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

Proceeding	91177301
Party	Defendant Charmaine V. Jones
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Date	10/02/2009
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 76/529,077
Published in the *Official Gazette* of May 8, 2007

CAKE DIVAS,

Opposer,

v.

CHARMAINE V. JONES,

Applicant.

Opposition No. 91177301

APPLICANT'S NOTICE OF RELIANCE

Applicant Charmaine V. Jones ("Applicant"), by and through her undersigned counsel, hereby gives notice that it offers into evidence and will rely upon the following materials, true and correct copies of which are attached to this Notice.

These materials are relevant to the determination in this proceeding of whether Applicant's use of the opposed CAKEDIVA mark is likely to cause confusion with Cake Divas' ("Opposers") CAKE DIVAS mark, and are relevant to the determination in this proceeding of the issue of the priority of use of the parties' respective marks.

1. Pursuant to Trademark Board Manual of Procedure §§ 704.02 ,704.07 and 37 CFR § 2.122(3), the attached "printed publication," is an article dated September 1, 1994 from *Gary Info* at page 10.

Respectfully submitted,

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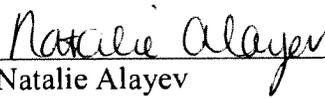
Attorneys for Applicant

Dated: October 2, 2009
New York, New York

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **APPLICANT'S NOTICE OF RELIANCE** in Opposition No. 91177301 was served by first-class mail on October 2, 2009 upon Opposer's correspondent of record, as follows:

Ben T. Lila, Esq.
Mandour & Associates, APC
16870 W. Bernardo Drive, Suite 400
San Diego, CA 92127



Natalie Alayev



r Johnny Hudson displays his 1993 "People's
g this year's 2nd Annual Corvette Club Show
ekend. The club, aimed at promoting personal
anti-drug and community activist. Established
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Velt class of '80 sponsors event Friday night

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e first time that
ROTC unit has
egion rifle meet.
rt rifle team
were: Cadets
nson, Joseph
rrance Brooks,
t, Jimmie Martin
l Molina.

Roosevelt's class of 1980
will sponsor a "Let's Get
Acquainted" social Friday,
August 26 from 9 p.m. until
at Studio 87, 5011 W. 5th
Avenue.
Music will be by Marvin
Lyles. Admission is \$2.

Real Estate brokers course offered

Ivy Tech State College will
offer a Real Estate Brokers
course beginning Sept. 12.
The course is a requirement
for sales licenses to take the
State of Indiana Brokers
examination.
The course will meet on
Monday and Wednesday
evenings beginning at 6 p.m.
Tuition is \$172.35 and the
textbook is \$39.37. Persons

Gary native 'cake diva' in New York

By Carmen M. Wray

Anything goes these days
in wedding cakes. The usual
bride and groom on top of a
wedding cake with plastic
columns are passe.

But now a break from
"American" tradition has
finally arrived, via Gary, In-
diana. Tucked away in the In-
dustrial Park section of
Hoboken, New Jersey lies
one of the best kept secrets
when it comes to culinary
artistry.

Horace Mann High
School's 1975 graduate Char-
mine Williams-Jones, is
known as the cake diva of
New York City with her as-
tounding array of Afro-
centric cakes.

The daughter of the late
Hilliard and Kaye Williams
of Gary, Charmine learned to
bake from her mother. She
said, "I had to find ways to
amuse myself because my
mother kept me sheltered
growing up."

So she began baking.
Although that was not her in-
tentions when she left Gary
after graduation. She origi-
nally ventured to the big city
of New York to pursue a
career in modeling which
lasted for 8 years.

After her modeling career,
she went into the music in-
dustry, having graduated
from Loyola University with
a degree in music/art and
drama.

Now in the cake baking
business for the past four
years Charmine as baked
over 750 cakes for as little as
\$150 and as much as \$3,000.
She's been commissioned
to bake for the Jay Leno
Show, Michael Jordan, the
Joan Rivers Show, Geraldo



**Charmine Jones, the cake diva of New York
and a former Garyite**

Rivera and most recently one
of her wedding cakes ap-
peared in the special "Jump-
ing The Broom" section of
Essence Magazine.

A former contestant in the
1981 Miss Gary Pageant,
Charmaine recently returned
to her hometown of Gary to
attend her cousin, Pamela
Rice, wedding. The last time
she was in Gary was for her
father's funeral six years ago.
She said, "The city has
changed so much over the
years."

She makes all of her cakes
from scratch and says if you
can describe it she can design
it. She made cakes shaped

like the Empire State
Building to physical propor-
tions of men and women to
every cartoon character
imaginable.

Her most unusual request
for her service when a client
flew her and the wedding
cake she designed to their
specifications by private jet to
Ohio so that she could set the
cake up and make sure it was
correct. The total cost of the
trip was in the thousands.

Her office, "Isn't That
Special" Outrageous Cakes,
is located 720 Monroe Street,
Hoboken, New Jersey,
07030-6315.



NW Indiana Corvette Club member Johnny Hudson displays his 1993 "People's Choice Award" for the best Corvette during this year's 2nd Annual Corvette Club Show held at the Village Shopping Center last weekend. The club, aimed at promoting personal growth in the community, is non-profit, anti-drug and community activist. Established in 1991, the club has 25 members that donate to the needy, go to various schools in the community and speak to youngsters, allow them to sit in the cars and advise them that if they stay in school, get an education they too can have a corvette or any thing they desire.

Gary nat

By Carmen M. V
Anything goes these days in wedding cakes. The bride and groom on top of the wedding cake with columns are passe. But now a break in "American" tradition finally arrived, via Gaudiana. Tucked away in an industrial Park section of Hoboken, New Jersey, one of the best kept secrets when it comes to cake artistry.

Horace Mann School's 1975 graduate, mine Williams-Jordan, known as the cake designer in New York City with its astounding array of centric cakes.

The daughter of the Hilliard and Kaye Williams of Gary, Charmine learned to bake from her mother. She said, "I had to find ways to amuse myself because my mother kept me busy growing up."

So she began baking. Although that was not her intention when she left home after graduation. She eventually ventured to the big city of New York to pursue a career in modeling. It lasted for 8 years.

After her modeling career she went into the music industry, having graduated from Loyola University with a degree in music and drama.

Now in the cake business for the past 15 years Charmine has baked over 750 cakes for as little as \$150 and as much as \$1,000.

She's been commissioned to bake for the Jay Show, Michael Jordan Show, Joan Rivers Show, G

Wirt JROTC honored

The Wirt JROTC Rifle Team was recently recognized at the US Army's 2nd ROTC Region Awards Banquet held in Louisville, KY. A 1st place trophy was presented for winning the 2nd Region Interscholastic Indoor Smallbore Rifle Meet.

The Wirt team bested 21 other JROTC units in their

division with a score of 1271 points out of a possible 1500.

This is the first time that any Gary JROTC unit has won a 2nd Region rifle meet.

The Wirt rifle team members were: Cadets Tonya Benson, Joseph Bethel, Terrance Brooks, John Jenkins, Jimmie Martin and Michael Molina.

Velt class of '80 sponsors event Friday night

Roosevelt's class of 1980 will sponsor a "Let's Get Acquainted" social Friday, August 26 from 9 p.m. until at Studio 87, 5011 W. 5th Avenue.

Music will be by Marvin Lyles. Admission is \$2.

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HOOSIER LOTTERY
POWER