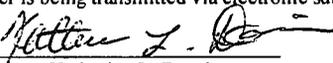


CERTIFICATE OF MAILING: I hereby certify that this paper is being transmitted via electronic submission at the Trademark Trial and Appeal Board we site on August 9, 2006.  
Date: August 9, 2006

By:   
Katherine L. Dominus

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

Metropolitan Life Insurance Company,	)	
	)	
Opposer	)	Opposition No. 91,162,871
	)	
v.	)	[Serial Nos. 78/313,440; 78/312,615]
	)	
Hydentra, L.P.	)	
	)	
Applicant	)	
_____	)	

**NOTICE OF RELIANCE**

Sir:

Pursuant to 37 C.F.R. §2.122(d), Opposer, Metropolitan Life Insurance Company, hereby relies upon, hereby makes of record and introduces into evidence the following:

1. Two photocopies of U.S. Trademark Registration No. 1,530,051 for the mark MET, Registered March 14, 1989, which are attached hereto as Exhibit 1;
2. Two photocopies of U.S. Trademark Registration No. 1,598,372 for the mark METLINK, Registered May 29, 1990, which are attached hereto as Exhibit 2;
3. Two photocopies of U.S. Trademark Registration No. 2,712,168 for the mark METDESK, Registered April 29, 2003, which are attached hereto as Exhibit 3;
4. Two photocopies of U.S. Trademark Registration No. 1,557,174 for the mark GET MET, IT PAYS, Registered September 19, 1989, which are attached hereto as Exhibit 4;



08-08-2006

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #00

5. Two photocopies of U.S. Trademark Registration No. 2,094,829 for the mark METFLEX, Registered September 9, 1997, which are attached hereto as Exhibit 5;
6. Two photocopies of U.S. Trademark Registration No. 2,940,062 for the mark METFLEX EXEC, Registered April 12, 2005, which are attached hereto as Exhibit 6;
7. Two photocopies of U.S. Trademark Registration No. 2,599,438 for the mark METLIFE BANK, Registered July 23, 2002, which are attached hereto as Exhibit 7;
8. Two photocopies of U.S. Trademark Registration No. 2,416,038 for the mark METLIFE 2-9, Registered December 26, 2000, which are attached hereto as Exhibit 8;
9. Two photocopies of U.S. Trademark Registration No. 2,765,792 for the mark METLAW, Registered September 16, 2003, which are attached hereto as Exhibit 9;
10. Two photocopies of U.S. Trademark Registration No. 2,814,241 for the mark METLIFE BANK, Registered February 10, 2004, which are attached hereto as Exhibit 10;
11. Two photocopies of U.S. Trademark Registration No. 2,125,636 for the mark METLIFE ONLINE, Registered December 30, 1997, which are attached hereto as Exhibit 11;
12. Two photocopies of U.S. Trademark Registration No. 2,206,512 for the mark METPAY, Registered December 1, 1998, which are attached hereto as Exhibit 12;
13. Two photocopies of U.S. Trademark Registration No. 2,076,720 for the mark MET P&C, Registered July 8, 1997, which are attached hereto as Exhibit 13;
14. Two photocopies of U.S. Trademark Registration No. 2,858,109 for the mark METPREMIER, Registered June 29, 2004, which are attached hereto as Exhibit 14;
15. Two photocopies of U.S. Trademark Registration No. 1,433,232 for the mark MET-REVIEW, Registered March 17, 1987, which are attached hereto as Exhibit 15;

16. Two photocopies of U.S. Trademark Registration No. 2,826,631 for the mark METSELECT, Registered March 23, 2004, which are attached hereto as Exhibit 16;

Respectfully submitted,



Date: August 9, 2006

Heidi C. Constantine  
Counsel  
Metropolitan Life Insurance Company  
27-01 Queens Plaza North  
Long Island City, NY 11101

# Exhibit 1



Nº 1530051

THE UNITED STATES OF AMERICA

CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

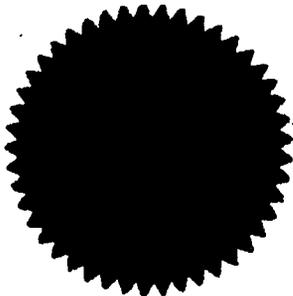
And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for Twenty Years unless sooner terminated as provided by law.



In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this fourteenth day of March, 1989.

A handwritten signature in cursive script, appearing to read "Ronald J. Higgins".

Commissioner of Patents and Trademarks

**Int. Cl.: 36**

**Prior U.S. Cls.: 101 and 102**

**United States Patent and Trademark Office** **Reg. No. 1,530,051**  
**Registered Mar. 14, 1989**

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PROVIDING UNDERWRITING AND  
ADMINISTRATION SERVICES FOR INDIVID-  
UAL AND GROUP LIFE, HEALTH, HOME-  
OWNERS, AND AUTOMOBILE INSURANCE,  
ANNUITIES, AND PENSION FUNDS; RESI-  
DENTIAL AND COMMERCIAL MORTGAGE  
LENDING SERVICES; REAL ESTATE BRO-**

**KERAGE AND MANAGEMENT SERVICES;  
MUTUAL FUND BROKERAGE AND INVEST-  
MENT SERVICES, IN CLASS 36 (U.S. CLS. 101  
AND 102).**

**FIRST USE 12-31-1978; IN COMMERCE  
12-31-1978.**

**OWNER OF U.S. REG. NOS. 1,381,773,  
1,433,231, AND 1,433,232.**

**SER. NO. 718,436, FILED 3-24-1988.**

**G. MAYERSCHOFF, EXAMINING ATTORNEY**

## **NOTICE**

*This Registration will be canceled by the Commissioner of Patents and Trademarks at the end of six years following the date of registration, unless within one year next preceding the expiration of such six years, the registrant files in the Patent and Trademark Office an affidavit showing that said mark is in use in Commerce or showing that its nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. A fee of \$100.00 for each class must accompany the affidavit.*



Nº 1530051

THE UNITED STATES OF AMERICA

CERTIFICATE OF REGISTRATION

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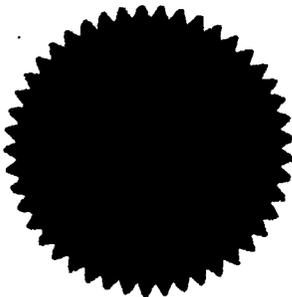
And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

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This registration shall remain in force for Twenty Years unless sooner terminated as provided by law.



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Commissioner of Patents and Trademarks

**Int. Cl.: 36**

**Prior U.S. Cls.: 101 and 102**

**United States Patent and Trademark Office** **Reg. No. 1,530,051**  
**Registered Mar. 14, 1989**

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PROVIDING UNDERWRITING AND  
ADMINISTRATION SERVICES FOR INDIVID-  
UAL AND GROUP LIFE, HEALTH, HOME-  
OWNERS, AND AUTOMOBILE INSURANCE,  
ANNUITIES, AND PENSION FUNDS; RESI-  
DENTIAL AND COMMERCIAL MORTGAGE  
LENDING SERVICES; REAL ESTATE BRO-**

**KERAGE AND MANAGEMENT SERVICES;  
MUTUAL FUND BROKERAGE AND INVEST-  
MENT SERVICES, IN CLASS 36 (U.S. CLS. 101  
AND 102).**

**FIRST USE 12-31-1978; IN COMMERCE  
12-31-1978.**

**OWNER OF U.S. REG. NOS. 1,381,773,  
1,433,231, AND 1,433,232.**

**SER. NO. 718,436, FILED 3-24-1988.**

**G. MAYERSCHOFF, EXAMINING ATTORNEY**

## **NOTICE**

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## Exhibit 2

# The United States of America



Nº 1598372

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

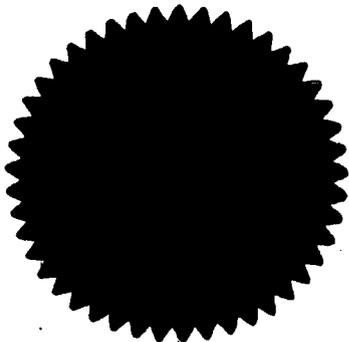
And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

### PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.



In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this twenty-ninth day of May 1990.

