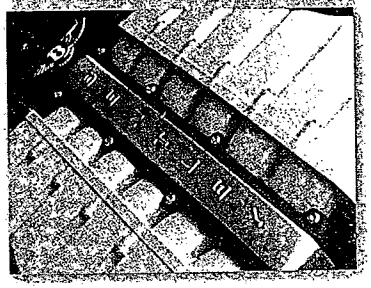
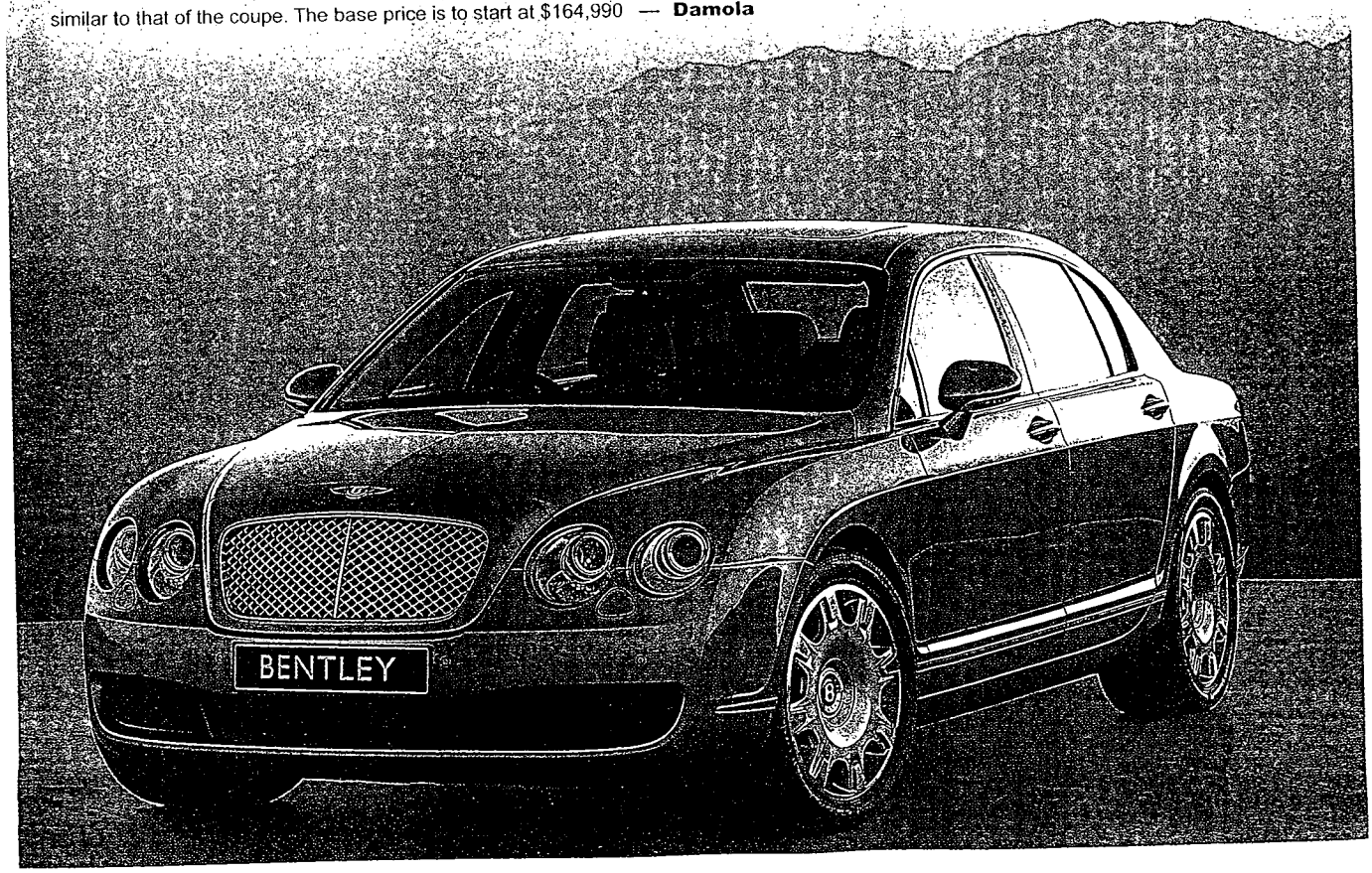
BENTLEY FLYING SPUR



Since its purchase by Volkswagen, AG Bentley has had the resources to lead the ultra luxury segment. With such plates as the Bugatti, Audi, and Lamborghini under the same umbrella, the Continental GT Coupe was the first offering. With over 5,500 sold worldwide in the past year, the Continental GT Coupe can be considered a smashing success. Based on the same platform as the Audi A8, the VW Phaeton it shared the same W-12 engine but with twin turbo it was able to increase output to 552 horses and 479lb-ft of torque from the 6.0 L engine. With 11 hides of leather and veneer woods all over, the Continental GT Flying Spur is based on the same platform. With an all-wheel drive system, the 5,456lb behemoth is moved from 0-60mph in under 5 seconds making it the fastest sedan in the World. Expect success similar to that of the coupe. The base price is to start at $164,990 — **Damola**



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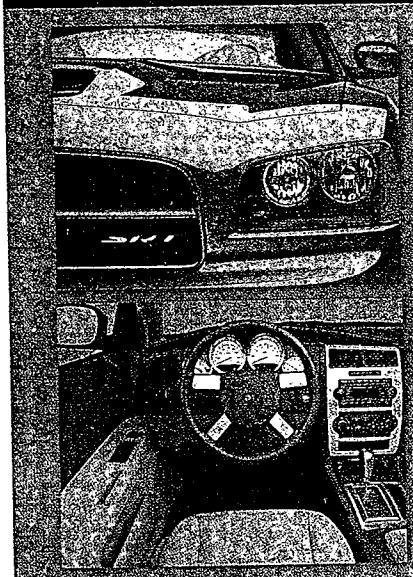
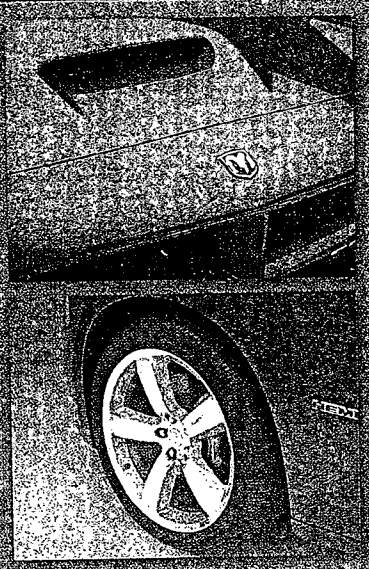
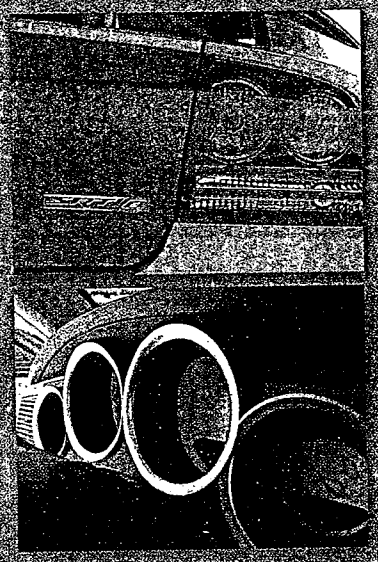
DODGE CHARGER SRT-8



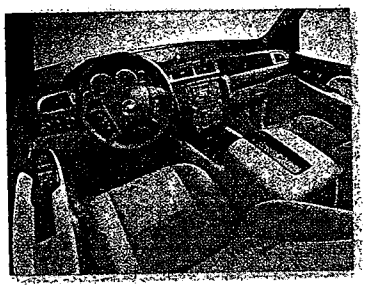


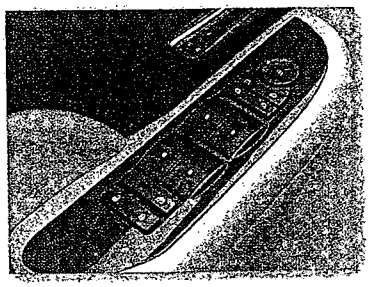


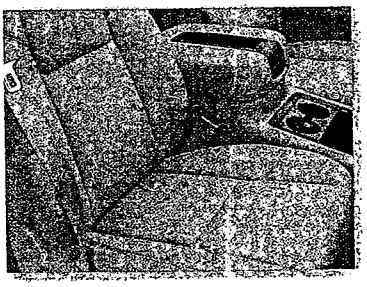
Following the tremendous success of last year's car of the year the 300 which went into history as the most awarded car comes the Charger, which is based on the same LX platform. The Charger shares the same Hemi but with sportier characteristics with the SRT-8 model adding a bigger displacement from 5.7 to 6.1 increasing horsepower from 340 and 350 on the RT and Daytona respectively to 425 with 420lb-ft of torque. The SRT-8 comes standard with brembo brakes, 20in aluminum forged wheels, a functional hood scoop and a more aggressive front end. Priced at 35,995 it is a steal. — **Damola**

