

ESTTA Tracking number: **ESTTA314400**

Filing date: **10/30/2009**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Think Schuhwerk GmbH
Granted to Date of previous extension	11/01/2009
Address	Hauptstrasse 35 Kopfling, A-4794 AUSTRIA

Domestic Representative	Ellen A. Rubel Moore & Van Allen PLLC 430 Davis Drive, Suite 500 Morrisville, NC 27560 UNITED STATES ellenrubel@mvalaw.com Phone:919-286-8041
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Applicant Information

Application No	77683757	Publication date	05/05/2009
Opposition Filing Date	10/30/2009	Opposition Period Ends	11/01/2009
Applicant	Scholar Baller I.M.A.G.E., LLC 12773 Lexington Summit Street Orlando, FL 32828 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	THINK		
Goods/Services	Bags (Date of First Use in U.S. Commerce: At least as early as August, 2006) Shoes (Date of First Use in U.S. Commerce: At least as early as 1998)		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Design Mark			
Goods/Services	Shoes (Date of First Use in U.S. Commerce: At least as early as November, 1997)		

U.S. Registration No.	3508870	Application Date	04/18/2007
Registration Date	09/30/2008	Foreign Priority Date	NONE
Word Mark	THINK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Retail store services in the field of men's, women's and children's shoes, bags, clothing and leather goods; assistance in business management and product commercialization within the framework of a franchise contract		

Attachments	THINK! WELLFORMED SHOES FOR NATURAL WALKING.jpg 79042753#TMSN.jpeg (1 page)(bytes) Notice of Opposition to THINKKIDS.pdf (18 pages)(516900 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Ellen A. Rubel/
Name	Ellen A. Rubel
Date	10/30/2009

2. Thereafter, upon receipt of consent from Dr. Carlton Keith Harrison, Applicant's CEO and Founder, a 60 Day Request for Extension of Time to Oppose Upon Consent was filed by Opposer. The additional request was duly granted by the Trademark Trial and Appeal Board extending the deadline to Oppose until November 1, 2009.

3. On information and belief, on March 4, 2009, Scholar Baller I.M.A.G.E., LLC. (hereinafter "Applicant"), a limited liability company of Arizona, filed an application in the United States Patent and Trademark Office to register the mark **THINKKIDS** (hereinafter "Applicant's Mark") as a trademark for use in association with "Athletic apparel, namely shirts, pants, jackets, footwear, hats and caps, athletic uniforms" (hereinafter "Applicant's Goods") in International Class 25 (hereinafter "Applicant's Application").

4. Applicant's Application was assigned Application Serial No. 77/683,757 and the mark was published for opposition in the *Official Gazette* of May 5, 2009.

5. Applicant filed Applicant's Application under the intent-to-use provisions of 15 U.S.C. § 1051(b).

6. On information and belief, Applicant acquired no rights in Applicant's Mark in the United States prior to the priority filing date of March 4, 2009.

7. There is no issue of priority. Prior to any date upon which Applicant can rely, Opposer used both the trademark **THINK** and the trademark **THINK! WELLFORMED SHOES FOR NATURAL WALKING and Design** ("Opposer's Trademarks") in commerce in the United States in connection with shoes and/or bags ("Opposer's Goods").

8. There is no issue of priority. Prior to the filing date for Applicant's Application to register Applicant's Mark, and/or prior to any date of use upon which Applicant can rely, Opposer, on April 18, 2007, filed its Request for Extension of Protection of its International Registration No. 0934984 for its **THINK** mark (hereinafter "Opposer's Service Mark") for use in International Class 35, Application Serial No. 79/0427,53, with "Retail store services in the field of men's, women's and children's shoes,

bags, clothing and leather goods; assistance in business management and product commercialization within the framework of a franchise contract” (hereinafter “Opposer’s Services”).

9. Opposer’s prior pending application was assigned Application Serial No. 79/042,753, and on September 30, 2008, prior to the filing date of Applicant’s Application, Application Serial No. 79/042,753 matured to registration, Registration No. 3,508,870.

