

ESTTA Tracking number: **ESTTA485431**

Filing date: **07/25/2012**

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 parties oppose registration of the indicated application.

### Opposers Information

Name	Rothschilds Continuation Holdings AG
Granted to Date of previous extension	08/08/2012
Address	Baarerstrasse 95 Zug, 6301 SWITZERLAND

Name	Rothschild North America Inc.
Granted to Date of previous extension	08/08/2012
Address	1251 Avenue of the Americas51st Floor New York, NY 10020 UNITED STATES

Name	Rothschild Inc.
Granted to Date of previous extension	08/08/2012
Address	1251 Avenue of the Americas New York, NY 10020 UNITED STATES

Name	Rothschild Asset Management Inc.
Granted to Date of previous extension	08/08/2012
Address	1251 Avenue of the Americas New York, NY 10020 UNITED STATES

Attorney information	Andrew L. Deutsch DLA Piper LLP (US) 1251 Avenue of the Americas New York, NY 10020 UNITED STATES Andrew.Deutsch@dlapiper.com, Thomas.Zutic@dlapiper.com, John.Nading@dlapiper.com, David.Huff@dlapiper.com Phone:2123354880
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### Applicant Information

Application No	85459922	Publication date	04/10/2012
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Opposition Filing Date	07/25/2012	Opposition Period Ends	08/08/2012
Applicant	Charles Gregoire de Rothshcild 16 West 45th Street 2nd Floor New York, NY 10036 UNITED STATES		

### Goods/Services Affected by Opposition

Class 035. First Use: 1998/03/24 First Use In Commerce: 2005/05/27 All goods and services in the class are opposed, namely: Consultancy and advisory services in the field of business strategy
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3447667	Application Date	03/26/2007
Registration Date	06/17/2008	Foreign Priority Date	NONE
Word Mark	ROTHSCHILD		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1982/01/31 First Use In Commerce: 1982/01/31 Financial services, namely, advising corporations on mergers and acquisitions</p> <p>Class 036. First use: First Use: 1982/01/31 First Use In Commerce: 1982/01/31 Financial services, namely, advising corporations on debt and financial restructuring, bankruptcy reorganization and divestitures, namely, sales of entities and their stock and assets; strategic planning and capital raising for corporations, start-ups, emerging companies, private equity fund and other similar corporate entities; arranging financing for start-ups, emerging companies, private equity funds and other similar corporate entities; merchant banking; investment banking; underwriting, namely, underwriting offers of securities as manager, co-manager or syndicate member; private placements; investment management and advice; financial consultancy, planning, research and appraisal of corporate entities; financial evaluation and other wealth management services, namely, for high net worth individuals, for pension and other institutional accounts; trading and dealing in stocks, securities and other financial products, namely, bonds and advisory services relating thereto; brokerage and dealer services in the field of stocks and securities; providing</p>		

	financial news and information via a global communication network; financial investment and financial advisory services in the field of real estate; leasing of real estate; real estate acquisition services; real estate appraisal; real estate equity sharing, namely, managing and arranging for co-ownership of real estate; and real estate investment and real estate management
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U.S. Registration No.	3447668	Application Date	03/26/2007
Registration Date	06/17/2008	Foreign Priority Date	NONE

Word Mark	R ROTHSCHILD
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Design Mark	
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Description of Mark	The mark consists of a square containing a five-arrows design, followed by a square containing a "R", followed by the term "ROTHSCHILD".
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Goods/Services	<p>Class 035. First use: First Use: 2002/10/01 First Use In Commerce: 2002/10/01  Financial services, namely, advising corporations on mergers and acquisitions</p> <p>Class 036. First use: First Use: 2002/10/01 First Use In Commerce: 2002/10/01  Financial services, namely, advising corporations on debt and financial restructuring, bankruptcy reorganization and divestitures, namely, sales of entities and their stock and assets; strategic planning and capital raising for corporations, start-ups, emerging companies, private equity fund and other similar corporate entities; arranging financing for start-ups, emerging companies, private equity funds and other similar corporate entities; merchant banking; investment banking; underwriting, namely, underwriting offers of securities as manager, co-manager or syndicate member; private placements; investment management and advice; financial consultancy, planning, research and appraisal of corporate entities; financial evaluation and other wealth management services, namely, for high net worth individuals, for pension and other institutional accounts; trading and dealing in stocks, securities and other financial products, namely, bonds and advisory services relating thereto; brokerage and dealer services in the field of stocks and securities; providing financial news and information via a global communication network; financial investment and financial advisory services in the field of real estate; leasing of real estate; real estate acquisition services; real estate appraisal; real estate equity sharing, namely, managing and arranging for co-ownership of real estate; and real estate investment and real estate management</p>
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Attachments	77140244#TMSN.jpeg ( 1 page )( bytes ) 77140281#TMSN.jpeg ( 1 page )( bytes ) Rothschilds v Charles Gregoire de Rothschild - Opp pleading brief.pdf ( 24 pages )(712391 bytes ) Rothschilds v Charles Gregoire de Rothschild - TTAB Opp - Exhibits.pdf ( 50 pages )(3957386 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	/Andrew L. Deutsch/
Name	Andrew L. Deutsch
Date	07/25/2012

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

In the matter of Service Mark  
Application Serial No. 85/459,922  
Filing Date: October 31, 2011  
Mark: CHARLES GREGOIRE DE ROTHSCHILD  
Published for Opposition: April 10, 2012

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ROTHSCHILDS CONTINUATION HOLDINGS )  
AG, ROTHSCHILD NORTH AMERICA INC., )  
ROTHSCHILD INC., and ROTHSCHILD )  
ASSET MANAGEMENT INC., )

Opposer, )

v. )

CHARLES GREGOIRE DE ROTHSCHILD, )  
f/k/a AARON BERDAH, )

Applicant. )

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Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

In the matter of pending application Serial No. 85/459,922 filed October 31, 2011 by Charles Gregoire de Rothschild, f/k/a Aaron Berdah, published in the Trademark Official Gazette of April 10, 2012 at TM 916 for the mark CHARLES GREGOIRE DE ROTHSCHILD, Opposers Rothschilds Continuation Holdings AG, Rothschild North America Inc., Rothschild Inc., and Rothschild Asset Management Inc. (“Opposers”) believe that they will be damaged by the registration of the above mark and hereby oppose the above application for registration under the provisions of Section 13 of the Trademark Act of 1946 (the Lanham Act), 15 U.S.C. § 1063, their grounds for opposition being as follows:

## **OPPOSERS, THEIR MARKS AND RELATED GOODWILL**

1. Opposer Rothschilds Continuation Holdings AG (“RCH”) is a joint stock company organized under the laws of Switzerland, located and doing business at Baarerstrasse 95, Zug 6301, Switzerland.

2. Opposer Rothschild North America Inc. (“RNA”) is a corporation organized under the laws of Delaware, located and doing business at 1251 Avenue of the Americas, New York, New York 10020-1104.

3. Opposer Rothschild Inc. (“RINC”) is a corporation organized under the laws of Delaware, located and doing business at 1251 Avenue of the Americas, New York, New York 10020-1104.

4. Opposer Rothschild Asset Management Inc. (“RAM”) is a corporation organized under the laws of New York, located and doing business at 1251 Avenue of the Americas, New York, New York 10020-1104.

5. Opposers are all enterprises controlled by members of the famous Rothschild Family which traces its common ancestry to Mayer Amschel Rothschild (1744-1812). Mayer Amschel Rothschild's five sons established themselves in five separate cities, Paris, London, Vienna, Frankfurt and Naples. The dispersed branches of the Rothschild family proved extraordinarily successful, and the family grew to great prominence and wealth, particularly in England and France.

6. In 1817 members of the Rothschild Family were granted a title by the Austrian Emperor, Francis I (who was also the last Emperor of the Holy Roman Empire under the title Francis II); they became “von Rothschild”, the equivalent of which in anglophone and francophone countries is “de Rothschild.” In 1822 the same members of the Rothschild Family were made Barons of the Austrian Empire, a second hereditary title which is still in use by

family members living in France and the USA. Any person who received the surname “de Rothschild” at birth is a descendant through the male line of Mayer Amschel Rothschild.

7. The public is generally aware of these facts and correctly understands that many members of the Rothschild Family have the status of European nobility. The public therefore understands that a person claiming the surname of “de Rothschild” is thereby claiming descent from the male line of Mayer Amschel Rothschild, and that a business using a personal name mark that includes “de Rothschild” is thereby claiming that it is owned by and that its services or goods originate with one or more members of the Rothschild Family.

8. Many of the “de Rothschild” members of the Rothschild Family are or have been associated with banking, finance, and business services. For example, Baron David de Rothschild is the current chairman of Opposer RCH and chairman of the Rothschild Group, which provides strategic, mergers and acquisitions, wealth management and financing advice to companies, individuals, and governments. Opposers RNA, RINC and RAM are all included within the Rothschild Group.

9. The Rothschild Family achieved renown as one of the most important and successful banking families in the world. Rothschild ventures financed Wellington’s armies, the acquisition of the Suez Canal, the early development of railroads in the United States and Europe, the search for oil, and mining of base (ore) metals such as copper and nickel, and were involved in the Gold Rush. Over two centuries, the Rothschild banking and financial businesses have adapted and evolved so that they are now involved in many aspects of financial services, including finance, privatization, securities, asset management, mergers and acquisitions, restructuring and reorganization, private placements, project finance, private equity and venture capital, and business advisory services.

10. Near the end of the 18th century, Nathan Mayer Rothschild, one of the sons of Mayer Amschel Rothschild, settled in England. After his death, in 1836, NM Rothschild & Sons, a partnership, was formed to carry on the family financial business in England trading under that name. In 1968, the business was incorporated as NM Rothschild & Sons Limited, and has traded under that name since 1970.

11. Following the Panic of 1837 in the United States, which led to a five-year depression in the United States, an agent of the Rothschilds, August Belmont, settled in New York as the American representative of the Rothschild interests and conducted business on their behalf.

12. The first solely United States financial business established by the Rothschild Family was Amsterdam Overseas Corporation, jointly controlled by the English and French branches of the Rothschild Family. The business grew and was reorganized as an investment bank under the name New Court Securities Corporation in 1967. The business continued to grow, and in 1982 was again reorganized under the name Rothschild Inc.

13. In 1987, RNA became the holding company for the Rothschild Family's American banking/financial services operations, including Rothschild Inc. In 2003, RCH increased its ownership of RNA's voting securities to 100%.

14. In the United States, the operating businesses owned by RNA include RINC, a Financial Industry Regulatory Authority (FINRA) registered securities broker-dealer with its principal office in New York City and a branch in Washington, D.C., and RAM, a SEC-registered investment advisor which was incorporated in 1982. RAM manages assets for institutions and high net worth individuals.

15. As a result of the activities of the Rothschild Entities and their predecessor entities, and the well-known history of the Rothschild Family, the Rothschild name has become extremely well known in the United States and throughout the world in connection with providing investment banking and financial advisory services. The *Encyclopedia Britannica*, for example, states that ROTHSCHILD is “the name of a great European Jewish banking family.” 19 *Encyclopedia Britannica* at 645 (William Benton, 1976). The Rothschild Family is often alternatively referred to as the “Rothschild dynasty,” in recognition of Family members’ ability to maintain prominent positions in finance, wine, art, and other fields across the generations.

16. Numerous published works refer to the Rothschild Family, its businesses and influence. For example, in *The Rothschilds: A Family Portrait*, by Frederic Morton (New York: Atheneum, 1962), which has been dubbed an “epic bestseller,” the first sentence reads, “For the last 150 years the history of the House of Rothschild has been to an amazing extent the backstage history of Western Europe.” See also *The World’s Banker: The History of the House of Rothschild*, by Niall Ferguson (New York: Penguin, 1999) (“All banks have histories . . . only the Rothschilds, however, have a mythology. Most readers will recognize [the name], if only for its still fairly regular appearances in the press.”)

17. Well-known publications such as *Time* magazine frequently refer to the Rothschilds and their importance to the world of finance. In a September 29, 1980, article entitled “Family Feud,” *Time* wrote: “The House of Rothschild, which once helped British Prime Minister Benjamin Disraeli buy the Suez Canal, needs no identification.” Dozens of other widely distributed U.S. and international publications such as the *New York Times*, the *Wall Street Journal*, *Washington Post*, *San Francisco Chronicle*, the *International Herald Tribune*,

the *Financial Times*, the *Jerusalem Post*, *Daily Mail* (London) and news services such as the Associated Press have frequently referred to the Rothschild Family and its financial businesses.

18. For example, on March 9, 2007, the *New York Times* published on the first page of its business section a laudatory profile of Nathaniel Rothschild, a present-day member of the English branch of the Rothschild Family, who is a financier and who is next in line to become Lord Rothschild in England, which referred to the Rothschilds as “Europe’s most storied banking family.” On June 14, 2007, the *New York Times* published a very substantial obituary of Baron Guy de Rothschild which described his extraordinary life and the impact of the Rothschild Family on international banking.

19. An unparalleled reputation and extraordinary goodwill has attached to the Rothschild name. The Rothschild name has thereby acquired fame, distinctiveness and secondary meaning in connection with the provision of business and financial services and advice and has come to be associated with the banks, investment houses, and other institutions controlled by members of the Rothschild Family. In the United States, this meaning, reputation, secondary meaning and goodwill has attached in particular to the business advisory and financial services businesses operated by Opposers and the marks used by them in connection with those businesses.

#### Opposer RCH

20. Opposer RCH, a Swiss joint stock company, was established in 1982 by members of the Rothschild Family to ensure the continuation of the Rothschild Family financial services activities. It holds a 100 per cent direct or indirect interest in the other Opposers.

21. Opposer RCH owns United States Registration No. 3447667 for ROTHSCHILD (Exhibit 1), with a registration date of June 17, 2008, in the following International Classes:

- (a) International Class 35, for financial services, namely, advising corporations on mergers and acquisitions;
- (b) International Class 36, for financial services, namely, advising corporations on debt and financial restructuring, bankruptcy reorganization and divestitures, namely, sales of entities and their stock and assets; strategic planning and capital raising for corporations, start-ups, emerging companies, private equity fund and other similar corporate entities; arranging financing for start-ups, emerging companies, private equity funds and other similar corporate entities; merchant banking; investment banking; underwriting, namely, underwriting offers of securities as manager, co-manager or syndicate member; private placements; investment management and advice; financial consultancy, planning, research and appraisal of corporate entities; financial evaluation and other wealth management services, namely, for high net worth individuals, for pension and other institutional accounts; trading and dealing in stocks, securities and other financial products, namely, bonds and advisory services relating thereto; brokerage and dealer services in the field of stocks and securities; providing financial news and information via a global communication network; financial investment and financial advisory services in the field of real estate; leasing of real estate; real estate acquisition services; real estate appraisal; real estate equity sharing, namely, managing and arranging for co-ownership of real estate; and real estate investment and real estate management.

22. Opposer RCH owns United States Registration No. 3447668 for R ROTHSCHILD (Design) (Exhibit 2), with a registration date of June 17, 2008, in the following International Classes:

- (a) International Class 35, for financial services, namely, advising corporations on mergers and acquisitions;
- (b) International Class 36, for financial services, namely, advising corporations on debt and financial restructuring, bankruptcy reorganization and divestitures, namely, sales of entities and their stock and assets; strategic planning and capital raising for corporations, start-ups, emerging companies, private equity fund and other similar corporate entities; arranging financing for start-ups, emerging companies, private equity funds and other similar corporate entities; merchant banking; investment banking; underwriting, namely, underwriting offers of securities as manager, co-manager or syndicate member; private placements; investment management and advice; financial consultancy, planning, research and appraisal of corporate entities; financial evaluation and other wealth management services, namely, for high net worth individuals, for pension and other institutional accounts; trading and dealing in stocks, securities and other financial products, namely, bonds and advisory services relating thereto; brokerage and dealer services in the field of stocks and securities; providing financial news and information via a global communication network; financial investment and financial advisory services in the field of real estate; leasing of real estate; real

estate acquisition services; real estate appraisal; real estate equity sharing, namely, managing and arranging for co-ownership of real estate; and real estate investment and real estate management.

23. Opposer RCH has licensed Opposers RNA, RINC and RAM to use the registered marks ROTHSCHILD and R ROTHSCHILD (Design) (the “Registered Marks”) for the business and financial services provided by the latter entities in the United States.

#### Opposer RNA

24. Opposer RNA is the holding company for RINC, a FINRA-registered securities broker-dealer and an investment bank in the United States, and RAM, a SEC-registered investment advisor. RNA owns 100 per cent of each of these businesses. From 1982 through the present date, RNA has adopted and used the Registered Mark ROTHSCHILD and the mark ROTHSCHILD NORTH AMERICA in connection with the advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States. From 2002 through the present date, RNA has adopted and used the Registered Mark R ROTHSCHILD (Design) advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States.

#### Opposer RINC

25. Opposer RINC is a wholly-owned subsidiary of RNA. It provides financial advisory and investment banking services to businesses, including acting as a private placement agent, acting as a dealer manager in tender and securities exchange offers, providing fairness opinions, and advising on restructuring both in the United States and together with other members of Rothschild-owned entities worldwide. It has offices in New York and Washington, D.C. RINC is a leader in global mergers and acquisitions (“M&A”), specializing in advising and structuring large and complex M&A transactions, as well as in restructuring companies in and

out of bankruptcy. It also provides consultancy and advisory services in the field of business strategy to its customers.

