

ESTTA Tracking number: **ESTTA247717**

Filing date: **11/07/2008**

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

Proceeding	91180742
Party	Plaintiff Dr Pepper/Seven Up, Inc.
Correspondence Address	Laura Popp-Rosenberg Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Drive New York, NY 10017 UNITED STATES lpopp-rosenberg@frosszelnick.com,bsolomon@frosszelnick.com
Submission	Other Motions/Papers
Filer's Name	Laura Popp-Rosenberg
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Signature	/Laura Popp-Rosenberg/
Date	11/07/2008
Attachments	Ortiz declaration in support of summary judgment (F0375879).PDF (12 pages) (80209 bytes) EXHIBITS TO THE ORTIZ DEC (F0375842).PDF (258 pages)(6653537 bytes)

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

-----X		
DR PEPPER/SEVEN UP, INC.,	:	
	:	
Opposer/Petitioner,	:	<u>Consolidated Proceedings</u>
	:	Opposition No. 91180742
- against -	:	Cancellation No. 92048446
	:	
KRUSH GLOBAL LIMITED,	:	
	:	
Applicant/Registrant.	:	
-----X		

**DECLARATION OF MARIO ORTIZ IN SUPPORT OF
OPPOSER/PETITIONER’S MOTION FOR SUMMARY JUDGMENT**

MARIO ORTIZ declares under penalty of perjury as follows:

1. I am a paralegal at Fross Zelnick Lehrman & Zissu, P.C., attorneys for Dr Pepper/Seven Up, Inc. (“Dr Pepper”), opposer in Opposition No. 91180472 and petitioner in Cancellation No. 92048446. I submit this declaration in support of Opposer/Petitioner’s Motion for Summary Judgment. I make this declaration based on personal knowledge of the facts and circumstances set forth herein.

2. I am aware of multiple third party brands that are used both in connection with beverage or food products and in connection with restaurant services.

3. The mark BEN & JERRY’S is used in connection with ice cream shops and in connection with ice cream products sold through third-party retailers such as supermarkets.

Attached hereto as **Exhibit 44** are true and correct copies of photographs I took showing BEN & JERRY’S-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 45** is a true and correct copy of a photograph of a BEN & JERRY’S ice cream shop from the Ben & Jerry’s website <http://www.benjerry.com>. Attached

hereto as **Exhibit 46** is a true and correct copy of a page from the website <http://www.benjerry.com> stating that there are over 430 BEN & JERRY'S ice cream shops in the United States. Attached hereto as **Exhibit 47** is a true and correct copy of printouts from the online databases of the United States Patent and Trademark Office ("USPTO") showing that the mark BEN & JERRY'S is registered in Class 42 for "frozen confection stores services," and in Class 30 for "ice cream, frozen yogurt, sorbet and frozen confections."

4. The mark BOB EVANS is used in connection with casual restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 48** is a true and correct copy of a photograph of a BOB EVANS restaurant. Attached hereto as **Exhibit 49** is a true and correct copy of a page from the website <http://www.bobevans.com> stating that there are 591 BOB EVANS restaurants. Attached hereto as **Exhibit 50** is a true and correct copy of a page from the website <http://www.bobevans.com> showing the selection of BOB EVANS products available at third-party retailers. Attached hereto as **Exhibit 51** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark BOB EVANS (Stylized) is registered in Class 42 for "restaurant services," and is the subject of an application in Class 29 for "pre-packaged refrigerated, meat entrees; . . . pre-packaged, refrigerated side dishes, namely, mashed potatoes, vegetables; and prepared and packaged side dishes consisting primarily of meat, fish, poultry, vegetables, or fruit," among many other food items, and in Class 30 for "pre-baked, microwaveable biscuits; pre-packaged entrees consisting of gravy and biscuits; [and]pre-packaged, refrigerated side dishes, namely, macaroni, pasta, and stuffing containing bread," among other food items.

5. The mark BOSTON MARKET is used in connection with fast food restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached

hereto as **Exhibit 52** are true and correct copies of photographs I took showing BOSTON MARKET-brand items for sale at a Pathmark supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 53** is a true and correct copy of a photograph of a BOSTON MARKET restaurant. Attached hereto as **Exhibit 54** is a true and correct copy of a page from the website <http://www.bostonmarket.com> stating that there are approximately 600 BOSTON MARKET restaurants in 28 states. Attached hereto as **Exhibit 55** is a true and correct copy of a page from the website <http://www.bostonmarket.com> with a map indicating BOSTON MARKET restaurant locations. Attached hereto as **Exhibit 56** is a true and correct copy of a page from the website <http://www.bostonmarket.com> with a map indicating supermarket locations with BOSTON MARKET products. Attached hereto as **Exhibit 57** is a true and correct copy of a page from the website <http://www.bostonmarket.com> describing the company's BOSTON MARKET supermarket offerings. Attached hereto as **Exhibit 58** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark BOSTON MARKET is registered in Class 42 for "restaurant services featuring poultry and a variety of side dishes," in Class 29 for "frozen entrees and meals consisting of meat, poultry, pork, vegetables, potatoes and beans; processed potatoes," and in Class 30 for "Frozen entrees and meals consisting of pasta, rice and bread; macaroni and cheese."

6. The mark CARVEL is used in connection with ice cream shops and in connection with ice cream products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 59** are true and correct copies of photographs I took showing CARVEL-brand items for sale at a Pathmark supermarket in New Jersey in October 2008. Attached hereto as **Exhibit 60** is a true and correct copy of a photograph of a CARVEL ice cream shop. Attached hereto as **Exhibit 61** is a true and correct copy of a page from the website <http://www.carvel.com> stating that there are

over 500 CARVEL foodservice locations covering 25 states, and that CARVEL products are available in over 8,500 supermarkets covering 32 states. Attached hereto as **Exhibit 62** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark CARVEL ICE CREAM BAKERY (& design) is registered in Class 42 for “retail ice cream store and ice cream parlor services,” and in Class 30 for “frozen confections, ice cream, soft ice cream, ice cream cakes and pastries containing ice cream.”

7. The mark CALIFORNIA PIZZA KITCHEN is used in connection with casual restaurants and in connection with pizzas sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 63** are true and correct copies of photographs I took showing CALIFORNIA PIZZA KITCHEN-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 64** is a true and correct copy of a photograph of a CALIFORNIA PIZZA KITCHEN restaurant. Attached hereto as **Exhibit 65** is a true and correct copy of a page from the website <http://www.cpk.com>, the website for California Pizza Kitchen, stating that there are 240 California Pizza Kitchen restaurants in 33 states and nine foreign countries, and stating that the company “has a strategic alliance with Kraft Pizza Company, a subsidiary of Kraft Foods Inc., to distribute a line of premium frozen pizzas through supermarkets and other retail outlets.” Attached hereto as **Exhibit 66** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark CALIFORNIA PIZZA KITCHEN is registered in Class 42 for “restaurant services,” and in Class 30 for “frozen pizza.”

8. The mark DUNKIN’ DONUTS is used in connection with donut and coffee shops and in connection with products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 67** is a true and correct copy of a photograph I took showing DUNKIN’ DONUTS-brand items for sale at a Pathmark supermarket in New York, New York in October

2008. Attached hereto as **Exhibit 68** is a true and correct copy of a photograph of a DUNKIN' DONUTS restaurant. Attached hereto as **Exhibit 69** is a true and correct copy of a page from the website <http://www.dunkindonuts.com> stating that at the end of 2007 there were 5,769 DUNKIN' DONUTS locations in the United States, and that the company serves more than 3 million customers daily. Attached hereto as **Exhibit 70** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark DUNKIN' DONUTS is registered in Class 42 for "restaurant services," and that DUNKIN' DONUTS (& Design) is registered in Class 30 for doughnuts and coffee, among other items.

9. The mark GODIVA is used in connection with candy stores and in connection with products sold through third-party retailers. Attached hereto as **Exhibit 71** are true and correct copies of photographs I took showing GODIVA-brand items for sale at Macy's department store in New York in October 2008. Attached hereto as **Exhibit 72** is a true and correct copy of a photograph of a GODIVA shop. Attached hereto as **Exhibit 73** is a true and correct copy of a page from the website <http://www.godiva.com> stating that there are over 275 GODIVA boutiques in the North America. Attached hereto as **Exhibit 74** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark GODIVA is registered in Class 42 for "retail candy store and confectionery services," and in Class 30 for "candy."

10. The mark HÄAGEN-DAZS is used in connection with candy stores and in connection with products sold through third-party retailers. Attached hereto as **Exhibit 75** are true and correct copies of photographs I took showing HÄAGEN-DAZS-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 76** are true and correct copies of a photograph of a HÄAGEN-DAZS shop. Attached hereto as **Exhibit 77** is a true and correct copy of printouts from the online databases of the USPTO showing that the

mark HÄAGEN-DAZS (Stylized) is registered in Class 42 for “restaurant services—namely, the preparation and serving of ice cream and other dairy products for on and off premises consumption.,” and in Class 30 for “ice cream.”

11. The mark HOOTERS is used in connection with casual restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 78** is a true and correct copy of a photograph I took showing HOOTERS-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 79** are true and correct copies of a photograph of a HOOTERS restaurant. Attached hereto as **Exhibit 80** is a true and correct copy of a page from the website <http://www.hooters.com> stating that there are over 445 restaurants in the United States and in international locations. Attached hereto as **Exhibit 81** is a true and correct copy of a page from the website <http://www.hooters.com> with a map indicating the locations of HOOTERS restaurants. Attached hereto as **Exhibit 82** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark HOOTERS is registered in Class 42 for “restaurant and cocktail lounge services,” and is the subject of application in Class 30 for “sauces.”

12. The mark MARGARITAVILLE is used in connection with casual restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 83** is a true and correct copy of a photograph I took showing MARGARITAVILLE-brand items for sale at a Pathmark supermarket in New Jersey in October 2008. Attached hereto as **Exhibit 84** is a true and correct copy of a photograph of a MARGARITAVILLE restaurant. Attached hereto as **Exhibit 85** is a true and correct copy of a page from the website indicating the locations of MARGARITAVILLE restaurants. Attached hereto as **Exhibit 86** is a true and correct copy of printouts from the online databases of the USPTO

showing that the mark MARGARITAVILLE is registered in Class 43 for “restaurant services,” and is the subject of an allowed application in Class 30 for “salsa, tortilla chips, tortillas, pita chips, salad dressings.”

13. The mark MRS. FIELDS is used in connection with cookie shops and in connection with cookies sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 87** is a true and correct copy of a photograph I took showing MRS FIELDS-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 88** is a true and correct copy of a photograph of a MRS FIELDS shop. Attached hereto as **Exhibit 89** is a true and correct copy of a page from the website <http://www.mrsfields.com> stating that the company has nearly 390 shops in the United States. Attached hereto as **Exhibit 90** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark MRS FIELDS (& design) is registered in Class 43 for “restaurant services,” and in Class 30 for “bakery goods, namely cookies and brownies.”

14. The mark NATHAN’S FAMOUS is used in connection with hot dog restaurants and in connection with hot dogs sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 91** are true and correct copies of photographs I took showing NATHAN’S FAMOUS - brand items for sale at a Pathmark supermarket in New Jersey in October 2008. Attached hereto as **Exhibit 92** is a true and correct copy of a photograph of a NATHAN’S FAMOUS restaurant. Attached hereto as **Exhibit 93** is a true and correct copy of a page from the website <http://www.nathansfamous.com> stating that there are 234 NATHAN’S FAMOUS restaurants, and that NATHAN’S hot dogs are marketed and sold at over 8,000 retail locations and over 10,000 food service locations. Attached hereto as **Exhibit 94** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark NATHAN’S FAMOUS is registered in Class

42 for “restaurant and carryout food services,” and that NATHAN’S FAMOUS SINCE 1916 (& Design) is registered in Class 29 for “meat products, namely, bologna, salami, corned beef, knockwurst, pastrami, and frankfurters,” among other items.

15. The mark STARBUCKS is used in connection with coffee shops and in connection with coffee-based products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 95** are true and correct copies of photographs I took showing STARBUCKS-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 96** is a true and correct copy of a photograph of a STARBUCKS coffee shop. Attached hereto as **Exhibit 97** is a true and correct of a document entitled “Company Fact Sheet” dated February 2008 available at the website <http://www.starbucks.com>, stating that the company has 11,167 company-operated or licensed stores throughout the 50 United States. The “Company Fact Sheet” also states that the company offers the following products at third-party retailers: bottled Starbucks Frappuccino beverages, Starbucks DoubleShot espresso drinks, Starbucks Iced Coffee, whole bean coffee, Starbucks Coffee Liqueurs and superpremium ice cream. Attached as **Exhibit 98** hereto is a true and correct copy of a document entitled “Company Profile” dated February 2008 available at the website <http://www.starbucks.com>, stating that Frapuccino beverages became available in bottle form in 1996, that Starbucks DoubleShot espresso drinks became available in 2002, that Starbucks ice cream was introduced in 1995 and by 1996 had become the number one brand of coffee ice cream in the United States, and that Starbucks coffee became widely available in third party retailers beginning in 1998. Attached hereto as **Exhibit 99** is a true and correct copy of printouts from the online database of the USPTO showing that the mark STARBUCKS is registered in Class 42 for “retail store services and distributorship services for coffee, tea and spices; coffee café services,” and in Class 30 for “coffee, tea, spices, herb tea, chocolate and cocoa.”

16. The mark TACO BELL is used in connection with fast food restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 100** is a true and correct copy of a photograph I took showing TACO BELL-brand items for sale at a Gristedes supermarket in New York, New York in October 2008. Attached hereto as **Exhibit 101** is a true and correct copy of a photograph of a TACO BELL restaurant. Attached hereto as **Exhibit 102** is a true and correct copy of pages from a recent 10-K filing of the parent company of Taco Bell (Yum! Brands, Inc.) taken from the website <http://www.sec.gov> stating that as of the end of 2007, there were 5,580 TACO BELL restaurants in the United States. Attached hereto as **Exhibit 103** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark TACO BELL is registered in Class 42 for “restaurant services and carryout food services,” and in Class 30 for “taco seasoning mix, taco shells, taco dinner kit (consisting of taco shells, taco sauce and seasoning mix), tortilla chips, picante sauce and salsa.”

17. The mark T.G.I. FRIDAY’S is used in connection with casual restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 104** are true and correct copies of photographs I took showing T.G.I. FRIDAY’S-brand items for sale at a Pathmark supermarket in New Jersey in October 2008. Attached hereto as **Exhibit 105** is a true and correct copy of a photograph of a T.G.I. FRIDAY’S restaurant. Attached hereto as **Exhibit 106** is a true and correct copy of a page from the website <http://www.fridays.com> stating that there are 609 T.G.I. FRIDAY’S restaurants in the United States operating in 47 states. Attached hereto as **Exhibit 107** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark T.G.I. FRIDAY’S is registered in Class 42 for “restaurant and liquor bar services,” and in Class 30 for “fresh and frozen appetizers consisting primarily of pasta,

dumplings or tortillas containing cheese, vegetables, meat and/or other fillings; sauces, excluding cranberry sauce and applesauce; ice cream; seasonings, seasoning mixes, spices and marinades.”

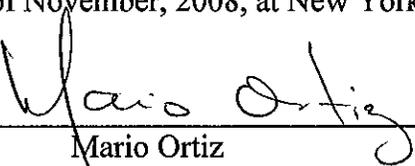
18. The mark WHITE CASTLE is used in connection with fast food restaurants and in connection with food products (such as hamburgers) sold through third-party retailers including supermarkets. Attached hereto as **Exhibit 108** are true and correct copies of photographs I took showing WHITE CASTLE-brand items for sale at a Pathmark supermarket in New Jersey in October 2008. Attached hereto as **Exhibit 109** is a true and correct copy of a photograph of a WHITE CASTLE restaurant. Attached hereto as **Exhibit 110** is a true and correct copy of a page from the website <http://www.whitecastle.com> stating that there are over 380 WHITE CASTLE restaurants in the United States. Attached hereto as **Exhibit 111** is a true and correct copy of a page from the website <http://www.whitecastle.com> with a map indicating the restaurant and retail distribution of WHITE CASTLE. Attached hereto as **Exhibit 112** is a true and correct copy of a page from the website <http://www.whitecastle.com> showing, as a representative example, where WHITE CASTLE products can be purchased in Ohio: the left hand column lists retail locations, and the right hand column lists restaurants. Attached hereto as **Exhibit 113** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark WHITE CASTLE (& design) is registered in Class 43 for “restaurant services,” and in Class 30 for “hamburger sandwiches,” among other food items

19. The mark WOLFGANG PUCK, which is used in connection with casual restaurants and in connection with food products sold through third-party retailers such as supermarkets. Attached hereto as **Exhibit 114** is a true and correct copy of a photograph of a WOLFGANG PUCK restaurant. Attached hereto as **Exhibit 115** is a true and correct copy of a page from the website <http://www.wolfgangpuck.com> stating that the company operates restaurants and distributes

consumer products including pizza and soups. Attached hereto as **Exhibit 116** is a true and correct copy of a page from the website <http://www.wolfgangpuck.com> showing a map indicating where WOLFGANG PUCK restaurants are located (in green). Attached hereto as **Exhibit 117** is a true and correct copy of a page from the website <http://www.wolfgangpuck.com> showing the categories of WOLFGANG PUCK products distributed at retail. Attached hereto as **Exhibit 118** is a true and correct copy of printouts from the online databases of the USPTO showing that the mark B WOLFGANG PUCK is registered in Class 42 for “restaurant services,” in Class 30 for “packaged and frozen prepared food, namely, pizza” and “and prepared foods, namely, bread, pasta, pasta sauces and macaroni, pasta and rice salads, and salad dressings,” and in Class 29 for soup, among other items.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, declares that all statements made of his own knowledge are true, and all statements made on information and belief are believed to be true.

Declared under penalty of perjury this 7th day of November, 2008, at New York, New York.



Mario Ortiz

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **Declaration of Mario Ortiz in Support of Opposer/Petitioner's Motion For Summary Judgment** to be deposited with the United States Postal Service as First Class mail, postage prepaid, in an envelope addressed counsel for applicant, Jason Drangel, Esq., 60 East 42nd Street, Suite 820, New York, NY 10165, this 7th day of November, 2008.


Laura Popp-Rosenberg

Exhibit 44



4.99

4.99

9.98

4.99

9.98

BEN & JERRY'S

Prish Food

BEN & JERRY'S

Coffee

BEN & JERRY'S

half baked

BEN & JERRY'S

Choco Chip

BEN & JERRY'S

Prish Food

BEN & JERRY'S

Coffee

BEN & JERRY'S

half baked

BEN & JERRY'S

Choco Chip



Price tags for the top shelf of Ben & Jerry's ice cream tubs. The tags are white with red and orange accents, showing prices such as 4.99 and 4.95.



