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

Proceeding	91176791
Party	Defendant MATTEL, INC.
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Submission	Defendant's Notice of Reliance
Filer's Name	Chad R. Fitzgerald
Filer's e-mail	cfitzgerald@yahoo.com
Signature	/crf/
Date	06/17/2009
Attachments	Applicants Notice of Reliance re Printed Publications Vol. 1.pdf (141 pages)(8623934 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial No. 78/751,105
Published for Opposition in the OFFICIAL GAZETTE on December 12, 2006

UMG RECORDINGS, INC. Opposition No.: 91176791

Opposer

v.

MATTEL, INC.

Applicant

APPLICANT'S NOTICE OF RELIANCE RE: PRINTED PUBLICATIONS

Vol. 1 of 7

Pursuant 37 C.F.R. § 2.122(e), Applicant Mattel, Inc. hereby makes of record, and notifies Opposer UMG Recordings, Inc. ("Opposer") of its reliance on, the following printed publications offered to show that the term "Motown" (1) is primarily descriptive of both the city of Detroit, Michigan and a genre of popular music; (2) is often used in publications available to the general public to describe or refer to the city of Detroit, Michigan or a genre of popular music; and (3) is part of several trademark applications and registered marks that have nothing to do with Opposer. True and correct copies of printouts of these publications are attached hereto as **Exhibit A**, and Applicant asks the Board to take judicial notice thereof:

1. Registration number 3067783 (serial number 78541691) for the mark MOTOWN, owned by World Products, Inc. and registered as of March 14, 2006 (printed from the U.S. Patent and Trademark Office's ("USPTO") Trademark Electronic Search System ("TESS"));

2. Registration number 2768460 (serial number 78101526) for the mark MOTOWN, owned by Ford Motor Company and registered as of September 23, 2003 (printed from TESS);

3. Registration serial number 77502616 for the mark MOTOWN MONDAY, owned by applicant Nick Bovis (printed from TESS);

4. Registration number 3471030 (serial number 77313087) for the mark MOTOWN TRESS, owned by Oradell International Corp. and registered as of July 22, 2008 (printed from TESS);

5. Registration number 2649776 (serial number 75625492) for the mark MOTOWN MISSILE, owned by Arkenol, Inc. and registered as of November 12, 2002 (printed from TESS);

6. Registration number 2598544 (serial number 75797779) for the mark MOTOWN MISSILE, owned by Arkenol, Inc. and registered as of July 23, 2002 (printed from TESS);

7. Registration number 2411580 (serial number 75831433) for the mark MOTOWN, owned by World Products, Inc. and registered as of December 5, 2000 (printed from TESS);

8. Registration number 1552131 (serial number 73727171) for the mark MOTOWN SNACKERS, owned by Sargento Inc. and registered as of August 15, 1989 (printed from TESS);

9. The USPTO's complete file for registration number 2411580 (printed from the USPTO Trademark Document Retrieval ("TDR") system);

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244. "'D-Train' starting to settle in Motown", which appeared on http://blackathlete.net on May 26, 2009;

245. "Detroit: Ain't Too Proud to Beg", which appeared on www.abc.net.au on May 26, 2009;

246. "Daunte Culpepper: Motown Need You to get Your Roll On", which appeared on http://bleacherreport.com on May 26, 2009;

247. "Michigan Will Lead the Green Industrial Revolution", which appeared on www.huffingtonpost.com on May 27, 2009;

248. "Nothing Can Stop Eminem's *Relapse*", which appeared on www.eonline.com on May 27, 2009;

249. "Summer entertainment hits all the right notes at Legacy Village", which appeared on http://blog.cleveland.com on May 27, 2009;

250. "Detroit schools' moment?", which appeared in *The Detroit News* on May 28, 2009;

251. "Performance Royalty showdown in Motown", which appeared on www.rbr.com on May 28, 2009;

252. "Detroit bent on spurning North American International Auto Show", which appeared on http://blog.mlive.com on May 29, 2009;

253. "How Wall Street Almost Killed Detroit", which appeared on www.thebigmoney.com on May 31, 2009;

254. "Reality TV a popular career move for Motown's jobless", which appeared on www.guardian.co.uk on May 31, 2009;

255. "Red Wings take Game One", which appeared on www.wjbdradio.com on May 31, 2009;

256. "Former Rays' pitcher Edwin Jackson still mowing them down in Motown", which appeared on http://blogs.tampabay.com on June 1, 2009;

257. "Good news for Motown: General Motors will stay in Detroit", which appeared on http://content.usatoday.com on June 1, 2009;

258. "Motown's spirit needs Lord Stanley more", which appeared on www.freep.com on June 1, 2009;

259. "NHL looks into Caps' steroid allegations", which appeared on www.canada.com on June 1, 2009;

260. "Moving from Motown to Cowtown", which appeared on www.modelmedia.com on June 2, 2009;

261. "Struggling Motown loses the beat", which appeared on www.ft.com on June 2, 2009;

262. "A Finals Dream Deferred", which appeared on www.pe.com on June 3, 2009;

263. "Motown And The Steel City Hit The Ice For The Stanley Cup", which appeared on www.jaunted.com on June 4, 2009;

264. "Motown Motion Picture Studio Unveiled", which appeared on www.wxyz.com on June 4, 2009;

265. "Sports Redux: Beckett, Bats In Motown Bash", which appeared on http://bostonist.com on June 4, 2009;

266. "Motown blues", which appeared on www.straitstimes.com on June 5, 2009;

267. "Pittsburg columnist: Motown Stanley Cup parade officially Staal-ed", which appeared on www.freep.com on June 5, 2009;

268. "Bloggers of the World, Unite! 300 wins, Sad Days in Motown", which appeared on http://bleacherreport.com on June 8, 2009;

269. "Detroit's Youth: Stay or go?", which appeared on http://money.cnn.com on June 8, 2009;

270. "Familiar ring", which appeared on www.philly.com on June 8, 2009;

271. "Motown wonders: Where did our love go?", which appeared on www.rrstar.com on June 8, 2009;

272. "Motown String Music", which appeared on www.motownstringmusic.com on June 10, 2009;

273. "2-, 3-wheelers save motown the blushes in May", which appeared on June 9, 2009;

274. "Jacksonville Mass choir perfects Motown sound", which appeared on www.jacksonville.com on June 9, 2009;

275. "The Asteroids Galaxy Tour: BeatCrave Fav", which appeared on http://beatcrave.com on June 11, 2009;

276. "Searching For The Cheapest Way To Motown?", which appeared on www.wpxi.com on June 10, 2009;

277. "Michigan Works to Remake Itself Without King Auto", which appeared in *The New York Times* on June 10, 2009;

278. "Mid-Week Ramblings", which appeared on http://blogs.ajc.com on June 10, 2009;

279. "THN at the Stanley Cup: It all boils down to a Motown Game 7", which appeared on www.thehockeynews.com on June 10, 2009;

280. "Motown seeks duty cuts, sops & easier credit", which appeared in *The Economic Times* on June 11, 2009;

281. "Music Fills The Air Sundays & Wednesdays At North School Park", which appeared on www.journal-topics.com on June 11, 2009;

282. "On A Wing And Possibly A Prayer", which appeared on http://bleacherreport.com on June 11, 2009;

283. "Summer In the Park", which appeared on www.tv20detroit.com on June 12, 2009;

DATED: June 16, 2009

Respectfully submitted,

KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP

By: _____
Lawrence Y. Iser
Attorneys for Applicant Mattel, Inc.

Exhibit A

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Fri Jun 12 03:59:47 EDT 2009

MOTOWN

Word Mark	**MOTOWN**
Goods and Services	IC 007. US 013 019 021 023 031 034 035. G & S: Automotive engine castings, namely original and replacement cylinder heads, engine blocks, intake manifolds and valve covers. FIRST USE: 19991130. FIRST USE IN COMMERCE: 19991130
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78541691
Filing Date	January 4, 2005
Current Filing Basis	1A

Original Filing Basis	1A
Published for Opposition	December 20, 2005
Registration Number	3067783
Registration Date	March 14, 2006
Owner	(REGISTRANT) World Products, Inc. CORPORATION MICHIGAN 51 Trade Zone Court Ronkonkoma NEW YORK 11779
Attorney of Record	Trudie Katz Walker
Prior Registrations	2411580
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME | NEW USER | STRUCTURED | FREE FORM | BROWSE DICT | SEARCH OG | TOP | HELP | PREV LIST
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Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 12 out of 66**

Typed Drawing

Word Mark	**MOTOWN**
Goods and Services	IC 035. US 100 101 102. G & S: Accounts receivable services, namely, accounts receivable management. FIRST USE: 20020128. FIRST USE IN COMMERCE: 20020128 IC 036. US 100 101 102. G & S: Financial services, namely, asset backed commercial paper program in the nature of structuring and issuing commercial paper, administration of commercial paper programs, brokering commercial paper, consumer and commercial loan financing services, loan collection services, services relating to the trading of equity derivatives, namely providing investment of funds for others in equity derivatives. FIRST USE: 20020128. FIRST USE IN COMMERCE: 20020128
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78101526
Filing Date	January 8, 2002
Current Filing Basis	1A
Original Filing Basis	1B
Supplemental	

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Supplemental Register Date	June 20, 2003
Registration Number	2768460
Registration Date	September 23, 2003
Owner	(REGISTRANT) Ford Motor Company CORPORATION DELAWARE 1 The American Road Dearborn MICHIGAN 48121
Attorney of Record	Gregory P. Brown
Type of Mark	SERVICE MARK
Register	SUPPLEMENTAL
Live/Dead Indicator	LIVE

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Start List At: OR Jump to record: **Record 13 out of 66**

MOTOWN MONDAY

Word Mark	**MOTOWN** MONDAY
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services in the nature of live musical performances. FIRST USE: 20060107. FIRST USE IN COMMERCE: 20060107
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77502616
Filing Date	June 19, 2008
Current Filing Basis	1A
Original Filing Basis	1A

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Owner	(APPLICANT) Bovis, Nick INDIVIDUAL UNITED STATES 414 Clark Drive San Mateo CALIFORNIA 94402
Attorney of Record	Erik M. Pelton
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Motown Tress

Word Mark	**MOTOWN** TRESS
Goods and Services	IC 026. US 037 039 040 042 050. G & S: Wigs, hairpieces, and add-in and add-on hair accessories constructed primarily of synthetic and/or human hair. FIRST USE: 19691222. FIRST USE IN COMMERCE: 19691222
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77313087
Filing Date	October 25, 2007
Current Filing Basis	1A

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Original Filing Basis	1A
Published for Opposition	May 6, 2008
Registration Number	3471030
Registration Date	July 22, 2008
Owner	(REGISTRANT) Oradell International Corp CORPORATION NEW YORK 120 moonachie ave moonachie NEW JERSEY 07074
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRESS" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 23 out of 66**

Typed Drawing

Word Mark	**MOTOWN** MISSILE
Goods and Services	IC 041. US 100 101 107. G & S: sports-related entertainment, namely, organizing and maintaining automobile racing teams for others. FIRST USE: 19990100. FIRST USE IN COMMERCE: 19990100
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75625492
Filing Date	January 22, 1999
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	April 24, 2001
Registration Number	2649776

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Registration Date	November 12, 2002
Owner	(REGISTRANT) Arkenol, Inc. CORPORATION NEVADA 27401 Los Altos, Suite 400 Mission Viejo CALIFORNIA 92691 (LAST LISTED OWNER) OLP HOLDINGS, INC. CORPORATION NEVADA 8275 SOUTH EASTERN AVE. #200 LAS VEGAS NEVADA 89123
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tirzah Abe Lowe
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Fri Jun 12 03:59:47 EDT 2009

Typed Drawing

Word Mark	**MOTOWN** MISSILE
Goods and Services	IC 028. US 022 023 038 050. G & S: TOY VEHICLES. FIRST USE: 20010200. FIRST USE IN COMMERCE: 20010200
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75797779
Filing Date	September 13, 1999
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	July 11, 2000
Registration Number	2598544
Registration Date	July 23, 2002
Owner	(REGISTRANT) Arkenol, Inc. CORPORATION NEVADA 27401 Los Altos, Suite 400 Mission Viejo CALIFORNIA 92691

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	(LAST LISTED OWNER) OLP HOLDINGS, INC. CORPORATION NEVADA 8275 SOUTH EASTERN AVE. #200 LAS VEGAS NEVADA 89123
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Tirzah Abe Lowe
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Start List At: OR Jump to record: **Record 26 out of 66**

MoTown

Word Mark	**MOTOWN**
Goods and Services	IC 007. US 013 019 021 023 031 034 035. G & S: Automotive engine castings, namely, original and replacement cylinder heads, engine blocks, intake manifolds and valve covers. FIRST USE: 19991130. FIRST USE IN COMMERCE: 19991130
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	75831433
Filing Date	October 25, 1999
Current Filing Basis	1A
Original Filing Basis	1B
Supplemental Register Date	July 11, 2000

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Registration Number	2411580
Registration Date	December 5, 2000
Owner	(REGISTRANT) World Products, Inc. CORPORATION MICHIGAN 35330 Stanley Sterling Heights MICHIGAN 48312
Attorney of Record	Trudie Katz Walker
Description of Mark	The mark consists of the word MOTOWN in stylized letters.
Type of Mark	TRADEMARK
Register	SUPPLEMENTAL
Affidavit Text	SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 56 out of 66**

Typed Drawing

Word Mark	MOOTOWN SNACKERS
Goods and Services	IC 029. US 046. G & S: CHEESES, NAMELY, MOZZARELLA, SHARP CHEDDAR, MILD CHEDDAR, MONTEREY JACK, COLBY-JACK, STRING CHEESE. FIRST USE: 19871204. FIRST USE IN COMMERCE: 19871204
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73727171
Filing Date	May 9, 1988
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 6, 1988
Registration Number	1552131

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Registration Date	August 15, 1989
Owner	(REGISTRANT) SARGENTO INCORPORATED CORPORATION WISCONSIN 1 PERSNICKETY PLACE PLYMOUTH WISCONSIN 53073
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	ALLAN B. WHEELER
Prior Registrations	0970879
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Side - 1

NOTICE OF ACCEPTANCE OF §8 DECLARATION
MAILING DATE: Dec 29, 2006

The declaration filed in connection with the registration identified below meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. The declaration is accepted and the registration remains in force.For further information about this notice, visit our website at: http://www.uspto.gov. To review information regarding the referenced registration, go to http://tarr.uspto.gov.

REG NUMBER:	**2411580**
MARK:	**MOTOWN**
OWNER:	**World Products, Inc.**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL
U.S POSTAGE
PAID

TRUDIE KATZ WALKER
225 OLD COUNTRY RD
MELVILLE, NY 11747

Declaration of Use of Mark in Commerce Under Section 8

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	2411580
REGISTRATION DATE	12/05/2000
SERIAL NUMBER	75831433
MARK SECTION	
MARK	MOTOWN (stylized and/or with design)
OWNER SECTION (no change)	
ATTORNEY SECTION (current)	
NAME	Trudie Katz Walker
ATTORNEY SECTION(proposed)	
NAME	Trudie Katz Walker
DOCKET NUMBER	World Motown & Design 2411580
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	007
USE ON ALL GOODS OR SERVICES OR EXCUSABLE NON-USE FOR ENTIRE CLASS	YES
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \758\314\75831433\xml1\S0 80002.JPG
SPECIMEN DESCRIPTION	A photograph of the mark cast into the engine
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
SIGNATURE	/William E. Mitchell/
SIGNATORY'S NAME	William E. Mitchell
SIGNATORY'S POSITION	President
DATE SIGNED	10/12/2006
PAYMENT METHOD	ET
FILING INFORMATION	
SUBMIT DATE	Thu Oct 12 15:15:48 EDT 2006
TEAS STAMP	USPTO/SECT08-24.46.164.55 -20061012151548877672-241 1580-350743a508eaf6f3cec5 a1654bf8199a9e-ET-107-200 61012151321995436

Declaration of Use of Mark in Commerce Under Section 8

To the Commissioner for Trademarks:

REGISTRATION NUMBER: 2411580
REGISTRATION DATE: 12/05/2000

MARK: MOTOWN (stylized and/or with design)

The owner, World Products, Inc., having an address of 35330 Stanley, Sterling Heights, Michigan US 48312, is filing a Declaration of Use of Mark in Commerce Under Section 8.

For International Class 007, the owner, or its related company, is using the mark in commerce on or in connection with all goods or services listed in the existing registration for this class; or, the owner is claiming excusable non-use for this entire class.

The owner is submitting one specimen showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) A photograph of the mark cast into the engine.
Specimen-1

The registrant hereby appoints Trudie Katz Walker to file this Declaration of Use of Mark in Commerce Under Section 8 on behalf of the registrant. The attorney docket/reference number is World Motown & Design 2411580.