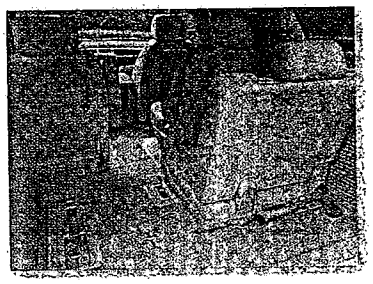
EN000118

CHEVROLET TAHOE









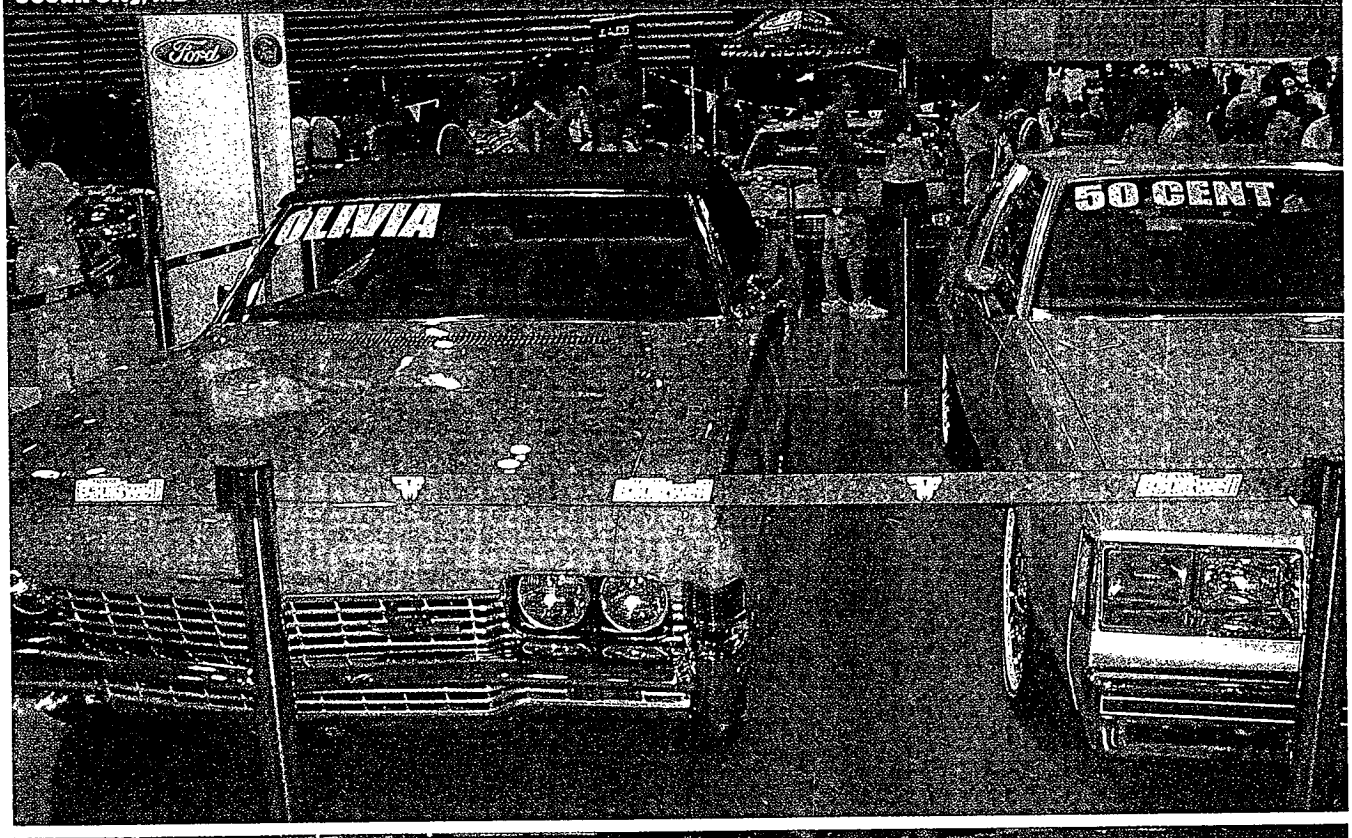
Debuting as the first in a series of new full size SUV's built on the GMT9000 platform, the 2007 Tahoe is a vast improvement over the previous GMT8000 series. With upgrades to the chassis and extensive enhancements to the interior it is hard to foresee any other truck surpassing it in the full size sales category. With the improvements in design, the engineers were also able to boost fuel economy. A 2007 Tahoe actually has a better mileage per gallon rating than a 2006 or earlier. The Vortec engine that displaces 320hp, from a 5.3L V8, is the top engine choice. The 5.3L also outputs 335lb-ft of torque. The 2007 Tahoe also debuts the Displacement on Demand Technology now available on GM Trucks. Pricing is likely to stay the same, in the mid-$30s, With a long list of amenities such as satellite navigation, a larger rear DVD entertainment system and a combined fuel economy of 20.5 mpg in the 2WD and 20.1 in the 4WD this SUV is bound to be the choice for any size family's travel needs. — **Damola**

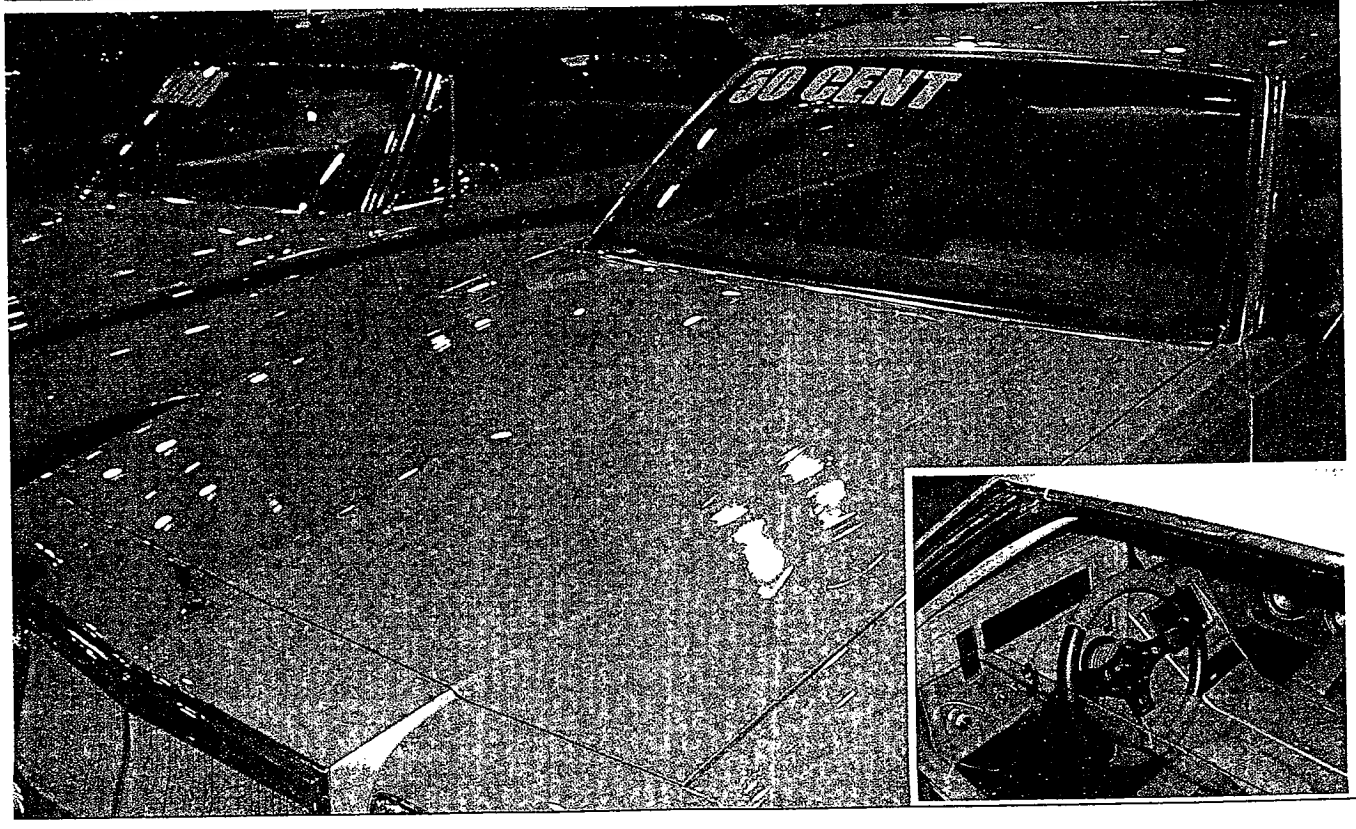
EN000119

Funk Master Fleetcar Show

Ocean City, MD

PHOTOGRAPHY: Damola





EN000120

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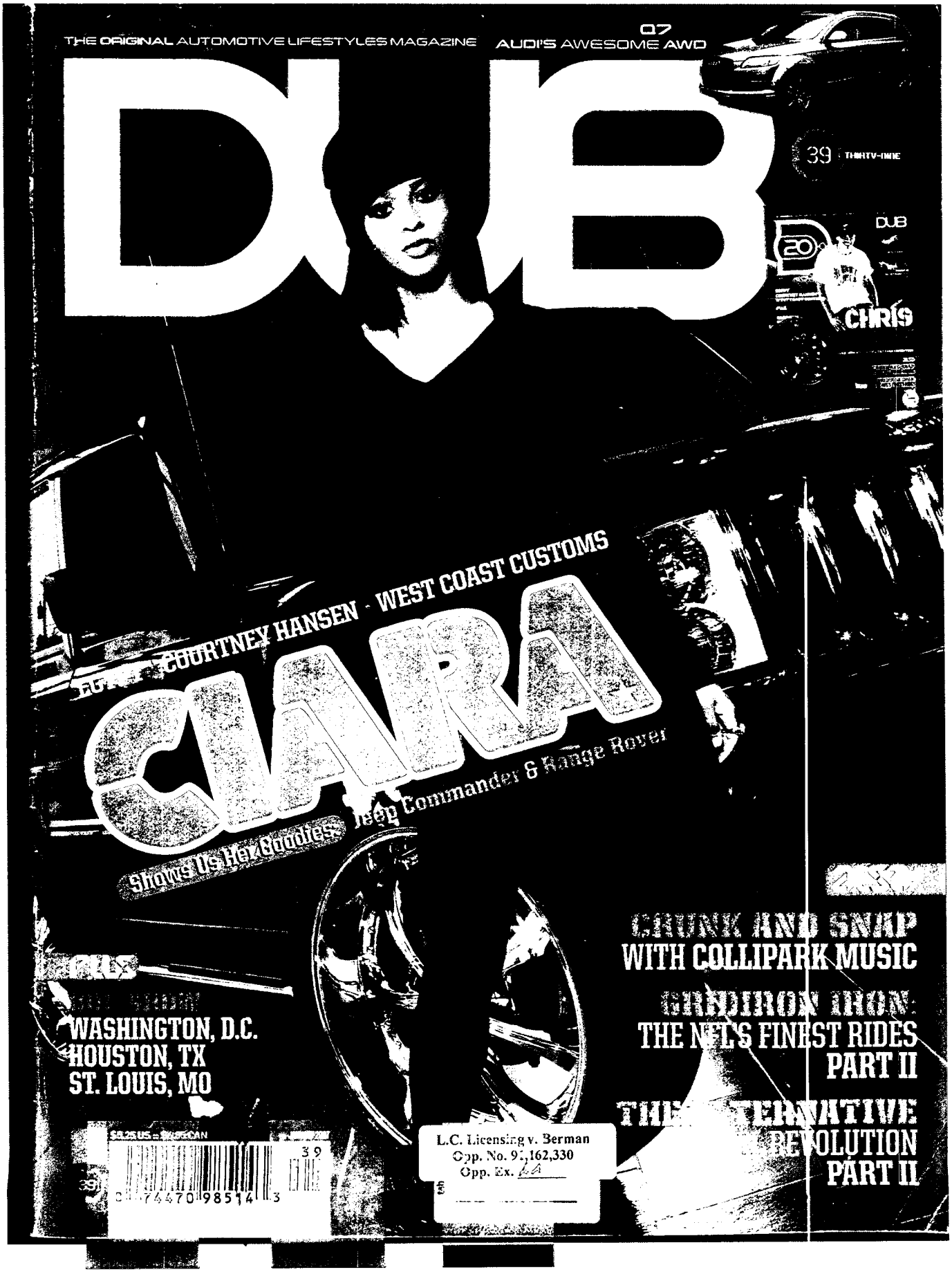
STAT QUO