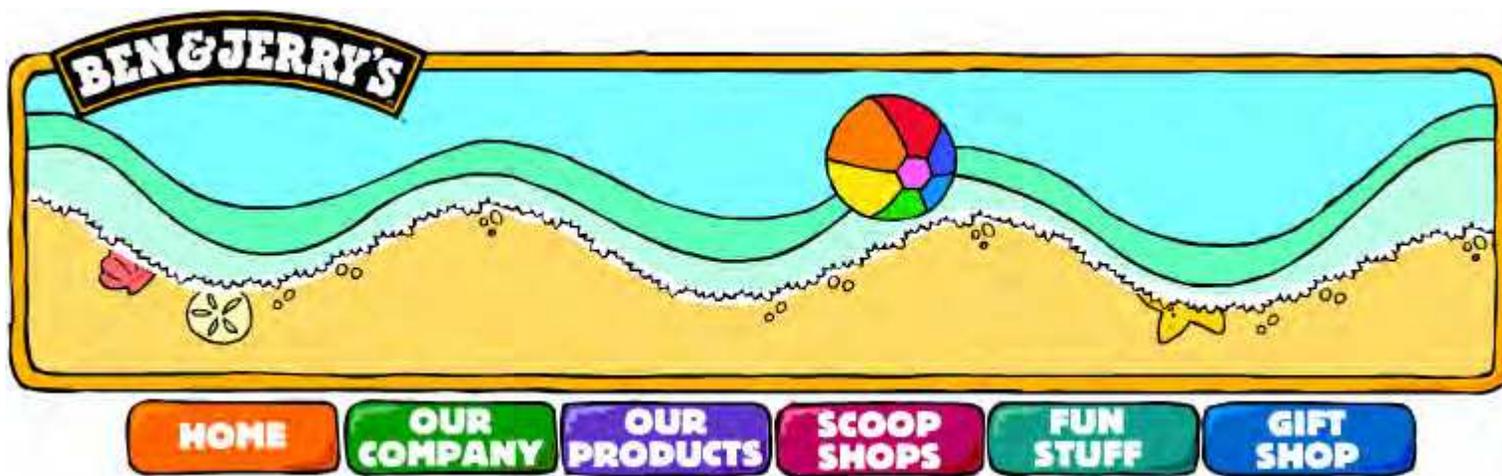
Exhibit 45



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Exhibit 46



Ben & Jerry's has over 580 franchised ice cream scoop shops and PartnerShops worldwide. We have over 430 scoop shops in the United States and over 150 scoop shops [internationally](#). You can get the whole scoop on Ben & Jerry's scoop shops here!



Franchise Opportunities



New Shops
Now open for business!



Scoop Shop Menu



PartnerShops
Programs for Youth

Scoop Shop Locator

city:

state: -- (US and Canada only)

zip:

Find only shops that:

offer ice cream cakes

offer catering

Find it!



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Ben & Jerry's [Factory Tour](#)
I-89 Exit 10 to Route 100 North
Waterbury, VT

© Ben & Jerry's Homemade Holdings, Inc.
30 Community Drive
South Burlington, VT 05403-6828

Exhibit 47



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Typed Drawing

Word Mark	BEN & JERRY'S
Goods and Services	IC 042. US 100 101. G & S: frozen confection store services . FIRST USE: 19780000. FIRST USE IN COMMERCE: 19830000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74634013
Filing Date	February 14, 1995
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 19, 1995
Registration Number	1961757
Registration Date	March 12, 1996
Owner	(REGISTRANT) Ben and Jerry's Homemade, Inc. CORPORATION VERMONT Route 100 P. O. Box 240 Waterbury VERMONT 05676 (LAST LISTED OWNER) BEN & JERRY'S HOMEMADE, INC. CORPORATION VERMONT 7 BURLINGTON SQUARE P.O. BOX 530 BURLINGTON VERMONT 054020530
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Lisa W. Rosaya, Esq.
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060526.

Renewal 1ST RENEWAL 20060526
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Word Mark	BEN & JERRY'S
Goods and Services	IC 030. US 046. G & S: ICE CREAM, FROZEN YOGURT, SORBET AND FROZEN CONFECTIONS. FIRST USE: 19980209. FIRST USE IN COMMERCE: 19980209
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.27 - Oblongs not used as carriers for words, letters or designs 26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)
Serial Number	75380285
Filing Date	October 27, 1997
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	August 25, 1998
Registration Number	2203988
Registration Date	November 17, 1998
Owner	(REGISTRANT) Ben & Jerry's Homemade Holdings, Inc. CORPORATION VERMONT 7 Burlington Square Burlington VERMONT 05401 (LAST LISTED OWNER) BEN & JERRY'S HOMEMADE, INC. CORPORATION VERMONT 7

BURLINGTON SQUARE P.O. BOX 530 BURLINGTON VERMONT 054020530

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Lisa W. Rosaya

Prior Registrations 1303989;1946739;1961757;AND OTHERS

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080905.

Renewal 1ST RENEWAL 20080905

Live/Dead Indicator LIVE

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Exhibit 48



Exhibit 49



Bob Evans

Bob Evans is one of America's favorite family restaurants, serving up homestyle meals for more than 40 years. Farm-fresh goodness and friendly service have made Bob Evans Restaurants the first choice of people throughout the East North Central, mid-Atlantic and Southern United States.

From our classic breakfast favorites like sausage gravy and biscuits to our delicious dinners like our Bob-B-Q Knife & Fork Sandwiches, our [Bob Evans Restaurant menu](#) has something for everyone. Bob Evans menu items are also available for [Carryout](#).

Every one of our 591 Bob Evans Restaurants places a premium on delivering the basics: quality food served with a smile, in a warm, comfortable setting. It all adds up to a great value - and a meal you'll remember.

Bob Evans Restaurant and General Stores

Bob Evans Restaurant and General Stores reflect our original restaurant that opened on the Bob Evans Farm in Rio Grande, Ohio. Like traditional Bob Evans Restaurants, our General Stores serve breakfast, lunch and dinner. They also feature classic country gifts, collectibles, games and packaged homestyle foods. [Click here](#) to learn more about Bob Evans Restaurant General Stores.



There are 118 Mimi's Café Restaurants in 19 states with a majority of them in California. Mimi's Café offers a wide selection of freshly prepared, high-quality food in an upbeat and sophisticated atmosphere reminiscent of New Orleans cafés and European bistros. The Mimi's Café menu includes more than 100 freshly prepared breakfast, lunch and dinner items with diverse flavors.

Menu Features

Give the Gift of Bob Evans

Bob Evans gift cards make the perfect gift for family and friends. You can purchase them at any one of our more than 500 Bob Evans Restaurants or order them [online](#).

[Click here](#) to learn more about Mimi's Café.

Exhibit 50

Bob Evans®

Everyone could use a little homestyle.

[PRODUCTS](#) [RECIPES](#) [PRINT COUPON](#) [FIND PRODUCTS](#) [COMPANY HISTORY](#)

Products

[Bacon & Ham](#)

[Bowls & Gravies](#)

[Breakfast Sandwiches](#)

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[Grilling](#)

[Mashed Potatoes & Side Dishes](#)

[Other Great Bob Evans Products](#)

[Sausage](#)

[Slow Roasted Entrees](#)

[View All](#)

FEATURED RECIPE

SLOW COOKER MEXICAN CASSEROLE

A ZESTY DISH THAT'S EASY TO THROW TOGETHER ON GAME DAY OR ANY DAY.



CALENDAR OF EVENTS

Click here to find out more about upcoming Bob Evans events.

FEATURED PRODUCT

BOB EVANS GRILLING SAUSAGES

Tailgating this weekend? Pick up a pack of our bratwurst or Italian sausage.

[View Grilling Products](#)



Our Products

Bob Evans specializes in bringing farm fresh food to our customers. From the variety of our flavored sausages to our mashed potatoes, home fries and bacon (just to name a few), we've got the ingredients you'll need for a memorable meal.

And when time is running short, we even have a variety of frozen homestyle recipe entrees and convenient, microwaveable sandwiches. Take a moment to browse our products — and enjoy the fresh quality of Bob Evans food products in your own home every day.

Bacon & Ham



Canadian Bacon

Our smoked Canadian-style Bacon is perfect for making Eggs Benedict or to add to our fresh-baked biscuits. Ten slices come in the resealable package.

[Product Details](#)



Country Pepper Bacon 12 oz

If you love pepper, then you have to try our Country Pepper Bacon.

[Product Details](#)



Express Fully Cooked Bacon

Fully cooked and ready in seconds, our Hickory Smoked Express Bacon is a great way to start your morning. Available in packages of 12 strips.

[Product Details](#)



Ham Slices 6-pk

Sliced and delicious right from the package or after warming, Bob Evans fully-cooked ham is 96% fat free. The 12 ounce package is perfect for a family meal.

[Product Details](#)



Ham Steaks

Try our fully cooked, sliced ham. It's 96 percent fat free and is perfect for ham and eggs.

[Product Details](#)



Ham Steaks 2 pk

Try our fully cooked, sliced ham. It's 96 percent fat free and is perfect for ham and eggs.

[Product Details](#)

Hickory Smoked Bacon

You'll love our thick-sliced bacon with a rich, smoky taste.

[Product Details](#)

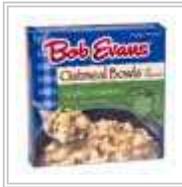


Maple Bacon

If you like our Maple Sausage, then try our Maple Bacon with a rich flavor sure to add a hint of sweetness to any meal.

[Product Details](#)

Bowls & Gravies



Apple Cinnamon Oatmeal Bowl

Premium all-natural, whole grain oatmeal, with sweet apples and cinnamon, Bob Evans Apple Cinnamon Oatmeal Bowl goes from the freezer to your table in minutes. Delivering on taste and convenience, it's packaged in a single-serving container.

[Product Details](#)



Bacon and Potatoes Brunch Bowl

The Bacon and Potatoes Brunch Bowl is tasty bacon served in an egg blend with cheese; single-serving size.

[Product Details](#)



Breakfast Bake

Great as a main dish, side or a wrap filling. Try our breakfast bake for your next family gathering.

[Product Details](#)



Breakfast Bake (Microwaveable)

Serve your family a hearty, homestyle breakfast in just minutes from the microwave. Bob Evans Breakfast Bake features Bob Evans' signature country gravy, sausage, eggs and cheddar cheese. With 4.5 servings per package, Bob Evans Breakfast Bake is a great main dish for your next breakfast or brunch gathering.

Product Details



Brown Restaurant Sausage Gravy

9 oz FROZEN

Product Details



Brown Sausage Gravy

Our restaurant gravy is so popular, we've made it available for you to enjoy in the convenience of your own home.

Product Details



Cinnamon Raisin Oatmeal Bowl

Homestyle favorite flavors of cinnamon and plump raisins combine with all-natural, whole grain oatmeal for a hearty, healthy breakfast. From your freezer to your table in just minutes, each single-serving bowl delivers on taste and convenience. A great source of fiber, it's also cholesterol and trans-fat-free.

Product Details



Country Gravy Brunch Bowl

Enjoy the farm-fresh taste of country gravy combined with Bob Evans' pork sausage and potatoes in an egg blend with cheddar cheese; single-serving size.

Product Details



Cranberry Pecan Oatmeal Bowl

Delicious cranberries and pecans combine with premium, all-natural oatmeal for a tasty and convenient breakfast you can take from the freezer to your table in minutes. Each single-serving bowl

offers a great source of fiber and is cholesterol and trans-fat-free.

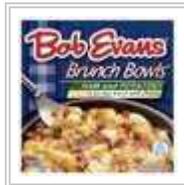
Product Details



Creamed Chipped Beef

This family favorite is sure to delight your appetite with dried beef in a creamy white sauce; 2 servings.

Product Details



Ham & Cheese Potato Brunch Bowl

The Ham and Cheese Potato Brunch Bowl is a delicious combination of ham and potatoes served in an egg blend with cheese; single-serving size.

Product Details



Hearty Blueberry Oatmeal Bowl

Hearty blueberries in premium, all-natural oatmeal – ready to eat from your freezer in minutes. The whole grain oatmeal is a great source of fiber. Cholesterol free and trans fat free, its taste and convenience can't be beat.

Product Details



Omelet & Potatoes Brunch Bowl

A hearty way to start your day. An egg omelet filled with cheese and vegetables served with cheesy bacon potatoes.

Product Details



Omelet & Sausage Patties Brunch Bowl

An egg omelet filled with cheese, vegetables and ham served with Bob Evans Sausage; single-serving size.

Product Details



Original Sausage Gravy

20 oz FROZEN

[Product Details](#)



Original Sausage Gravy & Biscuits

Enjoy the slow-cooked flavor of sausage and white gravy with biscuits.

[Product Details](#)



Original White Sausage Gravy

Try white sausage gravy from the leading producer and distributor of pork sausage for a truly down-home meal.

[Product Details](#)



Sausage Brunch Bowl

High-quality pork sausage and potatoes in an egg blend with cheese makes a perfect meal solution any time of the day; single-serving size.

[Product Details](#)



Sausage Gravy & Biscuits

13.5 oz REFRIGERATED

[Product Details](#)

Stuffed French Toast with Apples Brunch Bowl

With cream cheese served between layers of French toast and topped with a fruit sauce containing large chunks of Jonathan apples and cinnamon, you won't be able to resist this dish; single-serving size.

[Product Details](#)



Stuffed French Toast with Berries Brunch Bowl

Breakfast just got a whole lot sweeter with cream cheese layered between French toast and topped with a fruit sauce containing whole strawberries, blueberries and cherries; single-serving size.

[Product Details](#)

Breakfast Sandwiches



Maple Biscuit & Sausage 4 ct.

Available in a 4-count package.

[Product Details](#)



Pigs in Blanket Smoked Sausage with Cheese 8 ct.

Bob Evans has made "Pigs in a Blanket" convenient, so families can enjoy them in just seconds. A favorite for breakfast, a main dish or quick snack, the smoked sausage with cheese wrapped in dough is ready in just 20 seconds when refrigerated and 45 seconds when frozen.

[Product Details](#)



Sausage Egg Cheese Biscuit 4 ct.

Sausage Egg and Cheese Biscuits are made with delicious ingredients and the savory, high-quality sausage Bob Evans is known for. Available in a 4-count package.

[Product Details](#)



Sausage Egg Cheese Burrito 12 ct.

Featuring sausage, eggs and cheese rolled into a soft flour tortilla, each Bob Evans Sausage, Egg & Cheese Burrito is ready from the microwave in just 35 seconds. The 12-count package is perfect for a family or gathering, or each individually-wrapped burrito may be heated as needed.

Product Details



Sausage Egg Cheese Burrito 6 ct.

Our Sausage, Egg & Cheese Burritos are fully cooked and individually wrapped for your convenience and are ready to eat in about a minute from the microwave. Available in a 6-count package.

Product Details



Sausage Egg Cheese Croissant 4 ct.

Sausage and egg inside a flaky croissant makes any morning feel special – especially when it's from Bob Evans. Each individually-wrapped croissant sandwich is ready to eat in seconds from the microwave.

Product Details



Sausage Egg Cheese Muffin 4 ct.

English muffin sandwiches feature Bob Evans' signature sausage and fluffy eggs. Each hearty sandwich is individually wrapped for a perfect breakfast or hearty snack solution – ready from the microwave in seconds.

Product Details



Sausage Sandwiches 20 ct.

Featuring the signature Bob Evans Sausage that's been a favorite for more than 50 years, Bob Evans sausage sandwiches are ready from your microwave in seconds or can be prepared in a conventional oven. The 20-count package of individually-wrapped sandwiches is the ultimate in convenience.

Product Details



Snack Size Sausage and Cheese Sandwich 12 ct.

Take snacking to a whole new level, with savory Bob Evans sausage and melted cheese on a sandwich that's ready to heat and eat anytime.

Product Details

**Snack Size Sausage Biscuit 12 ct.**

Breakfast and snacks “on the go” are better with Bob Evans! Snack size flaky biscuits with hearty Bob Evans sausage are perfect from the microwave in seconds for a meal solution anytime.

[Product Details](#)

**Snack Size Sausage Biscuit 16 ct.**

Perfect for a quick breakfast or a snack “on the go,” each snack size biscuit is individually wrapped for microwaveable convenience. Because they feature Bob Evans sausage, you know you’re getting the finest cuts of meat and savory spices for that “down on the farm” flavor.

[Product Details](#)

**Snack Size Sausage Biscuit 6 ct.**

Bob Evans Sausage Biscuit Snackwiches are made with delicious ingredients and savory, high-quality sausage Bob Evans is known for. Available in 6-count, 12-count and 16-count packages - they're perfect for a quick and delicious snack or to feed the team.

[Product Details](#)

**Snack Size Sausage Egg Cheese Biscuit 4 ct.**

Flaky biscuits surround hearty sausage and egg for a taste you can only get from Bob Evans. Each hearty biscuit is individually wrapped for convenience.

[Product Details](#)

Breakfast Side Dishes

**Diced Home Fries 20 oz**

Bob Evans Home Fries are seasoned and diced and make the perfect complement to your next family breakfast.

[Product Details](#)



Shredded Hash Brown 20 oz

Our seasoned shredded potatoes are great for breakfast, lunch or dinner. We do all of the work, and you take care of the enjoyment!

[Product Details](#)

Grilling



Beer Bratwurst

Our Beer Bratwurst adds a unique flavor that everybody loves. Available in packages of 5.

[Product Details](#)



Cheddar Smoked Sausage

Both kids and adults will love the cheesiness of our fully-cooked Cheddar Smoked Sausage. And because it's ready to heat and eat, it's great for families on the go.

[Product Details](#)



Country Smoked Sausage

Your family will enjoy the traditional down-home flavor of our fully-cooked Country Smoked Sausage. And you'll love how easy it is to heat and eat, and the convenience of its resealable package.

[Product Details](#)



Hot Bratwurst

Our "hot brats" really spice up the grill. Available in packages of 5.

[Product Details](#)



Hot Italian Sausage

This will truly set your grill on "fire." For those who like a little heat, our Hot Italian Sausage will provide just the kick you want! Available in packages of 5.

[Product Details](#)



Jalapeno Hotz Smoked Sausage

Spice up any meal with our Jalapeno HOTZ Smoked Sausage. It's fully cooked, so you can heat and eat. And its convenient resealable package allows you to make just as much as you need.

[Product Details](#)



Kielbasa

Our kielbasa is perfect by itself, on the grill or to complement any side dish.

[Product Details](#)



Original Bratwurst

A favorite at picnics and cookouts, our Original Bratwurst is also great in your favorite recipes! Available in packages of 5.

[Product Details](#)



Smoked Bratwurst

For a quick meal any day of the week, try our fully-cooked Smoked Bratwurst. It's ready to heat and eat and comes in a convenient resealable package.

[Product Details](#)

Smoked Dinner Sausage Link

Our Smoked Dinner Sausage is perfect on the grill, by itself or to complement a side dish.

[Product Details](#)



Smoked Kielbasa

Whether by itself or in a recipe, our fully-cooked Smoked Kielbasa makes for a quick and easy meal. Look for this heat-and-eat solution in our convenient resealable package.

