

ESTTA Tracking number: **ESTTA534983**

Filing date: **04/29/2013**

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

Proceeding	91194974
Party	Defendant GFA Brands, Inc.
Correspondence Address	JOHANNA M WILBERT QUARLES & BRADY LLP 411 EAST WISCONSIN AVENUE, SUITE 2040 MILWAUKEE, WI 53202-4497 UNITED STATES johanna.wilbert@quarles.com, marta.levine@quarles.com, david.cross@quarles.com, deena.rafinski@quarles.com
Submission	Defendant's Notice of Reliance
Filer's Name	Johanna M. Wilbert
Filer's e-mail	johanna.wilbert@quarles.com, david.cross@quarles.com, andrea.fowler@quarles.com, deena.rafinski@quarles.com
Signature	/Johanna M. Wilbert/
Date	04/29/2013
Attachments	Ex 41 - 3d party use Smart-Bread-Machine.pdf ( 5 pages )(322265 bytes ) Ex 42 - 3d party use Smart-Chicken-Stuffings-Accompaniments-Ki.pdf ( 4 pages )(262941 bytes ) Ex 43 - 3d party use Smart-Cookies-Heavenly-Healthful-Snacking.pdf ( 6 pages )(305203 bytes ) Ex 44 - 3d party use Smart-Eating.pdf ( 8 pages )(427490 bytes ) Ex 45 - 3d party use Smart-Eating-Made-Simple.pdf ( 8 pages )(645711 bytes ) Ex 46 - 3d party use Smart-Pressure-Cooker-Recipes.pdf ( 5 pages )(331969 bytes ) Ex 47 - 3d party use Eat-Smart.pdf ( 4 pages )(307881 bytes ) Ex 48 - 3d party use Eat-Smart-Eat-Raw.pdf ( 4 pages )(388776 bytes ) Ex 49 - 3d party use Graham-Kerrs-Smart-Cooking-Grah.pdf ( 4 pages )(300607 bytes ) Ex 50 - 3d party use Great-Food-All-Day-Long-Maya-An.pdf ( 9 pages )(465069 bytes )

EXHIBIT 41  
to GFA Brands, Inc's Notice of Reliance  
Opposition Nos. 91194974 (parent) and 91196358



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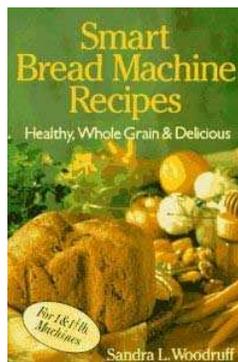
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## Smart Bread Machine Recipes: Healthy, Whole Grain & Delicious [Paperback]

Sandra Woodruff (Author)

★★★★★ (18 customer reviews)

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### Book Description

Publication Date: **December 31, 1994**

Fill the breads you eat with wholesome, fiber-rich, vitamin-packed grains, reduce the fat and the salt, and eliminate refined sugar--all with the push of a button. Over 130 recipes for both 1 and 1 1/2 pound machines introduce a new world of grains, from amaranth and barley to teff and triticale, plus two dozen different kinds of grain. 128 pages, 24 b/w illus., 6 x 9.

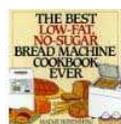
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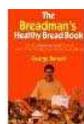
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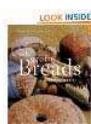
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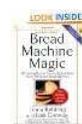
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\$11.32



Zojirushi BB-HAC10 Home Bakery 1-Pound-Loaf Programmable Mini ...  
\$189.99



Whole Grain Breads by Machine or Hand: 200 ...  
\$15.29



Bread Machine Magic, Revised Edition: 138 ...  
\$10.79



Progressive International Adjustable Bread Keeper  
\$12.54

### Product Details

**Paperback:** 128 pages  
**Publisher:** Sterling (December 31, 1994)  
**Language:** English  
**ISBN-10:** 0806906901  
**ISBN-13:** 978-0806906904  
**Product Dimensions:** 8.8 x 5.9 x 0.4 inches  
**Shipping Weight:** 7.2 ounces