MULTI-PLATINUM BOUND

EN000121



L.C. Licensing v. Berman
Opp. No. 91,162,330
Opp. Ex. 44

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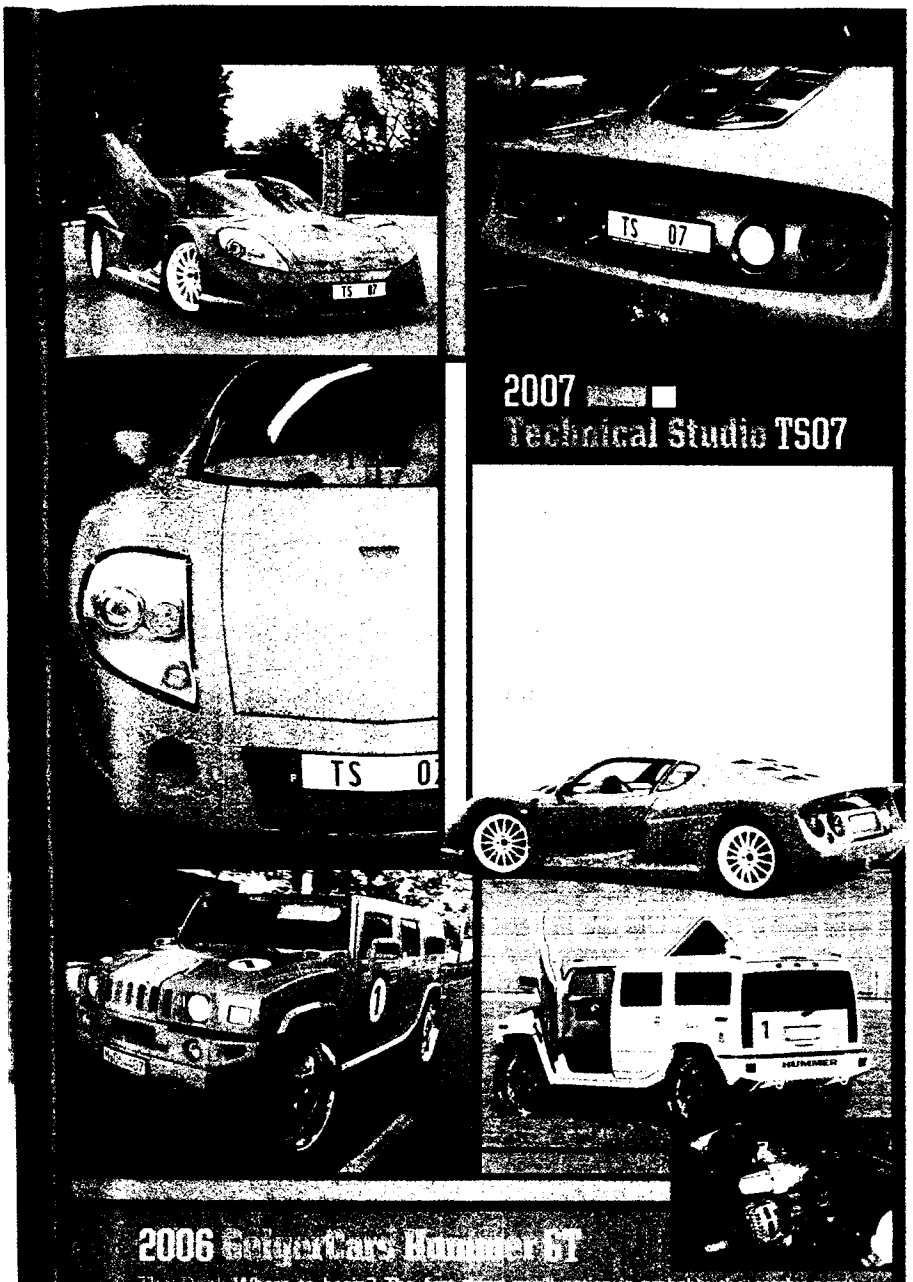


2007 Technical Studio TS07

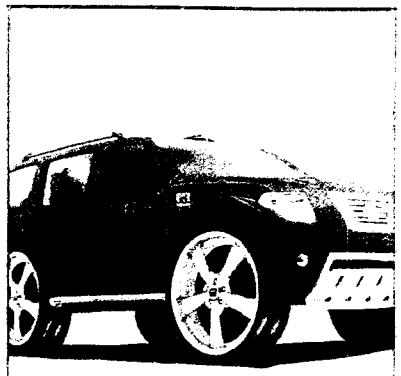
2006 GeigerCars Hummer GT

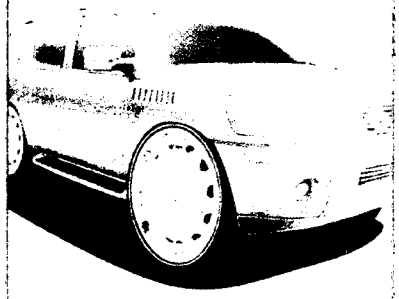
The Deal: Where to begin? The first thing you'll notice is probably the catchy paint job reminiscent of the Ford GT. Then, there are the gull-wing doors that can either open conventionally, or swing up. Wait a minute...are those? Yes, those are 30-inch Giovanna Caracas-8 wheels wrapped in Pirelli Scorpion Zero 315/30R30 tires. A GeigerCars high-performance brake system with 14.97-inch perforated and vented discs and eight-pot fixed calipers on the front axle provide deceleration performance when needed. The H2 was also lowered nearly 4 inches and equipped with sport sway bars for improved cornering. The interior includes carbon fiber accents, color-coded instruments and a thorough multimedia system. However, the real surprise lies under the hood, as GeigerCars upgraded the engine with a supercharger kit and exhaust system that includes special manifolds and a calibrated ECU. The result is 556 horsepower that takes the H2 from 0-60mph in 7.9 seconds.

Engine: 556-hp, 6-liter supercharged V8

Top Speed: 140 mph

Price: $250,526 and up





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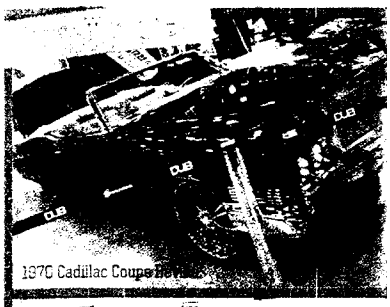
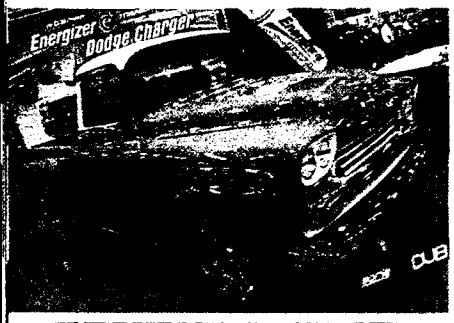
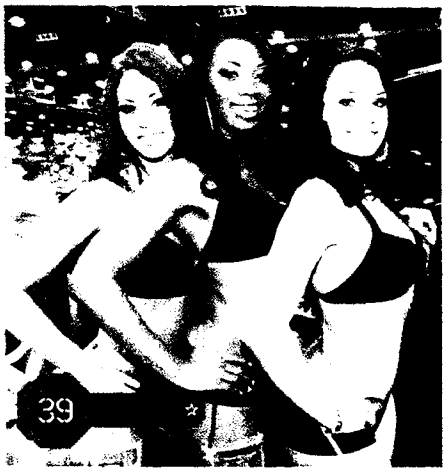
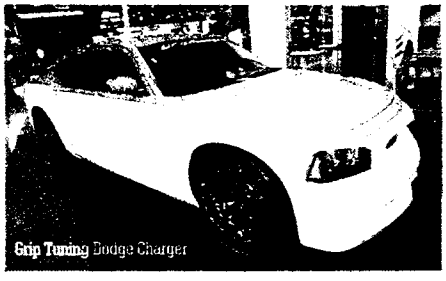