[Product Details](#)



Sweet Italian Sausage

Full of great Italian flavor that is sure to please, our Italian Sausage can't be beat when cooked on the grill or as part of a delicious recipe. Available in packages of 5.

[Product Details](#)

Mashed Potatoes & Side Dishes



Cheddar Mashed Potatoes

Our delicious mashed potatoes are made with real cheddar cheese and are sure to please the cheese lovers in your family.

[Product Details](#)



Garlic Mashed Potatoes

Our Garlic Mashed Potatoes have all of the homestyle goodness of our Original Mashed Potatoes bursting with the delicious flavor of garlic.

[Product Details](#)



Mashed Sweet Potatoes

Bob Evans Mashed Sweet Potatoes are a convenient side dish for holidays or a fast weekday dinner.

[Product Details](#)



Original Green Bean Casserole

Like mom used to make, but in a fraction of the time, Bob Evans Original Green Bean Casserole can make an everyday meal a special occasion. Ready from the microwave in under 5 minutes, each package has three servings.

[Product Details](#)



Original Mashed Potatoes

Bob Evans Original Mashed Potatoes are a convenient side dish that provide the hearty homestyle taste today's families are looking for. No peeling required!

[Product Details](#)



Seasoned Homestyle Stuffing

Savory and moist with the perfect blend of seasonings, Bob Evans Seasoned Homestyle Stuffing makes any day a special occasion. Bob Evans Homestyle Stuffing is refrigerated and ready from the microwave in just 5 minutes. Each package contains 2-3 servings.

[Product Details](#)



Sliced Glazed Apples

A classic taste that will make everyone think you slaved in the kitchen, Bob Evans Sliced Glazed Apples are a perfect side dish or topping. Sold in the grocer's freezer section, they're ready to serve in less than 5 minutes.

[Product Details](#)



Sour Cream & Chive Mashed Potatoes

The delicious taste of sour cream and chives make this rich and creamy side dish a treat that is sure to please the entire family.

[Product Details](#)



Southwest Style Mashed Potatoes

We combine white cheddar cheese, roasted poblano and red peppers with our already delicious Bob Evans Southwest Style Mashed Potatoes for an authentic flavor combination unlike anything else.

[Product Details](#)



Special Recipe Macaroni & Cheese

Made with real cheddar cheese, Bob Evans Special Recipe Macaroni & Cheese can be heated in the microwave and ready for you to enjoy in less than five minutes.

[Product Details](#)

Other Great Bob Evans Products



Bob Evans Ground Coffee

Bring the signature taste of Bob Evans Restaurant coffee home with this premium roast. Our coffee is a combination of Colombian and Brazilian beans that are perfectly roasted to provide a smooth, rich flavor. The medium-bodied blend is subtle and fresh.

[Product Details](#)



Wildfire BBQ Sauce

Take home a bottle of our award-winning, smoky-sweet barbeque sauce. Available at all Bob Evans Restaurants and many local grocers.

[Product Details](#)

Sausage



Brown Sugar & Honey Links

A sweet taste that kids love! Available in packages of 14 links.

Product Details

**Express Fully Cooked Lite Links**

Our lite links have only 80 calories and 5 grams of fat per serving. Available in packages of 10 links.

[Product Details](#)

**Express Fully Cooked Maple Links**

Achieve convenience without sacrificing the fresh sausage taste complemented by the sweet flavor of maple. Available in packages of 10 links.

[Product Details](#)

**Express Fully Cooked Original Links**

These fully-cooked sausage links are made with choice cuts of meat and the finest herbs and spices. Available in packages of 10 links.

[Product Details](#)

**Express Fully Cooked Original Patties**

These fully-cooked sausage patties are made with choice cuts of meat and the finest herbs and spices.

[Product Details](#)

**Italian Roll Sausage**

Delicious on its own - even better when used to spice up your favorite recipes.

[Product Details](#)

**Maple Links 12 oz**

Maple syrup provides a maple taste to the already savory goodness of our original links. Available in packages of 14 links.

[Product Details](#)

**Maple Patties 12 oz**

High-quality pork combines with maple syrup for a one of a kind sweet sausage taste. Available in packages of 8 patties.

[Product Details](#)

**Maple Roll Sausage**

Maple syrup adds a sweet flavor to our classic original recipe roll sausage.

[Product Details](#)

**Original Links 12 oz**

These high-quality pork sausage links provide a farm-fresh taste to any meal - whether they complement your breakfast or enhance your favorite recipes. Available in packages of 14 and 24 links.

[Product Details](#)

**Original Links 20 oz**

These high-quality pork sausage links provide a farm-fresh taste to any meal - whether they complement your breakfast or enhance your favorite recipes. Available in packages of 14 and 24 links.

[Product Details](#)

Original Patties 12 oz

Enjoy the Down on the Farm® flavor in our Original Sausage Patties that consumers have loved for more than 50 years. Available in packages of 9 patties.

[Product Details](#)

**Original Patties 48 oz**

With the Bob Evans signature combination of the finest cuts of meat and savory spices, Bob Evans original patties feature a taste consumers have loved for more than 50 years. The 48-oz. size offers more to love – with 36 patties in each package.

[Product Details](#)

**Original Roll Sausage**

Our original recipe roll sausage is made from the finest cuts of meat and makes a great addition to your favorite recipes. Also available in 32 oz. rolls.

[Product Details](#)

**Patties 24 oz**

Try a larger package of our delicious Original Sausage Patties that have that Down on the Farm flavor. Available in packages of 18 patties.

[Product Details](#)

**Sandwich Patties 16 oz**

Try a package of our delicious Original Sausage Sandwich Patties that have that Down on the Farm(R) flavor. Used for the Farm Boy sandwiches made popular at Bob Evans Restaurants and at Farm Fest!

[Product Details](#)

**Savory Sage Roll Sausage**

Premium cuts of meat join savory sage spices to create a unique and delicious flavor.

[Product Details](#)



Zesty Hot Roll Sausage

The finest herbs and hot spices are combined to give our zesty hot roll sausage a kick.

[Product Details](#)

Slow Roasted Entrees



Slow Roasted Beef Pot Roast with Gravy

With our Slow-Roasted Beef Pot Roast, you can have dinner ready in no time; serves 3.

[Product Details](#)



Slow Roasted Beef Stew with Vegetables

Great tasting, homestyle Slow-Roasted Beef Stew in just 10 minutes; serves 3.

[Product Details](#)



Slow Roasted Chicken with Gravy

New! Slow Roasted Chicken Breast with Gravy features all the homestyle flavor and quality you'd expect from Bob Evans

[Product Details](#)



Slow Roasted Meat Loaf with Gravy

Great tasting, homestyle Slow-Roasted Meatloaf in just 10 minutes; serves 3.

[Product Details](#)



Slow Roasted Pork Chops with Gravy

Our Slow-Roasted Pork Chops are fully cooked; serves 3.

[Product Details](#)



Slow Roasted Pork Roast with Gravy

Our Slow-Roasted Pork Roast is fully cooked and offers a homemade pork roast without the work; serves 3.

[Product Details](#)



Slow Roasted Turkey Breast with Gravy

Our Slow-Roasted Turkey Breast provides a meal reminiscent of dinners that grandma used to make; serves 3.

[Product Details](#)

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Exhibit 51



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Bob Evans

Word Mark	BOB EVANS
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES. FIRST USE: 19500710. FIRST USE IN COMMERCE: 19500710
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	72456089
Filing Date	April 30, 1973
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0992146
Registration Date	August 27, 1974
Owner	(REGISTRANT) BOB EVANS FARMS, INC. CORPORATION OHIO P.O. BOX 7863 3776 S. HIGH ST., STATION G COLUMBUS OHIO 43207 (LAST LISTED OWNER) BOB EVANS RESTAURANTS OF MICHIGAN, INC. CORPORATION DELAWARE 305 EAST EISENHOWER PARKWAY SUITE 200 ANN ARBOR MICHIGAN 48108
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of	

Record REID M. WILSON
Prior Registrations 0846356;0846357;0876145
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060217.
Renewal 2ND RENEWAL 20060217
Other Data "BOB EVANS" IS THE NAME OF A LIVING INDIVIDUAL WHOSE CONSENT IS OF RECORD.
Live/Dead Indicator LIVE

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BOB EVANS

Word Mark BOB EVANS

Goods and Services IC 029. US 046. G & S: Sausage; fresh roll sausage; fresh link sausage; fresh patty sausage; pre-cooked link sausage; smoked sausage links; smoked sausage ring rope; bratwurst; fully cooked sausage, including links and patties; fully cooked bratwurst; fully cooked bacon; pork sausage; smoked pork sausage; pre-cooked patty sausage; bacon; uncooked bacon; pre-cooked bacon; pre-packaged, refrigerated meat entrees; ham; pork ribs; chili; pre-packaged, refrigerated side dishes, namely, mashed potatoes, vegetables; and prepared and packaged side dishes consisting primarily of meat, fish, poultry, vegetables, or fruit. FIRST USE: 19641030. FIRST USE IN COMMERCE: 19641030

IC 030. US 046. G & S: Breakfast sandwiches; sausage patty sandwiches; breakfast burritos; pre-baked, microwaveable biscuits; pre-packaged entrees consisting of gravy and biscuits; pre-packaged, refrigerated side dishes, namely, macaroni, pasta, and stuffing containing bread; kolaches, namely, dough-based pockets with filling consisting primarily of meats, poultry, vegetables and cheese; sausage wrapped in baked dough; breads and cakes; sausage gravy; and salad dressing. FIRST USE: 19641030. FIRST USE IN COMMERCE: 19641030

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77470658

Filing Date May 9, 2008

Current Filing 1A

Basis
Original Filing Basis 1A
Published for Opposition October 14, 2008
Owner (APPLICANT) Bob Evans Restaurants of Michigan, Inc. CORPORATION DELAWARE PMB 415
2232 S. Main Street Ann Arbor MICHIGAN 48103
Attorney of Record Cory M. Amron
Prior Registrations 0846357;1106757;2846069;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Other Data The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.
Live/Dead Indicator LIVE

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Exhibit 52

HEARTY
SERVING

5.89

5.89

5.89

3.00

noodles

10.5 oz (300g)



HEARTY
SERVING

BOSTON
Home Style Meals
MARKET

NEW!

Southwest Style Grilled Chicken

Grilled White Meat Chicken is a Smoky Cheddar Cheese Sauce
with Honey & Mustard Dressing



HEARTY
SERVING

BOSTON
Home Style Meals
MARKET



with Home Style
Mashed Potatoes & Gravy



Beef Sirloin with Home Style Mashed Potatoes

WATER CRAMPS

with Home Style Mashed Potatoes & Gravy



Beef Sirloin with Home Style Mashed Potatoes

NEW!



Home Style Meals

NEW!



3.29

3.29

Exhibit 53



Exhibit 54



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Boston Market Fact Sheet

Overview: Boston Market Corporation recognizes that in an increasingly fast-paced world, more and more people are pressed for time and looking for ways to make their lives easier. Many consumers want an alternative to cooking that allows them to slow down and spend more time with their family and loved ones. Boston Market restaurants offer fresh, delicious, home-style meals just like you would prepare and serve at home if you had the time--without the hassle of preparation and clean-up.

Company Profile Boston Market Corporation, based in Golden, Colo., is a leader in the fast-casual restaurant category, providing chef-inspired meals in a number of convenient ways.

Employees: More than 13,000 employees nationwide.

Headquarters: Golden, Colorado (just west of Denver).

Boston Market Restaurants

Concept: Boston Market creates chef-inspired meals made with wholesome ingredients.

Menu: Boston Market's menu features wholesome, home-style entrees (rotisserie chicken, turkey and meatloaf), fresh vegetables and fruits, sandwiches, salads, soups, side dishes and desserts.

Operations: Approximately 600 company-owned restaurants in 28 states.

Restaurant Services

Catering: Boston Market provides catering services from lunches to formal events. The online-ordering and same-day

delivery is perfect for businesses and community groups. The call center will help coordinate weddings, graduations, and other family gatherings like Easter, Thanksgiving, and Christmas.

Holiday Meals: During certain holiday periods, Boston Market offers banquet meals with whole, fully cooked turkeys and bone-in, spiral-sliced hams. Banquet meals serve between eight and 12, depending on the meal. They are sold chilled, allowing customers to heat and serve their meal when it suits them, filling their home with the wonderful aroma of a freshly prepared meal.

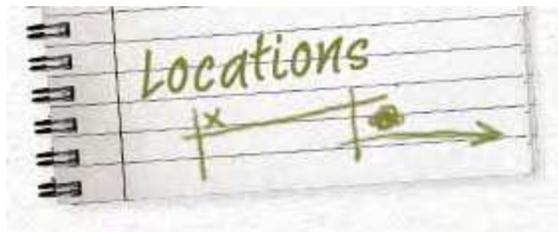
Supermarkets

Supermarket Options: Boston Market has partnered with leading supermarket chains to bring restaurant-quality, Boston Market-branded meals into the deli department so shoppers can enjoy the one-stop convenience of purchasing ready-to-heat meals at the same time they do their grocery shopping.

Frozen Selections: [H.J. Heinz Company](#), one of the world's leading marketers of branded foods for supermarkets, manufactures a Boston Market line of frozen entrees and jarred gravies.

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Exhibit 55



Enter your address.

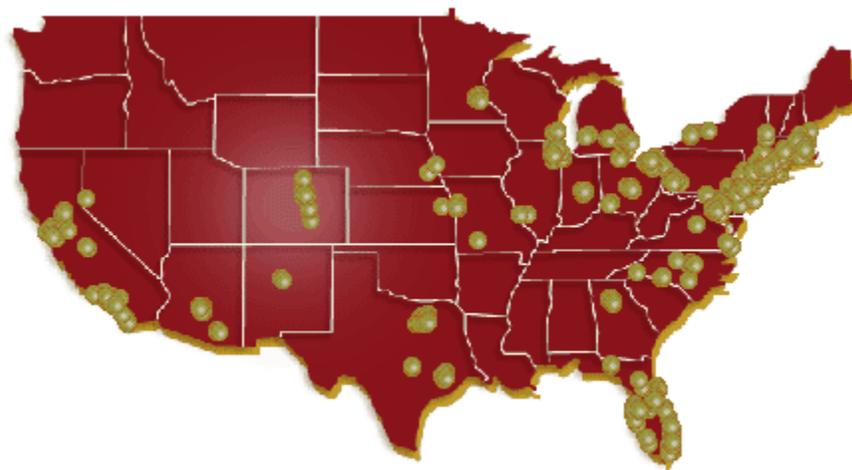
Street:

City:

State: Zip:

10 Mile Radius

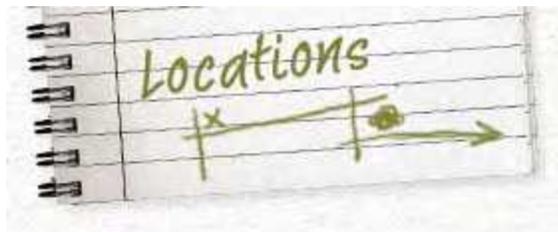
- Boston Market Restaurants
- Supermarkets (with Boston Market products)
- Both Restaurants and Supermarkets



Clickable map

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Exhibit 56



Enter your address.

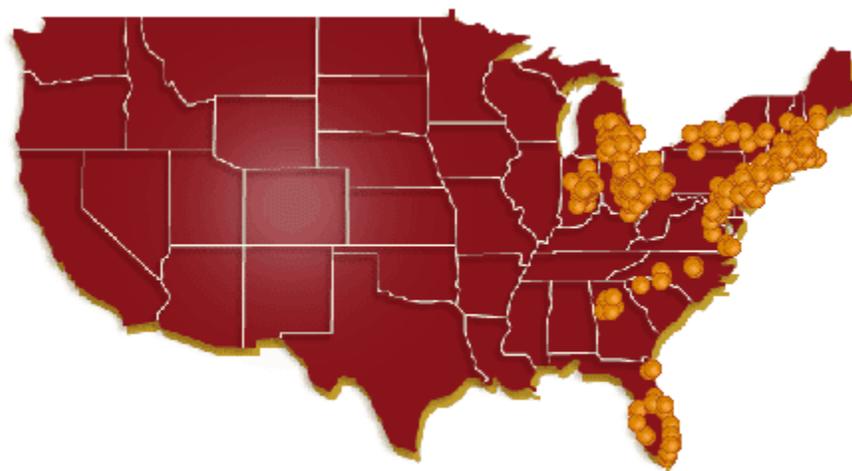
Street:

City:

State: Zip:

10 Mile Radius

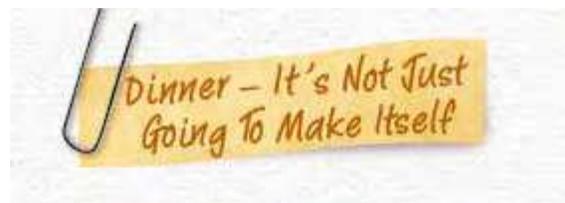
- Boston Market Restaurants
- Supermarkets (with Boston Market products)
- Both Restaurants and Supermarkets



Clickable map

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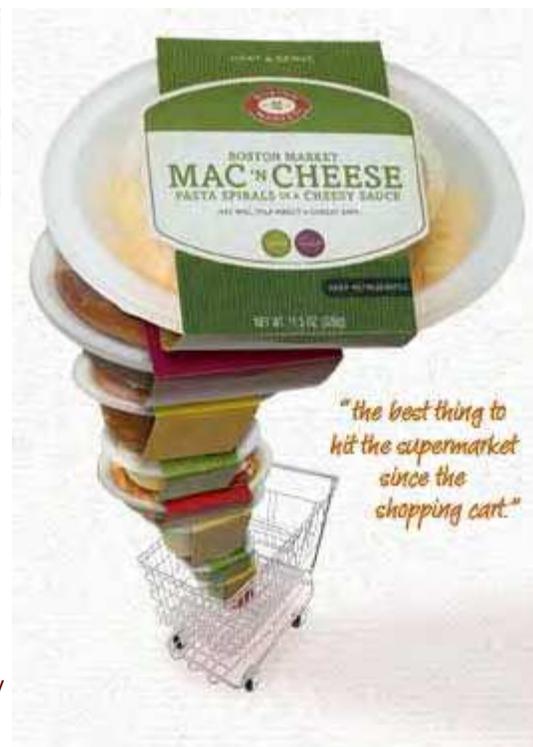
Exhibit 57



The thing about making dinner is - you've got to make it. You start with shopping for all the ingredients. Then you go home, and this is where it gets fun. Because ingredients need to be chopped, diced, measured, mixed, and then cooked (or baked) until they're ready to serve.

That sounds like a lot of work. And who wants to work when the good stuff is waiting?

Check out the newest thing in the deli section of your supermarket, Boston Market meal solutions. Grab it, heat it, enjoy it. It's everything you'd expect-craveable chef-inspired recipes made with wholesome natural ingredients. And, they're ready to heat, so that means dinner is ready in minutes.



Or if you want to have delicious Boston Market meals on hand for a later date, you can push the cart down the frozen food aisle. Made the same way-from chef-inspired recipes-these frozen dishes give you one more great-tasting option. For more information on Boston Market frozen meals go to www.bostonmarketfrozen.com.