26. As the results of its efforts and widespread press coverage and word of mouth, RINC is well known in the worlds of finance and business as a business advisory consultant, particularly in matters of financing, acquisition, and other business strategies.

27. From 1982 through the present date, RINC has adopted and used the Registered Mark ROTHSCHILD in connection with the advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States. From 2002 through the present date, RINC has adopted and used the Registered Mark R ROTHSCHILD (Design) in advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States.

#### Opposer RAM

28. Opposer RAM is a wholly owned subsidiary of RNA. It is engaged in providing investment advisory services throughout the United States.

29. RAM is a SEC-registered investment advisor specializing in providing investment advice on a discretionary basis to institutional accounts such as pension funds (ERISA), endowments and foundations.

30. From 1982 through the present date, RAM has adopted and used the Registered Mark ROTHSCHILD and the mark ROTHSCHILD ASSET MANAGEMENT in connection with the advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States. From 2002 through the present date, RAM has adopted and used the Registered Mark R ROTHSCHILD (Design) in advertising, promotion, provision and sale of the aforesaid business advisory and financial services in interstate commerce in the United States.

31. Through the expenditure of substantial time, money and effort over the years by Opposers, through marketing and promotional activity by Opposers, and through extensive news coverage and word-of-mouth reports of the activities of Opposers, the Registered Mark ROTHSCHILD, standing alone or in combination with other words and symbols (including ROTHSCHILD INC., ROTHSCHILD NORTH AMERICA, and ROTHSCHILD ASSET MANAGEMENT), and the Registered Mark R ROTHSCHILD (Design) are famous and distinctive, and have substantial goodwill. When used in connection with business advisory and financial services within the United States, the Registered Marks have come to be associated with business advisory and financial services having their origin or sponsorship exclusively with Opposers.

**APPLICANT AND HIS DECEPTIVE USE OF THE  
MARK CHARLES GREGOIRE DE ROTHSCHILD**

**The Applied-For Mark, Priority, and Timeliness of the Opposition**

32. On or about October 31, 2011, Applicant filed an application in the United States Patent and Trademark office for registration of the word mark CHARLES GREGOIRE DE ROTHSCHILD, in International Class 35, for “consultancy and advisory services in the field of business strategy.” (the “Application”) (Exhibit 3).

33. As each Opposer has made use of the Registered Marks in the United States in connection with business advisory and financial services prior to the filing date of the Application, Opposers have established their priority over Applicant.

34. On April 12, 2012, the mark CHARLES GREGOIRE DE ROTHSCHILD was published in the *Trademark Official Gazette* for opposition.

35. On May 4, 2012, within 30 days of the publication of the mark CHARLES GREGOIRE DE ROTHSCHILD for opposition, Opposers filed separate First 90 Day Requests

for Extension of Time to Oppose for Good Cause, each Opposer seeking a 90-day extension of time to file a notice of opposition against the above-identified mark.

36. On May 4, 2012, the Board granted each Opposer's request to extend time to oppose, setting a new deadline for that Opposer's opposition for August 8, 2012.

37. This joint Opposition is filed by each of the Opposers before the expiration of the extension of time to oppose granted to said Opposer and is therefore timely.

Applicant's Changes of Name, from Aaron Berdah to "Charles Gregoire de Rothschild"

38. Upon information and belief, Applicant is a resident of New York, New York.

39. Applicant is not a member of the Rothschild Family and was not born with the name "Rothschild" or "de Rothschild," and, upon information and belief, is not related to, or descended from, any person named "Rothschild." Moreover, Applicant is not descended from French nobility, and is therefore not entitled to use the particule "de" in his name which, under French custom, denotes noble birth or descent.

40. Upon information and belief, Applicant's actual birth name is Aaron Berdah, and he was born in Tunisia in 1944.

41. Upon information and belief, after living in France for a number of years, Applicant applied for United States citizenship in or about 1991. Upon information and belief, Applicant was able in this process to obtain a U.S. passport and naturalization papers in the name of "Charles Gregoire Rothschild," instead of his birth name of Aaron Berdah. Notice of this intended change of name was not given to any Opposer or member or representative of the Rothschild Family. Had such notice been given, Opposers and/or the Rothschild Family and/or its representatives would have objected to this change of name as fraudulent and deceptive.

42. Upon information and belief, in or about 1998, Applicant was able to obtain a court order changing his name from "Charles Gregoire Rothschild" to "Charles Gregoire de

Rothschild.” Notice of this intended change of name was not given to any member or representative of the Rothschild Family. Had such notice been given, Opposers and/or the Rothschild Family and/or its representatives would have objected to this change of name as fraudulent and deceptive.

43. Upon information and belief, following the change of his name from Aaron Berdah to “Charles Gregoire Rothschild,” Applicant began using CHARLES GREGOIRE ROTHSCHILD as a mark in connection with the provision of business advisory and financial services to a variety of business clients. Upon information and belief, following the change of his name from “Charles Gregoire Rothschild” to “Charles Gregoire de Rothschild,” Applicant began using CHARLES GREGOIRE DE ROTHSCHILD as a mark for the same purposes.

44. Upon information and belief, in or about 1991, Applicant changed his name from Aaron Berdah to “Charles Gregoire Rothschild” to create the false and fraudulent impression in third persons that (a) he was a member of the Rothschild Family, and therefore had the attributes of wealth, financial connections, business intelligence, and status associated by the public with the Rothschild Family, and (b) he was associated with Opposers and their businesses.

45. Upon information and belief, to further this false and fraudulent impression, in or about 1998, Applicant changed his name to “Charles Gregoire de Rothschild.” As Applicant came from French-speaking origins, upon information and belief, he believed that the use of the “de” in “de Rothschild,” which denotes noble origin, instead of just “Rothschild,” would reinforce his ability to pass himself off as a member of the Rothschild Family.

**Applicant’s Criminal Conviction and Civil Condemnation  
By a French Court for Counterfeiting of the Rothschild Name/Mark**

46. Upon information and belief, on April 8, 1999, three French banking companies, controlled by Rothschild Family members, SAGITAS, Rothschild & Cie Banque, and

Compagnie Financiere Edmond de Rothschild filed a joint criminal/civil complaint against Applicant for fraud, use of fraudulent instruments, and for use of counterfeits of the complainants' French Rothschild marks.

47. At the conclusion of these criminal proceedings, the 31st Correctional Chamber of the Court of First Instance of Paris, France, on or about February 9, 2005, issued a judgment against Applicant (the "French Judgment"). A copy of the French Judgment, with an English translation thereof, is attached as Exhibit 4.

48. The French Judgment determined that while Applicant was legally entitled to call himself Charles Gregoire de Rothschild as a result of legal name changes, his use of the name "de Rothschild" as a mark for his financial and real estate businesses were acts of counterfeiting under French law.

49. The French Judgment found that there was an obvious intention on the part of Applicant to create in the minds of the public confusion between the financial and investment services offered by Applicant's business and the services of the same kind offered under the Rothschild marks, and to profit from the situation by attracting investors because of the renown and international fame of the Rothschild name.

50. The French Judgment recited the testimony of a French business associate of Applicant, who stated that he first met Applicant in 1997 and that he agreed to find clients interested in investing money in real estate and finance with Applicant. The witness testified that even though he was not certain that Applicant had stated this to him, it was obvious that "Charles Gregoire de Rothschild" was a member of the illustrious Rothschild Family. He also stated that he never knew that Charles Gregoire de Rothschild was once called Aaron Berdah.

51. The French court concluded that Charles Gregoire de Rothschild had used his name to commercial ends, in the field of financial and real estate investment, seeking to benefit from the reputation attached to the “de Rothschild” family name and to benefit from the confusion created in the mind of the public as a result of the identical name usage.

52. The French court issued both a civil and criminal judgment. On the criminal side, it declared Applicant guilty of “Reproduction of a trademark without authorization from its owner – Counterfeit,” “Misleading imitation of a trademark without authorization from its owner – Counterfeit,” and “Use of an imitated and misleading trademark, without authorization from its owner – Counterfeit.” It sentenced Applicant to four months of imprisonment, suspended, and a 4,000 Euro criminal fine.

53. On the civil side it directed Applicant to pay to each of the plaintiffs 1 Euro in damages and interest and 800 Euros as required by the French Code of Criminal Procedure.

Applicant’s Other Deceptive Uses of the  
CHARLES GREGOIRE DE ROTHSCHILD Mark

54. Upon information and belief, Applicant has attempted to further create confusion in the minds of the public in the United States by, among other things, (a) causing “Charles Gregoire de Rothschild” to appear on a Wikipedia list of famous members of the Rothschild Family (Exhibit 5), and (b) causing “Charles Gregoire de Rothschild,” and information about a business he controls (GDR Privee Inc.) to appear in a Internet business information service that also lists the business dealings of the Rothschild Family financial enterprises and a list of famous members of the Rothschild Family (Exhibit 6).

55. Upon information and belief, Applicant, through use of his assumed “Charles Gregoire de Rothschild” name and the mark CHARLES GREGOIRE DE ROTHSCHILD, has deceived or confused the managers and owners of a number of companies in the United States

and Canada and investors and potential investors. Applicant has thereby caused such persons to (a) believe that Applicant is a member of the Rothschild Family and connected with Opposers' businesses, (b) purchase business advisory and financial services from Applicant, (c) invite Applicant to join their boards of directors, and (d) confer other benefits on Applicant.

56. For example, upon information and belief, another company, believing that Applicant was connected with the illustrious Rothschild banking and finance family as a result of Applicant's use of his assumed "de Rothschild" name, made him a director of the company. When the company discovered that in fact Applicant had no connections or other relationship with the Rothschild Family, it removed Applicant from its board of directors. Applicant then claimed that he was entitled to payment of 1,000,000 Euros and a 26 per cent equity interest in the company. That claim, and the company's claim, is currently under litigation in Supreme Court of the State of New York, County of New York.

**Registration of CHARLES GREGOIRE DE ROTHSCHILD  
Should Be Refused For Likelihood of Confusion Under 15 U.S.C. § 1052(d)**

57. Registration of the mark CHARLES GREGOIRE DE ROTHSCHILD should be refused under § 2(d) of the Trademark Act, 15 U.S.C. § 1052(d), in that the mark so resembles the Registered Marks ROTHSCHILD and R ROTHSCHILD (Design) that it is likely that relevant consumers would be confused and/or mistaken and/or deceived as to the source of the goods and/or services of the applicant and those of Opposers.

58. There are a number of factors indicating a likelihood of confusion under § 2(d). First, the marks are confusingly similar. Applicant's mark is CHARLES GREGOIRE DE ROTHSCHILD. Opposers' Registered Marks are ROTHSCHILD and R ROTHSCHILD (Design). The mark CHARLES GREGOIRE DE ROTHSCHILD is similar in sound, appearance, and commercial impression to the Registered Marks because each mark contains the

distinctive term ROTHSCHILD, and because the distinctive term ROTHSCHILD is the dominant term of each of the marks. As a result, consumers are likely to believe that the services and/or goods offered under CHARLES GREGOIRE DE ROTHSCHILD come from the same source as those offered under the marks ROTHSCHILD and R ROTHSCHILD (Design).

59. Second, the goods and services to be offered under Applicant's mark are similar, if not identical, in nature to those which are offered under the Registered Marks ROTHSCHILD and R ROTHSCHILD (Design). The circumstances surrounding the services and their marketing are such that relevant purchasers would mistakenly believe that the services originate with or are associated with the same source.

60. According to the Application, the services that Applicant proposes to provide under CHARLES GREGOIRE DE ROTHSCHILD are "consultancy and advisory services in the field of business strategy" in International Class 35.

61. The services offered by Opposers under the Registered Marks are:

- (a) Financial services, namely, advising corporations on mergers and acquisitions (International Class 35); and
- (b) Financial services, namely, advising corporations on debt and financial restructuring, bankruptcy reorganization and divestitures, namely, sales of entities and their stock and assets; strategic planning and capital raising for corporations, start-ups, emerging companies, private equity fund and other similar corporate entities; arranging financing for start-ups, emerging companies, private equity funds and other similar corporate entities; merchant banking; investment banking; underwriting, namely, underwriting offers of securities as manager, co-manager or syndicate

member; private placements; investment management and advice; financial consultancy, planning, research and appraisal of corporate entities; financial evaluation and other wealth management services, namely, for high net worth individuals, for pension and other institutional accounts; trading and dealing in stocks, securities and other financial products, namely, bonds and advisory services relating thereto; brokerage and dealer services in the field of stocks and securities; providing financial news and information via a global communication network; financial investment and financial advisory services in the field of real estate; leasing of real estate; real estate acquisition services; real estate appraisal; real estate equity sharing, namely, managing and arranging for co-ownership of real estate; and real estate investment and real estate management.

62. The services offered under Applicant's mark and under the Registered Marks are closely related. The services offered under Applicant's mark and under the Registered Marks are of the type that are frequently offered from a single source. As a result, due to the similarity of services, consumers of the services are likely to be confused into believing that the services offered under the mark CHARLES GREGOIRE DE ROTHSCHILD emanate from, or are associated with the same source as the services offered under the Registered Marks.

63. Third, the channels of trade in which services would be offered under Applicant's mark are similar, if not identical, to the channels of trade in which Opposers offer their services under the Registered Marks. In both cases, the relevant consumers of the services are businesses that are seeking business and financial advice regarding such matters as business strategy,

capitalization and financing, acquisitions and sales of businesses, stock and assets. As a result, due to the strong similarity between the channels of trade, relevant consumers of the services are likely to be confused into believing that the services offered by Applicant under the mark CHARLES GREGOIRE DE ROTHSCHILD emanate from, or are associated with the same source as the services offered under the Registered Marks.

64. Fourth, the Registered Marks are famous. As stated above, the Registered Marks ROTHSCHILD and R ROTHSCHILD (Design) (the latter incorporates a version of the well-known Five Arrows Device used by the Rothschild Family) have received extensive coverage in the press over the years. They have become synonymous in the public mind with the financial services offered by Opposers, which are businesses controlled by the famous Rothschild Family, and have become closely associated with the centuries-old fame of the Rothschild Family.

65. Fifth, Applicant adopted the mark CHARLES GREGOIRE DE ROTHSCHILD, and is applying to register that mark, under circumstances that show a high degree of bad faith. Applicant was born Aaron Berdah and lived under that name for the first 47 years of his life. He is not a member of the famous Rothschild Family nor, upon information and belief, is he descended from anyone named Rothschild.

66. The circumstances show that Applicant used the occasion of his U.S. naturalization to change his name to "Charles Gregoire Rothschild," and later obtained a court order further changing his name to "Charles Gregoire de Rothschild," for the purposes of passing himself off as a member of the famous Rothschild Family. By using CHARLES GREGOIRE DE ROTHSCHILD as a mark as well as a name, Applicant has intentionally created the false impression in potential clients of his business advisory services and potential investors that he is a member of the Rothschild Family, and that he is associated with the banking and financial

businesses operated by the Rothschild Family, including the businesses that Opposers operate under the Registered Marks. As a result of this bad faith and deceptive use of CHARLES GREGOIRE DE ROTHSCHILD, Applicant has been able to sell his services to, and obtain benefits from, such clients and investors.

67. As set forth in paragraphs 52-53 above, the French courts found Applicant's similar use of the CHARLES GREGOIRE DE ROTHSCHILD mark and name in France and Switzerland to be intentionally deceptive and, indeed, a crime under French law.

68. As set forth in paragraphs 55-56 above, and as Opposers will further show at trial, Applicant has intentionally used the CHARLES GREGOIRE DE ROTHSCHILD mark and name to obtain consultancies, board positions, and other benefits from businesses. Such businesses extended those benefits to Applicant because they believed he was associated with the Rothschild Family and with Opposers.

69. As set forth in paragraph 54 above, and as Opposers will further show at trial, Applicant has attempted to further his intentional scheme of deception by causing the inclusion of CHARLES GREGOIRE DE ROTHSCHILD in often-consulted lists of members of the famous Rothschild Family and in connection with news articles and discussions about the Rothschild Family.

70. Sixth, there has been actual confusion. As set forth as paragraph 55 above, and as Opposers will further show at trial, Applicant's use of CHARLES GREGOIRE DE ROTHSCHILD has caused potential customers of his business and consulting services to actually believe that Applicant is a member of the Rothschild Family and that his services originate with or are associated with the services and businesses of Opposers, and to thereby

purchase his consultancy services, place him on the boards of businesses, and extend him other benefits.

71. In view of the significant goodwill, distinctiveness, reputation, fame and secondary meaning of the Registered Marks of Opposers, and the factors set forth above, relevant consumers of the services are likely to be deceived, confused, or misled into believing that the services offered by Applicant under the mark CHARLES GREGOIRE DE ROTHSCHILD emanate from, or are associated with the same source as the services offered under the Registered Marks.

Registration Should Be Refused for Dilution By  
Blurring and By Tarnishment under 15 U.S.C. § 1125(c)

72. Opposers repeat and reallege paragraphs 1 through 71 of this Notice of Opposition, as though fully alleged herein.

73. Through the expenditure in the United States by Opposers of substantial time, money and effort over the years through marketing and promotional activity, through extensive press coverage and word of mouth, and as a result of the longstanding high reputation of the Rothschild Family and the goods and services of businesses controlled by members of the Rothschild Family, the Registered Marks ROTHSCHILD and R ROTHSCHILD (Design) have become famous within the meaning of 15 U.S.C. § 1125(c) and distinctive.