A fee payment in the amount of $100 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

Unless the owner has specifically claimed excusable non-use, the owner, or its related company, is using the mark in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /William E. Mitchell/ Date: 10/12/2006
Signatory's Name: William E. Mitchell
Signatory's Position: President

Serial Number: 75831433
Internet Transmission Date: Thu Oct 12 15:15:48 EDT 2006
TEAS Stamp: USPTO/SECT08-24.46.164.55-20061012151548
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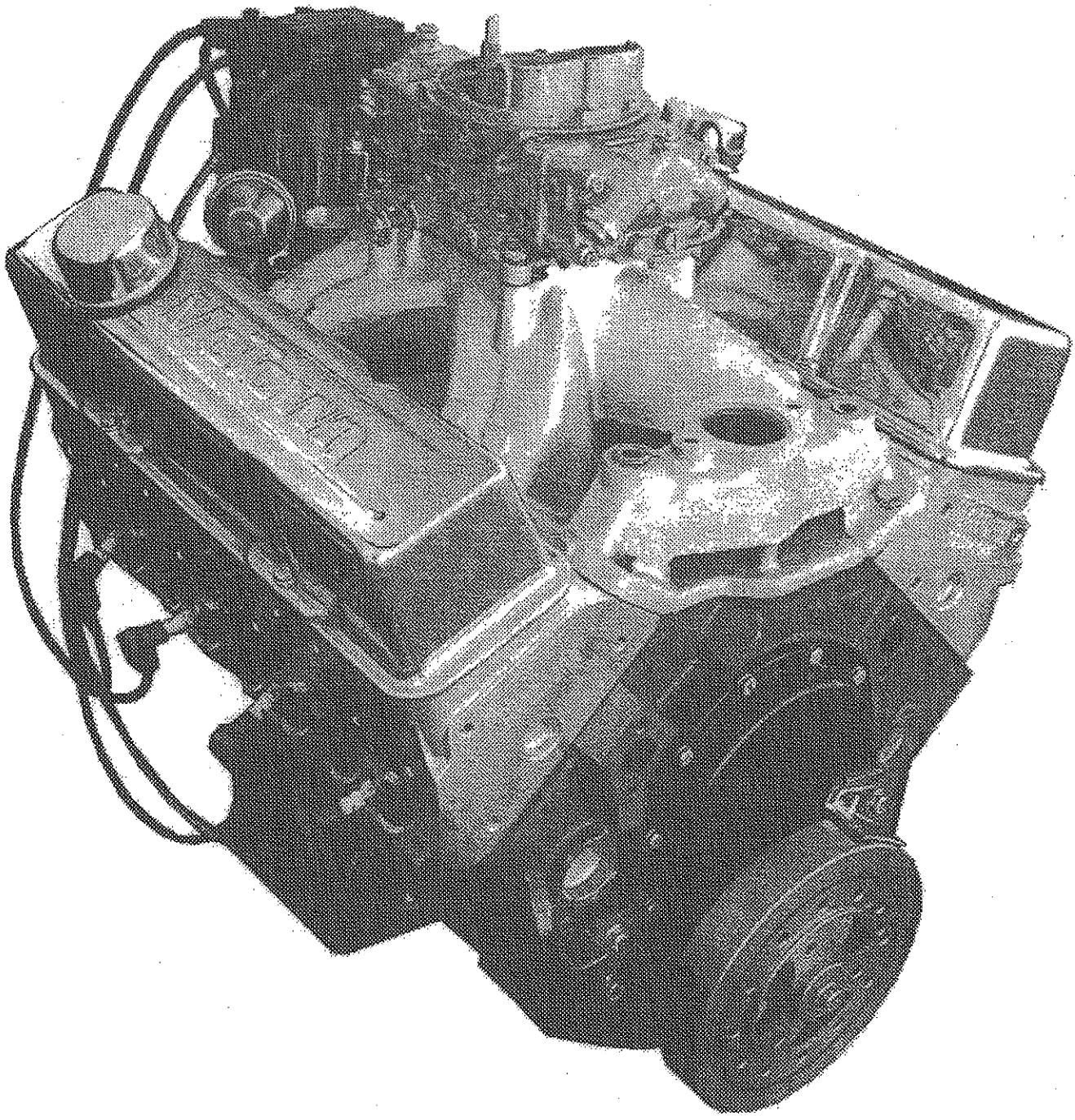

ROUTING SHEET TO POST REGISTRATION (PRU)

Registration Number: 2411580

Serial Number: 75831433

RAM Sale Number: 107

RAM Accounting Date: 20061013

Total Fees: $100

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

Transaction	Fee Code	Transaction Date	Fee per Class	Number of Classes	Total Fee
§8 affidavit	7205	20061012	$100	1	$100

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20061012

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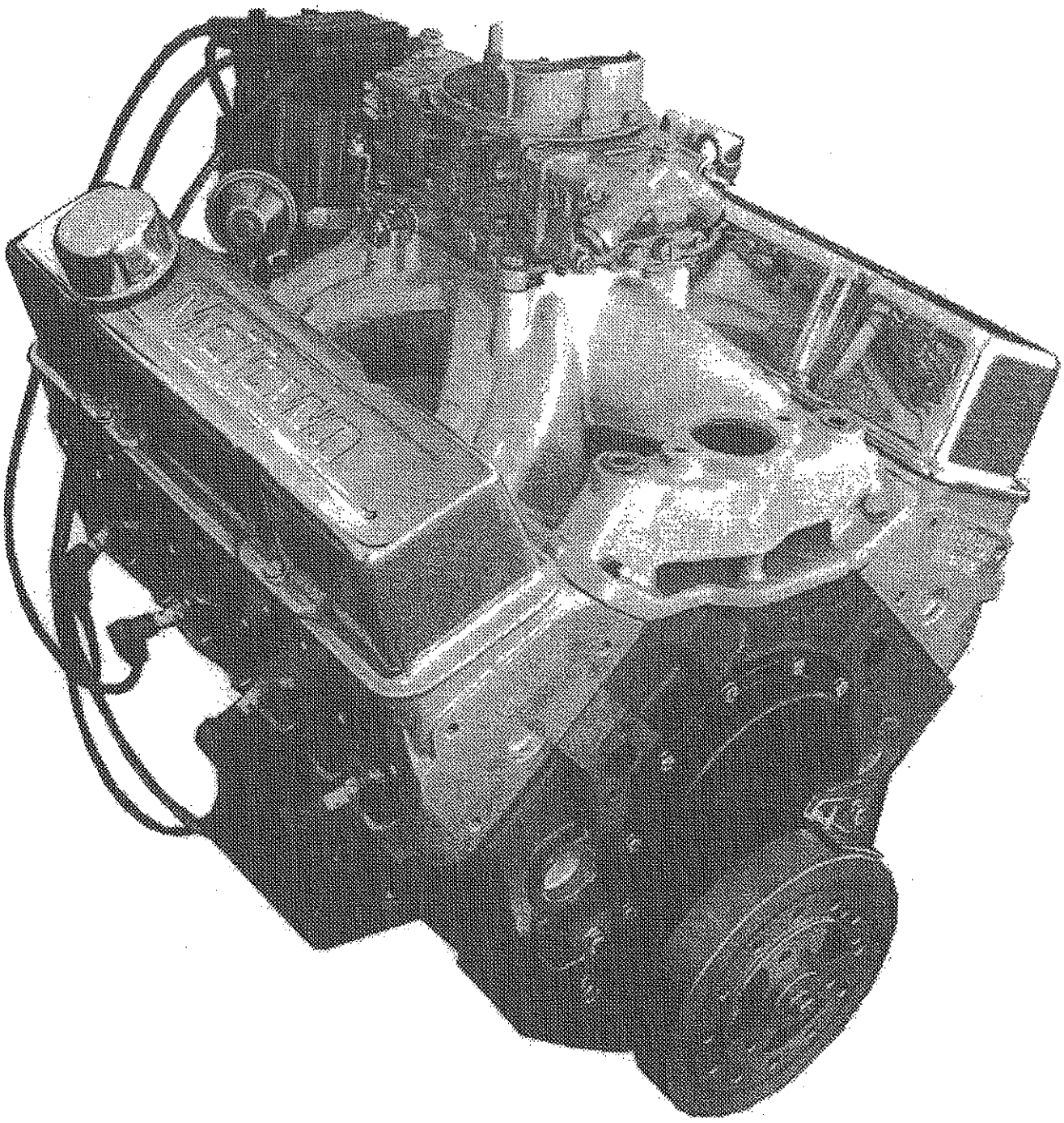

75831433

TRADEMARK

75831433

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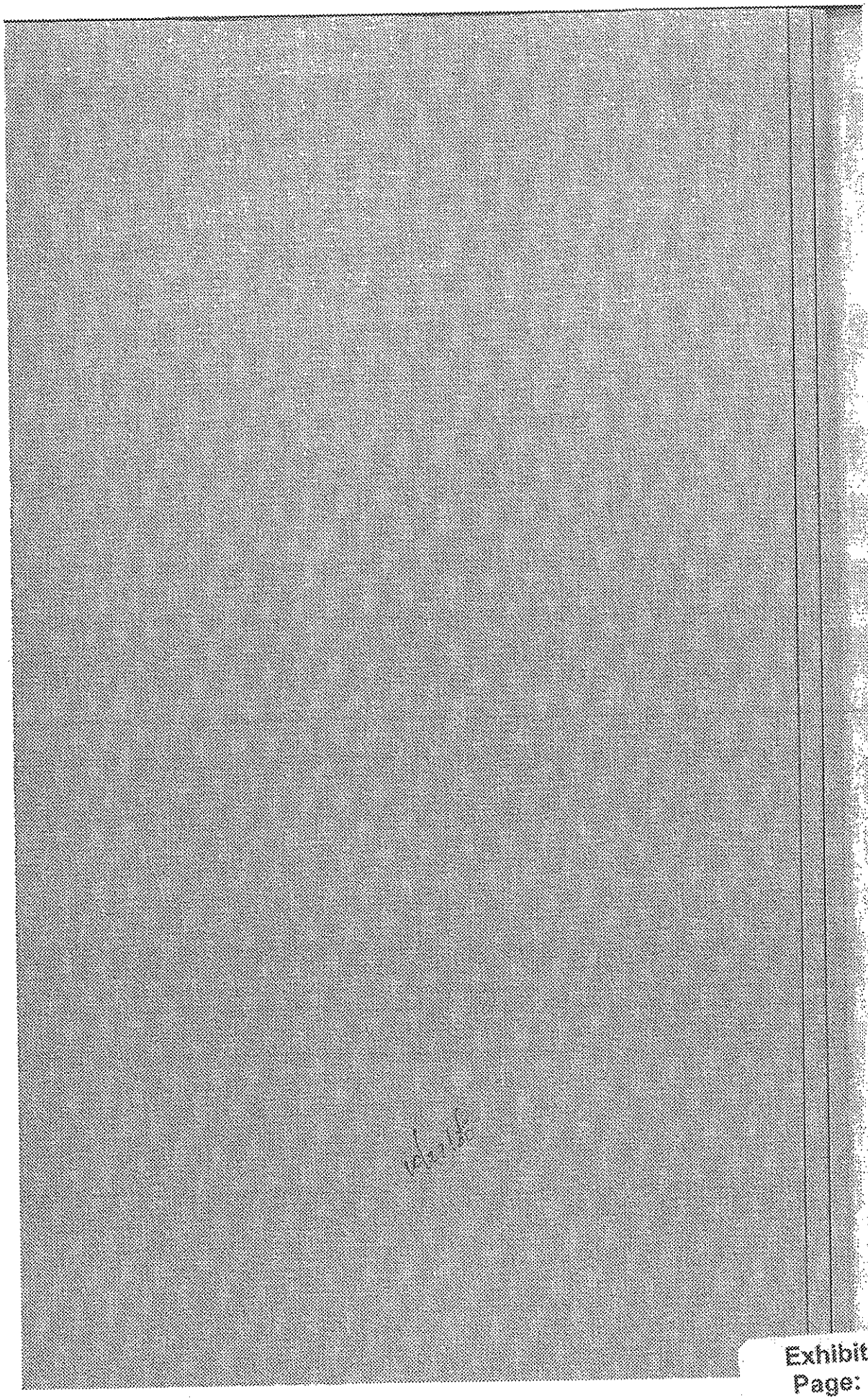

REG NUM: 2411580
REG DT: 12/05/2000
S/N 75/831433

75-831433

FILING DATE
October 25, 1999

ORIGINAL APPLICANT
World Products, Inc.

GOODS/SERVICES (CLASS 007)
engine castings, namely, cylinder heads, (ETC)

GOODS/SERVICES (CLASS 012)
automotive engines and automotive engine (ETC)

FILING BASIS
~~FTU~~

ORIGINAL CORRESPONDENT
TRUDIE KATZ WALKER

MoTown

MOTOWN
PRINCIPAL

LAW OFFICE 104

Janice McMorrow

ATTORNEY ADVISOR: _____

75-831433 +

AMENDED TO
SUPPLEMENTAL REGISTER

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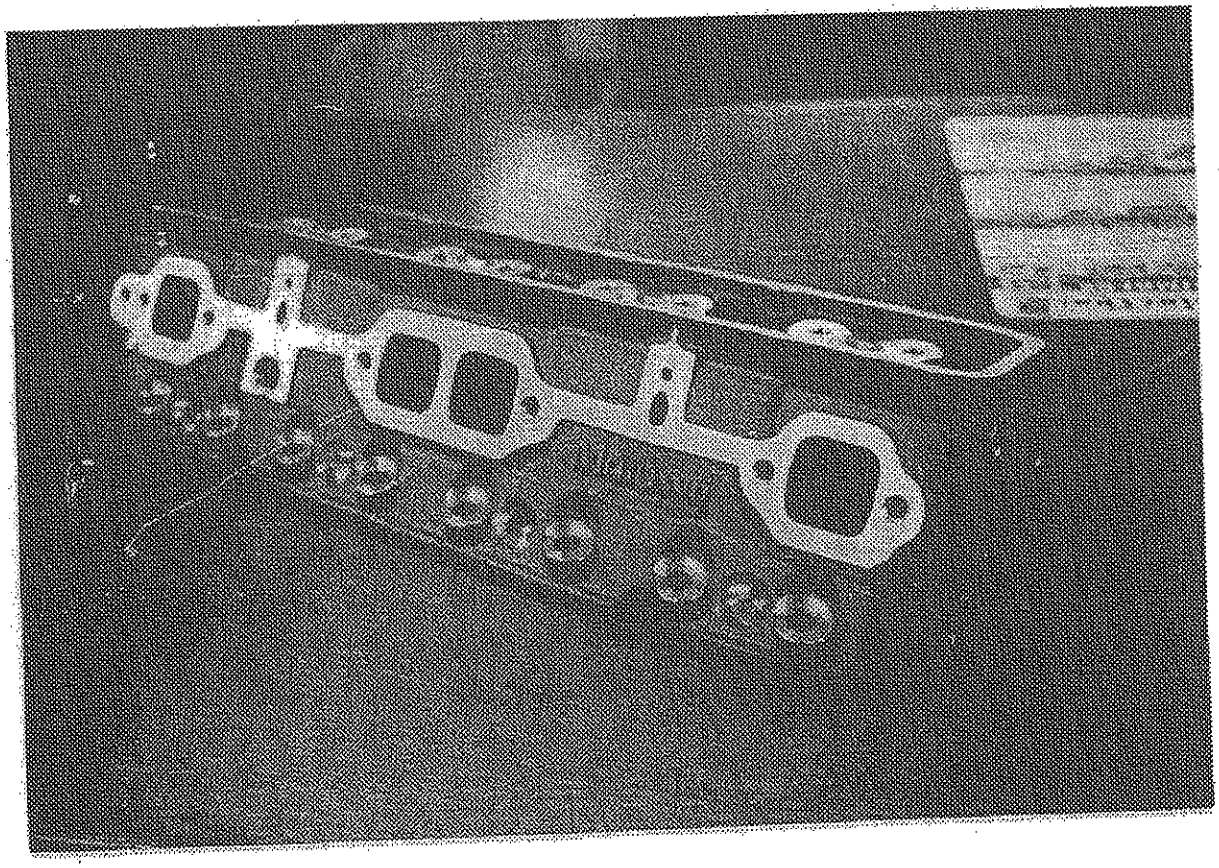