Enjoy Boston Market meals now. Or enjoy them later. Either way, we do all the work so you can get out and enjoy all that's great about life.

Exhibit 58



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Typed Drawing

Word Mark	BOSTON MARKET
Goods and Services	IC 042. US 100 101. G & S: restaurant services featuring poultry and a variety of side dishes. FIRST USE: 19941216. FIRST USE IN COMMERCE: 19950126
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74410045
Filing Date	July 2, 1993
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	October 11, 1994
Registration Number	1940179
Registration Date	December 5, 1995
Owner	(REGISTRANT) Boston Chicken, Inc. CORPORATION MASSACHUSETTS 1804 Centre Point Drive Naperville ILLINOIS 60563
	(LAST LISTED OWNER) MCDONALD'S CORPORATION CORPORATION BY ASSIGNMENT DELAWARE ONE MCDONALD'S PLAZA OAK BROOK ILLINOIS 60523
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	CHRISTINA L. MARTINI
Type of Mark	SERVICE MARK
Register	PRINCIPAL-2(F)-IN PART
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060314.
Renewal	1ST RENEWAL 20060314
Live/Dead Indicator	LIVE
Distinctiveness	
Limitation Statement	as to "BOSTON"

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BOSTON MARKET

Word Mark	BOSTON MARKET
Goods and Services	IC 029. US 046. G & S: Frozen entrees and meals consisting of meat, poultry, pork, vegetables, potatoes and beans; processed potatoes. FIRST USE: 19990630. FIRST USE IN COMMERCE: 19990630
	IC 030. US 046. G & S: Frozen entrees and meals consisting of pasta, rice and bread; macaroni and cheese. FIRST USE: 19990630. FIRST USE IN COMMERCE: 19990630
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77397878
Filing Date	February 15, 2008
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 22, 2008
Registration Number	3511498
Registration Date	October 7, 2008
Owner	(REGISTRANT) Boston Market Corporation CORPORATION DELAWARE 14103 Denver West Parkway Golden COLORADO 80401
Attorney of Record	Mark I. Feldman, Christina L. Martini
Prior Registrations	1940179;1963578;2102511;AND OTHERS

Type of Mark TRADEMARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness
Limitation Statement As to "BOSTON"

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Exhibit 59



\$25.99

Ice Cream Sheet Cake



\$19.99

Celebration to Share Cake



Celebration to Share Cake

Carvel
Candy
Cakes

Carvel
Candy
Cakes

The Traditional
Red & White Frosting

In Original Ice Cream
Flavor

100% WHOLE MILK ICE CREAM
NET WT. 1.5 LBS (680g)

NET WT. 1.5 LBS (680g)

Carvel
Candy
Cakes

SNICKERS

ICE CREAM CAKE

NET WT. 1.5 LBS (680g)

NET WT. 1.5 LBS (680g)

Exhibit 60



Exhibit 61



search



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At A Glance

[At A Glance](#) | [Tom Carvel](#) | [Management](#)

[Newsroom](#) | [History](#) | [Careers](#)

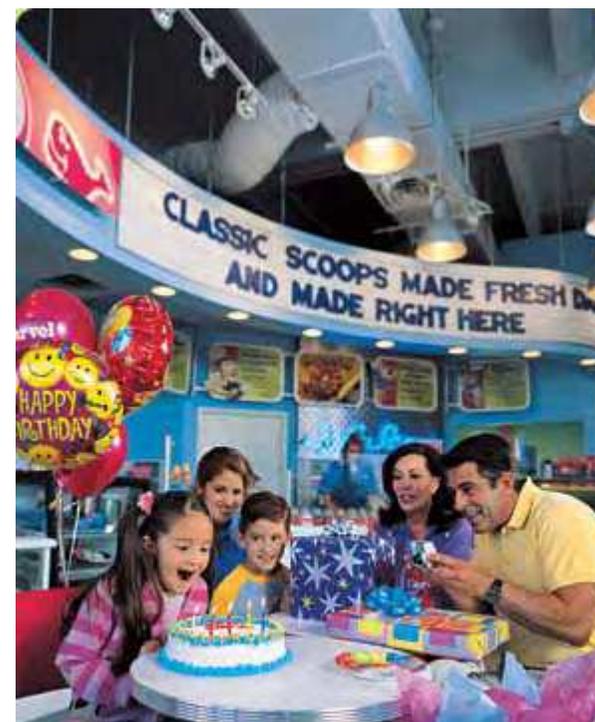
Business

As the nation's first retail ice cream franchise, Carvel manufactures uniquely shaped ice cream cakes, and provides premium soft serve and hand-dipped ice cream products. The company has more than 500 franchised and foodservice locations serving delicious, high-quality cakes, novelties, cups, cones, sundaes and shakes. In addition, the company sells its famous ice cream cakes through over 8,500 supermarkets.

Locations

200 Glenridge Point Parkway
Suite #200
Atlanta, GA 30342
P: 404-255-3250
F: 404-255-4978

1 Celebration Way
New Britain, CT 06053
P: 860-827-8000
F: 860-257-1926



Products

Carvel is famous for its all ice cream cakes layered with chocolate crunchies. Our family of characters includes the popular Fudgie the Whale and Cookie Puss, as well as a line of other cakes that recognize birthdays, holidays, special occasions and the little things in life. Created in 1934, Carvel is credited with developing premium soft serve ice cream products, served today in cups, cones, sundaes and shakes, as well as hand-dipped ice cream and famous novelty items such as the Flying Saucer, Brown Bonnet, Banana Barge and Thick Shake.

Markets

Carvel franchise locations can be found in Washington, D.C., Aruba, Canada, Egypt, Jordan, Puerto Rico, Saudi Arabia, South Africa, and 25 states: AL, AZ, CA, CT, FL, GA, IL, MA, MD, MI, MO, NC, NH, NJ, NV, NY, OH, PA, RI, SC, TN, TX, VA, VT, and WV.

The famous Carvel ice cream cakes can be found in supermarket locations in 32 states and Washington, DC, including: AL, AZ, CA, CT, DE, FL, GA, IL, IN, KY, MA, MI, MD, ME, MN, NC, NH, NJ, NM, NV, NY, OH, PA, RI, SC, TN, TX, UT, VT, WI, WV, and VA.

Key Management

Steve Romaniello, President and CEO, FOCUS Brands
Gary Bales, President, Carvel Corporation

Contact

Lauren McGowen
Public Relations Manager, FOCUS Brands
404-705-4409

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Exhibit 62



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Carvel ice cream bakery

Word Mark	CARVEL ICE CREAM BAKERY
Goods and Services	IC 030. US 046. G & S: frozen confections, ice cream, soft ice cream, ice cream cakes, and pastries containing ice cream. FIRST USE: 19910300. FIRST USE IN COMMERCE: 19910300
	IC 042. US 100 101. G & S: retail ice cream store and ice cream parlor services. FIRST USE: 19910300. FIRST USE IN COMMERCE: 19910300
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	74598528
Filing Date	November 14, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 28, 1999
Registration Number	2330452
Registration Date	March 21, 2000
Owner	(REGISTRANT) Carvel Corporation CORPORATION DELAWARE 200 Glenridge Point Parkway Suite 200 Atlanta GEORGIA 30342
Assignment Recorded	ASSIGNMENT RECORDED

Attorney of Record Coby S. Nixon
Prior Registrations 0716227;0723983;0729798;1092425;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ICE CREAM" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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Exhibit 63

14.99



11.72 9.49

11.70 9.49

6.94 3.99





california

PIZZA KITCHEN

Fresh Baked
Restaurant
Taste!

THAI RECIPE CHICKEN



31200 18.99 PER PIZZA
CALIFORNIA PIZZA KITCHEN

31200 18.99 PER PIZZA
CALIFORNIA PIZZA KITCHEN

Exhibit 64



Exhibit 65



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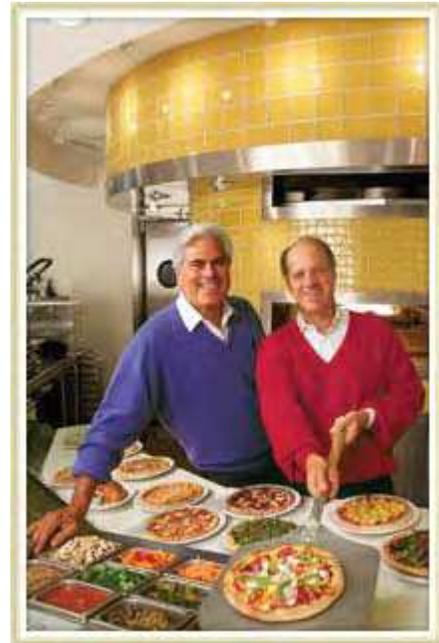
COMPANY INFORMATION

Company Overview

On March 27, 1985, attorneys Rick Rosenfield and Larry Flax traded in the courtroom for the dining room. Having always wanted to get into the restaurant business, they pitched their legal pads to serve hearth-baked pizzas. They introduced flavors and tastes from around the world, from Thai to Jamaican Jerk...all on a pizza. All of our innovative pizzas are creatively designed on a delicious crust, and hearth-baked to perfection. Also served are creative salads, made-to-order pastas, soups, sandwiches, appetizers and desserts, including favorites like our Chicken and Shrimp Jambalaya, BBQ Chicken Chopped Salad, Singapore Shrimp Rolls and Key Lime Pie.

Now, California Pizza Kitchen (CPK) is a leader in authentic California-style cuisine with a recognized consumer brand and an established, loyal customer base. There are currently more than 240 CPK's in 33 states and nine foreign countries.

CPK's strong brand awareness has been developed primarily through full service restaurants and through the expansion of our high quality fast-casual, CPK/ASAP concept. The CPK/ASAP restaurants are significantly smaller than our full service restaurants and offer a limited selection of only the most popular pizzas, salads, sandwiches and appetizers. In addition, Rick Rosenfield and Larry Flax opened the newest concept in the CPK family, LA Food Show, in June 2003 in Manhattan Beach, Calif. California Pizza Kitchen also has a strategic alliance with Kraft Pizza Company, a subsidiary of Kraft Foods Inc., to distribute a line of premium frozen pizzas through supermarkets and other retail outlets.



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Typed Drawing

Word Mark	CALIFORNIA PIZZA KITCHEN
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES. FIRST USE: 19850323. FIRST USE IN COMMERCE: 19850323
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73784968
Filing Date	March 6, 1989
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 18, 1990
Registration Number	1637904
Registration Date	March 12, 1991
Owner	(REGISTRANT) CALIFORNIA PIZZA KITCHEN, INC. CORPORATION CALIFORNIA 1640 SO. SEPULVEDA BOULEVARD SUITE 200 LOS ANGELES CALIFORNIA 90025
	(LAST LISTED OWNER) CPK MANAGEMENT BOULEVARD CORPORATION BY ASSIGNMENT CALIFORNIA 6053 W. CENTURY BOULEVARD 11TH FLOOR LOS ANGELES CALIFORNIA 900456442
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOAN KUPERSMITH LARKIN
Type of Mark Register	SERVICE MARK PRINCIPAL-2(F)

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20010227.
Renewal 1ST RENEWAL 20010227
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark	CALIFORNIA PIZZA KITCHEN
Goods and Services	IC 030. US 046. G & S: frozen pizza. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75265470
Filing Date	March 28, 1997
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	December 2, 1997
Registration Number	2241900
Registration Date	April 27, 1999
Owner	(REGISTRANT) California Pizza Kitchen, Inc. CORPORATION CALIFORNIA 6053 W. Century Blvd., Eleventh Floor Los Angeles CALIFORNIA 90045 (LAST LISTED OWNER) CPK MANAGEMENT COMPANY CORPORATION CALIFORNIA 6053 W. CENTURY BLVD., 11TH FLOOR LOS ANGELES CALIFORNIA 90046
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOAN KUPERSMITH LARKIN
Prior Registrations	1423372;1637904;1818052;1827859;2011517;AND OTHERS
Type of Mark	TRADEMARK

Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080621.
Renewal 1ST RENEWAL 20080621
Live/Dead Indicator LIVE

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Exhibit 67



11.31
\$8.49
100% ARABICA BLEND

11.31
\$8.49
100% ARABICA BLEND

Exhibit 68



Exhibit 69



AMERICA RUNS ON DUNKIN'™

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Dunkin' Donuts Corporate Backgrounder

Founded In 1950, [Bill Rosenberg](#) opened the first Dunkin' Donuts shop in Quincy, Massachusetts. Dunkin' Donuts licensed the first of many franchises in 1955.

Dunkin' Donuts is the world's largest coffee and baked goods chain, serving more than 3 million customers per day. Dunkin' Donuts sells 52 varieties of donuts and more than a dozen coffee beverages as well as an array of bagels, breakfast sandwiches and other baked goods.

Headquarters Dunkin' Brands
130 Royall Street
Canton, Massachusetts 02021
Phone: 781-737-3000

Locations At the end of 2007, there were 7,988 Dunkin' Donuts stores worldwide, including 5,769 franchised restaurants in the U.S. and 2,219 internationally.

Executive Leadership Will Kussell, President & Chief Brand Officer
Team Frances Allen, Brand Marketing Officer
Randy Brashier, Vice President, Operations Services
John Dawson, Chief Development Officer
Al Hodges, Vice President, Eastern Seaboard
Kevin Houser, Vice President, Development, Alternative Points of Distribution
Lynette McKee, CFE, Vice President, Franchising
Tony Pavese, Vice President, International

Mac Shimmon, Vice President, Emerging Markets

Web Site <http://www.dunkindonuts.com>

Fiscal Year 2007 Global system-wide sales - \$5.3 billion



Something fresh is always brewin' here!™

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Typed Drawing

Word Mark	DUNKIN' DONUTS
Goods and Services	IC 042. US 100. G & S: Restaurant Services. FIRST USE: 19500515. FIRST USE IN COMMERCE: 19560707
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72148372
Filing Date	July 5, 1962
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0748901
Registration Date	April 30, 1963
Owner	(REGISTRANT) Dunkin' Donuts of America, Inc. CORPORATION MASSACHUSETTS 275 HANCOCK ST. QUINCY MASSACHUSETTS (LAST LISTED OWNER) DUNKIN' DONUTS USA, INC. CORPORATION MICHIGAN P. O. BOX 33006 DETROIT MICHIGAN 48232
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Stephanie K. Wade
Prior Registrations	0692491;0715860
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040323.
Renewal	1ST RENEWAL 20040323

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Word Mark	DUNKIN' DONUTS
Goods and Services	IC 029. US 046. G & S: Fruit-based fillings for doughnuts, cookies, cakes and pies; edible oils and fats; fruit topping; nut topping; shortenings. FIRST USE: 20020228. FIRST USE IN COMMERCE: 20020228
	IC 030. US 046. G & S: Doughnuts and bakery products; coffee; tea; cocoa; sugar; cookies; cakes; pies; muffins; plain, glazed, coated and filled fried cakes; bagels; chocolate-based fillings for cakes and pies; custard-based fillings for cakes and pies; chocolate-based topping; flour; flavoring extracts; confectionery chips for baking; honey; yeast; baking-powder; hot chocolate; hot cocoa. FIRST USE: 20010508. FIRST USE IN COMMERCE: 20010508
	IC 032. US 045 046 048. G & S: fruit drinks and fruit juices; coffee-flavored soft drinks; syrups and other preparations, concentrates and powder, for making soft drinks and fruit drinks. FIRST USE: 20010508. FIRST USE IN COMMERCE: 20010508
	IC 043. US 100 101. G & S: Restaurant and carry out food services. FIRST USE: 20010508. FIRST USE IN COMMERCE: 20010508
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	01.15.05 - Smoke; Steam; Vapor 11.03.01 - Glasses without stems 11.03.03 - Coffee cups 26.09.21 - Squares that are completely or partially shaded
Serial Number	76266476

Filing Date June 5, 2001
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition August 20, 2002
Registration Number 2751007
Registration Date August 12, 2003
Owner (REGISTRANT) Dunkin' Donuts USA, Inc. CORPORATION MICHIGAN P.O.Box 33006 Detroit MICHIGAN 48232
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Stephanie K. Wade
Prior Registrations 0748901;1148165;1159354;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DONUTS" APART FROM THE MARK AS SHOWN
Description of Mark The mark consists of the design of a cup containing a hot beverage adjacent to the words "DUNKIN' DONUTS" design. The words "DUNKIN' DONUTS" in design also appear on the face of the cup.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Exhibit 71



\$32

NET WEIGHT
100g (3.5oz)
NET VOLUME
100ml (3.5fl.oz)

GODIVY

Nut and Caramel
Assortment

100g (3.5oz)

Exhibit 72



Exhibit 73

GODIVA
Chocolatier

Product Search

Contact Us Shopping Bag

SHOP ONLINE BUSINESS GIFT GIVING WHAT'S NEW CHOCOLATE GUIDE MY ACCOUNT

ABOUT GODIVA



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History of Godiva

The History of Godiva Chocolatier

Godiva Chocolatier was founded 80 years ago in Brussels, Belgium when master chocolatier Joseph Draps founded a chocolate company that was named in honor of the legend of Lady Godiva.

The Lady Godiva Legend

Many hundreds of years ago, a woman of great generosity and beauty left an indelible impression upon the people she reigned over in Coventry. Known for her lustrous hair and bountiful nature, she dedicated her life to the impoverished and stricken.

Her husband, Lord Leofric, was a powerful ruler, unsympathetic to the citizens of his kingdom. When he imposed a heavy burden of taxation upon his subjects, Lady Godiva protested. Lord Leofric boomed forth a challenge: If Lady Godiva rode naked through the streets, and if the people of the city remained inside, the taxation would be lifted.

Lady Godiva agreed to this bargain. Although she was demure in spirit, she was always most generous in action. Then finally, it was the morning of the event. Dawn rose, and the clock struck seven, ringing through the cobbled streets. The people closed their shutters, as promised. Lady Godiva's velvet gown dropped to the ground, her luminous skin shimmering.

The ride began.



Throughout the streets echoed the foreign sound of hooves galloping, yet not a single glance flew her way.

Upon her finish, the thunderous cheers were heard throughout the town. Lady Godiva had braved modesty and convention to win the hearts of all who knew her. As promised, Leofric eased his taxation of the poor, and her place in history was immortalized.

The legend of Lady Godiva has not diminished, but instead has grown and deepened. Centuries later, Joseph Draps, a renowned Belgian chocolatier, created a line of chocolates with extraordinary richness and design, a collection of passion and purity. He sought a name that embodied the timeless qualities of passion, style, sensuality and modern boldness. His choice?

Godiva.

The Godiva Chocolatier Story

It's not surprising that Godiva Chocolatier, one of the creators of the world's most elegant, hand-crafted chocolates, originated in Brussels, Belgium. For generations, Belgium has had a tradition of perfectionism, from its Rubens paintings and gothic architecture to products made of intricate lace, glittering crystal and its fabulous cuisine.