**Average Customer Review:** ★★★★★ (18 customer reviews)

**Amazon Best Sellers Rank:** #402,775 in Books (See Top 100 in Books)

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## Customer Reviews

★★★★★ (18)  
4.6 out of 5 stars



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“ I also bought 100 lbs. of whole wheat grain and grind it into flour as needed in a Vita-Mix blender using the dry container. ”

Linda Vargas | 2 reviewers made a similar statement

“ My husband has raved about all the breads I've made from this book. ”

L. Land | 3 reviewers made a similar statement

“ I have made 3 of the bread recipes so far and the bread has turned out very good. ”

MG | 4 reviewers made a similar statement

## Most Helpful Customer Reviews

63 of 64 people found the following review helpful

★★★★★ **Tasty and Healthy across the board** February 2, 2000

By A Customer

Format: Paperback

This book consists of all whole grain bread machine recipes. The first part goes into detail about all the components necessary to create healthy breads/rolls, etc. in the bread machine. All ingredients are described in an easy to read manner. There are recipes using "ordinary" whole wheat flours. Then there are the recipes using the more exotic flours, such as spelt and kamut. While some of these flours are expensive and sometimes hard to find, I have tried many of the recipes and have never been disappointed. I have purchased the book many times for friends and recommend it highly as a means to increase fiber and grains in products that are very tasty and are created from this easy to understand recipe book.

[Comment](#) | Was this review helpful to you?

35 of 35 people found the following review helpful

★★★★★ **Fantastic Tasting and Healthy!** January 18, 2003

By L. Land

Format: Paperback | [Amazon Verified Purchase](#)

This book has great recipes for wholegrain breads. If you're looking for recipes that avoid white flour and have healthy wholegrains instead, this is the book for you.

For the most part, it is also low sugar, which is why I purchased it. There are a few recipes with honey and molasses, though. My husband has raved about all the breads I've made from this book. It gives recipes for 1 and 1 1/2 pound loaves.

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26 of 26 people found the following review helpful

★★★★★ **Good for baking with whole grains** July 24, 2002

By A Customer

Format: Paperback

This is a great book for anyone who owns a bread machine and wants to make different types of whole grain breads. I have found many whole grain baking bread books, but none that were specifically targeted for the bread machine. This book is made specifically for bread machine bakers, which is great. She explains all the different types of flours, grains, etc. This is very helpful to learn how to make appropriate substitutions, etc. I really like this book and am looking forward to consuming a wide variety of whole grain breads!

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## Most Recent Customer Reviews

★★★★★ **Lots of recipes**

when I was diagnosed as a diabetic and to eat whole grain products, I wanted to find a bread machine recipe book that I could enjoy.

Published 17 days ago by Dianne Klinger-witmer

★★★★★ **Breads and yummy**

I make bread and its very well written and easy to understand for anyone wanting to make her own bread.

Published 1 month ago by Loretta

★★★★★ **very nice**

wonderful receipes, lots of natural healthy breads, tried a few right away, delicious, no complaints would tell friends to buy

Published 1 month ago by joni marroni

★★★★★ **Smart Bread machine whole grain book**

I replaced an olde book I have worn out using but dokeep you bread machine book as you need to know your achine.

Published 2 months ago by Shirley A. Farnsworth

★★★★★ **Didn't like the bread**

I am a rookie Breadman user, so I follow instructions closely and I get unsatisfactory loaves from the recipes I have tried from this book.

Published 2 months ago by mike browning

★★★★★ **Super Bread Recipes**

The recipes in this book are SOOO healthy and good. Easy to follow with special ingredients and troubleshooting explained. I will never buy bread again.

Published 3 months ago by Chopin

★★★★★ **good recipes**

I like the smaller version of whole grain recipes to make 1 and 1.5 pound loaves; I have used a couple of them; good recipes.

Published 4 months ago by Helen Keller

★★★★☆ **Pleasantly Surprised**

I'm not a big fan of whole wheat breads, even though I know they're healthier than their all-white counterparts. [Read more](#)

Published 8 months ago by Amy Starr

Every bread I've made in my Zoji mini from this book has come out spectacular looking and deliciously tasting. I can't stop raving about it!