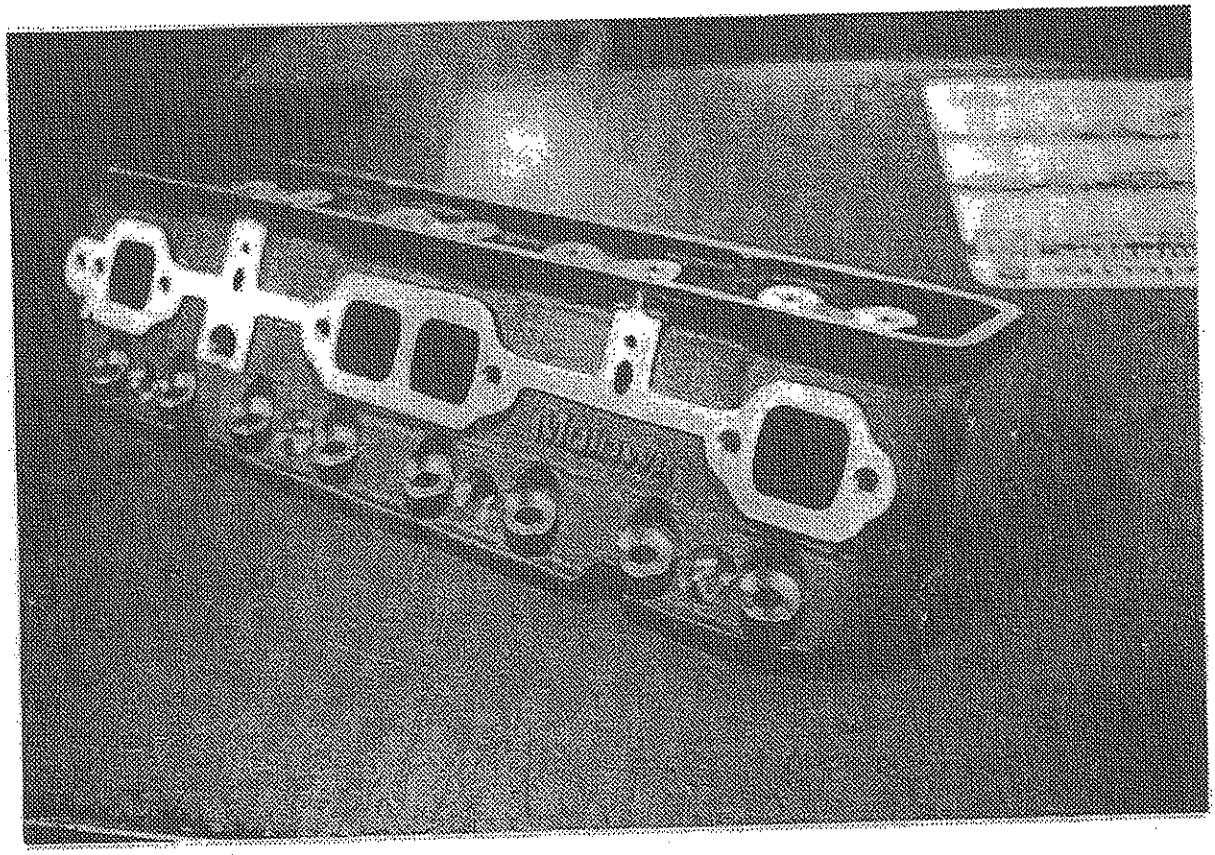

TRADEMARK EXAMINATION WORKSHEET

☐ AMENDMENT STAGE ☐ NO CHANGE ☒ PUBLICATION/REGISTRATION STAGE

• Name: Tammara Baker L.O. 104 Date 10/21/00 Serial No. 75/314,317

75714317

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)

	Amended	Data Element	
Class Data		☐ Prime/International Class	☐ Goods and Services
		☐ First Use Date	☐ First Use in Commerce Date
		☐ In Another Form	☐ Certification
		☐ 1b	
Mark Data	X	☒ Word Mark	☐ Pseudo Mark
	X	☒ Mark Drawing Code	☐ Design Search Code
		☐ Sizing/Lining Code	
Misc. Mark Data		☐ Mark Description	☐ Disclaimer
		☐ Lining/Stippling	☐ Name/Portrait/Consent
		☐ Translation	
Section 2(f)		☐ Section 2(f) Entire Mark	
		☐ Section 2(f) Limitation Statement	☐ Section 2(f) in Part
		☐ Amended Register	☐ Amended Register Date
Foreign Reg. Data		☐ Foreign Country	☐ 44(d)
		☐ Foreign Application Number	☐ Foreign Application Filing Date
		☐ Foreign Registration Number	☐ Foreign Registration Date
		☐ Foreign Registration Expiration Date	☐ Foreign Renewal Reg. Number
		☐ Foreign Reg. Renewal Expiration Date	☐ Foreign Renewal Reg. Date
Owner Data		☐ Owner Name	☐ DBA/AKA/TA
		☐ Address 1	☐ Address 2
		☐ City	☐ State
		☐ Zip Code	
		☐ Citizenship	☐ Entity
		☐ Entity Statement	☐ Composed of
		☐ Assignment(s)/Name Change	
Amd/Corr Restr.		☐ Concurrent Use	
Prior U.S. Reg.		☐ Prior Registration	
Correspondence		☐ Attorney	☐ Domestic Representative
		☐ Attorney Docket Number	
		☐ Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with TEXT editing guidelines.

LIE DATE 10/24

Other:

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TRADEMARK EXAMINATION WORKSHEET

☑ AMENDMENT STAGE ☐ NO CHANGE ☐ PUBLICATION/REGISTRATION STAGE

Name: Amphone Mary Sananikone L.O. 110 Date 8/30/00 Serial No. 75/ 831433

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)			
	Amended	Data Element	
Class Data	☑	☑ Prime/International Class	☑ Goods and Services
	☑	☑ First Use Date	☑ First Use in Commerce Date
		☐ In Another Form	☐ Certification
		☐ 1b	
Mark Data		☐ Word Mark	☐ Pseudo Mark
		☐ Mark Drawing Code	☐ Design Search Code
		☐ Sizing/Lining Code	
Misc. Mark Data		☐ Mark Description	☐ Disclaimer
		☐ Lining/Stippling	☐ Name/Portrait/Consent
		☐ Translation	
Section 2(f)		☐ Section 2(f) Entire Mark	
		☐ Section 2(f) Limitation Statement	☐ Section 2(f) in Part
	☑	☑ Amended Register	☑ Amended Register Date
Foreign Reg. Data		☐ Foreign Country	☐ 44(d)
		☐ Foreign Application Number	☐ Foreign Application Filing Date
		☐ Foreign Registration Number	☐ Foreign Registration Date
		☐ Foreign Registration Expiration Date	☐ Foreign Renewal Reg. Number
		☐ Foreign Reg. Renewal Expiration Date	☐ Foreign Renewal Reg. Date
Owner Data		☐ Owner Name	☐ DBA/AKA/TA
		☐ Address 1	☐ Address 2
		☐ City	☐ State
		☐ Zip Code	
		☐ Citizenship	☐ Entity
		☐ Entity Statement	☐ Composed of
		☐ Assignment(s)/Name Change	
Amd/Corr Restr.		☐ Concurrent Use	
Prior U.S. Reg.		☐ Prior Registration	
Correspondence		☐ Attorney	☐ Domestic Representative
		☐ Attorney Docket Number	
		☐ Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

AMS
LIE

8/30/00
DATE

Other:

Exhibit: A
Page: 56

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

SERIAL NO. 75/831433	APPLICANT World Products, Inc.
MARK MOTOWN (STYLIZED)	
ADDRESS TRUDIE KATZ WALKER 225 OLD COUNTRY ROAD MELVILLE, NEW YORK 11747	ACTION NO. 01 MAILING DATE 03/14/00 REF. NO.

FORM PTO-1525 (5-90) T. OF COMM. PAT. & TM OFFICE

PAPER NO.

ADDRESS:
Assistant Commissioner
for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

Please provide in all correspondence:

1. Filing Date, serial number, mark and Applicant's name.
2. Mailing date of this Office action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and ZIP code.

A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID *ABANDONMENT.* ***For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.***

RE: Serial Number: 75/831433

The assigned examining attorney has reviewed the referenced application and determined the following.

Search Clause

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

Refusal Under Section 2(e)

The examining attorney refuses registration on the Principal Register because the mark is primarily geographically descriptive of the applicant's goods. Trademark Act Section 2(e)(2), 15 U.S.C. Section 1052(e)(2); TMEP section 1210.05.

The primary significance of the term "MOTOWN" is geographic, and applicant's goods come from the geographical place named in the mark. Therefore, a public association of the goods with the

place is presumed. *In re California Pizza Kitchen*, 10 USPQ2d 1704 (TTAB 1989); *In re Handler Fenton Westerns, Inc.*, 214 USPQ 848 (TTAB 1982). Please see the attached evidence from the LEXIS/NEXIS research database indicating that the term MOTOWN is understood to refer to Detroit, and that Detroit is well known for automotive products.

If the primary significance of a mark is to indicate a geographic location which is neither obscure nor remote and the applicant's goods are manufactured or produced in the location indicated, then the public is likely to believe that the geographic term identifies the place from which the goods originate. *See In re Nantucket Allserve, Inc.*, 28 USPQ2d 1144 (TTAB 1993). The applicant must indicate specifically whether the goods will be manufactured or produced in, or will have any other connection with, the geographic location named in the mark. 37 C.F.R. Section 2.61(b).

If the goods, however, will not originate in Detroit, the examining attorney refuses registration on the Principal Register because the mark is primarily geographically deceptively misdescriptive of the applicant's goods. Trademark Act Section 2(e)(3), 15 U.S.C. Section 1052(e)(3); TMEP section 1210.06.

If the applicant chooses to respond to the refusal to register, the following informality must also be addressed.

Identification and Classification of Goods

The identification of goods is unacceptable both because it contains indefinite terms and because some of the goods are misclassified. TMEP section 804. The applicant must amend the identification to specify the common commercial names for the goods. If the goods have no common commercial names, then the applicant must amend the identification to describe the goods and their intended uses, being as complete and specific as possible and avoiding the use of indefinite terms and phrases.

In particular, the following terms are indefinite: "and parts therefore" and "valve train components." Furthermore, as to misclassification, the applicant is advised that all engine parts are properly classified in International Class 7, and only the full automotive engine is properly classified in International Class 12.

If the applicant has any questions, please contact the undersigned.

Janice L. McMorrow
Trademark Examining Attorney
Law Office 104
703/308-9104 x 170

MAIL-IT REQUESTED: MARCH 9, 2000 10083K

CLIENT: PTO
LIBRARY: NEWS
FILE: ALLNWS

YOUR SEARCH REQUEST AT THE TIME THIS MAIL-IT WAS REQUESTED:
"MOTOWN" W/S AUTOMO!

NUMBER OF STORIES FOUND WITH YOUR REQUEST THROUGH:
LEVEL 1... 178

LEVEL 1 PRINTED

THE SELECTED STORY NUMBERS:
3,8,14,17,22-23,29,35,40,43,47,54,57,61,70,73,76,78-79,82,99,110,114,118,121,123
,142,151,170-171

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**********00473**********

LEVEL 1 - 3 OF 178 STORIES

Copyright 2000 Knight Ridder/Tribune Business News
Copyright 2000 Detroit Free Press
Detroit Free Press

February 24, 2000, Thursday

KR-ACC-NO: DE-AUTO-COL

LENGTH: 1017 words

HEADLINE: Detroit Free Press Automobiles Column

BYLINE: By Tony Swan

BODY:
... year's Woodward Dream Cruise," Megge says.

"That gave us about four months to complete the restoration, and everyone said, No way.'

"But vehicle restoration is one of the things we do in our Carron Classics division. And the car made the Cruise."

An automotive engineering service company with activities ranging from show car fabrication to small-scale manufacturing, Carron has been on the scene in Motown for half a century.

The facilities and resources to handle a rusty old Lincoln are definitely there.

And with a high percentage of car buffs among its 600 employees, according to Megge, the restoration was, if not exactly easy, at least distinctly achievable ...

LEVEL 1 - 8 OF 178 STORIES

Copyright 2000 Sun Media Corporation
The London Free Press

January 29, 2000, Saturday, Final EDITION

SECTION: TRAVEL, Pg. G2

LENGTH: 639 words

HEADLINE: HORSEPOWER HONOURED DETROIT GEARS UP NEW AUTO ATTRACTIONS

BYLINE: JIM FOX, CP

DATELINE: DETROIT

BODY:

Detroit and the areas surrounding Flint, Lansing and Kalamazoo were designated the Automobile National Heritage Area in 1998.

The region's automotive connections and Detroit's Motown music legacy are big tourist draws.

A must-see for auto aficionados is the Henry Ford Museum in suburban Dearborn.

Its permanent Automobile in American Life exhibit features a highway displaying 100 cars and trucks and ...

LEVEL 1 - 14 OF 178 STORIES

Copyright 2000 Sun-Sentinel Company
Sun-Sentinel (Fort Lauderdale, FL)

January 1, 2000, Saturday, Broward Metro EDITION

SECTION: 2000 EXTRA, Pg. 5

LENGTH: 937 words

HEADLINE: A NIGHT TO REVEL, REFLECT;
WHILE SOME CELEBRATED THE END OF THE 1900S, OTHERS WORSHIPED IN CHURCHES AND;
TEMPLES, AND SOME HAD TO WORK.

BYLINE: LIZ DOUP ; Staff Writer

BODY:
... systems. He had his two children, 7 and 10, in tow. "I'm very grateful to enjoy such a momentous event with my friends and family."

For the first time in 10 years, Don Mazur, 33, a Detroit party planner for Motown's automotive elite, wasn't working.

"I'm rewarding myself," said Mazur, eating with five friends on blankets on South Beach. The menu: beef tenderloin and stone crab claws, plus foie gras and caviar flown in from New York.

" ...

LEVEL 1 - 17 OF 178 STORIES

Copyright 1999 The Detroit News, Inc.
The Detroit News

August 21, 1999, Saturday

SECTION: Editorial; Pg. Pg. C7

LENGTH: 408 words

HEADLINE: Detroit's Road to Romance

BODY:

... Spanish moss dripping from the oaks here. No historic lore of gallant cavaliers or vaqueros.

Let them come to the Dream Cruise on Woodward Avenue today. Here is romance parading right before their eyes, all they can handle. It is America's love affair with the automobile made tangible, and the source of that infatuation in its most glorious era was Motown.

LEVEL 1 - 22 OF 178 STORIES

Copyright 1999 The Pantagraph
THE PANTAGRAPH (Bloomington, IL.)

May 6, 1999, Thursday

SECTION: SPORTS; Pg. B3

LENGTH: 1036 words

HEADLINE: Detroit's walleye hot spots luring eager anglers

BYLINE: SCOTT RICHARDSON

BODY:
Detroit is the home of more than Motown and sleek automobiles. Pantagraph area anglers are discovering the Motor City is also the heart of some of the best springtime walleye fishing in the Midwest.

Results of a Professional Walleye Trail qualifier held on the Detroit River late last month make that fact clear as ...

LEVEL 1 - 23 OF 178 STORIES

Copyright 1999 The Detroit News, Inc.
The Detroit News

May 2, 1999, Sunday

SECTION: Editorial; Pg. Pg. B6

LENGTH: 571 words

HEADLINE: The War on the Automobile

BODY:

Detroit is the perfect location for this week's National Town Meeting for a Sustainable America. Not because concrete dominates our landscape or because the suburbs here flourish at the city's expense. Rather, this is Motown, and at its most elemental, "sustainable development" is an assault against the personal automobile.

LEVEL 1 - 29 OF 178 STORIES

Copyright 1998 Chicago Tribune Company
Chicago Tribune

November 16, 1998 Monday, NORTH SPORTS FINAL EDITION

SECTION: SPORTS; Pg. 1; ZONE: N; In the wake of the news.

LENGTH: 706 words

HEADLINE: TO BE FRANK(FURT), BEARS-LIONS REEKS

BYLINE: Bernie Lincicome.

DATELINE: PONTIAC, Mich.

BODY:

All the buzz in Greater Motown has been about the merger between Chrysler and Daimler-Benz AG, makers of the Jeep and the Mercedes-Benz. The locals are enchanted by the idea of how great an automobile company will be made from the union of something American and something German.

After witnessing for the second time this year the Lions and the Bears play football, I have come to a similar conclusion. I am convinced that if the Bears and Lions could be put together to ...

LEVEL 1 - 35 OF 178 STORIES

Copyright 1998 The Detroit News, Inc.
The Detroit News

July 09, 1998, Thursday

SECTION: Metro; Pg. Pg. D8

LENGTH: 230 words

HEADLINE: New in Detroit: Fuddruckers opens in Detroit shopping plaza

BYLINE: Madison J. Gray / The Detroit News

BODY:
... drew them downtown.

"(IHOP) is one of the busiest in the United States," he said. "We felt Fuddruckers has an outstanding product with a great value, so we wanted to be here. We wanted to be a part of the revitalization of Detroit."

The restaurant, equipped with a full-service bar, also is Motown-themed with automotive art on the walls and Motown music streaming from house speakers. A staff of 90 is in place, and Good expects to hire more. Good also said the company hopes the location will earn $ 800,000 in sales in the last six months of 1998.

The restaurant is the second ...

GRAPHIC: Fuddruckers' second area restaurant opened in Chene Square, and presents a local theme including automotive art and Motown music. Alan Lessig / The Detroit News

LEVEL 1 - 40 OF 178 STORIES

Copyright 1998 Financial Post Ltd.
The Financial Post

June 19, 1998 Friday DAILY EDITIONS

SECTION: SECTION 1, SPECIAL REPORT: DRIVER'S EDGE; Pg. D7

LENGTH: 823 words

HEADLINE: Merger to speed consolidation, parts-makers say

BYLINE: Haig Simonian and Nikki Tait, Financial Times;Today's Business

BODY:

... sense fresh opportunities in Europe, European rivals will be looking at the U.S. 'From the North American perspective, there's been a lot of quick enthusiasm about opening the door into Daimler. But the opposite's also true," Andrea says.