In keeping with this tradition, Joseph Draps introduced Godiva chocolate to Belgium in 1926. Draps opened the doors to his shop on a cobblestone street on Grande Place, selling his unique formula of rich chocolate with unparalleled smoothness. With a remarkable eye for detail, he set forth the standard at Godiva for innovative selection of elegant, European shell-molded designs and beautiful packaging.

Through the years, these standards have been maintained as assiduously as Draps' recipes have been guarded. As a result of this adherence to Draps heritage, Godiva chocolates evoke the greatest in confectionery excellence. The same careful attention to quality is apparent in the exquisite European-style gold ballotins and handcrafted seasonal packaging that have earned Godiva a reputation for design excellence.

Global Expansion

As the success of Godiva Chocolatier grew in Belgium, Joseph Draps sought to expand the company into international horizons. The first Godiva boutique outside of Belgium was opened in 1958 in Paris on the fashionable Rue St. Honoré. Openings in the United Kingdom, Germany, Italy and more followed.



The Godiva brand then looked to North America. Godiva made its North American debut in 1966, at one of the country's most elegant department stores, Wanamaker's in Philadelphia, Pennsylvania. In 1972, the first Godiva boutique in North America opened on New York's fashionable Fifth Avenue. Today there are over 275 Godiva boutiques in North America.

Expansion also continued into Asia. The first Godiva chocolates became available in Japan in the prestigious Nihonbashi Mitsukoshi Department Store in central Tokyo in 1972. In 1998, the first Godiva store in Hong Kong opened in the upscale department store Sogo. Locations in Taiwan and Singapore exist today.

Godiva is now available from Belgium to Singapore, from Denver to Dubai, making the Godiva brand known - and loved - in over 80 countries around the world.

Godiva Now

Since its introduction to America in 1966, Godiva continues to be the leader in the premium confectionery category. Godiva Chocolatier owns and operates more than 450 boutiques and shops worldwide where consumers can find a comprehensive selection of Godiva offerings. Godiva products are also available at finer department and specialty stores. Additionally, the company issues six seasonal mail-order catalogs a year in North America and accepts phone and internet orders.

From New York to Paris to Tokyo, it is Godiva that brings the best of Belgium to the world.

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Exhibit 74



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Typed Drawing

Word Mark	GODIVA
Goods and Services	IC 042. US 101. G & S: Retail Candy Store and Confectionery Services. FIRST USE: 19691113. FIRST USE IN COMMERCE: 19691113
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73264659
Filing Date	June 2, 1980
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	June 26, 1984
Registration Number	1295078
Registration Date	September 11, 1984
Owner	(REGISTRANT) Campbell Soup Company CORPORATION NEW JERSEY Campbell Pl. Camden NEW JERSEY 08101 (LAST LISTED OWNER) GODIVA CHOCOLATIER, INC. CORPORATION NEW JERSEY 355 LEXINGTON AVENUE NEW YORK NEW YORK 10017
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Mary A. Donovan, Esq.
Prior Registrations	0836376;1010810;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040922.
Renewal	1ST RENEWAL 20040922

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Typed Drawing

Word Mark	GODIVA
Goods and Services	IC 030. US 046. G & S: CANDY. FIRST USE: 19601030. FIRST USE IN COMMERCE: 19601030
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72241040
Filing Date	March 15, 1966
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	0836376
Registration Date	October 3, 1967
Owner	(REGISTRANT) GODIVA S.P.R.L. CORPORATION BELGIUM 28-30 RUE ANTOINE COURT BRUSSELS BELGIUM (LAST LISTED OWNER) GODIVA CHOCOLATIER, INC. CORPORATION NEW JERSEY 355 LEXINGTON AVENUE NEW YORK NEW YORK 10017
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Mary A. Donovan, Esq.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECTION 8(10-YR) 20070221.
Renewal	2ND RENEWAL 20070221
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Indicator LIVE

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Exhibit 75

Häagen-Dazs

Häagen-Dazs

vanilla & milk
chocolate

& dark
chocolate

Vanilla ice cream
dipped in dark
chocolate with
milk chocolate

all natural
ice cream bars



3 ICE CREAM BARS
9 FL OZ (256 mL)

Häagen-Dazs



Häagen-Dazs

coffee
& almond
crunch

NEW!

snack size



contains 100% real
ice cream
no artificial
flavors or colors
no preservatives
no sugar alcohols
no trans fats
no dairy
no nuts

4-1.85 FL OZ BARS
149.12 (100%)

Exhibit 76



Exhibit 77



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Häagen-Dazs

Word Mark	HAAGEN-DAZS
Goods and Services	IC 042. US 100. G & S: RESTAURANT SERVICES-NAMELY, THE PREPARATION AND SERVING OF ICE CREAM AND OTHER DAIRY PRODUCTS FOR ON AND OFF PREMISES CONSUMPTION. FIRST USE: 19761000. FIRST USE IN COMMERCE: 19770200
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	73168336
Filing Date	April 28, 1978
Current Filing Basis	1A
Original Filing Basis	1A
Registration Number	1116969
International Registration Number	0903654
Registration Date	April 24, 1979
Owner	(REGISTRANT) HAAGEN-DAZS LICENSING CORP. CORPORATION DELAWARE 510 SOUTHERN BLVD. BRONX NEW YORK 10455 (LAST LISTED OWNER) HDIP, INC. CORPORATION DELAWARE 200 SOUTH 6TH STREET MINNEAPOLIS MINNESOTA 55402

Assignment

Recorded ASSIGNMENT RECORDED
Prior Registrations 0737244
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15.
Renewal 1ST RENEWAL 19990312
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Häagen-Dazs

Word Mark HAAGEN-DAZS
Goods and Services IC 030. US 046. G & S: Ice Cream. FIRST USE: 19601024. FIRST USE IN COMMERCE: 19601024
Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number 72108344
Filing Date November 14, 1960
Current Filing Basis 1A
Original Filing Basis 1A
Registration Number 0737244
Registration Date September 4, 1962
Owner (REGISTRANT) Mattus, Rose DBA COLONY CLUB ICE CREAM CO. UNKNOWN 508 SOUTHERN BLVD. New York NEW YORK

(LAST LISTED OWNER) HDIP, INC. CORPORATION BY ASSIGNMENT, BY ASSIGNMENT, BY ASSIGNMENT, BY ASSIGNMENT, BY MERGER, BY MERGER, BY MERGER, BY ASSIGNMENT DELAWARE NUMBER ONE GENERAL MILLS BLVD. MINNEAPOLIS MINNESOTA 55426
Assignment Recorded ASSIGNMENT RECORDED

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20020715.
Renewal 2ND RENEWAL 20020715
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Exhibit 78

in' Serious,

kin'
uce.

5 oz. (454g)



A Thrill on the Grill BBQ!

Original
HOOTERS
WING SAUCE



MEDIUM

NET WT 5 OZ (142g) net (tare excluded) approximately 1 1/2% of wings

A Thrill on the Grill BBQ!

The Original
HOOTERS
WING SAUCE



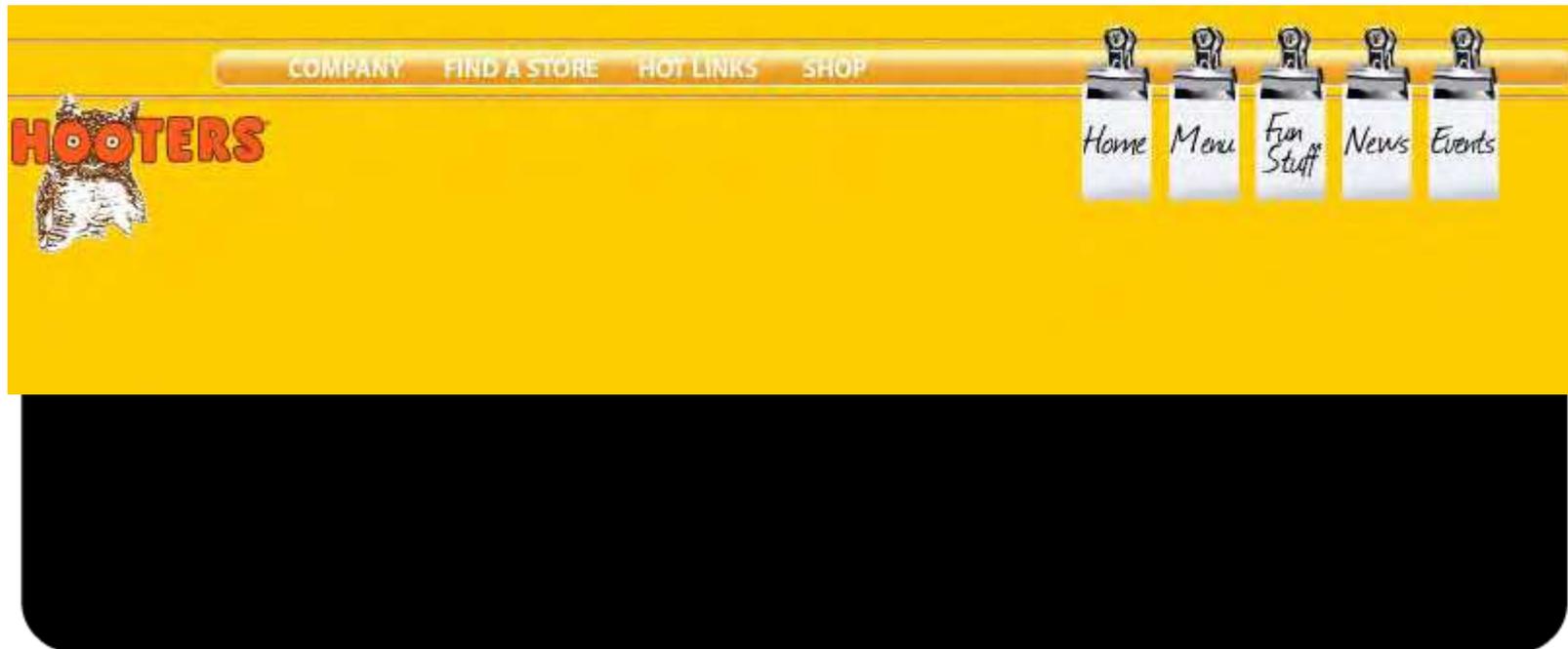
3 MILE ISLAND

NET WT 5 OZ (142g) net (tare excluded) approximately 1 1/2% of wings

Exhibit 79



Exhibit 80



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ABOUT HOOTERS

- ▶ ABOUT HOOTERS
- ▶ DID YOU KNOW
- ▶ FRANCHISING
- ▶ CAREERS
- ▶ MISSION
- ▶ CONTACT US

Hooters of America, Inc. is the Atlanta-based operator and franchiser of over 445 Hooters locations in 43 states in the US, Argentina, Aruba, Austria, Australia, Brazil, Canada, Chile, China, Columbia, Costa Rica, England, Germany, Greece, Guatemala, Israel, Korea, Mexico, Paraguay, Panama, Peru, Philippines, Singapore, Spain, Switzerland, Taiwan, Venezuela and the Virgin Islands. The privately held corporation owns 122 units.

The first Hooters opened October 4, 1983, in Clearwater, Florida. During its history, the Hooters concept has undergone very little change. The current

logo, uniform, menu and ambiance are all very similar to what existed in the original store. This lack of change is understandable given the tremendous success the Hooters concept has enjoyed. Hooters has continued to rank high amongst the industry's growth leaders. Hooters has proven successful in small-town America, major metropolitan areas and internationally.

The casual beach-theme establishments feature "oldies" jukebox music, sports on television, and a menu that includes seafood, sandwiches, salads and spicy chicken wings. Hooters, system-wide, generates and averages 72% of its sales from food, 5% from merchandise, and 28% from beer, wine and spirits.

The element of female sex appeal is prevalent in the restaurants, and the company believes the Hooters Girl is as socially acceptable as a Dallas Cowboy cheerleader, Sports Illustrated swimsuit model, or a Radio City Rockette. The Hooters system employs over 25,000 people - over 15,000 of which are Hooters Girls. The "nearly world famous" Hooters Girls are the cornerstone of the Hooters concept, and as part of their job, these all-American cheerleaders make promotional and charitable appearances in their respective communities. Hooters hires women who best fit the image of a Hooters Girl to work in this capacity. The chain hires both males and females to work in management and host, staff, service bar, and kitchen positions. The Hooters Girl uniform consists of orange shorts and a white tank top, short-sleeve or long-sleeve T-shirt. Pantyhose and bras are required.

Claims that Hooters exploits attractive women are as ridiculous as saying the NFL exploits men who are big and fast. Hooters Girls have the same right to use their natural female sex appeal to earn a living as do super models Cindy Crawford and Naomi Campbell. To Hooters, the women's rights movement is important because it guarantees women have the right to choose their own careers, be it a Supreme Court Justice or Hooters Girl.

Women occupy management positions all the way from Assistant Manager to Vice President of Training and Development, Kat Cole, who started her career at Hooters as a Hooters Girl.



The chain acknowledges that many consider "Hooters" a slang term for a portion of the female anatomy. Hooters does have an owl inside its logo and uses an owl theme sufficiently to allow debate to occur over the meaning's intent. The chain enjoys and benefits from this debate. In the end, we hope Hooters means a great place to eat.

Hooters characterizes itself as a neighborhood place, not a typical family restaurant. Sixty-eight percent of customers are male, most between the ages of 25-54. Hooters does not market itself to families, but they do patronize the restaurants. Ten percent of the parties we serve have children in them. Hooters is in the hospitality business and provides the best possible service to anyone coming through the door. For this reason, the chain offers a children's menu.

According to ever-increasing sales figures, the Hooters concept must be acceptable to a large majority of American consumers. Hooters believes critics of the concept are a vocal minority of politically correct minded individuals. This group sometimes states the concept "constitutes a hostile work environment," but just the opposite is true.

Hooters of America, Inc. has taken a pro-active lead in the industry addressing issues raised by individual acts of sexual harassment. Hooters of America, Inc., like all responsible corporations, deploras such acts and prohibits this behavior in the workplace. The company has a long-standing non-harassment policy forbidding unwelcome physical or verbal behavior, and specifically mentions sexual harassment. This policy includes a confidential reporting system for complaints, including a toll-free phone number. Since 1983, Hooters has employed over 250,000 Hooters Girls, and while even one incident is too many, this large number of employees, compared to the limited number of sexual harassment lawsuits filed, indicates this policy works.

For a distinctly different reason, Hooters ran into problems with the Equal Employment Opportunities Commission (EEOC) in 1991. The agency brought forth a commissioner's charge against Hooters claiming its hiring practices

discriminate against men. Following an intensive four-year investigation the EEOC determined what executives had told them all along, Hooters only hires women as Hooters Girls. On November 15, 1995, the chain took the EEOC's charge public with a 100 Hooters Girl march on Washington D.C. Hooters received support from the nation's media, calling the charge "another example of ridiculous government waste," and some 500,000 Hooters customers supported the chain by sending postcards to Congress.

Because of this action, 23 members of the 104th Congress, led by Rep. Charles Norwood (R- Ga.), wrote the EEOC requesting it drop this matter. On May 1, 1996, news reports announced that the federal agency would not pursue litigation. To date, Hooters has not received formal notification from the EEOC, however believes the matter is concluded.

But this was not the end of the legal issues surrounding the Hooters Girl. A group of men in Chicago and a group in Maryland brought forth class action lawsuits challenging the Hooters restaurant chain's right to hire only women in front-of-house positions. On November 25, 1997, federal magistrate Morton Denlow in Chicago approved a settlement of these class actions. Under the parties' agreement, Hooters will continue to be allowed to hire only women for the job of Hooters Girl.

Most importantly, the settlement agreement acknowledged that "being female is reasonably necessary" to the performance of the Hooters Girl's job duties, forever preserving the integrity of the Hooters Girl concept.

Sex appeal is legal and it sells. Newspapers, magazines, daytime talk shows, and local television affiliates consistently emphasize a variety of sexual topics to boost sales. Hooters marketing, emphasizing the Hooters Girl and her sex appeal, along with its commitment to quality operations continues to build and contributes to the chain's success. Hooters' business motto sums it up, "You can sell the sizzle, but you have to deliver the steak."

The Hooters system uses television ads, the Hooters Magazine and Hooters Girl billboards to advertise the concept. The chain even introduced its own

Hooters MasterCard Credit Card in 2005.

It also generates awareness through successful sports partnerships with the National Golf Association Hooters Tour and the United Speed Alliance Hooters Pro Cup racing series. These properties enjoy extensive television coverage and fan support. Other sponsored sports properties include Formula One powerboat racing and an AMA Motorcycle Team.

In 2003 the Hooters Brand literally took to the skies when Hooters Air Airline was launched. At its peak the airline served 15 cities including Nassau and Las Vegas. While industry problems grounded the carrier in 2006, the venture will forever be a part of airline lore. In 2006, the Hooters Casino Hotel in Las Vegas was opened at the site of the former San Remo Hotel. The 700 room property provides a Hooters experience with beautiful Hooters Girls and a comfortable, casual atmosphere.

Hooters not only reaches the sports fan, but reaches out to the communities in which it operates. The Hooters Community Endowment Fund (HOO.C.E.F.) raises money for local and national charities such as the Jimmy V Foundation for Cancer Research, Make-A-Wish Foundation, the U.S.O., Special Olympics, American Diabetes Association, Juvenile Diabetes Foundation and Muscular Dystrophy Association. Since 1992, HOO.C.E.F. has raised more than \$8 million for these and other worthwhile organizations. A portion of this money comes from a VIP grand opening party each location holds to benefit a local charity. These openings generate thousands annually and prepare staff for the hungry customers to come.

The first years have been a "Hoot" and the chain looks forward to a bright future. The company has no plans to alter the concept and feels doing so would be a tremendous disservice to its franchisees, employees, and customers.



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Exhibit 81



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LOCATIONS



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Exhibit 82



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Typed Drawing

Word Mark HOOTERS
Goods and Services IC 042. US 100. G & S: RESTAURANT AND COCKTAIL LOUNGE SERVICES. FIRST USE: 19800331. FIRST USE IN COMMERCE: 19800331
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73775646
Filing Date January 23, 1989
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition June 27, 1989
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 1557380
Registration Date September 19, 1989
Owner (REGISTRANT) HOOTER'S, INC. CORPORATION FLORIDA 2471 MCMULLEN BOOTH ROAD, SUITE 316 CLEARWATER FLORIDA 34619
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Gregory T. Ourada
Prior Registrations 1320029
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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Hooters

Word Mark	HOOTERS
Goods and Services	IC 030. US 046. G & S: Sauces. FIRST USE: 19830327. FIRST USE IN COMMERCE: 19830327
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78800328
Filing Date	January 26, 2006
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	September 12, 2006
Owner	(APPLICANT) HI Limited Partnership Hooters Enterprises L.L.C., a Georgia Limited Liability Company LIMITED PARTNERSHIP FLORIDA 26133 U.S. Highway 19 North, Suite 100 Clearwater FLORIDA 33763
Attorney of Record	Gregory T. Ourada
Prior Registrations	1557380;1787576;3043735;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL

Live/Dead
Indicator

LIVE

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Exhibit 83

MARGARITAVILLE
Jamp
with Jamaican Spices

Great
Entree
or
Appetizer!