1970 Cadillac Coupe De...





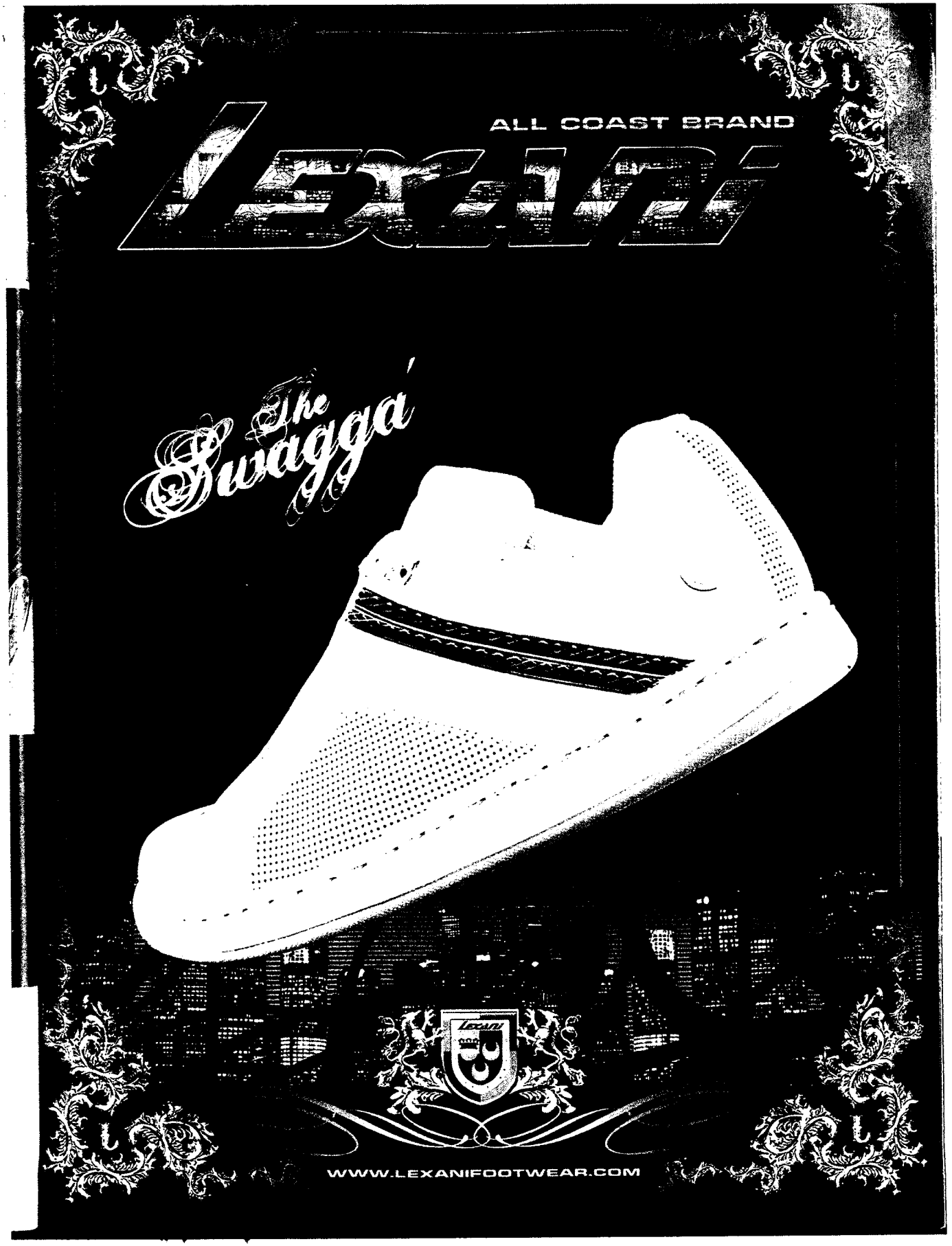
Rolls-Royce Phantom



Grip Tuning Dodge Charger

Custom Bass Hogg Outlawz Chopper

PEPSI
MIDNIGHT CLUB 3
DUB edition
mobile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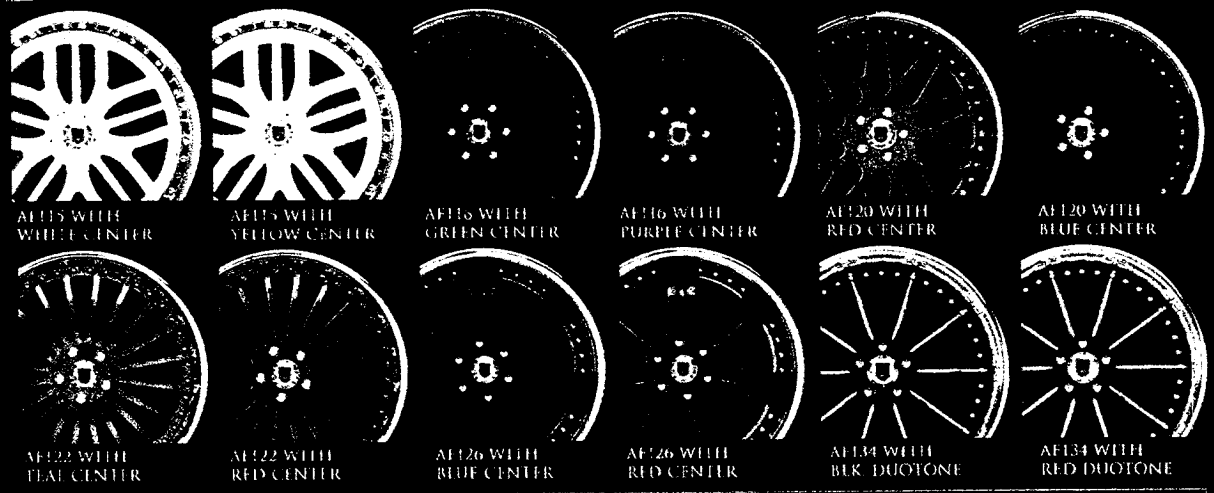

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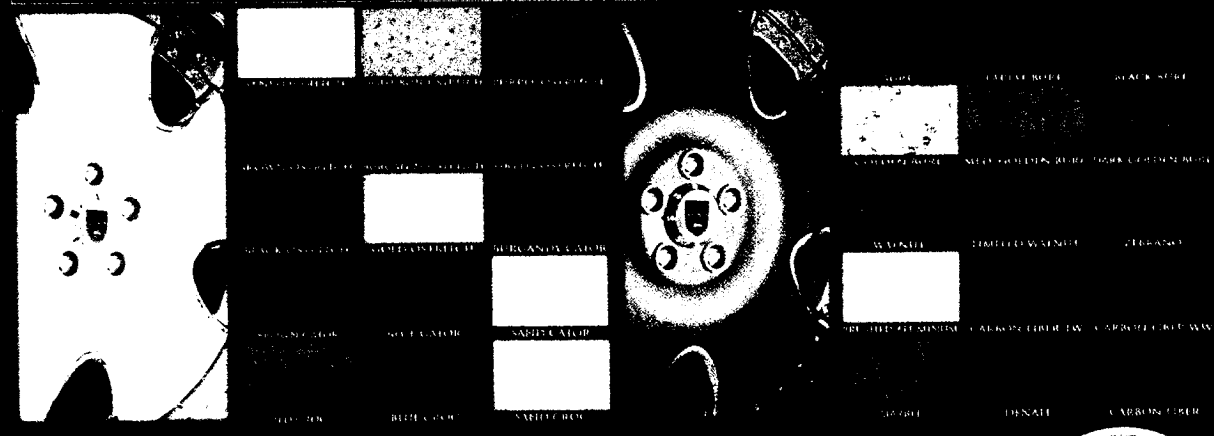

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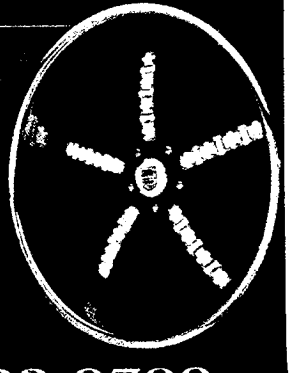

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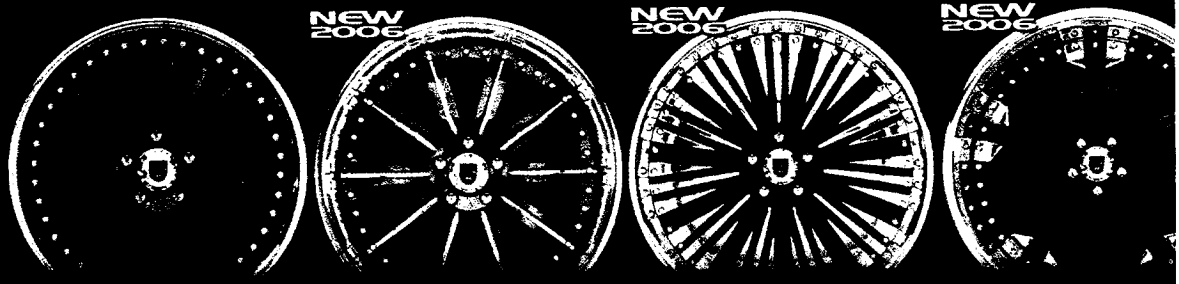
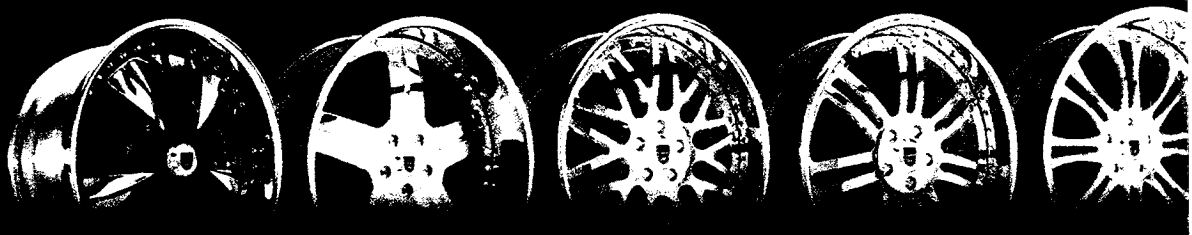