Companies such as Valeo, Siemens Automotive or Robert Bosch - all big Daimler suppliers with sizable Motown bases - are expected to 'look increasingly to North America to balance out their sales."

No one disputes the merger is likely to accelerate consolidation on the supply side, as component companies seek to service car makers on both sides of the Atlantic.

LEVEL 1 - 43 OF 178 STORIES

Copyright 1998 The Detroit News, Inc.
The Detroit News

May 26, 1998, Tuesday

SECTION: Metro; Pg. Pg. D5

LENGTH: 128 words

HEADLINE: Sound Off

BODY:
On whether Michigan and its autoworkers will prosper as the automobile industry becomes more global:

Michigan and Detroit will need to fight tooth and nail to preserve its niche in the automobile market. Motown's 20th-century dominance in the automobile industry was a result of its prime location on a major waterway, access to raw materials and timely leadership by farsighted entrepreneurs.

LEVEL 1 - 47 OF 178 STORIES

Copyright 1998 Inter Press Service
Inter Press Service

February 17, 1998, Tuesday

LENGTH: 783 words

HEADLINE: MUSIC-U.S.: MOTOWN CELEBRATES 40 YEARS OF SOUL MUSIC

BYLINE: By Farhan Haq

DATELINE: NEW YORK, Feb. 17

BODY:

... soul stars -- from Marvin Gaye, Diana Ross and the Vandellas to the Temptations -- provided the soundtracks for the civil rights era.

In recent years, the company has gone from being a black-owned independent firm based in Detroit -- "Motor Town" or "Motown" because of its fame as the headquarters of the U.S. automobile industry -- to a Hollywood-based affiliate of the MCA-Universal conglomerate.

Motown's music itself has shifted from the propulsive, beat- crazy music of the Supremes and Four Tops to the more laid- back 1990s soul sound of new groups like Boyz II ...

LEVEL 1 - 54 OF 178 STORIES

Copyright 1998 Crain Communications Inc.
Automotive News

January 05, 1998

SECTION: Column; Pg. 10

LENGTH: 395 words

HEADLINE: A GREAT WAY TO START

BYLINE: KEITH CRAIN

BODY:
... for the automobile industry.

This week, thousands of automobile executives, suppliers, dealers and press are descending on Detroit from around the world. In the last decade, the North American International Auto Show in Detroit has become big. The motor show in Motown is decisively established as America's premier automotive event.

LEVEL 1 - 57 OF 178 STORIES

Copyright 1997 SOFTLINE INFORMATION, INC.
The Ethnic NewsWatch
Michigan Citizen

July 16, 1997

SECTION: Vol. XIX; No. 34; Pg. A7

LENGTH: 801 words

HEADLINE: Race, rhetoric, regionalism, and redevelopment

BYLINE: Morgan, Glenn

BODY:
Race, rhetoric, regionalism, and redevelopment

Detroit is well known all over the world by several endearing nicknames like "Motown," "The Motor City," and the "Automotive Capital of the World." Detroit was called the "Arsenal of Democracy," because of the city's leading role in manufacturing industrial material for America's war effort during World War 111. As Detroit's manufacturing and automotive industries declined in the late sixties and seventies, ...

LEVEL 1 - 61 OF 178 STORIES

Copyright 1997 The Detroit News, Inc.
The Detroit News

June 26, 1997, Thursday

SECTION: Business; Pg. Pg. B1

LENGTH: 655 words

HEADLINE: Automotive parts suppliers are crowding into the I-75 corridor north of Detroit, making it the ... : SUPPLIER SPEEDWAY

BYLINE: By Joel J. Smith / The Detroit News

BODY:
... Hills has evolved into one of the world's great thoroughfares of industrial power.

That position was solidified with recent decisions by several prominent auto-related firms to construct high-visibility offices along the 15-mile route.

These are just the latest of more than 50 automobile suppliers that have opened up operations in the corridor, bolstering Motown's claim as the center of the world auto industry and going a long way to explain Oakland County's fabulous growth in wealth and population.

Why there?

LEVEL 1 - 70 OF 178 STORIES

Copyright 1997 Caledonian Newspapers Ltd.
The Herald (Glasgow)

March 7, 1997

SECTION: Pg. 44

LENGTH: 1720 words

HEADLINE: Villeneuve on starting grid for a rare double;Canadian leads the likely lads in young and fresh grand prix line-up

BODY:

... Tanned and instantly recognisable with a full head of curly grey hair, the Italian immigrant (who won the Indianapolis 500 and the 1978 Formula 1 world championship crown) still pulls crowds and was signing autographs and pressing the flesh at an automotive engineering show in Motown, Detroit.

The snatched conversation with Andretti, the man from Nazareth in the American South, revealed an uneasiness about playing pundit on who may or may not inherit Damon Hill's crown this year. However, that brief verdict on the Canadian left ...

LEVEL 1 - 73 OF 178 STORIES

Copyright 1997 The Detroit News, Inc.
The Detroit News

January 14, 1997, Tuesday

SECTION: Accent; Pg. Pg. E1

LENGTH: 539 words

HEADLINE: Chat Room: Why do Detroiters pay money to see cars at the Auto Show?

BYLINE: Tom Long

BODY:
... all get to write off their expenses for traveling to the show, and then there were the free brownies. But I don't think the folks going this week are able to write off expenses, and I doubt they're getting free brownies.

Yes, I understand this is Motown and the automobile is the area's lifeblood. It's a proud part of Michigan's heritage and history.

But in California, people don't race on down to the latest surfboard show to see what's coming out in six months. Folks there just wait until the ...

LEVEL 1 - 76 OF 178 STORIES

Copyright 1996 CNBC, Inc.
CNBC News Transcripts

SHOW: HOW TO SUCCEED IN BUSINESS (6:00 PM ET)

October 19, 1996, Saturday 7:02 AM

LENGTH: 1030 words

HEADLINE: EDWARD LAPHAM, FROM AUTOMOTIVE NEWS, DISCUSSES THE AUTOMOTIVE INDUSTRY AND HOW TO GET STARTED IN THE BUSINESS

ANCHORS: MARK HAINES

BODY:

... franchises, sales and servicing, transportation, equipment manufacturing all help to define the auto market. Today we're going to look at what kind of role small businesses play within the auto industry. And here to explore the topic is Edward Lapham. He is executive editor of Automotive News and he joins us from--Where else?--Detroit, Motown.

LEVEL 1 - 78 OF 178 STORIES

Copyright 1996 Telegraph Group Limited
The Daily Telegraph

August 3, 1996, Saturday

SECTION: Pg. 13

LENGTH: 1093 words

HEADLINE: Gardening: Don't diss my cress, man Christopher Middleton on allotments in downtown Detroit

BODY:

... made to people of her generation. "They give you a sense of pride," she says. "You get the feeling when you look at them that there is a chance things are going to improve." BUT the gardens have also had significance for people at the other end of the age scale. Detroit is, of course, synonymous with automobile production; hence "Motown" (short for "Motor Town") - the music made famous by groups like the Supremes and the Four Tops. However, large numbers of the workers who were recruited during after the Second World War to man the car plants actually came from rural backgrounds ...

LEVEL 1 - 79 OF 178 STORIES

Copyright 1996 UMI, Inc.; ABI/INFORM
Copyright Bill Communications 1996
Successful Meetings

August 1996

SECTION: 1996 Pinnacle Award Directory Supplement Pg. 13; ISSN: 0148-4052;
CODEN: SUPBDD

LENGTH: 513 words

HEADLINE: Metropolitan Detroit Convention & Visitors Bureau

BODY:
Michigan's largest city and the ninth largest in the United States, Detroit is known to the world as The Motor city, or "Motown," for its major contribution to the automotive industry as well as the music industry. Easily accessible from all over America, Detroit's Metropolitan Airport, Northwest Airline's largest hub 15 miles from downtown, handles 1,200 arrivals and departures every day. Visitors can now travel around ...

LEVEL 1 - 82 OF 178 STORIES

Copyright 1996 The Journal of Commerce, Inc.
Traffic World

June 17, 1996, Monday

SECTION: INTERNATIONAL, Pg. 18

LENGTH: 1257 words

HEADLINE: NETHERLANDS SCORES, LURING U.S. COMPANIES WITH INDUSTRIAL CLUSTERS, EFFICIENT TRANSPORT

BYLINE: Karen E. Thuermer; Special to Traffic World

... on finding a geographically central location that offered a skilled, multilingual work force and a comfortable place to do business,'' said Peter van der Vorst, director of tax.

The city of Maastricht in the province of Limburg is earning a Motown reputation due to the number of automotive companies clustering there. Limburg's location between Belgium and Germany, its infrastructure and the presence of Netherlands' Car BV, or NedCar, have encouraged leading automotive-component firms to start production there. These include Kelsey-Hayes, Inalfa, Sanko Gosei, Davidson Marley, Sicar, Arvin Exhaust, Autoliv BV and Hyundai.

Amsterdam is host to 832 foreign companies of which almost 500 have their roots in the United States or Japan. ...

LEVEL 1 - 99 OF 178 STORIES

Copyright 1995 The Idaho Statesman
The Idaho Statesman

June 05, 1995, Monday

SECTION: News; Pg. 1A;

LENGTH: 2411 words

HEADLINE: THE FATEFUL MEETING

BYLINE: Jim Hopkins

BODY:
... spiteful traits that childhood buddies say can't be reconciled with the Diane they know.

By this time, Bill and Diane had been married nearly 22 years, and lived in the high-end Detroit suburb of Bloomfield Hills, near Bendix's headquarters, and popular among the automotive set who helped crank out cars in Motown. Mary had been married to Bo Gray, now an executive with the American Express Co., for 41/2 years.

Both marriages were shaky at best, Mary wrote.

Bill's star continued to rise.

After graduating with highest honors from the University of ...

LEVEL 1 - 110 OF 178 STORIES

Copyright 1994 Information Access Company, a Thomson Corporation
Company
ASAP
Copyright 1994 Ziff Davis Publishing
Computer Shopper

November, 1994

SECTION: Vol. 14 ; No. 11 ; Pg. 560; ISSN: 0886-0556

LENGTH: 474 words

HEADLINE: Detroit; Impressions Software's Detroit business simulation; Games; Software Review; Evaluation; Brief Article

BYLINE: Terra, John

BODY:
... Suite 0234

Cambridge, MA 02142

1-800-545-7677; (617) 225-0500

Sugg. List Price: $ 69.95

System: PC

Martha and the Vandellas once sang that you "can't forget the Motor City," and you may not be able to forget Motown, either, after you've played Detroit, a business simulation that places the player at the helm of an automobile company.

Players start out in 1908 with $ 60,000 in the bank, a factory, a single car model, a sales office, and a territory. From there, as president of the company, you open new factories and sales offices in different regions of the ...

LEVEL 1 - 114 OF 178 STORIES

Copyright 1994 SOFTLINE INFORMATION, INC.
The Ethnic NewsWatch
Michigan Chronicle

September 20, 1994

SECTION: Vol. 57; No. 52; Pg. 1-D

LENGTH: 856 words

HEADLINE: No, the Motown Museum is not leaving Detroit

BYLINE: Holsey, Steve

BODY:
... new Motown Historical Museum.

Working with Henry Ford Museum & Greenfield Village has no effect on the Motown Historical Museum's being an independent, nonprofit organization with its own governing board.

DETROIT IS ALMOST as well known for the sound of Motown as it is for automobiles. Then too, despite the company now having headquarters in Los Angeles, in the public's mind Motown will be forever identified with Detroit, and rightfully so. Indeed, immediately after the "Motown 25: Yesterday, Today, Forever" television special aired in 1983, ...

LEVEL 1 - 118 OF 178 STORIES

Copyright 1994 Crain Communications, Inc.
Automotive News

February 28, 1994

SECTION: KEITH CRAIN; Pg. 12

LENGTH: 386 words

HEADLINE: Hail to the engineer

BODY:

It feels like everybody is heading for Detroit this week. It's the annual pilgrimage to Motown for SAE, formerly the Society of Automotive Engineers.

For decades this SAE show has been important. It brings together about 40,000 folks from around this globe with one thing in common: All are involved with the automobile, or at least some part of it.

LEVEL 1 - 121 OF 178 STORIES

Copyright 1993 The Irish Times
The Irish Times

December 20, 1993, CITY EDITION

SECTION: WORLD CUP '94; Pg. SUPPLEMENT PAGE 2

LENGTH: 2651 words

HEADLINE: Rough guide to USA

BYLINE: By CONOR O'CLERY

BODY:

... 28.3C.

Population: 4,665,236.

Stadium:Pontiac Silver Dome.

Location: Pontiac, Michigan, 18 miles from Detroit.

Capacity:76,000.

Playing surface: 113 x 70 yards.

First round matches: June 18th,

22nd, 24th and 28th.

DETROIT is Motown, the automobile capital of the world accounting for seven out of ten American cars; it is the home town of Henry Ford, as well as Charles Lindbergh, Jow Lewis Diana Ross and Tom Selleck. The big three car manufacturers. General Motors, Ford and ...

LEVEL 1 - 123 OF 178 STORIES

Copyright 1993 Information Access Company, a Thomson Corporation
Company
ASAP
Copyright 1993 TL Enterprises Inc.
Trailer Life

September, 1993

SECTION: Vol. 53 ; No. 9 ; Pg. 34; ISSN: 0041-0780

LENGTH: 4290 words

HEADLINE: Meandering in Michigan; Cover Story

BYLINE: Smith, Robert J. ; Smith, Geraldine R.

BODY:
... for a quick jaunt into Canada.

Detroit, located at the base of the Thumb, was founded in 1701 by fur traders and trappers. It is Michigan's largest city and the seventh largest in the United States. Call it Motor City or Motown, this city gave birth to the moving assembly line, the $ 5 eight-hour workday and America's automotive industry.

Getting around downtown Detroit is made easy by an unusual duo, an antique red and brass trolley and a futuristic People Mover, whose elevated cars use magnetic force for propulsion and braking. Stops at ...

LEVEL 1 - 142 OF 178 STORIES

Copyright 1992 The New York Times Company
The New York Times

January 6, 1992, Monday, Late Edition - Final

NAME: Erik Kramer

SECTION: Section C; Page 5; Column 1; Sports Desk

LENGTH: 910 words

HEADLINE: Sports of The Times;
Detroit Fans Cheer for the Quarterback Without the Union Label

BYLINE: By IRA BERKOW

DATELINE: PONTIAC, Mich.

BODY:
... said Ted Wagner, reduced to part-time work on the assembly line at the Ford Escort plant here. "So that's why a lot of us overlook it that Erik Kramer was a scab. He's our quarterback, and it's the Lions. We're rooting for him."

Motown, from "The Motor City," depends hugely, of course, on one particular industry, automobiles, which is reeling. In a depressed national economy, cars have been hit as hard as any product.

In this area, though, as in many others, sports has often been a great rallying point. And while the Lions have been down for a long time, they ...

LEVEL 1 - 151 OF 178 STORIES

Copyright 1991 A/S/M Communications, Inc.
ADWEEK

August 19, 1991, Eastern Edition

LENGTH: 635 words

HEADLINE: GM Agencies Drop Gloves in Street Fight for New Ad Biz

BYLINE: By Kim Kinter

DATELINE: DETROIT

BODY:
So much for the gentle-manly ways of General Motors' agencies.

The five big automotive shops, Motown's elite, have taken off the white gloves, rolled up their sleeves and gone to work seriously trying to figure out how to skunk their colleagues.

"Before, there was a hands-off understanding among agencies about GM business you didn't have," one agency ...

LEVEL 1 - 170 OF 178 STORIES

Copyright 1986 The National Journal, Inc.
The National Journal

December 13, 1986

SECTION: REPORTS; The Regions; Vol. 18, No. 50; Pg. 3007

LENGTH: 3423 words

HEADLINE: MIDWEST;
Few Signs of Recovery

BYLINE: BY W. JOHN MOORE

DATELINE: CHICAGO

BODY:
... a decade ago," the local business publication concluded.

DOWNTURN

Whether the Midwest's economy will endure further decline or enjoy a modest rival remains unclear. But the downturn has tarnished some of the Midwest's most cherished images. Detroit remains Motown, but the automobile industry continues to struggle. In late November, General Motors Corp. announced the closing of seven plants and the loss of 17,450 autoworkers' jobs. "Detroit had symbolized America's golden industrial era; now it symbolized her decline," David Halberstam, author of The ...