10. By virtue of extensive use in commerce throughout the United States, Opposer is the owner of the trademark ***THINK WELLFORMED SHOES FOR NATURAL WALKING and Design*** for use in association with shoes. The ***THINK WELLFORMED SHOES FOR NATURAL WALKING and Design*** mark has been used extensively in U.S. commerce by the Opposer on shoes since at least as early as November, 1997

11. By virtue of extensive use in commerce throughout the United States, Opposer is the owner of the trademark ***THINK*** for use in association with shoes and bags. The ***THINK*** mark has been used extensively in U.S. commerce by the Opposer on shoes since at least as early as 1998 and on bags since at least as early as August, 2006.

12. Opposer’s use of Opposer’s Trademarks precedes the filing date for Applicant’s Application.

13. Opposer’s registration of Opposer’s Service Mark precedes the filing date for Applicant’s Application.

14. Opposer has spent substantial amounts of time, money and effort in developing and marketing Opposer’s Goods under Opposer’s Trademarks in the United States and internationally.

15. Opposer’s Trademarks have become well-known nationally and internationally as the trademarks of Opposer.

16. Opposer’s use of Opposer’s Trademarks has been continuous and has not been abandoned.

17. Applicant’s Mark is confusingly similar to Opposer’s Trademarks.

18. Applicant’s Mark is confusingly similar to Opposer’s Service Mark.

19. Because of the similarity in sound and appearance between Applicant's Mark and Opposer's Trademarks, the respective marks project the same commercial impression.

20. Because of the similarity in sound and appearance between Applicant's Mark and Opposer's Service Mark, the respective marks project the same commercial impression.

21. Applicant's Mark and Opposer's Trademarks are used or intended to be used with identical, similar, or related goods.

22. Applicant's Mark and Opposer's Service mark are used or intended to be used with related goods and services.

23. On information and belief, it is expected that Applicant's Goods, in connection with which Applicant uses or will use Applicant's Mark, are or will be marketed to the same potential purchasers in the same relevant markets as are Opposer's Goods in connection with which Opposer uses Opposer's Trademark.

24. On information and belief, it is expected that Applicant's Goods, in connection with which Applicant uses or will use Applicant's Mark, are or will be marketed to the same potential purchasers in the same relevant markets as are Opposer's Services in connection with which Opposer uses or intends to use Opposer's Service Mark.

25. On information and belief, Applicant uses or will use the same or similar media to advertise and/or promote Applicant's Goods under Applicant's Mark as used by Opposer to advertise and/or promote Opposer's Goods under Opposer's Trademarks.

26. On information and belief, Applicant uses or will use the same or similar media to advertise and/or promote Applicant's Goods under Applicant's Mark as used or intended to be used by Opposer to advertise and/or promote Opposer's Services under Opposer's Service Marks.

27. Upon information and belief, the goods marketed under Applicant's Mark are or will be distributed through the same channels of distribution and are or will be purchased and used by many of the same individuals and entities as those of the Opposer's Goods.

28. Upon information and belief, the goods marketed under Applicant's Mark are or will be distributed through the same channels of distribution and are or will be purchased and used by many of the same individuals and entities as those of the Opposer's Services.

29. Because of the similarity of marks, services, relevant markets, advertising, channels of distribution, purchasers, and/or users, Opposer believes that there is a very strong likelihood of confusion if Applicant is permitted to register Applicant's Mark for use in conjunction with Applicant's Goods.

30. If Applicant is granted the registration herein opposed, Applicant would be placed in a position to deceive or mislead the public, as the registration would give Applicant *prima facie* exclusive rights to Applicant's Mark and all confusingly similar marks, thereby causing damage and injury to Opposer.

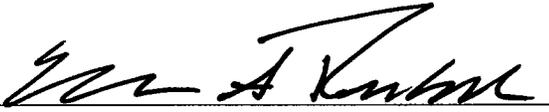
31. Because of the similarity of marks, relevant markets, advertising, channels of commerce, purchasers, and/or consumers, registration of Applicant's Mark would cause damage and injury to Opposer.

32. Because Applicant's Mark consists of a mark which is identical and/or closely resembles the non-abandoned marks previously used by Opposer in commerce in the United States, and Applicant's Mark is likely, when used in connection with Applicant's Goods, to cause confusion, to cause mistake, or to deceive, registration of Applicant's Mark is, therefore, barred under 15 U.S.C. §1052(d).