AF 122 Blk Center
19" • 20" • 22" • 24"

AF 134 Chrome w/Blk Accl.
19", 20" • 22" • 24" • 26"

AF 136 Chrome w/Blk Accl.
20" • 22" • 24" • 26"

AF 142 Blk w/Chrom
19", 20" • 22" • 24



AF 114 Spike

AF 118 18"-24"

AF 120 18"-24"

AF 123 19"-24"

AF 132 19"

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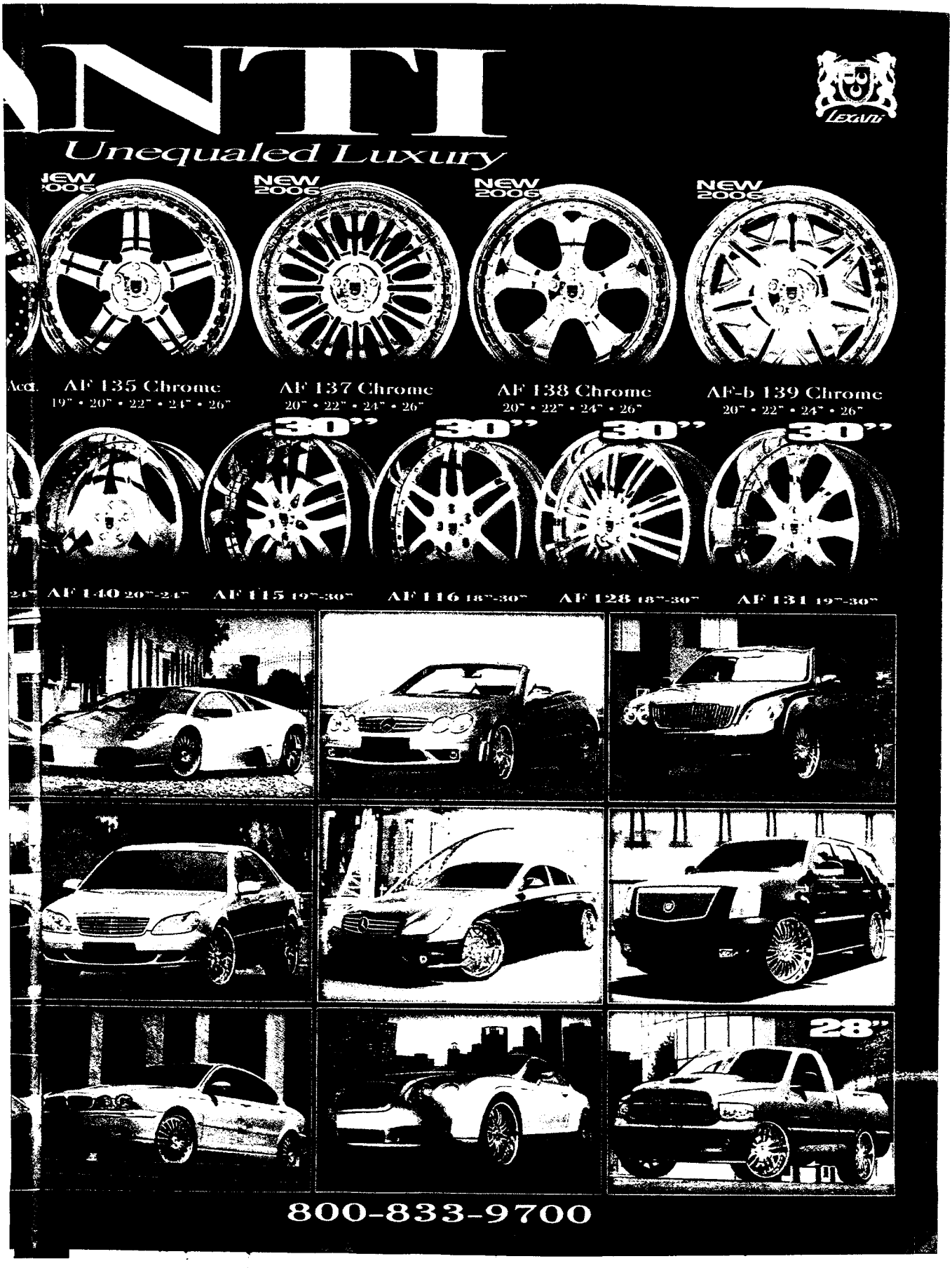
NTI
Unequaled Luxury
Lexani
NEW 2006
NEW 2006
NEW 2006
NEW 2006
AF 135 Chrome
19" • 20" • 22" • 24" • 26"
AF 137 Chrome
20" • 22" • 24" • 26"
AF 138 Chrome
20" • 22" • 24" • 26"
AF-b 139 Chrome
20" • 22" • 24" • 26"
30"
30"
30"
30"
AF 140 20"-24"
AF 115 19"-30"
AF 116 18"-30"
AF 128 18"-30"
AF 131 19"-30"
28"
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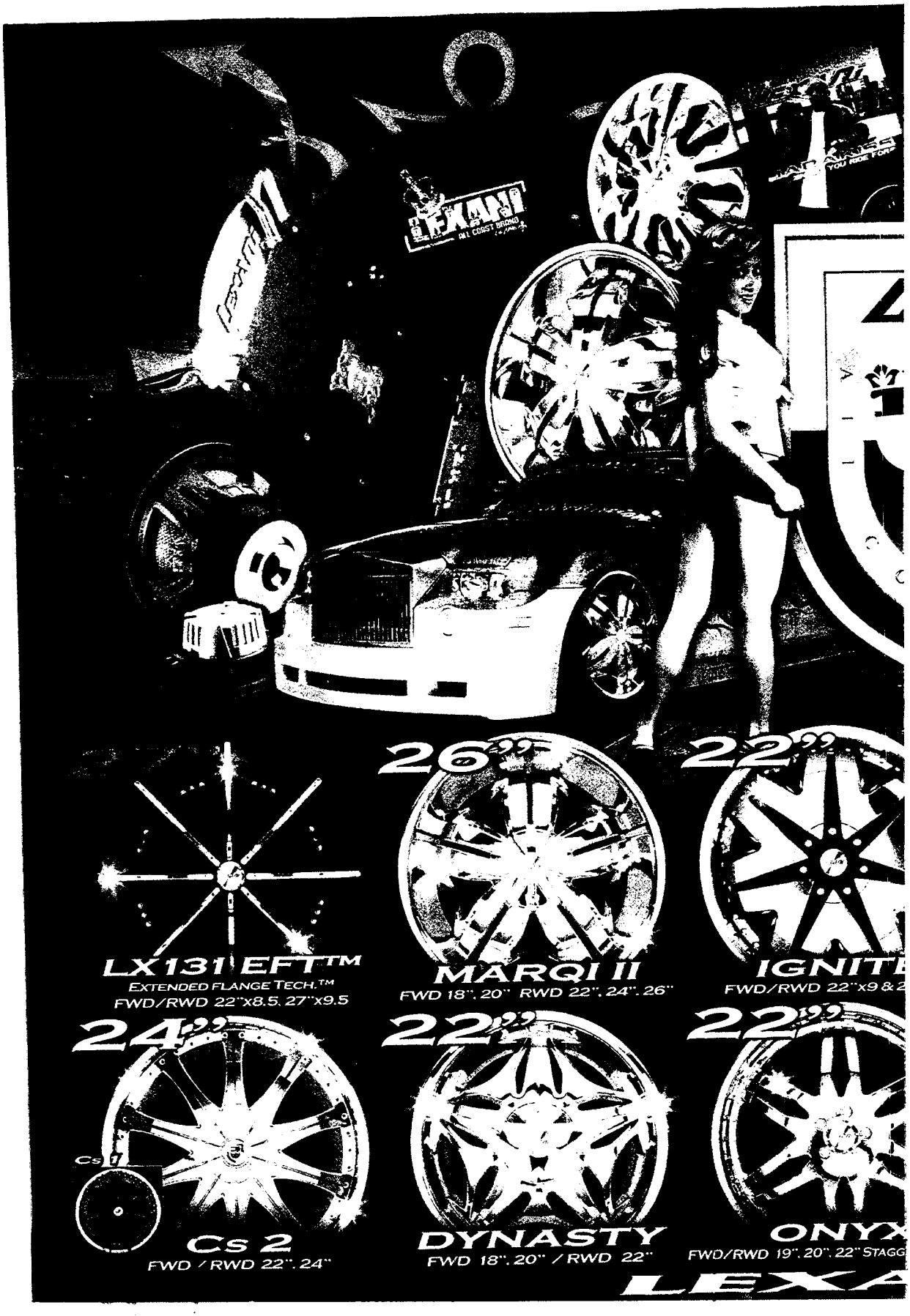
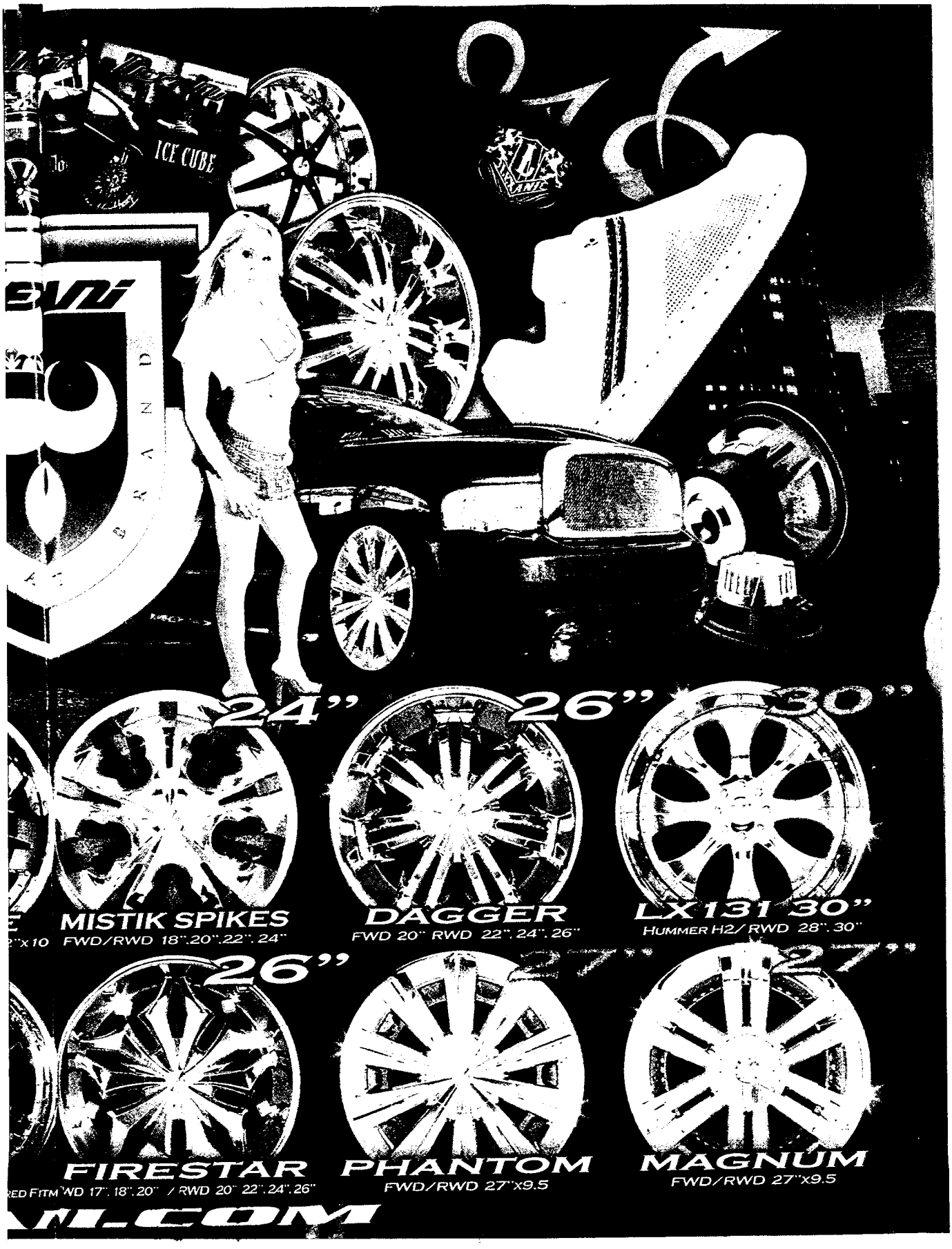
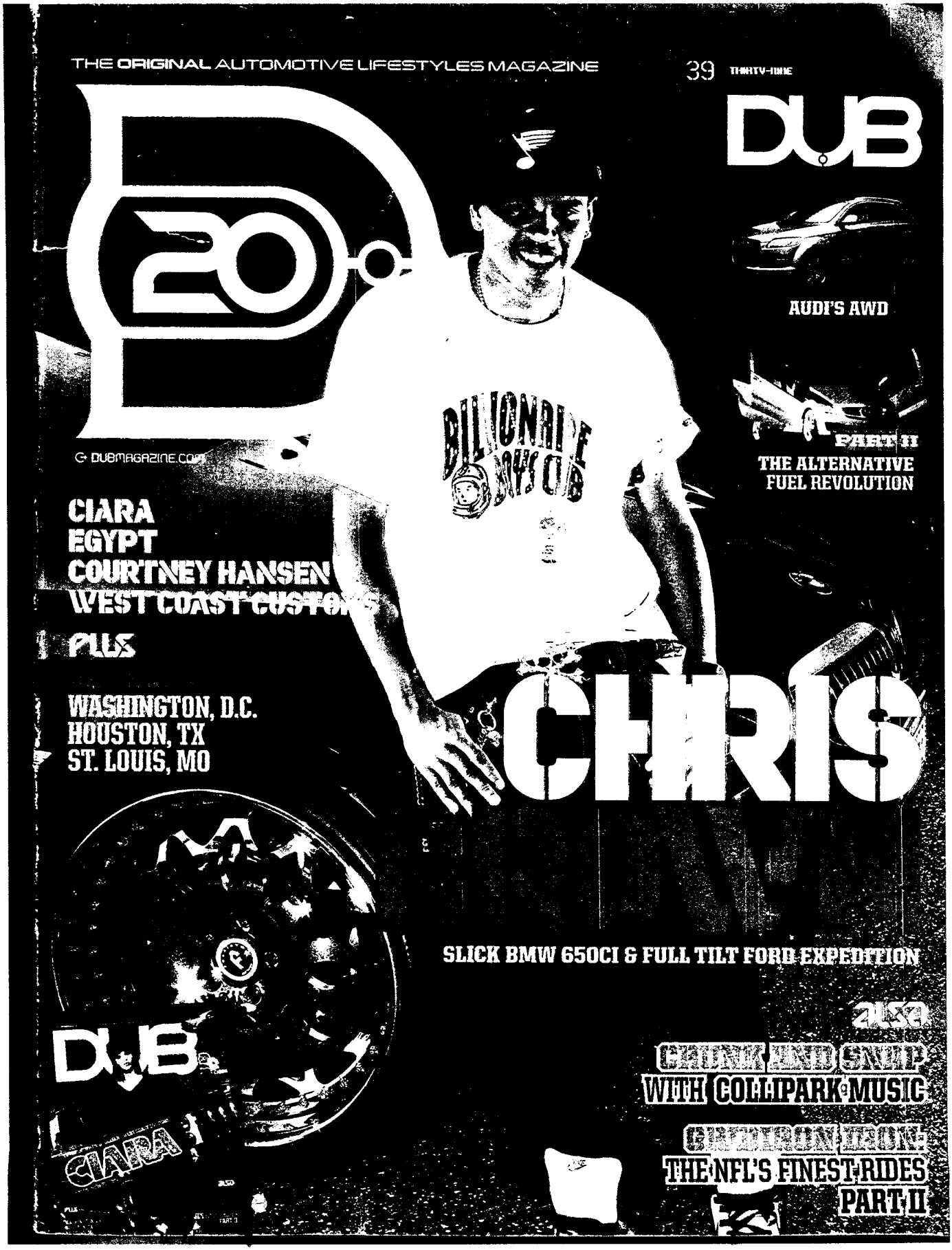