LEVEL 1 - 171 OF 178 STORIES

Copyright 1986 The Washington Post
The Washington Post

November 16, 1986, Sunday, Final Edition

SECTION: WASHINGTON POST MAGAZINE; PAGE W49; DREAM MACHINES

LENGTH: 960 words

HEADLINE: A Jeep for the Jaded

BYLINE: Brock Yates

BODY:

An epiphany of any kind is a thrill, especially when it comes to the moguls of Motown, those dazzling intellects who have marshaled the American automobile industry from a position of leadership to runner-up status in less than 20 years. These eminences have recently discovered the concept of "niche cars," vehicles intended for small, specific segments of the market, unlike the sappy, all-purpose, mainstream arks that are, ...

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****------------------------------------------------------------------------****

*      31 PAGES                 527 LINES              JOB  34841   10083K        *
*   2:37 P.M. STARTED      2:38 P.M. ENDED                 03/09/00               *
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*                          E          NN  N      D   D                           *
*                          EEE        N N N      D   D                           *
*                          E          N  NN      D   D                           *
*                          E          N   N      D   D                           *
*                          EEEEE      N   N      DDDD                            *

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SEND TO: BAKER, JANICE
TRADEMARK LAW LIBRARY
2101 CRYSTAL PLAZA ARC
MAIL BOX 3104
ARLINGTON, VIRGINIA 22202-4600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: MOTOWN

INTERNATIONAL CLASSES: 007, 012

Assistant Commissioner of Trademarks
BOX ITU FEE
2900 Crystal Drive
Arlington, VA 22202-3513

APPLICATION FOR TRADEMARK REGISTRATION

Dear Sir:

World Products, Inc., a Michigan Corp., doing business at 35330 Stanley, Sterling Heights, Michigan 48312, has adopted and has a bona fide intent to use the mark MOTOWN shown in the accompanying drawing in commerce on the goods for

> Engine castings, namely, cylinder heads, engine blocks, intake manifolds and valve covers, and parts therefore in International Class 007.
>
> Automotive engines and automotive engine parts, namely, cylinder heads with valve train components and valve trains in International Class 012.

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

Applicant intends to affix the mark to labels and packages for the goods.

The mark consists of the word MOTOWN in stylized letters.] Print

Exhibit: A
Page: 91

POWER OF ATTORNEY

World Products, Inc., the Applicant herein, hereby appoints Trudie Katz Walker of 225 Old Country Road, Melville, New York 11747,a member of the Bar of the State of New York, to prosecute this application to register, to transact all business in the United States Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration.

DECLARATION

World Products, Inc., the Applicant herein, by William B. Mitchell, President, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares:

That he believes the applicant corporation is entitled to use the mark in interstate commerce;

That he believes the applicant corporation is the owner of the mark sought to be registered;

The applicant corporation intends to use the mark in interstate commerce;

To the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in interstate commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive;

And the facts set forth in this application are true, and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated: 10/19/ , 1999

World Products, Inc.
(by)William B. Mitchell
President

kc:clients:bill mitchell:applmotown

Exhibit: A
Page: 92

Trudie Katz Walker

Attorney at Law

225 Old Country Road
Melville, New York 11747-2712
Tel. (516)361-8737
(516)761-0050
Fax(516)361-8792

October 25 1999

Assistant Commissioner for Trademarks
BOX ITU/FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Intent to Use Trademark Application
Mark: MOTOWN

Dear Sir:

Enclosed please find intent to use trademark application for the above captioned, together with a filing fee of $490 for two classes nd Certificate of Mailing.

Please acknowledge receipt by returning the enclosed postcard.

Very truly yours,

Trudie Katz Walker
TKW:twe
TM transmittal new intent appl

CERTIFICATE OF MAILING

I hereby certify that the attached correspondence is being deposited with the United States Postal Service as Express Mail No. : EL452064135US addressed to:

Assistant Commissioner for Trademarks
Box ITU/Fee
2900 Crystal Drive
Arlington, VA 22202-3513

on the date indicated below.

Date: October 25, 1999

Jackie Percan

75831433

TRADEMARK APPLICATION SERIAL NO.

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

10/29/1999 CMAY11 00000084 75831433
01 FC:361 490.00 OP

PTO-1555
(5/87)

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 2,411,580

Registered Dec. 5, 2000

TRADEMARK
SUPPLEMENTAL REGISTER

MOTOWN

WORLD PRODUCTS, INC. (MICHIGAN CORPORATION)
35330 STANLEY
STERLING HEIGHTS, MI 48312

FOR: AUTOMOTIVE ENGINE CASTINGS, NAMELY, ORIGINAL AND REPLACEMENT CYLINDER HEADS, ENGINE BLOCKS, INTAKE MANIFOLDS AND VALVE COVERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 11-30-1999; IN COMMERCE 11-30-1999.

THE MARK CONSISTS OF THE WORD MOTOWN IN STYLIZED LETTERS.

SER. NO. 75-831,433, FILED P.R. 10-25-1999; AM. S.R. 7-11-2000.

JANICE L. MCMORROW, EXAMINING ATTORNEY

APPLICANT: World Products , Inc.

P.O. ADDRESS: 35330 Stanley
Sterling Heights, MI 48312

GOODS: Engine castings, namely, cylinder heads, engine blocks, intake manifolds and valve covers, and parts therefore in International Class 007.
Automotive engines and automotive engine parts, namely, cylinder heads with valve train components and valve trains in International Class 012.

10-25-1999
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #34

MoTown

REGISTER
12/05/00

Trudie Katz Walker
Attorney at law
225 Old Country Road
Melville, NY 11747
*516/361-8737
*FAX 516/361-8792

AMENDED TO
SUPPLEMENTAL REGISTER

*Please note effective November 1, 1999, the area code will change. The new telephone number is 631/361-8737, fax 631/631-8792

TRADEMARK
75831433

*** User: jmcmorrow ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	48	34	14	14	0:02	"world products"[ow]
02	89455	N/A	0	0	0:01	*mo*[bi,ti]
03	3328	N/A	0	0	0:01	*town*[bi,ti]
04	154	86	68	68	0:01	2 and 3
05	2057	N/A	0	0	0:02	*motor*[bi,ti]
06	18901	N/A	0	0	0:02	*{"sc"}it*[bi,ti]
07	5004	N/A	0	0	0:01	*{"ck"}ast*[bi,ti]
08	1	0	1	1	0:01	5 and 6 and 7
09	3	1	2	2	0:01	1 and (2 or 3)
10	154	N/A	0	0	0:01	2 and 3
11	3	1	1	1	0:01	1 and 2
12	81	50	31	31	0:01	5 and (6 or 7)
13	21	6	15	15	0:01	6 and 7
14	12848	N/A	0	0	0:01	*right*[bi,ti] or *rite*[bi,ti]
15	19	11	8	8	0:01	7 and 14
16	2601	N/A	0	0	0:02	14 and "012"[cc]
17	504	N/A	0	0	0:02	16 and ("007" "012" a b "200")[ic]
18	35743	N/A	0	0	P/0:02	(engine or cast or casting or cylinder or manifold or valve)[gs]
19	34	17	17	17	0:01	17 and 18

Session started 3/7/00 2:00:13 PM
Session finished 3/7/00 2:30:31 PM
Total search duration 0:25 minutes
Session Duration 30:18 minutes

Default NEAR limit= 1 ADJ limit= 1

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

Reg. No. 2,411,580

United States Patent and Trademark Office

Registered Dec. 5, 2000

TRADEMARK
SUPPLEMENTAL REGISTER

MoTown

WORLD PRODUCTS, INC. (MICHIGAN CORPORATION)
35330 STANLEY
STERLING HEIGHTS, MI 48312

FOR: AUTOMOTIVE ENGINE CASTINGS, NAMELY, ORIGINAL AND REPLACEMENT CYLINDER HEADS, ENGINE BLOCKS, INTAKE MANIFOLDS AND VALVE COVERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 11-30-1999; IN COMMERCE 11-30-1999.

THE MARK CONSISTS OF THE WORD MOTOWN IN STYLIZED LETTERS.

SER. NO. 75-831,433, FILED P.R. 10-25-1999; AM. S.R. 7-11-2000.

JANICE L. MCMORROW, EXAMINING ATTORNEY

Exhibit: A
Page: 98

07-11-2000
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

104

STATES PATENT AND TRADEMARK OFFICE

2AAU
2A

Law Office:	104
Serial No.:	75/831433
Mark:	MOTOWN
Examining Attorney:	Janice L.. McMorrow
Date Of Office Action:	March 14, 2000
Applicant:	World Products, Inc.
Filing Date:	October 25, 1999

BOX AAU /FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

AMENDMENT TO ALLEGE USE UNDER § 2.76
AMENDMENT TO SUPPLEMENTAL REGISTER

Applicant requests registration of the above identified trademark in the United States Patent and Trademark Office on Supplemental Register established by the Act of July 5, 1946. Three specimens showing the mark as used in commerce are submitted with this amendment. The specimens are photographs of the mark which is cast into the goods.

Applicant is using the mark in commerce on the following goods:

Automotive engine castings, namely, original and replacement cylinder heads, engine blocks, intake manifolds and valve covers in International Class 007.

The mark was first used at least as early as November 30, 1999 and was first used in interstate commerce at least as early as November 30, 1999. The trademark is used by casting it into the goods.

The fee for this amendment in the amount of $100 for one class for the amended identification is included herein pursuant to 37 C.F.R. § 2.6.

In response to the Office Action dated March 14, 2000, Applicant amends the application as follows:

Applicant deletes the identification of the goods and replaces it with:

07/17/2000 EPINH1 00000121 75831433
01 FC:362 100.00 OP

Automotive engine castings, namely, original and replacement cylinder heads, engine blocks, intake manifolds and valve covers in International Class 007.

Applicant deletes the words "Principal Register" and replaces it with "Supplemental Register".

REMARKS

Applicant has amended the identification of the goods to reclassify and more definitively identify the goods and to restrict the application to one class. Applicant has also amended its application to allege use of the mark in interstate commerce. Applicant has also amended the application to seek registration on the Supplemental Register. Accordingly, Applicant submits that he examiners refusal on the grounds that the mark is primarily geographically descriptive is now moot, and that the description of the goods is now sufficiently definite and acceptable.

Applicant submits that the application is now in condition to be passed to publication.

Applicants attorney will make herself available for a telephone conference with examiner.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Amendment to Allege Use on behalf of the applicant; he believes the applicant to be the owner of the mark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated: 6/28/00

William Mitchell

William Mitchell
President
World Products, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Law Office:	104
Serial No.:	75/831433
Mark:	MOTOWN
Examining Attorney:	Janice L.. McMorrow
Date Of Office Action:	March 14, 2000
Applicant:	World Products, Inc.
Filing Date:	October 25, 1999

NOTICE OF AREA CODE CHANGE FOR TELEPHONE AND FAX

Please be advised that effective November 1, 1999 the area code has been changed from 516 to 631. The new telephone number and fax number appear below.

Trudie Katz Walker
Attorney at law
225 Old Country Road
Melville, NY 11747
Tel. 631/361-8737
Fax 631/361-8792

Notice of tel # change-TM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Law Office:	104
Serial No.:	75/831433
Mark:	MOTOWN
Examining Attorney:	Janice L.. McMorrow
Date Of Office Action:	March 14, 2000
Applicant:	World Products, Inc.
Filing Date:	October 25, 1999

NOTICE OF AREA CODE CHANGE FOR TELEPHONE AND FAX

Please be advised that effective November 1, 1999 the area code has been changed from 516 to 631. The new telephone number and fax number appear below.

Trudie Katz Walker
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225 Old Country Road
Melville, NY 11747
Tel. 631/361-8737
Fax 631/361-8792

Notice of tel # change-TM

07-11-2000

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

UNITED STATES PATENT AND TRADEMARK OFFICE

July 11, 2000

Commissioner for Trademarks
BOX AAU FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Law Office:	104
Serial No.:	75/831433
Mark:	MOTOWN
Examining Attorney:	Janice L.. McMorrow
Date Of Office Action:	March 14, 2000
Applicant:	World Products, Inc.
Filing Date:	October 25, 1999

TRANSMITTAL OF AMENDMENT ALLEGING USE

Dear Sir:

Enclosed please find:

Amendment Alleging Use and In Response to Office Action
Three specimens
Check in the amount of $100 for the filing fee
Notice of change of telephone number.

Please acknowledge receipt by returning the enclosed postcard.

RECEIVED
2000 JUL 19 A 10:02
TMOF
LAW OFFICE 104

Very truly yours,

Trudie Katz Walker

Trudie Katz Walker
Attorney for Applicant
225 Old Country Road
Melville, NY 11747
631/361-8737

CERTIFICATE OF MAILING

I hereby certify that the attached correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: EL466305304US
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

on Date: July 11, 2000

Jackie Percan

Exhibit: A
Page: 103

APPLICANT: World Products , Inc.

P.O. ADDRESS: 35330 Stanley
Sterling Heights, MI 48312

GOODS: Engine castings, namely, cylinder heads, engine blocks, intake manifolds and valve covers, and parts therefore in International Class 007.
Automotive engines and automotive engine parts, namely, cylinder heads with valve train components and valve trains in International Class 012.

10-25-1999
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #34

MoTown

Trudie Katz Walker
Attorney at law
225 Old Country Road
Melville, NY 11747
*516/361-8737
*FAX 516/361-8792

*Please note effective November 1, 1999, the area code will change. The new telephone number is 631/361-8737, fax 631/631-8792

TRADEMARK
75831433

Exhibit: A
Page: 104

75831433

TRADEMARK APPLICATION SERIAL NO. _

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

10/29/1999 CNGY11 00000084 75831433
01 FC:361 490.00 OP

PTO-1555
(5/87)

Trudie Katz Walker

Attorney at Law

225 Old Country Road
Melville, New York 11747-2712
Tel. (516)361-8737
(516)761-0050
Fax(516)361-8792

October 25 1999

Assistant Commissioner for Trademarks
BOX ITU/FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Intent to Use Trademark Application
Mark: MOTOWN

Dear Sir:

Enclosed please find intent to use trademark application for the above captioned, together with a filing fee of $490 for two classes nd Certificate of Mailing.

Please acknowledge receipt by returning the enclosed postcard.

Very truly yours,

Trudie Katz Walker
TKW:twe
TM transmittal new intent appl

CERTIFICATE OF MAILING

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Assistant Commissioner for Trademarks
Box ITU/Fee
2900 Crystal Drive
Arlington, VA 22202-3513

on the date indicated below.

Date: October 25, 1999

Jackie Percan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: MOTOWN

INTERNATIONAL CLASSES: 007, 012

Assistant Commissioner of Trademarks
BOX ITU FEE
2900 Crystal Drive
Arlington, VA 22202-3513

APPLICATION FOR TRADEMARK REGISTRATION

Dear Sir:

World Products, Inc., a Michigan Corp., doing business at 35330 Stanley, Sterling Heights, Michigan 48312, has adopted and has a bona fide intent to use the mark MOTOWN shown in the accompanying drawing in commerce on the goods for

> Engine castings, namely, cylinder heads, engine blocks, intake manifolds and valve covers, and parts therefore in International Class 007.
>
> Automotive engines and automotive engine parts, namely, cylinder heads with valve train components and valve trains in International Class 012.

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

Applicant intends to affix the mark to labels and packages for the goods.

The mark consists of the word MOTOWN in stylized letters.

POWER OF ATTORNEY

World Products, Inc., the Applicant herein, hereby appoints Trudie Katz Walker of 225 Old Country Road, Melville, New York 11747,a member of the Bar of the State of New York, to prosecute this application to register, to transact all business in the United States Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration.

DECLARATION

World Products, Inc., the Applicant herein, by William B. Mitchell, President, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares:

That he believes the applicant corporation is entitled to use the mark in interstate commerce;

That he believes the applicant corporation is the owner of the mark sought to be registered;

The applicant corporation intends to use the mark in interstate commerce;

To the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in interstate commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive;

And the facts set forth in this application are true, and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated: 10/19/ , 1999

World Products, Inc.
(by)William B. Mitchell
President

kc:clients:bill mitchell:applmotown

APPLICANT: World Products , Inc.

P.O. ADDRESS: 35330 Stanley
Sterling Heights, MI 48312

GOODS: Engine castings, namely, cylinder heads, engine blocks, intake manifolds and valve covers, and parts therefore in International Class 007.
Automotive engines and automotive engine parts, namely, cylinder heads with valve train components and valve trains in International Class 012.

10-25-1999
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #34

MoTown

Trudie Katz Walker
Attorney at law
225 Old Country Road
Melville, NY 11747
*516/361-8737
*FAX 516/361-8792

*Please note effective November 1, 1999, the area code will change. The new telephone number is 631/361-8737, fax 631/631-8792

TRADEMARK
75831433

Trademark

Serial Number
(Text)

TRADEMARK
78101526

NEW CASE DELIVERED
APR 1 7 2002
LAW OFFICE 110

PROSECUTION HISTORY

	Entry	Date	Initials
1.		MAY - 1 2002	[illegible]
2.	Amd+A CofM	10.31.02 11.4.02	NOV 27 2002 SV
3.		DEC 1 8 2002	SV
4.	AAU, Dec	6/20/03	JUL 2 5 2003 [illegible]
5.			
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30.			