33. Because Applicant's Mark consists of a mark which is identical and/or closely resembles the non-abandoned mark previously registered by Opposer in the United States, and Applicant's Mark is likely, when used in connection with Applicant's Goods, to cause confusion, to cause mistake, or to deceive, registration of Applicant's Mark is, therefore, barred under 15 U.S.C. §1052(d).

34. Accordingly, Opposer prays that said Application Serial Number 77/683,757 be rejected and the registration of the mark therein shown for the goods in Class 25 therein specified be refused and denied.

Respectfully submitted this 30th day of October, 2009.

A handwritten signature in black ink, appearing to read "Ellen A. Rubel", written over a horizontal line.

Ellen A. Rubel
N.C. Bar Number 28051
Moore & Van Allen PLLC
Attorney for Opposer, Think Schuhwerk GmbH
430 Davis Drive, Suite 500
Morrisville, North Carolina 27560
Telephone: 919-286-8000
Facsimile: 919-286-8199

EXHIBIT A

Certified Translation from the German Language

Dr. Wolfgang Lenhart
Public Notary
1010 Vienna (Wien)
Bösendorferstraße 5
DVR 1014251

REPUBLIC OF AUSTRIA

Corporate Register:
Administration of Justice

Corporate Data Bank:
FB

Key Date: 4 August 2009

Abstract from the Register
showing historical details

FN 111549 v

This abstract is based on the General Ledger supplemented by the details from the
Deed Register.

Last entry dated 31 July 2009 carrying entry number 24; Court having jurisdiction: Landesgericht Ried for the
Inn District

- 1 formerly: Landesgericht Ried for the Inn District HRB No. 10
Scharding District Court (previous first entry on 3 February 1978)
- 24 **COMPANY**
Think Schuhwerk GmbH
- 1 **LEGAL FORM**
Limited liability company (Company in GmbH-form)
- 1 **REGISTERED PLACE OF BUSINESS** in
Political Community of Kopfing located in the Inn District
- 11 **BUSINESS ADDRESS**
Hauptstraße 35
4794 Kopfing / Inn District
- 16 **CAPITAL**
EUR 36,400
- 1 **ANNUAL STATEMENT KEY DATE**
31 December
- 23 **ANNUAL STATEMENT** (last entry; for other details see historical summary)
for 31 December 2007; filed on 11 February 2009
- 8 **POWER OF REPRESENTATION**
If several managing directors have been appointed, the Company will be represented
by two managing directors jointly or by one managing director in association with a "Prokurist"
(signatory -holder of a commercial power of attorney).
If several managing directors have been appointed, the General Meeting shall have the right
to confer an independent power of representation to individual managing directors.

1	Articles of Association adopted on 29 December 1977	001
1	Resolution of the General Meeting held on 18 September 1986 Capital increase from corporate funds by ATS 250,000. - and by resolution of the General Meeting of the same day by ATS 150,000.--, amounting to a total of ATS 500,000.-- Amendment of item four of the Articles of Association	002
4	Merger Agreement dated 24 September 1999 Incorporation of the operation of Schuhfabrik Martin Koller GmbH & Co KG (FN 17727 m)	003
8	Resolution of the General Meeting held on 21 December 2000 Re-formatting the Articles of Association	005
16	Articles of Association amended by resolution of the General Meeting held on 10 March 2003 pursuant to 1 st EURO-JUBEG	006
16	Capital increase by EUR 63,58 according to the resolution of the General Meeting held on 10 March 2003; amendment of item 5 of the Articles of Association	007
16	Amendment of item 11 of the Articles of Association according to the resolution of the General Meeting held on 10 March 2003	008
24	Amendment of item 1 of the Articles of Association according to the resolution of the General Meeting held on 23 June 2009	009

MANAGING DIRECTORS (under Trade Law)

C	Martin Koller born 13 August 1962
11	He has represented the Company as of 1 January 2002 together with another managing director or a "Prokurist"
H	Gerhard Aigner born 10 December 1958
11	He has represented the Company as of 1 January 2002 together with another managing director or another "Prokurist"

PROKURIST (signatory holding a commercial power of attorney)

