

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

FOR MARK: Y M

SERIALNo: 85280163

KATRINA BROWN

v.

ANTAR K. VAUGHN (Young Money Entertainment)

NOTICE OF OPPOSITION

Katrina Brown 17600 W. Eight Mile Rd STE 9 Southfield, Michigan 48075

The above –identified oppose believes that she will be damaged by registration mark shown in the above –identified application, and hereby opposes the same.

THE GROUNDS FOR OPPOSITION ARE AS FOLLOWS:

1. The applicant is **not** the owner of the design portion of the mark. The Opposer Katrina brown is the owner of the mark sought to be registered and has not given permission to the applicant to use the mark. (Y M)

04/30/2012 SWILSON1 00000012 85280163
See Ex. A Ex. B Ex. C
01 FC:6402 600.00 OP

2. The mark "Y M" **DOES NOT** belong to the applicant. Since long prior to January 01, 2010, Applicant's constructive first use date. Opposer, its predecessor have promoted and advertised the sale and distribution of service since September 03, 1999 bearing or offered in connection with Opposer's (Y M) mark including without limitation digital media, including without limitation pre-recorded digital video discs, apparel, and have sold or distributed such goods and rendered such services in commerce. See

Ex. B Ex. D

3. Applicant's Mark so resembles Opposer's (Y M) mark as to be likely, when used in connection with Applicant's good to cause confusion to cause mistake, and to deceive the trade and public, who are likely to believe that Applicant's goods have their origin



04-25-2012

with Opposer and /or that such goods are approved, endorsed or sponsored by Opposer or associated in some way with Opposer. Opposer would thereby be injured by the granting to Applicant a certificate of registration for Applicant's Mark.

4. The Applicant has a history/ reputation of copyright infringement, and for alleged unpaid royalties. See Ex. E Ex. F Ex. G Ex. H Ex. I Ex. J Ex. K

ADDITIONAL GROUNDS FOR OPPOSITION AS FOLLOWS:

The Applicant application contains fraudulent information on the grounds that the applicant failed to use his mark in commerce.

1. Upon information and belief, Applicant did not use, and is not currently using the Applicant's Mark for the goods and/or services covered in the Application in the United States commerce prior to his constructive first use date of January 01, 2010. See Ex. L **actual cd's enclosed THA CARTER IV**
2. Upon information and beliefs, Applicant verified with an affidavit or signed declaration under 37 C.F.R. 2.20: that **The substitute specimen was in use in commerce at least as early as the filing date of the application.** Trademark Act requires when submitting a substitute specimen an amendment to the date of use applicant must also verify the amended dates. 37 C.F.R. 2.71(c); TMEP 904.05. Please refer to USPTO office action issued on 06-27-2011
3. Applicant submitted one specimen the back of album cover THA CARTER IV claiming that the mark (**Y M**) is currently in use in commerce for each class of goods specified in the Applicant's Application. See Ex. M
4. Opposer submits four specimens of the album THA CARTER IV (front&back specimens) with no mark/logo (Y M) THA CARTER IV is currently in commerce at Best Buy, Target, Walmart, www.Amazon.com, and. www.coverdude.com See Ex. N Ex. O Ex. P Ex. Q
5. Opposer's specimens shows that the back of album THA CARTER IV DOES NOT have the Applicant's mark (Y M). Actual cd's currently in commerce is enclosed.
6. Applicant specimen has been altered the (Y M) Mark/ logo has been added onto the back of the album titled THA CARTER IV. The Applicant does not have clean hands. The dominant component of the Applicant mark See Ex. L, M Appears to have been traced from one or more of the Opposer's YM mark including, but not limited to as shown here Ex. C Suggesting an intent of Applicant to trade on Opposer's goodwill.

7. The Applicant album/specimen THA CARTER IV was released on 08-29-2011. See **Ex R**. So how could the applicant specimen be in commerce on 01- 01- 2010 when in actuality the album was not released until 08-29-2011.

8. The Applicant Lil Wayne Confirmed in an interview with MTV on July 11, 2011 that THA CARTER IV is finished and will be released on August 29,2011 See **Ex.S**

9. The Applicant THA CARTER IV deluxe edition tracking listing is enclosed. See **Ex.T** the Applicant album/specimen THE CARTER IV with bonus track of songs NOVACANE and I GOT SOME MONEY ON ME **DON'T** have the mark/logo (Y M) See **Ex.U** on www.coverdude.com **includes exclusive track no mark/logo**

10. The Opposer submits a copy of the release history of THA CARTER IV schedule release dates See **Ex.V**. The Opposer submits a copy of the response to the office action where the Applicant application has been amended serial no **85280163**. See **Ex.W**

12. On November 17, 2011 The Applicant signed the declaration and was hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any resulting registration.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant Mark and requests that the oppositions be sustained and said registration be denied.

Please address all communication to Katrina Brown at the address *listed below*.

Dated April 24, 2012

Respected submitted,

Katrina Brown (Opposer)

By: 

/Katrina Brown/

17600 West Eight Mile Rd. STE 9

Southfield, Michigan 48075

(248) 687-0195 (248) 630-5009

Ref No 85280163

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 25, 2012, I caused a true and complete copy of the foregoing Notice of Opposition to be sent via First Class Mail, postage prepaid to Applicant and Correspondent Attorney of Record, Antar K. Vaughn Garbett, Stiphany, Allen&Roza, P.A. 80 SW 8th Street Suite 3100 Miami, Florida 33130-3004

Dated: April 25, 2012

Southfield, Michigan

/Katrina Brown/

A handwritten signature in cursive script that reads "Katrina Brown". The signature is written in black ink and is positioned above a solid horizontal line.

