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Filing date: **08/14/2013**

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

**Notice of Opposition**

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

**Opposer Information**

Name	HERSCHEND FAMILY ENTERTAINMENT CORPORATION
Granted to Date of previous extension	08/14/2013
Address	399 INDIAN POINT ROAD BRANSON, MO 65616 UNITED STATES
Correspondence information	Christopher A. Holland Attorney of record, Georgia bar member Smith, Gambrell & Russell LLP 1230 Peachtree St NE Suite 3100 Atlanta, GA 30309 UNITED STATES caholland@sgrlaw.com Phone:(404) 815-3770

**Applicant Information**

Application No	85626880	Publication date	04/16/2013
Opposition Filing Date	08/14/2013	Opposition Period Ends	08/14/2013
Applicant	DeRamus, Jimmie 2417 Lee Street Alexandria, LA 71301 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 021. All goods and services in the class are opposed, namely: Cups and mugs; Insulating sleeve holders for beverage cans
Class 035. All goods and services in the class are opposed, namely: Retail store services featuring novelty items, electronics, jewelry, musical instruments, motor vehicles, tools, lawncare equipment, and guns and munitions
Class 036. All goods and services in the class are opposed, namely: Pawn brokerage; Pawn shops
Class 041. All goods and services in the class are opposed, namely: Entertainment services in the nature of an on-going reality based television program; Entertainment services, namely, personal appearances by a reality based television celebrity; Entertainment services, namely, providing a web site featuring photographic, audio, video and prose presentations featuring a reality based television celebrity

## Grounds for Opposition

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

U.S. Registration No.	1004561	Application Date	07/12/1973
Registration Date	02/11/1975	Foreign Priority Date	NONE
Word Mark	SILVER DOLLAR CITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U046 (International Class 029, 030, 031). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00</p> <p>FOOD ITEMS AND INGREDIENTS OF FOODS - NAMELY, COFFEE, TEA, SWEET CIDER, FRESH MILK, JELLIES, JAMS AND PRESERVES, APPLESAUCE, APPLEBUTTER, HONEY, SORGHUM, BAKERY GOODS, ICE CREAM, CANDIES, CHEESES, HAMS, BACON, SAUSAGES, FLOURS, CORNMEAL, NUTS, BREADS, COOKIES, AND POPCORN</p>		

U.S. Registration No.	1037086	Application Date	07/12/1973
Registration Date	03/30/1976	Foreign Priority Date	NONE
Word Mark	SILVER DOLLAR CITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U013 (International Class 021). First use: First Use: 1970/05/15 First Use In Commerce: 1970/05/15</p> <p>PEWTER ITEMS, COOKING UTENSILS, NAMELY, CAST IRON SKILLETTS, POTS AND PANS</p> <p>Class U023 (International Class 006, 007, 008, 009, 011, 012, 016, 021, 028). First use: First Use: 1963/05/00 First Use In Commerce: 1963/05/00</p> <p>[ FIREPLACE TOOLS, NAMELY, POKERS, TONGS, AND FIREPLACE BRUSHES ]</p> <p>Class U034 (International Class 007, 011). First use: First Use: 1963/05/00 First Use In Commerce: 1963/05/00</p> <p>[ FIREPLACE ITEMS, NAMELY, ANDIRONS, GRATES AND SCREENS ]</p> <p>Class U039 (International Class 025). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00</p> <p>WEARING APPAREL, NAMELY, SWEATSHIRTS, T-SHIRTS, HATS, SCARVES, AND BELTS</p> <p>Class U050 (International Class 020, 024). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00</p> <p>SOUVENIRS AND GIFT ITEMS, NAMELY, PENNANTS, NON-MONETARY COINS MADE OF NON-PRECIOUS METAL AND ORNAMENTAL METAL PRODUCTS, NAMELY, ORNAMENTS AND OBJECTS OF ART, WOODEN SOUVENIRS AND WOOD FIGURINES, STRAW CAKE TESTERS, AND SHUCKERY ITEMS, NAMELY, CORN SHUCK FLOWERS</p>		

U.S. Registration No.	1047416	Application Date	02/16/1973
Registration Date	08/31/1976	Foreign Priority Date	NONE
Word Mark	SILVER DOLLAR CITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U100 (International Class 042). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00  FIRST AID SERVICES, HOTEL SERVICES, MOTEL SERVICES, SERVICES IN PROVIDING CAMPGROUND FACILITIES FOR OTHERS, SERVICES IN PROVIDING ACCOMODATION HOTEL AND MOTEL RESERVATIONS FOR OTHERS, PROVIDING STROLLER RENTAL SERVICES AND RESTAURANT SERVICES, AND PHOTOGRAPHIC SERVICES-NAMELY, TAKING TINTYPE PHOTOGRAPHS AND GROUP PICTURES.</p> <p>Class U101 (International Class 035). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00  RETAIL GROCERY STORE SERVICES.</p> <p>Class U105 (International Class 039). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00  GUIDED TOUR SERVICES-NAMELY, CAVE AND CITY TOUR SERVICES, AND PROVIDING PARKING SPACES FOR OTHERS, CONSULTING SERVICES-NAMELY, COUNSELING IN THE TRAVEL FIELD, AND GROUP RESERVATION SERVICES-NAMELY, PROVIDING TICKET RESERVATION SERVICES.</p> <p>Class U107 (International Class 041). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00  ENTERTAINMENT SERVICES-NAMELY, PROVIDING AMUSEMENT FACILITIES INCLUDING PROVIDING A CITY FOR THE ENTERTAINMENT OF OTHERS, SERVICES IN PROVIDING SWIMMING POOL FACILITIES, SERVICES IN PROVIDING PLAYGROUND FACILITIES FOR OTHERS, SERVICES IN INSTRUCTING, DEMONSTRATING AND DISPLAYING VARIOUS CRAFTS, AND CONSULTING SERVICES-NAMELY, COUNSELING IN THE RECREATION FIELD.</p>		

U.S. Registration No.	1066465	Application Date	08/08/1973
Registration Date	05/24/1977	Foreign Priority Date	NONE
Word Mark	SILVER DOLLAR CITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U002 (International Class 021). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00  BARRELS, BASKETS, BOXES, HAMPERS, AND COASTERS; PAPER CUPS AND PAPER PLATES</p> <p>Class U003 (International Class 018). First use: First Use: 1962/04/00 First Use In Commerce: 1962/04/00  PURSES, BILLFOLDS, BAGS AND POUCHES</p> <p>Class U008 (International Class 034). First use: First Use: 1960/04/00 First Use</p>		