J	Mag. Dr. Hans Posch born 13 June 1956
15	He has represented the Company as of 8 January 2003 together with another managing director or a "Prokurist"
K	Andreas Kainz born 7 November 1966
21	He has represented the Company as of 17 September 2007 together with another managing director or a "Prokurist"

PARTNER

E	LEGERO Schuhfabrik Gesellschaft m.b.H.
16	INITIAL CONTRIBUTION: EUR 36,400
16	Sum total: : EUR 36,400
	AMOUNT PAID IN: EUR 36,400
	Sum Total. EUR 36,400

PERSONAL DETAILS

1	C	Martin Koller born 13 August 1962
1		No. 35 4794 Kopfnig /Inn District
8	E	LEGERO Schuhfabrik Gesellschaft m.b.H.
8		(FN 59571 D)
12		Marburger Straße 10 8042 Graz

1 R Gerhard Aigner, born 10 December 1958
 11 Raimundstr. 10
 4053 Haid
 15 J Mag. Dr. Hans Posch born June 13, 1956
 15 Heimschuh 14
 8451 Heimschuh
 21 K Andreas Kainz born 7 November 1966
 21 Rinneggerstraße 102a
 8045 Weinitzen

EXECUTIVE SUMMARY

Landesgericht Ried / Inn District

1	First incorporation concluded on 3 August 1994	Corporate matter	14 Fr	69/94 g
	First incorporation pursuant to Art. XXIII, paragraph 4 FIBG			
4	registered on 30 September 1999	Corporate matter	16 Fr	2272/99 m
	application for amendment received on 28 September 1999			
8	registered on 7 February 2001	Corporate matter	16 Fr	72/01 m
	application for amendment received on 10 January 2001			
11	registered on 17 January 2002	Corporate matter	16 Fr	109/02 a
	application for amendment received on 16 January 2002			
12	registered on 26 September 2002	Corporate matter	16 Fr	1927/02 z
	application for amendment received on 25 September 2002			
15	registered on 1 April 2003	Corporate matter	16 Fr	663/03 z
	application for amendment received on 31 March 2003			
16	registered on 29 April 2003	Corporate matter	16 Fr	822/03 h
	application for amendment received on 28 April 2003			
21	registered on 9 November 2007	Corporate matter	16 Fr	3366/07 i
	application for amendment received on 8 November 2007			
23	registered on 12 February 2009	Corporate matter	16 Fr	466/09 m
	electronically filed annual statement received on 2 February 2009			
24	registered on 31 July 2009	Corporate matter	16 Fr	2294/09 a
	application for amendment received on 7 July 2009			

INFORMATION RECEIVED FROM ÖSTERREICHISCHE NATIONALBANK

as per 4 August 2009 in respect of valid identification number 316318
 issued via ÖGIZJN Clearing Office11A021
 on 4 August 2009, at 14:39:20 p.m.: 649 11284670NUMBER OF LINES: 91

Circular stamp with insignia: Dr. Wolfgang Lenhart
 Public Notary
 Wien - Innere Stadt

Mag. Jophann Schleicher
 Deputy of Public Notary Dr. Wolfgang Lenhart
 In Wien-Innere Stadt
 - Gerichtskommissär - (Court Agent)

REPUBLIC OF AUSTRIA

Corporate Register:
Administration of Justice

Corporate Data Bank:
FB

Key Date: 11 August 2009

Abstract from the Register
showing historical details

FN 111549 y

This abstract is based on the General Ledger supplemented by the details from the Deed Register.

The details that are historical by 11 August 2009 have been struck out. Entities and branch establishments struck off the Register have been laterally marked by "II".