/Katrina Brown/

EX.A

Katrina Brown
Owner



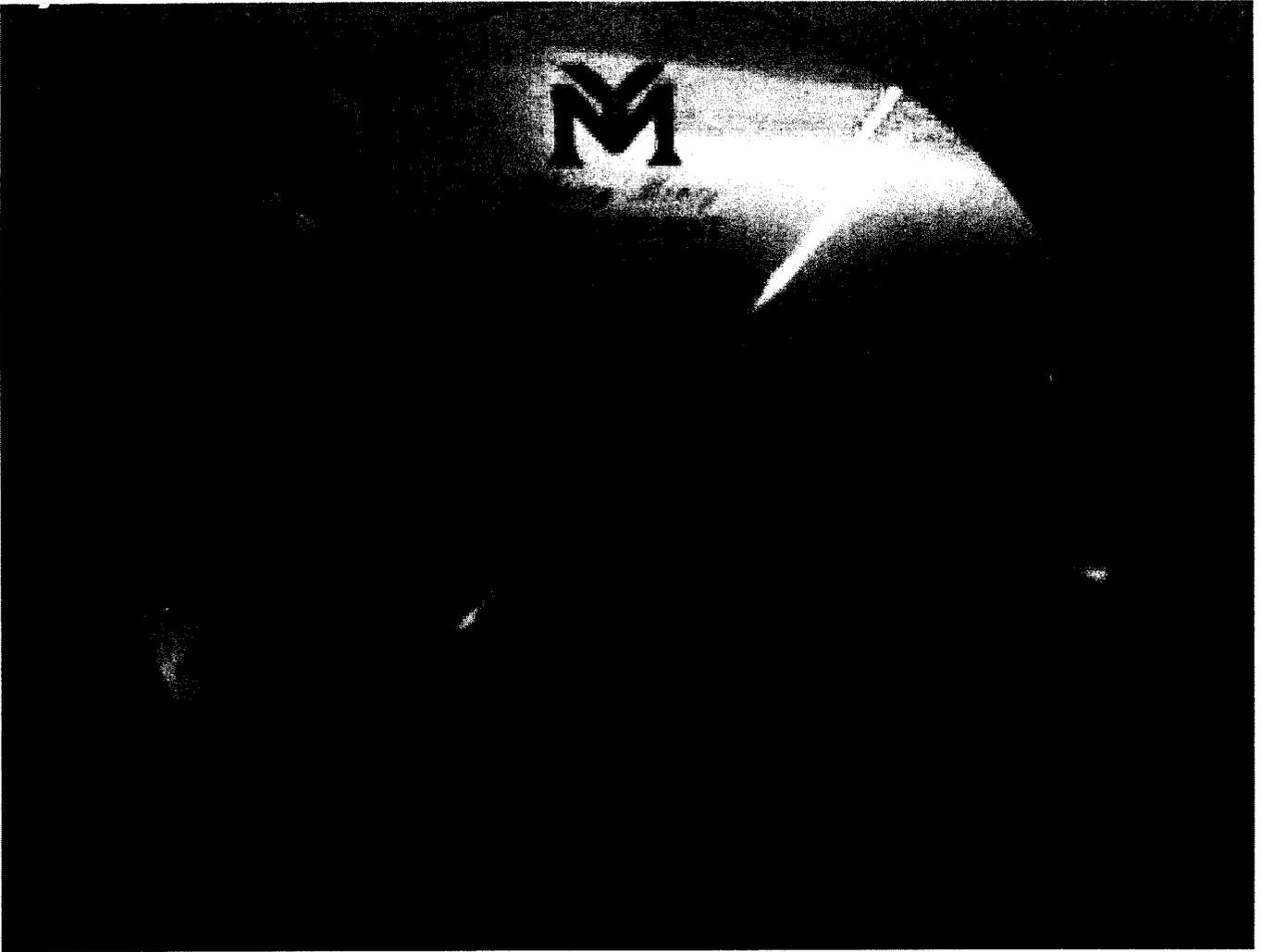
Young Money
ENTERTAINMENT

Young Money Entertainment
17600 W. 8 Mile Rd. Ste#3
Southfield, MI 48075

Ph. (248)569-8999
Cell (248)703-7775

Business CARDS
1999

Ex. B



In commerce since
09/03/1999

Exc

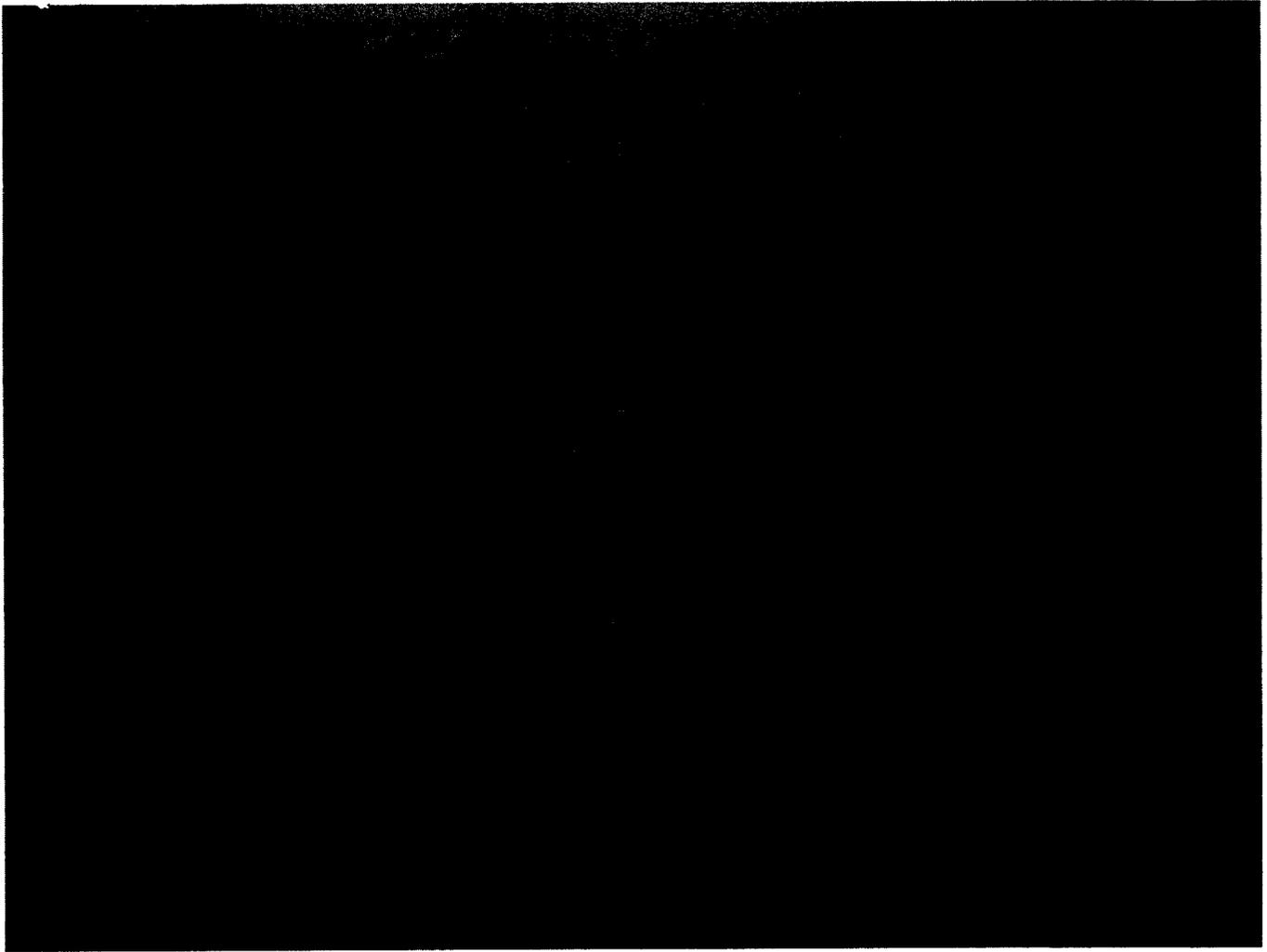
MM

First Used
07-21-1999

Young Money

ENTERTAINMENT

Ex. D



Pink T-shirts

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

In re Application Serial No. 77/878,225
Filed: November 21, 2009
For Mark: YM YOUNG MONEY ENTERTAINMENT (Stylized)
Published in the Official Gazette: September 14, 2010

-----X	:	
NEW YORK YANKEES PARTNERSHIP,	:	Opposition No.
	:	
Opposer,	:	<u>NOTICE OF OPPOSITION</u>
	:	
v.	:	
ANTHONY D. BROWNLEE,	:	
	:	
Applicant.	:	
-----X	:	

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Opposer, New York Yankees Partnership (“Opposer”), an Ohio limited partnership with offices at Executive Offices, Yankee Stadium, One East 161st Street, Bronx, New York 10451, believes that it will be damaged by registration of the stylized mark YM YOUNG MONEY ENTERTAINMENT shown below:



(“Applicant’s Mark”) for “Digital media, namely, pre-recorded video cassettes, digital video discs, digital versatile discs, downloadable audio and video recordings, DVDs, and high

currently using the logo in the center is their old logo and the logo on the right is just a cool variation of their old logo.



Mr. J. Medeiros - Old Man Perez

Nike Zoom Hyperdunk 11 Blake Griffin PE - New Images (Blog)

Video! The Mountain State Sale Sign"

Sport Recife Keep Delicias Kung Fu Kick To Back Of Opponent's I

Pill - The Plight of Pill Ep. 4

Nike Bespoke Program Headed Back to Nike Harajuku

Below, you will find all of the artists who are currently signed to Young Money Entertainment and the people who are affiliated with YME. Click on the artists name to view more information on them including their biography, discography and videography.

Siberian War Camp in THE DARK KNIGHT RISES?

How Do I - Don't Stop (Video)

Attack the Block opens in the US this weekend, here's where you can

Information on the Young Money Artists:



Lil Wayne

Real name: Dwayne Michael Carter Jr.

Place of birth: New Orleans, Louisiana, United States

Notes: Dwayne Michael Carter Jr, better known by his stage name Lil Wayne, is a music artist from New Orleans, Louisiana. He is the founder of Young Money Ent and joined Cash Money Records when he was a young teenager. Weezy has won four Grammy awards in his career and was also a part of the rap groups Hot Boys and Squad Up.



Cory Gunz

Real name: Cory Gunz

Place of birth: Bronx, New York City, United States

Notes: Cory Gunz, is a rapper from the Bronx in New York who has released seven mixtapes since the start of his career. Cory is the latest artist to sign to Young Money Ent and he is also signed to another label, Militia. Gunz's father is the rapper Peter Gunz, and Cory was featured on the original version of Lil Wayne's "A Milli" track.



Share

CMN News:

Me&Edward Metamorphosis

EX.G

Download Free Music Now!