<p>In Commerce: 1960/04/00 [ SMOKERS' ARTICLES-NAMELY, PIPES, PIPE CLEANERS, PIPE REAMERS, CIGARETTE HOLDERS AND LIGHTERS ] Class U009 (International Class 013, 034). First use: First Use: 1970/05/00 First Use In Commerce: 1970/05/00 [ FIREARMS-NAMELY, PISTOLS AND RIFLES AND PARTS AND ACCESSORIES ] THEREFOR; LEATHER GUN BELTS AND HOLSTERS Class U012 (International Class 006, 017, 019). First use: First Use: 1970/10/00 First Use In Commerce: 1970/10/00 [ CONSTRUCTION MATERIAL-NAMELY LOG CABINS IN THE NATURE OF PREFABRICATED UNITS ] Class U015 (International Class 016). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00 CANDLES Class U017 (International Class 034). First use: First Use: 1960/04/00 First Use In Commerce: 1960/04/00 [ TOBACCO PRODUCTS-NAMELY PIPE TOBACCO ] Class U018 (International Class 005). First use: First Use: 1960/04/00 First Use In Commerce: 1960/04/00 [ APOTHECARY ITEMS-NAMELY, ETHICAL DRUGS AND COMPOUNDS FOR MEDICINAL PURPOSES ] Class U019 (International Class 007, 012, 022, 027). First use: First Use: 1970/05/00 First Use In Commerce: 1970/05/00 [ WAGONS AND CARTS-NAMELY, WAGONS AND CARTS DRAWN BY ANIMALS ] Class U022 (International Class 028). First use: First Use: 1968/05/00 First Use In Commerce: 1968/05/00 TOYS, DOLLS, BALLS, PLAYING CARDS, PUZZLES AND BOARD GAMES Class U028 (International Class 014). First use: First Use: 1960/02/00 First Use In Commerce: 1960/02/00 JEWELRY AND CHARMS; LEATHER BRACELETS AND WRIST BANDS, HAT BANDS, LEATHER BELT BUCKLES AND HAIR BARRETTES Class U029 (International Class 021). First use: First Use: 1970/05/00 First Use In Commerce: 1970/05/00 BROOMS, BRUSHES AND DUSTERS Class U030 (International Class 021). First use: First Use: 1968/05/00 First Use In Commerce: 1968/05/00 POTTERY AND CHINA-NAMELY, DISHES, PLATES, PLATTERS, TRAYS, SAUCERS, CUPS, BOWLS, PITCHERS, POTS AND VASES Class U032 (International Class 020). First use: First Use: 1970/05/00 First Use In Commerce: 1970/05/00 FURNITURE-NAMELY, CHAIRS, TABLES, DESKS, BOOKCASES AND CABINETS AND PARTS THEREFOR; FRAMED PICTURES; ECOLOGY BOXES CONTAINING VARIOUS SEEDS FRAMED FOR USE AS A DECORATION Class U033 (International Class 021). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00 GLASSWARE-NAMELY CUT GLASS, BLOWN GLASS AND LEADED GLASS DISHES, PLATES, TRAYS, SAUCERS, CUPS, BOWLS, PITCHERS, VASES AND GLASSES Class U037 (International Class 016). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00</p>
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	<p>PAPER AND STATIONERY-NAMELY, WRITING PAPER, NOTE BOOKS, PADS, TALLIES, WRAPPING PAPER, PAPER NAPKINS AND PAPER RIBBONS FOR GIFT WRAPPING</p> <p>Class U038 (International Class 016). First use: First Use: 1960/04/00 First Use In Commerce: 1967/05/00</p> <p>PRINTED MATTER-NAMELY, NEWSPAPERS, CATALOGS, MAPS, SONG AND MUSIC PUBLICATIONS, CRAFT BOOKLETS, COOKBOOKS, BUMPER STICKERS, POSTERS AND PRINTED SEALS, PRINTED CARDS, PRINTED TAGS AND UNFRAMED PICTURES</p> <p>Class U040 (International Class 020). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00</p> <p>SEED ITEMS-NAMELY, ECOLOGY BOXES CONTAINING SEEDS, WOODEN ITEMS, STRAW ITEMS-NAMELY, TOOTHPICKS AND CAKE TESTERS, SHUCKERY ITEMS-NAMELY, CORN SHUCK FLOWERS, AND PEWTER ITEMS</p> <p>Class U042 (International Class 024, 027). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00</p> <p>BLANKETS, RUGS AND PLACEMATS MADE OF FIBERS</p> <p>Class U052 (International Class 003). First use: First Use: 1967/05/00 First Use In Commerce: 1967/05/00</p> <p>SOAP PRODUCTS-NAMELY, BATH SOAP FOR PERSONAL USE AND LYE SOAP</p>
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Attachments	<p>Notice of Opposition.pdf(527370 bytes )</p> <p>Exhibit A - 1004561.pdf(109227 bytes )</p> <p>Exhibit B - 1037086.pdf(50822 bytes )</p> <p>Exhibit C - 1047416.pdf(57556 bytes )</p> <p>Exhibit D - 1066465.pdf(123164 bytes )</p> <p>Exhibit E - website.pdf(685341 bytes )</p> <p>Exhibit F - TravelersChoice-Attractions-cAmuseme.pdf(291163 bytes )</p> <p>Exhibit G - Applicant's Application1.pdf(119893 bytes )</p>
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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	/cah/
Name	Christopher A. Holland
Date	08/14/2013

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

In the Matter of Application Serial No. 85/626,880 of



Published: Apr. 16, 2013

Herschend Family Entertainment Corporation, )  
)  
Opposer, )  
)  
v. )  
)  
DeRamus, Jimmie )  
)  
Applicant )

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

Commissioner for Trademarks  
Box TTAB FEE  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**NOTICE OF OPPOSITION**

Herschend Family Entertainment Corporation (“Opposer”) is a corporation organized and existing under the laws of the State of Missouri, with a principal place of business at 399 Indian Point Road, Branson, Missouri 65616. Opposer believes that it will be damaged by registration of the mark SILVER DOLLAR PAWN & JEWELRY, ALEXANDRIA, LA, E PLURIBUS UNUM, IN GOD WE TRUST (& Design), which is the subject matter of Application Serial No.

85/626,880, filed by Jimmie DeRamus ("Applicant"), an individual having a principal place of business at 2417 Lee Street, Alexandria, Louisiana 71301.

The grounds for opposition are as follows:

1. Opposer is the owner of the mark SILVER DOLLAR CITY for the following goods and services: food items and ingredients of foods - namely, coffee, tea, sweet cider, fresh milk, jellies, jams and preserves, applesauce, applebutter, honey, sorghum, bakery goods, ice cream, candies, cheeses, hams, bacon, sausages, flours, cornmeal, nuts, breads, cookies, and popcorn; pewter items, cooking utensils, namely, cast iron skillets, pots and pans; souvenirs and gift items, namely, pennants, non-monetary coins made of non-precious metal and ornamental metal products, namely, ornaments and objects of art, wooden souvenirs and wood figurines, straw cake testers, and shuckery items, namely, corn shuck flowers; wearing apparel, namely, sweatshirts, t-shirts, hats, scarves, and belts; first aid services, hotel services, motel services, services in providing campground facilities for others, services in providing accommodation hotel and motel reservations for others, providing stroller rental services and restaurant services, and photographic services-namely, taking tintype photographs and group pictures; retail grocery store services; guided tour services-namely, cave and city tour services, and providing parking spaces for others, consulting services-namely, counseling in the travel field, and group reservation services-namely, providing ticket reservation services; entertainment services-namely, providing amusement facilities including providing a city for the entertainment of others, services in providing swimming pool facilities, services in providing playground facilities for others, services in instructing, demonstrating and displaying various crafts, and consulting services-namely, counseling in the recreation field; barrels, baskets, boxes, hampers, and coasters; paper cups and paper plates; purses, billfolds, bags and pouches; candles; toys, dolls,

balls, playing cards, puzzles and board games; jewelry and charms; leather bracelets and wrist bands, hat bands, leather belt buckles and hair barrettes; brooms, brushes and dusters; pottery and china-namely, dishes, plates, platters, trays, saucers, cups, bowls, pitchers, pots and vases; furniture-namely, chairs, tables, desks, bookcases and cabinets and parts therefor; framed pictures; ecology boxes containing various seeds framed for use as a decoration; glassware-namely cut glass, blown glass and leaded glass dishes, plates, trays, saucers, cups, bowls, pitchers, vases and glasses; paper and stationery-namely, writing paper, note books, pads, tallies, wrapping paper, paper napkins and paper ribbons for gift wrapping; printed matter-namely, newspapers, catalogs, maps, song and music publications, craft booklets, cookbooks, bumper stickers, posters and printed seals, printed cards, printed tags and unframed pictures; seed items-namely, ecology boxes containing seeds, wooden items, straw items-namely, toothpicks and cake testers, shuckery items-namely, corn shuck flowers, and pewter items; blankets, rugs and placemats made of fibers; and soap products-namely, bath soap for personal use and lye soap (“Opposer’s Goods and Services”).

2. Opposer is the owner of U.S. Registration No. 1,004,561 of the mark SILVER DOLLAR CITY for “food items and ingredients of foods - namely, coffee, tea, sweet cider, fresh milk, jellies, jams and preserves, applesauce, applebutter, honey, sorghum, bakery goods, ice cream, candies, cheeses, hams, bacon, sausages, flours, cornmeal, nuts, breads, cookies, and popcorn” in International Class 029.

3. U.S. Registration No. 1,004,561 was registered on February 11, 1975, is valid and incontestable, and Opposer’s use of the SILVER DOLLAR CITY mark that is the subject matter of Registration No. 1,004,561 has been continuous and the mark has not been abandoned.

4. A current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of Opposer's Registration No. 1,004,561 of its SILVER DOLLAR CITY mark is attached hereto as Exhibit A and is made part of the record.

5. Opposer is the owner of U.S. Registration No. 1,037,086 of the mark SILVER DOLLAR CITY for "pewter items, cooking utensils, namely, cast iron skillets, pots and pans" in International Class 021; "souvenirs and gift items, namely, pennants, non-monetary coins made of non-precious metal and ornamental metal products, namely, ornaments and objects of art, wooden souvenirs and wood figurines, straw cake testers, and shuckery items, namely, corn shuck flowers" in International Class 020; and "wearing apparel, namely, sweatshirts, t-shirts, hats, scarves, and belts" in International Class 025.

6. U.S. Registration No. 1,037,086 was registered on March 30, 1976, is valid and incontestable, and Opposer's use of the SILVER DOLLAR CITY mark that is the subject matter of Registration No. 1,037,086 has been continuous and the mark has not been abandoned.

7. A current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of Opposer's Registration No. 1,037,086 of its SILVER DOLLAR CITY mark is attached hereto as Exhibit B and is made part of the record.

8. Opposer is the owner of U.S. Registration No. 1,047,416 of the mark SILVER DOLLAR CITY for "first aid services, hotel services, motel services, services in providing campground facilities for others, services in providing accommodation hotel and motel reservations for others, providing stroller rental services and restaurant services, and photographic services-namely, taking tintype photographs and group pictures" in International

Class 042; “retail grocery store services” in International Class 035; “guided tour services-namely, cave and city tour services, and providing parking spaces for others, consulting services-namely, counseling in the travel field, and group reservation services-namely, providing ticket reservation services” in International Class 039; and “entertainment services-namely, providing amusement facilities including providing a city for the entertainment of others, services in providing swimming pool facilities, services in providing playground facilities for others, services in instructing, demonstrating and displaying various crafts, and consulting services-namely, counseling in the recreation field” in International Class 041.

9. U.S. Registration No. 1,047,416 was registered on August 31, 1976, is valid and incontestable, and Opposer’s use of the SILVER DOLLAR CITY mark that is the subject matter of Registration No. 1,047,416 has been continuous and the mark has not been abandoned.