*Harry F. Manbeck, Jr.*  
Commissioner of Patents and Trademarks

**Int. Cl.: 9**

**Prior U.S. Cls.: 26 and 38**

**United States Patent and Trademark Office**

**Reg. No. 1,598,372**  
**Registered May 29, 1990**

**TRADEMARK  
PRINCIPAL REGISTER**

**METLINK**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PC COMPUTER PROGRAM WHICH  
ENABLES GROUP INSURANCE CUSTOMERS  
TO ACCESS THEIR INFORMATION AND  
DATA WHICH IS STORED ON APPLICANT'S**

**MAINFRAME COMPUTERS, IN CLASS 9 (U.S.  
CLS. 26 AND 38).**

**FIRST USE 6-30-1989; IN COMMERCE  
7-7-1989.**

**OWNER OF U.S. REG. NO. 1,449,018.**

**SER. NO. 73-831,269, FILED 10-13-1989.**

**CATHY THORNSTEINSON, EXAMINING AT-  
TORNEY**

# The United States of America



Nº 1598372

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

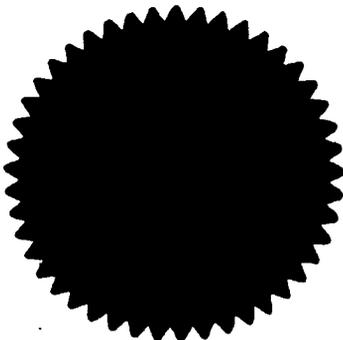
And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

## PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.



In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this twenty-ninth day of May 1990.

*Harry F. Manbeck, Jr.*  
Commissioner of Patents and Trademarks

**Int. Cl.: 9**

**Prior U.S. Cls.: 26 and 38**

**United States Patent and Trademark Office** **Reg. No. 1,598,372**  
**Registered May 29, 1990**

**TRADEMARK  
PRINCIPAL REGISTER**

**METLINK**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PC COMPUTER PROGRAM WHICH  
ENABLES GROUP INSURANCE CUSTOMERS  
TO ACCESS THEIR INFORMATION AND  
DATA WHICH IS STORED ON APPLICANT'S**

**MAINFRAME COMPUTERS, IN CLASS 9 (U.S.  
CLS. 26 AND 38).**

**FIRST USE 6-30-1989; IN COMMERCE  
7-7-1989.**

**OWNER OF U.S. REG. NO. 1,449,018.**

**SER. NO. 73-831,269, FILED 10-13-1989.**

**CATHY THORNSTEINSON, EXAMINING AT-  
TORNEY**

## Exhibit 3

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



Director of the United States Patent and Trademark Office

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,712,168**

**Registered Apr. 29, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METDESK**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FIRST USE 8-1-1998; IN COMMERCE 8-1-1998.**

**FOR: ESTATE PLANNING AND FINANCIAL  
PLANNING SERVICES FOR PARENTS OF CHIL-  
DREN WITH SPECIAL NEEDS, IN CLASS 36 (U.S.  
CLS. 100, 101 AND 102).**

**SN 78-069,917, FILED 6-19-2001.**

**PRISCILLA MILTON, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script, appearing to read "James Profane".

Director of the United States Patent and Trademark Office

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,712,168**

**Registered Apr. 29, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METDESK**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FIRST USE 8-1-1998; IN COMMERCE 8-1-1998.**

**SN 78-069,917, FILED 6-19-2001.**

**FOR: ESTATE PLANNING AND FINANCIAL  
PLANNING SERVICES FOR PARENTS OF CHILDREN  
WITH SPECIAL NEEDS, IN CLASS 36 (U.S.  
CLS. 100, 101 AND 102).**

**PRISCILLA MILTON, EXAMINING ATTORNEY**

## Exhibit 4



Nº 1557174

THE UNITED STATES OF AMERICA

CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

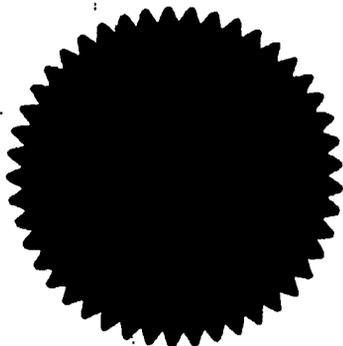
And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for Twenty Years unless sooner terminated as provided by law.



In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this nineteenth day of September, 1989.

A handwritten signature in cursive script, appearing to read "Ronald J. Ziegler".

Commissioner of Patents and Trademarks

**Int. Cls.: 35 and 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 1,557,174**  
**Registered Sep. 19, 1989**

**SERVICE MARK  
PRINCIPAL REGISTER**

**GET MET. IT PAYS.**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: HEALTH CARE COST MANAGEMENT  
SERVICES, IN CLASS 35 (U.S. CLS. 100 AND  
101).**

**FIRST USE 12-31-1985; IN COMMERCE  
12-31-1985.**

**FOR: PROVIDING UNDERWRITING AND  
ADMINISTRATION SERVICES FOR INDIVID-  
UAL AND GROUP LIFE, HEALTH, HOME-  
OWNERS, AND AUTOMOBILE INSURANCE,**

**ANNUITIES, AND PENSION FUNDS; RESI-  
DENTIAL AND COMMERCIAL MORTGAGE  
LENDING SERVICES; REAL ESTATE BRO-  
KERAGE AND MANAGEMENT SERVICES; IN-  
VESTMENT SERVICES, IN CLASS 36 (U.S. CLS.  
101 AND 102).**

**FIRST USE 12-31-1985; IN COMMERCE  
12-31-1985.**

**OWNER OF U.S. REG. NOS. 1,381,773,  
1,433,231, AND 1,433,232.**

**SER. NO. 719,459, FILED 3-24-1988.**

**G. MAYERSCHOFF, EXAMINING ATTORNEY**



Nº 1557174

THE UNITED STATES OF AMERICA

CERTIFICATE OF REGISTRATION

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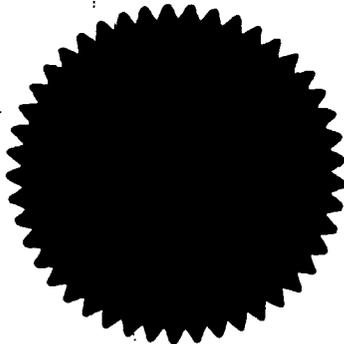
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Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for Twenty Years unless sooner terminated as provided by law.



In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this nineteenth day of September, 1989.