☐ See inside of file for additional entries.

Exhibit: A
Page: 110

Post Registration

Section 8 Accepted		Renewal Granted	
(Signature)	(Date)	(Initials)	(Date)

Section 15
Acknowledged (Signature)

Cancelled - Section 8
(Date)

Expired - Section 9
(Date)

FORM PTO-164

Trademark

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

REG NUM: 2768460
REG DT: 09/23/2003

S/N 78/101526

78-101526

TYPED DRAWING

FILING DATE
January 8, 2002

ORIGINAL APPLICANT
Ford Motor Company

GOODS/SERVICES (CLASS 036)
financial services, namely, asset backed (ETC)

FILING BASIS
ITU

ORIGINAL CORRESPONDENT
Gregory P. Brown

MOTOWN

Supplemental Register

ATTORNEY ADVISOR: Susan Hayash

78-101526 +

Approved for Publication (Principal Register) (Signature/Date)

Approved for Registration (Section 1(a)) (Signature/Date)

Approved for Registration (Supplemental Register) (Signature/Date)
Supplemental Register

NOP

NOA

☐ Abandoned

Exhibit: A
Page: 112

TRA MARK EXAMINATION WORKS ET

☐ AMENDMENT STAGE ☑ NO CHANGE ☐ PUBLICATION/REGISTRATION STAGE

Name: TANYA WINSTON OWENS L.O. 110 Date 8/6/2003 Serial No. 75 76 (78) 10152268

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.			
Legal Instrument Examiner (LIE)			
	Amended	**Data Element**	
Class Data		☐ Prime/International Class	☐ Goods and Services
		☐ First Use Date	☐ First Use in Commerce Date
		☐ In Another Form	☐ Certification
		☐ 1b	Correction to filing basis
Mark Data		☐ Word Mark	☐ Pseudo Mark
		☐ Mark Drawing Code	☐ Design Search Code
		☐ Scan Sub Drawing	Re-Scan drawing
Misc. Mark Data		☐ Mark Description	☐ Disclaimer
		☐ Lining/Stippling	☐ Name / Portrait/Consent
		☐ Translation	
Section 2(f)		☐ Section 2(f) Entire Mark	
		☐ Section 2(f) Limitation Statement	☐ Section 2(f) in Part
		☐ Amended Register	☐ Amended Register Date
Foreign Reg. Data		☐ Foreign Country	☐ 44(d)
		☐ Foreign Application Number	☐ Foreign Application Filing Date
		☐ Foreign Registration Number	☐ Foreign Registration Date
		☐ Foreign Registration Expiration Date	☐ Foreign Renewal Reg. Number
		☐ Foreign Reg. Renewal Expiration Date	☐ Foreign Renewal Reg. Date
Owner Data		☐ Owner Name	☐ DBA/AKA/TA
		☐ Address 1	☐ Address 2
		☐ City	☐ State
		☐ Zip Code	
		☐ Citizenship	☐ Entity
		☐ Entity Statement	☐ Composed of
		☐ Assignment(s)/Name Change	
Amd/Corr Restr.		☐ Concurrent Use	
Prior U.S. Reg.		☐ Prior Registration	
Correspondence		☐ Attorney	☐ Domestic Representative
		☐ Attorney Docket Number	E-mail address
		☐ Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

Tanya Winston Owens
LIE

8/6/2003
DATE

Other: _____

Exhibit: A
Page: 113

TR MARK EXAMINATION WOR[illegible]SET

☑ AMENDMENT STAGE ☐ NO CHANGE ☐ PUBLICATION/REGISTRATIONSTAGE

Name: CURTIS NELLOMS L.O. 110 Date 7/22/03 Serial No. 74 75 76 78 (0) 1015200

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)			
	Amended	Data Element	
Class Data		☐ Prime/International Class	☐ Goods and Services
	☑	☑ First Use Date	☑ First Use in Commerce Date
		☐ In Another Form	☐ Certification
		☐ 1b	
Mark Data		☐ Word Mark	☐ Pseudo Mark
		☐ Mark Drawing Code	☐ Design Search Code
		☐ Scan Sub Drawing	
Misc. Mark Data		☐ Mark Description	☐ Disclaimer
		☐ Lining/Stippling	☐ Name/Portrait/Consent
		☐ Translation	
Section 2(f)		☐ Section 2(f) Entire Mark	
		☐ Section 2(f) Limitation Statement	☐ Section 2(f) in Part
	☑	☑ Amended Register	☑ Amended Register Date
Foreign Reg. Data		☐ Foreign Country	☐ 44(d)
		☐ Foreign Application Number	☐ Foreign Application Filing Date
		☐ Foreign Registration Number	☐ Foreign Registration Date
		☐ Foreign Registration Expiration Date	☐ Foreign Renewal Reg. Number
		☐ Foreign Reg. Renewal Expiration Date	☐ Foreign Renewal Reg. Date
Owner Data		☐ Owner Name	☐ DBA/AKA/TA
		☐ Address 1	☐ Address 2
		☐ City	☐ State
		☐ Zip Code	
		☐ Citizenship	☐ Entity
		☐ Entity Statement	☐ Composed of
		☐ Assignment(s)/Name Change	
Amd/Corr Restr.		☐ Concurrent Use	
Prior U.S. Reg.		☐ Prior Registration	
[illegible]rrespondence		☐ Attorney	☐ Domestic Representative
		☐ Attorney Docket Number	
		☐ Correspondence Firm Name/Address	

[illegible]tions have been entered in accordance with text editing guidelines.

_____ CN _____ 7/22/03
LIE DATE

Exhibit: A
Page: 114

FEE CHARGES/REFUNDS/CORRECTION REQUEST
TRADEMA PROCESS and FASTENER RECOR L FEES

Serial /Registration Number: 78/101526	Date: 7-14-03
Requested by: Curtis Nellums Employee No.: 75606	Office: LO 110
Signature: Curtis Nellums	Phone: 7/308-9110 x2-35

FEE CODE	REQUEST AMOUNT	Classes or Quantity	DESCRIPTION of TRADEMARK PROCESSING FEES	FEE Amount
6001	$		Application for Registration, per class	$335
6002	100	1	Amendment to Allege Use under §1(c), per class	$100
6003			Statement of Use under §1(d)(1), per class	$100
6004			Extension of Time to file a Statement of Use under §1(d)(1), per class	$150
6005			Petition to Commissioner	$100
6006			Request to Divide an Application, per new application file created	$100
6201			Application for Renewal under §9, per class	$400
6203			Additional Fee for late Renewal under §9, per class	$100
6204			Correcting a Deficiency in a Renewal Application	$100
6205			Section 8 Affidavit, per class	$100
6206			Filing a Section 8 during the Grace Period, per class	$100
6207			Correcting a Deficiency in a Section 8 Affidavit	$100
6208			Section 15 Affidavit, per class	$200
6210			Publication of mark under §12c, per class	$100
6211			Issuing a New Certificate of Registration, per class	$100
6212			Certificate of Correction, per registration	$100
6213			Disclaimer to Registration, per registration	$100
6214			Amendment to Registration, per registration	$100
6401			Petition for Cancellation, per class	$300
6402			Notice of Opposition, per class	$300
6403			Ex Parte Appeal, per class	$100
FEE CODE	REQUEST AMOUNT	Quantity	FASTENER QUALITY ACT RECORDAL FEES	FEE Amount
6991			Application fee for recordal of insignia, per request	$20
6992			Renewal of insignia recordal, per request	$20
6993			Surcharge for late renewal of insignia recordal, per request	$20
9101			Processing Returned Checks (service charge - bounced checks)	$50

COMPLETE

$100 Total Amount (Charge) Refund Correction

Explanation for Charge/Refund/Correction:

Incomplete Application/Request

Overpayment

Fee is not Required

Early/Late Filed Request

Add Additional Classes

Change Fee Code _____ to Fee Code _____

Refund to be processed by Treasury Check to : _____

(Correspondence Address) _____

Authorized Deposit Account Name: _____

Deposit Account No: 06-1510 (Charge) Refund Correction

Finance Processing Completed by: Date:

RAM Operator:

Replaces Form PTO 1578. Revised 1/10/2000.

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/101526

APPLICANT: Ford Motor Company

DEC 18 2002

CORRESPONDENT ADDRESS:
Gregory P. Brown
Ford Global Technologies, Inc.
1 Parklane Boulevard
Dearborn MI 48126

RETURN ADDRESS:
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ecom110@uspto.gov

MARK: MOTOWN

CORRESPONDENT'S REFERENCE/DOCKET NO: 200211

CORRESPONDENT EMAIL ADDRESS:

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

FINAL OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

RE: Serial Number 78/101526

This letter responds to the applicant's communication filed on November 4, 2002, in which the applicant (1) argued against the refusal to register the mark under Section 2(e)(2) of the Trademark Act; (2) amended the recitation of services; and (3) added a class. Numbers 2 and 3 are accepted.

For the following reasons, the refusal to register the mark is **maintained and made FINAL**.

Registration Refused – Mark is Geographically Descriptive – Maintained and Made FINAL

The term MOTOWN is geographically descriptive under Trademark Act Section 2(e)(2), 15 U.S.C. Section 1052(e)(2) because the term is geographically descriptive of the applicant's services.

The examining attorney has considered the applicant's arguments carefully but has found them unpersuasive. For the reasons below, the refusal to register the mark under Section 2(e)(2) of the Trademark Act is maintained and made *FINAL*.

The applicant proposes the mark MOTOWN for use in connection with "accounts receivable services, namely, accounts receivable management" and for "financial services, namely, asset backed commercial paper program in the nature of structuring and issuing commercial paper, administration of commercial paper programs, brokering commercial paper, consumer and

commercial loan financing services, loan collection services, services relating to the trading of equity derivatives, namely providing investment of funds for others in equity derivatives".

The primary significance of the term "MOTOWN" is geographic, and applicant's goods/services come from the geographical place named in the mark. Therefore, a public association of the goods/services with the place is presumed. *In re JT Tobacconists*, 59 USPQ2d 1080 (TTAB 2001); *In re U.S. Cargo, Inc.*, 49 USPQ2d 1702 (TTAB 1998); *In re Carolina Apparel*, 48 USPQ2d 1542 (TTAB 1998); *In re Chalk's International Airlines Inc.*, 21 USPQ2d 1637 (TTAB 1991); *In re California Pizza Kitchen*, 10 USPQ2d 1704 (TTAB 1989); *In re Handler Fenton Westerns, Inc.*, 214 USPQ 848 (TTAB 1982). TMEP §1210.04(b). As shown by the definitions and articles found on the Internet[1], MOTOWN refers directly to the largest city in Michigan, specifically, Detroit, where the major manufacturers of motor vehicles, such as the applicant, are located. See definitions and articles attached to the first Office Action dated May 1, 2002 and incorporated herein by reference.

The applicant argues that MOTOWN is not primarily geographically descriptive when used in connection with the applicant's services.

Where there is no genuine issue that the geographic significance of the term is its primary significance and where the geographic place is neither obscure or remote, a public association of the services with the place named in the mark may ordinarily be presumed from the fact that applicant's own goods or services come from that place. *In re California Pizza Kitchen Inc.*, 10 USPQ2d 1704,1705 (TTAB 1988) and *In re Handler Fenton Westerns, Inc.*, 214 USPQ 848 (TTAB 1982). The present case is one in which it is proper to presume a goods/place association.

Applicant argues that MOTOWN is not particularly known for its financial services. It is a common for applicants to argue that, no matter what presumption seems appropriate under prevailing case law, the examining attorney must submit evidence to establish a goods/place association. Motown, or Detroit, Michigan, does not need to be "known" (or famous) for financial services in order for Motown to be geographically descriptive. There only needs to be a goods/place association that is reasonable.

Here there is no genuine issue that the geographic significance of the term is its primary significance and the geographic place is neither obscure or remote. Accordingly, a public association of the goods with the place named in the mark may be presumed from the fact that applicant's own goods come from the place name in the mark.

That such an association is reasonable is established by the case law. It is further backed up by the attached excerpts from the website, http://www.guide2detroit.com/banks.shtml and several excerpts from the referenced banking sites and the applicant's own website, all of which evidence that financial services such as the applicant's are widely available in Motown, or Detroit, Michigan.

---

[1] The Trademark Trial and Appeal board has considered the admissibility of Internet evidence and held it to be admissible. *Raccioppi v. Apogee Inc.*, 47 USPQ2d 1368 (TTAB 1998).

The mark ROCKLAND MORTGAGE CORP. is not a good comparison to the present case. The District Court found in this inter-parties infringement case, that the "combination of "ROCK" and "LAND" may, in the minds of Jornlin and Smith, suggest certain qualities of stability in the mortgage business. In the minds of potential retail mortgage purchasers, however, the combination is more likely to be simply arbitrary. Potential purchasers may just as easily take the "ROCKLAND" portion of the mark to signify "stony terrain" as "a stable business pertaining to real estate." *Cf. Accu Personnel* , 823 F.Supp. at 1166 (holding the ACCU mark suggestive because it "derives from the word accurate, but is not the word itself. . . . [and] [t]he short leap of the imagination required to derive this meaning renders the mark suggestive"). Plaintiff's mark requires more than "imagination, thought and perception to reach a conclusion as to the nature" of its products. 1 McCarthy Section 11.21 [1] at 11-107 (quoting *Stix Products , Inc.* , 295 F.Supp. at 488). It requires mind reading." *Rockland Mortgage Corp. v. Shareholders Funding,* 30 USPQ2d 1270, 1275 (D. Del. 1993). The case law cited by the applicant deals with marks where the geographical term is not used in a straightforward manner as here, so that the geographical significance of the terms in those case is not primary.

In sum, because the mark's primary significance is geographic and there would be a goods/place association with the mark, the refusal to register the mark under Section 2(e)(2) of the Trademark Act is maintained and made **FINAL**.

Response to a Final Action

Please note that the only appropriate responses to a final action are either (1) compliance with the outstanding requirements, if feasible, or (2) filing of an appeal to the Trademark Trial and Appeals Board. 37 C.F.R. Section 2.64(a). If the applicant fails to respond within six months of the mailing date of this refusal, this Office will declare the application abandoned. 37 C.F.R. Section 2.65(a).

If the applicant has any questions concerning this action, please contact the assigned Examining Attorney at the number listed below.

/Susan C. Hayash/
Trademark Examining Attorney
Law Office 110
Office: (703) 308-9110 x.144
Fax: (703) 746-8110
ecom110@uspto.gov (FORMAL responses)
susan.hayash@uspto.gov (INFORMAL responses)

How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit **http://www.uspto.gov/teas/index.html** and follow the instructions.

To respond formally via E-mail, visit **http://www.uspto.gov/web/trademarks/tmelecresp.htm** and follow the instructions.