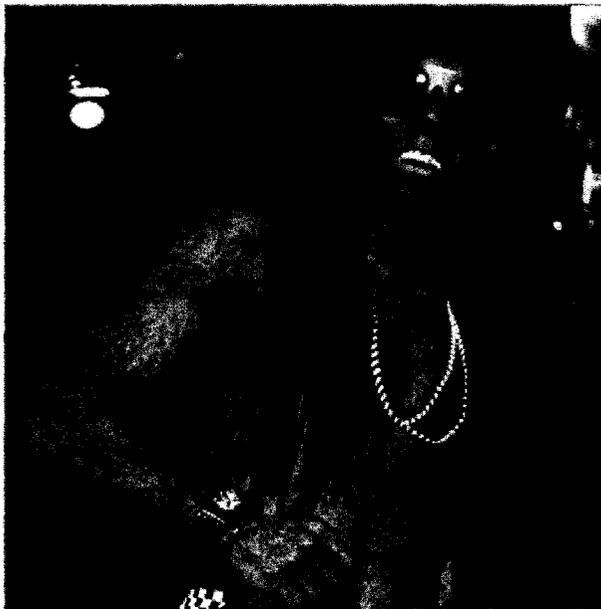
Shop | Mobile | Podcasts | RSS Feed

News Photos Video Fashion Police Red Carpet Movies Awful Truth Watch w/ Kristi

Lil Wayne Faces \$15 Million Lawsuit Over Hit Song "Bedrock"

Thu., Aug. 4, 2011 5:30 PM PDT by BRUNA NESSIF

Like Send 152 likes. Sign Up to see what your friends like.



Courtesy of Erik Kabik / RETNA / Hard Rock Hotel & Casino

Who knew that making beds rock could cost you \$15 million?!

Lil Wayne, along with Universal Music Group, ~~and Young Money Entertainment~~, was ~~cleared with a lawsuit by Done Deal Enterprises claiming the rapper stole the 2009 hit song "Bedrock."~~

The track, included on Young Money Entertainment's 2010 compilation CD *We Are Young Money*, features artists Drake, Nicki Minaj and Lloyd and reached No. 2 on the Billboard Hot 100.

READ: Was Ex-Big Brother Champ Really Sued for Same-Sex Fetish Role-Playing?!

~~The Georgia-based production group is asking for a \$15 million payout for copyright infringement, and~~
~~Drayton Carter Jr. (Wayne's birth name) has been ordered to appear in court on Oct. 12.~~

But that's not all.

~~Wayne is also facing legal trouble for alleged unpaid royalties to the production duo Play-N-Skillz from a~~
~~collaboration with T-Pain and a suit from producer David Kirkwood for outstanding payments and~~
~~royalties.~~

Don't worry. Like Weezy said, "They can't stop me. Even if they stopped me."

And he was serious.

Ex. H



TOP STORIES 1 of 4



Nas Toasts Rick Ross' 'Stay Schemin' ' Sample



Katy Perry Debuts Darker Locks, '90s Style At Coachella



'Mad Men' Takes A Turn For The Geeky

Mar 23 2011 9:42 AM EDT 16,640

Lil Wayne Sued For \$20 Million By 'Lollipop' Producer Producer Deeze says he hasn't gotten his fair cut of the song's sales.

Sign In

By Gil Kaufman [music videos](#) [full episodes](#) [tv schedule](#) [artists a-z](#) [movie trailers](#) [style](#) [online games](#) [mobile](#) [shop](#)



Lil Wayne
Photo: Frederick M. Brown/ Getty Images

shows news movies

SEARCH

GO WEB

It's almost a given. An artist scores a major hit that sells millions of records and a short time later is sued by someone either claiming he or she actually wrote the song or worked on it and didn't get a fair slice of the pie.

Cue the lawsuit from **Deeze**, who has filed suit against Lil Wayne, Young Money/ Cash Money Records and **Harrison** over the sales of Lil Wayne's album, *Tha Carter III*.

According to TMZ, the \$20 million lawsuit claims that Deeze, who says he produced "Whip It," "Prostitute 2," "Action," "Mrs. Officer" and "Let the Beat Build" as well as "Lollipop," is entitled to his cut of royalties on the reported \$70 million the album has grossed on sales of 6 million copies.

Lollipop hit #1 on the *Billboard* Hot 100, and had won a Grammy for Best Rap Song. **Harrison** claims that he and **Deeze** were not paid royalties from the sales of "Mrs. Officer."

The liner notes to *Carter* list Harrison as a co-producer along with Jim Jonsin on "Lollipop" and as the recording engineer on most of the other songs on the disc. A spokesperson for Wayne and Young Money/ Cash Money could not be reached for comment at press time on the lawsuit.

In the meantime, Wayne has been working on putting the latest member of his crew into the spotlight: Lil Twist.

"That's where I get my little oomph from, when I bring my whole clique out there, and I want them to be heard," Wayne told MTV News last week. "I remember when [Bad Boy] had Total, Biggie, Ma\$e, Junior Mafia, all of them other people. Then you think of the Roc. We're more so like the Roc. 'Cause Jay always had artists the world didn't know, but he put them on the proper song and everybody knows the song. But this time around, I want you to know the song, I want you to know the person, I want you to know us. And it's no secret about it, I got the toughest team in the game right now and later."

ARTIST PAGES



Lil Wayne

COMMENTS

Join the conversation ...



Ex.I

Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036

(212) 790-9200 Tel
(212) 575-0671 Fax
www.cll.com

Meichelle R. MacGregor
(212) 790-9259
mrm@cll.com

January 11, 2011

By Electronic Filing

Commissioner for Trademarks
ATTN: TTAB
P.O. Box 1451
Alexandria, VA 22313-1451

Re: New York Yankees Partnership's
Notice of Opposition Against Anthony D. Brownlee's
Application to Register
YM YOUNG MONEY ENTERTAINMENT
Attorney Ref. No. 21307.033

Dear Commissioner:

We enclose a Notice of Opposition against Application Serial Number 77/878,225 published in the Official Gazette on November 21, 2009. Contemporaneously with the electronic filing of this Notice of Opposition, we are arranging for an electronic payment in the amount of \$300 to cover the filing fee.

If the amount received is insufficient and additional fees are required, please charge our Deposit Account No. 03-3415.

Please address all future correspondence to the attention of Mary L. Kevlin, Esq. of Cowan, Liebowitz & Latman, P.C.

Respectfully submitted,

/Meichelle R. MacGregor/

Meichelle R. MacGregor

Enclosures

cc: Diane Kovach (with encls.)
Mary L. Kevlin (with encls.)



Young Money
ENTERTAINMENT

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2011-07-26 14:55:56 ET

Serial Number: 77878225 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: (NOT AVAILABLE)

Mark



(words only): YM YOUNG MONEY ENTERTAINMENT

Standard Character claim: No

Current Status: ~~Abandoned~~ after an inter partes decision by the Trademark Trial and Appeal Board. For further information, see TTABVUE on the Trademark Trial and Appeal Board web page.

Date of Status: 2011-04-11

Filing Date: 2009-11-21

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 107

Ex. K

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

In re Application Serial No. 77/878,225
Filed: November 21, 2009
For Mark: YM YOUNG MONEY ENTERTAINMENT (Stylized)
Published in the Official Gazette: September 14, 2010

-----X	:	
NEW YORK YANKEES PARTNERSHIP,	:	Opposition No. 91198150
	:	
Opposer,	:	
	:	
v.	:	
	:	
ANTHONY D. BROWNLEE,	:	
	:	
Applicant.	:	
-----X	:	

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION FOR DEFAULT JUDGMENT

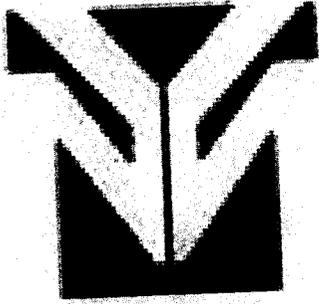
MOTION

Pursuant to Trademark Rule 2.106(a), Opposer hereby moves for a default judgment in this proceeding because Applicant has failed to file a timely answer. In the alternative, should this proceeding be reopened, Opposer requests that the discovery and trial periods be reset.