[Read more](#)

Published 20 months ago by Natalie Barnes

★★★★★ **Wonderful recipe book!**

I highly recommend this book. I love that the whole wheat recipes don't call for bread flour or another white flour. [Read more](#)

Published 20 months ago by lighthawaii

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**What Other Items Do Customers Buy After Viewing This Item?**



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★★★★★ (435)

\$13.54



**The Best Low-Fat, No-Sugar Bread Machine Cookbook Ever** by Madge Rosenberg Hardcover

★★★★☆ (17)



**Whole Grain Breads by Machine or Hand: 200 Delicious, Healthful, Simple Recipes** by Beatrice Ojakangas Paperback

★★★★★ (44)

\$15.29



**The Breadman's Healthy Bread Book** by George Burnett Hardcover

★★★★★ (31)

\$11.32

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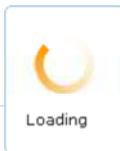
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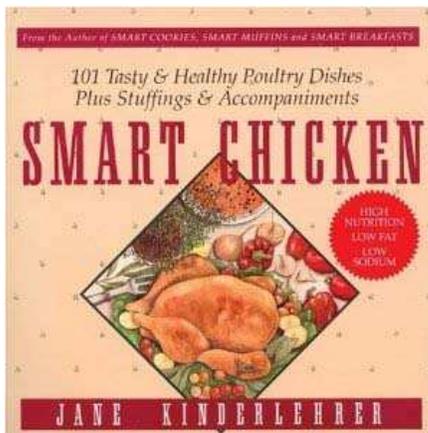
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### Smart Chicken: 101 Tasty and Healthy Poultry Dishes, Plus Stuffings and Accompaniments (Newmarket Jane Kinderlehrer Smart Food Series) [Paperback]

Jane Kinderlehrer (Author)

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### Book Description

Publication Date: June 1991 | Series: Newmarket Jane Kinderlehrer Smart Food Series

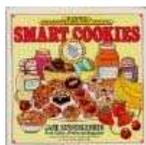
Recommended by Julia Child, these tasty offerings include roast capon with onions and prunes, chicken with pistachios and sweet rice, turkey and broccoli fritatta, Moroccan chicken stew and more.

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Smart Cookies: 80 Recipes for Heavenly, Healthful Snacking

## Editorial Reviews

### About the Author

Jane Kinderlehrer has more than forty years experience in cooking and nutrition. The author of Newmarket's classic Smart Food Cookbook series, she was the senior editor and food editor of Prevention for more than 20 years, a regular New York Times columnist, and is also the author of Confessions of a Sneaky Organic Cook and Cooking Kosher the New Way. She lives in Allentown, Pennsylvania.

## Product Details

**Paperback:** 192 pages

**Publisher:** Newmarket Pr; 1st edition (June 1991)

**Language:** English

**ISBN-10:** 1557040737

**ISBN-13:** 978-1557040732

**Product Dimensions:** 0.5 x 6.9 x 6.8 inches

**Shipping Weight:** 8.6 ounces

**Average Customer Review:** [Be the first to review this item](#)

**Amazon Best Sellers Rank:** #3,855,760 in Books ([See Top 100 in Books](#))

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[The Smart Baking Cookbook: Muffins, Cookies, Biscuits and Breads \(Jane Kinderlehrer's Smart Food\)](#) by Jane Kinderlehrer Paperback  
★★★★☆ (6)  
\$13.25

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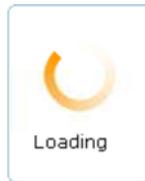
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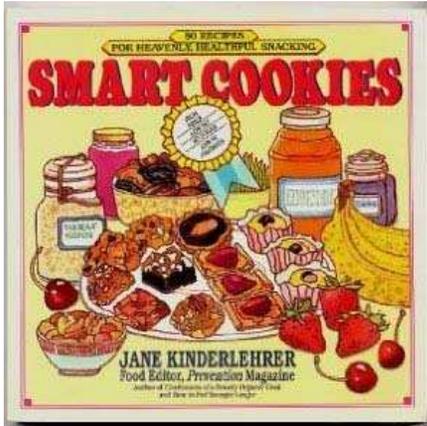
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## Smart Cookies: 80 Recipes for Heavenly, Healthful Snacking [Paperback]