10. A current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of Opposer’s Registration No. 1,047,416 of its SILVER DOLLAR CITY mark is attached hereto as Exhibit C and is made part of the record.

11. Opposer is the owner of U.S. Registration No. 1,066,465 of the mark SILVER DOLLAR CITY for “barrels, baskets, boxes, hampers, and coasters; paper cups and paper plates” in International Class 021; “purses, billfolds, bags and pouches” in International Class 018; “candles” in International Class 016; and “toys, dolls, balls, playing cards, puzzles and board games” in International Class 028; “jewelry and charms; leather bracelets and wrist bands, hat bands, leather belt buckles and hair barrettes” in International Class 014; “brooms, brushes and dusters” in International Class 021; “pottery and china-namely, dishes, plates, platters, trays, saucers, cups, bowls, pitchers, pots and vases” in International Class 021; “furniture-namely,

chairs, tables, desks, bookcases and cabinets and parts therefor; framed pictures; ecology boxes containing various seeds framed for use as a decoration” in International Class 020; “glassware-namely cut glass, blown glass and leaded glass dishes, plates, trays, saucers, cups, bowls, pitchers, vases and glasses” in International Class 021; “paper and stationery-namely, writing paper, note books, pads, tallies, wrapping paper, paper napkins and paper ribbons for gift wrapping” in International Class 016; “printed matter-namely, newspapers, catalogs, maps, song and music publications, craft booklets, cookbooks, bumper stickers, posters and printed seals, printed cards, printed tags and unframed pictures” in International Class 016; “seed items-namely, ecology boxes containing seeds, wooden items, straw items-namely, toothpicks and cake testers, shuckery items-namely, corn shuck flowers, and pewter items” in International Class 020; “blankets, rugs and placemats made of fibers” in International Classes 024 and 027; and “soap products-namely, bath soap for personal use and lye soap” in International Class 003.

12. U.S. Registration No. 1,066,465 was registered on May 24, 1977, is valid and incontestable, and Opposer’s use of the SILVER DOLLAR CITY mark that is the subject matter of Registration No. 1,066,465 has been continuous and the mark has not been abandoned.

13. A current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of Opposer’s Registration No. 1,066,465 of its SILVER DOLLAR CITY mark is attached hereto as Exhibit D and is made part of the record.

14. Continuously and substantially exclusively since at least as early as February 1960, Opposer, through its predecessors-in-interest, has been using the SILVER DOLLAR CITY mark for amusement park services as well as goods and services associated and sold in providing such services, and has not abandoned such mark.

15. Opposer's SILVER DOLLAR CITY amusement park is located Branson, Missouri. A copy of a print-out from Opposer's [www.silverdollarcity.com](http://www.silverdollarcity.com) website dated August 14, 2013, that promotes Opposer's SILVER DOLLAR CITY amusement park is attached as Exhibit E.

16. Opposer's SILVER DOLLAR CITY amusement park is listed in national travel publications and websites. Opposer's SILVER DOLLAR CITY amusement park was named a Travelers' Choice 2013 Winner - Top 25 Amusement Park & Water Park by Tripadvisor. A copy of a print-out dated August 14, 2013, from the [tripadvisor.com](http://tripadvisor.com) website showing the ranking for Opposer's SILVER DOLLAR CITY amusement park is attached as Exhibit F.

17. Opposer has expended considerable time, money and effort in advertising and promoting it's SILVER DOLLAR CITY mark, it's goods and services sold under the marks, and in developing substantial and exclusive goodwill and consumer recognition in connection with the phrase SILVER DOLLAR CITY and the goods and services with which the SILVER DOLLAR CITY mark is used.

18. As a result of these expenditures, combined with substantial sales of quality goods and services under the SILVER DOLLAR CITY mark, the relevant consuming public has come to recognize SILVER DOLLAR CITY as favorably distinguishing Opposer's goods and services from those of others.

19. Notwithstanding Opposer's rights in and to its SILVER DOLLAR CITY mark, on May 16, 2012, Applicant filed an application to register the mark SILVER DOLLAR PAWN & JEWELRY, ALEXANDRIA, LA, E PLURIBUS UNUM, IN GOD WE TRUST (& Design) (hereinafter "the SILVER DOLLAR mark" or "Applicant's SILVER DOLLAR mark") for: "Cups and mugs; Insulating sleeve holders for beverage cans" in International Class 021; "Retail

store services featuring novelty items, electronics, jewelry, musical instruments, motor vehicles, tools, lawncare equipment, and guns and munitions” in International Class 035; “Pawn brokerage; Pawn shops” in International Class 036; and “Entertainment services in the nature of an on-going reality based television program; Entertainment services, namely, personal appearances by a reality based television celebrity; Entertainment services, namely, providing a web site featuring photographic, audio, video and prose presentations featuring a reality based television celebrity” in International Class 041.

20. Applicant’s application to register the SILVER DOLLAR mark was assigned Serial No. 85/626,880, and the application was published for opposition on April 16, 2013.

21. A current printout of information from the electronic database records of the United States Patent and Trademark Office showing the current status and title of Applicant’s application for the SILVER DOLLAR mark is attached as Exhibit G.

22. Applicant’s SILVER DOLLAR mark, when used in connection with cups and mugs; insulating sleeve holders for beverage cans; retail store services featuring novelty items, electronics, jewelry, musical instruments, motor vehicles, tools, lawncare equipment, and guns and munitions; pawn brokerage; pawn shops; and entertainment services in the nature of an on-going reality based television program; entertainment services, namely, personal appearances by a reality based television celebrity; entertainment services, namely, providing a web site featuring photographic, audio, video and prose presentations featuring a reality based television celebrity (“Applicant’s Goods and Services”), is confusingly similar to Opposer’s SILVER DOLLAR CITY mark as used with Opposer’s Goods and Services, as set forth above and protected by Opposer’s above-identified registrations.

23. Opposer's use, filing and registration for the SILVER DOLLAR CITY mark is long before Applicant's filing date or any date of first use on which Applicant can rely.

24. Applicant's mark, when used in association with the goods and services identified in Application Serial No. 85/626,880, is likely to cause confusion, mistake or deception when compared to Opposer's SILVER DOLLAR CITY mark as used with Opposer's Goods and Services as identified in Opposer's above-identified registrations.

25. Applicant's SILVER DOLLAR mark and Opposer's SILVER DOLLAR CITY mark are similar and have a similar connotation and commercial impression.

26. Applicant's SILVER DOLLAR mark and Opposer's SILVER DOLLAR CITY mark are similar in sound and appearance such that when used on related goods and services, there is a likelihood of confusion, mistake or deception.

27. Applicant's SILVER DOLLAR mark for Applicant's Goods and Services, on the one hand, and Opposer's SILVER DOLLAR CITY mark for Opposer's Goods and Services, on the other, are closely related so that there is a likelihood of confusion, mistake or deception when Applicant's SILVER DOLLAR mark and Opposer's SILVER DOLLAR CITY mark are both used for such goods and services.

28. Applicant and Opposer use their respective marks in the same or similar fields of use, thereby exacerbating the likelihood of confusion regarding the marks and the likelihood of confusion as to sponsorship or affiliation.

29. Applicant and Opposer market their goods and services under their respective marks to the same types of customers.

30. If Applicant is permitted to use and register the SILVER DOLLAR mark for cups and mugs; insulating sleeve holders for beverage cans; retail store services featuring novelty

items, electronics, jewelry, musical instruments, motor vehicles, tools, lawncare equipment, and guns and munitions; pawn brokerage; pawn shops; and entertainment services in the nature of an on-going reality based television program; entertainment services, namely, personal appearances by a reality based television celebrity; entertainment services, namely, providing a web site featuring photographic, audio, video and prose presentations featuring a reality based television celebrity, then confusion in the trade resulting in damage and injury to Opposer will be caused and will result by reason of the confusing similarity between Applicant's SILVER DOLLAR mark and Opposer's SILVER DOLLAR CITY mark.

31. Persons familiar with Opposer's SILVER DOLLAR CITY mark and the goods and services marketed and rendered under such mark are likely to confuse Applicant's SILVER DOLLAR mark as used with Applicant's Goods and Services as being promoted, offered, sold or sponsored by Opposer, and such confusion will cause harm to Opposer.

32. In addition to the harm identified in the preceding paragraphs, any defect, objection or fault found with Applicant's Goods or Services, or any unfavorable publicity experienced by any of the customers of Applicant's Goods or Services, would reflect badly upon and significantly injure the reputation which Opposer has established for Opposer's Goods and Services that are sold under its SILVER DOLLAR CITY mark.

WHEREFORE, Opposer believes that it will be damaged by registration of Applicant's SILVER DOLLAR mark, and prays that its opposition to Application Serial No. 85/626,880 be sustained.

This 14<sup>th</sup> day of August, 2013.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP



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Christopher A. Holland  
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Attorney for Opposer,  
Herschend Family Entertainment  
Corporation

**CERTIFICATE OF SERVICE**

I, Christopher A. Holland, counsel for Herschend Family Entertainment Corporation, do hereby certify that the **NOTICE OF OPPOSITION** was served upon Applicant by placing a copy of same in the U.S. mail, postage prepaid, addressed as follows:

Christophe Szapary, Esq.  
PROVOSTY & GANKENDORFF  
650 Poydras St, Ste 2700  
New Orleans, Louisiana 70130-6180

This 14<sup>th</sup> day of August, 2013.