Now with
Margaritaville
Sauce

MARGARITAVILLE
Jammin'
Jerk Shrimp

Extra Large Shrimp Seasoned with Jamaican Spices

Great
Entree
or
Appetizer!

472285
\$7.98
\$8.99
MARGARITAVILLE JAMP BY J&J
0 12345 67890

Exhibit 84



Exhibit 85



What Happens in MARGARITAVILLE...

Visiting a Margaritaville Cafe is an experience unlike other... it's not just a dining destination, it's an entire change of latitude. Whether it's the Jumbies on stilts erupting with margaritas, the pool slide that wraps around the bar, or the frozen concoctions, a Margaritaville will not soon be forgotten.

To learn more about one of our destinations, choose below:



Opening early 2009:



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In Paradise](#)



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MARGARITAVILLE

Word Mark MARGARITAVILLE
Goods and Services IC 043. US 100 101. G & S: Bar services. FIRST USE: 19871100. FIRST USE IN COMMERCE: 19871100
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77432027
Filing Date March 26, 2008
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition July 1, 2008
Registration Number 3501784
Registration Date September 16, 2008
Owner (REGISTRANT) Margaritaville Enterprises, LLC LIMITED LIABILITY COMPANY DELAWARE 256 Worth Avenue, Suite Q-R Palm Beach FLORIDA 33480
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Jeffrey M. Smith,
Prior Registrations 2082231;2463238;3117273;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL

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MARGARITAVILLE

Word Mark MARGARITAVILLE
Goods and Services IC 030. US 046. G & S: Salsa, tortilla chips, tortillas, pita chips, salad dressings
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77326938
Filing Date November 12, 2007
Current Filing Basis 1B
Original Filing Basis 1B
Published for Opposition April 15, 2008
Owner (APPLICANT) Margaritaville Enterprises, LLC LTD LIAB CO DELAWARE 256 Worth Avenue, Suite Q-R Palm Beach FLORIDA 33480
Attorney of Record Robert A. Rosenbloum, Esq. and Kristen L. Fancher, Esq.
Prior Registrations 2896179;3002011;3320679
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Exhibit 87

WALK & BUY
MAY 15 12:00 PM

INDIVIDUALLY WRAPPED
per dozen

Mrs. Fields



semi-sweet
CHOCOLATE CHIP

0.37

INDIVIDUALLY WRAPPED
per dozen

Mrs. Fields



semi-sweet
CHOCOLATE CHIP

0.37

INDIVIDUALLY WRAPPED
per dozen

Mrs. Fields



semi-sweet
CHOCOLATE CHIP

0.37

6.79 3.79
Mrs. Fields
CHOCOLATE CHIP

Exhibit 88



Exhibit 89



**Catalog and Online Gift
Giving Made Easy**
100% Satisfaction Guaranteed

[retail store locator](#)
[order tracking](#) | [sign in/register](#)
[sign up](#) for our emails and save 10%

ABOUT US

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- > [Contact Us](#)
- > [Mrs. Fields Store Locator](#)
- > [Investor Relations](#)
- > [Nutritional Info](#)
- > [Privacy Policy](#)
- > [Tell A Friend](#)
- > [Affiliate Program](#)
- > [Mrs. Fields Shipping Info.](#)
- > [A Little Something Extra](#)

About Us

It was all about taking control of her life. So Debbi Fields, a young mother with no business experience, opened her first cookie store in Palo Alto, California in 1977. They told her she was crazy. No business could survive just selling cookies. Humble beginnings launched Mrs. Fields® into a worldwide celebrity and made her company the premier chain of cookie and baked goods stores.

Headstrong determination. A dynamic personality. A sincere concern for people. They all played a role in Debbi Fields' success. But quality, more than anything, accounts for Mrs. Fields®' worldwide acceptance. The mission has always been to create the highest quality product possible - every time. That commitment has yielded products like no others, deeply satisfying personal indulgences that consumers just can't get enough of.

To extend her vision, Mrs. Fields® began franchising in 1990... It's now the rarest of franchise opportunities. A new dynamic opportunity that's backed by name recognition and approval from worldwide consumers. An opportunity for you, like Debbi, to take control of your life.

"The important thing is not being afraid to take a chance. Remember, the greatest failure is to not try. Once you find something you love to do, be the best at doing it."



The first Mrs. Fields store, in Palo Alto California, opened August of 1977.



Mrs. Fields has nearly 390 location in the U.S., and over 80 locations internationally.

1-800-COOKIES®

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[Receive Discounts](#)

[Own a Mrs Fields Cookie Store](#)
[Franchise Information](#)

1-800-(266-5437)

© Mrs. Fields Gifts, Inc. 2008

Quality Gifts by: [Title](#)

[Price](#)

[Item Id](#)

Gifts Baskets by: [Title](#)

[Price](#)

Cookie Arrangements by: [Title](#)

[Price](#)

Shop By:

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Exhibit 90



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Word Mark	MRS. FIELDS
Goods and Services	IC 043. US 100 101. G & S: Restaurant services. FIRST USE: 20060930. FIRST USE IN COMMERCE: 20060930
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Trademark Search Facility Classification Code	NOTATION-SYMBOLS Notation Symbols such as Non-Latin characters,punctuation and mathematical signs,zodiac signs,prescription marks SHAPES-COLORS-2 Design listing or lined for two colors SHAPES-GEOMETRIC Geometric figures and solids including squares, rectangles, quadrilaterals and polygons SHAPES-MISC Miscellaneous shaped designs
Serial Number	77148802
Filing Date	April 4, 2007
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	December 4, 2007
Registration	3384300

Number
Registration Date February 19, 2008
Owner (REGISTRANT) The Mrs. Fields' Brand, Inc. CORPORATION DELAWARE 2855 E. Cottonwood Parkway, Suite 400 Salt Lake UTAH 84121
Attorney of Record Michael Ward
Prior Registrations 1241619;1256315;1299149;AND OTHERS
Description of Mark The color(s) red and white is/are claimed as a feature of the mark. The mark consists of the words Mrs. Fields in white and the square background in red.
Type of Mark SERVICE MARK
Register PRINCIPAL
Other Data The name MRS. FIELDS identifies a living individual whose consent is of record.
Live/Dead Indicator LIVE

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Word Mark MRS. FIELDS
Goods and Services IC 030. US 046. G & S: BAKERY GOODS, NAMELY COOKIES AND BROWNIES. FIRST USE: 19811115. FIRST USE IN COMMERCE: 19811115
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number 73530088
Filing Date April 1, 1985
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition March 31, 1987
Registration Number 1983184
Registration Date July 2, 1996
Owner (REGISTRANT) MRS. FIELDS DEVELOPMENT CORPORATION CORPORATION DELAWARE
 333 MAIN ST. PARK CITY UTAH 84060

 (LAST LISTED OWNER) MRS. FIELDS' BRAND, INC., THE CORPORATION BY ASSIGNMENT

DELAWARE 2855 E. COTTONWOOD PARKWAY SUITE 400 SALT LAKE CITY UTAH 84121

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record MICHAEL WARD
Prior Registrations 1197025;1206373;1206555;1206556;1207441;1212618;1241619;1256315;1299149; AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060922.
Renewal 1ST RENEWAL 20060922
Live/Dead Indicator LIVE
Abandonment Date August 19, 1992

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Exhibit 91



SPECIAL Savings

Nathan's
Beef Franks

2/\$6

NET WT 14.07 (1 LB 1.55g)

EST. 1875
Nathan's
Since 1916
FRANKS

8 Skinless
Beef Franks

NET WT 14.07 (1 LB 1.55g)

Nutrition Facts	
Per Frank	
Total Fat	10g
Total Crap	20%
Sodium	3%
Cholesterol	15%
Total Crap	4%



Nutrition Facts

Per Frank

Total Fat 10g

Total Crap 20%

Sodium 3%

Cholesterol 15%

Total Crap 4%

4 56906 9169

Exhibit 92



Exhibit 93



Restaurant Locator:

Enter Address

GO

EXPERIENCE
NATHANS

BUSINESS
OPPORTUNITIES

ONLINE
STORE

[Nathan's Today](#) | [History](#) | [News](#) | [Restaurant Menu](#) | [Hot Dog Eating Contest](#) | [Investor Relations](#)

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Chestnut Beats Kobayashi in 'OT'



A Treasured Tradition

Positioned as a treasured tradition, Nathan's is one of those rare brands able to claim immeasurable brand equity. The name has always been synonymous with the highest quality, 100% all beef hot dogs and unique, golden crinkle-cut French fries.

While rich in history and tradition, Nathan's Famous is a company forever looking forward. From a single restaurant in Coney Island, Brooklyn in 1916, Nathan's has grown to become an international corporation serving all facets of the food service industry. Today, Nathan's reaches millions of customers through traditional and captive market restaurant operations, a branded product program introduced throughout the food service industry and packaged products sold in supermarkets.

Nathan's products are currently distributed in 50 states, the District of Columbia and four foreign countries through its restaurant system, Branded Product Program and retail licensing activities. The Nathan's restaurant system currently consists of 234 units, comprised of 228 franchised or licensed units and six company-owned units (including one seasonal unit).

Nathan's hot dogs are marketed and sold in over 18,000 locations worldwide including over 8,000 retail locations and over 10,000 food service outlets.

Last year Nathan's sold over 360 million of its 100% All Beef Hot Dogs.



Exhibit 94



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Typed Drawing

Word Mark NATHAN'S FAMOUS
Goods and Services IC 042. US 100. G & S: restaurant and carryout food services. FIRST USE: 19160101. FIRST USE IN COMMERCE: 19160101
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74567517
Filing Date August 30, 1994
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition July 18, 1995
Registration Number 1926088
Registration Date October 10, 1995
Owner (REGISTRANT) Nathan's Famous Systems, Inc. CORPORATION DELAWARE 1400 Old Country Road Suite 400 Westbury NEW YORK 11590
Attorney of Record Keith W. Medansky
Prior Registrations 1529044;1541007;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20051203.
Renewal 1ST RENEWAL 20051203
Live/Dead Indicator LIVE

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Word Mark	SINCE 1916 NATHAN'S FAMOUS
Goods and Services	IC 029. US 046. G & S: MEAT PRODUCTS -NAMELY, BOLOGNA, SALAMI, ((CORNED BEEF,)) KNOCKWURST AND ((PASTRAMI)). FIRST USE: 19780629. FIRST USE IN COMMERCE: 19780629
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters
Serial Number	73305454
Filing Date	April 13, 1981
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 11, 1982
Registration Number	1203762
Registration Date	August 3, 1982
Owner	(REGISTRANT) Nathan's Famous, Inc. CORPORATION NEW YORK 1515 Broadway New York NEW YORK 10036

(LAST LISTED OWNER) NTHAN'S FAMOUS SYSTEMS, INC. CORPORATION BY MERGER, BY CHANGE OF NAME, BY CHANGE OF NAME, BY ASSIGNMENT DELAWARE 1400 OLD COUNTRY ROAD SUITE 400 WESTBURY NEW YORK 11590

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Keith W. Medansky
Prior Registrations 1044485;1114599;AND OTHERS
Disclaimer The descriptive words "Since 1916" and "Famous" are disclaimed apart from the mark as shown.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20030409.
Renewal 1ST RENEWAL 20030409
Live/Dead Indicator LIVE

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Exhibit 95



39 12.29
STARBUCKS COF DECAF HB
NET WT 12 OZ (340g)



39 12.29
STARBUCKS COF DECAF WH BEAN
NET WT 12 OZ (340g)



39 11.99
STARBUCKS COF French Roast
NET WT 12 OZ (340g)

SAVE \$1.80

THRU 12/31/08

SAVE \$1.80
THRU 12/31/08
\$8.99

SAVE \$1.80

THRU 12/31/08

SUMATRA

EXTRA BOLD



GROUND
COFFEE

NET WT 12.6 OZ (357g)

SUMATRA



GROUND



VANILLA WITH STEAK NATURAL FLAVORS



Frappuccino
COFFEE BLEND

A Lowfat Creamy Blend of Starbucks® Coffee and Milk

4.95 FL OZ
BOTTLES
19.8 FL OZ

4.95 FL OZ
BOTTLES
19.8 FL OZ

VANILLA



Frappuccino
COFFEE BLEND

A Lowfat Creamy Blend of Starbucks® Coffee and Milk

4.95 FL OZ
BOTTLES
19.8 FL OZ

6.73

4/7.99

Part 124 * 10060

STARBUCKS FRAP 4PK MOCHA



6.73

4/7.99

Part 124 * 10060

STARBUCKS FRAP 4PK MOCHA



Exhibit 96

STARBUCKS COFFEE



Exhibit 97



COMPANY FACT SHEET February 2008

FOUNDED

1971 in Seattle's Pike Place Market. Original name of company was Starbucks Coffee, Tea and Spices, later changed to Starbucks Coffee Company.

FOLKLORE

Starbucks is named after the first mate in Herman Melville's *Moby Dick*.

MISSION STATEMENT

To establish Starbucks as the premier purveyor of the finest coffee in the world while maintaining our uncompromising principles as we grow.

GUIDING PRINCIPLES

- Provide a great work environment and treat each other with respect and dignity.
- Embrace diversity as an essential component in the way we do business.
- Apply the highest standards of excellence to the purchasing, roasting and fresh delivery of our coffee.
- Develop enthusiastically satisfied customers all of the time.
- Contribute positively to our communities and our environment.
- Recognize that profitability is essential to our future success.

PRODUCTS

- **Coffee:** More than 30 blends and single-origin coffees.
- **Handcrafted Beverages:** Fresh-brewed coffee, hot and iced espresso beverages, coffee and non-coffee blended beverages, and Tazo® teas.
- **Merchandise:** Assorted home espresso machines, coffee brewers and grinders, a line of premium chocolate, coffee mugs and coffee accessories, and a variety of gift items.
- **Fresh Food:** Baked pastries, sandwiches and salads.
- **Starbucks Entertainment:** A selection of the best in music, books and film from both emerging and established talent, offering Starbucks customers the opportunity to discover quality entertainment in a fun, convenient way.
- **Global Consumer Products:** Line of bottled Starbucks Frappuccino® beverages, Starbucks Discoveries® chilled cup coffee (in Japan, Taiwan and Korea), Starbucks DoubleShot® espresso drinks, Starbucks® Iced Coffee, whole bean coffee and Tazo® teas at grocery, Starbucks™ Coffee Liqueurs and a line of superpremium ice creams.
- **Starbucks Card:** Starbucks Card, a reloadable stored-value card, surpassed the \$2.5 billion mark for total activations and reloads since its introduction in 2001. Due to its success in the U.S. and Canada, the Starbucks Card global program has been launched in other international markets, including Mexico, Hong Kong, Australia, Thailand, Greece and the United Kingdom. Other markets (Japan, Taiwan and Spain) have a stand-alone Starbucks Card program, specific to their market.
- **Brand Portfolio:** Starbucks Entertainment, Starbucks Hear Music, Tazo, Ethos water, Seattle's Best Coffee and Torrefazione Italia Coffee.

PARTNER (EMPLOYEE) BENEFITS

Eligible full- and part-time partners qualify for a comprehensive benefits package that includes stock option grants through *Bean Stock*, Starbucks company-wide stock option plan, as well as health, medical, dental and vision benefits. In addition, all Starbucks partners have a chance to experience and learn more about our coffees and teas through their "partner markup." Each week every partner receives, free of charge, one pound of coffee, one box of Tazo® tea, or one of several other coffee or tea products.

GLOBAL ALLIANCES

Ahold, Apple, Aramark, Barnes & Noble, Borders, CARE, Chapters, Chase VISA USA, Compass, Conservation International, Dong Suh Foods, Dreyer's Grand Ice Cream, Fortune Brands, Hilton, HMSHost, Horizon Air, Hyatt Hotels, Intrawest, Jim Beam, Johnson Development Corp., Kraft Foods, Kroger, Marriott, PepsiCo, President's Group, Radisson, Royal Bank Canada, Safeway, Sodexo, Starwood Hotels, Suntory, SUPERVALU, SYSCO, Target, T-Mobile, The Hershey's Company, TransFair Canada, TransFair USA, United Airlines and Westin.

WEBSITE

www.starbucks.com

INVESTOR INFORMATION

- Starbucks went public on June 26, 1992 at a price of \$17 per share (or \$0.53 per share, adjusted for our five, two-for-one, subsequent stock splits) and closed trading that first day at \$21.50 per share (or \$0.67 per share, on a split-adjusted basis.)
- Starbucks was incorporated under the laws of the State of Washington, in Olympia, Washington on November 4, 1985.
- Starbucks Corporation's Common Stock is traded on Nasdaq, under the trading symbol SBUX.

UNITED STATES STORES

50 states, plus the District of Columbia.

7,087 Company-operated stores.

4,081 Licensed stores.

INTERNATIONAL STORES

43 countries outside the United States.

Company-operated: 1,796 stores, including company-operated, in Australia, Canada, Chile, China (Northern China, Southern China), Germany, Ireland, Puerto Rico, Singapore, Thailand and the United Kingdom.

Joint Venture and Licensed stores: 2,792 in Austria, Bahamas, Bahrain, Brazil, Canada, China (Shanghai/Eastern China), Cyprus, Czech Republic, Denmark, Egypt, France, Greece, Hong Kong, Indonesia, Ireland, Japan, Jordan, Kuwait, Lebanon, Macau S.A.R., Malaysia, Mexico, the Netherlands, New Zealand, Oman, Peru, Philippines, Qatar, Romania, Russia, Saudi Arabia, South Korea, Spain, Switzerland, Taiwan, Turkey, United Arab Emirates and the United Kingdom.

THE CORPORATE SOCIAL RESPONSIBILITY

At Starbucks, we strive to be a great enduring company by championing business practices that help produce social, environmental and economic benefits for the communities in which we operate. Starbucks focuses its efforts on providing a great work environment for our partners (employees); making a positive contribution to our communities; working with coffee farmers to help ensure their long-term success and minimizing our environmental impact.

In fiscal 2006, we:

- Provided 4.9 million hours of training for our store partners.
- Donated \$36.1 million in cash and products.
- Volunteered 383,000 hours in our communities through our volunteer program *Make Your Mark*.
- Paid an average price of \$1.42 per pound of green (unroasted) coffee, including those purchased from approved suppliers through our own set of social and environmental guidelines for producing, processing and buying coffee (C.A.F.E. Practices) and Fair Trade cooperatives.
- Quadrupled our renewable energy purchase to equal 20 percent of the energy used in our company-operated stores in the U.S. and Canada.
- Introduced the first-ever paper cup made with 10 percent post-consumer recycled fiber which reduced our wood use by 11,300 tons – the equivalent of 78,000 trees – in the first year alone.
- Recycled in 79 percent of our U.S. and Canada stores where we control waste and recycling.

For more information contact Global Communications at (206) 318-7100 or visit us online at www.starbucks.com.