A handwritten signature in cursive script, reading 'Ronald J. Higgins'.

Commissioner of Patents and Trademarks

**Int. Cls.: 35 and 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 1,557,174**  
Registered Sep. 19, 1989

**SERVICE MARK  
PRINCIPAL REGISTER**

**GET MET. IT PAYS.**

**METROPOLITAN LIFE INSURANCE COMPAN-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: HEALTH CARE COST MANAGEMENT  
SERVICES, IN CLASS 35 (U.S. CLS. 100 AND  
101).**

**FIRST USE 12-31-1985; IN COMMERCE  
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**FOR: PROVIDING UNDERWRITING AND  
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**ANNUITIES, AND PENSION FUNDS; RESI-  
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KERAGE AND MANAGEMENT SERVICES; IN-  
VESTMENT SERVICES, IN CLASS 36 (U.S. CLS.  
101 AND 102).**

**FIRST USE 12-31-1985; IN COMMERCE  
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1,433,231, AND 1,433,232.**

**SER. NO. 719,459, FILED 3-24-1988.**

**G. MAYERSCHOFF, EXAMINING ATTORNEY**

# Exhibit 5

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office, that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bence Lehman*

Commissioner of Patents and Trademarks

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,094,829**

**Registered Sep. 9, 1997**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METFLEX**

**METROPOLITAN LIFE INSURANCE COMPAN-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: UNDERWRITING AND ADMINISTRA-  
TION OF LIFE INSURANCE SERVICES,  
NAMELY, THE OFFERING OF INDIVIDUAL  
VARIABLE UNIVERSAL LIFE INSURANCE  
PRODUCTS SPECIALLY DESIGNED FOR**

**CORPORATE SPONSORED SUPPLEMENTAL  
EXECUTIVE LIFE INSURANCE PLANS, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 10-31-1993; IN COMMERCE  
10-31-1993.**

**SER. NO. 75-145,208, FILED 8-5-1996.**

**R. M. FEELEY, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are a part of this certificate.*

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*Bence Lehman*

Commissioner of Patents and Trademarks

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**Reg. No. 2,094,829**

**United States Patent and Trademark Office**

**Registered Sep. 9, 1997**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METFLEX**

**METROPOLITAN LIFE INSURANCE COMPAN-  
Y (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: UNDERWRITING AND ADMINISTRA-  
TION OF LIFE INSURANCE SERVICES,  
NAMELY, THE OFFERING OF INDIVIDUAL  
VARIABLE UNIVERSAL LIFE INSURANCE  
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**CORPORATE SPONSORED SUPPLEMENTAL  
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CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 10-31-1993; IN COMMERCE  
10-31-1993.**

**SER. NO. 75-145,208, FILED 8-5-1996.**

**R. M. FEELEY, EXAMINING ATTORNEY**

## Exhibit 6

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

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*A copy of the Mark and pertinent data from the application are part of this certificate.*

*To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)*



A handwritten signature in cursive script that reads "Jon W. I. Dudas".

Director of the United States Patent and Trademark Office

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

### Requirements in the First Ten Years\*

#### *What and When to File:*

- **First Filing:** A Declaration of Continued Use (or Excusable Non-use), filed between the 5<sup>th</sup> and 6<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- **Second Filing:** A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9<sup>th</sup> and 10<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Requirements in Successive Ten-Year Periods\*

#### *What and When to File:*

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9<sup>th</sup> and 10<sup>th</sup>-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Grace Period Filings\*

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

The U.S. Patent and Trademark Office (USPTO) will **NOT** send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.

**NOTE:** *Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:*

[www.uspto.gov](http://www.uspto.gov)

**YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT  
FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE  
SPECIFIED TIME PERIODS.**

\*Exception for the Extensions of Protection under the Madrid Protocol:

The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141k; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,940,062**

**Registered Apr. 12, 2005**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METFLEX EXEC**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)**

**ONE MADISON AVENUE**

**NEW YORK, NY 10010**

**FOR: UNDERWRITING AND ADMINISTRATION OF LIFE INSURANCE, NAMELY THE OFFERING OF INDIVIDUAL LIFE INSURANCE PRODUCTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 2-1-2004; IN COMMERCE 2-1-2004.**

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

**OWNER OF U.S. REG. NOS. 2,094,829 AND 2,809,518.**

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

**SER. NO. 78-393,802, FILED 3-31-2004.**

**KIMBERLY FRYE, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)*



A handwritten signature in black ink, reading 'Jon W. Dudas'.

Director of the United States Patent and Trademark Office

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

### Requirements in the First Ten Years\*

#### *What and When to File:*

- First Filing: A Declaration of Continued Use (or Excusable Non-use), filed between the 5<sup>th</sup> and 6<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- Second Filing: A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9<sup>th</sup> and 10<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Requirements in Successive Ten-Year Periods\*

#### *What and When to File:*

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9<sup>th</sup> and 10<sup>th</sup>-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

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[www.uspto.gov](http://www.uspto.gov)

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SPECIFIED TIME PERIODS.**

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**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,940,062**

**Registered Apr. 12, 2005**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METFLEX EXEC**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)**

**ONE MADISON AVENUE**

**NEW YORK, NY 10010**

**FOR: UNDERWRITING AND ADMINISTRATION OF LIFE INSURANCE, NAMELY THE OFFERING OF INDIVIDUAL LIFE INSURANCE PRODUCTS, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 2-1-2004; IN COMMERCE 2-1-2004.**

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

**OWNER OF U.S. REG. NOS. 2,094,829 AND 2,809,518.**

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

**SER. NO. 78-393,802, FILED 3-31-2004.**

**KIMBERLY FRYE, EXAMINING ATTORNEY**

# Exhibit 7

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script, reading 'James H. Rogers'.

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 2,599,438

Registered July 23, 2002

**SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE BANK**

METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FOR: BANKING SERVICES; CREDIT CARD SERVICES; RESIDENTIAL AND COMMERCIAL MORTGAGE LENDING SERVICES; REAL ESTATE BROKERAGE AND MANAGEMENT SERVICES; COMMERCIAL FINANCIAL SERVICES, NAMELY COMMERCIAL LENDING SERVICES; RETAIL BANKING SERVICES IN THE NATURE OF ACCEPTANCE OF DEPOSITS FROM RETAIL BANKING CUSTOMERS; UNDERWRITING, BROKERAGE AND ADMINISTRATION SERVICES FOR INDIVIDUAL AND GROUP LIFE, DISABILITY, LONG TERM CARE, DENTAL, PROPERTY AND CASUALTY INSURANCE AND ANNUITIES; MANAGEMENT, ADMINISTRATION, DISTRIBUTION AND BROKERAGE OF MUTUAL FUNDS, INVESTMENT CONTRACTS AND RETIREMENT PLANS; INVEST-

MENT MANAGEMENT SERVICES; ESTATE TRUST MANAGEMENT SERVICES; PROVIDING INFORMATION IN THE FIELDS OF INSURANCE AND FINANCIAL SERVICES VIA A GLOBAL COMPUTER NETWORK, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-31-2001; IN COMMERCE 10-31-2001.

OWNER OF U.S. REG. NOS. 1,413,622, 2,125,636, AND OTHERS.

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

SN 78-002,296, FILED 4-3-2000.

JOHN GARTNER, EXAMINING ATTORNEY

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script, appearing to read "James H. Moore".