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Christopher A. Holland

# EXHIBIT A

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Mark: SILVER DOLLAR CITY

US Serial Number: 72462750  
US Registration Number: 1004561  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Sep. 16, 2004

Application Filing Date: Jul. 12, 1973  
Registration Date: Feb. 11, 1975

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## Mark Information

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Mark Literal Elements: SILVER DOLLAR CITY  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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## Goods and Services

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Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \*...\* identify additional (new) wording in the goods/services.

For: FOOD ITEMS AND INGREDIENTS OF FOODS - NAMELY, COFFEE, TEA, SWEET CIDER, FRESH MILK, JELLIES, JAMS AND PRESERVES, APPLESAUCE, APPLEBUTTER, HONEY, SORGHUM, BAKERY GOODS, ICE CREAM, CANDIES, CHEESES, HAMS, BACON, SAUSAGES, FLOURS, CORNMEAL, NUTS, BREADS, COOKIES, AND POPCORN

International Class(es): 029, 030, 031

U.S Class(es): 046 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1960

Use in Commerce: Feb. 1960

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## Basis Information (Case Level)

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Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

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## Current Owner(s) Information

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Owner Name: HERSCHEND FAMILY ENTERTAINMENT CORPORATION  
Owner Address: 339 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: MISSOURI

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## Attorney/Correspondence Information

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### Attorney of Record

Attorney Name: GREGORY E. UPCHURCH

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Correspondent

Correspondent Name/Address: GREGORY E UPCHURCH  
HUSCH & EPPENBERGER LLC  
190 CARONDELET PLZ STE 600  
ST LOUIS, MISSOURI 63105  
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 13, 2009	CASE FILE IN TICRS	
Sep. 16, 2004	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Sep. 16, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 29, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 29, 2004	TEAS SECTION 8 & 9 RECEIVED	
Oct. 27, 1995	AMENDMENT UNDER SECTION 7 - ISSUED	
Feb. 13, 1995	SEC 7 REQUEST FILED	
Apr. 05, 1995	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 13, 1995	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Oct. 07, 1980	AMENDMENT UNDER SECTION 7 - ISSUED	
May 26, 1981	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 11, 2005

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: In the statement, column 1, after line 2, ", now located at Marvel Cave Park, Mo. 65616" is inserted. IN THE STATEMENT, COLUMN 1, LINE 2 IS DELETED, AND "100 CORPORATE PLACE, BRANSON, MISSOURI 65616" IS INSERTED.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 13, 2009

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: SILVER DOLLAR CITY, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2742/0413](#)

Pages: 5

Date Recorded: May 28, 2003

Supporting Documents: [assignment-tm-2742-0413.pdf](#)

Assignor

Name: [SILVER DOLLAR CITY, INC.](#)

Execution Date: Dec. 11, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Assignee

Name: [HERSCHEND FAMILY ENTERTAINMENT CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616

Correspondent

Correspondent Name: ANDREW S. BENDER

Correspondent Address: 401 MAIN STREET  
SUITE 1400  
PEORIA, IL 61602

Domestic Representative - Not Found

## Proceedings

### Summary

Number of Proceedings: 1

### Type of Proceeding: Opposition

Proceeding Number: [91114168](#)

Filing Date: May 13, 1999

Status: Terminated

Status Date: Oct 25, 2004

Interlocutory Attorney: CINDY B GREENBAUM

### Defendant

Name: SILVER DOLLAR FRANCHISING, INC.

Correspondent Address: JOHNNY P. AKERS  
THE LAW CENTER  
401 SOUTH DEWEY, SUITE 214  
BARTLESVILLE OK , 74003

### Associated marks

Mark	Application Status	Serial Number	Registration Number
SD SILVER DOLLAR CAFE	Cancelled - Section 8	<a href="#">75424509</a>	<a href="#">3016498</a>

### Plaintiff(s)

Name: SILVER DOLLAR CITY, INC.

Correspondent Address: ROBERT M. GARRETT  
HAVERSTOCK, GARRETT & ROBERTS  
611 OLIVE STREET, SUITE 1610  
ST. LOUIS MO , 63101

### Associated marks

Mark	Application Status	Serial Number	Registration Number
SILVER DOLLAR CITY	Renewed	<a href="#">72462750</a>	<a href="#">1004561</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 13, 1999	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Jun 19, 1999	Jul 29, 1999
3	PENDING, INSTITUTED	Jun 19, 1999	
4	ANSWER	Aug 02, 1999	
5	PL'S MOT TO CONSOLIDATE	Dec 27, 1999	
6	COSOLIDATED W/113,987; TRIAL DATES RESET	Jan 12, 2000	
7	DUPLICATE ORDER	Jan 12, 2000	
8	TERMINATED	Oct 25, 2004	

Int. Cls.: 29, 30 and 31

Prior U.S. Cl.: 46

United States Patent and Trademark Office  
Amended

Reg. No. 1,004,561  
Registered Feb. 11, 1975  
OG Date Dec. 5, 1995

**TRADEMARK  
PRINCIPAL REGISTER**

**SILVER DOLLAR CITY**

SILVER DOLLAR CITY, INC. (MISSOURI CORPORATION)  
100 CORPORATE PLACE  
BRANSON, MO 65616

FOR: FOOD ITEMS AND INGREDIENTS OF FOODS - NAMELY, COFFEE, TEA, SWEET CIDER, FRESH MILK, JELLIES, JAMS AND PRESERVES, APPLESAUCE, APPLEBUTTER, HONEY,

SORGHUM, BAKERY GOODS, ICE CREAM, CANDIES, CHEESES, HAMS, BACON, SAUSAGES, FLOURS, CORNMEAL, NUTS, BREADS, COOKIES, AND POPCORN, IN CLASS 46 (INT. CLS. 29, 30 AND 31).

FIRST USE 2-0-1960; IN COMMERCE 2-0-1960.

SER. NO. 72-462,750, FILED 7-12-1973.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Dec. 5, 1995.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cls.: 29, 30 and 31

Prior U.S. Cl.: 46

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 1,004,561

Registered Feb. 11, 1975

Renewal Term Begins Feb. 11, 1995

**TRADEMARK  
PRINCIPAL REGISTER**

**SILVER DOLLAR CITY**

SILVER DOLLAR CITY, INC. (MISSOURI CORPORATION)  
100 CORPORATE PLACE  
BRANSON, MO 65616

FOR: FOOD ITEMS AND INGREDIENTS OF FOODS - NAMELY, COFFEE, TEA, SWEET CIDER, FRESH MILK, JELLIES, JAMS AND PRESERVES, APPLESAUCE, APPLEBUTTER, HONEY,

SORGHUM, BAKERY GOODS, ICE CREAM, CANDIES, CHEESES, HAMS, BACON, SAUSAGES, FLOURS, CORNMEAL, NUTS, BREADS, COOKIES, AND POPCORN, IN CLASS 46 (INT. CLS. 29, 30 AND 31).

FIRST USE 2-0-1960; IN COMMERCE 2-0-1960.

SER. NO. 72-462,750, FILED 7-12-1973.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on May 16, 1995.*

COMMISSIONER OF PATENTS AND TRADEMARKS

**Amendment**

Registered February 11, 1975

Registration No. 1,004,561

Silver Dollar City, Inc.

Application to amend having been made by Silver Dollar City, Inc., owner of the registration above identified, said registration is hereby amended as follows:

In the statement, column 1, after line 2, , *now located at Marvel Cave Park, Mo. 65616* is inserted.

Such amendment has been entered upon the records of the Patent and Trademark Office and the said original registration should be read as so amended.

Signed and sealed this 7th day of October 1980.

[SEAL]

Attest:

JANIE COOKSEY,  
*Attesting Officer.*

SIDNEY A. DIAMOND,  
*Commissioner.*

Int. Cl.: 29, 30, 31

Prior U.S. Cl.: 46

**United States Patent Office**

**Reg. No. 1,004,561**

Registered Feb. 11, 1975

**TRADEMARK**

**Principal Register**

**SILVER DOLLAR CITY**

Silver Dollar City, Inc. (Missouri corporation)  
Silver Dollar City, Mo. 65616

For: FOOD ITEMS AND INGREDIENTS OF FOODS—NAMELY, COFFEE, TEA, SWEET CIDER, FRESH MILK, JELLIES, JAMS AND PRESERVES, APPLESAUCE, APPLEBUTTER, H O N E Y, SORGHUM, BAKERY GOODS, ICE CREAM, CANDIES, CHEESES, HAMS, BACON, SAUSAGES, FLOURS, CORNMEAL, NUTS, BREADS, COOKIES, AND POPCORN, in CLASS 46 (INT. CLS. 29, 30, 31).

First use in or about February 1960; in commerce in or about February 1960.

Ser. No. 462,750, filed July 12, 1973.