Jane Kinderlehrer (Author)

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### Book Description

Publication Date: 1985

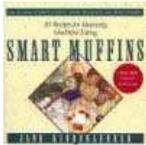
Features easy-to-make treats such as Chewy Apricot-Granola Bars, Date and Sesame Brownies, and Almond Kahlua Squares. Plus a special chapter for those allergic to milk, corn, wheat, eggs, or chocolate. 38 drawings.  
--This text refers to an out of print or unavailable edition of this title.

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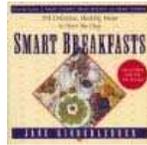
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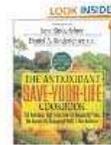
Smart Muffins: 83 Recipes for Heavenly, ...



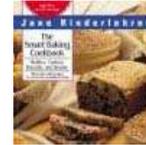
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## Editorial Reviews

### About the Author

Jane Kinderlehrer has more than forty years experience in cooking and nutrition. The author of Newmarket's classic Smart Food Cookbook series, she was the senior editor and food editor of Prevention for more than 20 years, a regular New York Times columnist, and is also the author of Confessions of a Sneaky Organic Cook and Cooking Kosher the New Way. She lives in Allentown, Pennsylvania. --*This text refers to an out of print or unavailable edition of this title.*

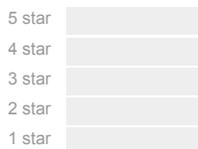
## Product Details

- Paperback:** 170 pages
- Publisher:** Newmarket Press; 1 edition (1985)
- Language:** English
- ISBN-10:** 0937858625
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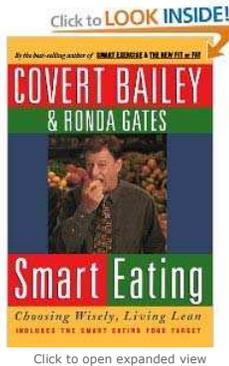
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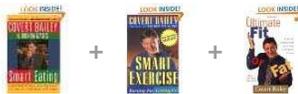
In this companion volume to his best-selling Smart Exercise, Covert Bailey teams with Ronda Gates to show you how to achieve and maintain your ideal weight without ever dieting. The secret is choosing the right foods, and the authors tell you exactly what your body needs. Especially useful is the unique Smart Eating Food Target, a pull-out diagram that grades foods according to their fat and fiber content. And the 200 recipes specifically keyed to the Food Target make it easy to cook meals that are as nutritious as they are tasty.

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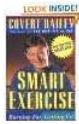
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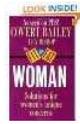
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From Library Journal

A companion to the best-selling Smart Exercise with an alternative to dieting. Copyright 1995 Reed Business Information, Inc. --*This text refers to an out of print or unavailable edition of this title.*

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When Covert Bailey speaks, millions listen. This minister of the "no-more-diet-disasters" regime (and author of five best-sellers, including *Fit or Fat*) now proselytizes for a new type of smart eating, one that targets low-fat, low-sugar, high-fiber, and balanced and varied meals. As always, his advice is eminently sensible. Only the 200 recipes, unfortunately, fall short; though most will be very acceptable to the mainstream American palate, few show any originality or much added taste or flavor--the reason, sadly, that many low-fat diets fail. Nonetheless, expect requests at the circulation counter because of his name. *Barbara Jacobs* --*This text refers to an out of print or unavailable edition of this title.*

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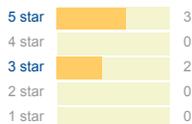
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★★★★☆ **Smart Eating?** July 17, 2000

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I learned a lot from this book but it really left me wanting to know more. His other books are much better. The recipes were not very exciting. I loved his other books and was dissappointed with this one.