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

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### **SECTION 9: APPLICATION FOR RENEWAL**

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*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,599,438

United States Patent and Trademark Office

Registered July 23, 2002

**SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE BANK**

METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FOR: BANKING SERVICES; CREDIT CARD SERVICES; RESIDENTIAL AND COMMERCIAL MORTGAGE LENDING SERVICES; REAL ESTATE BROKERAGE AND MANAGEMENT SERVICES; COMMERCIAL FINANCIAL SERVICES, NAMELY COMMERCIAL LENDING SERVICES; RETAIL BANKING SERVICES IN THE NATURE OF ACCEPTANCE OF DEPOSITS FROM RETAIL BANKING CUSTOMERS; UNDERWRITING, BROKERAGE AND ADMINISTRATION SERVICES FOR INDIVIDUAL AND GROUP LIFE, DISABILITY, LONG TERM CARE, DENTAL, PROPERTY AND CASUALTY INSURANCE AND ANNUITIES; MANAGEMENT, ADMINISTRATION, DISTRIBUTION AND BROKERAGE OF MUTUAL FUNDS, INVESTMENT CONTRACTS AND RETIREMENT PLANS; INVEST-

MENT MANAGEMENT SERVICES; ESTATE TRUST MANAGEMENT SERVICES; PROVIDING INFORMATION IN THE FIELDS OF INSURANCE AND FINANCIAL SERVICES VIA A GLOBAL COMPUTER NETWORK, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-31-2001; IN COMMERCE 10-31-2001.

OWNER OF U.S. REG. NOS. 1,413,622, 2,125,636, AND OTHERS.

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

SN 78-002,296, FILED 4-3-2000.

JOHN GARTNER, EXAMINING ATTORNEY

# Exhibit 8

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script, appearing to read "J. Ford".

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

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### **SECTION 9: APPLICATION FOR RENEWAL**

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*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

**Int. Cls.: 16 and 36**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100,  
101, and 102**

**Reg. No. 2,416,038**

**United States Patent and Trademark Office**

**Registered Dec. 26, 2000**

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE 2-9**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PRINTED MATERIALS, NAMELY, A KIT  
FOR BROKERS COMPRISED OF FORMS AND BRO-  
CHURES ON THE SUBJECT OF GROUP INSURANCE  
IN THE FIELDS OF LIFE, DISABILITY, AND DEN-  
TAL INSURANCE, IN CLASS 16 (U.S. CLS. 2, 5,  
22, 23, 29, 37, 38 AND 50).**

**FIRST USE 1-31-1997; IN COMMERCE 1-31-1997.  
FOR: UNDERWRITING AND ADMINISTERING  
GROUP LIFE, DISABILITY, AND DENTAL INSUR-  
ANCE FOR SMALL BUSINESS EMPLOYERS, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 1-31-1997; IN COMMERCE 1-31-1997.  
OWNER OF U.S. REG. NO. 1,541,862.**

**SN 75-167,881, FILED 9-18-1996.**

**KIMBERLY KREHELY, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script, appearing to read "J. Ford".

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

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**Int. Cls.: 16 and 36**

**Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100,  
101, and 102**

**Reg. No. 2,416,038**

**United States Patent and Trademark Office**      **Registered Dec. 26, 2000**

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**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE 2-9**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PRINTED MATERIALS, NAMELY, A KIT  
FOR BROKERS COMPRISED OF FORMS AND BRO-  
CHURES ON THE SUBJECT OF GROUP INSURANCE  
IN THE FIELDS OF LIFE, DISABILITY, AND DEN-  
TAL INSURANCE, IN CLASS 16 (U.S. CLS. 2, 5,  
22, 23, 29, 37, 38 AND 50).**

**FIRST USE 1-31-1997; IN COMMERCE 1-31-1997.  
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CLASS 36 (U.S. CLS. 100, 101 AND 102).**

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OWNER OF U.S. REG. NO. 1,541,862.**

**SN 75-167,881, FILED 9-18-1996.**

**KIMBERLY KREHELY, EXAMINING ATTORNEY**

## Exhibit 9

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are part of this certificate.*

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A handwritten signature in cursive script, reading "James P. Hogan".

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

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*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

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**Int. Cls.: 36 and 42**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,765,792**

**United States Patent and Trademark Office**

**Registered Sep. 16, 2003**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METLAW**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: LEGAL SERVICES, IN CLASS 42 (U.S. CLS.  
100 AND 101).**

**FOR: ADMINISTRATION OF LEGAL SERVICES  
INSURANCE PLANS AND UNDERWRITING IN-  
SURANCE FOR PREPAID LEGAL SERVICES AS AN  
EMPLOYEE BENEFIT , IN CLASS 36 (U.S. CLS. 100,  
101 AND 102).**

**FIRST USE 6-1-2002; IN COMMERCE 6-1-2002.**

**SN 78-135,752, FILED 6-14-2002.**

**FIRST USE 6-1-2002; IN COMMERCE 6-1-2002.**

**BARBARA BROWN, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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A handwritten signature in cursive script, reading "James P. Hooper".

Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

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**Int. Cls.: 36 and 42**

**Prior U.S. Cls.: 100, 101, and 102**

**Reg. No. 2,765,792**

**United States Patent and Trademark Office**

**Registered Sep. 16, 2003**

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(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: LEGAL SERVICES, IN CLASS 42 (U.S. CLS.  
100 AND 101).**

**FOR: ADMINISTRATION OF LEGAL SERVICES  
INSURANCE PLANS AND UNDERWRITING IN-  
SURANCE FOR PREPAID LEGAL SERVICES AS AN  
EMPLOYEE BENEFIT , IN CLASS 36 (U.S. CLS. 100,  
101 AND 102).**

**FIRST USE 6-1-2002; IN COMMERCE 6-1-2002.**

**SN 78-135,752, FILED 6-14-2002.**

**FIRST USE 6-1-2002; IN COMMERCE 6-1-2002.**

**BARBARA BROWN, EXAMINING ATTORNEY**

# Exhibit 10

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script that reads "Jon W. I. Dudas".

Acting Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

**United States Patent and Trademark Office**

Reg. No. 2,814,241

Registered Feb. 10, 2004

**TRADEMARK  
PRINCIPAL REGISTER**

**METLIFE BANK**

METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FIRST USE 6-1-2000; IN COMMERCE 6-1-2000.

OWNER OF U.S. REG. NOS. 1,699,935, 2,125,636,  
AND 2,599,438.

FOR: MAGNETIC CODED CARDS FOR BANK-  
ING; ENCODED INTEGRATED CIRCUIT CARDS  
CONTAINING PROGRAMMING USED FOR FI-  
NANCIAL TRANSACTIONS IN THE FIELD OF  
BANKING; CREDIT CARDS; DEBIT CARDS; PRE-  
PAID PURCHASING AND PAYMENT CARDS,  
MAGNETICALLY ENCODED, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

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

SN 78-164,007, FILED 9-13-2002.

MICHAEL WEBSTER, EXAMINING ATTORNEY

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script that reads "Jon W. Dudas".

Acting Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,814,241

**United States Patent and Trademark Office**

Registered Feb. 10, 2004

**TRADEMARK  
PRINCIPAL REGISTER**

**METLIFE BANK**

METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FIRST USE 6-1-2000; IN COMMERCE 6-1-2000.