74. Upon information and belief, Applicant did not begin to use the mark CHARLES GREGOIRE DE ROTHSCHILD until after the Registered Marks had become famous.

75. Registration of CHARLES GREGOIRE DE ROTHSCHILD is likely to cause dilution by blurring of the Registered Marks, in that the registration and use of the mark CHARLES GREGOIRE DE ROTHSCHILD is likely to impair the distinctiveness of the Registered Marks.

76. Registration of CHARLES GREGOIRE DE ROTHSCHILD is likely to cause dilution by tarnishment of the Registered Marks, in that Applicant's bad faith and deceptive conduct in the use of said mark, as set forth above, is likely to harm the reputation of the Registered Marks.

77. By reason of all of the foregoing, Opposers believe that they will be damaged if CHARLES GREGOIRE DE ROTHSCHILD is registered upon the Principal Register.

**WHEREFORE**, Opposers respectfully request that Registration on the Principal Register for CHARLES GREGOIRE DE ROTHSCHILD, as sought in Application Serial No. 85/459,922 filed October 31, 2011, be denied on the grounds of (a) likelihood of confusion, pursuant to 15 U.S.C. § 1052(d), and (b) likely dilution by blurring and dilution by tarnishment of Opposers' Registered Marks, pursuant to 15 U.S.C. § 1125(c), and the Opposition be sustained.

The Opposers hereby appoint Andrew L. Deutsch, a member of the Bar of New York, and Thomas E. Zutic, a member of the Bar of the District of Columbia, and all of the law firm of DLA Piper LLP (US), 1251 Avenue of the Americas, New York, New York 10020, telephone number (212) 335-4500, to transact all business in the United States Patent and Trademark Office in connection with this Opposition Proceeding and hereby revoke all previous powers of attorney herein.

Please address all correspondence to:

Andrew L. Deutsch, Esq.  
DLA Piper LLP (US)  
1251 Avenue of the Americas  
New York, New York 10020  
*dctrademarks@dlapiper.com*

The filing fee for this opposition, in the amount of \$1,200.00, is hereby electronically transferred with the submission of the Notice of Opposition.



**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served via U.S. First Class Mail, postage prepaid, and properly addressed to Applicant's correspondent of record:

Charles Gregoire de Rothschild  
16 W 45th St Fl 2  
New York, New York 10036-4204

this 25th day of July, 2012.

/s/  
\_\_\_\_\_  
Andrew L. Deutsch, Esq.  
*Attorney for Opposers*

# **EXHIBIT 1**

Int. Cls.: 35 and 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,447,667

Registered June 17, 2008

**SERVICE MARK  
PRINCIPAL REGISTER**

**ROTHSCHILD**

ROTHSCHILD'S CONTINUATION HOLDINGS  
AG (SWITZERLAND COMPANY)  
BAARERSTRASSE 95  
ZUG, SWITZERLAND 6301

FOR: FINANCIAL SERVICES, NAMELY, ADVISING CORPORATIONS ON MERGERS AND ACQUISITIONS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-31-1982; IN COMMERCE 1-31-1982.

FOR: FINANCIAL SERVICES, NAMELY, ADVISING CORPORATIONS ON DEBT AND FINANCIAL RESTRUCTURING, BANKRUPTCY REORGANIZATION AND DIVESTITURES, NAMELY, SALES OF ENTITIES AND THEIR STOCK AND ASSETS; STRATEGIC PLANNING AND CAPITAL RAISING FOR CORPORATIONS, START-UPS, EMERGING COMPANIES, PRIVATE EQUITY FUND AND OTHER SIMILAR CORPORATE ENTITIES; ARRANGING FINANCING FOR START-UPS, EMERGING COMPANIES, PRIVATE EQUITY FUNDS AND OTHER SIMILAR CORPORATE ENTITIES; MERCHANT BANKING; INVESTMENT BANKING; UNDERWRITING, NAMELY, UNDERWRITING OFFERS OF SECURITIES AS MANAGER, CO-MANAGER OR SYNDICATE MEMBER; PRIVATE PLACEMENTS; INVESTMENT MANAGEMENT AND ADVICE; FINANCIAL CONSULTANCY, PLANNING, RESEARCH AND APPRAISAL OF CORPORATE ENTITIES; FINANCIAL EVALUATION AND OTHER WEALTH MANAGEMENT SERVICES,

NAMELY, FOR HIGH NET WORTH INDIVIDUALS, FOR PENSION AND OTHER INSTITUTIONAL ACCOUNTS; TRADING AND DEALING IN STOCKS, SECURITIES AND OTHER FINANCIAL PRODUCTS, NAMELY, BONDS AND ADVISORY SERVICES RELATING THERETO; BROKERAGE AND DEALER SERVICES IN THE FIELD OF STOCKS AND SECURITIES; PROVIDING FINANCIAL NEWS AND INFORMATION VIA A GLOBAL COMMUNICATION NETWORK; FINANCIAL INVESTMENT AND FINANCIAL ADVISORY SERVICES IN THE FIELD OF REAL ESTATE; LEASING OF REAL ESTATE; REAL ESTATE ACQUISITION SERVICES; REAL ESTATE APPRAISAL; REAL ESTATE EQUITY SHARING, NAMELY, MANAGING AND ARRANGING FOR CO-OWNERSHIP OF REAL ESTATE; AND REAL ESTATE INVESTMENT AND REAL ESTATE MANAGEMENT, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-31-1982; IN COMMERCE 1-31-1982.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SEC. 2(F).

SER. NO. 77-140,244, FILED 3-26-2007.

LOURDES AYALA, EXAMINING ATTORNEY

# **EXHIBIT 2**

Int. Cls.: 35 and 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,447,668

Registered June 17, 2008

**SERVICE MARK  
PRINCIPAL REGISTER**

 **ROTHSCHILD**

ROTHSCHILD'S CONTINUATION HOLDINGS  
AG (SWITZERLAND COMPANY)  
BAARERSTRASSE 95  
ZUG, SWITZERLAND 6301

FOR: FINANCIAL SERVICES, NAMELY, ADVISING CORPORATIONS ON MERGERS AND ACQUISITIONS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-1-2002; IN COMMERCE 10-1-2002.

FOR: FINANCIAL SERVICES, NAMELY, ADVISING CORPORATIONS ON DEBT AND FINANCIAL RESTRUCTURING, BANKRUPTCY REORGANIZATION AND DIVESTITURES, NAMELY, SALES OF ENTITIES AND THEIR STOCK AND ASSETS; STRATEGIC PLANNING AND CAPITAL RAISING FOR CORPORATIONS, START-UPS, EMERGING COMPANIES, PRIVATE EQUITY FUND AND OTHER SIMILAR CORPORATE ENTITIES; ARRANGING FINANCING FOR START-UPS, EMERGING COMPANIES, PRIVATE EQUITY FUNDS AND OTHER SIMILAR CORPORATE ENTITIES; MERCHANT BANKING; INVESTMENT BANKING; UNDERWRITING, NAMELY, UNDERWRITING OFFERS OF SECURITIES AS MANAGER, CO-MANAGER OR SYNDICATE MEMBER; PRIVATE PLACEMENTS; INVESTMENT MANAGEMENT AND ADVICE; FINANCIAL CONSULTANCY, PLANNING, RESEARCH AND APPRAISAL OF CORPORATE ENTITIES; FINANCIAL EVALUATION AND OTHER WEALTH MANAGEMENT SERVICES,

NAMELY, FOR HIGH NET WORTH INDIVIDUALS, FOR PENSION AND OTHER INSTITUTIONAL ACCOUNTS; TRADING AND DEALING IN STOCKS, SECURITIES AND OTHER FINANCIAL PRODUCTS, NAMELY, BONDS AND ADVISORY SERVICES RELATING THERETO; BROKERAGE AND DEALER SERVICES IN THE FIELD OF STOCKS AND SECURITIES; PROVIDING FINANCIAL NEWS AND INFORMATION VIA A GLOBAL COMMUNICATION NETWORK; FINANCIAL INVESTMENT AND FINANCIAL ADVISORY SERVICES IN THE FIELD OF REAL ESTATE; LEASING OF REAL ESTATE; REAL ESTATE ACQUISITION SERVICES; REAL ESTATE APPRAISAL; REAL ESTATE EQUITY SHARING, NAMELY, MANAGING AND ARRANGING FOR CO-OWNERSHIP OF REAL ESTATE; AND REAL ESTATE INVESTMENT AND REAL ESTATE MANAGEMENT, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-1-2002; IN COMMERCE 10-1-2002.

THE MARK CONSISTS OF A SQUARE CONTAINING A FIVE-ARROWS DESIGN, FOLLOWED BY A SQUARE CONTAINING A "R", FOLLOWED BY THE TERM "ROTHSCHILD".

SER. NO. 77-140,281, FILED 3-26-2007.

LOURDES AYALA, EXAMINING ATTORNEY

# **EXHIBIT 3**

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85459922

Filing Date: 10/31/2011

**NOTE: Data fields with the \* are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.**

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
<b>MARK INFORMATION</b>	
*MARK	Charles Gregoire de Rothschild
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	Charles Gregoire de Rothschild
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Charles Gregoire de Rothshcild
*STREET	16 West 45th Street 2nd Floor
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	10036

PHONE	646 773 7010
EMAIL ADDRESS	gdrprivee@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
*INTERNATIONAL CLASS	035
IDENTIFICATION	Consultancy and advisory services in the field of business strategy
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/24/1998
FIRST USE IN COMMERCE DATE	At least as early as 05/27/2005
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	<u>spec-108278170-004742314 . Charles Gregoire de Rothschild press release for trademark.pdf</u>
CONVERTED PDF FILE(S) (2 pages)	<u>\\TICRS\EXPORT1\IMAGEOUT1\854\599\85459922\xml1\FTK0003.JPG</u>
	<u>\\TICRS\EXPORT1\IMAGEOUT1\854\599\85459922\xml1\FTK0004.JPG</u>
SPECIMEN DESCRIPTION	sample press release
<b>ADDITIONAL STATEMENTS SECTION</b>	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	The name(s), portrait(s), and/or signature(s) shown in the mark identifies Charles Gregoire de Rothshcild, whose consent(s) to register is made of record.
CONSENT FILE NAME(S)	<u>\\TICRS\EXPORT1\IMAGEOUT 1\854\599\85459922\xml1\ FTK0005.JPG</u>

<b>*CONCURRENT USE CLAIM (if applicable)</b>	
<b>CORRESPONDENCE INFORMATION</b>	
<b>*NAME</b>	Charles Gregoire de Rothshcild
<b>*STREET</b>	16 West 45th Street 2nd Floor
<b>*CITY</b>	New York
<b>*STATE (Required for U.S. applicants)</b>	New York
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b>	10036
<b>PHONE</b>	646 773 7010
<b>*EMAIL ADDRESS</b>	gdrprivee@gmail.com
<b>*AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	275
<b>*TOTAL FEE PAID</b>	275
<b>SIGNATURE INFORMATION</b>	
<b>* SIGNATURE</b>	/Charles Gregoire de Rothschild/
<b>* SIGNATORY'S NAME</b>	Charles Gregoire de Rothschild
<b>* SIGNATORY'S POSITION</b>	Owner
<b>* DATE SIGNED</b>	10/31/2011

## Trademark/Service Mark Application, Principal Register

### TEAS Plus Application

Serial Number: 85459922

Filing Date: 10/31/2011

#### To the Commissioner for Trademarks:

**MARK:** Charles Gregoire de Rothschild (Standard Characters, see mark)

The literal element of the mark consists of Charles Gregoire de Rothschild.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Charles Gregoire de Rothshchild, a citizen of United States, having an address of  
16 West 45th Street 2nd Floor  
New York, New York 10036  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

**For specific filing basis information for each item, you must view the display within the Input Table.**

International Class 035: Consultancy and advisory services in the field of business strategy

In International Class 035, the mark was first used at least as early as 03/24/1998, and first used in commerce at least as early as 05/27/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) sample press release.

**Original PDF file:**

spec-108278170-004742314 . Charles Gregoire de Rothschild press release for trademark.pdf

**Converted PDF file(s) (2 pages)**

Specimen File1

Specimen File2

The name(s), portrait(s), and/or signature(s) shown in the mark identifies Charles Gregoire de Rothshchild, whose consent(s) to register is made of record.

Consent File1

The applicant's current Correspondence Information:

Charles Gregoire de Rothshchild  
16 West 45th Street 2nd Floor  
New York, New York 10036  
646 773 7010(phone)  
gdrprivee@gmail.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

#### **Declaration**

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

Signature: /Charles Gregoire de Rothschild/ Date Signed: 10/31/2011  
Signatory's Name: Charles Gregoire de Rothschild  
Signatory's Position: Owner

RAM Sale Number: 7471  
RAM Accounting Date: 10/31/2011

Serial Number: 85459922  
Internet Transmission Date: Mon Oct 31 01:43:29 EDT 2011  
TEAS Stamp: USPTO/FTK-108.27.81.70-20111031014329429  
076-85459922-480762eb4893e808d56c75d9f5d  
254e1c45-CC-7471-20111031004742314630

# Charles Gregoire de Rothschild

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## **Charles Gregoire de Rothschild Assumes Role of Lead Financial Advisor and Exclusive Agent to eDoorways**

Courtesy of PR Newswire Complimentary Monitoring

Editor Notes: NONE

[27-June-2011]

AUSTIN, Texas, June 27, 2011 /PRNewswire/ — eDoorways International Corporation (EDWY Pinksheets) and Charles Gregoire de Rothschild, Chairman of GDR Privee, announced that an agreement was reached at GDR Privee's Family offices whereby GDR Privee is assuming the role of lead financial advisor to eDoorways. As part of the agreement, GDR Privee will serve as eDoorways' advisor and exclusive agent in pursuing long-term growth and will assist the company with the eDoorways platform as it takes the necessary steps to establish itself on both domestic and international exchanges.

"We look forward to our new relationship with eDoorways. We will work as a team to assist the company with its financial and business objectives. I am sure we will enjoy great success," said Charles Gregoire de Rothschild, Chairman of GDR Privee.

The agreement with GDR Privee comes at a pivotal time for eDoorways as it positions itself for a global rollout of the forthcoming eDoorways 2.0 Platform. eDoorways and its strategic partner ISTEAC (Ibero American Science and Technology Education Consortium) are positioning the platform to serve the needs and interests of approximately 20 million Ibero American ISTEAC affiliates.

"GDR Privee will serve as advisor to eDoorways. We are retaining GDR Privee for business development efforts, whereby GDR Privee will introduce eDoorways to third parties (Investor or Investors), who may be interested in investing in, or in any other way financing all or a portion of the development of eDoorways business and designated projects. In addition, GDR Privee will be our exclusive agent worldwide for acquisitions, joint ventures, licensing and global expansion. It's an honor to have a person of Mr. Charles Gregoire de Rothschild from GDR Privee's stature and caliber on our team," said Gary Kimmons, CEO of eDoorways.

A formal signing ceremony was held at GDR Privee's offices in New York. Attendees included Charles Gregoire de Rothschild (GDR Privee), Gary F. Kimmons (eDoorways International Corporation), Ramiro Jordan, Ph.D. (eDoorways Board Member), and Lance Kimmons (eDoorways International Corporation). In addition to ratifying the agreement, Mr. de Rothschild discussed his perception of the potential opportunity as well as his ideas for future deployment.

For more information on eDoorways International Corporation and/or the "eDoorways"

(<http://www.eDoorways.com>) initiative, e-mail a package request to [info@eDoorwaysCorp.com](mailto:info@eDoorwaysCorp.com). Visit the corporate Web site at [eDoorwaysCorp.com](http://www.eDoorwaysCorp.com) (<http://www.eDoorwaysCorp.com>), make comments via the corporate blog (<http://www.eDoorways.wordpress.com>), or follow the company on Twitter (<http://twitter.com/edoorways>).

**Safe Harbor for Forward-Looking Statements:**

Except for historical information contained herein, the statements in this press release are forward-looking statements that are made pursuant to the safe harbor provisions of the Private Securities Reform Act of 1995. Forward-looking statements involve known and unknown risks and uncertainties, which may cause the company's actual results in future periods to differ materially from forecast results. These risks and uncertainties include, among other things, product price volatility, product demand, market competition, risk inherent in the company's domestic and international operations, imprecision in estimating product reserves and the company's ability to replace and expand its holdings.