26"
22"
LX131 EFT™
EXTENDED FLANGE TECH.™
FWD/RWD 22"X8.5, 27"X9.5
MARQI II
FWD 18", 20" RWD 22", 24", 26"
IGNIT
FWD/RWD 22"x9 &
24"
22"
22"
Cs 2
FWD / RWD 22", 24"
DYNASTY
FWD 18", 20" / RWD 22"
ONYX
FWD/RWD 19", 20", 22" STAGG
LEXA


ICE CUBE
24"
26"
30"
MISTIK SPIKES
FWD/RWD 18",20",22", 24"
DAGGER
FWD 20" RWD 22", 24", 26"
LX131 30"
HUMMER H2/ RWD 28", 30"
26"
FIRESTAR
FWD 17", 18", 20" / RWD 20" 22", 24", 26"
PHANTOM
FWD/RWD 27"x9.5
MAGNUM
FWD/RWD 27"x9.5

20 YEARS
STRONG
MARC ECKŌ
Cut & Sew
1986-2006
S
L
LOT No.
72
Style


THE ORIGINAL AUTOMOTIVE LIFESTYLES MAGAZINE
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DUB
AUDI'S AWD
PART II
THE ALTERNATIVE FUEL REVOLUTION
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ST. LOUIS, MO
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also
CRUNK AND SNAP WITH COLLIPARK MUSIC
GREEN ZONE
THE NFL'S FINEST RIDES PART II

Ref. No. 27153.001

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

In the Matter of Application Serial No. 78/320,850
For the Mark ENYCE
Filed: October 30, 2003

L.C. LICENSING, INC.,	:	
Opposer,	:	Opposition No. 91/162,330
v.	:	
CARY BERMAN,	:	
Applicant.	:	

OPPOSER'S SEVENTH NOTICE OF RELIANCE
PURSUANT TO TRADEMARK RULE 2.120(j)

Pursuant to Trademark Rule 2.120(j), Opposer L.C. Licensing, Inc. and hereby gives notice of its reliance upon the following portions of the transcript of the discovery deposition of Applicant Cary Berman held on June 29, 2006, with exhibits, as set forth below.

Transcript References

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page 5, line 7 to page 10, line 7

page 10, line 13 to 22

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "**Express Mail** Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on

December 21, 2006 (Date of Deposit)

Antoinette Jorge (Print name)

(Signature)

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Exhibits

Exhibits A, B,C, D, E, F, G H, I, and J

Copies of the referenced pages and exhibits from the deposition transcript are attached hereto.

Dated: New York, New York
December 21, 2006

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: _____
Kieran G. Doyle
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

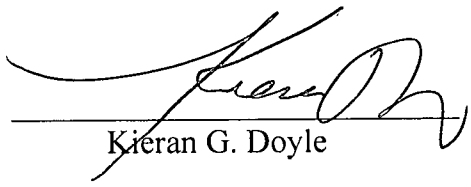
TO:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S SEVENTH NOTICE OF RELIANCE PURSUANT TO TRADEMARK RULE 2.120(j) to be served on December 21, 2006 upon Applicant by first class mail, postage prepaid to Applicant at the following address:

Cary Berman
1917 Lafayette Road
Gladwyne, PA 19305



Kieran G. Doyle

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

LC LICENSING, INC.,	)	
	)	
Opposer,	)	
	)	Opposition No.
vs.	)	91/162,330
	)	
CARY BERMAN,	)	
	)	
Applicant.	)	

COPY

DEPOSITION OF CARY BERMAN
New York, New York
Thursday, June 29, 2006

Reported by:
FRANCIS X. FREDERICK, CSR, RPR, RMR
JOB NO. 7718

June 29, 2006

12:28 p.m.