OWNER OF U.S. REG. NOS. 1,699,935, 2,125,636,  
AND 2,599,438.

FOR: MAGNETIC CODED CARDS FOR BANK-  
ING; ENCODED INTEGRATED CIRCUIT CARDS  
CONTAINING PROGRAMMING USED FOR FI-  
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BANKING; CREDIT CARDS; DEBIT CARDS; PRE-  
PAID PURCHASING AND PAYMENT CARDS,  
MAGNETICALLY ENCODED, IN CLASS 9 (U.S.  
CLS. 21, 23, 26, 36 AND 38).

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

SN 78-164,007, FILED 9-13-2002.

MICHAEL WEBSTER, EXAMINING ATTORNEY

# Exhibit 11

# The United States of America



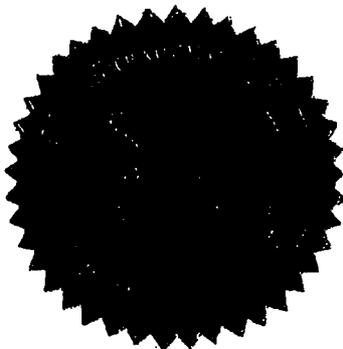
## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bence Lehman*

Commissioner of Patents and Trademarks

**Int. Cls.: 36 and 42**

**Prior U.S. Cls.: 100, 101 and 102**

**Reg. No. 2,125,636**

**United States Patent and Trademark Office**

**Registered Dec. 30, 1997**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE ONLINE**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PROVIDING ONLINE INFORMATION  
ON FINANCIAL SERVICES, NAMELY, LIFE  
INSURANCE PRODUCTS, BY MEANS OF A  
GLOBAL COMPUTER INFORMATION NET-  
WORK, IN CLASS 36 (U.S. CLS. 100, 101 AND  
102).**

**FIRST USE 9-9-1996; IN COMMERCE  
9-9-1996.**

**FOR: PROVIDING ONLINE INFORMATION  
ABOUT A WIDE VARIETY OF TOPICS OF**

**GENERAL INTEREST TO CONSUMERS, BY  
MEANS OF A GLOBAL COMPUTER INFOR-  
MATION NETWORK, IN CLASS 42 (U.S. CLS.  
100 AND 101).**

**FIRST USE 12-17-1995; IN COMMERCE  
12-17-1995.**

**OWNER OF U.S. REG. NO. 1,541,862.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "ON-LINE", APART FROM  
THE MARK AS SHOWN.**

**SER. NO. 75-223,306, FILED 1-9-1997.**

**JOAN LESLIE BISHOP, EXAMINING ATTOR-  
NEY**

# The United States of America



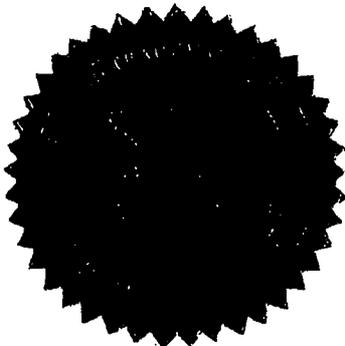
## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bruce Lehman*

Commissioner of Patents and Trademarks

**Int. Cls.: 36 and 42**

**Prior U.S. Cls.: 100, 101 and 102**

**Reg. No. 2,125,636**

**United States Patent and Trademark Office**

**Registered Dec. 30, 1997**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METLIFE ONLINE**

**METROPOLITAN LIFE INSURANCE COMPAN-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: PROVIDING ONLINE INFORMATION  
ON FINANCIAL SERVICES, NAMELY, LIFE  
INSURANCE PRODUCTS, BY MEANS OF A  
GLOBAL COMPUTER INFORMATION NET-  
WORK, IN CLASS 36 (U.S. CLS. 100, 101 AND  
102).**

**FIRST USE 9-9-1996; IN COMMERCE  
9-9-1996.**

**FOR: PROVIDING ONLINE INFORMATION  
ABOUT A WIDE VARIETY OF TOPICS OF**

**GENERAL INTEREST TO CONSUMERS, BY  
MEANS OF A GLOBAL COMPUTER INFOR-  
MATION NETWORK, IN CLASS 42 (U.S. CLS.  
100 AND 101).**

**FIRST USE 12-17-1995; IN COMMERCE  
12-17-1995.**

**OWNER OF U.S. REG. NO. 1,541,862.**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "ON-LINE", APART FROM  
THE MARK AS SHOWN.**

**SER. NO. 75-223,306, FILED 1-9-1997.**

**JOAN LESLIE BISHOP, EXAMINING ATTOR-  
NEY**

# Exhibit 12

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office, that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*

SEAL

*Bence Lehman*

Commissioner of Patents and Trademarks

## Maintenance Requirements

**Section 8:** This registration will be cancelled after six (6) years by the Commissioner of Patents and Trademarks, *UNLESS, before the end of the sixth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an affidavit of continued use as required by Section 8 of the Trademark Act of 1946, 15 U.S.C. §1058, as Amended. **It is recommended that the Registrant contact the Patent and Trademark Office approximately five years after the date shown on this registration to determine the requirements and fees for filing a Section 8 affidavit that are in effect at that time.** Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the affidavit.

**Section 9:** This registration will expire by law after ten (10) years, *UNLESS, before the end of the tenth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an application for renewal of the registration as required by Section 9 of the Trademark Act of 1946, 15 U.S.C. §1059, as Amended. **It is recommended that the Registrant contact the Patent and Trademark Office approximately nine years after the date shown on this registration to determine the requirements and fees for filing a Section 9 application for renewal that are in effect at that time.** Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the application for renewal.

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**Reg. No. 2,206,512**

**United States Patent and Trademark Office**

**Registered Dec. 1, 1998**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METPAY**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: ADMINISTRATION AND UNDER-  
WRITING OF PERSONAL PROPERTY AND  
CASUALTY INSURANCE, NAMELY, HOME-  
OWNERS, FIRE, EXCESS LIABILITY, BOA-  
TOWNERS AND AUTOMOBILE INSURANCE;  
ADMINISTRATION AND PROCESSING OF IN-  
SURANCE CLAIMS; ELECTRONIC GROUP**

**PAYROLL DEDUCTION PROCESSING OF IN-  
SURANCE PAYMENT DATA; PROVIDING IN-  
FORMATION ON PERSONAL PROPERTY IN-  
SURANCE REVIEW AND QUOTES BY MEANS  
OF A GLOBAL COMPUTER NETWORK, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).  
FIRST USE 6-7-1977; IN COMMERCE  
6-7-1977.**

**SER. NO. 75-257,507, FILED 3-14-1997.**

**MARY CRAWFORD, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office, that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*

SEAL

A handwritten signature in cursive script, reading "Bruce Lehman".

Commissioner of Patents and Trademarks

## Maintenance Requirements

**Section 8:** This registration will be cancelled after six (6) years by the Commissioner of Patents and Trademarks, *UNLESS, before the end of the sixth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an affidavit of continued use as required by Section 8 of the Trademark Act of 1946, 15 U.S.C. §1058, as Amended. **It is recommended that the Registrant contact the Patent and Trademark Office approximately five years after the date shown on this registration to determine the requirements and fees for filing a Section 8 affidavit that are in effect at that time.** Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the affidavit.