**Contact:**

Heritage Corporate Services, Inc.  
Jeffrey Staller, President, 561-210-5675  
[Jeffrey@HeritageCorporateServices.com](mailto:Jeffrey@HeritageCorporateServices.com)

**SOURCE** eDoorways International Corporation

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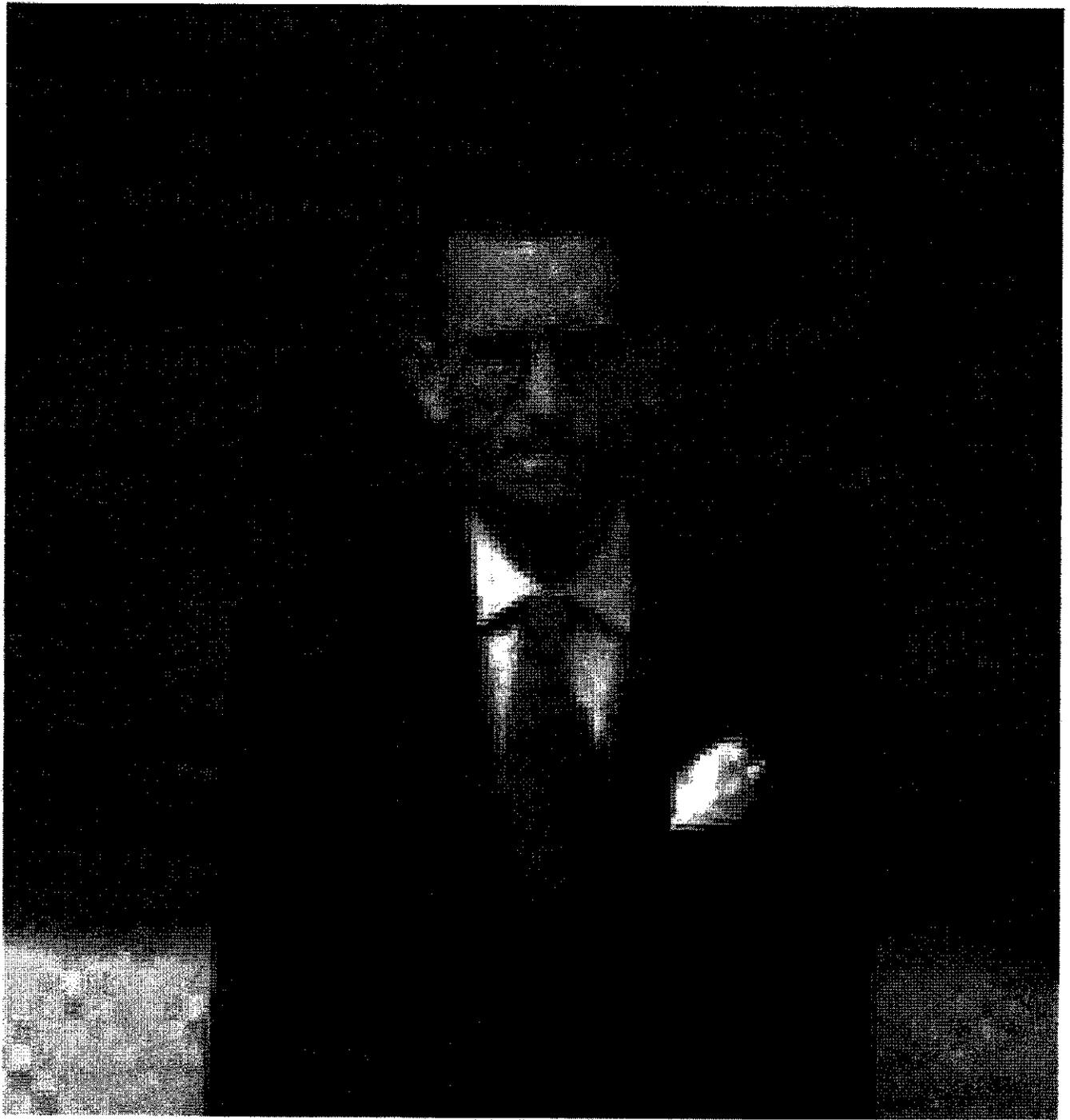
This entry was posted on Monday, June 27th, 2011 at 3:12 pm and is filed under [Business Networks](#), [Consumer 3.0](#), [ECommerce](#), [eCommerce Platform](#), [Economic Development](#), [Job Creation](#), [Lifestyle Problem Solving](#), [Small Business Productivity](#), [Social Networks](#), [Uncategorized](#). You can follow any responses to this entry through the [RSS 2.0](#) feed. Responses are currently closed, but you can [trackback](#) from your own site.

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# **EXHIBIT 4**

République française  
Au nom du Peuple français

Tribunal de Grande Instance de Paris

31eme chambre/1

N° d'affaire : 9909823542 Jugement du : 09 février 2005

n° : 1

**NATURE DES INFRACTIONS : REPRODUCTION D'UNE MARQUE SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFACON, IMITATION TROMPEUSE D'UNE MARQUE SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFACON, USAGE D'UNE MARQUE IMITEE ET TROMPEUSE, SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFACON,**

**TRIBUNAL SAISI PAR :** Ordonnance de renvoi du juge d'instruction en date du 23 juillet 2004 suivie d'une citation.

**PERSONNE POURSUIVIE :**

Nom : **BERDAH**  
Prénoms : **Aaron**  
Né le : 12 février 1944 Age : 52 ans au moment des faits  
A : **TUNIS (TUNISIE)**  
Alias : **Charles Grégoire ROTHSCHILD**  
Fils de : **David BERDAH**  
Et de : **Marie GANEM**  
Nationalité : **américaine - tunisienne**  
Domicile : **16 W.45th ST. 2nd Fl. 10036 NEW YORK -10036 (ETATS-UNIS)**  
Profession : **directeur de société**  
Situation familiale : **célibataire**  
Antécédents judiciaires : **déjà condamné**  
Situation pénale : **libre**  
Comparution : **non comparant**  
Représenté par Maître Jean-Alex BUCHINGER avocat du barreau de PARIS, muni d'un pouvoir de représentation et a déposé des conclusions visées par le président et le greffier et jointes au dossier.

**PARTIES CIVILES :**

Dénomination : **Groupement d'Intérêt Economique Sagitas**  
Siège social : **17 avenue Matignon  
75008 PARIS**

Dénomination : **Rothschild & Compagnie Banque**  
Siège social : **17 avenue Matignon  
75008 PARIS**

AP.

Dénomination : **la Compagnie Financière Edmond de Rothschild Banque**  
Siège social : 47 rue du Faubourg Saint-Honoré  
75008 PARIS

Représentés par Maître Xavier BUFFET-DELMAS (0007) avocat au barreau de PARIS, qui a déposé des conclusions visées par le président et le greffier et jointes au dossier.

### PROCEDURE D'AUDIENCE

Par ordonnance de renvoi de l'un des juges d'instruction de ce siège en date du 23 Juillet 2004 a été renvoyé devant le tribunal Aaron BERDAH pour :

Avoir sur le territoire national courant 1999, et en Suisse courant 1997, reproduit, imité, utilisé en violation des droits conférés par son enregistrement les marques: "Banque ROTHSCHILD", "Messieurs de ROTHSCHILD frères", "ROTHSCHILD", "ROTHSCHILD et Compagnie Banque", "ROTHSCHILD Assurance et Courtage", "ROTHSCHILD Assurances", "ROTHSCHILD Courtage", "ROTHSCHILD Gestion", "ROTHSCHILD Promotion et Développement", "ROTHSCHILD-Expansion", ainsi que les logos déposés comme marque du Groupement d'intérêt économique SAGITAS et ROTHSCHILD BANQUE AG, en l'espèce en utilisant la dénomination commerciale "CG Rothschild Investment SA", ainsi qu'un logo à profil blasonné entrelaçant trois lettres dont la lettre R majuscule.

Faits prévus et réprimés par les articles L 716-9, L 716-11-1, L 716-13, L 716-14 du code de la propriété intellectuelle.

L'affaire a été appelée, à l'audience du :

- 12 janvier 2005, pour première audience au fond et renvoyée pour délibération,
- et ce jour, pour prononcé du jugement.

Les débats ont été tenus en audience publique.

Le président a donné connaissance des faits motivant la poursuite.

Après dépôt de conclusions visées par le président et le greffier, Maître Xavier BUFFET-DELMAS avocat au barreau de PARIS, a été entendu en ses demandes et plaidoirie au nom du Groupement d'Intérêt Economique Sagitas, de Rothschild & Compagnie Banque, et de la Compagnie Financière Edmond de Rothschild Banque, parties civiles.

Le ministère public a été entendu en ses réquisitions.

Après dépôt de conclusions visées par le président et le greffier, Maître Jean-Alex BUCHINGER avocat au barreau de PARIS, a été entendu en ses demandes et plaidoirie pour Aaron BERDAH, prévenu.

Le greffier a tenu note du déroulement des débats.

Puis à l'issue des débats tenus à l'audience publique du 12 Janvier 2005 à 13h30, le tribunal a informé les parties présentes ou régulièrement représentées que le jugement serait prononcé le 09 Février 2005 à 13h30.

Ce jour le Tribunal vidant son délibéré conformément à la loi, a statué en ces termes.

### MOTIFS

#### SUR L'ACTION PUBLIQUE :

Le 8 Avril 1999 le groupement d'intérêt économique SAGITAS, la société ROTHSCHILD et Cie Banque et la Compagnie Financière Edmond de Rothschild Banque déposaient plainte avec constitution de partie civile des chefs de faux et usage de faux ainsi que de contrefaçon des marques ROTHSCHILD.

Cette plainte visait les agissements d'un certain Charles Grégoire de Rothschild, lequel aurait utilisé sans droit ni titre le nom patronymique de Rothschild et, de surcroît aurait commis des faits de contrefaçon en faisant usage dans des activités financières de marques enregistrées et exploitées par la famille de Rothschild.

Le 19 Juin 1999 une information était ouverte des chefs de faux et usage et contrefaçon.

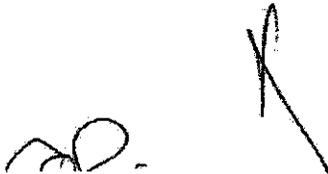
A l'issue de cette information Aaron BERDAH alias Charles Grégoire de Rothschild était mis en examen pour avoir reproduit, imité et utilisé en violation des droits conférés par leur enregistrement des marques ROTHSCHILD couvrant les produits d'assurances et de finances, ces marques au nombre de dix étant expressément visées dans la prévention ainsi que les logos déposés comme marque du GIE SAGITAS et ROTHSCHILD BANQUE AG, et ce en ayant utilisé la dénomination commerciale "CG Rothschild Investment SA" ainsi qu'un logo à profil blasonné entrelaçant trois lettres dont la lettre R. majuscule.

En revanche un non-lieu était prononcé à l'encontre d'Aaron BERDAH des chefs de faux et usage, l'information ayant établi que celui-ci pouvait s'appeler de manière régulière Charles Grégoire de Rothschild.

En effet Aaron BERDAH, qui est né à Tunis le 12 Février 1944, et qui a vécu un certain nombre d'années en FRANCE, a par la suite sollicité et obtenu la nationalité américaine. A l'occasion de cette naturalisation Aaron BERDAH a été autorisé, par décret du 28 août 1991, à changer son nom et à s'appeler désormais Charles Grégoire Rothschild. Une décision ultérieure, prononcée le 24 mars 1998, l'a autorisé à s'appeler Charles Grégoire de Rothschild.

Toutefois, nonobstant la possibilité pour Aaron BERDAH de s'appeler de manière tout à fait régulière Charles Grégoire de Rothschild, il n'en a pas moins commis des faits de contrefaçon en utilisant dans des conditions qui vont être développées ci-dessous ce nom patronymique comme dénomination sociale de son activité de démarchage de clientèle financière et immobilière. Il a en effet été établi les faits suivants :

- le 31 Octobre 1997 Charles Grégoire Rothschild a créé, suivant acte notarié passé à Nyon (SUISSE), avec deux autres personnes, François DUGAST et Jacques COLINOT, une société anonyme dénommée "CG Rothschild Investment SA" dont l'objet social était "Gestion de fortune et Conseils Financiers".



Dans la plaquette de présentation de la société, le nom CG Rothschild Investment figure à de très nombreuses reprises et les éléments mis en valeur pour attirer la clientèle sont la confiance et la sécurité que peuvent offrir "un réseau d'experts internationalement reconnus" et le fait de disposer "d'un accès privilégié et continu à l'ensemble des informations du monde financier".

Certes, suite à une action judiciaire engagée par la Banque privée Edmond de Rothschild, la raison sociale de cette société a été modifiée, celle-ci s'appelant désormais "CGR. SA".

Mais, malgré ce changement de dénomination, indépendant de la volonté du prévenu au demeurant, et le fait que cette société ait finalement eu très peu d'activité et ait périclité rapidement, il n'en reste pas moins vrai qu'il y a eu manifestement la volonté de créer dans l'esprit du public une confusion entre les services financiers et d'investissement offerts par cette société et les services de même nature couverts par les marques enregistrées Rothschild, et d'en tirer profit en attirant des investisseurs du fait de la renommée et de la notoriété internationales du patronyme Rothschild.

- Il était par ailleurs établi que Charles Grégoire de Rothschild avait permis à un dénommé René LEVY d'utiliser son nom pour des activités d'investissements immobiliers. Le dénommé René LEVY était effectivement interpellé fin Mai 1999 pour un certain nombre d'activités délictueuses dont notamment une affaire d'escroquerie immobilière.

Lors de son interpellation René LEVY était en possession d'un certain nombre de documents qui ont été mis sous scellés et qui sont décrits comme suit en cote D 73 :

\* un scellé est constitué de 6 cartes de visite estampillées pour certaines : René LEVY, consultant CGR, CG ROTHSCHILD INVESTMENT SA, pour d'autres le CGR est devenu CG de R Compagny, pour l'une : Charles Grégoire de Rothschild représenté par René LEVY consultant. Les adresses mentionnées sur ces cartes sont soit à LAUSANNE, soit à NEW-YORK, soit à PARIS, 86 boulevard Malesherbes.

\* un autre scellé est constitué par un contrat en date du 15 Janvier 1998 liant CG ROTHSCHILD INVESTMENT SA, représentée par François MAURON à René LEVY en qualité d'apporteur d'affaires ainsi que par un courrier de René LEVY de FIRST HUSTON INTERNATIONAL LIMITED 86 boulevard Malesherbes adressé à CG de Rothschild 16 West 45 th Street NEW-YORK par lequel le rédacteur confirme suite à un précédent entretien téléphonique qu'il versera la somme de 50 000 francs avant fin avril 1999 en règlement de l'autorisation d'exploiter le nom de Rothschild, ainsi que 20% des commissions perçues.

René LEVY sera entendu (Cotes D 76 et D 79) et donnera les indications suivantes sur ses relations avec Charles Grégoire de Rothschild :

\* Sur le contrat du 15 janvier 1998 il a indiqué que celui-ci l'autorisait à démarcher au nom de CGR ROTHSCHILD INVESTMENT une clientèle financière et immobilière en contrepartie de commissions qui lui seraient rétrocédées. Mais comme il n'avait pas fait d'affaires, il lui a été demandé une participation de 50 000 F pour avoir le droit de continuer à exploiter le nom. Il a précisé que, comme il n'avait toujours rien payé, Monsieur ROTHSCHILD lui avait demandé d'arrêter d'utiliser son nom, et ce trois semaines environ avant cette audition du 24 mai 1999.

\* Sur les cartes de visite comportant à la fois son nom et le sigle CGR ou Charles Grégoire de Rothschild, René LEVY a indiqué qu'il les avait fait imprimer à PARIS sur les indications et à la demande de Charles Grégoire de Rothschild. Il a précisé qu'il voulait profiter au maximum de ce nom susceptible de lui ouvrir beaucoup de portes.

\* Lors d'une audition ultérieure en date du 29 février 2000 René LEVY a indiqué qu'il avait connu Charles Grégoire de Rothschild à la fin de l'année 1997 et qu'il avait convenu avec ce dernier de lui trouver des clients susceptibles d'investir de l'argent dans le domaine immobilier et dans la finance. Il a déclaré que, même s'il n'était pas sûr que Charles Grégoire de Rothschild le lui ait précisé, il était évident que ce dernier faisait partie de l'illustre famille de ROTHSCHILD. Concernant les activités effectuées dans le cadre de ce contrat, René LEVY a mentionné qu'il n'avait finalement réussi à démarcher que deux personnes, un italien dont il avait oublié le nom et un dénommé Mendes RAMOS, à qui il avait effectivement adressé un courrier versé aux débats par les parties civiles.

\* Ce courrier daté du 26 janvier 1999 est sur un papier à en-tête "Charles Grégoire de Rothschild COMPANY, FIRST HUSTON International Limited, représentée par M René LEVY, consultant, 86 Boulevard Maiesherbes 75008 PARIS". Ce courrier fait référence à un protocole d'accord signé la veille avec remise d'un chèque de 20 000 F par Mendes RAMOS, à la location d'un local à Aix-en-Provence et à la rentabilité du point de vente envisagé.

\* Concernant l'adresse du 86 Boulevard Maiesherbes René LEVY a indiqué que Charles Grégoire de Rothschild l'avait invité une fois dans cet appartement en lui disant qu'il le louait en attendant de trouver un hôtel particulier. Il sera précisé que cet appartement était en fait le domicile de Gabriel BERDAH, frère de Charles Grégoire de Rothschild, lequel a précisé aux enquêteurs avoir hébergé son frère courant 1997 et 1998 et l'avoir autorisé à utiliser pour l'activité de sa société CGR INVESTMENT ses propres numéros de fax et de téléphone.