Deposition of CARY BERMAN, held at the offices of Cowan Liebowitz, 1133, Avenue of the Americas, New York, New York, pursuant to Notice, before Francis X. Frederick, a Certified Shorthand Reporter, Registered Merit Reporter and Notary Public of the States of New York and New Jersey.

A P P E A R A N C E S:

COWAN LIEBOWITZ
Attorneys for Opposer
1133 Avenue of the Americas
New York, New York 10036
BY: ARLANA S. COHEN, ESQ.
KIERAN G. DOYLE, ESQ.

CARY BERMAN
Appearing Pro Se
1917 Lafayette Road
Gladwyn, Pennsylvania 19035

C A R Y B E R M A N, called as a witness, having been duly sworn by a Notary Public, was examined and testified as follows:

EXAMINATION BY

MS. COHEN:

Q. Mr. Berman, I'd like to show you the Notice of Deposition which is the reason why you're here today which is to take your deposition in the captioned case entitled LC Licensing versus Cary Berman concerning your application to register the mark ENYCE. This is the Notice of Deposition and you understand that that's what you're here for.

A. This appears to be the Notice that I had received, yes.

MS. COHEN: I'm going to mark this as Opposers Exhibit A.

(Opposer's Exhibit A, Notice of Deposition, marked for identification as of this date.)

BY MS. COHEN:

Q. Mr. Berman, we understand you are not here appearing with counsel. That's

Q. Do you understand the general rules of a deposition?

A. As an individual. Not in a legal sense as I'm not an attorney.

Q. Okay. So I'm simply saying that if you don't understand a question just -- you can answer, please, I don't understand the question. You should answer yes/no questions as opposed to guessing. And you should stop and think about your answers appropriately.

Do you understand?

A. I understand.

Q. Mr. Berman, can you state your home address, please?

A. 1917 Lafayette Road, Gladwyn, Pennsylvania, 19035.

Q. And what is your highest level of education that you have received?

A. I graduated college with a

bachelor of science.

Q. In what year?

A. 1982 -- 1981? 1982.

Q. And what was your first job after graduation?

A. I worked selling for Adolfo Active Sportswear.

Q. And meaning -- when you said I work selling, was that a salesman position?

A. Management/sales.

Q. And where were they located?

A. 1411 Broadway.

Q. And what kind of items did they sell?

A. Warm-up suits. Short-sleeve shirts. Shorts. Swim trunks. Stuff like that.

Q. And this was all men's clothing?

A. Men's and women's.

Q. When you were with them, did you travel to customers or in any -- with regard to the job?

A. Yes.

Q. And would you visit with the

buyers of particular retailers? Is that what you did when you traveled?

A. Yes.

Q. Did you travel to any trade shows as well?

A. Yes.

Q. And what trade shows were they?

A. Various clothing trade shows with different names.

Q. Did you go to MAGIC?

A. Yes.

Q. What was the last year if you recall with Adolfi that you attended MAGIC?

A. '84. Maybe '85. Something like that.

Q. And when you were with Adolfi did you read any industry publications?

A. Yes.

Q. And what publications were those, if you can recall?

A. WWD and DNR.

Q. After the Adolfi -- excuse me. When approximately did you leave the Adolfi position?

C. BERMAN

A. Sometime in the mid '80s.

Q. And what was your next position after that?

A. I was a partner at a company called Active American Apparel.

Q. When you say a partner is that a company that you formed or started?

A. Yes.

Q. And what was the type of products that Active American Apparel sold, if any?

A. Similar products to the Adolfo products.

Q. And was there a brand name under which the products of Active American Apparel were sold?

A. Yes.

Q. What was that?

A. Givenchy.

Q. Can you spell that?

A. G-I-V-E-N-C-H-Y.

Q. And was that a name that was licensed or owned by the entity?

A. Licensed.

Q. And who was the license from?

A. Hubert de Givenchy originally. And then he sold it to another company who became the licensor.

Q. And the license was for the similar type of items of apparel that you had listed as to Adolfi.

A. It was only men's though.

Q. Okay. As a partner what was your role in the company as opposed to I assume your partner's role if you --

A. We all pretty much shared all the tasks.

Q. Did you continue doing sales?

A. Yes.

Q. Did you continue doing -- strike that.

Did you work in marketing?

A. Yes.

Q. Did you do any sourcing?

A. Yes.

Q. In terms of sales do you recall any of the stores or chains that you sold the products into?

A. I do. But they probably are no

longer in -- most of them are no longer in existence. Department store chains that have been gobbled up and there's a couple probably still around. Macy's. But most of the names are no longer around. If you would like me to rattle some off --

Q. And did you travel to trade shows with Active American Apparel?

A. Yes.

Q. And about how many trade shows a year did you attend?

A. Quite a few. But I don't recall. Quite a few.

Q. Did you go to MAGIC with Active American Apparel?

A. Yes.

Q. Did you advertise in any particular publications?

A. In conjunction with -- there was a portion of the licensing fee that was attributed to advertising. So the advertising was done in conjunction with the whole corporate structure.

Q. Do you recall how many years the license for the Givenchy trademark was granted for?

A. No. I do not recall.

Q. Did you continue to sell under the Givenchy name, let's say, for -- till 1990?

A. I left the company in 1990. The business continued without me. It was -- I left in 1990.

Q. And at the time you left they were still, to your recollection, still selling Givenchy brand apparel.

A. Yes.

Q. Were you ever involved in an intellectual property litigation?

A. Yes.

Q. Do you recall what kind?

A. Yes.

Q. I will. First I want to show it to you. The Answers to Opposers First Set of Interrogatories to Applicant. And I will show you the one we were speaking of was your answer to number 33 which appears on page 5.

Is this a copy of your answers to the interrogatories if you recall?

A. It appears to be.

Q. Okay.

MS. COHEN: Can we mark this then as Opposer's B.

(Opposer's Exhibit B, Answer to Opposer's First Set of Interrogatories to Applicant, marked for identification as of this date.)

Q. After you left Active American Apparel what was your next position?

A. My next position was developing, manufacturing a beach chair product that I had invented, had a patent for.

Q. And what type of beach chair product was this?

A. It folds up and goes into a bag.

Q. And you received a United States Patent for this product?

A. Yes.

Q. And was it owned in your name or in a company name?

A. It was owned in my name as well as a co-inventor.

Q. And did the product get developed and manufactured?

A. Yes.

Q. And did it get sold?

A. Yes.

Q. And did it have a trademark or a name associated with the product?

A. At one point it had a name associated with the product.

Q. And what was it?

A. The Cary chair.

Q. And is that the regular spelling, C-A-R-R-Y?

A. It was actually C-A-R-Y.

Q. Well, you said you were there three or four years. So your next job, yes.

A. The company I joined after that was called Rio Trading.

Q. Is that R-I-O?

A. Um-hum, yes.

Q. And what did they do?

A. Imported and distributed CD changers that's went into the trunks of cars.

Q. And where were they imported from?

A. Korea.

Q. And they were distributed to car dealers or to retailers?

A. Both.

Q. And what was your responsibility

at Rio?

A. I ran the company.

Q. And you stated you joined the company. Did you form the company as well?

A. No.

Q. It was an existing company.

A. Yes.

Q. And ran the company would include continuing to work in sales as you had in the other positions?

A. Yes.

Q. And did the CD changers have any brand name?

A. Initially no. But then they ended up -- they eventually had a brand name.

Q. And what was that?

A. OE Conekshünn.

Q. And was that a licensed name or a name owned by Rio?

A. It was a name that I thought of and trademarked.

Q. When the CD changers came over from Korea did they have a name on them already or they were unbranded?

A. Initially they were unbranded.

Q. Um-hum.

A. When we started to distribute them under the brand name they had the brand name on them -- on the units and on the packaging as any product would.

Q. How long were you with Rio Trading?

A. Through 2000. Approximately.

A. Then I started to work with General Electric.

Q. And what did you do with General Electric?

C. BERMAN

A. I represent GE for their auto warranty services.

Q. So is the contract on after-market items in the vehicle or on the vehicle itself?

A. It's on various components on the vehicle itself and each contract is specific as to what's covered and what's not covered.

Q. And do you have a company that you work for doing this work? Did you form a company or --

A. Yes.

Q. And what is the name?

A. C. Berman Associates, Inc.

Q. And the position with GE or the work associated with GE continues till today?

A. Yes.

A. When you were looking at the list

of companies, Rio Trading eventually became known as Custom Auto.com. Same corporate entity. Changed its name. Custom Auto.com was a business process patent application. It was also a website. It was also a lot of things. But it was a process where we would show a vehicle on the Internet and show what it would look like if it had accessories installed in a virtual environment. And we had business process patents that we had applied for.

Q. And stepping back from the patents on the business, did you -- was Custom Auto.com part of the operation of Rio Trading?

A. It was a continuation.

Q. Of Rio. And was that continuation after you left Rio or after they stopped doing -- importing CD changers?

A. It was the continuation of the business after it stopped importing CD

changers.

Q. And was the website, Custom Auto.com, activated and operating?

A. At the time in a beta version.

Q. And did it ever operate in a real version? Did it ever launch?

A. No.

Q. And in the beta version what type of accessories would you say the auto got accessorized with?

A. Rims, wheels, spoilers, grill guards, roof racks. Deflectors. All sorts of things.

Q. What publications do you subscribe to now as part of your business -- your business life?

A. Automotive News. F&I -- I think it's Monthly or Weekly -- I think it may be Monthly.

Q. There came a time where you applied for a trademark ENYCE; is that correct?

A. Yes.

Q. And how do you say that?

A. ENYCE.

Q. That is how you pronounce the trademark?

A. I never actually thought about pronouncing the trademark.

Q. Well, I'm going to show you a copy of a printout from the US Patent & Trademark

Office for showing the application for registration of a mark which has the letters ENYCE. Is this the trademark application that you stated you applied for?