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**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**Reg. No. 2,206,512**

**United States Patent and Trademark Office**

**Registered Dec. 1, 1998**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METPAY**

**METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FOR: ADMINISTRATION AND UNDER-  
WRITING OF PERSONAL PROPERTY AND  
CASUALTY INSURANCE, NAMELY, HOME-  
OWNERS, FIRE, EXCESS LIABILITY, BOA-  
TOWNERS AND AUTOMOBILE INSURANCE;  
ADMINISTRATION AND PROCESSING OF IN-  
SURANCE CLAIMS; ELECTRONIC GROUP**

**PAYROLL DEDUCTION PROCESSING OF IN-  
SURANCE PAYMENT DATA; PROVIDING IN-  
FORMATION ON PERSONAL PROPERTY IN-  
SURANCE REVIEW AND QUOTES BY MEANS  
OF A GLOBAL COMPUTER NETWORK, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**FIRST USE 6-7-1977; IN COMMERCE  
6-7-1977.**

**SER. NO. 75-257,507, FILED 3-14-1997.**

**MARY CRAWFORD, EXAMINING ATTORNEY**

## Exhibit 13

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

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*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bence Lehman*

Commissioner of Patents and Trademarks

## Maintenance Requirements

**Section 8:** This registration will be cancelled after six (6) years by the Commissioner of Patents and Trademarks, *UNLESS, before the end of the sixth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an affidavit of continued use as required by Section 8 of the Trademark Act of 1946, 15 U.S.C. §1058, as Amended. It is recommended that the Registrant contact the Patent and Trademark Office approximately five years after the date shown on this registration to determine the requirements and fees for filing a Section 8 affidavit that are in effect at that time. Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the affidavit.

**Section 9:** This registration will expire by law after ten (10) years, *UNLESS, before the end of the tenth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an application for renewal of the registration as required by Section 9 of the Trademark Act of 1946, 15 U.S.C. §1059, as Amended. It is recommended that the Registrant contact the Patent and Trademark Office approximately nine years after the date shown on this registration to determine the requirements and fees for filing a Section 9 application for renewal that are in effect at that time. Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the application for renewal.

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,076,720

**United States Patent and Trademark Office**

Registered July 8, 1997

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET P&C**

METROPOLITAN LIFE INSURANCE COMPA-  
NY (DELAWARE CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FOR: UNDERWRITING AND ADMINISTER-  
ING PROPERTY AND CASUALTY INSUR-  
ANCE COVERAGE OF HOMES AND VEHI-  
CLES, IN CLASS 36 (U.S. CLS. 100, 101 AND  
102).

FIRST USE 12-31-1990; IN COMMERCE  
12-31-1990.

OWNER OF U.S. REG. NO. 1,530,051 AND  
OTHERS.

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

SER. NO. 74-644,451, FILED 3-10-1995.

H. M. FISHER, EXAMINING ATTORNEY

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bruce Lehman*

Commissioner of Patents and Trademarks

## Maintenance Requirements

**Section 8:** This registration will be cancelled after six (6) years by the Commissioner of Patents and Trademarks, *UNLESS, before the end of the sixth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an affidavit of continued use as required by Section 8 of the Trademark Act of 1946, 15 U.S.C. §1058, as Amended. It is recommended that the Registrant contact the Patent and Trademark Office approximately five years after the date shown on this registration to determine the requirements and fees for filing a Section 8 affidavit that are in effect at that time. Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the affidavit.

**Section 9:** This registration will expire by law after ten (10) years, *UNLESS, before the end of the tenth year following the date of registration shown on this certificate*, the registrant files in the U.S. Patent and Trademark Office an application for renewal of the registration as required by Section 9 of the Trademark Act of 1946, 15 U.S.C. §1059, as Amended. It is recommended that the Registrant contact the Patent and Trademark Office approximately nine years after the date shown on this registration to determine the requirements and fees for filing a Section 9 application for renewal that are in effect at that time. Currently a fee and a specimen showing how the mark is used in commerce are required for *each* international class of goods and/or services identified in the certificate of registration and both must be enclosed with the application for renewal.

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,076,720

**United States Patent and Trademark Office**

Registered July 8, 1997

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET P&C**

METROPOLITAN LIFE INSURANCE COMPA-  
NY (DELAWARE CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

FOR: UNDERWRITING AND ADMINISTER-  
ING PROPERTY AND CASUALTY INSUR-  
ANCE COVERAGE OF HOMES AND VEHI-  
CLES, IN CLASS 36 (U.S. CLS. 100, 101 AND  
102).

FIRST USE 12-31-1990; IN COMMERCE  
12-31-1990.

OWNER OF U.S. REG. NO. 1,530,051 AND  
OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE  
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MARK AS SHOWN.

SER. NO. 74-644,451, FILED 3-10-1995.

H. M. FISHER, EXAMINING ATTORNEY

# Exhibit 14

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

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*A copy of the Mark and pertinent data from the application are part of this certificate.*

*To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)*



A handwritten signature in cursive script that reads "Jon W. I. Dudas".

Acting Director of the United States Patent and Trademark Office

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

### Requirements in the First Ten Years\*

#### *What and When to File:*

- **First Filing:** A Declaration of Continued Use (or Excusable Non-use), filed between the 5<sup>th</sup> and 6<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- **Second Filing:** A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9<sup>th</sup> and 10<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Requirements in Successive Ten-Year Periods\*

#### *What and When to File:*

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9<sup>th</sup> and 10<sup>th</sup>-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Grace Period Filings\*

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

The U.S. Patent and Trademark Office (USPTO) will **NOT** send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.

**NOTE:** *Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:*

[www.uspto.gov](http://www.uspto.gov)

**YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT  
FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE  
SPECIFIED TIME PERIODS.**

\*Exception for the Extensions of Protection under the Madrid Protocol:  
The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141k; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,858,109**

**Registered June 29, 2004**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METPREMIER**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
LAW DEPARTMENT  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FIRST USE 7-1-2003; IN COMMERCE 7-1-2003.**

**OWNER OF U.S. REG. NOS. 1,530,051, 2,741,948  
AND OTHERS.**

**FOR: FINANCIAL SERVICES, NAMELY, THE  
UNDERWRITING AND ADMINISTRATION OF IN-  
VESTMENT PLANS, DEFINED CONTRIBUTION  
PLANS, AND, RETIREMENT PLANNING SERVI-  
CES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**SER. NO. 78-275,919, FILED 7-18-2003.**

**JENNIFER KRISP, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*To avoid CANCELLATION of the registration, the owner of the registration must submit a declaration of continued use or excusable non-use between the fifth and sixth years after the registration date. (See next page for more information.) Assuming such a declaration is properly filed, the registration will remain in force for ten (10) years, unless terminated by an order of the Commissioner for Trademarks or a federal court. (See next page for information on maintenance requirements for successive ten-year periods.)*



*Jon W. I. Dudas*

Acting Director of the United States Patent and Trademark Office

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

### Requirements in the First Ten Years\*

#### *What and When to File:*

- First Filing: A Declaration of Continued Use (or Excusable Non-use), filed between the 5<sup>th</sup> and 6<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058; 37 C.F.R. §2.161.)
- Second Filing: A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between the 9<sup>th</sup> and 10<sup>th</sup> years after the registration date. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Requirements in Successive Ten-Year Periods\*

#### *What and When to File:*

- A Declaration of Continued Use (or Excusable Non-use) **and** an Application for Renewal, filed between each 9<sup>th</sup> and 10<sup>th</sup>-year period after the date when the first ten-year period ends. (See 15 U.S.C. §1058 and §1059; 37 C.F.R. §2.161 and 2.183.)