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Not quite what I had expected for what the doctor and dietian requires. However, great for do0-it-yourselfer that needs all this information  
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Published 2 months ago by cher bear

This is the most sensible way to look at food I have discoverd. I've heard Gates lecture and it's too bad her diet plan strategy is not in the book (she reported Bailey "lost interest" in the "writing process" of the book so this was excuded. You can write to Gates c/o P. O. Box 974, Lake Oswego, OR 97034

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★★★★★ **Smart Eating!** May 9, 2011

By Susan K. Nye

Format: Hardcover | **Amazon Verified Purchase**

I love Covert Bailey! Even though he is now retired his books remain an inspiration. I have most all of them now and when I look back on all the diets I have tried and books I have purchased, his food and exercise life style is the best. I have lost 4 pounds, which is very tough just having gallbladder surgery! Buy his books, it will save your life!

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**Smart Eating Food Target** *follows page 24*

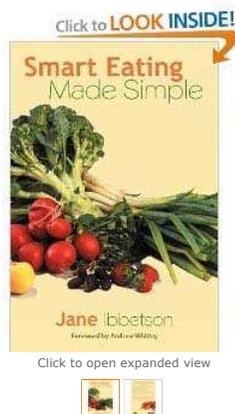
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**Editorial Reviews**

## About the Author

Jane Ibbetson, who holds a Master of Science in Nutrition, worked as educator and nutritional counselor for high-risk families. Jane and her husband live in Arizona and have 6 children and 12 grandchildren. Amazed that her parents completely changed their nutrition lifestyle, their youngest daughter says, "No one eats as healthy as my mom and dad."

**Product Details****Paperback:** 316 pages**Publisher:** AuthorHouse (April 6, 2012)**Language:** English**ISBN-10:** 1468566598**ISBN-13:** 978-1468566598**Product Dimensions:** 6 x 0.7 x 9 inches**Shipping Weight:** 1.1 pounds ([View shipping rates and policies](#))**Average Customer Review:** ★★★★★ (6 customer reviews)**Amazon Best Sellers Rank:** #1,115,485 in Books ([See Top 100 in Books](#))Did we miss any relevant features for this product? [Tell us what we missed.](#)Would you like to [update product info](#), [give feedback on images](#), or [tell us about a lower price](#)?**More About the Author**

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Jane Ibbetson, who holds a Master of Science in Nutrition, worked as educator and nutritional counselor for high-risk families. Jane and her husband live in Arizona and have 6 children and 12 grandchildren. Amazed that her parents completely changed their nutrition lifestyle, their youngest daughter says, "No one eats as healthy as my mom and dad."

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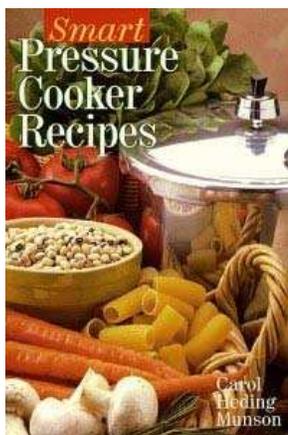
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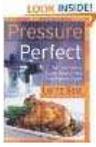
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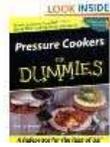
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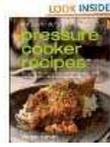
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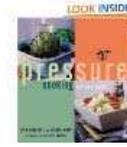
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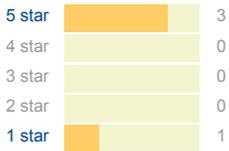
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The recipes are generally one page long, a few go on to a second page. The book is well edited so it's very readable and well laid out.