Exhibit 98



COMPANY PROFILE

February 2008

THE STARBUCKS STORY

Starbucks Coffee Company was founded in 1971, opening its first store in Seattle's Pike Place Market. Starbucks, named after the first mate in Herman Melville's *Moby Dick*, is the world's leading retailer, roaster and brand of specialty coffee with millions of customer visits per week at stores in North America, Europe, Middle East, Latin America and the Pacific Rim.

Italian Inspiration

When Howard Schultz first joined the company in the early 1980s, Starbucks was already a highly respected local roaster and retailer of whole bean and ground coffees. A business trip to Italy opened Schultz's eyes to the rich tradition of the espresso beverage.

Espresso drinks became an essential element of Schultz's vision. He purchased Starbucks with the support of local investors in 1987. In addition to well-situated stores, Starbucks sells coffee, tea, food and entertainment products through its specialty operations.

Convenience

Starbucks stores may be found in urban and suburban areas, as well as many rural communities worldwide. An expanded number of Drive Thru and Off-Highway stores also provide a convenient alternative for our customers.

In addition to our company-operated stores, Starbucks works with certain carefully chosen businesses to operate licensed stores in a variety of venues. Since 1991 Starbucks® coffee has been available at licensed airport stores and travel plazas operated by HMSHost in the U.S. Licensed and Foodservice stores can also be found on college campuses through licensing agreements with Aramark, Sodexo and Compass. Thanks to these licensing agreements, our customers can enjoy their Starbucks in select supermarkets, hotels and military bases throughout North America, and in foodservice venues around the world.

Coffee aficionados can also find Starbucks® coffee in a variety of places, including United Airlines, Horizon Air, Seattle's Key Arena and Safeco Field, Chicago's Wrigley Field, University of Washington athletic venues, the Experience Music Project interactive museum, Hyatt Hotels, Barnes & Noble bookstores in the U.S. and Chapters and Indigo bookstores in Canada.

The Starbucks Experience

"You get more than the finest coffee when you visit a Starbucks—you get great people, first-rate music and a comfortable and upbeat meeting place," says Howard Schultz, Starbucks chairman, president and chief executive officer. "We establish the value of buying a product at Starbucks by our uncompromising quality and by building a personal relationship with each of our customers. Starbucks is rekindling America's love affair with coffee, bringing romance and fresh flavor back to the brew."

Passion for Quality

Starbucks offers coffee lovers a selection of coffees from around the world. Our coffee buyers personally travel to the coffee-growing regions of Latin America, Africa/Arabia and Asia/Pacific to select the highest-quality *arabica* beans. Once these quality beans arrive at one of the company's four roasting facilities, Starbucks professional roasters pursue the art of creating the rich signature Starbucks Roast™. This dark roast is not just a color; it is the cumulative result of expert roasters knowing coffee and bringing balance to all of its flavor attributes.

Coffee & More

In addition to quality coffee, Starbucks features a variety of hand-crafted beverages, Tazo® teas, Ethos™ water, pastries and, in some markets, a selection of sandwiches and salads. Starbucks merchandise includes exclusive espresso machines and coffee brewers, unique confections and other coffee- and tea-related items.

Starbucks Entertainment

Starbucks Entertainment selects the finest in music, books and film to offer Starbucks customers the opportunity to discover quality entertainment in a fun and convenient way as part of their daily coffee routines. Starbucks Entertainment has made a transformative impact on the entertainment industry through its innovative relationships with music labels, publishers and filmmakers; and its breakthrough Starbucks Hear Music™ Coffeehouses in Santa Monica, San Antonio, Miami and Bellevue, Washington.

Starbucks Entertainment selections can be purchased at Starbucks stores in select markets worldwide, and online at www.starbucks.com/hearmusic. Starbucks Entertainment has also teamed with Apple to create a Starbucks Entertainment area on the iTunes store (www.iTunes.com/starbucks) in the U.S., and to offer the exclusive "Now Playing" feature on the iTunes® Wi-Fi Music Store at select Starbucks coffeehouses in the U.S., which enables customers to instantly preview, purchase, and download the music playing overhead in the store.

Cool Blended, Bottled & Delicious Treats

In spring 1995, Frappuccino® blended beverage was introduced to Starbucks line of beverages. In summer 2004, Starbucks premiered Frappuccino® Light blended coffee beverages in response to customer requests for a lighter blended coffee option with the same delicious taste. Frappuccino® Light blended coffee beverages have 30–40 percent fewer calories than the original Frappuccino® blended coffee beverages. Frappuccino® juice blends, made with real fruit juice and brewed tea, were introduced in summer 2006.

In 1996 the North American Coffee Partnership, a joint venture between Starbucks and Pepsi-Cola North America, began selling bottled Starbucks Frappuccino® coffee drinks. Six flavors are available in grocery channels in the U.S. and in select Starbucks stores. In 2002 Starbucks DoubleShot® espresso drink joined the ready-to-drink lineup as part of the joint venture.

In October 1995 Starbucks Coffee and Dreyer's Grand Ice Cream formed a joint venture to dish up a superpremium line of coffee ice creams. By July 1996 Starbucks became the No. 1 brand of coffee ice cream in the U.S. Currently, ice cream lovers can enjoy seven delectable flavors with favorites such as Java Chip and Coffee Almond Fudge.

At Grocery

Starbucks early success in grocery led to the test sale of coffee in Portland, Ore., supermarkets in 1996 and Chicago in 1997. In 1998 Starbucks and Kraft Foods, Inc. entered into a licensing agreement to accelerate the growth of Starbucks® coffee in grocery channels in the U.S. The arrangement draws on Kraft's extensive knowledge of selling, marketing and distributing packaged foods directly to grocery customers. Today Starbucks® coffee is available to customers in many major grocery stores across North America and the U.K.

Online

StarbucksStore.com is an alliance between Starbucks and Cooking.com. StarbucksStore.com offers the lineup of Starbucks® whole bean and ground coffees, including seasonal, promotional and the very special Starbucks® Black Apron Exclusives™ coffees. Through an easy-to-shop and efficient website, StarbucksStore.com offers premium coffee with affordable delivery. The site provides detailed descriptions of each coffee, including country of origin or characteristics of the blends as well as flavor notes and suggestions for other coffees that match preferred taste profiles.

THE VALUE OF OUR PEOPLE

Starbucks has more than 172,000 partners (employees) worldwide as of September 2007. Eligible part- and full-time partners qualify for a comprehensive benefit package that includes healthcare benefits and stock option grants through *Bean Stock*, Starbucks company-wide stock option plan.

Starbucks is committed to maintaining the quality, integrity and great taste of coffee as the company grows. “We have the most knowledgeable workforce in our industry,” says Schultz. “I take great pride, not in the number of stores we have opened, but in the growth and development of our people.”

“We realize our people are the cornerstone of our success, and we know that their ideas, commitment and connection to our customers are truly the essential elements in the *Starbucks Experience*.”

Each store partner participates in an extensive training program that facilitates strong coffee knowledge, product expertise and a commitment to customer service.

COMMITMENT TO COMMUNITY

Starbucks is dedicated to contributing positively to the communities in which it does business. The company recognizes the relationship between its success and the strength and vitality of the communities where it operates. Investing in communities is not only the right thing to do, it is also part of the Starbucks culture. At all levels of the organization, Starbucks partners strive to be good neighbors and active contributors in communities.

Foundation for Literacy

The Starbucks Foundation was established in 1997 with an initial contribution from the proceeds of Howard Schultz’s book, *Pour Your Heart Into It*. The Foundation is supported primarily through funding from Starbucks and by private contributions.

Since its inception, the Foundation has maintained a focus on improving the lives of youth through its support of literacy and nontraditional education programs. To date, the Foundation has provided more than \$11 million to more than 700 organizations. In 2005 the Foundation inaugurated its regional grant program, “Giving Voice.” This program funds organizations that work with youth (6–18) in arts, literacy and environmental education.

In September 2001, Starbucks began a four-year, \$1 million commitment to Jumpstart, a U.S. organization that pairs highly trained college students for one-to-one interaction with preschoolers to develop skills they need to succeed in kindergarten. In 2005, Starbucks renewed this partnership with an additional \$1.5 million over three years.

Building on its partnership with America SCORES, in 2005 the Starbucks Foundation made a \$500,000 commitment to the organization to grow its U.S. after-school programs. The financial support from the Foundation enables America SCORES to further develop and strengthen its programs, which use poetry, soccer and community service to promote literacy and the physical and social well-being of at-risk youth in urban communities.

In addition to the Foundation’s commitment to various literacy organizations, Starbucks partners and customers have donated more than 1.4 million books to libraries and children’s clubs across the U.S.

Starbucks made its first significant international literacy commitment in 2005 when the company committed U.S. \$5 million to support educational programs in China. To oversee and advise on the development and structure of the Starbucks China Education Project, a steering committee was formed with members consisting of Starbucks executives, Chinese government officials, the China Soong Ching Ling Foundation and local community organizations. With this financial commitment and steering committee in place, Starbucks is developing a strategic corporate social responsibility platform to strengthen its philanthropic and social commitments in China. Starbucks first effort under the auspices of the China Education Project was the allocation in February 2006 of \$1.5 million to the China Soong Ching Ling Foundation.

Sustainable Coffee Production in Coffee-Growing Regions

Starbucks realizes that the success of the farmers with whom we do business is intrinsically linked to the sustainability of our business. Starbucks has adopted an integrated approach to coffee purchasing based on the following six fundamental principles:

- Paying premium prices for premium coffee to help farmers make profits and support their families.
 - For fiscal 2006, Starbucks paid \$1.42 per pound on average for 294 million pounds of green coffee.
- Encouraging participation in C.A.F.E. (Coffee and Farmer Equity) Practices, our social and environmental guidelines for coffee purchasing.
 - The guidelines include 28 indicators against which suppliers (farmers, cooperatives, processors and exports) are evaluated, including prerequisites for quality and economic transparency.
- Purchasing conservation (shadegrown) and certified coffees, including organic and Fair Trade Certified™. In fiscal 2006 Starbucks purchased:
 - 2 million pounds of conservation (shade grown) coffee.
 - 12 million pounds of certified organic coffee.
 - 18 million pounds of Fair Trade Certified™ coffee. Starbucks remains the largest purchaser, roaster and distributor of Fair Trade Certified™ coffee in North America.
- Providing funds for farmers to access affordable credit so that they can invest in their farms and receive assistance to help them through cash shortages during crop cycles.
 - To date, Starbucks has committed \$10.5 million to three not-for-profit organizations – the Calvert Foundation, Verde Ventures and EcoLogic Finance – to provide affordable credit to approximately 74,000 small-scale farmers and suppliers.



- Investing in social development projects in coffee-producing countries.
 - The combined total of Starbucks investments in coffee-growing communities was \$2.7 million in fiscal 2006, which included \$1 million toward Tropical Storm Stan relief efforts. The funds were used to help pay for 103 projects located in 11 countries, benefiting an estimated 545,000 local farmers, their families and community residents.
- Collaborating with coffee producers globally on coffee quality, production, processing and research through the company's team of experts at the Starbucks Farmer Support Center, located in Costa Rica.

Starbucks commitment to coffee quality and its sustainability is part of its core values and is integrated throughout business. Working together with farmers, communities, non-governmental organizations and other partners, Starbucks is working to strengthen coffee farms and to ensure the supply of high-quality coffees that Starbucks customers expect and enjoy.

Urban Coffee Opportunities (UCO)

In 1998 Starbucks formed a joint-venture partnership with Earvin "Magic" Johnson's Johnson Development Corp. This innovative venture, known as Urban Coffee Opportunities, LLC (UCO), enhances the development of Starbucks stores in ethnically diverse neighborhoods with an initial focus on African-American and Hispanic communities. Today there are more than 114 Starbucks stores developed by UCO in cities that include Los Angeles, New York and Seattle.

STARBUCKS GOES INTERNATIONAL

In 1996 Starbucks opened its first overseas store in Tokyo, Japan. Today there are more than 700 stores in Japan.

In addition to Japan, Starbucks opened stores in Singapore in 1996; the Philippines in 1997; the U.K., Taiwan, Thailand, New Zealand and Malaysia in 1998; Beijing, Kuwait, South Korea and Lebanon in 1999; United Arab Emirates, Hong Kong, Shanghai, Australia, Qatar, Saudi Arabia, and Bahrain in 2000; Switzerland and Austria in 2001; Oman, Germany, Spain, Mexico, Puerto Rico, Southern China (Macau and Shenzhen), Greece and Indonesia in 2002; Turkey, Peru, Chile and Cyprus in 2003; France in 2004; Jordan, Bahamas and Ireland in 2005; Brazil and Egypt in 2006, and Romania, Denmark and the Netherlands in 2007.

Starbucks broke ground in April 2002 for the new roasting plant in Amsterdam, the Netherlands. Full plant operations began in spring 2003.

With more than 15,700 stores in 43 countries, Starbucks is becoming one of the most respected brands in the world.



Exhibit 99



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Typed Drawing

Word Mark	STARBUCKS
Goods and Services	IC 042. US 101. G & S: RETAIL STORE SERVICES AND DISTRIBUTORSHIP SERVICES FOR COFFEE, TEA AND SPICES; COFFEE CAFE SERVICES. FIRST USE: 19710329. FIRST USE IN COMMERCE: 19710329
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73540952
Filing Date	June 3, 1985
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 31, 1987
Registration Number	1444549
Registration Date	June 23, 1987
Owner	(REGISTRANT) STARBUCKS COFFEE COMPANY CORPORATION WASHINGTON 2010 AIRPORT WAY SOUTH SEATTLE WASHINGTON 98124 (LAST LISTED OWNER) STARBUCKS U.S. BRANDS, LLC LIMITED PARTNERSHIP NEVADA 2525 STARBUCKS WAY MINDEN NEVADA 89423
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Julia Anne Matheson
Prior Registrations	1098925

Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070721.
Renewal 1ST RENEWAL 20070721
Live/Dead Indicator LIVE

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TESS was last updated on Tue Oct 21 04:15:22 EDT 2008

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Typed Drawing

Word Mark	STARBUCKS
Goods and Services	IC 030. US 046. G & S: COFFEE, TEA, SPICES, HERB TEA, CHOCOLATE AND COCOA. FIRST USE: 19710329. FIRST USE IN COMMERCE: 19710329
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73540953
Filing Date	June 3, 1985
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 19, 1987
Registration Number	1452359
Registration Date	August 11, 1987
Owner	(REGISTRANT) STARBUCKS COFFEE COMPANY DBA STARBUCKS COFFEE AND TEA CORPORATION WASHINGTON 2010 AIRPORT WAY SOUTH SEATTLE WASHINGTON 98124 (LAST LISTED OWNER) STARBUCKS U.S. BRANDS, LLC LIMITED PARTNERSHIP NEVADA 2525 STARBUCKS WAY MINDEN NEVADA 89423
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Julia Anne Matheson
Prior Registrations	1098925

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20071009.
Renewal 1ST RENEWAL 20071009
Live/Dead Indicator LIVE

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Exhibit 100



Exhibit 101



Exhibit 102

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**
Washington, D. C. 20549

FORM 10-K

**ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934** for the fiscal year ended December 29, 2007

OR

**TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934**

For the transition period from _____ to _____

Commission file number **1-13163**

YUM! BRANDS, INC.

(Exact name of registrant as specified in its charter)

North Carolina

(State or other jurisdiction of
incorporation or organization)

13-3951308

(I.R.S. Employer
Identification No.)

1441 Gardiner Lane, Louisville, Kentucky
(Address of principal executive offices)

40213
(Zip Code)

Registrant's telephone number, including area code: (502) 874-8300

Securities registered pursuant to Section 12(b) of the Act

<u>Title of Each Class</u>	<u>Name of Each Exchange on Which Registered</u>
Common Stock, no par value	New York Stock Exchange

Securities registered pursuant to Section 12(g) of the Act:

None

Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in the Rule 405 of the Securities Act. Yes No

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes No

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein,

- Traditional KFC restaurants in the U.S. offer fried chicken-on-the-bone products, primarily marketed under the names Original Recipe and Extra Tasty Crispy. Other principal entree items include chicken sandwiches (including the Snacker and the Twister), KFC Famous Bowls, Colonel's Crispy Strips, Wings, Popcorn Chicken and seasonally, Chunky Chicken Pot Pies. KFC restaurants in the U.S. also offer a variety of side items, such as biscuits, mashed potatoes and gravy, coleslaw, corn, and potato wedges, as well as desserts. While many of these products are offered outside of the U.S., international menus are more focused on chicken sandwiches and Colonel's Crispy Strips, and include side items that are suited to local preferences and tastes. Restaurant decor throughout the world is characterized by the image of the Colonel.

Pizza Hut

- The first Pizza Hut restaurant was opened in 1958 in Wichita, Kansas, and within a year, the first franchise unit was opened. Today, Pizza Hut is the largest restaurant chain in the world specializing in the sale of ready-to-eat pizza products. Pizza Hut is based in Dallas, Texas.
- As of year end 2007, Pizza Hut was the leader in the U.S. pizza QSR segment, with a 15 percent market share (Source: The NPD Group, Inc.; NPD Foodworld; CREST) in that segment.
- Pizza Hut operates in 97 countries and territories throughout the world. As of year end 2007, Pizza Hut had 7,515 units in the U.S., and 5,362 units outside of the U.S. Approximately 17 percent of the U.S. units and 25 percent of the non-U.S. units are operated by the Company.
- Pizza Hut features a variety of pizzas, which may include Pan Pizza, Thin 'n Crispy, Hand Tossed, Sicilian, Stuffed Crust, Twisted Crust, Sicilian Lasagna Pizza, Cheesy Bites Pizza, The Big New Yorker, The Insider, The Chicago Dish and 4forALL. Each of these pizzas is offered with a variety of different toppings. In some restaurants, Pizza Hut also offers chicken wings, breadsticks, pasta, salads and sandwiches. Menu items outside of the U.S. are generally similar to those offered in the U.S., though pizza toppings are often suited to local preferences and tastes.

Taco Bell

- The first Taco Bell restaurant was opened in 1962 by Glen Bell in Downey, California, and in 1964, the first Taco Bell franchise was sold. Taco Bell is based in Irvine, California.
- As of year end 2007, Taco Bell was the leader in the U.S. Mexican QSR segment, with a 54 percent market share (Source: The NPD Group, Inc.; NPD Foodworld; CREST) in that segment.
- Taco Bell operates in 15 countries and territories throughout the world. As of year end 2007, there were 5,580 Taco Bell units in the U.S., and 240 units outside of the U.S. Approximately 23 percent of the U.S. units and 1 percent of the non-U.S. units are operated by the Company.
- Taco Bell specializes in Mexican-style food products, including various types of tacos, burritos, gorditas, chalupas, quesadillas, taquitos, salads, nachos and other related items. Additionally, proprietary entrée items include Grilled Stuff Burritos and Border Bowls. Taco Bell units feature a distinctive bell logo on their signage.

LJS

- The first LJS restaurant opened in 1969 and the first LJS franchise unit opened later the same year. LJS is based in Louisville, Kentucky.