## EXHIBIT B



Basis: 1(a)

First Use: Feb. 1960

Use in Commerce: Feb. 1960

## Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

## Current Owner(s) Information

**Owner Name:** HERSCHEND FAMILY ENTERTAINMENT CORPORATION  
**Owner Address:** 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** MISSOURI

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** GREGORY E. UPCHURCH

**Docket Number:** 57002-086

### Correspondent

**Correspondent Name/Address:** GREGORY E UPCHURCH  
HUSCH & EPPENBERGER LLC  
190 CARONDELET PLZ STE 600  
SAINT LOUIS, MISSOURI 63105  
UNITED STATES

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 15, 2008	CASE FILE IN TICRS	
May 31, 2006	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
May 31, 2006	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	
May 31, 2006	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	73376
Mar. 30, 2006	ASSIGNED TO PARALEGAL	73376
Jan. 13, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 13, 2006	TEAS SECTION 8 & 9 RECEIVED	
Jun. 13, 1996	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Mar. 26, 1996	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Oct. 07, 1980	AMENDMENT UNDER SECTION 7 - ISSUED	
Dec. 07, 1981	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Mar. 30, 2006

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the statement, column 1, after line 2, ", now located at Marvel Cave Park, Mo. 65616" is inserted.

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Feb. 15, 2008

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: SILVER DOLLAR CITY, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2742/0413](#)

Pages: 5

Date Recorded: May 28, 2003

Supporting Documents: [assignment-tm-2742-0413.pdf](#)

### Assignor

Name: [SILVER DOLLAR CITY, INC.](#)

Execution Date: Dec. 11, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

### Assignee

Name: [HERSCHEND FAMILY ENTERTAINMENT CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616

### Correspondent

Correspondent Name: ANDREW S. BENDER

Correspondent Address: 401 MAIN STREET  
SUITE 1400  
PEORIA, IL 61602

Domestic Representative - Not Found

Int. Cl.: 8, 11, 20, 21, 24, 25

Prior U.S. Cl.: 13, 23, 34, 39, 50

United States Patent Office

Reg. No. 1,037,086

Registered Mar. 30, 1976

**TRADEMARK**

Principal Register

**SILVER DOLLAR CITY**

Silver Dollar City, Inc. (Missouri corporation)  
Silver Dollar City, Mo. 65616

For: P E W T E R I T E M S, C O O K I N G U T E N S I L S—  
N A M E L Y, C A S T I R O N S K I L L E T S, P O T S A N D  
P A N S—in CLASS 13 (INT. CL. 21).

First use on or about May 1963; in commerce on or  
about May 1963.

For: F I R E P L A C E T O O L S—N A M E L Y, P O K E R S,  
T O N G S A N D F I R E P L A C E B R U S H E S—in CLASS 23  
(INT. CLS. 8 and 21).

First use on or about May 1963; in commerce on or  
about May 1963.

For: F I R E P L A C E I T E M S—N A M E L Y, A N D I R O N S,  
G R A T E S A N D S C R E E N S—in CLASS 34 (INT. CL.  
11).

First use on or about May 1963; in commerce on or  
about May 1963.

For: W E A R I N G A P P A R E L—N A M E L Y, S W E A T-  
S H I R T S, T-SHIRTS, HATS, SCARVES AND BELTS—  
in CLASS 39 (INT. CL. 25).

First use on or about February 1960; in commerce on  
or about February 1960.

For: S O U V E N I R S A N D G I F T I T E M S—N A M E L Y,  
P E N N A N T S, N O N-MONETARY COINS MADE OF  
N O N-P R E C I O U S M E T A L A N D O R N A M E N T A L  
M E T A L P R O D U C T S—N A M E L Y, O R N A M E N T S A N D  
O B J E C T S O F A R T, W O O D E N S O U V E N I R S A N D  
W O O D F I G U R I N E S, S T R A W C A K E T E S T E R S,  
A N D S H U C K E R Y I T E M S—N A M E L Y, C O R N S H U C K  
F L O W E R S—in CLASS 50 (INT. CLS. 20 and 24).

First use in or about February 1960; in commerce in  
or about February 1960.

Ser. No. 462,751, filed July 12, 1973.

M. E. BODSON, Examiner

## EXHIBIT C



## Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

## Current Owner(s) Information

**Owner Name:** HERSCHEM FAMILY ENTERTAINMENT CORPORATION  
**Owner Address:** 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** MISSOURI

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** GREGORY E. UPCHURCH

**Docket Number:** 57002-088

### Correspondent

**Correspondent Name/Address:** GREGORY E UPCHURCH  
HUSCH & EPPENBERGER LLC  
190 CARONDELET PLZ STE 600  
SAINT LOUIS, MISSOURI 63105  
UNITED STATES

**Phone:** 314.480.1500

**Fax:** 314.480.1505

**Correspondent e-mail:** [trademark@husch.com](mailto:trademark@husch.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jan. 30, 2008	CASE FILE IN TICRS	
Jul. 28, 2006	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	60234
Jul. 28, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 13, 2006	ASSIGNED TO PARALEGAL	60234
Apr. 21, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 21, 2006	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 1996	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 07, 1996	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Oct. 07, 1980	AMENDMENT UNDER SECTION 7 - ISSUED	
Jan. 11, 1982	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Aug. 31, 2006

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the statement, column 1, after line 2, ", now located at Marvel Cave Park, Mo. 65616" is inserted.

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Jan. 30, 2008

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 1

Registrant: SILVER DOLLAR CITY, INC.

### Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [2742/0413](#)

Pages: 5

Date Recorded: May 28, 2003

Supporting Documents: [assignment-tm-2742-0413.pdf](#)

### Assignor

Name: [SILVER DOLLAR CITY, INC.](#)

Execution Date: Dec. 11, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

### Assignee

Name: [HERSCHEND FAMILY ENTERTAINMENT CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616

### Correspondent

Correspondent Name: ANDREW S. BENDER

Correspondent Address: 401 MAIN STREET  
SUITE 1400  
PEORIA, IL 61602

Domestic Representative - Not Found

**Int. Cl.: 35, 39, 41, 42**

**Prior U.S. Cl.: 100, 101, 105, 107**

**United States Patent Office**

**Reg. No. 1,047,416**

**Registered Aug. 31, 1976**

**SERVICE MARK**

**Principal Register**

**SILVER DOLLAR CITY**

Silver Dollar City, Inc. (Missouri corporation)  
Silver Dollar City, Mo. 65616

For: FIRST AID SERVICES, HOTEL SERVICES, MOTEL SERVICES, SERVICES IN PROVIDING CAMPGROUND FACILITIES FOR OTHERS, SERVICES IN PROVIDING ACCOMMODATION HOTEL AND MOTEL RESERVATIONS FOR OTHERS, PROVIDING STROLLER RENTAL SERVICES AND RESTAURANT SERVICES; AND PHOTOGRAPHIC SERVICES—NAMELY, TAKING TINTYPE PHOTOGRAPHS AND GROUP PICTURES—in CLASS 100 (INT. CL. 42).

For: RETAIL GROCERY STORE SERVICES, in CLASS 101 (INT. CL. 35).

For: GUIDED TOUR SERVICES—NAMELY, CAVE AND CITY TOUR SERVICES, AND PROVIDING PARKING SPACES FOR OTHERS, CONSULTING SERVICES—NAMELY, COUNSELING IN THE TRAVEL FIELD, AND GROUP RESERVA-

TION SERVICES—NAMELY, PROVIDING TICKET RESERVATION SERVICES—in CLASS 105 (INT. CL. 39).

For: ENTERTAINMENT SERVICES—NAMELY, PROVIDING AMUSEMENT FACILITIES INCLUDING PROVIDING A CITY FOR THE ENTERTAINMENT OF OTHERS, SERVICES IN PROVIDING SWIMMING POOL FACILITIES, SERVICES IN PROVIDING PLAYGROUND FACILITIES FOR OTHERS, SERVICES IN INSTRUCTING, DEMONSTRATING AND DISPLAYING VARIOUS CRAFTS; AND CONSULTING SERVICES—NAMELY, COUNSELING IN THE RECREATION FIELD—in CLASS 107 (INT. CL. 41).

First use in or about February 1960; in commerce in or about February 1960.

Ser. No. 448,967, filed Feb. 16, 1973.