A. Its appears to be.

MS. COHEN: And let me just have this marked as Opposer's Exhibit C.

(Opposer's Exhibit C, trademark application, marked for identification as of this date.)

BY MS. COHEN:

Q. Well, do you see on the top it says the word mark, ENYCE. There's no periods there. So I was only wondering how you pronounced that because it I suppose it could be pronounced differently. But you've never thought of how you would pronounce it.

A. The first time that I heard it pronounced was when I took the depositions of a couple of individuals that were with your client. They were pronouncing it a certain way but I had never previous to that thought about how it would be pronounced.

Q. Well, the goods on the trademark

application are listed as custom automobile -- excuse me -- custom automotive, accessories namely, fitted car cover covers, shift knobs, brake pads, and wheels for land vehicles, license plate holders and spoilers for vehicles; is that correct?

A. I believe that that is what is listed under that category with the Trademark Office. Again, you're an attorney. I'm not.

Q. Um-hum.

A. But that's where that description comes from is what's listed in that category.

Q. Okay. And when did you decide to sell or to look into selling those items?

A. I don't understand the question.

Q. One day you decided to sell brake pads, fitted car covers -- the items listed here. One day you decided to go into that business. Is that correct?

A. If I received permission from the United States Patent and Trademark Office to have the rights to utilize my trademark for these products, I will go into that business. But I took the first step.

A. In the late '90s when I first started with Rio Trading when we were selling automobile products, when I first decided I wanted to sell automobile products.

A. An automobile accessory that's from a manufacturer is specific -- it's from that manufacturer. It's not custom because it's -- everybody that has the Honda Accord that buys the Honda accessory can all have that same Honda accessory for that vehicle.

A custom automobile accessory is a product that, while it is made to fit that specific vehicle, it is not produced and distributed by the vehicle's manufacturer.

A. Custom automobile accessories is a whole industry unto itself, a multi-billion dollar industry. There are times when you could have large quantities that can still be considered custom and then there are times when you will have very limited quantities that are considered custom automobile accessories.

Q. And the date of filing of this application -- I'm reading from the printout -- is October 30th, 2003. And I know you're not an attorney. And so I'm just going to ask you and if you don't know the answer, that's fine, because it does seem to say that you had an attorney that helped you file the application. A person that's listed here is Evelyn McConaughey -- McConathy. And -- which may mean that she helped you file this. But, in any event, this is a filing under 1B which means that as of the date of the filing,

October 30th, 2003, you, as of that date, determined that you would like to use that name on those products.

Is that correct? Is that something that occurred at approximately that time in October 30th of 2003 that you determined you wanted to do this?

A. There was nothing in my Notice of Deposition that asked me to bring any documents or records. And I did not bring anything. So to refer back to specific dates and things, I'm at a loss to do so.

A. When I'm not sitting in an office like this taking a deposition with you I'm in -- I'm usually in a car dealership somewhere, someplace in a car dealership with people that are in the car business. So a lot of ideas come about that have to do with the car business every day of my life.

Q. And anything specific to the -- these accessories?

A. These accessories would be New York City accessories. It was for accessories

to be sold on e-commerce through the Internet. You know, electronic commerce was the whole purpose of this was -- is what the E in front of and behind the New York City is about.

Q. And what is it about these accessories and New York City that go together?

A. Well, it wasn't supposed to be limited to New York City.

Q. No, I understand.

A. This was the first one. And if this were to be successful the business model or the thought process, let's say that because it never really became a business model, was to look at Los Angeles and Detroit and other cities that -- you know, these cities are large enough, certainly New York City being the largest, the population base that focus on products for New York City is very, very feasible. It's something that could be very successful or maybe it wouldn't be very successful. But it's certainly a business that -- go ahead.

A. The Specialty Equipment Manufacturers Association which is known as SEMA, the last time I looked which was a few years ago, I believe that they had annual sales of $4 billion. Something to that effect. So the industry is out there. That's in the United States. And, again, I don't have the exact figures but that's -- there's an industry, yes.

Q. And why did you think this would be a good name for these custom automotive products?

A. Why. I don't know. I don't even know how to answer that question.

Q. Well, there came a time that you came up with the name. I assume when you did that you liked the one you picked. In other words, why did you like it? Why did you think it was a good name? Or why did you pick it? Did you have others you were going to pick? Or, you know, I'm just again going through the process.

A. Yes. There are others that were

planned as a part of this whole sequence. There were supposed to be other cities with the E on each side of the city. E Philly, you know. ELAE. You know, it was supposed to be -- the whole concept here was to do electronic commerce with the different cities associated with it. Any name can be successful if the product's right and if it's promoted right.

Q. So I guess then going back that's how you conceived of the name is you came up with the Es on the side of NYC; is that what you're saying?

A. Yes.

Q. And when you did that, do you recall how you got that idea? Just was it walking down the street or in the middle of the night or in the shower or -- it's hard to sometimes explain intellectual property that's ideas.

A. I didn't think it was that big of a deal. It didn't seem that it was that big of a deal and never did I think I was going to be faced with this opposition. So it wasn't

one of my -- I didn't think it was one of my best thoughts if you really want to know.

Q. Well, did you pay this Evelyn McConathy to file the trademark application for you?

A. A little bit, yes.

Q. So it was somewhat of an idea that then cost you some money.

A. It wasn't worth keeping her on to fight this litigation, was it?

Q. Did you consider any other names?

A. Yes.

Q. And do you remember any of them?

A. Yes. I told you those names over and over again. Different cities with E surrounding it. And that will be something that I would look into continuing to do after this is launched and if this is successful. That would be something that I'd be -- I'd think about doing anyway.

Q. Do you attend any car shows in connection with your business?

A. Well, there are conventions associated with the car business. But they're not like your typical car show that you're thinking about going to at the Javitz Center if that's what you were referring to.

Q. That's what I was referring to. You don't, let's say, go to the New York Auto Show.

A. I've already seen the vehicles before they show up there.

Q. So you go to car conventions. Like a clothing convention except it's for

Q. And when was the last time you went to a convention that was given by NADA?

A. It was either the end of February -- end of February or early January of this year. I think it was the first week of February this year.

Q. And where was that held?

A. Orlando.

Q. And was any custom car accessories shown at the -- did the convention have a name?

A. NADA.

Q. Convention.

A. National Automobile Dealers Association.

Q. Convention.

A. I guess. Convention.

Q. Were any custom car accessories

shown there?

A. Yes. That's not the focus of the show but -- it's the automobile business as a whole.

Q. Do you attend any trade shows where car accessories is the focus of the show?

A. I have.

Q. And what -- can you name any of those?

A. SEMA, Specialty Equipment Manufacturers Association.

Q. And they have conventions, too.

A. Yes.

Q. And when was the last time you were at one of those conventions?

A. It was a few years ago.

Q. Are you a member of the NADA?

A. Yes.

Q. Do they have publications and -- that they send their members routinely?

A. Every day I get an e-mail.

Q. And in addition to e-mails, do you get publications?

A. Not on a regular basis but they do have mailings they do.

Q. Do you -- are you familiar with any custom car accessory on-line sites?

A. I've seen some. I'm not particularly familiar with any. Why?

Q. Well, could you name any of them?

A. Tire Rack.

Q. Tire Rack?

A. Tire Rack.com.

A. There may be smaller shows but that SEMA shows is where everybody goes for the custom accessories.

Q. Decorative or functional.

A. Um-hum, yes.

A. A car cover could also be like a bra. There's a car bra that goes on the front of a car that is decorative and not really functional.

Q. I thought they blocked bugs.

A. They do. But the primary function most people use them for is decorative.

Q. When you filed for the trademark that was referred to in Exhibit C, did you perform a trademark search?

A. I personally did not. I had the services of an attorney at the time.

Q. Do you recall if she charged you for performing a trademark search?

A. I do not recall whether she charged me for performing a trademark search. However, I will tell you that she is a very competent attorney and she specializes in patents and trademarks for a very large firm. And I would be very surprised if she didn't follow the proper protocol.

Q. And do you recall ever seeing the trademark search?

A. Again, I was not asked to bring

anything with me to this deposition or to review any previous documents prior to coming to this deposition. And I have not done so.

Q. Well, I think that it may have been requested in your document requests and I don't believe that you stated that you were aware of there being one.

A. Then at that time I must have done the search prior to answering that. If that's the case prior to answering any of those --

A. I don't know whether different things got to actual filing stages or not. I have had a lot of ideas associated with car products. And I don't recall whether some of the other things became actual applications or not. You probably have that right there and you're probably going to pull it out and tell me so...

I'll show you an abandoned application to register the mark Mecca, M-E-C-C-A, for the same products in the other application. This is custom automotive accessories, namely, fitted car covers, shift knobs, brake pads, wheels for land vehicles, license plate holders and spoilers for vehicles.

You can look at that and let me know if that Cary Berman there is you and whether you now recall that you filed this application?

A. Mecca is another city name. That is me, yes.

Q. Okay.

A. And Mecca is another name of another city. I'm sure you know that Mecca is a town in -- you know, that the Moslems have their pilgrimage to Mecca. I'm sure you're probably aware of that. It's a very large city.

Okay. But, yes, Mecca is another city name. I don't recall that it actually got to the point that there was an

application. But I do know that nothing is pending with respect to that.

MS. COHEN: Could you mark this as Exhibit Opposer's D.

(Opposer's Exhibit D, trademark application, marked for identification as of this date.)

BY MS. COHEN:

Q. And I notice that the Mecca name was applied for about August, September, October -- three months before the next trademark, the ENYCE trademark.

So I wondered if -- you know, how the two -- I guess you stated already. They're both city names. So you thought of both of them.

A. Yes.