Last entry dated 7 August under registration No. 25; Court having jurisdiction: Landesgericht Ried having competence for the Inn District

1 formerly: Landesgericht Ried for the Inn district HRB No. 10
Scharding District Court (first entry on 3 February 1978)

COMPANY

1 ~~"MARKET" Schuh-Gesellschaft m.b.H~~
4 ~~MARKE SCHUHFABRIK GmbH~~
24 Think Schuhwerk GmbH

LEGAL FORM

1 Limited liability company (Company in GmbH-form)

1 REGISTERED PLACE OF BUSINESS based at
Political Community of Kopfing / Inn District

BUSINESS ADDRESS

1 No. 35
4794 Kopfing / Inn District
11 Hauptstraße 35
4794 Kopfing / Inn District

CAPITAL

1 ATS 500,000
16 EUR 36,400

KEY DATE FOR ANNUAL STATEMENT

31 December

ANNUAL STATEMENT

2 per 31 December 1997; filed 29 August 1998
5 per 31 December 1998; filed 1 October 1999
9 per 31 December 1999; filed 6 March 2001
10 per 31 December 2000; filed 7 January 2002
13 per 31 December 2001; filed 20 Dec. 2002
17 per 31 December 2002; filed 12 Nov. 2003
18 per 31 December 2003; filed 10 Nov. 2004
19 per 31 December 2004; filed 2 August 2005
20 per 31 December 2005; filed 24 October 2006
22 per 31 December 2006; filed 15 Feb. 2008
23 per 31 December 2007; filed 11 Feb. 2009
25 per 31 December 2008; filed 5 August 2009

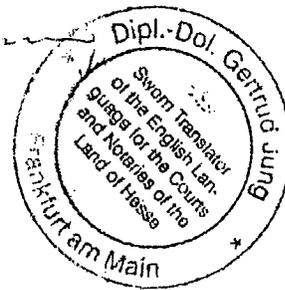
POWER OF REPRESENTATION

- 1 If several general directors have been appointed, the General Meeting determines their
power of representation.
- 8 If several managing directors have been appointed, the Company
shall be represented by two managing directors jointly or by one managing director in
association with a "Prokurist" (signatory holder of a commercial power of attorney).
If several managing directors have been appointed, the General Meeting has the right
to confer independent power of representation to individual managing directors.

is to certify that the afore-going is a correct and complete translation of the German-language document
before me.

Frankfurt am Main, 12 August 2009

Gertrud Jung



Dr. Wolfgang Lenhart
öffentlicher Notar
1010 Wien, Bösendorferstraße 5
DVR 1014251

JUSTIZ
FIRMENBUCH



FB
FIRMENBUCHDATENBANK

Stichtag 4.8.2009

Auszug mit aktuellen Daten

FN 111549 v

Grundlage dieses Auszuges ist das Hauptbuch ergänzt um Daten aus der Urkundensammlung.

Letzte Eintragung am 31.07.2009 mit der Eintragsnummer 24
zuständiges Gericht Landesgericht Ried im Innkreis

- 1 früher Landesgericht Ried im Innkreis HRB 10
Bezirksgericht Schärding (fr.)
Ersteintragung am 03.02.1978

FIRMA

- 24 Think Schuhwerk GmbH

RECHTSFORM

- 1 Gesellschaft mit beschränkter Haftung

SITZ in

- 1 politischer Gemeinde Kopfing im Innkreis

GESCHÄFTSANSCHRIFT

- 11 Hauptstraße 35
4794 Kopfing im Innkreis

KAPITAL

- 16 EUR 36.400

STICHTAG für JAHRESABSCHLUSS

- 1 31. Dezember

JAHRESABSCHLUSS (zuletzt eingetragen; weitere siehe Historie)

- 23 zum 31.12.2007 eingereicht am 11.02.2009

VERTRETUNGSBEFUGNIS

- 8 Die Gesellschaft wird, wenn mehrere Geschäftsführer bestellt sind, durch zwei Geschäftsführer gemeinsam oder durch einen von ihnen gemeinsam mit einem Prokuristen vertreten.
Die Generalversammlung kann, auch wenn mehrere Geschäftsführer bestellt sind, einzelnen von ihnen selbständige Vertretungsbefugnis erteilen.

- 1 Gesellschaftsvertrag vom 29.12.1977 001

- 1 Generalversammlungsbeschluss vom 18.09.1986 002
Kapitalerhöhung aus Gesellschaftsmitteln um ATS 250.000,--
und mit Beschluß der Gen.Vers. vom gleichen Tag um weitere

ATS 150.000,-- auf insgesamt ATS 500.000,--.
 Änderung des Gesellschaftsvertrages in Pkt. Vierzig.