### Grace Period Filings\*

There is a six-month grace period for filing the documents listed above, with payment of an additional fee.

The U.S. Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements. Therefore, you should contact the USPTO approximately one year prior to the deadlines set forth above to determine the requirements and fees for submission of the required filings.

**NOTE:** *Electronic forms for the above documents, as well as information regarding current filing requirements and fees, are available online at the USPTO web site:*

[www.uspto.gov](http://www.uspto.gov)

**YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT  
FILE THE DOCUMENTS IDENTIFIED ABOVE DURING THE  
SPECIFIED TIME PERIODS.**

\*Exception for the Extensions of Protection under the Madrid Protocol:  
The holder of an international registration with an extension of protection to the United States must file, under slightly different time periods, a Declaration of Continued Use (or Excusable Non-use) at the USPTO. See 15 U.S.C. §1141k; 37 C.F.R. §7.36. The renewal of an international registration, however, must be filed at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol. See 15 U.S.C. §1141j; 37 C.F.R. §7.41.

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,858,109**

**Registered June 29, 2004**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METPREMIER**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
LAW DEPARTMENT  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FIRST USE 7-1-2003; IN COMMERCE 7-1-2003.**

**OWNER OF U.S. REG. NOS. 1,530,051, 2,741,948  
AND OTHERS.**

**FOR: FINANCIAL SERVICES, NAMELY, THE  
UNDERWRITING AND ADMINISTRATION OF IN-  
VESTMENT PLANS, DEFINED CONTRIBUTION  
PLANS, AND, RETIREMENT PLANNING SERVI-  
CES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**SER. NO. 78-275,919, FILED 7-18-2003.**

**JENNIFER KRISP, EXAMINING ATTORNEY**

# Exhibit 15

Int. Cl.: 36

Prior U.S. Cl.: 102

**United States Patent and Trademark Office** Reg. No. 1,433,232  
Registered Mar. 17, 1987

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET-REVIEW**

METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

ANCE CLAIMS REVIEW SERVICES TO HELP  
CONTAIN COSTS, IN CLASS 36 (U.S. CL. 102).  
FIRST USE 9-0-1982; IN COMMERCE  
9-0-1982.

FOR: PROVIDING MEDICAL NECESSITY  
AND NEED FOR HOSPITALIZATION INSUR-

SER. NO. 603,363, FILED 6-9-1986.

G. MAYERSCHOFF, EXAMINING ATTORNEY

REGISTERED FOR A TERM OF 20 YEARS FROM Mar. 17, 1987



Certified to be a true copy of the registration  
issued by the United States Patent & Trademark  
Office, which registration is in full force  
and effect. Record title is in Registrant

*G.C. Sawyer*

*[Signature]*  
COMMISSIONER OF PATENTS  
AND TRADEMARKS

Int. Cl.: 36

Prior U.S. Cl.: 102

**United States Patent and Trademark Office** Reg. No. 1,433,232  
Registered Mar. 17, 1987

**SERVICE MARK  
PRINCIPAL REGISTER**

**MET-REVIEW**

METROPOLITAN LIFE INSURANCE COMPA-  
NY (NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010

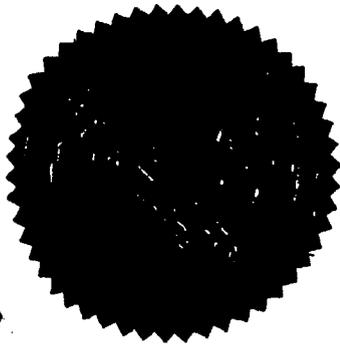
ANCE CLAIMS REVIEW SERVICES TO HELP  
CONTAIN COSTS, IN CLASS 36 (U.S. CL. 102).  
FIRST USE 9-0-1982; IN COMMERCE  
9-0-1982.

FOR: PROVIDING MEDICAL NECESSITY  
AND NEED FOR HOSPITALIZATION INSUR-

SER. NO. 603,363, FILED 6-9-1986.

G. MAYERSCHOFF, EXAMINING ATTORNEY

REGISTERED FOR A TERM OF 20 YEARS FROM Mar. 17, 1987



Certified to be a true copy of the registration  
issued by the United States Patent & Trademark  
Office, which registration is in full force  
and effect. Record title is in Registrant

*G.C. Dayler*

*[Signature]*  
COMMISSIONER OF PATENTS  
AND TRADEMARKS

# Exhibit 16

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Jon W. I. Dudas*

Acting Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,826,631**

**Registered Mar. 23, 2004**

**SERVICE MARK  
PRINCIPAL REGISTER**

**METSELECT**

**METROPOLITAN LIFE INSURANCE COMPANY  
(NEW YORK CORPORATION)  
ONE MADISON AVENUE  
NEW YORK, NY 10010**

**FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.**

**OWNER OF U.S. REG. NO. 2,212,076.**

**FOR: INVESTMENT MANAGEMENT; PENSIONS,  
NAMELY THE UNDERWRITING AND ADMINIS-  
TRATION OF DEFINED CONTRIBUTION PLANS;  
MUTUAL FUND INVESTMENT SERVICES; IN-  
VESTMENT INFORMATION AND GUIDANCE, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**SN 78-214,330, FILED 2-13-2003.**

**JENNIFER KRISP, EXAMINING ATTORNEY**

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



A handwritten signature in cursive script that reads "Jon W. I. Dudas".

Acting Director of the United States Patent and Trademark Office

## **Requirements for Maintaining a Federal Trademark Registration**

### **SECTION 8: AFFIDAVIT OF CONTINUED USE**

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- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

*Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.*

### **SECTION 9: APPLICATION FOR RENEWAL**

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*Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.*

**No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.**

**Int. Cl.: 36**

**Prior U.S. Cls.: 100, 101, and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,826,631**

**Registered Mar. 23, 2004**

**SERVICE MARK  
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**METSELECT**

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**FIRST USE 1-1-2003; IN COMMERCE 1-1-2003.**

**OWNER OF U.S. REG. NO. 2,212,076.**

**FOR: INVESTMENT MANAGEMENT; PENSIONS,  
NAMELY THE UNDERWRITING AND ADMINIS-  
TRATION OF DEFINED CONTRIBUTION PLANS;  
MUTUAL FUND INVESTMENT SERVICES; IN-  
VESTMENT INFORMATION AND GUIDANCE, IN  
CLASS 36 (U.S. CLS. 100, 101 AND 102).**

**SN 78-214,330, FILED 2-13-2003.**

**JENNIFER KRISP, EXAMINING ATTORNEY**

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

Express Mail mailing label number: EF254258986US

Date of Deposit: August 9, 2006

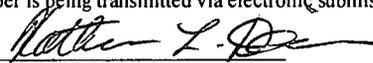
I hereby certify that this Notice of Opposition is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451.