René LEVY a soutenu qu'il avait toujours ignoré que Charles Grégoire de Rothschild s'était appelé Aaron BERDAH ;

Charles Grégoire de Rothschild a fait valoir que, en tout cas, il n'avait jamais fait croire à René LEVY qu'il faisait partie de l'illustre famille de Rothschild et que ce dernier ne pouvait l'ignorer car il savait qu'il était né en Tunisie et qu'il était d'origine sépharade alors que les Rothschild sont d'origine ashkénase, faisant observer que de surcroît, à l'époque, son nom ne comportait pas de particule.

L'on ne peut toutefois que constater que l'autorisation accordée à Charles Grégoire Rothschild d'ajouter la particule date du 24 mars 1998, que si le contrat passé avec René LEVY le 15 janvier 1998 est antérieur, ce dernier a été trouvé en possession de cartes mentionnant la particule au mois de mai 1999, et qu'à la fin du mois de janvier 1999 il était occupé à démarcher pour le compte de Charles Grégoire de Rothschild Company le sus-nommé Mendes RAMOS. De surcroît René LEVY a confirmé qu'il était évidemment intéressé de pouvoir utiliser ce patronyme prestigieux pour faciliter ses activités dans le domaine des investissements immobiliers et financiers.

\* Il doit ainsi être constaté que, après que la société qu'il avait créée en 1997 ait été contrainte à l'initiative de la Banque privée Edmond de Rothschild de supprimer de son appellation le nom ROTHSCHILD, le prévenu qui avait obtenu des autorités américaines fin mars 1998 de pouvoir adjoindre à son nom la particule, renforçant ainsi l'homonymie avec la famille de Rothschild, a continué à essayer de développer des affaires dans les domaines d'investissements

financiers et immobiliers notamment par l'intermédiaire de René LEVY, lequel non seulement utilisait ce patronyme avec le plein accord de Charles Grégoire de Rothschild mais encore, comme on l'a vu dans le courrier du 26 janvier 1999 adressé à Mendes RAMOS, faisait suivre ce patronyme des mots COMPANYY.

Là encore, peu importe que les affaires initiées par René LEVY dans ces conditions aient été peu nombreuses et n'aient pas prospéré, il n'en reste pas moins que l'utilisation du patronyme Charles Grégoire de Rothschild pour tenter de développer des affaires immobilières et de placements financiers constitue un acte de contrefaçon des marques Rothschild.

Il convient en effet de rappeler que si l'enregistrement d'une marque ne fait pas obstacle à l'utilisation du nom, c'est à condition que le patronyme soit utilisé par un tiers de bonne foi. Or tel n'est pas le cas en l'espèce dans la mesure où il est établi par les faits sus-mentionnés que Charles Grégoire de Rothschild a utilisé ce patronyme à des fins commerciales dans le domaine des investissements financiers et immobiliers en cherchant à bénéficier de la réputation attachée au patronyme "de Rothschild" et à tirer parti de la confusion créée dans l'esprit du public du fait de son homonymie.

Aaron BERDAH, alias Charles Grégoire de Rothschild sera donc retenu dans les liens de la prévention pour les faits de contrefaçon de marques.

Il sera toutefois relaxé du chef de contrefaçon de logo. En effet le Tribunal ne peut que constater que le logo utilisé par Charles Grégoire de Rothschild, à savoir les trois lettres de ses initiales entrelacées avec le R au milieu, le tout à l'intérieur d'une sorte d'écusson, n'a pas de ressemblances réelles avec les logos des marques Rothschild et notamment avec le plus connu de ces logos dans le domaine bancaire, à savoir un R et des flèches, partant du centre de cette lettre majuscule, le tout à l'intérieur d'un ovale.

Il sera fait à Aaron BERDAH-Charles Grégoire de Rothschild une juste application de la loi pénale en tenant compte des circonstances de la cause et de sa personnalité.

#### **SUR L'ACTION CIVILE :**

Le groupement d'Intérêt Economique SAGITAS, la société ROTHSCHILD et Compagnie Banque et la Compagnie Financière Edmond de ROTHSCHILD Banque se sont constitués parties civiles et sollicitent :

- qu'il soit ordonné à Aaron BERDAH, alias Charles Grégoire de Rothschild la cessation, sous astreinte définitive et non comminatoire de 1000 euros par jour de retard à compter de la signification du jugement à intervenir des actes de contrefaçon de marque, ainsi que, sous la même astreinte, la destruction à ses frais de tout document ou support sur lesquels apparaissent le nom de Rothschild, avec établissement d'un procès-verbal de cette destruction par tout huissier territorialement compétent,

- la condamnation d'Aaron BERDAH alias Charles Grégoire de Rothschild a payer :

• à titre de dommages-intérêts en réparation de leur préjudice matériel et moral au GIE SAGITAS la somme de 100.000 euros, à Rothschild et Compagnie Banque et à la Compagnie Financière Edmond de Rothschild la somme de 50.000 euros chacune.

20 X

- la somme de 1500 euros sur le fondement de l'article 475-1 du Code de Procédure Pénal.

Les parties civiles sollicitent également que soit ordonnée la publication du jugement à intervenir par extraits ou dans son intégralité dans trois journaux à leur choix sans que le coût de chacune de ces publications dépasse 10.000 euros et ce aux frais d'Aaron BERDAH ALIAS Charles Grégoire de Rothschild, et que soit ordonnée également l'exécution provisoire.

Ces demandes sont recevables et bien fondées au moins quant à leur principe. Eu égard aux éléments d'appréciation dont dispose le Tribunal il apparaît que le préjudice subi par les parties civiles est essentiellement moral et qu'il sera en conséquence équitablement réparé par l'allocation de l'euro symbolique à chacune d'entre elles ainsi que par la publication du jugement selon les modalités précisées au présent dispositif.

L'équité justifie en outre de condamner Aaron BERDAH alias Charles Grégoire de Rothschild à payer aux parties civiles la somme de 800 euros sur le fondement de l'article 475-1 du Code de Procédure Pénal.

Le Tribunal déboute les parties civiles du surplus de leurs demandes.

### PAR CES MOTIFS

Le tribunal statuant publiquement, en matière correctionnelle, en premier ressort et par jugement contradictoire en application de l'article 411 du Code de Procédure Pénale à l'encontre d'Aaron BERDAH, prévenu, par jugement contradictoire à l'égard du Groupement d'Intérêt Économique Sagitas, de Rothschild & Compagnie Banque, la Compagnie Financière Edmond de Rothschild Banque, parties civiles ;

#### SUR L'ACTION PUBLIQUE :

**RELAXE** Aaron BERDAH alias ROTHSCCHILD Charles Grégoire du chef de CONTREFAÇON DE LOGOS, faits commis courant 1997 et courant 1999, en SUISSE et sur le territoire national.

**DECLARE** Aaron BERDAH alias ROTHSCCHILD Charles Grégoire **COUPABLE** pour les faits qualifiés de :  
**REPRODUCTION D'UNE MARQUE SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFAÇON**, faits commis courant 1997 et courant 1999, en SUISSE et sur le territoire national,  
**IMITATION TROMPEUSE D'UNE MARQUE SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFAÇON**, faits commis courant 1997 et courant 1999, en Suisse et sur le territoire national,  
**USAGE D'UNE MARQUE IMITEE ET TROMPEUSE, SANS L'AUTORISATION DE SON PROPRIETAIRE - CONTREFAÇON**, faits commis courant 1997 et courant 1999, en Suisse et sur le territoire national.

Vu les articles susvisés :

**CONDAMNE** Aaron BERDAH à 4 mois d'emprisonnement.

Vu les articles 132-29 à 132-34 du Code pénal :

**DIT** qu'il sera sursis totalement à l'exécution de cette peine dans les conditions prévues par ces articles.

Vu les articles susvisés :

CONDAMNE Aaron BERDAH à une amende délictuelle de QUATRE MILLE EUROS (4 000 euros).

Vu les articles susvisés ; à titre de peine complémentaire :

ORDONNE A L'ENCONTRE D'Aaron BERDAH LA CONFISCATION des scellés.

**SUR L'ACTION CIVILE :**

DECLARE recevable, en la forme, la constitution de partie civile du Groupement d'Intérêt Economique Sagitas, de Rothschild & Compagnie Banque, de la Compagnie Financière Edmond de Rothschild Banque.

CONDAMNE Aaron BERDAH à payer à chacune des parties civiles :

- **Groupement d'Intérêt Economique Sagitas**, la somme de 1 euro à titre de dommages-intérêt et en outre la somme de 800 euros au titre de l'article 475-1 du Code de Procédure Pénale.

- **Rothschild & Compagnie Banque**, la somme de 1 euro à titre de dommages-intérêt et en outre la somme de 800 euros au titre de l'article 475-1 du Code de Procédure Pénale.

- **la Compagnie Financière Edmond de Rothschild Banque**, la somme de 1 euro à titre de dommages-intérêt et en outre la somme de 800 euros au titre de l'article 475-1 du Code de Procédure Pénale.

ORDONNE la publication du jugement dans LE FIGARO sans que le coût de l'insertion n'excède la somme de 3.000 euros.

La présente décision est assujettie à un droit fixe de procédure d'un montant de QUATRE-VINGT-DIX EUROS - (90 euros) dont est redevable Aaron BERDAH.

~ ~ ~  
X

**FAIT, JUGE et DELIBERE, par :**

**Monsieur PERRUSSET, Vice-Président, (rédacteur)**

**Madame POIRIER D'ANGE D'ORSAY Vice-Présidente, Monsieur  
MONEREAU, Juge.**

**En présence de Monsieur Michel, Vice-Procurer de la République.**

**DELIBERE par :**

**Monsieur PERRUSSET, Vice-Président,**

**Madame POIRIER D'ANGE D'ORSAY Vice-Présidente (rédacteur),  
Monsieur MONEREAU, Juge.**

**et PRONONCE à L'AUDIENCE PUBLIQUE de la 31ème CHAMBRE  
CORRECTIONNELLE du TRIBUNAL DE GRANDE INSTANCE de  
PARIS le 9 Février 2005,**

**par Monsieur PERRUSSET, Vice-Président**

**En présence de Madame MONTAMBAULT, Vice-Procurer de la  
République**

**assistés de Mademoiselle PASTY, Greffier.**

**LE GREFFIER**



**LE PRESIDENT**



**EN CONSÉQUENCE,**

**LA RÉPUBLIQUE FRANÇAISE mande et ordonne à  
tous huissiers de justice sur ce requis de mettre le  
présent Jugement à exécution. Aux Procureurs  
Généraux et aux Procureurs de la République près les  
Tribunaux de Grande Instance d'y tenir la main. A tous  
Commandants et Officiers de la  
Force Publique de prêter-main forte  
lorsqu'ils en seront légalement  
requis.**

**En foi de quoi la présente a été  
signée et délivrée par Nous,  
Greffier en Chef**



Public Prosecutor  
v/  
BERDAH

[stamp:] Extract from the records of the Registry  
of the Court of First Instance of PARIS

**French Republic**  
**In the name of the French People**

**Court of First Instance of Paris**

**31st chamber/1**

Case No.: 9909823542

Judgment of: February 09, 2005

No.: 1

**NATURE OF THE VIOLATIONS:** REPRODUCTION OF A TRADEMARK WITHOUT THE AUTHORIZATION OF ITS OWNER - COUNTERFEIT, MISLEADING IMITATION OF A TRADEMARK WITHOUT THE AUTHORIZATION OF ITS OWNER - COUNTERFEIT, USE OF AN IMITATED AND MISLEADING TRADEMARK, WITHOUT THE AUTHORIZATION OF ITS OWNER - COUNTERFEIT,

**COURT NOTIFIED BY:** Committal to trial of the investigating judge dated July 23, 2004 followed by summons.

**PERSON PROSECUTED:**

Last name : **BERDAH**  
First names : **Aaron**  
Born on : February 12, 1944 Age: 52 at the time of the facts  
In : TUNIS (TUNISIA)  
Alias : Charles Grégoire ROTHSCHILD  
Son of : David BERDAH  
And of : Marie GANEM  
Nationality : American-Tunisian  
Domicile : 16 W. 45th ST. 2nd Fl. 10036 NEW YORK -10036  
(UNITED STATES)  
Profession : company director  
Family situation : single  
Criminal record : already sentenced  
Criminal situation : free  
Appearance : did not appear

Represented by Atty. Jean-Alex BUCHINGER, lawyer at the bar of PARIS, with power of representation, having filed arguments approved by the presiding judge and the clerk and attached to the file.

**CIVIL PARTIES:**

Name : **Groupement d'Intérêt Economique Sagitas**  
Registered office : 17 avenue Matignon  
75008 PARIS

Name : **Rothschild & Compagnie Banque**  
Registered office : 17 avenue Matignon  
75008 PARIS

Name : **Compagnie Financière Edmond de Rothschild Banque**  
Registered office : 47 rue du Faubourg Saint-Honoré  
75008 PARIS

Represented by Atty. Xavier BUFFET-DELMAS (0007) lawyer at the bar of PARIS, who filed arguments approved by the presiding judge and the clerk and attached to the file.

### HEARING PROCEEDINGS

By committal to trial of one of the investigating judges of this court dated July 23, 2004, Aaron BERDAH was sent before the court for:

Having , in the national territory, during 1999 and in Switzerland during 1997, reproduced, imitated, used in violation of the rights given by their registration, the trademarks: "Banque ROTHSCHILD," "Messieurs de ROTHSCHILD frères," "ROTHSCHILD," "ROTHSCHILD et Compagnie Banque," "ROTHSCHILD Assurance et Courtage," "ROTHSCHILD Assurances," "ROTHSCHILD Courtage," "ROTHSCHILD Gestion," "ROTHSCHILD Promotion et Développement," "ROTHSCHILD-Expansion," as well as the logos filed as trademark of the Groupement d'Intérêt économique SAGITAS and ROTHSCHILD BANQUE AG, in this case using the trade name "*CG Rothschild Investment SA*," as well as a logo with emblazoned profile intertwining three letters with the capital letter R.

Facts described and punished by articles L 716-9, L 716-11-1, L 716-13, L 716-14 of the code of intellectual property.

The case was called in the hearing of:

- January 12, 2005, for the first hearing on the merits and postponed for deliberation,
- and today, for the ruling.

The debates were held in public hearing.

The presiding judge indicated the reasons motivating the prosecution.

After filing the arguments approved by the presiding judge and bailiff, Atty. Xavier BUFFET-DELMAS, attorney at the bar of PARIS, was heard in his requests and arguments in the name of Groupement d'Intérêt Economique Sagitas, Rothschild & Compagnie Banque, and Compagnie Financière Edmond de Rothschild Banque, civil parties.

The prosecutor's address was heard.

After filing arguments approved by the presiding judge and the bailiff, Atty. Jean-Alex BUCHINGER, attorney at the bar of PARIS, was heard in his requests and arguments for Aaron BERDAH, defendant.

The bailiff took notes of the course of the debates.

Then, after the debates held in public hearing of January 12, 2005 at 1:30 p.m., the court informed the parties present or regularly represented that the ruling will be rendered on February 09, 2005 at 1:30 p.m.

Today, the Court, completing its deliberations pursuant to the law, decided in these terms.

**REASONS**

**FOR THE CRIMINAL PROCEEDING:**

On April 8, 1999, the groupement d'intérêt économique SAGITAS, Rothschild et Cie Banque, and Compagnie Financière Edmond de Rothschild Banque filed a complaint with constitution of civil party on grounds of fake and use of fake as well as counterfeit of the ROTHSCHILD trademarks.

This complaint concerned the acts of a certain Charles Grégoire de Rothschild, who would have used without right or title the last name of Rothschild and, in addition would have committed facts of counterfeit by using in financial activities registered trademarks exploited by the Rothschild family.

On June 19, 1999, an investigation was opened on grounds of fake and use of counterfeit.

After this investigation, Aaron BERDAH alias Charles Grégoire de Rothschild was indicted for having reproduced, imitated, and used in violation of the rights granted by their registration of the ROTHSCHILD trademarks covering the products of insurance and finance, which trademarks, in the number of ten, being expressly referred to in the indictment, the same as the logos filed as a trademark of GIE SAGITAS and ROTHSCHILD BANQUE AG, having used the trade name "CG Rothschild Investment SA" as well as a logo with emblazoned profile intertwining three letters with the capital letter R.

In exchange, a discharge was pronounced concerning Aaron BERDAH for the counts of fake and use, since the investigation had established that he had the right to be called regularly Charles Grégoire de Rothschild.

Indeed, Aaron BERDAH, who was born in Tunis on February 12, 1944, and who lived a certain number of years in FRANCE, then requested and obtained the American nationality. At the time of this naturalization, Aaron BERDAH was authorized, by decree of August 28, 1991, to change his name and be called now Charles Grégoire Rothschild. A subsequent decision, pronounced on March 24, 1998, authorized him to be called Charles Grégoire de Rothschild.

However, despite the possibility for Aaron BERDAH to be called regularly Charles Grégoire de Rothschild, he still committed acts of counterfeit by using, under conditions that will be described below, this last name as a corporate name for his activity of canvassing financial and real estate clientele. Indeed, he committed the following facts:

- On October 31, 1997, Charles Grégoire Rothschild created, by notarized act executed in Nyon (SWITZERLAND) with two other persons, Francois DUGAST and Jacques COLINOT, a corporation named "CG Rothschild Investment SA" whose corporate purpose was "Asset Management and Financial Advice."

In the presentation brochure of the company, the name CG Rothschild Investment appears many times and the elements used to attract the clientele are the trust and security that can be offered by "a network of internationally recognized experts" and the fact of having "privileged and continuous access to all the information of the financial world."