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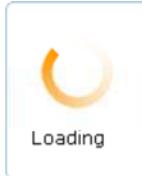
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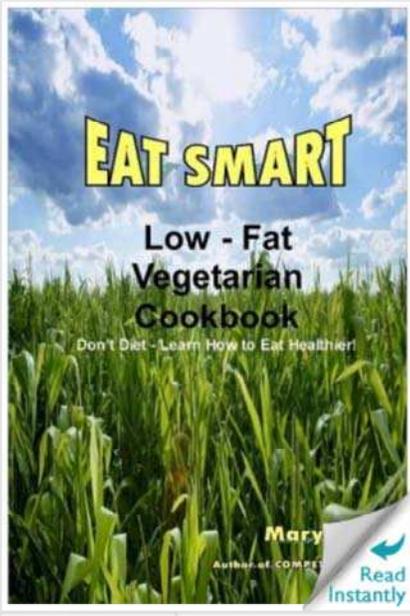
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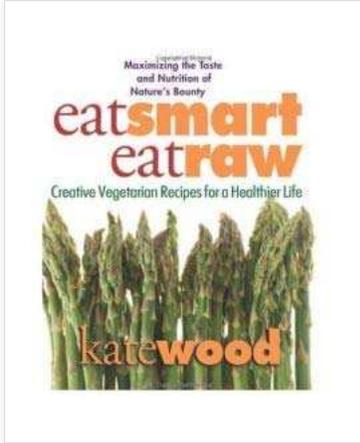
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## Eat Smart, Eat Raw: Creative Vegetarian Recipes for a Healthier Life

by Kate Wood

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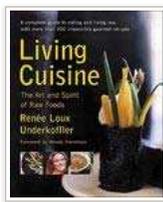
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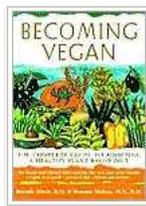
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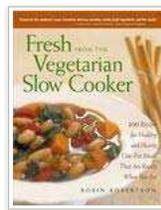
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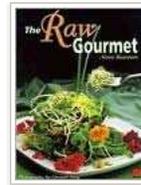
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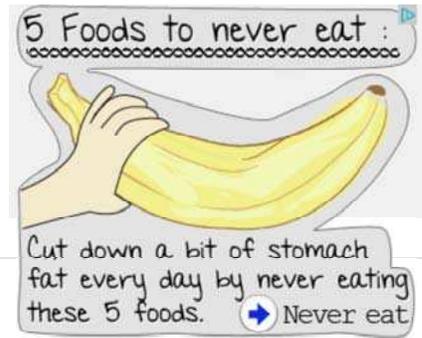
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how to get started, but also provides kitchen-tested recipes guaranteed to delight the fussiest of eaters.

*Eat Smart, Eat Raw* begins by explaining the basics of cooking without heat. This is followed by twelve chapters offering 150 recipes for truly exceptional dishes, including hearty breakfasts, savory soups, satisfying entrées, and luscious

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Wood, who says she eats raw food 90% of the time, presents raw recipes in a less demanding, more welcoming manner than purist devotees of the diet might. Many of the recipes require special ingredients and equipment such as a juicer or dehydrator, but Wood often tries to provide alternative options, even if they're not raw. The recipes are categorized by chapter in a way that would be familiar to anyone, running from breakfasts through desserts with a predictable emphasis on salads and dips, but the recipes themselves are a different story. Even when they are supposed to evoke a classic nonraw recipe like Pizza or Pad Thai, the result will

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## Meet the Author

*Kate Wood* has been a raw food vegetarian since 1993, and has worked to strengthen the network of raw food advocates throughout North America and the United Kingdom. A former editor of the raw foods magazine *Get Fresh*, Wood is the assistant editor of *Juno*, a parenting magazine. She also runs Raw Living, one of Europe's leading suppliers of raw foods, superfoods, and kitchen equipment. Wood lives in Brighton, England, with her husband and sons.

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by Graham Kerr, Sandy Silverthorne (Illustrator), Allyson Gofton (Photographer), Alan Gillard (Photographer)

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Full -color photographs and B & W drawings throughout.

Known to millions as the Galloping Gourmet, Graham Kerr presents an all-new collection of delicious, innovative recipes for today's health-conscious cooks that minimize risks and maximize flavors of our favorite foods. 100 recipes include preparation techniques, ingredients, substitutions, and nutritional profile. 100 full-color photographs; 100 line drawings.

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Kerr ( The Graham Kerr Cookbook ), television's garrulous "galloping gourmet," here joins rank with legions of other foodies in a quest for a contemporary culinary grail: low-fat, low-sodium, high-fiber cooking that still tastes good. With this eclectic collection of recipes, borrowing from cuisines as varied as Mexican, Puerto Rican and Thai, Kerr contributes some innovative ideas to elevate flavor while lowering fat, including cilantro pesto and the notion of cooking pasta (radiatore, in this case) *directly in the sauce, rather than in water.* Here as well is a hearty steak and oyster pie and an inventive—lower fat—version of rice pudding called "Joyce Brothers'.....