- 4 Einbringungsvertrag vom 24.09.1999
 Einbringung des Betriebes der
 Schuhfabrik Martin Koller GmbH & Co KG
 (FN 17722 m) 003
- 8 Generalversammlungsbeschluss vom 21.12.2000
 Neufassung des Gesellschaftsvertrages. 005
- 16 Gesellschaftsvertrag mit Generalversammlungsbeschluss
 vom 10.03.2003
 gemäß 1. Euro-JuBeG angepasst. 006
- 16 Generalversammlungsbeschluss vom 10.03.2003
 Kapitalerhöhung um EUR 63,58.
 Änderung des Gesellschaftsvertrages in Punkt 5. 007
- 16 Generalversammlungsbeschluss vom 10.03.2003
 Änderung des Gesellschaftsvertrages in Punkt 11. 008
- 24 Generalversammlungsbeschluss vom 23.06.2009
 Änderung des Gesellschaftsvertrages in Punkt 1; 009

GESCHÄFTSFÜHRER (handelsrechtlich)

- 11 C Martin Koller, geb. 13.08.1962
 vertritt seit 01.01.2002 gemeinsam mit
 einem weiteren Geschäftsführer oder einem Prokuristen
- 11 H Gerhard Aigner, geb. 10.12.1958
 vertritt seit 01.01.2002 gemeinsam mit
 einem weiteren Geschäftsführer oder einem Prokuristen

PROKURIST

- 15 J Mag.Dr. Hans Posch, geb. 13.06.1956
 vertritt seit 08.01.2003 gemeinsam mit
 einem Geschäftsführer oder einem weiteren Prokuristen
- 21 K Andreas Kainz, geb. 07.11.1966
 vertritt seit 17.09.2007 gemeinsam mit
 einem Geschäftsführer oder einem weiteren Prokuristen

	GESELLSCHAFTER	STAMMEINLAGE	HIERAUF GELEISTET
16	E LEGERO Schuhfabrik Gesellschaft m.b.H.		
16	EUR 36.400	
			EUR 36.400
	Summen:	EUR 36.400	EUR 36.400

--- PERSONEN ---

- 1 C Martin Koller, geb. 13.08.1962
- 1 Nr. 35
 4794 Kopfing im Innkreis
- 8 E LEGERO Schuhfabrik Gesellschaft m.b.H.
- 8 (FN 59571 f)

- 17. 01.2009 - 01.01.2009
- 18. 01.2009 - 01.01.2009
- 19. 01.2009 - 01.01.2009
- 20. 01.2009 - 01.01.2009
- 21. 01.2009 - 01.01.2009
- 22. 01.2009 - 01.01.2009
- 23. 01.2009 - 01.01.2009
- 24. 01.2009 - 01.01.2009
- 25. 01.2009 - 01.01.2009

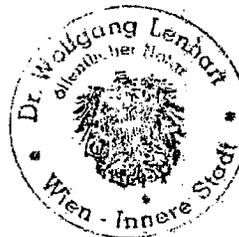
----- VOLLEZEICHNERSTELLE -----

Leistungsbilanz des Jahres 2008

- 1. eingetragene Bilanzperiode abgelaufen am 03.03.1999 - Gesellschaftsfall 104 Pt 69784 a
 (Einführungsgesetz zum Art. XXIII Abs. 4 EGV)
- 1. eingetragene am 03.03.1999 - Gesellschaftsfall 16 Pt 277299 m
 Antrag auf Änderung eingelangt am 08.09.1999
- 10. eingetragene am 07.01.2001 - Gesellschaftsfall 16 Pt 77701 m
 Antrag auf Änderung eingelangt am 14.01.2001
- 11. eingetragene am 17.01.2002 - Gesellschaftsfall 16 Pt 100702 a
 Antrag auf Änderung eingelangt am 16.01.2002
- 12. eingetragene am 26.09.2002 - Gesellschaftsfall 16 Pt 192702 z
 Antrag auf Änderung eingelangt am 25.09.2002
- 15. eingetragene am 01.04.2003 - Gesellschaftsfall 16 Pt 66703 z
 Antrag auf Änderung eingelangt am 31.03.2003
- 16. eingetragene am 29.04.2003 - Gesellschaftsfall 16 Pt 32703 b
 Antrag auf Änderung eingelangt am 20.04.2003
- 17. eingetragene am 09.11.2007 - Gesellschaftsfall 16 Pt 3366707 1
 Antrag auf Änderung eingelangt am 09.11.2007
- 18. eingetragene am 12.02.2009 - Gesellschaftsfall 16 Pt 466709 m
 Elektronische Einreichung Jahresabschluss eingelangt am 02.02.2009
- 19. eingetragene am 31.07.2009 - Gesellschaftsfall 16 Pt 2894709 #
 Antrag auf Änderung eingelangt am 07.07.2009