Certainly, following a lawsuit filed by the Private Bank Edmond de Rothschild, the name of this company was modified, being now called "CGR, SA."

But, despite this change of name, moreover independent of the will of the defendant, and the fact that in the end this company had very little activity and dwindled rapidly, it is still true that obviously there was a will to create confusion in the spirit of the public between the financial services and the investment offered by this company and the services of the same nature covered by the Rothschild registered trademarks, and to profit by attracting investors with the international fame and recognition of the Rothschild last name.

- Moreover, it was established that Charles Grégoire de Rothschild had allowed one René LEVY to use his name for real estate investment activities. Said René LEVY was actually questioned at the end of May 1999 for a certain number of criminal activities, especially a case of real estate fraud.

During his questioning, René LEVY was in possession of a certain number of documents, which were placed under seals and which are described as follows under D 73:

\* One seal consists of 6 business cards, some printed: René LEVY, consultant CGR, CG ROTHSCHILD INVESTMENT SA, in others CGR has become CG de R Compagny [sic], in one: Charles Grégoire de Rothschild represented by René LEVY consultant. The addresses mentioned in these cards are either in LAUSANNE, or in NEW YORK, or in PARIS, 86 boulevard Malesherbes.

\* Another seal consist of a contract dated January 15, 1998 connecting CG ROTHSCHILD INVESTMENT SA, represented by François MAURON, to René LEVY as business provider, as well as a letter of René LEVY from FIRST HUSTON INTERNATIONAL LIMITED 86 boulevard Malesherbes addressed to CG de Rothschild 16 West 45<sup>th</sup> Street NEW YORK, by which the writer confirms, after a previous telephone discussion, that he will pay the amount of 50,000 francs before the end of April 1999 for the authorization to operate under the name Rothschild, as well as 20% of the commissions received.

René LEVY will be heard (exhibit D 76 and D 76) and will give the following indications on his relationship with Charles Grégoire de Rothschild:

\* Concerning the contract of January 15, 1998, he indicated that the latter authorized him to solicit a financial and real estate clientele in the name of CGR ROTHSCHILD INVESTMENT in exchange for commissions that would be retroceded to him. But since he did not do any business, he was asked for a participation of FF 50,000 to have the right to continue exploiting the name. He specified that, since he had still paid nothing, Mr. ROTHSCHILD had asked him to stop using his name, about three weeks before this hearing of May 24, 1999.

\* On the business cards bearing at the same time his name and the initials CGR or Charles Grégoire de Rothschild, René LEVY indicated that he had printed them in PARIS on the indications and at the request of Charles Grégoire de Rothschild. He specified that he wanted to profit as much as possible from this name likely to open many doors for him.

\* In a subsequent hearing of February 29, 2000, René LEVY indicated that he had met Charles Grégoire de Rothschild at the end of 1997 and that he agreed with the latter to find him customers likely to invest money in real estate and in finance. He declared that, even though he was not sure that Charles Grégoire de Rothschild had specified it to him, it was obvious that the latter was part of the illustrious ROTHSCHILD family. Concerning the activities carried out as part of this contract, René LEVY mentioned that, in the end, he did not succeed to solicit more than two persons, an Italian whose name he had forgotten and one Mendes RAMOS, to him he had actually sent a letter brought to the debate by the civil parties.

\* This letter dated January 26, 1999 is written on letterhead "Charles Grégoire de Rothschild COMPANY, FIRST HUSTON International Limited, represented par Mr. René LEVY, consultant, 86 Boulevard Malesherbes 75008 PARIS." This letter refers to a protocol of agreement signed the day before with delivery of a check for FF 20,000 by Mendes RAMOS, for the rental of an office in Aix-en-Provence and the profitability of the point of sale selected.

\* Concerning the address of 86 Boulevard Malesherbes, René LEVY indicated that Charles Grégoire de Rothschild had invited him once in this apartment, telling him that he rented it while waiting to find a townhouse. We note that this apartment was actually the address of Gabriel BERDAH, brother of Charles Grégoire de Rothschild, who specified to the investigators that he let his brother stay with him in 1997 and 1998 and let him use his own fax and telephone numbers for the activity of his company CGR INVESTMENT.

René LEVY sustained that he never knew that Charles Grégoire de Rothschild had been called Aaron BERDAH;

Charles Grégoire de Rothschild indicated that, in any case, he had never made René LEVY believe that he was part of the illustrious Rothschild family, and that the latter could not ignore it, because he knew that he had been born in Tunisia and that he was Sephardic by origin, while the Rothschild family are of Ashkenazi origin, noting that, in addition, at the time, his name did not have a particle.

However, one can only find that the authorization granted to Charles Grégoire Rothschild to add the particle is dated March 24, 1998, that if the contract executed with René LEVY on January 15, 1998 is prior, the latter was found in possession of cards mentioning the particle in May 1999 and at the end of January 1999 he was busy soliciting, on behalf of Charles Grégoire de Rothschild, the aforementioned Mendes RAMOS. In addition, René LEVY confirmed that he was obviously interested in being able to use this prestigious last name to facilitate his activities in real estate and financial investments.

\*It must be also established that, after the company he had created in 1997 had been forced, at the initiative of the Private Bank Edmond de Rothschild to eliminate ROTHSCHILD from its name, the defendant who, at the end of March 1998, had obtained from the American authorities the right to attach to his name the particle, thus reinforced the said name with the Rothschild family, continued to try to develop business in the field of

financial and real estate investments, specifically through René LEVY, who not only used this last name with the full agreement of Charles Grégoire de Rothschild but also, as we have seen in the letter of January 26, 1999 addressed to Mendes RAMOS, followed this last name by the word COMPANYY.

Here as well, it does not matter that the business initiated by René LEVY under these conditions may have been scarce and was not prosperous, it is still true that the use of the name Charles Grégoire de Rothschild to try to develop real estate and financial investments constitutes an act of counterfeit of the Rothschild trademarks.

It should be recalled that if the registration of a trademark does not preclude the use of the name, it is conditioned on the name being used by a bona fide third party. But this is not the case here, to the extent that it is proven by the above-mentioned facts that Charles Grégoire de Rothschild has used this name for commercial purposes in the field of financial and real estate investments, seeking to benefit from the reputation attached to the name "Rothschild" and take advantage of the confusion in the public mind because of its homonymy.

Aaron BERDAH, alias Charles Grégoire de Rothschild, will therefore be kept in detention for trademark counterfeit.

However, he will be discharged of the accusation of logo counterfeit. Indeed the Court can only conclude that the logo used by Charles Grégoire de Rothschild, the three letters of his initials intertwined with the R in the middle, all inside a kind of shield, has no real similarities with the Rothschild brand logos and specifically with the best known of these logos in banking, namely an R and arrows radiating from the center of this capital letter, all inside an oval.

Aaron BERDAH-Charles Grégoire de Rothschild will receive a proper application of criminal law in light of the circumstances of the case and of his personality.

#### **ON THE CIVIL ACTION:**

Groupement d'Intérêt Economique SAGITAS, ROTHSCHILD and Compagnie Banque, and Compagnie Financière Edmond de ROTHSCHILD Banqué have constituted themselves civil parties and request:

- To order Aaron BERDAH, alias Charles Grégoire de Rothschild to stop, under final non-revocable daily fine of 1,000 euro per day of delay from the service of the judgment to be rendered in the acts of trademark counterfeit, as well as, under the same daily fine, the destruction at its expense of any document or medium on which the name Rothschild appears, with establishment of report of this destruction by any territorially competent bailiff,
- The sentencing of Aaron BERDAH, alias Charles Grégoire de Rothschild to pay:
  - As damages for the reparation of their property and moral damage, to GIE SAGITAS, the amount of 100,000 euro, to Rothschild et Compagnie Banque and to Compagnie Financière Edmond de Rothschild the amount of 50,000 euro each.

- The amount of 1,500 euro pursuant to article 475-1 of the Code of Criminal Procedure.

The civil parties also request the ordering of the publication of the future judgment by extracts or in full in three newspapers of their choice, the cost of each of these publications not exceeding 10,000 euro, at the expenses of Aaron BERDAH alias Charles Grégoire de Rothschild, ordering provisional execution as well.

These requests are admissible and well founded at least as to their principle. Given the elements of appreciation available to the Court, it appears that the damage suffered by the civil parties is essentially moral and consequently it will be equitably repaired by the allocation of the symbolic euro to each of them, as well as the publication of the judgment by the terms specified in this judgment.

In addition, equity justifies sentencing Aaron BERDAH alias Charles Grégoire de Rothschild to pay the civil parties the amount of 800 euro pursuant to article 475-1 of the Code of Criminal Procedure.

The Court dismisses the other requests of the civil parties.

### ON THESE GROUNDS

The court ruling publicly, in criminal matters, in the first instance and by **adversarial judgment pursuant to section 411 of the Code of Criminal Procedure**, against Aaron BERDAH, defendant, by **adversarial judgment** concerning Groupement d'Intérêt Economique Sagitas, Rothschild & Compagnie Banque, and Compagnie Financière Edmond de Rothschild Banque, civil parties;

### ON THE CRIMINAL PROCEDURE:

**DISCHARGES Aaron BERDAH alias Charles Grégoire ROTHSCHILD** of the charge of LOGO COUNTERFEIT, facts committed during 1997 and during 1999, in SWITZERLAND and in the national territory.

**DECLARES Aaron BERDAH alias Charles Grégoire ROTHSCHILD GUILTY OF THE QUALIFIED FACTS OF:**

**REPRODUCTION OF A TRADEMARK WITHOUT AUTHORIZATION FROM ITS OWNER – COUNTERFEIT**, facts committed during 1997 and during 1999, in SWITZERLAND and in the national territory.  
**MISLEADING IMITATION OF A TRADEMARK WITHOUT AUTHORIZATION FROM ITS OWNER – COUNTERFEIT**, facts committed during 1997 and during 1999, in SWITZERLAND and in the national territory.  
**USE OF AN IMITATED AND MISLEADING TRADEMARK, WITHOUT THE AUTHORIZATION OF ITS OWNER – COUNTERFEIT**, facts committed during 1997 and during 1999, in SWITZERLAND and in the national territory.

Pursuant to the aforementioned articles:

**SENTENCES Aaron BERDAH** to 4 months of imprisonment.

Pursuant to articles 132-29 to 132-34 of the Criminal Code:

**STATES** that it will totally suspend the execution of this penalty under the conditions provided by these articles.

Pursuant to the aforementioned articles:

**SENTENCES Aaron BERDAH** to a criminal fine of **FOUR THOUSAND EURO (4,000 euro)**.

Pursuant to the above articles; as additional penalty:

**ORDERS AGAINST Aaron BERDAH** THE CONFISCATION of the seals.

**ON THE CIVIL ACTION:**

**DECLARES** admissible, in form, the constitution as civil party of **Groupement d'Intérêt Economique Sagitas, Rothschild & Compagnie Banque, Compagnie Financière Edmond de Rothschild Banque.**

**SENTENCES Aaron BERDAH** to pay to each of the civil parties:

- **Groupement d'Intérêt Economique Sagitas**, the amount of 1 Euro as damages and also the amount of 800 euro under article 475-1 of the Code of Criminal Procedure.
- **Rothschild & Compagnie Banque**, the amount of 1 Euro as damages and also the amount of 800 euro under article 475-1 of the Code of Criminal Procedure.
- **Compagnie Financière Edmond de Rothschild Banque**, the amount of 1 Euro as damages and also the amount of 800 euro under article 475-1 of the Code of Criminal Procedure.

**ORDERS** the publication of the judgment in **LE FIGARO**, the cost of the insertion not exceeding the amount of 3,000 euro.

This decision is subject to a fixed fee of **NINETY EURO - (90 euro)** payable by **Aaron BERDAH**.

**MADE, JUDGED, and DECIDED by:**

**Mr. PERRUSSET, Vice-President, (editor)**

**Mrs. POIRIER D'ANGE D'ORSAY, Vice-President, Mr. MONEREAU, Judge.**

**In the presence of Mr. Michel, Vice-Prosecutor of the Republic.**

**DECIDED by:**

**Mr. PERRUSSET, Vice-President,**

**Mrs. POIRIER D'ANGE D'ORSAY, Vice-President (editor)**

**Mr. MONEREAU, Judge.**

**and PRONOUNCED IN THE PUBLIC HEARING of the 31st CRIMINAL CHAMBER of the COURT OF FIRST INSTANCE OF PARIS on February 9, 2005,**

**par Mr. PERRUSSET, Vice-President**

**In the presence of Mrs. MONTAMBAULT, Vice-Prosecutor of the Republic  
assisted by Miss PASTY, Bailiff.**

**THE BAILIFF**

[signature]

**THE PRESIDING JUDGE**

[signature]

[stamp:] **CONSEQUENTLY,**

The FRENCH REPUBLIC commands and orders to all bailiffs required to cause the execution of this Judgment. To the General Prosecutors and Prosecutors of the Republic at the Courts of First Instance to help. To all Police Commanders and Officers to help with force when legally required.

In witness whereof this document was signed and delivered by Us, Head Bailiff.

[signature]

[stamp:]

Court of First Instance of Paris – S 027

# **EXHIBIT 5**



# Rothschild family

From Wikipedia, the free encyclopedia

For the investment bank founded by the family, see N M Rothschild & Sons.



This article **needs additional citations for verification**.

Please help improve this article ([http://web.archive.org/web/20090912125515/http://en.wikipedia.org/w/index.php?title=Rothschild\\_family&action=edit](http://web.archive.org/web/20090912125515/http://en.wikipedia.org/w/index.php?title=Rothschild_family&action=edit)) by adding reliable references. Unsourced material may be challenged and removed.

## Rothschild Coat of Arms



**Ethnicity** German Jewish

**Current region** United Kingdom

### Information

**Place of origin** Germany

The **Rothschild family** (often referred to simply as **the Rothschilds**) is an international dynasty of German that established worldwide banking and finance operations and was ennobled by Austria and the United Kingdom.

## Contents

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- 2 British war effort and Napoleon
- 3 Elevated to the nobility
- 4 Zionism
- 5 French branches
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## Origins

The family's rise to international prominence began with Mayer Amschel Rothschild (1744–1812), the son of Amschel Moses Rothschild,<sup>[1]</sup> a moneychanger. Born in the ghetto (called "Judengasse" or Jew Alley) of Frankfurt am Main, he developed a finance house and spread his empire by installing each of his five sons in European cities to conduct business. An essential part of Mayer Rothschild's strategy for future success was to keep control of their businesses in family hands, allowing them to maintain full discretion about the size of their wealth and their business achievements. Mayer Rothschild successfully kept the fortune in the family with carefully arranged marriages between closely related family members. His sons were:

- Amschel Mayer Rothschild (1773–1855): Frankfurt
- Salomon Mayer Rothschild (1774–1855): Vienna
- Nathan Mayer Rothschild (1777–1836): London
- Calmann Mayer Rothschild (1788–1855): Naples
- Jakob Mayer Rothschild (1792–1868): Paris

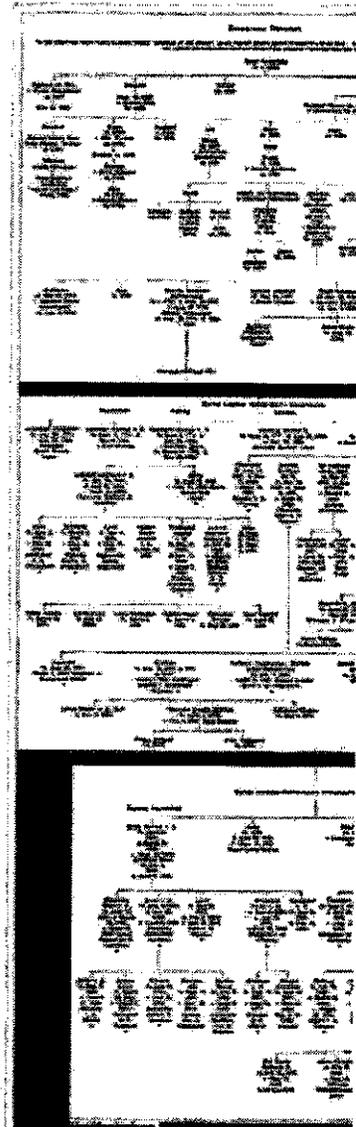
The Rothschild coat of arms contains a clenched fist with five arrows symbolizing the five sons of Mayer Rothschild, a reference to Psalm 127. The family motto appears below the shield, in Latin, *Concordia, Integritas, Industria*, (Harmony, Integrity, Industry).<sup>[2]</sup> The German family name means "Red Shield".

Families by country:

- Rothschild banking family of Naples
- Rothschild banking family of England
- Rothschild banking family of Austria
- Rothschild banking family of France

## British war effort and Napoleon

The basis for the Rothschild fortune was laid during the latter stages of the Napoleonic Wars. From 1813 to 1815, Nathan Mayer Rothschild in London was instrumental in the financing of the British war effort, handling the shipment of bullion to th



The family tree of the Rothsch

Wellington's army in Portugal. commissions earned on these transactions, the Rothschild fortune grew enormously. The four brothers helped co-ordinate activities across the continent. and the family developed a network of couriers to transport gold and information across Europe. This private intelligence service enabled N. London the news of Wellington's victory at the Battle of Waterloo a full day ahead of the government's o [3]

Nathan Mayer Rothschild started his London business, N. M. Rothschild and Sons in 1811 at New Court Lane, City of London, where it trades today. In 1818, he arranged a £5 million loan to the Prussian government. Issuing of bonds for government loans formed a mainstay of his bank's business. He gained a position of City of London that by 1825–6 he was able to supply enough coin to the Bank of England to enable it to liquidity crisis.