MEMORANDUM

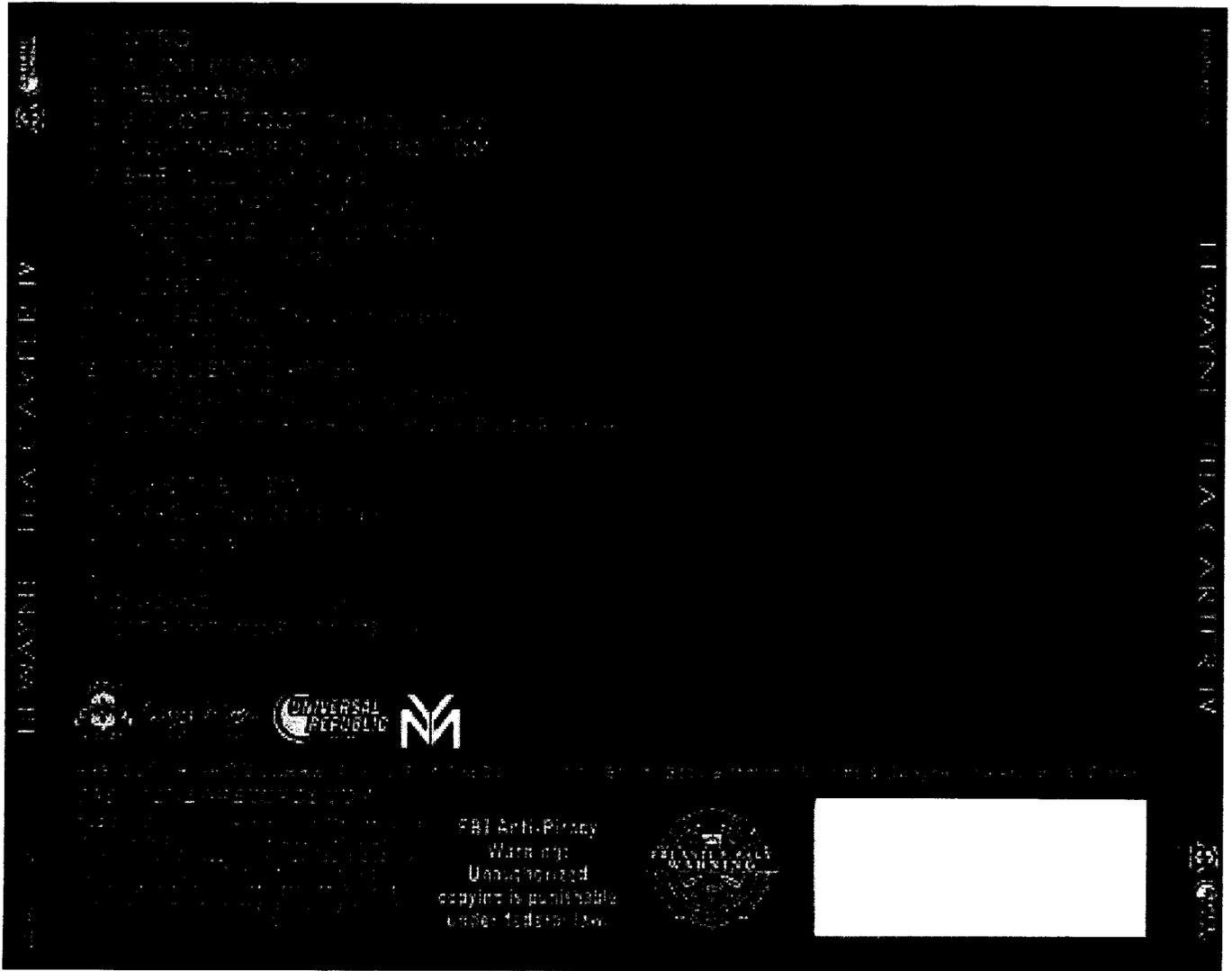
Opposer's motion for default judgment should be granted because Applicant has failed to submit an answer to the Notice of Opposition. The order instituting this opposition was mailed by the Board on January 11, 2011. Pursuant to that order, Applicant's answer was due on

Ex. L



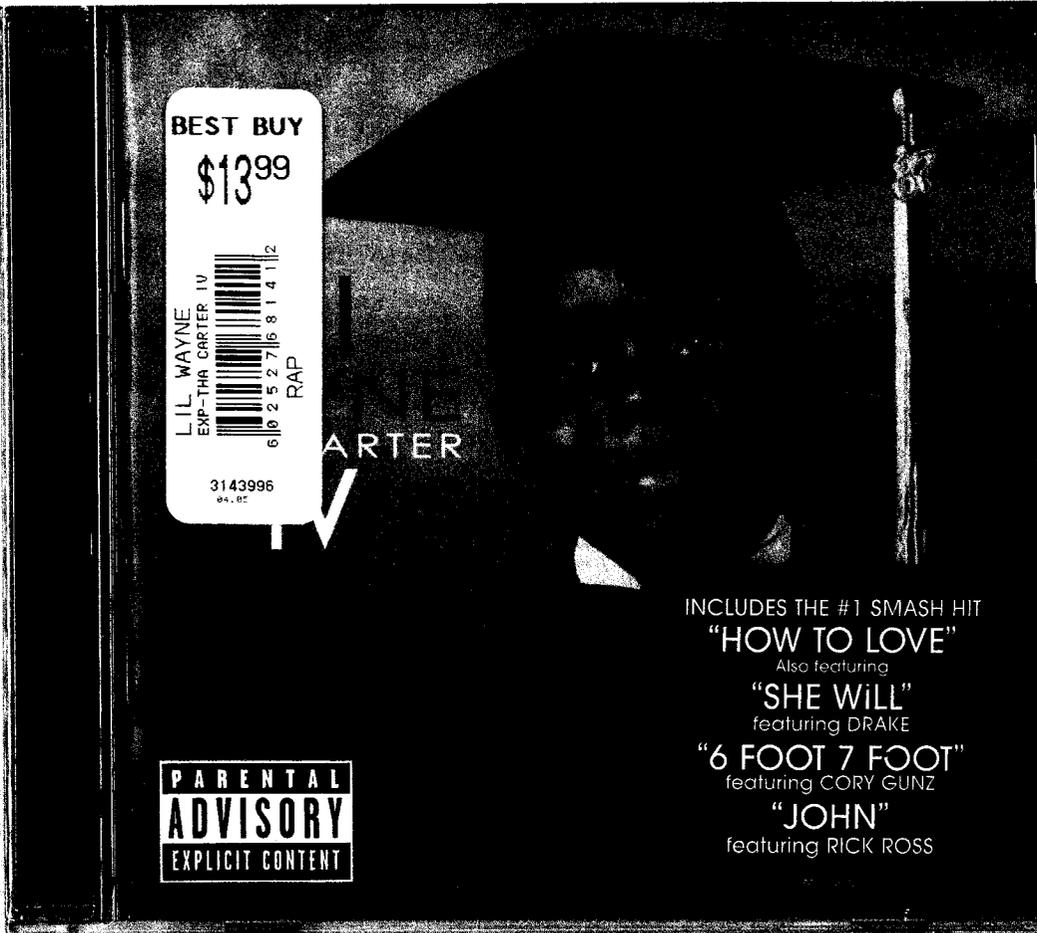
Applicant 1st specimen
Submitted to uspto Ex. L

Ex. M.



Ex. M
 Applicant Specimen Submitted
 to U.S.P.T.O. (Altered)
 SIGN

EX. N



Ex. N Front copy of the CD titled
The Carter IV

Ex. 0. Copy of the Back of the cd titled
THA CARTER IV

1. INTRO
2. BLUNT BLOWIN
3. MEGAMAN
4. 6 FOOT 7 FOOT Feat. Cory Gunz
5. NIGHTMARES OF THE BOTTOM
6. SHE WILL Feat. Drake
7. HOW TO HATE Feat. T-Pain
8. INTERLUDE Feat. Tech N9ne
9. JOHN Feat. Rick Ross
10. ABORTION
11. SO SPECIAL Feat. John Legend
12. HOW TO LOVE
13. PRESIDENT CARTER
14. IT'S GOOD Feat. Jadakiss, Drake
15. OUTRO Feat. Bun B, Nas, Shyne, Busta Rhymes



EXECUTIVE PRODUCERS: Ronald "Slim The Don" Williams, Bryan "Baby Bitch" Williams & Dwayne "The President" Carter