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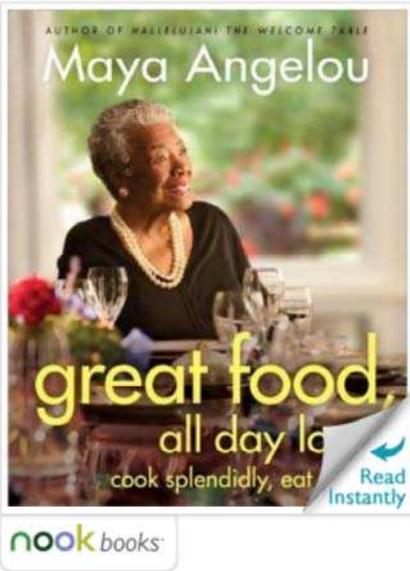
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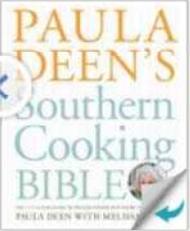
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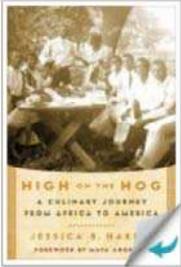
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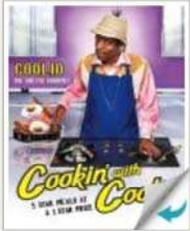
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*"At one time, I described myself as a cook, a driver, and a writer. I no longer drive, but I do still write and I do still cook. And having reached the delicious age of eighty-one, I realize that I have been feeding other people and eating for a long time. I have been cooking nearly all my life, so I have developed some philosophies."*

Renowned and beloved author Maya Angelou returns to the kitchen—both hers and ours—with her second cookbook, filled with time-tested recipes and the intimate, autobiographical sketches of how they came to be. Inspired by Angelou's own dramatic weight loss, the focus here is on good food, well-made and eaten in moderation. When preparing for a party, for example, Angelou says, "Remember, cooking large amounts of food does not mean that you are obligated to eat large portions." When you create food that is full of flavor, you will find that you need less of it to feel satisfied, and you can use one dish to nourish yourself all day long.

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### Editorial Reviews

#### Library Journal

In her second cookbook, poet Angelou (*Hallelujah! The Welcome Table: A Lifetime of Memories with Recipes*) provides such visually appealing recipes as Crown Roast of Pork and Roasted Vegetables along with photos to give readers ideas on how to present these dishes. There are plenty of meals for the family, e.g., Pumpkin Soup, California Green Chili and Cheese Pie, and Pork Tacos. Desserts include Crème Caramel and Pears in Port Wine. Recipes are written for the advanced cook who already knows, for example, how to sauté an onion in oil. Expect demand.

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### Meet the Author



Poet, writer, performer, teacher, and director **Maya Angelou** was raised in Stamps, Arkansas, and then moved to San Francisco. In addition to her bestselling autobiographies, beginning with *I Know Why the Caged Bird Sings*, she has also written a cookbook, *Hallelujah! The Welcome Table*, and five poetry collections, including *I Shall Not Be Moved* and *Shaker, Why Don't You Sing?*

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Margeurite Johnson  
Maya Angelou

**Date of Birth:**

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**Education:**

High school in Atlanta and San Francisco

**Place of Birth:**

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**Hometown:**

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## Read an Excerpt

A Brand-New Look

AT OLD LEFTOVERS

My mother dreamed that one day we would together compose a cookbook. In her dream I would cook the entree, then she would take what was left and show how it could be prepared in such wonderful ways that the family would not have any inkling that they were being served leftovers.

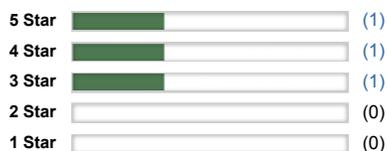
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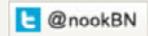
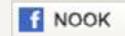
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