## Elevated to the nobility

In 1816, four of the brothers were each ennobled by Austrian Emperor Francis I; Nathan was elevated in were granted the Austrian title of baron or Freiherr on 29 September 1822. As such, some members of the or "von" Rothschild to acknowledge the grant of nobility. In 1885, Nathan Mayer Rothschild II (1840–19 branch of the family, was granted the peerage title Baron Rothschild in the Peerage of the United Kingdo

Rothschild family banking businesses pioneered international high finance during the industrialisation of instrumental in supporting railway systems across the world and in complex government financing for pr Suez Canal. Major businesses directly founded by Rothschild family capital include Alliance Assurance (& SunAlliance); Chemin de Fer du Nord (1845); Rio Tinto Group (1873); Société Le Nickel (1880) (now Imétal (1962) (now Imerys).

After amassing huge fortunes, the name Rothschild became synonymous with banking and great wealth, renowned for its art collecting, as well as for its philanthropy.

In 1901, with no male heir to take it on, the Frankfurt House closed its doors after more than a century in not until 1989 that they returned when N M Rothschild & Sons, the British investment arm, plus Bank R Swiss branch, set up a representative banking office in Frankfurt.

## Zionism

The Rothschilds were supporters of the State of Israel, and Baron Edmond James de Rothschild was a pa settlement in Palestine at Rishon-LeZion. In 1917 Walter Rothschild, 2nd Baron Rothschild was the addr Balfour Declaration, which committed the British government to the establishment in Palestine of a natio Jewish people.

James A. de Rothschild financed the Knesset building as a gift to the State of Israel.

The Supreme Court of Israel building was donated to Israel by Dorothy de Rothschild.<sup>[4]</sup> Outside the Pres displayed the letter Ms. Rothschild wrote to Prime Minister Shimon Peres expressing her intention to dor for the Supreme Court.<sup>[5]</sup>

**French branches** [http://en.wikipedia.org/wiki/Rothschild\\_family](http://en.wikipedia.org/wiki/Rothschild_family)

25 captures

Main article: [Rothschild banking family of France](#)

There are two branches of the family connected to France. The first was son James Mayer de Rothschild known as "James", who established de Rothschild Frères in Paris. Following the Napoleonic Wars, he pl financing the construction of railroads and the mining business that helped make France an industrial pov Gustave de Rothschild and Alphonse. James de Rothschild continued the banking tradition and were resp the money to pay the compensation demanded by the occupying Prussian army in the 1870s Franco-Prus generations of the Paris Rothschild family remained involved in the family business, becoming a major fi investment banking. The Rothschilds have led the Thomson Financial League Tables in Investment Bank Acquisition deals in the UK, France and Italy. In the United States, their Investment Banking Restructuri landed such deals as United Airlines and Delphi. The onslaught of competition from publicly traded bank United States and the European Union, with enormous capital at their disposal, resulted in the 2003 merg owned Rothschild banking house in France with its British banking cousins to create a single umbrella ho

The second French branch was founded by Nathaniel de Rothschild (1812–1870). Born in London he wa the founder of the British branch of the family, Nathan Mayer Rothschild (1777–1836). In 1850, Nathani moved to Paris, ostensibly to work with his uncle, James Mayer Rothschild. However, in 1853 Nathaniel Brane Mouton, a vineyard in Pauillac in the Gironde *département*. Nathaniel Rothschild renamed the esta Mouton Rothschild and it would become one of the best known labels in the world. In 1868, Nathaniel's de Rothschild acquired the neighboring Chateau Lafite vineyard.

The Paris business suffered a near death blow in 1982 when the Socialist government of François Mitterr and renamed it Compagnie Européenne de Banque. Baron David de Rothschild, then 39, decided to stay creating a new entity Rothschild & Cie Banque with just three employees and \$1 million in capital. Toda operation has 22 partners and accounts for a significant part of the global business.

## Austrian branch

In Vienna, Salomon Mayer Rothschild established a bank in the 1820s and the family became admired and respected citizens. The Austrian Rothschilds were later elevated to nobility by the Austrian emperor for their services. The crash of 1929 brought problems, and Baron Louis von Rothschild attempted to shore up the Creditanstalt, Austria's largest bank, to prevent its collapse. Nevertheless, during World War II they had to surrender their bank to the Nazis and flee the country. Their Rothschild palaces were confiscated and plundered by the Nazis. Some of these family members sought sanctuary in the United States. In 1999, the government of Austria agreed to return to the Rothschild family some 250 art treasures looted by the Nazis and absorbed into state museums after the war.



Tomb of the fan

## Italian branch

The Unification of Italy in 1861 eventually brought about the closure of their Naples bank.

**Modern business** [http://en.wikipedia.org/wiki/Rothschild\\_family](http://en.wikipedia.org/wiki/Rothschild_family)

Go

In July 2003, a major reorganization of the Rothschild business structure took place when the London unit united through a new master holding company, Concordia BV, under the chairmanship of David René de this banner, Rothschild et Cie Banque controls the Rothschild banking businesses in France and continen Rothschilds Continuation Holdings AG controls the Rothschild banking elsewhere, including N M Roths London.<sup>[6]</sup> Twenty percent of Rothschild Continuation Holdings AG was sold in 2005 to Jardine Strategi subsidiary of Jardine, Matheson & Co. of Hong Kong. In November 2008, Rabobank Group, the leading commmercial bank in the Netherlands, acquired 7.5% of Rothschild Continuation Holdings AG, and Rab Rothschild entered into a co-operation agreement in the fields of Mergers and Acquisitions (M&A) advis Capital Markets advisory in the food and agribusiness sectors.<sup>[7]</sup>

N M Rothschild & Sons does most of its business as a mergers and acquisitions advisor. In 2006, it ranke M&A with deals totalling \$104.9 billion.<sup>[8]</sup> In 2006, it recorded a pre-tax profit of £83.2 million with tota billion.<sup>[9]</sup>

Another descendant of James, Edmond Adolphe de Rothschild (1926–1997) founded the LCF Rothschild Geneva, which today extends to 15 countries across the world. The group's primary businesses include B Edmond de Rothschild S.A., La Compagnie Benjamin de Rothschild S.A., and COGIFRANCE. Although primarily a financial entity, specialising in asset management and private banking, its activities also cove estates in Bordeaux, South Africa and Argentina), mixed farming, luxury hotels, and yacht racing. The L Group is currently presided over by Benjamin de Rothschild, Baron Edmond's son.

In 1980, Jacob Rothschild, 4th Baron Rothschild resigned from N M Rothschild & Sons and took indeper Rothschild Investment Trust (now RIT Capital Partners, one of the UK's largest investment trusts.) He w Rothschild Assurance Group (now St James's Place Capital) with Sir Mark Weinberg in 1991.<sup>[10]</sup>

## Prominent descendants of Mayer Amschel Rothschild



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- Alphonse James de Rothschild (1827–1905)
- Sir Anthony Rothschild (1810–1876)
- Béatrice Ephrussi de Rothschild (1864–1934)
- Bethsabée de Rothschild (1914–1999)
- Charles Rothschild (1877–1923), banker and entomologist
- Charles Gregoire de Rothschild (b. 1945), banking family of France
- David Lionel de Rothschild (b. 1955), British horticulturist
- David Mayer de Rothschild (b. 1978), British adventurer and environmentalist
- David René de Rothschild (born 1942)
- Edmond James de Rothschild (1845–1934)
- Edmund Leopold de Rothschild (1916–2009)
- Elie de Rothschild (1917–2007)

[Emma Rothschild](#) (born 1940) [http://en.wikipedia.org/wiki/Rothschild\\_family](http://en.wikipedia.org/wiki/Rothschild_family)

[Rothschild](#) (born 1931), banker

[Eugène de Rothschild](#) (1909–2007)

[Baron Ferdinand de Rothschild](#) (1839–1898)

- [Hannah Primrose, Countess of Rosebery née Hannah Rothschild](#) (1851–1890)
- [Henri James de Rothschild](#) (1872–1946)
- [Henriette Rothschild](#) (1791–1866) married Sir Moses Montefiore (1784–1885)
- [James Armand de Rothschild](#) (1878–1957)
- [James Mayer Rothschild](#) (1792–1868)
- [Mayer Amschel de Rothschild](#) (1818–1874)
- [Kathleen Annie Pannonica Rothschild](#) (Baroness Nica de Koenigswarter) (1913–1988)
- [Leopold de Rothschild](#) (1845–1917)
- [Lionel Nathan Rothschild](#) (1808–1879)
- [Miriam Louisa Rothschild](#) (1908–2005)
- [Lionel Walter Rothschild, 2nd Baron Rothschild of the United Kingdom](#) (1868–1937)
- [Nathaniel de Rothschild](#) (1812–1870)
- [Nathan Mayer Rothschild](#) (1777–1836)
- [Nathan Mayer Rothschild, 1st Baron Rothschild of the United Kingdom](#) (1840–1915)
- [Nathaniel Charles Jacob Rothschild, 4th Baron Rothschild of the United Kingdom](#) (born 1936)
- [Nathaniel Mayer Victor Rothschild, 3rd Baron Rothschild of the United Kingdom](#) (1910–1990)
- [Nathaniel Philip Rothschild](#) (born 1971), heir apparent to 4th Baron Rothschild
- [Philippe de Rothschild](#) (1902–1988), vintner
- [Philippine de Rothschild](#) (born 1935), vintner

#### By marriage:

- [Elisabeth de Rothschild](#) (1902–1945)
- [Pauline de Rothschild](#) (1908–1976)
- [Jeanne de Rothschild](#) (1908–2003), actress
- [Liliane de Rothschild](#) (1916–2003) art collector
- [Marlene de Rothschild](#) (born 1943) art collector
- [Lynn Forester de Rothschild](#) (born 1954), business woman

## Popular culture references

The story of the Rothschild family has been featured in a number of films. The 1934 Hollywood film titled *Rothschild*, starring George Arliss and Loretta Young, recounted the life of Mayer Amschel Rothschild. The film were incorporated into the National Socialist (Nazi) propaganda film *Der ewige Jude* (*The Eternal Jew*). German film *Die Rothschilds* (also called *Aktien auf Waterloo*) was directed by Erich Waschneck in 1940. The musical entitled *The Rothschilds*, covering the history of the family up to 1818, was nominated for a Tony Award.

In France, Rothschild is still considered a synonym for extreme wealth, though such usage is now dated. It lent its name to "le goût Rothschild," a suffocatingly glamorous style of living whose decorative elements included Renaissance palaces, extravagant use of velvet and gilding, a sense of Victorian horror vacui, and masterful interior design. The goût Rothschild has much influenced interior designers such as Robert Denning, Vincent Fourcade, and Charles Pastore.

The name Rothschild is still used as a synonym for extreme wealth in Israel. In the Hebrew language version of the song "If I Were a Rich Man", the title line goes *'lu ha'yiti Rothschild*, literally *if I were a Rothschild*. The origin of the Tevye the Dairyman stories, written in the Yiddish as *Ven ikh bin Rotshild*, meaning the same thing.

[http://en.wikipedia.org/wiki/Rothschild\\_family](http://en.wikipedia.org/wiki/Rothschild_family)

Omar Rodriguez Lopez's alb  
 25 captures  
 14 Jan 04 - 25 Apr 11  
 The German surnames "Rothschild" and "Rothechild" are not related to the Protestant surname "Rothechild" Kingdom.

## Conspiracy theories

In Fritz Springmeier's book *Bloodlines of the Illuminati*, he argues that the Rothschild family is one of 13 bloodlines linked to the Illuminati. New World Order conspiracy theories present the Rothschilds, Roche DuPonts, Vanderbilts, Bush family, etc. as the real rulers or would-be rulers of the world.<sup>[11]</sup>

The acclaimed poet and Fascist Mussolini sympathizer Ezra Pound; in his World War II radio broadcasts named the Rothschilds as the masters of a clique of banking houses that caused the World Wars in order and get countries in debt to the lending central banks, which Pound claimed the Rothschild interests own control of a nation's policy by having the power to issue the nation's money. Earlier, in 1935, Pound had: "organized anti-Semitism might be the hidden war of Swiss Protestant dynasties against the Rothschilds, never forgiven for breaking into their banking monopoly."<sup>[12]</sup>

## See also

- Bethmanns and Rothschilds
- Château Lafite-Rothschild
- Château Mouton Rothschild
- Palais Rothschild
- Rothschild (Fabergé egg)
- Rothschild properties in Buckinghamshire

## Notes

1. ^ Pohl, Manfred: *Rothschild, Meyer Amschel* (<http://web.archive.org/web/20090912125515/http://bvb.de/~db/0001/bsb00016410/images/index.html?id=00016410&nativeno=131>) . In: *Neue Deutsche Biographie* (NDB). Bd. 22, Berlin 2005, S. 131–133. (German)
2. ^ Concordia, Integritas, Industria - The Rothschilds - LCF Rothschild Group (<http://web.archive.org/web/20090912125515/http://www.lcf-rothschild.com/en/groupe/rothschild>)
3. ^ Victor Gray and Melanie Aspey, "Rothschild, Nathan Mayer (1777–1836)" (<http://web.archive.org/web/20090912125515/http://www.oxforddnb.com/view/article/2414>) *Dictionary of National Biography*, Oxford University Press, September 2004; online edition, May 2007.
4. ^ "Dorothy de Rothschild, 93, Supporter of Israel" (<http://web.archive.org/web/20090912125515/http://query.nytimes.com/gst/fullpage.html?res=940DE2DE153BF930A25751C1A96E948260>) (obituary), *The New York Times*, 13 December 2008.
5. ^ The Presidents Chamber ([http://web.archive.org/web/20090912125515/http://elyon1.court.gov.il/eng/siyur/lishka\\_nasi.html](http://web.archive.org/web/20090912125515/http://elyon1.court.gov.il/eng/siyur/lishka_nasi.html)) Court, The Judicial Authority. <http://elyon1.court.gov.il/eng/home/index.html>.
6. ^ Paris-Orléans (<http://web.archive.org/web/20090912125515/http://www.paris-orleans.com/?lang=en&ct=bd34e9c1add36c737bf17947f7d24d85&invid=38>)

7. ^ See: <http://www.rabobankesubsidiaribankagricoperanon.jsp> [http://en.wikipedia.org/wiki/Rothschild\\_family](http://en.wikipedia.org/wiki/Rothschild_family)
8.  <http://web.archive.org/web/20090912125515/http://www.rothschild.com/investmofbanking/iblea-regional-manda>
9. ^ Annual Report of N M Rothschild & Sons Limited for the year ended 31 March 2006.
10. ^ St. James's Place Capital, plc | International Directory of Company Histories | Find Articles at Bl ([http://web.archive.org/web/20090912125515/http://findarticles.com/p/articles/mi\\_gx5202/is\\_2006](http://web.archive.org/web/20090912125515/http://findarticles.com/p/articles/mi_gx5202/is_2006))
11. ^ <http://video.google.com/videoplay?docid=-515319560256183936>
12. ^ Pearlman, Daniel (1981). "The Anti-Semitism of Ezra Pound". *Contemporary Literature* **22** (1): doi:10.2307/1208225 (<http://web.archive.org/web/20090912125515/http://dx.doi.org/10.2307%2F1208225>)

## Further reading

- Niall Ferguson: *The House of Rothschild: Money's Prophets, 1798–1848* (ISBN 0-14-024084-5)
- Niall Ferguson: *The House of Rothschild: The World's Banker, 1849–1998* (ISBN 0-14-028662-4)
- Frederic Morton: *The Rothschilds: Portrait of a Dynasty* (ISBN 1-56836-220-X)
- Amos Elon: *Founder: A Portrait of the First Rothschild and His Time*, 1996. (ISBN 0-670-86857-1)
- Egon Caesar Conte Corti: *Rise of the House of Rothschild*, B. Lunn (translator), Books for Business 1928 translation published by Gollancz), ISBN 978-0894990588, Amazon.co.uk searchable online (<http://web.archive.org/web/20090912125515/http://www.amazon.co.uk/dp/0894990588>)
- Joseph Valynseele & Henri-Claude Mars, *Le Sang des Rothschild*, L'Intermédiaire des Chercheurs 2004 (ISBN 2-908003-22-8)
- Derek A. Wilson: *Rothschild: A Story of Wealth and Power* (ISBN 023398870X)

## Documentary film

- Ascent of Money: A Financial History of the World - The early history of the Rothschild's family is the second of a four part series by Niall Ferguson, aired on Channel Four

## External links

- Family website (<http://web.archive.org/web/20090912125515/http://www.rothschild.info/home/>)
- N. M. Rothschild and Sons (<http://web.archive.org/web/20090912125515/http://www.rothschild.co.uk>)
  - 2004 Annual Report (<http://web.archive.org/web/20090912125515/http://www2.rothschild.com/pressoffice/annual-report-2004>)
- LCF Rothschild Group (<http://web.archive.org/web/20090912125515/http://www.lcf-rothschild.co.uk>)
- Rothschild Archive (<http://web.archive.org/web/20090912125515/http://www.rothschildarchive.org>)
- Chateau Lafite Rothschild (<http://web.archive.org/web/20090912125515/http://www.lafite.com/>)
- Chateau Mouton Rothschild (<http://web.archive.org/web/20090912125515/http://www.bpdr.com/>)
- Yahoo! - NM Rothschild & Sons Limited Company Profile (<http://web.archive.org/web/20090912125515/http://biz.yahoo.com/ic/61/61537.html>)
- Article on the bestselling book (<http://web.archive.org/web/20090912125515/http://www.ft.com/ci/6b83-11dc-863b-0000779fd2ac.html>) *Currency Wars* by Hongbing Song
- Independent - The Rothschild story: A golden era ends for a secretive dynasty ([http://web.archive.org/web/20090912125515/http://news.independent.co.uk/uk/this\\_britain/article](http://web.archive.org/web/20090912125515/http://news.independent.co.uk/uk/this_britain/article))
- Niall Ferguson: The House of Rothschild, vol. 1. (<http://web.archive.org/web/20090912125515/http://www.businessweek.com/chapter/ferguson.htm>) and beginning of first chapter.