CASHMONEY-RECORDS.COM

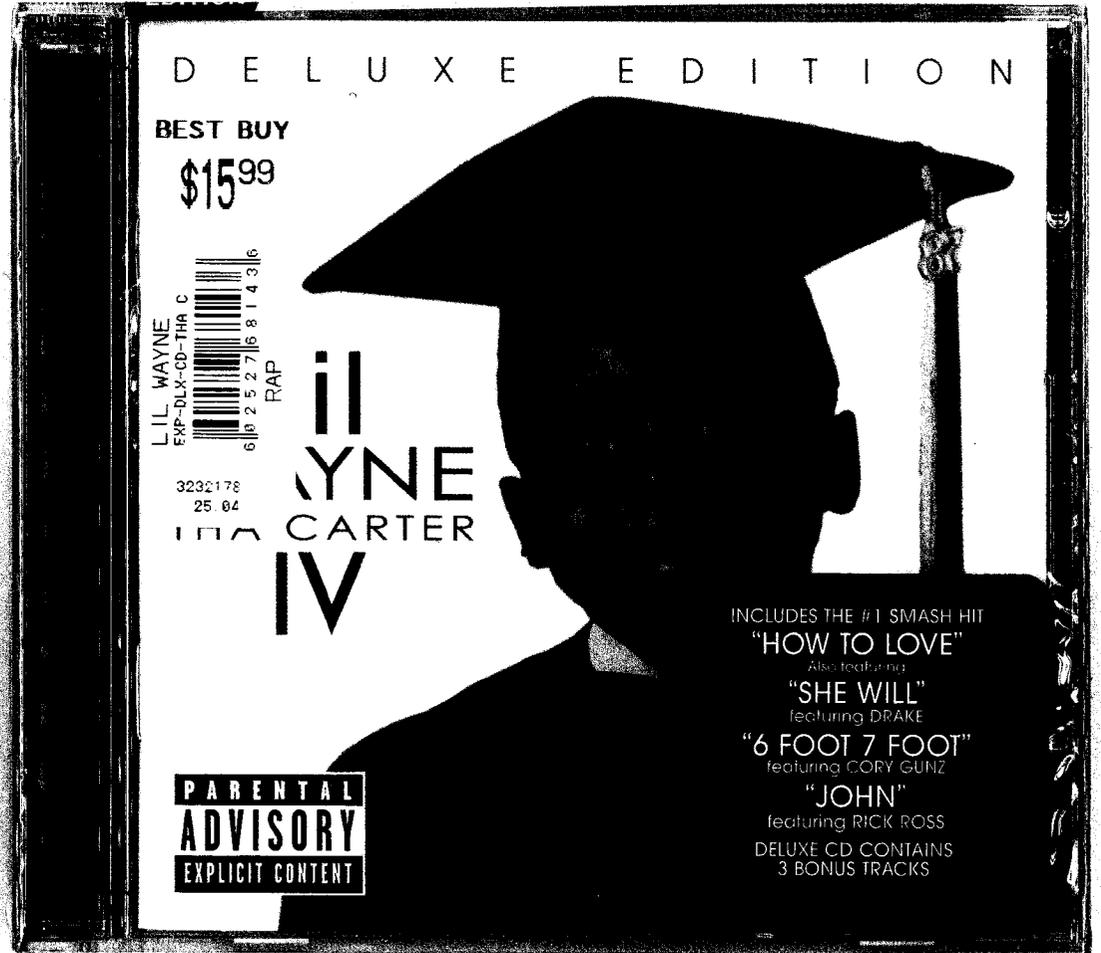
©2007 Cash Money Records, Inc. Manufactured and Marketed by Universal Republic Records, a Division of UMG Records, Inc. U.S. Patent No. 6,718,019. Disc manufactured by Universal Music Distribution. All rights reserved. FBI Anti-Piracy Warning: Unauthorized copying is punishable under federal law. E00257681412

**FBI Anti-Piracy
Warning:
Unauthorized
copying is punishable
under federal law.**



BACK

Ex P Front Copy of DELUXE EDITION of
THA CARTER IV



Ex Q. BACK copy of the cd titled DELUXE EDITION THA CARTER IV

1. INTRO
 2. BLUNT BLOWIN
 3. MEGAMAN
 4. 6 FOOT 7 FOOT Feat. Cory Gunz
 5. NIGHTMARES OF THE BOTTOM
 6. SHE WILL Feat. Drake
 7. HOW TO HATE Feat. T-Pain
 8. INTERLUDE Feat. Tech N9ne
 9. JOHN Feat. Rick Ross
 10. ABORTION
 11. SO SPECIAL Feat. John Legend
 12. HOW TO LOVE
 13. PRESIDENT CARTER
 14. IT'S GOOD Feat. Jadakiss, Drake
 15. OUTRO Feat. Bun B, Nas, Shyne, Busta Rhymes
- CD TRACKS
16. I LIKE THE VIEW
 17. MIRROR Feat. Bruno Mars
 18. TWO SHOTS



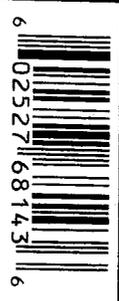
Cash Money



EXECUTIVE PRODUCERS: Earl "Slim" Taylor, Williams, Ruzar, Gary Brown, Williams & Wayne, The President Carter
CASHMONEYRECORDS.COM

© 2011 Cash Money Records, Inc. The "I Like the View" and "Mirror" are trademarks of Cash Money Records, Inc. All other trademarks are the property of their respective owners. "I Like the View" and "Mirror" are registered trademarks of Cash Money Records, Inc. All other trademarks are the property of their respective owners. "I Like the View" and "Mirror" are registered trademarks of Cash Money Records, Inc. All other trademarks are the property of their respective owners.

FBI Anti-Piracy Warning:
Unauthorized copying is punishable under federal law.



Ex. R

Tha Carter IV

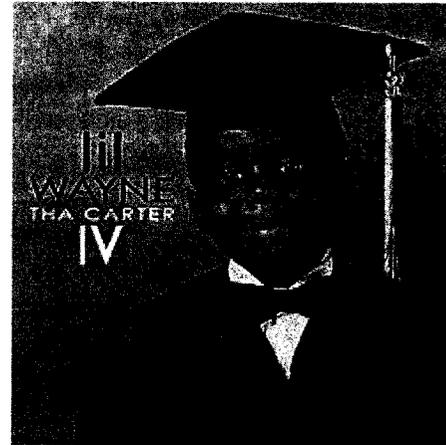
From Wikipedia, the free encyclopedia
(Redirected from Carter IV)

Tha Carter IV is the ninth studio album by American rapper Lil Wayne, released on August 29, 2011 through Young Money Entertainment, Cash Money Records and Universal Republic Records. Recording sessions for the album began in late 2008, shortly after Lil Wayne's sixth studio album, *Tha Carter III* (2008) was released to strong sales and critical acclaim: however, the sessions were put on hold, as Lil Wayne claimed he did not want to follow an album he held in high regard so quickly with another, potentially inferior release. In the interim, Lil Wayne released two other solo albums: the largely rock-themed *Rebirth* (2010) and *I Am Not a Human Being* (2010). The latter was reportedly composed from unreleased material from the original *Tha Carter IV* sessions, as the album was released whilst Wayne served a prison sentence at Rikers Island prison for illegal possession of a weapon, and was thus unable to record any new material: this also meant *Tha Carter IV*'s recording sessions were once more put on hold.

Following Wayne's release from prison, the album was re-recorded from scratch. The recording sessions resumed at various locations, involving several record producers including Bangladesh, Detail, T-Minus, Noah "40" Shebib, Polow da Don, Jim Jonsin, Kane Beatz, Boi-1da, Willy Will, StreetRunner, Cool & Dre, Young Ladd, The Smeezingtons, and Kanye West. The album's largely concerns the themes of sex, violence, drugs and crime, but also love, hurt and emotional conflict. Appearances on the album include Cory Gunz, Drake, T-Pain, Tech N9ne, Andre 3000, Rick Ross, John Legend, Bruno Mars, Birdman, Kevin Rudolf, Jadakiss, Bun B, Nas, Shyne, and Busta Rhymes.

* Following a heavily delayed release, *Tha Carter IV* was released to digital retailers at midnight on August 29, 2011, following Wayne's scheduled performance at the BET Hip Hop Awards, and physical retailers received the album the following day. *Tha Carter IV* achieved first week sales of 964,000 copies in the United States and became Lil Wayne's second album to top the US Billboard 200 in its first week. The album received generally mixed reviews from music critics, who were divided in their responses

Tha Carter IV



Studio album by Lil Wayne

Released August 29, 2011

Recorded October 2008 – July 2011

Genre Hip hop

Length 60:30

Label Young Money, Cash Money, Universal Republic

Producer Lil Wayne (exec.), Cortez Bryant (exec.), Ronald "Slim" Williams (exec.), Birdman (exec.), Willy Will, Bangladesh, Detail, Ramon REO Owen, T-Minus, Polow da Don, Develop, Kenoe, Cool & Dre, Infamous, Rob Holladay, Snizzy, MegaMan, Young Fyre, The Commission, Drum Up

Lil Wayne chronology

<i>I Am Not a Human Being</i> (2010)	<i>Tha Carter IV</i> (2011)
---	--------------------------------

Singles from *Tha Carter IV*

towards the album's production and Wayne's own performances on the album: they felt it a disappointment compared to his previous work. In an interview with *XXL*, Lil Wayne hinted that the album might be his last.^[1]

On November 16, 2011, the album was certified double platinum by the Recording Industry Association of America, for shipments of two million copies in the United States.^[2]

1. "6 Foot 7 Foot"
Released: December 16, 2010
2. "John"
Released: March 24, 2011
3. "How to Love"
Released: May 31, 2011
4. "She Will"
Released: August 16, 2011
5. "It's Good"
Released: September 13, 2011
6. "Mirror"
Released: November 1, 2011

Contents

- 1 Background and development
- 2 Singles
- 3 Reception
 - 3.1 Commercial performance
 - 3.2 Critical response
- 4 Track listing
- 5 Personnel
- 6 Charts and certifications
 - 6.1 Charts
 - 6.2 Certifications
- 7 Release history
- 8 References

Background and development

In June 2008, after a similarly delayed release, Lil Wayne released his previous album in the *Tha Carter* series, *Tha Carter III* (2008). The album sold 964,000 copies in its first week of sales in the United States, and produced three top ten singles in the US, including the number one-hit "Lollipop". The album became the highest selling of the year in the United States.^[3] In a September 2008 interview with Shaheem Reid of MTV Mixtape Monday, Lil Wayne revealed that he had begun work on his next official mixtape, *Dedication 3* (2008) and also confirmed a sequel to *Tha Carter III*, titled *Tha Carter IV*.^[4] Initial recording sessions for the album began in early October 2008,^[5] but these were put on hold, as later that month Wayne claimed that he did not want the album to follow *Tha Carter III* immediately.