By:



Katherine L. Dominus

CERTIFICATE OF MAILING: I hereby certify that this paper is being transmitted via electronic submission at the Trademark Trial and Appeal Board website on August 9, 2006.  
Date: August 9, 2006

By:   
Katherine L. Dominus

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

Metropolitan Life Insurance Company,	)	
	)	
Opposer	)	Opposition No. 91,162,871
	)	
v.	)	[Serial Nos. 78/313,440; 78/312,615]
	)	
Hydentra, L.P.	)	
	)	
Applicant	)	
_____	)	

**RESPONSE TO APPLICANT'S MOTION TO DISMISS  
FOR OPPOSER'S FAILURE TO PROSECUTE CASE AND  
NOTICE OF RELIANCE**

Applicant seeks to dismiss the pendant case on the basis of Section 37 CFR §2.132(a) which provides in its entirety:

If the time for taking testimony by any party in the position of plaintiff has expired and that party has not taken testimony *or offered any other evidence*, any party in the position of defendant may, without waiving the right to offer evidence in the event the motion is denied, move for dismissal on the ground of the failure of the plaintiff to prosecute. The party in the position of plaintiff shall have fifteen days from the date of service of the motion to show cause why judgment should not be rendered against him. In the absence of a showing of good and sufficient cause, judgment may be rendered against the party in the position of plaintiff. If the motion is denied, testimony periods will be reset for the party in the position of defendant and for rebuttal. (emphasis added)

Opposer chose not to take deposition testimony instead choosing to rely on trademark registrations as *prima facie* evidence of their rights in the marks.

When the original opposition was filed on October 27, 2004 the opposition was prepared and sent by Sue Ross, Assistant General Counsel for MetLife. Due to a clerical error two copies of

each registration certificate on which she was relying to be entered into evidence on behalf of MetLife were not attached to the Notice of Opposition. Current trademark counsel was not hired until June 2005 long after this opposition had been filed and was unaware of the omission.

As such, current trademark counsel was under the belief that copies of all registration certificates had been filed with the original notice of opposition and was not aware until receiving Applicant's Motion to Dismiss that these certificates had not been filed.

This error is due to "excusable neglect" on the part of the Opposer. Opposer's motion to accept their Notice of Reliance is governed by FRCP 6(b) provides as follows:

(b) Enlargement. When by these rules or by a notice given thereunder or by order of court and act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefore is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) ***upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect***; but it may not extend the time for taking any action under Rules 50(b) and (c)(2), 59(b), (d), and (e), 60(b), and 74(a), except to the extent and under the conditions stated in them. (emphasis added)

The Board and the Court of Appeals for the Federal Circuit previously have defined "excusable neglect" as:

Failure to take the proper steps at the proper time not in consequence of the party's own carelessness, inattention, or willful disregard of the process of the court, but in consequence of some unexpected or unavoidable hindrance or accident, or reliance on the care and vigilance of his counsel or on promises made by the adverse party.

See Pumpkin Ltd. v. The Seed Corps, 43 U.S.P.Q.2D (BNA) 1582 (TTAB 1997) citing Pioneer Investment Services Company v. Brunswick Associates Limited Partnership et al., 507 U.S. 380 (1993). The court identified four "Pioneer Factors" to determine excusable neglect. The first factor was danger of prejudice to the applicant; the second, the length of the delay and its potential impact on judicial proceedings; the third pioneer factor, the reason for the delay, the length of the delay and its potential impact on judicial proceedings; and the fourth factor is that the delay was not caused due to bad faith.

The Board should weigh all four factors in determining whether they should accept Opposer's Notice of Reliance. In the current case none of the pioneer factors apply and therefore a Notice of Reliance submitting the registration certificates into evidence should be accepted. There is no danger of prejudice to the Applicant as they were aware of the registration

certificates more than six months ago. Acceptance of the Notice of Reliance would cause no delay in the proceedings. There is no real delay and it has no potential impact on the judicial proceedings and finally, the omission of the certificates was clearly not due to bad faith.

Even opposing counsel did not realize that Opposer had never submitted the Registration Certificates into evidence stating in their pleading that “[t]he undersigned further advises that the delay in filing this motion is due to the undersigned only recently realizing that Opposer had failed to even offer any proof of the ownership of the asserted marks at the time of the filing of the opposition” so this is clearly not an issue that caused Applicant any real hardship. If Applicant uses this reason as why their Motion to Dismiss is not improper, the same reason should be acceptable as to why Opposer did not file a Notice of Reliance regarding the registration certificates until now.

In addition, in *Hollister Inc. v. Downey*, 565 F.2d 1208, 1211 (C.C.P.A 1977), the court found that the dismissal of appeals for purely mechanical reasons, such as an opposer omitting the filing of registration certificates, proved wasteful of judicial resources and therefore a motion to dismiss should not have been granted when it would have been easy to remedy. In this case Opposer now seeks to rectify the lack of evidence by attaching hereto with a Notice of Reliance two copies of the registration certificates relied on in the pendant case in accordance with 37 CFR §2.122(d). Applicant has already received copies of the registration certificates for the following trademark registrations:

MET, Registration No. 1,530,051  
METLINK, Registration No. 1,598,372  
METDESK, Registration No. 2,712,168  
GET MET, IT PAYS, Registration No. 1,557,174  
METFLEX, Registration No. 2,094,829  
METFLEX EXEC, Registration No. 2,940,062  
METLIFE BANK, Registration No. 2,599,438  
METLIFE 2-9, Registration No. 2,416,038  
METLAW, Registration No. 2,765,792  
METLIFE BANK, Registration No. 2,814,241  
METLIFE ONLINE, Registration No. 2,125,636  
METPAY, Registration No. 2,206,512  
MET P&C, Registration No. 2,076,720  
METPREMIER, Registration No. 2,858,109  
MET-REVIEW, Registration No. 1,433,232  
METSELECT, Registration No. 2,826,631

These copies of the registration certificates were submitted in response to the Applicant's First Set of Requests for Documents on November 15, 2005. Therefore it would not prejudice Applicant in any way for the Trademark Trial and Appeal Board to accept these registrations into evidence. It is clear that Applicant did not realize that these registrations had not been entered into evidence as well

Finally Applicant claims in their motion that they denied the assertions of Opposer's ownership of Opposer's trademark registrations in Applicant's Answer to Opposer's Notice of Opposition. This is untrue on its face. In fact, Applicant stated that it was "without information sufficient to form a belief as to the truth of the allegations" in both Paragraphs 1 and 2 of the Notice of Opposition, where opposer gave information regarding their registrations.

As such Opposer requests that The Board deny Applicant's Motion to Dismiss and accept Opposer's Notice of Reliance.

Respectfully submitted,

Date: August 9, 2006



Heidi C. Constantine  
Counsel  
Metropolitan Life Insurance Company  
27-01 Queens Plaza North  
Long Island City, NY 11101

PROOF OF SERVICE

STATE OF NEW YORK, COUNTY OF QUEENS

I am employed in the County of Queens, State of New York. I am over the age of 18 years and am not a party to the within action. My business address is 27-01 Queens Plaza North, Long Island City, New York 11101.

On August 9, 2006, I served the following documents described as a Response to Applicant's Motion to Dismiss for Opposer's Failure to Prosecute Case and a Notice of Reliance on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope and addressed as follows:

Anna M. Vradenburgh, Esq.  
Koppel, Patrick & Heybl  
555 St. Charles Drive, Suite 107  
Thousand Oaks, CA 91360

By Mail: I caused such envelope to be deposited in the mail at Long Island City, New York. I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

Executed on August 9, 2006, at Long Island City, New York.



Katherine L. Dominus