Exhibit 103



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Typed Drawing

Word Mark TACO BELL
Goods and Services IC 042. US 100 101. G & S: restaurant services and carryout food services. FIRST USE: 19651000. FIRST USE IN COMMERCE: 19651000
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74595903
Filing Date November 7, 1994
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition July 11, 1995
Registration Number 1924335
Registration Date October 3, 1995
Owner (REGISTRANT) Taco Bell Corp. CORPORATION CALIFORNIA 17901 Von Karman Irvine CALIFORNIA 92714
Attorney of Record Larisa M. Colton
Prior Registrations 1322739;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20041203.
Renewal 1ST RENEWAL 20041203
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark	TACO BELL
Goods and Services	IC 030. US 046. G & S: taco seasoning mix, taco shells, taco dinner kit (consisting of taco shells, taco sauce and seasoning mix), tortilla chips, picante sauce and salsa. FIRST USE: 19930400. FIRST USE IN COMMERCE: 19930400
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74383935
Filing Date	April 29, 1993
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 30, 1993
Registration Number	1874786
Registration Date	January 17, 1995
Owner	(REGISTRANT) Taco Bell Corp. CORPORATION CALIFORNIA 17901 Von Karman Avenue Irvine CALIFORNIA 92614
Attorney of Record	ROBERT W. MILLEN
Prior Registrations	0899405;0978582;1322737;1322738;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040416.
Renewal	1ST RENEWAL 20040416

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Exhibit 104

SINCE
MAY 2011

S ARTICHOKE DIP

HONEY BBQ
WINGS

FR

FRIDAYS

BUFFALO WINGS

4.79

7.99

4.79

FRIDAYS

ONION RINGS

FRIDAYS

STEAK QUESADILLAS

TRY
ME!
\$3.99

3.19

5.49

4.79

5.52

4.79



T.G.I.
FRIDAY'S

**CHEDDAR & BACON
 POTATO SKINS**

POTATO SKINS STUFFED WITH CHEDDAR CHEESE AND BACON

**NOW
 CRISPIER**

KEEP FROZEN • BRINE SOLUTION



\$5.96 3.8 OZ 899214054
 Date: 01/11/11
\$2.98

NEW!



NEW!

T.G.I.
FRIDAY'S

BUFFALO POPCORN CHICKEN

WHITE MEAT CHICKEN FRITTER COATED IN A SPICY SAUCE

EXTRA
BUFFALO
SAUCE

PREPARED
IN THE
U.S.A.

\$4.77

18.8 OZ
059122760

\$2.98



054-0124-0115

Exhibit 105



Exhibit 106



THE MENU GIVE ME MORE STRIPES™ THE BAR GIFT CARDS

- Welcome
- Give Me More Stripes®
- JACK™ CHAMPIONSHIP BARBECUE SAUCE
- T.G.I. Friday's History
- T.G.I. Friday's Overview**
- News Releases
- Image Gallery
- In the News
- Get the News
- Right Portion, Right Price menu
- In Our Communities
- About Carlson Restaurants
- World Bartender Championship
- Awards & Accolades

T.G.I. Friday's® Fact Sheet

[Quick Facts](#) | [Executive Leadership](#) | [Backgrounder](#) | [Fun Facts](#)

T.G.I. Friday's Statistics As of July 2008

Total Friday's® brands : 928
(includes T.G.I. Friday's, Friday's Front Row® Sports Grill and Friday's American Bar®)

Total U.S. T.G.I. Friday's: 609
U.S. company operated: 310
U.S. franchised: 291
Licensed: 8

Total International T.G.I. Friday's: 319
Company operated: 17
Franchise operated: 235
Joint Venture-China: 4
Joint Venture-India: 7
Joint Venture-Japan: 8
Joint Venture-Mexico: 3
Joint Venture-U.K.: 45

Number of states in which T.G.I. Friday's operates: 47
Number of countries in which T.G.I. Friday's operates: 60

STORE LOCATOR CONTACT US FRANCHISE OPPORTUNITIES JOBS **MEDIA ROOM** RETAIL PRODUCTS PRIVACY POLICY SITEMAP © 2008 TGI FRIDAY'S INC

Exhibit 107



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Typed Drawing

Word Mark	T.G.I. FRIDAY'S
Goods and Services	IC 042. US 100. G & S: RESTAURANT AND LIQUOR BAR SERVICES. FIRST USE: 19650315. FIRST USE IN COMMERCE: 19700530
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72371156
Filing Date	September 21, 1970
Current Filing Basis	1A
Original Filing Basis	1A
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	0925656
Registration Date	December 14, 1971
Owner	(REGISTRANT) EUROMART, INC. CORPORATION NEW YORK 1152 1ST AVENUE NEW YORK NEW YORK 10021 (LAST LISTED OWNER) TGI FRIDAY'S OF MINNESOTA, INC. CORPORATION BY ASSIGNMENT MINNESOTA 4201 MARSH LANE CARROLLTON TEXAS 75007
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	SHANNON T VALE
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 8 (6-YR). SECTION 8(10-YR) 20020219.

Renewal 2ND RENEWAL 20020219
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Typed Drawing

Word Mark	T.G.I. FRIDAY'S
Goods and Services	IC 030. US 046. G & S: Fresh and frozen appetizers consisting primarily of pasta, dumplings or tortillas containing cheese, vegetables, meat and/or other fillings; sauces, excluding cranberry sauce and applesauce; ice cream; seasonings, seasoning mixes, spices and marinades. FIRST USE: 20000700. FIRST USE IN COMMERCE: 20000700
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75417744
Filing Date	January 14, 1998
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	December 22, 1998
Registration Number	2476076
Registration Date	August 7, 2001
Owner	(REGISTRANT) TGI Friday's of Minnesota, Inc. CORPORATION MINNESOTA 4201 MARSH LANE CARROLLTON TEXAS 75007
Attorney of Record	SHANNON T VALE
Prior Registrations	0977903;1760170;2129175;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).

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Exhibit 108



NET WT. 11 OZ. (312g)

White Castle

MICROWAVEABLE
HAMBURGERS

52 PACK

80% BEEF & 20% TURKEY
PREPARED IN THE U.S.A.



TOTAL NET WT. 28.75 OZ (813g) 77% BEEF & 23% TURKEY
52 PACKS

White Castle
HAMBURGERS

HAMBURGERS
52 PACK

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Exhibit 109



Exhibit 110



FOOD **FUN** **LOCATIONS** **MERCHANDISE** **COMPANY** NUTRITION INFO CONTACT US

ABOUT US TIMELINE EMPLOYMENT

ABOUT US

FIND THE NEAREST CASTLE

Zip/Postal Code

More Options **Find**



More than 80 years.
More than 380 restaurants.
More than 500,000,000 burgers sold last year alone.

But when you add it up, the by-the-numbers White Castle math just can't compare to the steam-grilled science of creating that signature Slider.® Or the consistent history of high quality and great taste that turned fast food into big business and jumpstarted the nation's first hamburger century. (Well, almost a century: meat rationing during World War II forced us to sell hot dogs and eggs.) Or, most of all, the shared secret language of committed Cravers across the country, the words and senses that turn all of you into One of Ours.



Still, math is pretty fundamental. Mostly because, in White Castle mathematics (crunched at our Columbus, Ohio, headquarters), the number one keeps popping up.

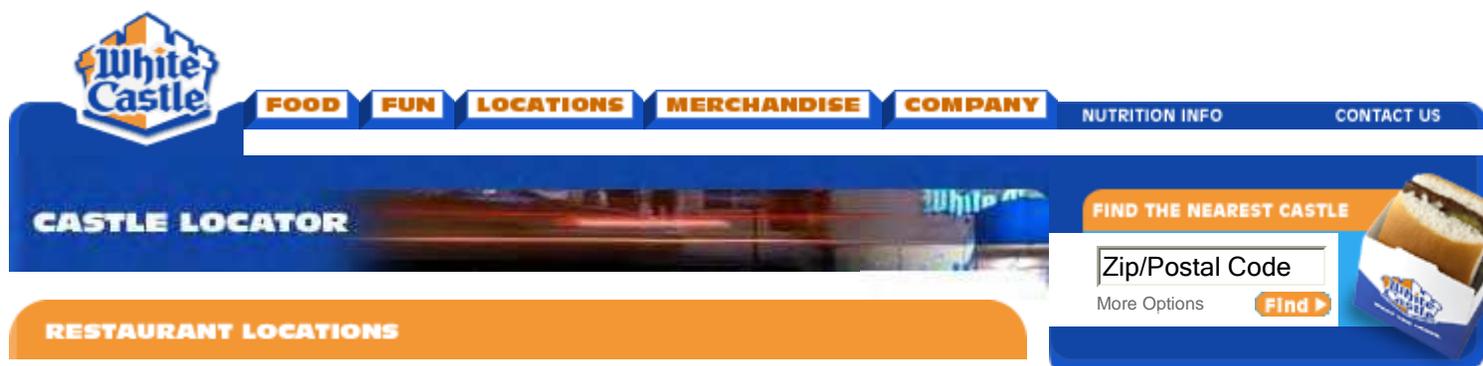
First fast-food hamburger chain ever. First industrial-strength spatula. First mass-produced paper hat. First to sell a million hamburgers. First to sell a billion hamburgers. First frozen fast food for sale.

All of which, of course, makes us your number one. Hold your applause for your next burgers.



WHAT YOU CRAVE...OPEN 24 HOURS ©2008 White Castle Management Co. [Privacy Policy](#) | [Terms and Conditions](#) **1-800-THE-CRAVE**

Exhibit 111



The header features the White Castle logo on the left. To its right is a navigation menu with buttons for **FOOD**, **FUN**, **LOCATIONS**, **MERCHANDISE**, **COMPANY**, **NUTRITION INFO**, and **CONTACT US**. Below the navigation is a blue banner with the text **CASTLE LOCATOR** on the left and **FIND THE NEAREST CASTLE** on the right. The search bar contains the text **Zip/Postal Code**, **More Options**, and a **Find ▶** button. An image of a White Castle sandwich in its packaging is positioned to the right of the search bar. Below the banner is an orange bar with the text **RESTAURANT LOCATIONS**.

Refine Retail Search:

- Choose a State -

OR

Refine Restaurant Search:

Enter Your Zip Code

Or simply click on a state in the map below to find a retail or restaurant location.



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OHIO

Cincinnati

Biggs Hyper Shopper
 Cub Foods
 I.G.A.
 Kroger
 Meijer
 Sam's Club
 Save-A-Lot
 Super Valu
 Wal-Mart Supercenters
 Walgreens

Cleveland

Acme Markets
 Buehlers
 Fisher Foods
 Giant Eagle
 Heinen's
 I.G.A.
 Save-A-Lot
 Stop 'N Shop
 Super Duper
 Tops
 Wal-Mart Supercenters
 Walgreens

Columbus

Buehlers
 Cardinal
 Giant Eagle
 I.G.A.
 Jubililee
 Kroger
 Meijer
 Riesbeck Food Markets
 Sam's Club
 Save-A-Lot
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 Walgreens

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[Bedford Heights \(44146\)](#)
[Berkshire Twp \(43074\)](#)
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[Columbus \(43229\)](#)
[Columbus \(43232\)](#)
[Dayton \(45407\)](#)
[Delhi \(45238\)](#)
[East Cleveland \(44112\)](#)
[Fairfield \(45011\)](#)
[Franklin \(45005\)](#)
[Grove City \(43123\)](#)
[Hamilton \(45011\)](#)
[Harrison \(45030\)](#)
[Heath \(43056\)](#)
[Huber Heights \(45424\)](#)
[Kettering \(45419\)](#)
[Lancaster \(43130\)](#)
[Lewis Center \(43035\)](#)
[Marion \(43302\)](#)
[Middletown \(45044\)](#)
[Milford \(45150\)](#)
[Monroe \(45050\)](#)
[Mt. Healthy \(45231\)](#)
[Norwood \(45212\)](#)

- [Ontario \(44906\)](#)
- [Reading \(45215\)](#)
- [Sharonville \(45241\)](#)
- [Springdale \(45246\)](#)
- [Springfield \(45504\)](#)
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Word Mark	WHITE CASTLE
Goods and Services	IC 043. US 100 101. G & S: restaurant services. FIRST USE: 20030623. FIRST USE IN COMMERCE: 20030623
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	07.01.01 - Castles; Forts; Palaces 07.13.03 - Advertising, signs, mounted or with posts or standards; Street signs (mounted on posts) 26.09.02 - Plain single line squares; Squares, plain single line 26.09.20 - Squares inside one another 26.09.21 - Squares that are completely or partially shaded 26.09.25 - Squares with curved sides
Serial Number	76540981
Filing Date	August 29, 2003
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	September 21, 2004
Registration Number	2909902
Registration Date	December 14, 2004
Owner	(REGISTRANT) White Castle Management Co. CORPORATION DELAWARE 555 W. Goodale St. Columbus OHIO 43215
Type of Mark	SERVICE MARK
Register	PRINCIPAL

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Word Mark	WHITE CASTLE
Goods and Services	IC 029. US 046. G & S: prepared french fried potatoes and onion rings. FIRST USE: 20040800. FIRST USE IN COMMERCE: 20040800
	IC 030. US 046. G & S: hamburger sandwiches; and bakery products, namely, pies, buns and cakes; and coffee. FIRST USE: 20040800. FIRST USE IN COMMERCE: 20040800
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	07.01.01 - Castles; Forts; Palaces
Serial Number	76511663
Filing Date	May 5, 2003
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	May 4, 2004
Registration Number	2942681
Registration Date	April 19, 2005
Owner	(REGISTRANT) White Castle Management Co. CORPORATION DELAWARE 555 W. Goodale St. Columbus OHIO 43215

Prior Registrations 0501821;1808813;1882382;1891273;AND OTHERS
Description of Mark The mark consists of Words & Design.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Exhibit 114



Exhibit 115



Wolfgang Puck Worldwide

 **Wolfgang Puck**
bistro

 **Wolfgang Puck**
express

 **Wolfgang Puck**
products

WOLFGANG PUCK. *Grand Cafe*

Wolfgang Puck Worldwide, Inc.

Wolfgang Puck Worldwide, Inc. (WPW), a privately held corporation, includes a rapidly growing international franchise of the fast-casual Wolfgang Puck Express restaurants, consumer products, book publishing, television, radio and internet programming, and other licensing and merchandising projects.

Wolfgang Puck-branded consumer products include a signature cookware collection, Wolfgang Puck All-Natural pizza, All-Natural and Organic Wolfgang Puck Soups, Stocks and Broths, Wolfgang Puck All-Natural Cooking and Baking Sprays and Wolfgang Puck's Coffee.

Wolfgang authored six popular cookbooks, and his weekly syndicated newspaper column, "Wolfgang Puck's Kitchen," appears in more than 30 newspapers throughout the United States and Canada, with a combined circulation of more than 5.3 million.

Since 1986, Wolfgang has been a regular featured guest on ABC's "Good Morning America," and his Emmy-winning television series, "Wolfgang Puck," debuted on the Food Network in 2000 and aired for five seasons.

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Typed Drawing

Word Mark	WOLFGANG PUCK
Goods and Services	IC 042. US 100. G & S: restaurant services. FIRST USE: 19910601. FIRST USE IN COMMERCE: 19910601
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74533352
Filing Date	June 6, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 28, 1995
Registration Number	1901065
Registration Date	June 20, 1995
Owner	(REGISTRANT) WOLFGANG PUCK FOOD COMPANY, INC. CORPORATION DELAWARE 1250 Fourth Street, Suite 310 Santa Monica CALIFORNIA 90401 (LAST LISTED OWNER) WOLFGANG, PUCK INDIVIDUAL BY ASSIGNMENT AUSTRIA 11620 WILSHIRE BLVD, STE 1000 LOS ANGELES CALIFORNIA 90025
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOSH S RIDOUT
Prior Registrations	1593275
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050413.

Renewal 1ST RENEWAL 20050413

Other Data The name shown in the mark is of a living individual, whose consent to applicant's use and registration of his name as said mark is submitted herewith.

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Typed Drawing

Word Mark	WOLFGANG PUCK
Goods and Services	IC 030. US 046. G & S: PACKAGED AND FROZEN PREPARED FOOD, NAMELY, PIZZA AND [APPLE, PUMPKIN AND PECAN TARTES]. FIRST USE: 19860909. FIRST USE IN COMMERCE: 19860929
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73821608
Filing Date	August 25, 1989
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	January 30, 1990
Registration Number	1593275
Registration Date	April 24, 1990
Owner	(REGISTRANT) WOLFGANG PUCK FOOD COMPANY CORPORATION DELAWARE SUITE 335 6101 W. CENTINELA CULVER CITY, LOS ANGELES CALIFORNIA 90230 (LAST LISTED OWNER) WOLFGANG PUCK INDIVIDUAL BY ASSIGNMENT AUSTRIA 11620 WHILSHIRE BLVD. SUITE 1000 LOS ANGELES CALIFORNIA 90025
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOSH S. RIDOUT
Type of Mark Register	TRADEMARK PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20001215.
Renewal 1ST RENEWAL 20001215
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Typed Drawing

Word Mark	WOLFGANG PUCK
Goods and Services	IC 029. US 046. G & S: fruit, garden, and vegetable salads. FIRST USE: 19950717. FIRST USE IN COMMERCE: 19950717
	IC 030. US 046. G & S: packaged and prepared foods, namely, bread, pasta, pasta sauces and macaroni, pasta and rice salads, and salad dressings. FIRST USE: 19950717. FIRST USE IN COMMERCE: 19950717
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74514290
Filing Date	April 19, 1994
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	July 29, 1997
Registration Number	2565443
Registration Date	April 30, 2002
Owner	(REGISTRANT) WOLFGANG PUCK FOOD COMPANY, INC. CORPORATION DELAWARE 1250 Fourth Street, Suite 310 Santa Monica CALIFORNIA 90401
	(LAST LISTED OWNER) PUCK, WOLFGANG INDIVIDUAL UNITED STATES 100 NORTH CRESCENT DRIVE STE. 100 BEVERLY HILLS CALIFORNIA 90210
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of	JOAN KUPERSMITH LARKIN

Record

Prior Registrations 1593275
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
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WOLFGANG PUCK

Word Mark WOLFGANG PUCK
Goods and Services IC 029. US 046. G & S: **SOUPS**; GARDEN SALADS; CHICKEN SALADS; AND VEGETABLE SALADS. FIRST USE: 19980900. FIRST USE IN COMMERCE: 19980900
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 76632223
Filing Date February 28, 2005
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition August 9, 2005
Registration Number 3010443
Registration Date November 1, 2005
Owner (REGISTRANT) Puck, Wolfgang INDIVIDUAL UNITED STATES 100 N. Crescent Drive, Suite 100 Beverly Hills CALIFORNIA 90210
Attorney of Record Joan Kupersmith Larkin
Prior Registrations 1593275;2565443;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Other Data The name WOLFGANG PUCK identifies a living individual whose consent is made of record.

Live/Dead Indicator **LIVE**

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