No more information emerged on the album until October 2009, when Cash Money Records CEO Birdman reported that Wayne would release three studio albums on December 15, 2009: *Tha Carter IV*, *Rebirth*, an album currently being promoted as Wayne's debut rock music album, and *We Are Young Money*, a collaborative recording with members of Wayne's record label, Young Money Entertainment.

^[6] However, it was later confirmed that *Rebirth* and *We Are Young Money* would be released separately

^[7] **and that *Tha Carter IV* would be released in 2011.** ^[8] *Tha Carter IV* was going to be released in late

May,^[9] but was pushed back to June. Mack Maine confirmed that the album's release was postponed because they still needed time to make it perfect.^[10] On June 2, 2011, the album was pushed back further, and the album was due for release on August 29, 2011.^[11]

The album's cover was released to the internet on April 19, 2011.^{[12][13]} A deluxe edition has been confirmed for *Tha Carter IV*, with the album's cover being released to the internet as well.^[14]

Also the track "Dear Anne (*Stan Part 2*)" (originally "Anne") was originally supposed to be on *Tha Carter IV* but has since then been removed from the album. Lil Wayne recently said in an interview with XXL that he was not a fan of "Dear Anne" and that it was originally planned to appear on *Tha Carter III*. On July 8, 2011, producer Swizz Beatz hinted at Wayne possibly re-recording a new version of Anne, after he had said the verses were too "old".^[15]

On June 13, 2011, a track called "Nightmares of the Bottom" from *Tha Carter IV* was confirmed on MTV's Unplugged by Lil Wayne performing live.^[16] ~~On July 11, 2011, Lil Wayne confirmed in an interview with MTV that *Tha Carter IV* is finished and will be releasing on August 29, 2011.~~^[17] On August 7–8, 2011 videos of Lil Wayne recording a song called "She Will" and featuring Drake was posted online and would be on the album. The song was released on the Internet on August 12, 2011.^[17] HipHollywood released a YouTube video about T-Pain giving a song to Lil Wayne for his album called, "How to Hate," confirming that it will be on the album.

Singles

The album's lead single, "6 Foot 7 Foot", which features Cory Gunz, was released on December 16, 2010.^[18] It peaked at nine on the US *Billboard* Hot 100 and at two on both the US Hot R&B/Hip-Hop Songs chart and US Rap Songs chart, in addition to reaching the top fifty in Canada. The video made premieres on MTV on March 3, 2011 and on BET's *106 & Park* on March 4, 2011. The video (directed by Hype Williams) was inspired by the film *Inception*, and consists of numerous scenes which visualize many of the metaphors and similes Wayne says in the song.^[19]

"John", which features Rick Ross was released as the second single on March 24, 2011^[20] and debuted at twenty-two on the US Hot 100. It also reached nineteen on US R&B charts and twelve on US Rap charts. The official music video was released on VEVO on May 12, 2011. The video also featured a cameo by Birdman and was directed by Colin Tilley, director of "Look at Me Now" by Chris Brown, and No Sleep by Wiz Khalifa.

"How to Love" was released as the third single on May 31, 2011.^[21] It had peaked at number five on the US Hot 100, becoming Wayne's fourteenth top ten hit and the best performing single from the album. It also peaked at number two on US R&B charts and number two on US Rap charts, in addition to reaching the top forty in Canada and top fifty in the UK. Detail, the song's producer, claimed Lil Wayne used no Auto-Tune in the song;^[22] And it is evident that he did not. The music video (directed by Chris Robinson) premiered August 23, 2011 on MTV Jams as "Jam of the Week".^{[23][24]}

The fourth single, "She Will", which features Drake, was released on the internet on August 12, 2011.^[25] The song previously was to be titled "Maybe She Will", and originally featured a verse from Rick Ross, however it did not make the final cut.^{[26][27]} The single released on digital download format in the United States on August 16, 2011.^[28]

Ex. I

Slant Magazine's Matthew Cole commented that the album's production "chases trends far more often than it attempts to set them" and found Wayne "not in exhilarating top form," noting "how slack the verses on *Tha Carter IV* are in comparison to his best work".^[42] Pitchfork Media's Ryan Dombal commented that "his delivery has slackened" and stated, "Almost everything about Wayne is relaxed, regurgitated, or regressing here."^[40] *Los Angeles Times* writer Jeff Weiss viewed his lyrics as "predictable" and called the album "more pedestrian than embarrassing."^[38] Julian Benbow of *The Boston Globe* noted a lack of "playful wit that made Wayne so interesting to begin with" and called the album "bland and aimless," writing that "it comes off monotonous and redundant but, more than that, uninspired."^[48] Andy Hutchins of *The Village Voice* called it "a bad rap album" and criticized its music as "a composition of a lot of rapping styles Wayne's dabbled in and production styles that have been bubbling in rap for some time, except little of it clicks."^[44] Sputnikmusic's Tyler Fisher called the album "a mixed bag" and wrote that "Wayne indulg[es] all his musical urges to extremely varying success."^[49] Jo Fuertes-Knight of *NME* noted "filler" and "painting-by-numbers", commenting that the album "flops not because it's straight-up bad, but because it's boring."^[50]

However, *Rolling Stone* writer Rob Sheffield stated, "it's thrilling how unhinged Weezy sounds", adding that "even the failed moments sound like nobody else".^[41] Adam Fleischer of *XXL* found Wayne limited in his themes, but complimented his "witty abstractions" and stated, "Even with some lack of vulnerability and risk, *Tha Carter IV* displays the nonsensical approach that fans have grown to love."^[51] Allmusic editor David Jeffries stated, "If *II* and *III* were the arguable masterpieces, this one is less convincing, but it is a solid, above average hip-hop album".^[35] Evan Rytlewski of *The A.V. Club* noted "great rapping" from guest artists and stated, "Pristine production and brisk pacing go a long way toward compensating for Wayne's linguistic rut, as do the album's many savvy guest spots."^[52] Jon Caramanica of *The New York Times* also expressed that "everyone else [...] brings their A game" and stated, "even on this album's weak tracks, and there are several, [Wayne] remains a commanding presence, deploying just enough of his insistent croak to tether the song together."^[39] BBC Music's Mike Diver stated, "an average Lil Wayne album still outshines the efforts of many a contemporary, and at its best [...] this set is a riveting listen."^[53]

Track listing

No.	Title	Writer(s)	Producer(s)	Length
1.	"Intro"	Dwayne Carter, Jr., Willie Hodge, Jermaine Preyan	Willy Will	2:52
2.	"Blunt Blowin"	Carter, Bigram Zayas, Matthew Arthur DelGiorno Andrew Canton	Develop, Filthy (co.)	5:12

- | | | | |
|--|--|--|------|
| 3. "MegaMan" | Carter,
Orville
Mcwhinney | MegaMan | 3:18 |
| 4. "6 Foot 7
Foot" (featuring Cory
Gunz) | Carter,
Peter
Panky, Jr.,
Seandrae
Crawford,
William
Attaway,
Irving
Burgie | Bangladesh | 4:08 |
| 5. "Nightmares of the
Bottom" | Carter, Ben
Vaughn,
Maurice
Jordan,
Preyan | Keshown
"Golden
Child"
Cassell | 4:41 |
| 6. "She Will" (featuring
Drake) | Carter,
Aubrey
Graham,
Tyler
Williams | T-Minus | 5:05 |
| 7. "How to
Hate" (featuring T-
Pain) | Carter,
Faheem
Najm,
Tremaine
Winfrey | Young Fyre,
Andrew
Lloyd (add.) | 4:38 |
| 8. "Interlude" (performed
by Tech N9ne) | Carter,
Aaron
Yates,
Hodge,
Preyan | Willy Will | 2:01 |
| 9. "John" (featuring Rick
Ross) | Carter,
William
Roberts II,
Jamal
Jones, Rob
Holladay,
Kevin
Crowe,
Erik Ortiz | Polow da
Don, Rob
Holladay | 4:46 |
| 10. "Abortion" | Carter,
Hacker,
Preyan | The
Commission,
StreetRunner
(add.) | 3:43 |
| 11. "So
Special" (featuring
John Legend) | Carter,
Andre
Lyon,
Marcello
Valenzano, | Cool & Dre | 3:52 |