M. E. BODSON, Examiner

## EXHIBIT D



<b>First Use:</b> Oct. 1970	<b>Use in Commerce:</b> Oct. 1970
<b>For:</b> CANDLES	
<b>International Class(es):</b> 016	<b>U.S Class(es):</b> 015 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1967	<b>Use in Commerce:</b> May 1967
<b>For:</b> [ TOBACCO PRODUCTS-NAMELY PIPE TOBACCO ]	
<b>International Class(es):</b> 034	<b>U.S Class(es):</b> 017 - Primary Class
<b>Class Status:</b> SECTION 8 - CANCELLED	
<b>Basis:</b> 1(a)	
<b>First Use:</b> Apr. 1960	<b>Use in Commerce:</b> Apr. 1960
<b>For:</b> [ APOTHECARY ITEMS-NAMELY, ETHICAL DRUGS AND COMPOUNDS FOR MEDICINAL PURPOSES ]	
<b>International Class(es):</b> 005	<b>U.S Class(es):</b> 018 - Primary Class
<b>Class Status:</b> SECTION 8 - CANCELLED	
<b>Basis:</b> 1(a)	
<b>First Use:</b> Apr. 1960	<b>Use in Commerce:</b> Apr. 1960
<b>For:</b> [ WAGONS AND CARTS-NAMELY, WAGONS AND CARTS DRAWN BY ANIMALS ]	
<b>International Class(es):</b> 007, 012, 022, 027	<b>U.S Class(es):</b> 019 - Primary Class
<b>Class Status:</b> SECTION 8 - CANCELLED	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1970	<b>Use in Commerce:</b> May 1970
<b>For:</b> TOYS, DOLLS, BALLS, PLAYING CARDS, PUZZLES AND BOARD GAMES	
<b>International Class(es):</b> 028	<b>U.S Class(es):</b> 022 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1968	<b>Use in Commerce:</b> May 1968
<b>For:</b> JEWELRY AND CHARMS; LEATHER BRACELETS AND WRIST BANDS, HAT BANDS, LEATHER BELT BUCKLES AND HAIR BARRETTES	
<b>International Class(es):</b> 014	<b>U.S Class(es):</b> 028 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> Feb. 1960	<b>Use in Commerce:</b> Feb. 1960
<b>For:</b> BROOMS, BRUSHES AND DUSTERS	
<b>International Class(es):</b> 021	<b>U.S Class(es):</b> 029 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1970	<b>Use in Commerce:</b> May 1970
<b>For:</b> POTTERY AND CHINA-NAMELY, DISHES, PLATES, PLATTERS, TRAYS, SAUCERS, CUPS, BOWLS, PITCHERS, POTS AND VASES	
<b>International Class(es):</b> 021	<b>U.S Class(es):</b> 030 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1968	<b>Use in Commerce:</b> May 1968
<b>For:</b> FURNITURE-NAMELY, CHAIRS, TABLES, DESKS, BOOKCASES AND CABINETS AND PARTS THEREFOR; FRAMED PICTURES; ECOLOGY BOXES CONTAINING VARIOUS SEEDS FRAMED FOR USE AS A DECORATION	
<b>International Class(es):</b> 020	<b>U.S Class(es):</b> 032 - Primary Class
<b>Class Status:</b> ACTIVE	
<b>Basis:</b> 1(a)	
<b>First Use:</b> May 1970	<b>Use in Commerce:</b> May 1970
<b>For:</b> GLASSWARE-NAMELY CUT GLASS, BLOWN GLASS AND LEADED GLASS DISHES, PLATES, TRAYS, SAUCERS, CUPS, BOWLS, PITCHERS, VASES AND GLASSES	
<b>International Class(es):</b> 021	<b>U.S Class(es):</b> 033 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 1967

**Use in Commerce:** May 1967

**For:** PAPER AND STATIONERY-NAMELY, WRITING PAPER, NOTE BOOKS, PADS, TALLIES, WRAPPING PAPER, PAPER NAPKINS AND PAPER RIBBONS FOR GIFT WRAPPING

**International Class(es):** 016

**U.S Class(es):** 037 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 1967

**Use in Commerce:** May 1967

**For:** PRINTED MATTER-NAMELY, NEWSPAPERS, CATALOGS, MAPS, SONG AND MUSIC PUBLICATIONS, CRAFT BOOKLETS, COOKBOOKS, BUMPER STICKERS, POSTERS AND PRINTED SEALS, PRINTED CARDS, PRINTED TAGS AND UNFRAMED PICTURES

**International Class(es):** 016

**U.S Class(es):** 038 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Apr. 1960

**Use in Commerce:** May 1967

**For:** SEED ITEMS-NAMELY, ECOLOGY BOXES CONTAINING SEEDS, WOODEN ITEMS, STRAW ITEMS-NAMELY, TOOTHPICKS AND CAKE TESTERS, SHUCKERY ITEMS-NAMELY, CORN SHUCK FLOWERS, AND PEWTER ITEMS

**International Class(es):** 020

**U.S Class(es):** 040 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 1967

**Use in Commerce:** May 1967

**For:** BLANKETS, RUGS AND PLACEMATS MADE OF FIBERS

**International Class(es):** 024, 027

**U.S Class(es):** 042 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 1967

**Use in Commerce:** May 1967

**For:** SOAP PRODUCTS-NAMELY, BATH SOAP FOR PERSONAL USE AND LYE SOAP

**International Class(es):** 003

**U.S Class(es):** 052 - Primary Class

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** May 1967

**Use in Commerce:** May 1967

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** No

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** HERSCHEM FAMILY ENTERTAINMENT CORPORATION

**Owner Address:** 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616  
UNITED STATES

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** MISSOURI

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Rebecca J. Brandau

**Docket Number:** 57002-085

**Attorney Primary Email Address:** [trademark@husch.com](mailto:trademark@husch.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Rebecca J. Brandau  
Husch & Eppenberger, LLC  
190 Carondelet Plaza  
Suite 600  
St. Louis, MISSOURI 63105  
UNITED STATES

**Phone:** 314.480.1500

**Fax:** 314.480.1505

**Correspondent e-mail:** [trademark@husch.com](mailto:trademark@husch.com)

**Correspondent e-mail** Yes  
**Authorized:**

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jan. 15, 2008	CASE FILE IN TICRS	
Jun. 02, 2007	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	61619
Jun. 02, 2007	REGISTERED - SEC. 9 GRANTED/CHECK RECORD FOR SEC. 8	61619
Jun. 02, 2007	REGISTERED - PARTIAL SEC. 8 (10-YR) ACCEPTED	61619
May 23, 2007	ASSIGNED TO PARALEGAL	61619
Apr. 24, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 24, 2007	TEAS SECTION 8 & 9 RECEIVED	
Apr. 30, 1998	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 03, 1997	POST REGISTRATION ACTION MAILED - SEC. 9	
May 15, 1997	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Jan. 11, 1983	CERTIFICATE OF CORRECTION ISSUED	
Jul. 27, 1982	CERTIFICATE OF CORRECTION ISSUED	
Jun. 15, 1982	AMENDMENT UNDER SECTION 7 - ISSUED	
Jun. 16, 1982	AMENDMENT UNDER SECTION 7 - ISSUED	
Jul. 27, 1982	CERTIFICATE OF CORRECTION ISSUED	
Jan. 11, 1983	CERTIFICATE OF CORRECTION ISSUED	
Mar. 02, 1982	NOTICE OF PUBLICATION	
Jan. 26, 1982	NOTICE OF PUBLICATION	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** May 24, 2007

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the statement, column 1, after line 2, ", now located at Marvel Cave Park, Mo. 65616" is inserted.

**Correction made to Registration:** In the statement, column 1, line 24, before "Log" "Construction Materials-Namely," should be inserted, and line 31, before "Pipe" "Tobacco Products-Namely," should be inserted. In the statement, column 2, line 30, before "Cut" "Glassware-Namely," should be inserted, and line 42, before "Printed" "Paper and Stationery-Namely," should be inserted. In the statement, Page 2, column 1, lines 5 and 6, the description of goods should be deleted and "Seed Items-Namely, Ecology boxes containing seeds, wooden items, straw items-namely, toothpicks and cake testers, shuckery items-namely, corn shuck flowers, and pewter items" should be inserted. In the statement, column 1, line 24, before "Log" "Construction Materials - Namely," should be inserted, and line 31, before "Pipe" "Tobacco Products - Namely," should be inserted. In the statement, column 2, line 30, before "Cut" "Glassware - Namely," should be inserted, and line 36, before "Writing" "Paper and Stationery - Namely," should be inserted. In the statement, page 2, column 1, line 3, "May 1967" should be deleted and "April 1960" should be inserted, and lines 5 and 6, the description of goods should be deleted and "Seed Items - Namely, Ecology boxes containing seeds, wooden items, straw items - namely, toothpicks and cake testers, shuckery items - namely, corn shuck flowers, and pewter items" should be inserted.

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** SCANNING ON DEMAND

**Date in Location:** Jan. 15, 2008

## Assignment Abstract Of Title Information

**Summary**

Total Assignments: 1

Registrant: SILVER DOLLAR CITY, INC.

**Assignment 1 of 1**

Conveyance: CHANGE OF NAME

Reel/Frame: [2742/0413](#)

Pages: 5

Date Recorded: May 28, 2003

Supporting Documents: [assignment-tm-2742-0413.pdf](#)**Assignor**Name: [SILVER DOLLAR CITY, INC.](#)

Execution Date: Dec. 11, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

**Assignee**Name: [HERSCHEND FAMILY ENTERTAINMENT CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 399 INDIAN POINT ROAD  
BRANSON, MISSOURI 65616**Correspondent**

Correspondent Name: ANDREW S. BENDER

Correspondent Address: 401 MAIN STREET  
SUITE 1400  
PEORIA, IL 61602**Domestic Representative - Not Found****Proceedings****Summary**

Number of Proceedings: 2

**Type of Proceeding: Opposition**Proceeding Number: [91113987](#)

Filing Date: May 03, 1999

Status: Terminated

Status Date: Dec 04, 2004

Interlocutory Attorney: BRIAN D BROWN

**Defendant**

Name: SILVER DOLLAR FRANCHISING, INC.