----- INFORMATION DER ÖSTERREICHISCHEN NATIONALBANK -----

zum 04.08.2009 gültige Identnummer: 310318
 erstellt über Verrechnungsstelle ÖGTZIK ***** HA021
 ***** 4.8.2009 14:39:20,649 11284670 *** ZEILEN: 91



Mag. Johann Schleicher
 als Sachverständiger
 Dr. Wolfgang Lenhart
 Wien - Innere Stadt
 als Gerichtskommissär

Stichtag 11.8.2009

Auszug mit historischen Daten

Grundlage dieses Auszuges ist das Hauptbuch eingetragten Firmen aus der Firmenbuchsammlung.

Die mit 11.08.2009 historischen Daten sind durchgestrichen. Schlüssel, Rechtsinhaber und Zweigniederlassungen sind weiterhin mit dem Zeichen (H) beschriftet.

Letzte Eintragung am 07.08.2009 mit der Eintragsnummer 15
zuständiges Gericht Landesgericht Wien im Innkreis

1 früher Landesgericht Wien im Innkreis HRB 10
Bezirksgericht Schwedling (H)
Ersteintragung am 03.02.1978

FIRMA

1 "MARKE" Schuh-Gesellschaft m.b.H.
4 MARKE-Schuhfabrik GmbH
24 Think Schuhwerk GmbH

RECHTSFORM

1 Gesellschaft mit beschränkter Haftung

SITZ in

1 politischer Gemeinde Kopling im Innkreis

GESCHÄFTSANSCHRIFT

1 Nr. 35
4794 Kopling im Innkreis
11 Hauptstraße 35
4794 Kopling im Innkreis

KAPITAL

1 ATS 500.000
16 EUR 36.400

STICHTAG FÜR JAHRESABSCHLUSS

1 31. Dezember

UNTERSCHREIBEN

2 zum 31.12.1997 eingereicht am 29.09.1999
5 zum 31.12.1998 eingereicht am 01.10.1999
9 zum 31.12.1999 eingereicht am 06.03.2001
10 zum 31.12.2000 eingereicht am 03.01.2002
13 zum 31.12.2001 eingereicht am 20.12.2002
17 zum 31.12.2002 eingereicht am 12.11.2003
18 zum 31.12.2003 eingereicht am 10.11.2004
19 zum 31.12.2004 eingereicht am 02.08.2005
20 zum 31.12.2005 eingereicht am 24.10.2006
22 zum 31.12.2006 eingereicht am 15.02.2008
23 zum 31.12.2007 eingereicht am 11.02.2009
25 zum 31.12.2008 eingereicht am 05.08.2009

VERTRETUNGSBEFUGNIS

1 Die Generalversammlung bestimmt, wenn mehrere Geschäftsführer bestellt sind, deren Vertretungsbefugnis.
8 Die Gesellschaft wird, wenn mehrere Geschäftsführer bestellt sind, durch zwei Geschäftsführer gemeinsam oder durch einen von ihnen gemeinsam mit einem Prokuristen vertreten.
Die Generalversammlung kann, auch wenn mehrere Geschäftsführer bestellt sind, einzelnen von ihnen selbständige Vertretungsbefugnis erteilen.

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing **Notice of Opposition** has been served this day by depositing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope and properly addressed as follows:

Dr. Carlton Keith Harrison
Scholar Baller I.M.A.G.E., LLC
12773 Lexington Summit St
Orlando, Florida 32828-4303

This the 30th day of October, 2009.

Moore & Van Allen PLLC



Ellen A. Rubel
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