	Eddie Montilla		
12. "How to Love"	Carter, Noel Fisher, LaMar Noel Seymour, "Detail" LaNelle Fisher, 4:00 Seymour, Drum Up Preyan, Marcus Boyd		
13. "President Carter"	Carter, Angel Aponte, Marco Rodriguez	Angel "Onhel" Aponte, Infamous	4:15
14. "It's Good" (featuring Jadakiss and Drake)	Carter, Graham, Jason Phillips, Lyon, Valenzano, B. Pickens, Alan Parsons, Eric Woolfson	Young Ladd, Cool & Dre	4:01
15. "Outro" (performed by Bun B, Nas, Shyne and Busta Rhymes)	Carter, Hodge, Bernard Freeman, Nasir Jones, Jamal Barrow, Trevor Smith, Jr., Preyan, Ben-David	Willy Will	3:52

Total length: 60:30

Deluxe edition bonus tracks

No.	Title	Writer(s)	Producer(s)	Length
16.	"I Like the View"	Carter, Lyon, Valenzano	Cool & Dre	4:41
17.	"Mirror" (featuring Bruno Mars)	Carter, Peter Hernandez, Phillip Lawrence, (add.)	REO of The Soundkillers, The Smeezingtons	3:48

18.	"Two Shots"	Ramon Owen Carter, Thomas Wesley Pentz, Derek Allen	Diplo, DJA (add.)	2:44
Total length:				71:44
iTunes Store bonus track				
No.	Title	Writer(s)	Producer(s)	Length
19.	"Up Up and Away"	Carter, Brandon Deener, Timothy Mosley	Wizz Dumb, Timbaland	3:53
Target bonus tracks				
No.	Title	Writer(s)	Producer(s)	Length
19.	"Novacane" (featuring Kevin Rudolf)	Carter, Kevin Rudolf, Emile Haynie, Wexler, Butler, Ighner	Emile Haynie	3:38
20.	"I Got Some Money on Me" (featuring Birdman)	Carter, Bryan Williams, Preyan, Thielk	Drew Money	4:05

Notes

- "6 Foot 7 Foot" contains interpolations of "Day-O (The Banana Boat Song)" by Harry Belafonte.
- "Interlude" features an uncredited verse by André 3000.^[36]
- "John" contains a sample of "I'm Not a Star" by Rick Ross.
- "President Carter" contains a sample of "Les Dunes D'ostende" by François de Roubaix.
- "It's Good" contains samples of "The Cask of Amontillado" by The Alan Parsons Project.

Personnel

Credits for *Tha Carter IV* adapted from Allmusic.^[54]

- Richard Adlam – choir, chorus, keyboards
- Ghazi Hourani – mixing assistant
- Christopher Allen – producer
- Infamous – producer

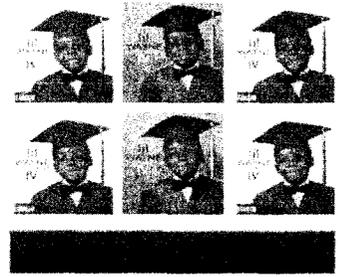
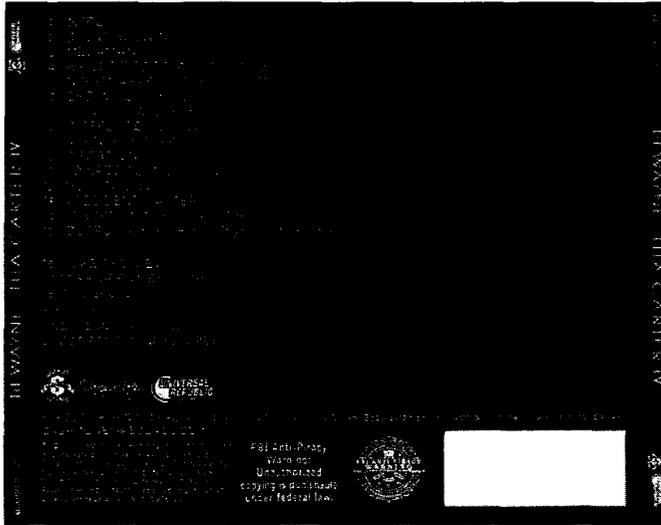
- Angel Onhel Aponte – composer, producer
- Danny Arrondo – recording assistant
- Roland "DJ Folk" Bailey – production coordination
- Alton Bates – engineer
- Joshua Berkman – A&R
- Robert "Big Briz" Brisbane – engineer
- Sandy Brummels – creative director
- Cortez Bryant – executive producer
- Katina Bynum – project manager
- Michael "Banger" Cadahia – engineer
- Noel Cadastre – recording assistant
- Mrs. Carter – cover image
- The Commission – producer
- Cool & Dre – producer
- Martika Cortes – recording assistant
- Seandrae "Mr. Bangladesh" Crawford – producer
- Detail – producer
- Alex Dilliplane – mixing assistant
- Diplo – producer
- DJA – additional production
- Luis Duque – recording assistant
- DVLP – producer
- Dwayne Carter – composer, executive producer
- Eric Eylands – mixing assistant
- Filthy – producer
- Young Fyre – producer
- Elizabeth Gallardo – mixing assistant, recording assistant
- Brian "Big Bass" Gardner – mastering
- Guthrie Govan – bass, guitar
- Rob Holladay – producer
- Chad Jolley – mixing assistant
- Ke'Noe – producer
- Kyledidthis – art direction, design
- Steve Lee – choir, chorus
- Edward "Jewfro" Lidow – assistant engineer, engineer, recording Assistant
- Andrew Lloyd – additional production
- Mack Maine – executive producer
- Fabian Marascuillo – mixing
- MegaMan – producer
- Eddie "Krack Keys" Montilla – composer, piano, strings
- Nabil – photography
- Neal H. Pogue – mixing
- Polow da Don – producer
- REO – producer
- Harry Ritson – choir, chorus, keyboards
- Rudy Rodriguez – recording assistant
- Noah Shebib – engineer
- The Smeezingtons – producer
- Snizzy – producer
- Jeremy Stevenson – mixing
- StreetRunner – additional production
- T-Minus – producer
- Drum Up – producer
- Javier Valverde – engineer
- Seth Waldman – mixing Assistant
- Willy Will – producer
- Bryan "Baby Birdman" Williams – executive producer
- Ronald "Slim Tha Don" Williams – executive producer
- Kevin Zulueta – engineer

Ex. U

image of the back album cover of tha carter iv deluxe edition

Search Images

< Back to results



DE Back

509 x 400 | 39.3 KB

Image may be subject to copyright

Full Image

View All Image Results

Ex, U Missing MARK YM. Exclusive tracks of THA CARTER IV

Cover Dude
Ads by Google

[Lil Wayne](#)

[Music CD](#)

[Lil Wayne CD](#)

[John Carter](#)

Search our cover library 

SHARE 

Lil Wayne - Tha Carter IV (2011) DE CD Cover

Share

Like 2 likes. Sign Up to see what your friends like.

Tweet 

We have 4 covers (front cover, back cover, cd cover, inside cover) for **Lil Wayne - Tha Carter IV (2011) DE** on CD. The thumbnails are shown below or scroll down further to see the larger versions. This cover artwork is categorized in our [cd covers](#) section. Please visit it for more related covers.

You can now download this cover in high res by becoming a member and activating premium membership. Our high resolution covers offer a massive improvement in image resolution for better clarity!