Correspondent Address: JOHN AKERS  
401 S. DEWEY SUITE 214  
BARTLESVILLE OK , 74003  
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SILVER DOLLAR CAFE	Abandoned - After Inter-Partes Decision	<a href="#">75424506</a>	

**Plaintiff(s)**

Name: SILVER DOLLAR CITY, INC.

Correspondent Address: ROBERT M. GARRETT  
HAVERSTOCK, GARRETT & ROBERTS  
611 OLIVE STREET, SUITE 1610  
ST. LOUIS MO , 63101  
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SILVER DOLLAR CITY	Renewed	<a href="#">72465074</a>	<a href="#">1066465</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 03, 1999	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Jun 10, 1999	Jul 20, 1999
3	PENDING, INSTITUTED	Jun 10, 1999	
4	ANSWER	Jul 23, 1999	

5	PL'S MOT TO CONSOLIDATE	Dec 27, 1999
6	CONSOLIDATED W/113,168; TRIAL DATES RESET	Jan 12, 2000
7	PL'S MOT TO EXT TIME W/CON	Feb 18, 2000
8	PL'S MOT TO EXT TIME W/CON	May 08, 2000
9	SUSPENDED	May 11, 2000
10	TRIAL DATES RESET	Apr 04, 2001
11	DEF'S ABANDONMENT OF SN 75/424,506	May 29, 2001
12	BOARD'S DECISION: SUSTAINED	Jun 06, 2001
13	TERMINATED	Jun 06, 2001
14	#6 RETURNED UNDELIVERABLE	Jan 12, 2000

---

**Type of Proceeding: Opposition**

---

Proceeding Number: [91059061](#)

Filing Date: Oct 20, 1975

Status: Terminated

Status Date: Apr 08, 1977

Interlocutory Attorney:

**Defendant**

Name: SILVER DOLLAR CITY, INC.

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
SILVER DOLLAR CITY	Renewed	<a href="#">72465074</a>	<a href="#">1066465</a>

**Plaintiff(s)**

Name: THE BLOCH BROTHERS TOBACCO COMPANY AND HELME PRODUCTS, INC.

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
			<a href="#">665537</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED	Oct 20, 1975	
2	PENDING, INSTITUTED	Feb 02, 1977	
3	BD'S DECISION: DISMISSED W/O PREJUDICE	Mar 21, 1977	
4	TERMINATED	Apr 08, 1977	

00  
Int. Cl.: 3, 5, 12, 13, 14, 16, 18, 19, 20, 21, 24, 27,  
28, 34

Prior U.S. Cl.: 2, 3, 8, 9, 12, 15, 17, 18, 19, 22, 28,  
29, 30, 32, 33, 37, 38, 40, 42, 52

**United States Patent Office**

Reg. No. 1,066,465  
Registered May 24, 1977

**TRADEMARK**

Principal Register

**SILVER DOLLAR CITY**

Silver Dollar City, Inc. (Missouri corporation)  
Silver Dollar City, Mo. 65616

For: BARRELS, BASKETS, BOXES, HAMPERS,  
AND COASTERS; PAPER CUPS AND PAPER  
PLATES, in CLASS 2 (INT. CL. 21).

First use in or about February 1960; in commerce  
in or about February 1960.

For: PURSES, BILLFOLDS, BAGS AND POUCHES,  
in CLASS 3 (INT. CL. 18).

First use in or about April 1962; in commerce in or  
about April 1962.

For: SMOKERS' ARTICLES—NAMESLY, PIPES,  
PIPE CLEANERS, PIPE REAMERS, CIGARETTE  
HOLDERS AND LIGHTERS—in CLASS 8 (INT. CL.  
34).

First use in or about April 1960; in commerce in or  
about April 1960.

For: FIREARMS—NAMESLY, PISTOLS AND  
RIFLES AND PARTS AND ACCESSORIES THERE-  
FOR; LEATHER GUN BELTS AND HOLSTERS—in  
CLASS 9 (INT. CL. 13).

First use in or about May 1970; in commerce in or  
about May 1970.

For: LOG CABINS IN THE NATURE OF PRE-  
FABRICATED UNITS, in CLASS 12 (INT. CL. 19).

First use in or about October 1970; in commerce in or  
about October 1970.

For: CANDLES, in CLASS 15 (INT. CL. 16).

First use in or about May 1967; in commerce in or  
about May 1967.

For: PIPE TOBACCO, in CLASS 17 (INT. CL. 34).

First use in or about April 1960; in commerce in or  
about April 1960.

For: APOTHECARY ITEMS—NAMESLY, ETHICAL  
DRUGS AND COMPOUNDS FOR MEDICINAL PUR-  
POSES—in CLASS 18 (INT. CL. 5).

First use in or about April 1960; in commerce in or  
about April 1960.

For: WAGONS AND CARTS—NAMESLY, WAGONS  
AND CARTS DRAWN BY ANIMALS—in CLASS 19  
(INT. CL. 12).

First use in or about May 1970; in commerce in or  
about May 1970.

For: TOYS, DOLLS, BALLS, PLAYING CARDS,  
PUZZLES AND BOARD GAMES, in CLASS 22 (INT.  
CL. 28).

First use in or about May 1968; in commerce in or  
about May 1968.

For: JEWELRY AND CHARMS; LEATHER BRACE-  
LETS AND WRIST BANDS, HAT BANDS, LEATHER  
BELT BUCKLES AND HAIR BARRETTES, in CLASS  
28 (INT. CL. 14).

First use in or about February 1960; in commerce  
in or about February 1960.

For: BROOMS, BRUSHES AND DUSTERS, in  
CLASS 29 (INT. CL. 21).

First use in or about May 1970; in commerce in or  
about May 1970.

For: POTTERY AND CHINA—NAMESLY, DISHES,  
PLATES, PLATTERS, TRAYS, SAUCERS, CUPS,  
BOWLS, PITCHERS, POTS AND VASES—in CLASS  
30 (INT. CL. 21).

First use in or about May 1968; in commerce in or  
about May 1968.

For: FURNITURE—NAMESLY, CHAIRS, TABLES,  
DESKS, BOOKCASES AND CABINETS AND PARTS  
THEREFOR; FRAMED PICTURES; ECOLOGY  
BOXES CONTAINING VARIOUS SEEDS FRAMED  
FOR USE AS A DECORATION—in CLASS 32 (INT.  
CL. 20).

First use in or about May 1970; in commerce in or  
about May 1970.

For: CUT GLASS, BLOWN GLASS AND LEADED  
GLASS DISHES, PLATES, TRAYS, SAUCERS, CUPS,  
BOWLS, PITCHERS, VASES AND GLASSES, in CLASS  
33 (INT. CL. 21).

First use in or about May 1967; in commerce in or  
about May 1967.

For: WRITING PAPER, NOTE BOOKS, PADS, TAL-  
LIES, WRAPPING PAPER, PAPER NAPKINS AND  
PAPER RIBBONS FOR GIFT WRAPPING, in CLASS  
37 (INT. CL. 16).

First use in or about May 1967; in commerce in or  
about May 1967.

For: PRINTED MATTER—NAMESLY, NEWSPA-  
PERS, CATALOGS, MAPS, SONG AND MUSIC PUB-  
LICATIONS, CRAFT BOOKLETS, COOKBOOKS,  
BUMPER STICKERS, POSTERS AND PRINTED

2

1,066,465

SEALS, PRINTED CARDS, PRINTED TAGS AND UN-  
FRAMED PICTURES—in CLASS 38 (INT. CL. 16).

First use in or about May 1967; in commerce in or  
about May 1967.

*add* — For: LEATHER BELT BUCKLES AND HAIR BAR-  
RETTEs, in CLASS 40 (INT. CL. 20).

First use in or about May 1967; in commerce in or  
about May 1967.

For: BLANKETS, RUGS AND PLACEMATS MADE  
OF FIBERS, in CLASS 42 (INT. CLS. 24 and 27).

First use in or about May 1967; in commerce in or  
about May 1967.

For: SOAP PRODUCTS—NAMELY, BATH SOAP  
FOR PERSONAL USE AND LYE SOAP—in CLASS  
52 (INT. CL. 3).

First use in or about May 1967; in commerce in or  
about May 1967.

Ser. No. 465,074, filed Aug. 8, 1973.

M. E. BODSON, Examiner

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Mail letters and postcards from Silver Dollar City! Visit the U.S. Post Office, located at the General Store.

General Store

Open March 15 - December 30 Location: Main Street Type: Souvenirs and Novelty



The General Store

As in any 19th century town, our General Store has been the hub of Main Street for many years. Stop by and mail a letter at the authentic, working Post Office. The General Store's 1880's environment features necessities for the young frontiersman including an array of enamelware as well as a variety of gifts, collectibles and apparel featuring farm animals, John Deere, Farm Boy, Farm Girl, Farmall and International Harvester.



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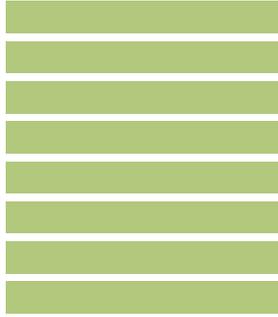
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Apple Butter Shop



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**Apple Butter Shop** March 15 - December 30 Location: Homestead Ridge

Silver Dollar City's Apple Butter Shop offers an impressive array of apple butter, jams, jellies and other fruit butters, as well as delicious hot apple turnovers with warm apple butter.