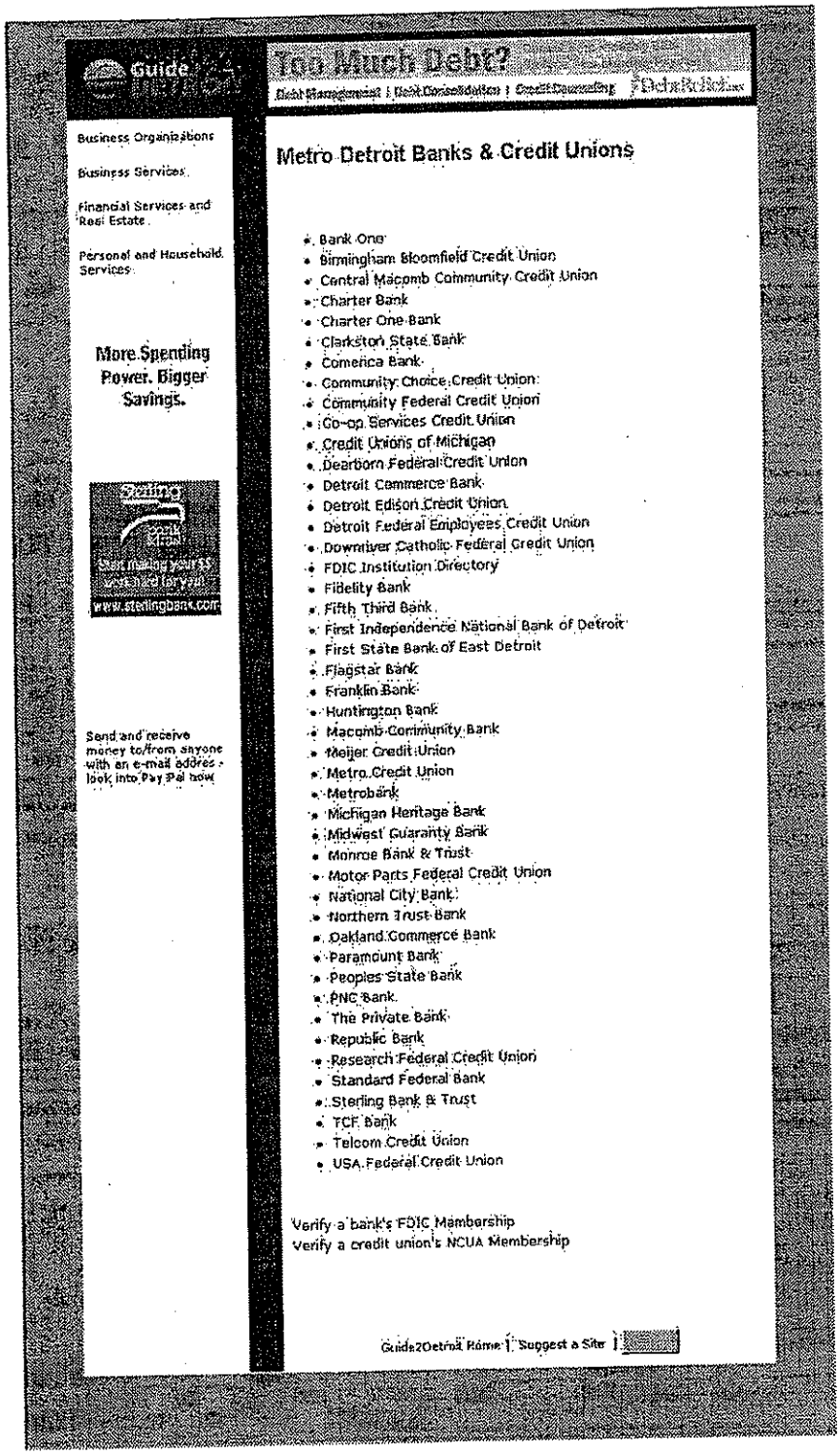
To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at **http://tarr.uspto.gov/**

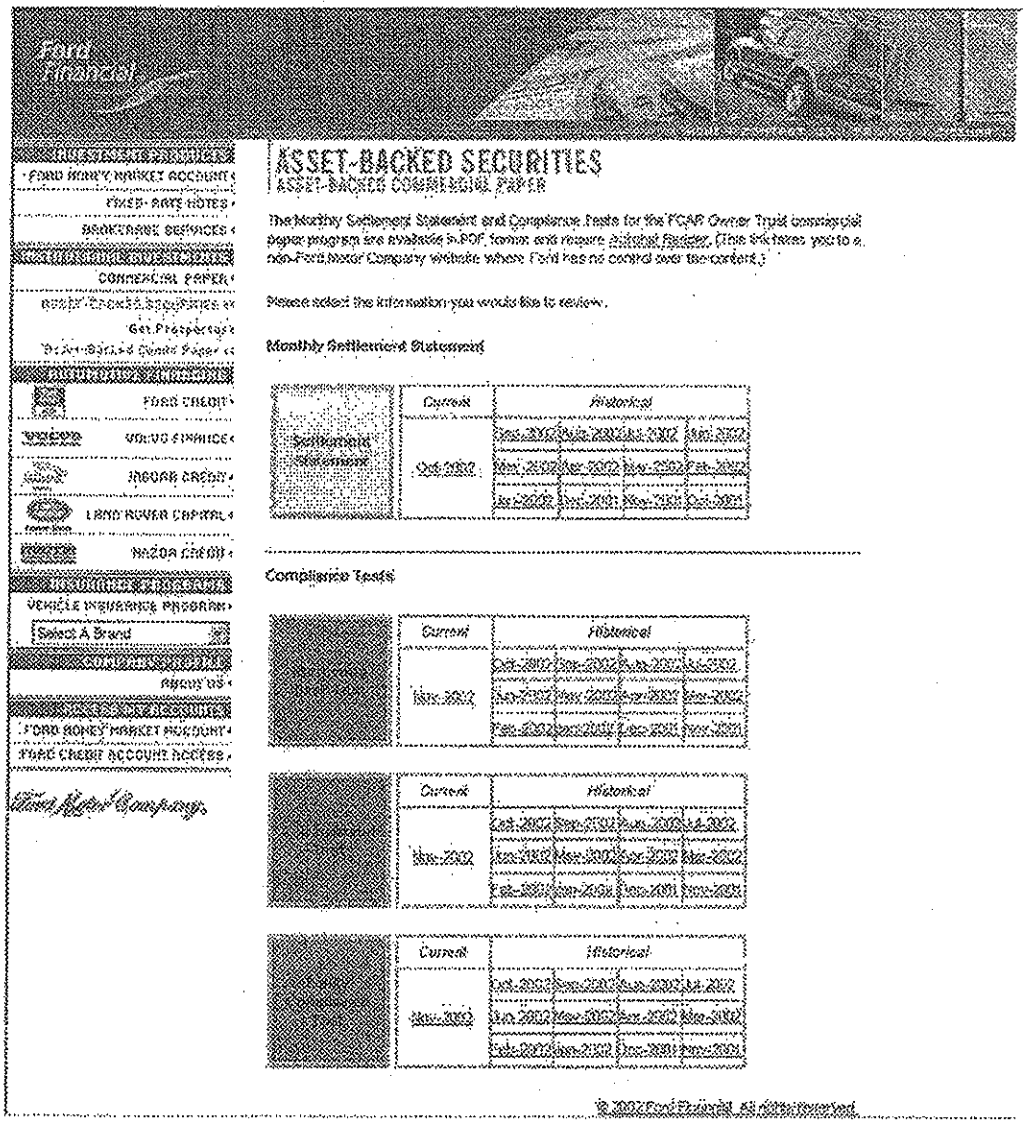
For general and other useful information about trademarks, you are encouraged to visit the Office's web site at **http://www.uspto.gov/main/trademarks.htm**

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Attachment 1: motown banks.jpg



Attachment 2: motown banks 5.jpg



Attachment 3: motown banks 4.jpg

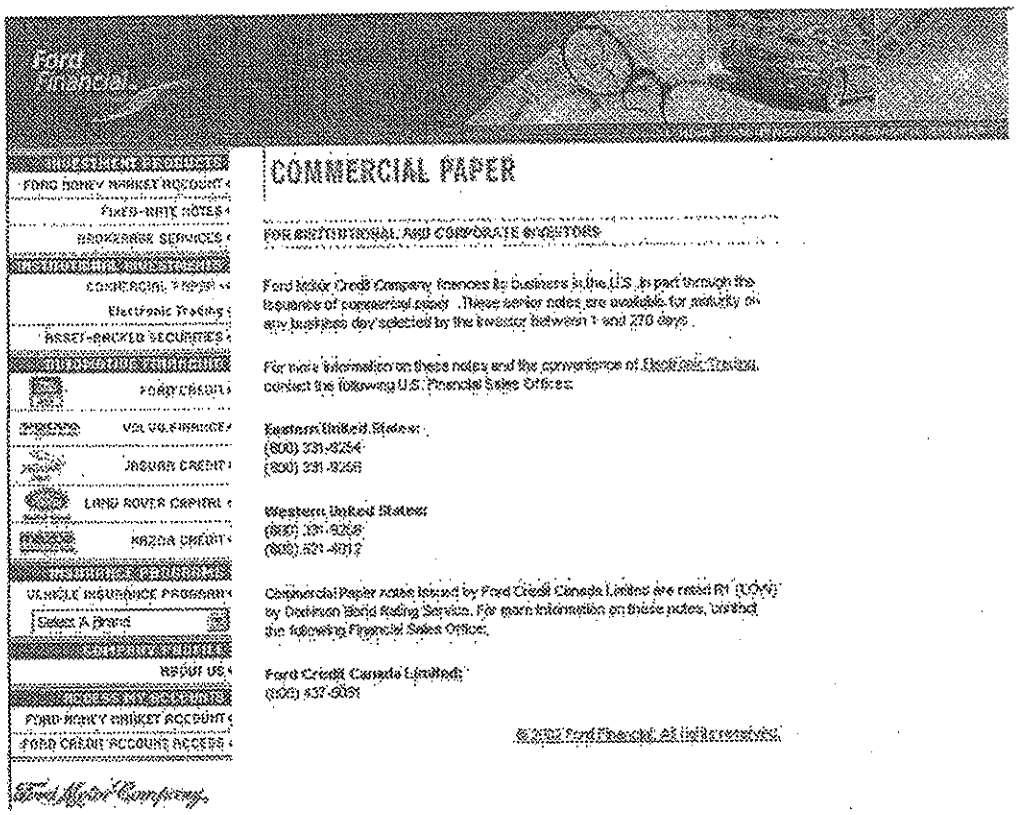
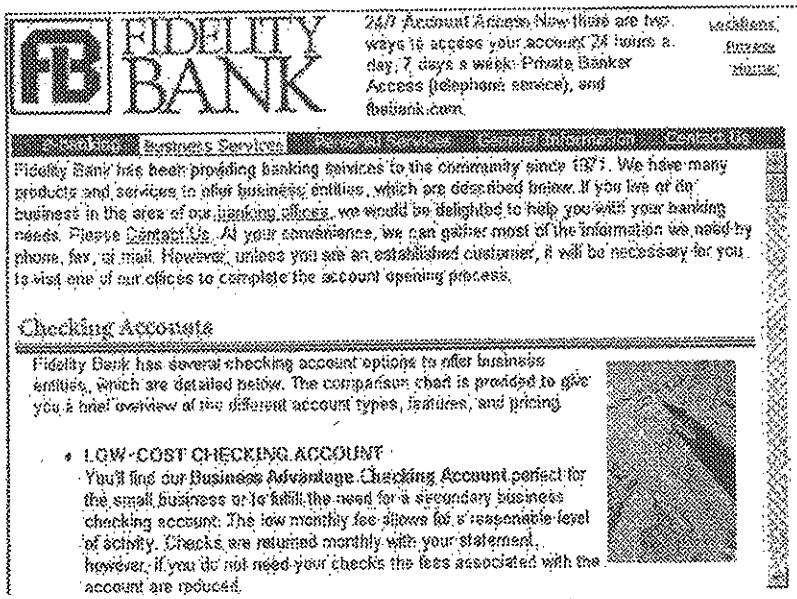
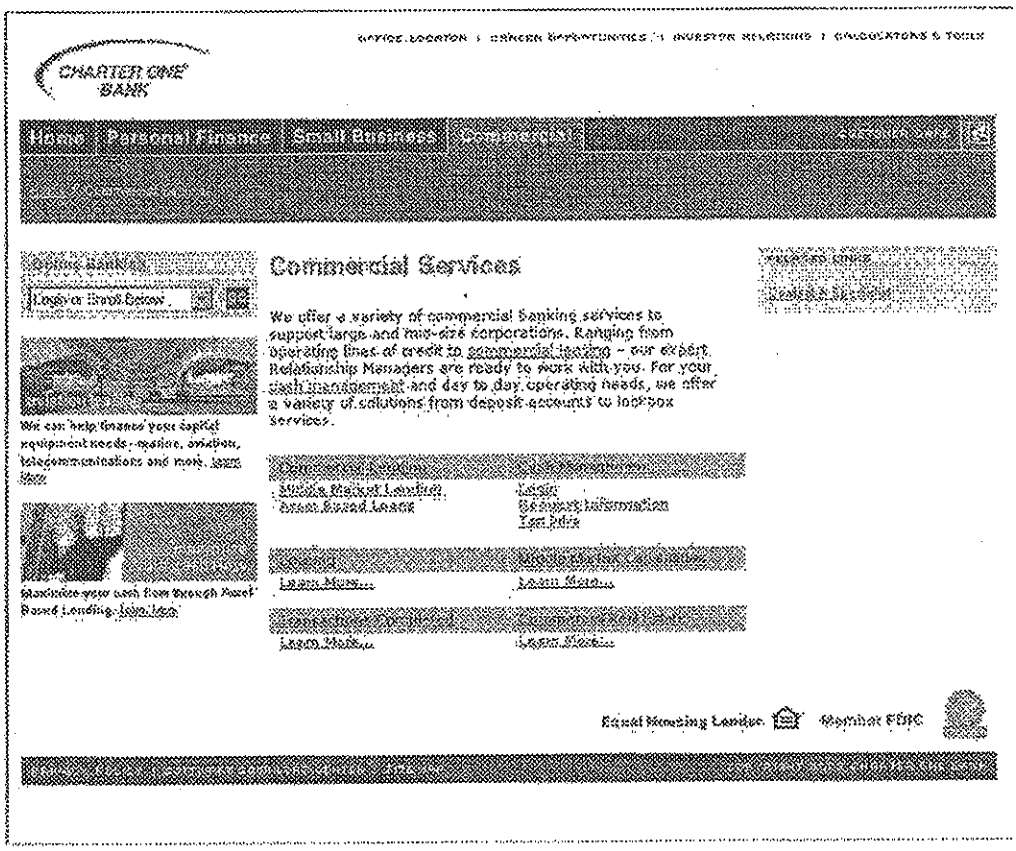


Exhibit: A
Page: 122

Attachment 4: motown banks 3.jpg



Attachment 5: motown banks 2.jpg



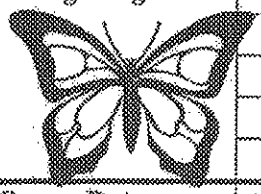
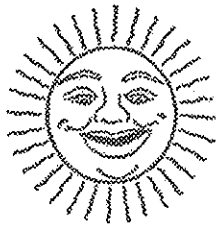
TRADEMARK EXAMINATION WORKSHEET

☑ AMENDMENT STAGE ☐ NO CHANGE ☐ PUBLICATION/REGISTRATION STAGE

Name: Ranell Gray L.O. 110 Date 11/26/02 Serial No. 78/101526

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/added.

Legal Instrument Examiner (LIE)

	Amended	Data Element	
Class Data	✓	☑ Prime/International Class	☑ Goods and Services
		☐ First Use Date	☐ First Use in Commerce Date
		☐ In Another Form	☐ Certification
		☐ 1b / 1a	
Mark Data		☐ Word Mark	☐ Pseudo Mark
		☐ Mark Drawing Code	☐ Design Search Code
		☐ Scan Sub Drawing	
Misc. Mark Data		☐ Mark Description	☐ Disclaimer
		☐ Lining/Stippling	☐ Name/Portrait/Consent
		☐ Translation	
Section 2(f)		☐ Section 2(f) Entire Mark	
		☐ Section 2(f) Limitation Statement	☐ Section 2(f) in Part
		☐ Amended Register	☐ Amended Register Date
Foreign Reg. Data 		☐ Foreign Country	☐ 44d / 44e
		☐ Foreign Application Number	☐ Foreign Application Filing Date
		☐ Foreign Registration Number	☐ Foreign Registration Date
		☐ Foreign Registration Expiration Date	☐ Foreign Renewal Reg. Number
		☐ Foreign Reg. Renewal Expiration Date	☐ Foreign Renewal Reg. Date
Owner Data 		☐ Owner Name	☐ DBA/AKA/TA
		☐ Address 1	☐ Address 2
		☐ City	☐ State
		☐ Zip Code	☐ Owner's E-mail / Phone
		☐ Citizenship	☐ Entity
		☐ Entity Statement	☐ Composed of
		☐ Assignment(s)/Name Change	
Amd/Corr Restr.		☐ Concurrent Use	
Prior U.S. Reg.		☐ Prior Registration	
Correspondence		☐ Attorney	☐ Domestic Representative
		☐ Attorney Docket Number	☐ Correspondence E-mail / Phone
		☐ Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

RDG
LIE

11/26/02
DATE

Other:

Exhibit: A
Page: 125

2A

Incoming Correspondence Routing Sheet

To: TMO LAW OFFICE 110 - AWAITING RESPONSE DOCKET

Word Mark: MOTOWN

Serial No: 78101526

Mail Date: 11042002

Doc. Type: Responses to Office Actions

No Fee

RAM Mail Date: 110402

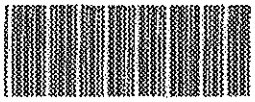


Exhibit: A
Page: 126

LAW OFFICE 110
SERIAL NO. 78/101526
MARK: MOTOWN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ford Motor Company
Mark:	MOTOWN
Serial No.:	78/101526
Filed:	January 8, 2002
Class:	36
Trademark Atty:	Susan C. Hayash
Law Office No.:	110
Attorney Ref.:	FMCR0787TUS

RECEIVED
2002 NOV 21 P 10:49
LAW OFFICE 110

RESPONSE TO OFFICE ACTION NO. 01

BOX RESPONSES - FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

This document is filed in response to the Examiner's Office Action No. 01 mailed May 1, 2002.

11/13/2002 GTHOMAS2 00000177 061510 78101526
01 FC:6001 325.00 CH

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX RESPONSES - NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on:

October 31, 2002 (Date of Deposit) By: Hope Shovein (Person Signing) (Signature)

SECTION 2(e)(2) REFUSAL TO REGISTER

The examiner has issued a refusal of registration on the Principal Register under Section 2(e)(2) of the Trademark Act because she believes the mark "MOTOWN" is primarily geographically descriptive of the applicant's financial related services, as further amended below. The examiner maintains that the primary significance of the term "MOTOWN" is geographic, and the applicant's goods/services come from the geographical place named in the mark, and therefore a public association of the goods/services with the place is presumed. The applicant respectfully disagrees. As discussed below, the applicant's use of "MOTOWN" is not geographically descriptive of applicant's services because there is no proof that purchasers/consumers would reasonably associate applicant's financial services with "MOTOWN," as a geographical location.