Release history

Region	Date	Edition (Format)	Catalog	Label	
Australia	July 9, 2011	Standard (CD / digital download)	2734831	Universal Music	
		Deluxe (CD / digital download)	2734832		
Austria		Standard (CD)	—		
Belgium	July 18, 2011	Standard (Digital download)	—		
Canada		Standard (CD / digital download)	—		
		Deluxe (Digital download)	—		
United States	August 29, 2011	Standard (CD / digital download)	602583409203		Young Money, Cash Money, Universal Republic
		Deluxe (CD / digital download)	602583409211		
United Kingdom		Standard (CD / digital download)	—		Universal Island
		Deluxe (CD / digital download)	—		
Ireland	August 7, 2011	Standard (Digital download)	—		
		Deluxe (Digital download)	—		
	August 28, 2011	Standard (CD)	—		
		Deluxe (CD)	—		
Japan	September 5, 2011	Deluxe (Digital download)	UICD9848	Universal Music	
Germany	September 7, 2011	Standard (CD)	—		
		Deluxe (CD)	—		
France	July 26, 2011	Standard (CD / digital download)	—		
		Deluxe (Digital download)	—		
New Zealand		Standard (CD)	—		
Italy	August 30, 2011	Deluxe (CD / digital download)	—		
Philippines	July 6, 2011	Standard (CD / digital download)	—	MCA Music	
		Deluxe (CD / digital download)	—		

Ex W

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85280163
LAW OFFICE ASSIGNED	LAW OFFICE 101
MARK SECTION (current)	
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	Y M
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a square with a YM design inside of the square . The YM Design consists of a capitalized Y and M, where the capitalized Y comes out of the middle of the v shape in the middle of the capitalized M (referred to as YM Design) filing up the square. The YM Design is a different color from the background of the square. A thin line divides the YM Design vertically down the middle.
MARK SECTION (proposed)	
MARK FILE NAME	\\TICRS\EXPORT11\IMAGEOUT 11\852\801\85280163\xml5\ ROA0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	Y M
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a square with a YM design inside of the square . The YM Design consists of a capitalized Y and M, where the capitalized Y comes out of the middle of the v shape in the middle of the capitalized M (referred to as YM Design) filing up the square. A thin line divides the YM Design vertically down the middle.
PIXEL COUNT ACCEPTABLE	YES

Ex.W

PIXEL COUNT	857 x 944
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Audio and video recordings featuring music and artistic performances; Audio tapes featuring music; CD cases; CD sleeves; Compact discs featuring music; Compact discs featuring music and spoken word in the form of poetry; Digital materials, namely, CDs, DVDs, downloadable audio files featuring music; Digital media, namely, pre-recorded DVDs, downloadable audio and video recordings, and CDs featuring and promoting music; Digital music downloadable from the Internet; Downloadable musical sound recordings; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Downloadable video recordings featuring music; Downloadable music via the internet and wireless devices; Musical recordings; Musical sound recordings; Musical video recordings; Phonograph records featuring music; Pre-recorded CDs featuring music; Pre-recorded CDs, video tapes, laser disks and DVDs featuring music; Prerecorded audio tapes featuring music; Prerecorded video cassettes featuring music; Prerecorded video tapes featuring music; Sound recordings featuring music; Video recordings featuring music; Visual recordings and audiovisual recordings featuring music and animation</p>	
FILED BASIS	Section 1(a)
	At least as early as 01/01/2010 ; you were using 7787 8225
	At least as early as 01/01/2010
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Audio and video recordings featuring music and artistic performances; Audio tapes featuring music; CD cases; CD sleeves; Compact discs featuring music; Compact discs featuring music and spoken word in the form of poetry; Digital materials, namely, CDs, DVDs, downloadable audio files featuring music; Digital media, namely, pre-recorded DVDs, downloadable audio and video recordings, and CDs featuring and promoting music; Digital music downloadable from the Internet; Downloadable musical sound recordings; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Downloadable video recordings featuring music; Downloadable music via the internet and wireless devices; Musical recordings; Musical sound recordings; Musical video recordings; Phonograph records featuring music; Pre-recorded CDs featuring music; Pre-recorded CDs, video tapes, laser disks and DVDs featuring music; Prerecorded audio tapes featuring music; Prerecorded video cassettes featuring music; Prerecorded video tapes featuring music; Sound recordings featuring music; Video recordings featuring music; Visual recordings and audiovisual recordings featuring music and animation</p>	
FILED BASIS	Section 1(a)
	At least as early as 01/01/2010
	At least as early as 01/01/2010
	"The substitute (or new, if appropriate) specimen(s)"

EX W

STATEMENT TYPE	was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].
[REDACTED]	\TICRS\EXPORT11\IMAGEOUT 11\852\801\85280163\xml5\ ROA0003.JPG
[REDACTED]	The mark on use on a CD.
GOODS AND/OR SERVICES SECTION (041)(no change)	
SIGNATURE SECTION	
D [REDACTED]	/Antar K. Vaughan/
[REDACTED]	Antar K. Vaughan
[REDACTED]	Attorney of record, Florida bar member
[REDACTED]	11/17/2011
R [REDACTED]	/Antar K. Vaughan/
[REDACTED]	Antar K. Vaughan
SIGNATORY'S POSITION	Attorney of Record, Florida bar member
[REDACTED]	11/17/2011
[REDACTED]	YES
FILING INFORMATION SECTION	
[REDACTED]	Thu Nov 17 11:50:24 EST 2011
TEAS STAMP	USPTO/ROA-173.9.128.73-20 111117115024985103-852801 63-480b1c3ada4c3d036771a9 eb377f84e1a6-N/A-N/A-2011 1117113931473295

To the Commissioner for Trademarks:

Ex. W

Application serial no. **85280163** has been amended as follows:

MARK

Applicant proposes to amend the mark as follows:

Current: Y M (Stylized and/or with Design)

Color is not claimed as a feature of the mark.

The mark consists of a square with a YM design inside of the square. The YM Design consists of a capitalized Y and M, where the capitalized Y comes out of the middle of the v shape in the middle of the capitalized M (referred to as YM Design) filling up the square. The YM Design is a different color from the background of the square. A thin line divides the YM Design vertically down the middle.

Proposed: Y M (Stylized and/or with Design, see mark)

The applicant is not claiming color as a feature of the mark.

The mark consists of a square with a YM design inside of the square. The YM Design consists of a capitalized Y and M, where the capitalized Y comes out of the middle of the v shape in the middle of the capitalized M (referred to as YM Design) filling up the square. A thin line divides the YM Design vertically down the middle.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Audio and video recordings featuring music and artistic performances; Audio tapes featuring music; CD cases; CD sleeves; Compact discs featuring music; Compact discs featuring music and spoken word in the form of poetry; Digital materials, namely, CDs, DVDs, downloadable audio files featuring music; Digital media, namely, pre-recorded DVDs, downloadable audio and video recordings, and CDs featuring and promoting music; Digital music downloadable from the Internet; Downloadable musical sound recordings; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Downloadable video recordings featuring music; Downloadable music via the internet and wireless devices; Musical recordings; Musical sound recordings; Musical video recordings; Phonograph records featuring music; Pre-recorded CDs featuring music; Pre-recorded CDs, video tapes, laser disks and DVDs featuring music; Prerecorded audio tapes featuring music; Prerecorded video cassettes featuring music; Prerecorded video tapes featuring music; Sound recordings featuring music; Video recordings featuring music; Visual recordings and audiovisual recordings featuring music and animation

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. ~~The mark was first used in commerce at least as early as 01/01/2010 and first used in commerce at least as early as 01/01/2010, and is now in use in such commerce.~~

Proposed: Class 009 for Audio and video recordings featuring music and artistic performances; Audio tapes featuring music; CD cases; CD sleeves; Compact discs featuring music; Compact discs featuring music and spoken word in the form of poetry; Digital materials, namely, CDs, DVDs, downloadable audio files featuring music; Digital media, namely, pre-recorded DVDs, downloadable audio and video recordings, and CDs featuring and promoting music; Digital music downloadable from the Internet; Downloadable musical sound recordings; Downloadable ring tones, graphics and music via a global computer network and wireless devices; Downloadable video recordings featuring music; Downloadable music via the internet and wireless devices; Musical recordings; Musical sound recordings; Musical video

Ex. W

recordings; Phonograph records featuring music; Pre-recorded CDs featuring music; Pre-recorded CDs, video tapes, laser disks and DVDs featuring music; Prerecorded audio tapes featuring music; Prerecorded video cassettes featuring music; Prerecorded video tapes featuring music; Sound recordings featuring music; Video recordings featuring music; Visual recordings and audiovisual recordings featuring music and animation

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended, or used at least as early as 01/01/2010 and is now in use in such commerce.

★ Applicant hereby submits a new specimen for Class 009. The specimen(s) submitted consists of The mark on use on a CD..

✓ **The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application** [for an application based on Section 1(a), Use in Commerce] OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** [for an application based on Section 1(b) Intent-to-Use]. *was not in use at least as early as the specimen the filing date of the application*

The substitute specimen was not

SIGNATURE(S)

Declaration

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Antar K. Vaughan/ Date: 11/17/2011

Signature's Name: Antar K. Vaughan

Signature's Position: Attorney of record, Florida bar member

Response Signature

Signature: /Antar K. Vaughan/ Date: 11/17/2011

PCL XL error

Subsystem: USERSTREAM

Error: MissingData

Operator: 0xc9

Position: 4230