[More details](#)



**Ashley's Tintype Photography** March 15 - December 30 Location: Valley Road

Ashley's Tintype Photography offers the perfect tintype to capture your family's visit to Silver Dollar City in the 1800's!

[More details](#)



**Bears at the Holler - Make Your Own** March 15 - December 30 Location: Valley Road

Silver Dollar City's Bears at the Holler offers the perfect way for your child to create their new cuddly best friend!

[More details](#)



**Becca's House** March 15 - December 30 Location: Midtown

Becca's House at Silver Dollar City offers hand looming demonstrations as well as quilt patterns, fabrics, needlework items and more.

[More details](#)



**Bishop's Watercolor Art** March 15 - December 30 Location: Hugo's Hill Street

Bishop's Watercolor Art at Silver Dollar City offers delicate renderings of wildlife, birds, butterflies, dragonflies and more are painted on various types of paper by artist Jerry Bishop.

[More details](#)



**Bittersweet Gallery** March 15 - December 30 Location: Midtown

You'll find the artwork of Jack E. Dawson in the interactive gallery at Bittersweet Gallery at Silver Dollar City.

[More details](#)



**Brown's Candy Factory** March 15 - December 30 Location: Main Street

See daily candy making demonstrations at Silver Dollar City's Brown's Candy Factory.  
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**Carrie's Candles** April 17 - December 30 Location: Midtown

See daily candle making demonstrations at Silver Dollar City's Carrie's Candles.  
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**Casey's Baseball Bat Cart** April 17 - December 30 Location: Valley Road

Find everything you need to enjoy America's favorite pastime at Silver Dollar City's Casey's Baseball Bat Cart.  
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**Cedar Creek Dulcimers** March 15 - December 30 Location: Entrance

Silver Dollar City's Cedar Creek Dulcimers offers a wide range of folk instruments for your musical adventures.  
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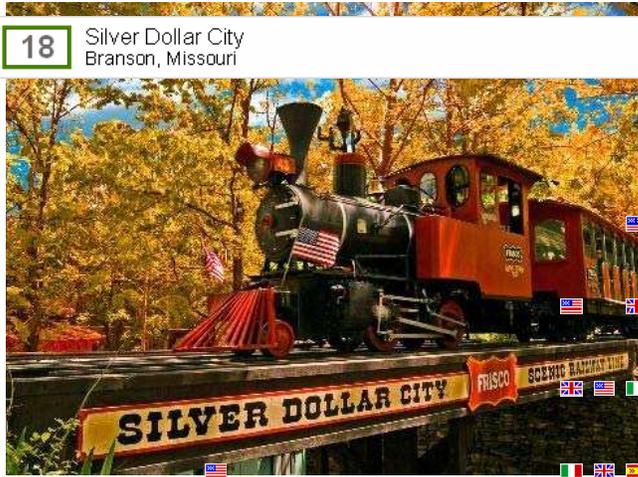
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## EXHIBIT G

**Generated on:** This page was generated by TSDR on 2013-08-14 17:53:29 EDT

**Mark:** SILVER DOLLAR PAWN & JEWELRY, ALEXANDRIA, LA, E PLURIBUS UNUM, IN GOD WE TRUST



**US Serial Number:** 85626880

**Application Filing Date:** May 16, 2012

**Filed as TEAS Plus:** Yes

**Currently TEAS Plus:** Yes

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**Status:** A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

**Status Date:** May 15, 2013

**Publication Date:** Apr. 16, 2013

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## Mark Information

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**Mark Literal Elements:** SILVER DOLLAR PAWN & JEWELRY, ALEXANDRIA, LA, E PLURIBUS UNUM, IN GOD WE TRUST

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of a photographic image of the face of a United States silver dollar coin displaying the color silver, with dark green and light green wings and dark green and white leaves protruding on either side of the coin. The words "SILVER DOLLAR" in dark green, stylized font are above the coin, and the words "PAWN & JEWELRY" and "ALEXANDRIA, LA" in dark green, stylized font are below the coin. In between the coin and the word "PAWN" is a depiction of a dark green lizard. There is a light green banner with a dark green outline across the bottom of the coin, which features the words "IN GOD WE TRUST" in black font. The mark also features four concentric circles, starting with an outermost dark green circle connecting the words "SILVER DOLLAR" and "ALEXANDRIA, LA" and three more light green circles encircling the coin. The entire mark is on a white background.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) dark green, light green, silver, black and white is/are claimed as a feature of the mark.

**Disclaimer:** "PAWN & JEWELRY" AND "ALEXANDRIA, LA"

**Design Search Code(s):** 03.17.01 - Wings, birds'  
03.21.06 - Geckos; Iguanas; Chameleons; Lizards, salamanders, chameleons, iguanas; Salamanders; Newts  
04.01.01 - Winged human heads, feet, shoes or other parts  
05.03.02 - Oak leaf  
05.03.03 - Maple leaf  
05.03.04 - Holly leaf  
24.07.01 - Coins; Money (coins)  
24.09.07 - Advertising, banners; Banners  
26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)  
26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles

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## Goods and Services

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**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Cups and mugs; Insulating sleeve holders for beverage cans

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(b)

**For:** Retail store services featuring novelty items, electronics, jewelry, musical instruments, motor vehicles, tools, lawncare equipment, and guns and munitions

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(b)

**For:** Pawn brokerage; Pawn shops

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

**For:** Entertainment services in the nature of an on-going reality based television program; Entertainment services, namely, personal appearances by a reality based television celebrity; Entertainment services, namely, providing a web site featuring photographic, audio, video and prose presentations featuring a reality based television celebrity

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(b)

## Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: DeRamus, Jimmie

Owner Address: 2417 Lee Street  
Alexandria, LOUISIANA 71301  
UNITED STATES

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Christophe Szapary

Attorney Primary Email Address: [cszapary@provostylaw.com](mailto:cszapary@provostylaw.com)

Attorney Email Authorized: Yes

### Correspondent

Correspondent Name/Address: CHRISTOPHE SZAPARY  
PROVOSTY & GANKENDORFF  
650 POYDRAS ST STE 2700  
NEW ORLEANS, LOUISIANA 70130-6180  
UNITED STATES

Phone: 504-410-2795

Fax: 504-410-2796

Correspondent e-mail: [cszapary@provostylaw.com](mailto:cszapary@provostylaw.com) [kbroom@provostylaw.com](mailto:kbroom@provostylaw.com)

Correspondent e-mail Authorized: Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 15, 2013	EXTENSION OF TIME TO OPPOSE RECEIVED	
Apr. 18, 2013	LETTER OF PROTEST EVIDENCE REVIEWED	89009
Apr. 16, 2013	LETTER OF PROTEST ACCEPTED	
Apr. 16, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 16, 2013	PUBLISHED FOR OPPOSITION	
Mar. 27, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 13, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 13, 2013	ASSIGNED TO LIE	70884
Feb. 28, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 25, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 25, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 25, 2013	EXAMINERS AMENDMENT E-MAILED	6328

Feb. 25, 2013	EXAMINERS AMENDMENT -WRITTEN	89009
Feb. 14, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 14, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 14, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 14, 2013	EXAMINERS AMENDMENT -WRITTEN	89009
Feb. 08, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 07, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 07, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 18, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 18, 2012	NON-FINAL ACTION E-MAILED	6325
Sep. 18, 2012	NON-FINAL ACTION WRITTEN	89009
Sep. 07, 2012	ASSIGNED TO EXAMINER	89009
May 23, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
May 22, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 19, 2012	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

TM Staff Information	
TM Attorney: KOZAK, EVIN L	Law Office Assigned: LAW OFFICE 116
File Location	
Current Location: PUBLICATION AND ISSUE SECTION	Date in Location: Apr. 18, 2013

### Proceedings

Summary
Number of Proceedings: 1
Type of Proceeding: Extension of Time

Proceeding Number: <a href="#">85626880</a>	Filing Date: May 15, 2013
Status: Not Instituted	Status Date: May 15, 2013

Interlocutory Attorney:

Defendant
Name: DeRamus, Jimmie
Correspondent Address: CHRISTOPHE SZAPARY PROVOSTY & GANKENDORFF 650 POYDRAS ST STE 2700 NEW ORLEANS LA , 70130-6180

Associated marks			
Mark	Application Status	Serial Number	Registration Number
SILVER DOLLAR PAWN & JEWELRY, ALEXANDRIA, LA, E PL	Request For Extension of Time to File Opposition	<a href="#">85626880</a>	

Potential Opposer(s)
Name: HERSCHEM FAMILY ENTERTAINMENT CORPORATION
Correspondent Address: Christopher Holland Smith, Gambrell & Russell LLP 1230 Peachtree St NESuite 3100 Atlanta GA , 30309 UNITED STATES
Correspondent e-mail: <a href="mailto:caholland@sgrlaw.com">caholland@sgrlaw.com</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	May 15, 2013	
2	EXTENSION OF TIME GRANTED	May 15, 2013	
3	INCOMING - EXT TIME TO OPPOSE FILED	Jun 14, 2013	
4	EXTENSION OF TIME GRANTED	Jun 15, 2013	