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Hidden categories: [Articles needing additional references from March 2008](#) | [Articles needing additional May 2009](#)

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# **EXHIBIT 6**



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Posted by:  Date: Friday, March 18, 2010 1:33:42 PM  
In reply to:

Call Him.....if you are unsure Gregoire De Rothschild  
777 Picotte St, 89144 Las Vegas - (+1 702) 254-9255

<http://dragonwu.blog.sohu.com/120000718.html>

In July 2003, a major reorganization of de Rothschild business structure took place when the London and Paris banks were united through a new master holding company, Concordia BV, under the chairmanship of David René de Rothschild. Under this banner, Rothschild et Cie Banque controls the banking businesses in France and continental Europe, while Rothschilds Continuation Holdings AG controls banking elsewhere, including N M Rothschild & Sons in London.[6] Twenty percent of Rothschild Continuation Holdings AG was sold in 2005 to Jardine Strategic, which is a subsidiary of Jardine, Matheson & Co. of Hong Kong.

N M Rothschild & Sons does most of its business as a mergers and acquisitions advisor. In 2006, it ranked second in UK M&A with deals totalling \$104.9 billion.[7] In 2006, it recorded a pre-tax profit of £83.2 million with total assets of £5.5 billion.[8]

Another descendant of James, Edmond Adolphe de Rothschild (1926–1997) founded the LCF Rothschild Group, based in Geneva, which today extends to 15 countries across the world. The group's primary businesses include Banque Privée Edmond de Rothschild S.A., La Compagnie Benjamin de Rothschild S.A., and COGIFRANCE. Although this Group is primarily a financial entity, specialising in asset management and private banking, its activities also cover winemaking (with estates in Bordeaux, South Africa and Argentina), mixed farming, luxury hotels, and yacht racing. The LCF Rothschild Group is currently presided over by Benjamin de Rothschild, Baron Edmond's son.

In 1980, Jacob Rothschild, 4th Baron Rothschild resigned from N M Rothschild & Sons and took independent control of Rothschild Investment Trust (now RIT Capital Partners, the UK's largest investment trust.) He went on to found J. Rothschild Assurance Group (now St James's Place Capital) with Sir Mark Weinberg in 1991.[9]

**Prominent descendants of Mayer Amschel Rothschild**

This section does not cite any references or sources. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed. (May 2009)

- Alphonse James de Rothschild (1827–1905)
- Sir Anthony de Rothschild (1810–1876)
- Bethsabée de Rothschild (1914–1999)
- Charles de Rothschild (1877–1923), banker and entomologist
- Charles Gregoire de Rothschild (b. 1945), banking family of France.
- David Lionel de Rothschild (b. 1955), British horticulturist

David Mayer de Rothschild (b. 1978), British adventurer and environmentalist  
David René de Rothschild (born 1942)  
Edmond James de Rothschild (1845-1934)  
Edmund Leopold de Rothschild (1916-2009)  
Elie de Rothschild (1917-2007)  
Emma Rothschild (born 1948)  
Sir Evelyn de Rothschild (born 1931), banker  
Gail Rothschild (1943 - 2007)  
Guy de Rothschild (1909-2007)  
Baron Ferdinand de Rothschild (1839-1898)  
Hannah Primrose, Countess of Rosebery née Hannah Rothschild (1851-1890)  
Henri James de Rothschild (1872-1946)  
Henriette Rothschild (1791-1866) married Sir Moses Montefiore (1784-1885)  
James Armand de Rothschild (1878-1957)  
James Mayer Rothschild (1792-1868)  
Mayer Amschel de Rothschild (1818-1874)  
Kathleen Annie Pannonica Rothschild (Baroness Nica de Koenigswarter) (1913-1988)  
Leopold de Rothschild (1845-1917)  
Lionel Nathan Rothschild (1808-1879)  
Miriam Louisa Rothschild (1908-2005)  
Lionel Walter Rothschild, 2nd Baron Rothschild of the United Kingdom (1868-1937)  
Nathaniel de Rothschild (1812-1870)  
Nathan Mayer Rothschild (1777-1836)  
Nathan Mayer Rothschild, 1st Baron Rothschild of the United Kingdom (1840-1915)  
Nathaniel Charles Jacob Rothschild, 4th Baron Rothschild of the United Kingdom (born 1936)  
Nathaniel Mayer Victor Rothschild, 3rd Baron Rothschild of the United Kingdom (1910-1990)  
Nathaniel Philip Rothschild (born 1971), heir apparent to 4th Baron Rothschild  
Philippe de Rothschild (1902-1988), wine maker  
Philippine de Rothschild (born 1935), wine make

Charles Gregoire de Rothschild (b. 1945), banker and financial advisor

GDR Privee Inc.\*  
16 W 45th St. 2<sup>nd</sup> Floor  
New York, NY 10036-4204  
New York, (NY Metro Area)  
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Franklin Mining, Inc. (FMNJ) Consultant William A. Petty and Gregoire de Rothschild, Chairman, GDR Privee, Inc., have compiled documentation necessary to begin negotiating debt financing for the design and construction cost of a 10,000 barrel-per-day gas-to-liquid (GTL) plant to be located in Argentina's Tierra del Fuego province.

Financing the project will require approximately \$ 470 USD million. The debt instrument is to be secured by product sales contracts.

Mr. Petty and Mr. de Rothschild are scheduled to meet with multiple domestic and foreign banks in the coming weeks as loan packages are delivered and terms negotiated.

About Franklin Mining, Inc.: Franklin Mining, Inc. has mining and exploration interests in the United States, Argentina and Bolivia; Franklin Mining, Bolivia S.A. is a wholly owned subsidiary. Franklin Mining, Inc. holds 51% ownership in both Franklin Oil & Gas, Bolivia S.A. and Franklin Oil & Gas, Argentina S.A. Additional company information is available at [www.franklinmining.com](http://www.franklinmining.com).

About GDR Privee, Inc.: GDR Privee, Inc., an International Boutique Investment Bank with offices in New York, NY specializes in debt and asset based financing. For additional information, please contact Mr. Charles Gregoire de Rothschild, Chairman.

GDR Privee, Inc. an International Boutique Investment specializes in financing. For additional information, please contact Mr. Charles Gregoire de Rothschild

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Franklin, GDR Privee Inc. Clarify Relationship

Posted on: Tuesday, 20 October 2009, 07:44 CDT

LAS VEGAS, NV, Oct. 20 /PRNewswire-FirstCall/ - Franklin Mining, Inc. (Pink Sheets: FMNJ - News: FWB: FMJ) Chairman, William Petty and GDR Privee, Inc. Chairman, Charles Gregoire de Rothschild, have issued a joint statement in response to recent shareholder questions.

Franklin currently holds interest in two Bolivian mining sites. In September 2007, Franklin was awarded an Escala Mina I concession in a joint-venture with COMIBOL (the National Mining Company of Bolivia) and Cooperativa Minera INTI Ltda. An operating agreement with Bolivia's privately owned San Antonio de Turiri antimony mine was negotiated in March 2009. Both sites are currently under the operational control of Franklin Mining Bolivia.

Franklin Mining, Inc. has retained Mr. Charles Gregoire de Rothschild, Chairman, GDR Privee, Inc. to provide the guidance and assistance necessary to complete the design and structure of a capital acquisition plan sufficient to meet the needs and requirements of the Escala and Turiri operations.

Commenting to Franklin executives, Mr. de Rothschild said, "My colleagues in the international investment community and I are comfortable with each of the agreements Mr. Petty has negotiated on behalf of his company. We are comfortable with pursuing our investment plan for Franklin's mines in Bolivia knowing that Mr. Petty's vision of fairness and equity for his partners and workers led him to create the very unique three-party joint-venture with COMIBOL and Cooperativa INTI. Under Mr. Petty's leadership, Franklin has established secure relationships with all parties in Bolivia's mining industry, in both the government and private sectors of this mineral rich country."

Mr. Petty added, "I appreciate the confidence GDR Privee has shown for our accomplishments in Bolivia. It has been a long and difficult two years since I assumed the role of Chairman and CEO and I am now anxiously looking forward to a continued relationship with Mr. de Rothschild as we prepare to expand our operations."

The following is a brief description of the business background of the executive officers, directors and advisors of Wedgewood Investment Group, Inc.

Wedgewood is an affiliate of the Charles G. de Rothschild group of Companies and GDR Privee <http://www.wedgewoodinc.com/management.html>

**Charles Gregoire de Rothschild - Chairman of the Board**

Mr. de Rothschild is a Financier and Investment Banker with ties to International Investors. He is the Chairman of GDR Privee.

**Senator Edward M. Lawson- Vice Chairman of the Board**

The Hon Edward M. Lawson served in the Federal Parliament of Canada for thirty-four years, earning him the title of the longest serving Senator in British Columbia's history. He sat as an Independent member of the Senate and retired from that position in September, 2004. He also had a 40 year career as a Trade Union Representative with the International Brotherhood of Teamsters serving in a variety of capacities, starting as a Business Agent on Construction. While serving as an International Vice President, representing working men and women in North America for over twenty years, he was also the Founding Director of the Canadian Conference of Teamsters for fourteen years. In recognition of his service, Senator Lawson was awarded the James R. Hoffa Lifetime Achievement Award presented in 2003 at the 100th anniversary of the International Brotherhood of Teamsters in Washington, D.C. He retired from the labor movement in January 1992. Senator Lawson was an active investor in some of Wedgewood Investment Group's subsidiaries, and joined Wedgewood Investment Group, Inc as Director and President in September of 2007. Senator Lawson also holds positions as a director of a number of U.S. companies. Most notably, he is Chairman and Senior Partner of Impact Capital Group, an international investment intermediary and hybrid financial advisory group providing services to domestic, international and multinational organizations including both private and publicly-traded companies.

**Michael D. Westhaver-Director/President & CEO**

Mr. Westhaver has been involved in international business for the past 25 years. His experience encompasses all aspects of mergers and acquisitions, finance and business development. A seasoned professional in building corporations from concept to profitable enterprises in a variety of industries has been his forte in USA, Canada and China. Mr. Westhaver is a director of numerous private firms and has served on the Advisory board of many private and public companies over his career. His initial field was Architecture and having been brought up in the development business has given Mr. Westhaver a unique perspective and approach on new business ventures.

**BIOMAGNETICS DIAGNOSTICS CORPORATION (OTC: BMGP)? Up 14.06% in morning trading\***

Detailed Quote: <http://www.otcpicks.com/quotes/BMGP.php>

Company Profile: <http://www.otcpicks.com/biomagnetics-diagnostics/biomagnetics-diagnostics.htm>

Biomagnetics Diagnostics Corporation is an advanced medical device and biotechnology company. The Company's revolutionary diagnostic systems, which are based on advanced magnetics, test for any viral or bacterial disease using any body fluid. The Company's technology allows laboratories to perform far more tests in the same amount of time it takes to do a single test. The HTS-MTP platform is designed to detect the actual virus and viral load in body fluids and not just simply screen for the presence of viral antibodies.

**BMGP News:**

October 8 - Biomagnetics Diagnostics Appoints Charles Gregoire de Rothschild Special Advisor to Board  
Biomagnetics Diagnostics Corp. (OTC: BMGP), a producer of revolutionary diagnostic systems and technology for malaria, tuberculosis HIV and hepatitis testing, announced the appointment of international financier Charles Gregoire de Rothschild to the role of special advisor to the Company's board of directors. Mr. de Rothschild will support Biomagnetics' continuing global expansion efforts by leveraging his extensive domestic and international financial expertise.

"Western countries are finally waking up to the ongoing malaria crisis, which claims more than one million lives each year, commented Mr. de Rothschild. "While there have been some notable gains in malaria prevention over the past few years, the area of malaria testing and diagnostics has progressed very slowly. The world is in desperate need of low-cost, field deployable tools to diagnose malaria."

For nearly 100 years, the direct microscopic visualization of the malaria parasite on blood smears has been the accepted method the diagnostics of malaria in most settings. This process must usually be performed in a laboratory setting by trained personnel. While field deployable, non-microscopic tests have been introduced, the efficacy of these tests is often called into question.

Mr. de Rothschild continued, "I and my investment firm, GDR Privee, wish to do our parts to advance this area of research by providing support to develop better diagnostic tools. We have reviewed the technology under development by Biomagnetics Diagnostics and believed it to be revolutionary holding the potential to cut the cost of testing by nearly two thirds. Additionally, because the technology is handheld, portable and easy to use, testing can

be conducted by relatively untrained medical personnel. We believe the development of this technology could potentially save tens of thousands of lives each year and we wish to help speed its entry to market. I am proud to have become a major shareholder in Biomagnetics Diagnostics Corporation."

FREDERICK, MD, May 26, 2009 (MARKETWIRE via COMTEX) – BIEL | Quote | Chart | News | PowerRating – BioElectronics Corp. (PINKSHEETS: BIEL), the maker of inexpensive, disposable drug-free anti-inflammatory devices, today announced the appointment of international financier Charles Gregoire de Rothschild to the role of Special Adviser to the Company's board of directors. Mr. de Rothschild will support BioElectronics' continuing global expansion efforts by leveraging his extensive domestic and international financial expertise.

"I am a strong believer in BioElectronics Corporation's drug-free pain relieving and healing products and see strong revenue and profit growth over the coming years," commented Mr. de Rothschild. "I look forward to helping the Company obtain the capital to allow movement of these exciting products into the mainstream of medical technologies and in assisting in the expansion of worldwide marketing and distribution."

"We are excited to be working with Mr. de Rothschild toward the goals of expanding our capital base and acquiring additional international distribution partnerships. We believe his proven track record as a highly successful financier for growth companies, in addition to his strong international contacts, will allow BioElectronics to move a step closer to our goal of worldwide distribution for our advanced solutions for pain management and healing."

#### Brewer Investment Group Partners With Charles Gregoire de Rothschild

#### Growing Firm Will Leverage International Financier's Expertise to Expand Global Client Base

Brewer Investment Group, an independent wealth management firm, today announced a partnership with international financier Charles Gregoire de Rothschild. Mr. de Rothschild will support Brewer's ongoing expansion and build its global client base by leveraging his extensive domestic and international financial expertise.

"I strongly believe in Brewer's mission to bring institutional products and services to the individual investor," said Mr. de Rothschild. "Brewer's total portfolio model and open architecture principal support true diversification and a flexible investment strategy. This has allowed Brewer to grow at a steady pace, even in this turbulent economic climate. The marketplace needs this type of approach and I am glad to partner and be actively involved with the firm to bring these products and services to a growing market in the U.S. and abroad."

"Mr. de Rothschild's proven track record as a successful financier for prestigious projects and emerging companies will help Brewer realize even greater growth," said Steve Brewer, founder and CEO of Brewer Investment Group. "We are very pleased that he has chosen to partner with us and look forward to working with him to access additional sources of capital and new clients who will benefit from Brewer's comprehensive wealth management services."

Mr. de Rothschild has an extensive international banking background and has served in several advisory roles including financing and capital raising guidance for growing small and mid-size companies.

Mr. de Rothschild is Chairman of GDR Privée, an international investment boutique.

#### About Brewer Investment Group

Brewer Investment Group is an independent, diversified wealth management firm serving individual investors, small to mid-size businesses, institutions, independent advisors and introducing brokers. It has six wholly owned subsidiaries including Brewer Financial Services, Brewer Investment Advisors (RIA), Advisor Resource, Brewer Futures Group, Brewer Forex Group, and Brewer Insurance Group - offering a wide range of financial products, strong acumen in alternative investments and robust collaboration between each of its businesses.

Brewer's mission is to bring institutional products and services to the individual insurance and invest to leverage a comprehensive open-architecture platform which gives flexible access to investment products such as commodities, limited partnerships, private equity, currency trading and a complete array of insurance and annuities. Brewer also offers an extensive list of managed futures and forex programs.

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served via U.S. First Class Mail, postage prepaid, and properly addressed to Applicant's correspondent of record:

Charles Gregoire de Rothschild  
16 W 45th St Fl 2  
New York, New York 10036-4204

this 25th day of July, 2012.

    /s/      
Andrew L. Deutsch, Esq.  
*Attorney for Opposers*