While applicant does not disagree with the examiner's contention that "MOTOWN" refers to Detroit, Michigan, "MOTOWN" is probably equally known as a style of music or the music recording label founded by music producer, Barry Gordy, in the 1960s. It is highly unlikely that sophisticated purchasers/consumers will believe or care that applicant's *financial services,* originated in Detroit — since Detroit or MOTOWN are not places well known for financial services.

The applicant's use of the mark "MOTOWN" is arbitrary since only a very naive or uninformed buyer would believe or care that the financial services offered by applicant came from Detroit. Furthermore, a mark is arbitrary when it is a word in common use that is applied to a product or service unrelated to its meaning so that the word neither describes nor suggests the product or service. *See Tisch Hotels, Inc. v. Americana Inn, Inc.*, 146 USPQ 566, 568, n. 2 (7th Cir. 1965). The applicant's use of "MOTOWN" is similar to the situation in *Rockland Mortgage Corp.*

v. Shareholders Funding, 30 USPQ2d 1270 (D. Del. 1993), in which the Court found the use of "ROCKLAND" for a mortgage company arbitrary because it was not credible to associate financial security with a small town in northern Delaware. It is equally beyond belief that consumers would associate the financial services offered by applicant with the music industries in Detroit or care whether such services originate in Detroit.

The applicant requests registration of the mark "MOTOWN" because it is arbitrary when applied to its financial services. Because there is no meaningful connection between the geographical meaning of the mark and the services in the public mind, the mark is arbitrary when applied to the services and registration should not be refused under Section 2(e)(2). *See In re Nantucket, Inc.*, 213 USPQ 889, 892 (CCPA 1982), "Nantucket" for mens shirts; *Madera Wine & Liquor Co. v. RWL Wine & Liquor Co.*, 100 USPQ 173 (Md. 1654), "Mt. Zion" for wine; *In re Jacques Bernier, Inc.*, 13 USPQ2d 1725 (CAFC 1990), "Rodeo Drive" for perfume; *In re Sharkey's Dry Goods Co.*, 23 USPQ2d 1061 (TTAB 1992), "Paris Beach Club" for T-shirts and sweatshirts.

AMENDMENTS
RECITATION OF SERVICES

In accordance with the examiner's request, please amend the identification of services to read as follows:

Accounts receivable services, namely, accounts receivable management, in International Class 35.

Financial services, namely, asset backed commercial paper program in the nature of structuring and issuing commercial

paper, administration of commercial paper programs, brokering commercial paper, consumer and commercial loan financing services, loan collection services, services relating to the trading of equity derivatives, namely providing investment of funds for others in equity derivatives in International Class 36.

Given that applicant is now prosecuting this application as a multi-class application, please charge applicant's Deposit Account No. 06-1510 the $325.00 fee for the additional class.

CONCLUSION

In light of the foregoing arguments, the applicant believes that this application is now in a form suitable for publication and subsequent registration on the Principal Register. Such action is respectfully requested. If the examiner has any further questions, she is requested to contact the undersigned attorneys.

Respectfully submitted,

Ford Motor Company

BROOKS & KUSHMAN P.C.

By: _____

ELIZABETH F. JANDA
MARIA F. ANGILERI
Attorney for Applicant
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

Dated: October 31, 2002

Exhibit: A
Page: 130

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	APPLICANT	PAPER NO.
78/101526	Ford Motor Company	
MARK		
MOTOWN		
ADDRESS	**ACTION NO.** 01	ADDRESS: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, www.uspto.gov
Gregory P. Brown Ford Global Technologies, Inc. 1 Parklane Boulevard Dearborn MI 48126	**MAILING DATE** 05/01/02	If no fees are enclosed, the address should include the words "Box Responses - No Fee."
	REF. NO. 200211	Please provide in all correspondence: 1. Filing Date, serial number, mark and Applicant's name. 2. Mailing date of this Office action. 3. Examining Attorney's name and Law Office number. 4. Your telephone number and ZIP code.
FORM PTO-1525 (5-90)	U.S. DEPT. OF COMM. PAT. & TM OFFICE	

A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID *ABANDONMENT.* *For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.*

RE: Serial Number: 78/101526 MOTOWN

The assigned examining attorney has reviewed the referenced application and determined the following.

No Conflicting Marks

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

However, the applicant should note the following refusal:

Registration Refused – Mark is Geographically Descriptive

The examining attorney refuses registration on the Principal Register because the mark is primarily geographically descriptive of the applicant's goods/services. Trademark Act Section 2(e)(2), 15 U.S.C. §1052(e)(2); TMEP §§1210.01(a) and 1210.04(b).

The primary significance of the term "MOTOWN" is geographic, and applicant's goods/services come from the geographical place named in the mark. Therefore, a public association of the goods/services with the place is presumed. *In re JT Tobacconists*, 59 USPQ2d 1080 (TTAB

2001); *In re U.S. Cargo, Inc.*, 49 USPQ2d 1702 (TTAB 1998); *In re Carolina Apparel*, 48 USPQ2d 1542 (TTAB 1998); *In re Chalk's International Airlines Inc.*, 21 USPQ2d 1637 (TTAB 1991); *In re California Pizza Kitchen*, 10 USPQ2d 1704 (TTAB 1989); *In re Handler Fenton Westerns, Inc.*, 214 USPQ 848 (TTAB 1982). TMEP §1210.04(b). As shown by the attached definitions and articles found on the Internet[1], MOTOWN refers directly to the largest city in Michigan, specifically, Detroit, where the major manufacturers of motor vehicles, such as the applicant, are located.

The public is likely to believe that the applicant's goods/services originate in the place named in the mark. *In re Loew's Theatres, Inc.*, 769 F.2d 764, 226 USPQ 865 (Fed. Cir. 1985). TMEP §1210.04 *et seq.*

For the foregoing reasons, the registration must be refused as primarily geographically descriptive.

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

If the applicant chooses to respond to the refusal to register, the applicant must also respond to the following requirements.

Requirements

Recitation of Services - Indefinite

The recitation of services is unacceptable as indefinite and too broad because it does not adequately specify the nature of the services rendered and identifies services classified in more than one class. The applicant may adopt the following recitation, if accurate:

Class 035: "Accounts receivable services, namely, accounts receivable management;" and

Class 036: "Financial services, namely, asset backed commercial paper program **in the nature of** _____ **[***please describe the nature of the commercial paper program, e.g. structuring and issuing commercial paper, administration of commercial paper programs, brokering commercial paper***]**, consumer and commercial loan **financing** services, loan collection services, services relating to the trading of equity derivatives, **namely** _____ **[***please describe the nature of the services, e.g. providing investment of funds for others in equity derivatives***]**."

TMEP §1402.11.

---

[1] The Trademark Trial and Appeal board has considered the admissibility of Internet evidence and held it to be admissible. *Raccioppi v. Apogee Inc.*, 47 USPQ2d 1368 (TTAB 1998).

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, the applicant may not amend to include any services that are not within the scope of the services recited in the present identification.

For your assistance and convenience, the "Acceptable Identifications of Goods and Services Manual" may be searched at the Office's global network computer website address of http://www.uspto.gov/web/menu/tm.html.

NOTICE FOR APPLICANTS FILING IN INTERNATIONAL CLASS 42
Effective January 1, 2002, the 8th edition of the Nice Agreement governing the classification of goods and services divided prior International Class 42 into four service mark classes. Information about revised International Class 42 and new International Classes 43, 44, and 45 is available at www.uspto.gov/web/offices/tac/notices/notices.htm.
All applications filed on or after January 1, 2002, must comply with the new classification schedule. For applications filed *before* January 1, 2002, the new classification schedule is optional. Applicants opting to amend to the new schedule must advise the assigned Examining Attorney.

Multiple Class Application

If the applicant prosecutes this application as a combined, or multiple-class, application, the applicant must comply with each of the following.

(1) The applicant must list the goods/services by international class with the classes listed in ascending numerical order. TMEP §1403.01.

(2) The applicant must submit a filing fee for each international class of goods/services not covered by the fee already paid. 37 C.F.R. §§2.6(a)(1) and 2.86(a); TMEP §§810.01 and 1403.01. Effective January 10, 2000, the fee for filing a trademark application is $325 for each class. This applies to classes added to pending applications as well as to new applications filed on or after that date.

For Applicant's Information Only

Current status and status date information is available, via push button telephone, for all federal trademark registration and application records maintained in the automated Trademark Reporting and Monitoring (TRAM) system. The information may be accessed by calling (703) 305-8747 from 6:30 a.m. until midnight, Eastern Time, Monday through Friday, and entering a seven-digit registration number or eight-digit application number, followed by the "#" symbol, after the welcoming message and tone. Callers may request information for up to five registration number or application number records per call.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

Susan C. Hayash
Trademark Examining Attorney
Law Office 110
Office: (703) 308-9110 x.144
Fax: (703) 746-8110
ecom110@uspto.gov (FORMAL responses)
susan.hayash@uspto.gov (INFORMAL responses)

To respond to this Office action electronically, the applicant must:

- include the serial number in the subject line;
- send the response to either mailto:ecom102@uspto.gov, mailto:ecom110@uspto.gov or mailto:ecom112@uspto.gov. E-mail sent to any other address will NOT be processed, and may result in ABANDONMENT of the application;
- submit specimens and/or evidence as scanned images or digital photographs in .GIF or .JPG format only. NO OTHER FORMATS WILL BE PROCESSED (TMEP §304.01);
- respond within six-months from the Office action mailing date, or within the period stated in the Office action;
- respond in English; and
- sign the response electronically, e.g. /john smith/. *See* 37 CFR §1.4(d)(1)(iii); TMEP §804.05.

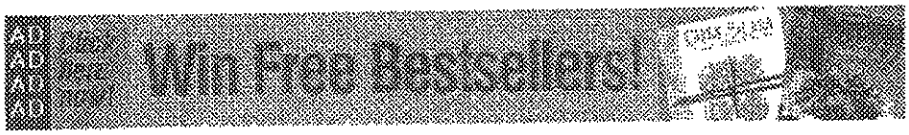
The examining attorney will send correspondence only to the e-mail address listed in the application. A request to change an e-mail address may be submitted by signed e-mail to one of the above e-mail addresses.

Note: only one e-mail address may be used for correspondence. TMEP §§304.08 and 804.05.

Send comments on the USPTO e-Commerce Law Office Pilot Program to Comments@uspto.gov.

LYCOS ZONE RhymeZone

Top, Help, Feedback, Forum, Customize



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Word: MOTOWN Find definition Go get it

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- ***noun*:** the largest city in Michigan and a major Great Lakes port; center of the United States automobile industry; located in southeastern Michigan on the Detroit river

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motown n : the largest city in Michigan and a major Great Lakes port; center of the United States automobile industry; located in southeastern Michigan on the Detroit river [syn: Detroit, Motor City, Motown]

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More Motown Madness

The concepts just keep coming during day two of our coverage from North American International Auto Show in Detroit.

BY PAUL EISENSTEIN AND MARTY PADGETT

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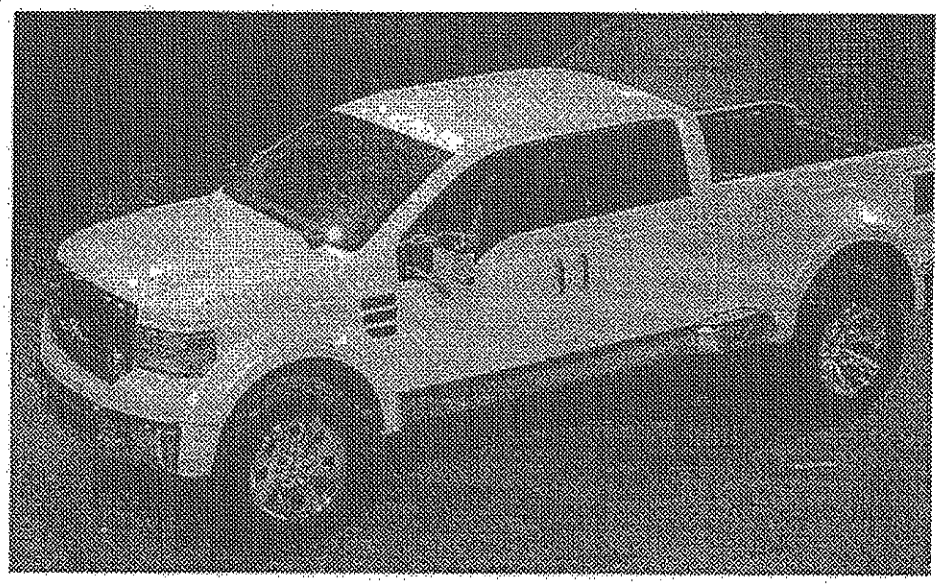

Ford's Mighty F-350 Tonka hybrid employs a hydraulic pump/motor and a tank of compres driveline to capture and store energy during braking. On acceleration, the gas decompres engine turn the driveshaft for extra performance.

2002 Car And Truck Of The Year Load

DETROIT, Jan. 8--It's no surprise that DCX's Chrysler Group has some of the best-looking concept cars

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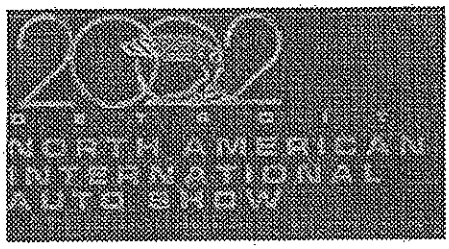

here. Dieter Zetsche, the group's chief executive officer, is touted in the industry as "a car guy." It's obvious that he's letting his Chrysler, Dodge and Jeep stylists live up to their great designs of the early '90s.

Four On The Floor From Chrysler

With a team of young acrobats in the background performing on bikes and scooters, Chrysler took the wraps off of four new concept vehicles today in the Motor City's Cobo Center. According to product development chief, Richard Schaum, "three have real production possibilities." Indeed, several sources tell the PM.Zone that at least one of these concepts is already penciled into the Chrysler production schedule.

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Hybrid cars won't blow you away, but the wind might

By Nolan Finley / The Detroit News

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At times while driving the Toyota Prius, I felt that if I'd had a string and a tail, I could be a kite.

This is not a car review. My test drive of the Prius was an experiment to see if a week in a gas-electric hybrid would jar loose my prejudice against the "cars of the future," not an invitation to pass along a nonexpert opinion.

If it were a review, I'd have to say it is a mighty pleasant and well-made little vehicle. Handled fine. Didn't rattle.

But a bit too breezy for my taste.

I still prefer big trucks. Perhaps that's because I'm somewhat crashy, and feel more secure wrapped in as much steel as I can afford. I've always argued that subcompacts ought to come with a coffin.

Hybrids are out of necessity ultra-light. The trade-off for being buffeted by truck turbulence and stiff winds is incredible gas mileage -- an average of nearly 48 mpg for the week, or three times what my truck gets.

But tempting Americans out of their trucks, sport utes, big sedans and high performance sports cars and into the far more responsible hybrids will require more than just attractive gas mileage. It will take a major transformation in the way we view our relationship with our vehicles.

Cars are as much recreation as they are transportation. Fun is as important as function. Our vehicles are our personal refuge, the place where we can go to relax and revive, and often where we spoil ourselves. The sound system in my truck is better than the one in my house. They are our objects of desire, means of self-expression, and an extension of our personalities.

When I went to buy my first truck, the dealer asked what I had in mind. Something small, I said. He shook his head and put an arm around my shoulder. "Son," he said. "Your truck says a lot about who you are. Is 'small truck' really what you want to say about yourself?" I headed straight for the two-ton double axles.

The utilitarian hybrids are a highly efficient way to get from point to point, but they don't define the driver.

The design is too minimalist for that. Most of the personality has been jettisoned to cut weight. For me, nearly all of the driving pleasure came from watching the Pac-Man-like computer screen on the dash as it

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monitored fuel consumption and tracked the switch back and forth from gas power to battery.

The Motown and California car cultures demand much more from a vehicle. Drivers want to trace their car's bloodline back to the old Thunderbirds, GTOs and 'Vettes. They want power and performance, a little rumble when they step on the gas, some sex appeal.

That may be a luxury not permitted in a gas-stingy future. But automakers and government regulators are kidding themselves if they think Americans will bury their internal combustion engines and go willingly into battery-operated carts that will certainly get them where they're going, but won't thrill them along the way.

Toyota did a fine job with the Prius, getting an innovative vehicle to market at a reasonable price and without big subsidies from the government or tax credits for consumers. But next time I drive a Toyota, I hope it's one of their fine, four-wheel drive Tundra pick-ups.

It may be a little harder on a gallon of gas, but every drop goes for a good cause -- keeping alive the joy of driving some old-fashioned muscle and charm.

Nolan Finley is editorial page editor of The Detroit News. You can reach him at (313) 222-2064 or nfinley@detnews.com.

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